

Terms of Reference (TOR): Provision of Bailiff Services for iTaukei Land Trust Board (TLTB) in the Suva Area

1. Introduction:

The iTaukei Land Trust Board (TLTB) is a body corporate established under the iTaukei Land Trust Act 1940 and administers iTaukei land by way of leases and licences for the benefit of the iTaukei landowners.

TLTB is seeking to procure the services of reliable bailiff service providers for the Suva Area **(can we define the area which we are dealing with?)**. We require experienced professionals capable of efficiently serving arrears notices and legal documents to our TLTB customers on an "as and needed" basis. This includes the crucial task of serving arrears notices, enforcing Court-issued Orders, and ensuring the proper service and acknowledgment of these orders for customers who have defaulted.

2. Objectives:

The primary objectives of this engagement are as follows:

- To ensure timely and efficient service of arrears notices and legal documents.
- To enforce Court-issued Orders when necessary.
- To maintain accurate records of service and acknowledgment for defaulting customers.

3. Scope of Work:

The successful bailiff service provider will be responsible for the following tasks:

- Timely and efficient service of arrears notices and legal documents.
- Enforcement of Court-issued Orders, when applicable.
- Accurate documentation and reporting of all service activities.
- Maintaining professionalism and discretion throughout all interactions with TLTB customers.

4. Tender Requirements:

In order to be a successful bidder, interested parties must ensure that the following documents are included in the tender bid:

- a) Covering letter outlining a comprehensive response addressing the Terms of Reference.
- b) A copy of a valid bailiff licence.
- c) A copy of a valid driver's licence.
- d) A copy of a valid TIN (Tax Identification Number).

- e) A copy of a valid Fiji National Provident Fund Compliance Certificate for 2023.
- f) A copy of a valid Fiji Revenue and Customs Services Compliance Certificate for 2023.
- g) Three written references from reputable organizations or individuals who have utilized your bailiff services in the past three years.
- h) Fees and charges for services including:
 - i. serving demand notice, writ of summons, winding up petition, judgment debtor summons, default judgment, receiving orders, winding up order, proof of debt, SCT claims, writ of *fifa*, subpoenas, applications, instruments, notices or other document authorized or required by TLTB; and
 - ii. preparation and execution of affidavit of service and other legal documents.

5. Evaluation Criteria:

Tenders will be evaluated based on, but not limited, to the following criteria:

- a) Qualifications and experience of the service provider.
- b) Responsiveness and availability to meet TLTB's service needs.
- c) Competitive pricing for services.
- d) Compliance with all legal and licensing requirements.

6. Scope of Work for Bailiff Services in Suva

The bailiff scope of services for TLTB include, but are not limited to, the following services:

- a) service of legal documents including arrears notices, breach notices and other legal documents stated in 4(h) above on individuals, companies or businesses; and
- b) execution of the necessary affidavits of service signed by the bailiff before a Commissioner for Oaths, Justice of Peace or Legal Practitioner.

7. Task Descriptions

- a) Ensuring that all legal documents, arrears notices, breach notices and other legal documents stated in 4(h) above are served successfully and honestly in a timely manner.
- b) Ensure efficient and effective delivery service, taking into account the geographical locations of the customers, the current weather conditions and economic viability to locate and serve the customers.
- c) Ensure TLTB's tenants' or stakeholder's information/details are obtained from TLTB prior to service of the legal document and ensuring the said information are dealt with in utmost confidentiality.
- d) Records of all service attempts must be documented and provided to TLTB.
- e) Timely reporting to TLTB and collection of requisite affidavit of service for execution before a Commissioner for Oaths, Justice of Peace or Legal Practitioner.
- f) Detailed reports of all work undertaken to be submitted at all times or as and when requested by TLTB in writing.
- g) Provide proper and correct invoices (invoices to have a TIN) of charges and fees.
- h) Be able to support and carry out any other related duties as and when required by TLTB.

8. Contact Information:

For inquiries and tender submissions, please contact:

Livai Tuvola

Email: ltuvola@tltb.com.fj

Phone Contact: 331 2733

9. Amendments:

Any amendments to this TOR will be communicated to all interested parties in writing.

10. References:

Please refer to any relevant laws, regulations, or guidelines applicable to bailiff services in Fiji.

11. Approval and Signatures:

This TOR is approved and issued by:

Interested bailiff service providers are encouraged to submit their tenders in accordance with this TOR to be considered for this important engagement with TLTB.