



## Consent to the Auction rules and declaration of the binding nature of the submitted bid

**Auction:** \_\_\_\_\_

**Bidder:** \_\_\_\_\_

**Contact:**

**telephone:** \_\_\_\_\_

**e-mail:** \_\_\_\_\_

**Registration date:** \_\_\_\_\_

**Date of submission of auction catalog:** \_\_\_\_\_

**Amounts in<sup>1)</sup>:**

CZK / EUR

**I want to specify the minimum/maximum amount of timber that I will purchase<sup>1)</sup>:**

YES/NO

**Minimal amount:** \_\_\_\_\_m3

**Maximal amount:** \_\_\_\_\_m3

**Auction catalog submitted<sup>1)</sup>:**

in writing / by email

By signing below, I confirm my agreement with the auction rules, which is part of the auction catalog, and I further declare that I am aware of the binding nature of the offer submitted by me.

In Činěves \_\_\_\_\_

\_\_\_\_\_  
First Name and Surname

\_\_\_\_\_  
Signature



#### Auction rules

for the public tender for the best bid pursuant to Sec. 1772 et seq. of the Civil Code

**Date:** \_\_\_\_\_

**Venue:** \_\_\_\_\_

**Start:** on the first auction day at 8am at the venue

**Registration of participants:** on the last auction day by 12pm at the latest

**Bid submission deadline / End of auction:** on the last auction day by 3pm

**Bid evaluation deadline:** the business day following the end of the auction by 6pm at the latest; the results shall be obtained by all participants by e-mail stated in the attendance list

**Auctioneer:** DEBLICE - lesy s.r.o., ID: 271 03 803, with registered office at Dymokury, Deblice 174, okres Nymburk, Zip Code 28901

#### I. Subject of the auction

1. The subject of the auction is timber – individual assortments as per the bid catalog.

#### II. Participants of the auction

1. The participant of the auction can be both a natural or a legal person who has registered and affirmed his/her consent with the auction rules, which are part of the auction catalog, by his/her signature. Acting through a legal person must be a person(s) authorized to do so.
2. A bidder shall be a registered auction participant who has presented his/her price bid for the timber auctioned within the stipulated period.
3. It is possible to exclude from the auction a person who has not paid his/her obligations towards the company DEBLICE – lesy s.r.o., or who failed to collect or pay for the auctioned timber in past auctions within stipulated periods or who failed to fill in the registration form or consent to the auction rules properly.

#### III. Course of the auction

1. After registration, the auction participant shall receive the bid catalog of the timber auctioned. The catalog shall contain under reference numbers the individual ranges of the timber auctioned, which the bidder can freely view in the auction area.
2. The movement of the participants in the handling warehouse shall be restricted by the auctioneer to the auction area where the auctioned timber is located. The participant shall be obliged to comply with OHS principles, FP principles and all instructions of the Auctioneer. He/she can be expelled from the auction area for non-compliance with them or for undisciplined conduct.
3. The registered participant shall enter in the bid catalog the bidding price for individual ranges in the purchase of which he/she is interested. The price indicated shall be for **1m3 without VAT**. Incorrectly filled in bid catalogs can be excluded from the auction.
4. The bidder shall submit the completed filled bid catalog to the registration place duly marked with the bidder's trade name or submit the bid catalog by email with a duly completed and signed Consent to the Auction Decree and a statement of the binding nature of the submitted bid. Submission of bids by e-mail without personal participation is valid only for bidders who have participated in the auction in the past. The submission of bids shall be limited by the bid submission deadline; after this deadline, the bids may not be accepted for evaluation. The submitted bids shall be binding and cannot be revoked after the lapse of the period for their submission.
5. The evaluation of the submitted bids shall be performed by the auctioneer after the bid submission deadline. The result of the auction with the announcement of the best bids shall be sent to all bidders within a stipulated period.
6. The auctioneer shall be entitled to refuse the bids which are lower than the asking price.
7. The Auctioneer will send the results of the auction to all successful bidders immediately after the auction has been evaluated. The individual bidders are also assigned the logs for which their bid price was the highest, even if the price was lower than the starting price. For these logs, the timber owner has the right to decide not to sell them. In such a case, the Auctioneer will inform the successful bidder by 8:00 a.m. on the Friday following the auction that these logs remain the property of the timber owner and that the volume of the auctioned timber and the total price for the auctioned timber is reduced by these logs.
8. A written contract is concluded with the successful bidder after the end of the auction. The mutual relationship between the auctioneer and the successful bidder shall be governed primarily by these Rules and the relevant provisions of the Civil Code.

#### IV. The price of the auctioned timber

1. The prices proposed by the bidders are unit prices for 1m3 without VAT. The prices are based on EXW – at the auction venue.
2. The auctioned price is the bid of the highest value. The bid may be lower than the asking price stated in the bid catalog; however, sale is not guaranteed in such a case (see art. III para 6 and 7).
3. The bidder may state the minimum quantity of m3 that s/he will buy. Then, provided s/he submits the best bid for a lower quantity, all his/her bids will be forfeited.
4. The bidder may state the maximum quantity of m3 that s/he will buy. Then, provided s/he submits the best bid for a larger quantity, s/he will auction ranges with the largest difference in the bidding price in respect to the second in rank until the maximum quantity of m3 s/he has stated.
5. In the case of the equal amounts of bidding prices from several bidders, the bid of the bidder who auctioned timber of a higher total price shall win. In other contentious cases, the choice of procedure shall be within the competence of the auctioneer.

#### V. The conditions of the collection of the auctioned timber and other provisions

1. The successful bidder shall be entitled to collect the auctioned timber only after it has been paid for or after the invoice amount has been credited to the seller's account. The invoice due date is 14 days from the issue of the invoice.
2. The successful bidder shall be obliged to collect the auctioned timber no later than within 14 days from its payment.
3. The successful bidder shall be obliged to announce pick up of the logs, carrier, plate number and name of the driver to the contact person in the handling warehouse listed in the sent auction results or by phone to +420 773 169 640 or by email to [martin.cizek@deblicesy.cz](mailto:martin.cizek@deblicesy.cz) at least one day before planned pick up. If the successful bidder needs to load the logs on truck or railway wagon or into the container, then report the date of pick up no later than Thursday of the week preceding the pick up.
4. If the successful bidder fails to remove the auctioned timber within 5 weeks from the end of the auction (or fails to pay on time), the successful bidder will be charged a fee for the collection and dumping of timber in the amount of 200 CZK/m3 for each m3 of timber that is not removed from the auction area within 5 weeks from the end of the auction and a fee of 40 CZK/m3 for each day of dumping for timber that is not removed from the auction area within 8 weeks from the end of the auction.
5. If the successful bidder fails to remove the auctioned timber within 5 or 8 weeks, there is another option, in case of the successful bidder's interest, of the Auctioneer purchasing the unremoved timber at a price of at least 500 CZK/m3 in the case of coniferous and soft deciduous timber and 1200 CZK/m3 in the case of hard deciduous timber. This option will be used only in case of the successful bidder's express interest and its use does not extinguish the right to claim the fee for collection and dumping of timber over 5 weeks from the end of the auction and the fee for storage of timber over 8 weeks from the end of the auction. However, if the successful bidder fails to remove the timber from the auction area by 30 June of the year in question, this option will be exercised automatically and the cuttings in question will be purchased at the prices stated above, unless otherwise agreed.
6. The seller shall bear no liability for damage incurred to the auctioned timber after the lapse of the due collection deadline.
7. The seller shall be able to load the auctioned timber to a means of transport without a hydraulic arm, railway carriage or another means of transport for a consideration pursuant to the price list of the transport of timber, which is available at [www.deblicesy.cz](http://www.deblicesy.cz) in the *auctions* section or shall be provided on request.

#### VI. Final provisions

1. The handling of protests, objections and complaints shall be within the competence of the auctioneer.
2. The facts not stated herein shall be governed by generally binding legislation.

In Deblice on: 30. 10. 2023

DEBLICE - lesy s.r.o.

Ing. Martin Čížek