

13 January 2021

Dear all,

**Re: Auction of 21' Skiff "Hupacasath First Nation Fisheries 19"
Auction of 31' Skiff 14K24116**

Key Dates:

Bidding Open: 1:00 p.m. 14 January 2021

Bidding Close: 11:30 a.m. 23 January 2021

Auction Winner Announced: 1:00 p.m. 23 January 2021

Procedure:

The health and safety of prospective bidders and harbour authority users is of utmost importance during this pandemic. The most recent [Provincial Health Order](#) has imposed restrictions on auctions (defined as an "event" under the Order) to prevent the transmission of COVID-19. Accordingly, we will be holding the auction digitally through an electronic bid process.

The procedure for the auction is as follows:

- i. The electronic bid auction will open at 1:00 p.m. on 14 January 2021;
- ii. Bidders may submit bids by filling out the attached Bid Form and submitting a copy of their government-issued ID (pictures of the front and back of the ID are mandatory);
- iii. By making a bid, you are submitting to the terms and conditions listed on the Bid Form;
- iv. In completing your bid, please indicate which skiff the bid is being made in respect of on the Bid Form;
- v. Non-compliant Bid Forms will not be accepted;
- vi. Bidders cannot revoke or alter their bids after submission;
- vii. Bidders may submit multiple bids, but only the highest of which will be considered;
- viii. Bids must be submitted via email to randerson@leaguelaw.com no later than 11:30 a.m. Pacific Standard Time on 23 January 2021;
- ix. Bids are binding, and the highest bid will stand as the auction winner.

Those on the confidential email circular will be updated of the highest bid regularly through the bidding process. An update of the current highest bid will be sent to those on the email circular by 5:00 p.m. on 18, 20 and 22 January 2021 with a fifth and final update to be sent by 10:00 a.m. on 23 January 2021. This will provide bidders with an accurate account of what the current price of the vessel is including up to the hours prior to the auction closing. If you wish to request the highest bid outside of those dates, you may contact the undersigned directly.

Public Viewings:

Under the [Province-Wide Restrictions](#) (updated 08 January 2021), all non-essential travel should be avoided. Essential travel means regular travel for work within your region or travel for medical/hospital appointments. Traveling to view the vessel does not fall under “essential travel”.

The skiffs are being sold as-is, where-is, without any representations and/or warranties of any kind. We have provided pictures of the two skiffs which are available for viewing here: <https://fileshare.leaguelaw.com/index.php/s/Berr3tjj7aoMQNc> . As a result of the Province-Wide Restrictions there is currently no on-site viewing of the auction items.

If you have any questions with respect to the vessel or auction process, please direct them to Robert Anderson at League and Williams Law Corporation, via phone 250-888-0002 or randerson@leaguelaw.com

Thank you in advance for your efforts.

Yours truly,

LEAGUE AND WILLIAMS LAW CORPORATION

Robert Anderson

randerson@leaguelaw.com



BID FORM – ELECTRONIC BID PROCESS- 21’ AND 31’ SKIFFS

Instructions:

1. Fill out the Bid Form completely. Incomplete forms will not be accepted.
2. Sign and date the Bid Form.
3. Submit the Bid Form and Government Issued Photo Identification to randerson@leaguelaw.com
4. Bidding is open from 1:00 p.m. on 14 January 2021 until 11:30 a.m. on 23 January 2021.

NAME:
ADDRESS:
PHONE:
EMAIL:
SKIFF: [] 21’ HUPACASATH FIRST NATION FISHERIES 19 or [] 31’ 14K24116 (SELECT ONE ONLY)

My Binding Bid: _____ + Tax (12%)

I acknowledge and accept the following Bidding Conditions:

1. I represent that I have the power to make this bid and that this bid is for myself only and not for anyone else on their behalf.
2. I acknowledge that this bid is binding and if this bid is the highest bid, it will create a binding contract for the sale of the skiff.
3. I acknowledge that the skiff is being sold as-is, where-is without any representations or warranties of any kind, including with respect to the skiff’s conditions, seaworthiness, and title. Any sale of the skiff is final. There will be no reductions or refunds.
4. Any successful bid is also subject to the applicable sales tax which shall be paid in addition to the bid price.
5. It is a condition of any sale that the skiff be removed from the Port Alberni Port Authority immediately after the sale, or as permitted by the Port Alberni Port Authority. It is a further condition of any sale that the purchaser sign a release which discharges the Port Alberni Port Authority and its agents from any legal liability resulting from this sale. A copy of this release is available upon request.
6. I acknowledge that I have had the opportunity to perform my own due diligence with respect to the skiff and have had the opportunity to seek professional, legal, or tax advice.
7. I acknowledge that this bid cannot be revoked once submitted.
8. If there is any discrepancy or controversy resulting from this auction, the auctioneer has the final authority to settle any such issue with finality without any right of appeal.
9. I consent to the collection and use of the above personal information.

DATE: _____

SIGNATURE: _____