



Crowe Soberman Inc.

# Invitation for Offers to Purchase:

Business and assets of JMX Contracting Inc., JMX Leasing Inc., JMX National Inc. and BRND Properties Inc.





Crowe Soberman Inc.

**Crowe Soberman Inc.**  
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## **BUSINESS AND ASSETS FOR SALE**

### **DEADLINE FOR SUBMITTING PHASE 1 BIDS: OCTOBER 23, 2020**

#### **General Business Information**

- Business Names:** JMX Contracting Inc., JMX Leasing Inc., JMX National Inc. and BRND Properties Inc. (collectively the “JMX Group” or the “Company”)
- Business Type:** The JMX Group specializes in environmental contracting, demolition abatement, remediation, and commodity salvage services to construction and decommissioning sites across Canada. The Company performs a wide range of sophisticated and specialized services to a variety of industries including the energy, commercial, industrial, and nuclear sectors.
- Location:** The JMX Group operates from its owned premises located at 27 Anderson Blvd, Uxbridge, Ontario. The premises contain a recently built (2019) modernized industrial building. The building has two stories and is approximately 14,000 sq ft.
- Year Established:** 2000
- Sale Type:** Purchase of the JMX Group’s business and assets. The assets consist of, among other things, accounts receivable, rights to ongoing construction projects, construction equipment, real estate in Uxbridge, Ontario that houses the JMX Group’s operations and intellectual property (collectively the “Assets”).

#### **Overview of Sales Process**

An opportunity exists to acquire the Assets and ongoing operations of the JMX Group.

In April 2020, the JMX Group filed Notices of Intention to make proposals under the *Bankruptcy and Insolvency Act*, which proceedings were converted into proceedings under the Companies’ Creditors Arrangement Act (the “CCAA Proceedings”) and Crowe Soberman Inc. was appointed as monitor in the CCAA Proceedings (the “Monitor”).

The Monitor is conducting a marketing and sale process for the JMX Group’s Assets on an “as-is”, “where-is” basis (“Sale Process”), which was approved by the Court on September 29, 2020 (“Sale Process Order”). The Sale Process terms and conditions, including bid deadlines and minimum requirements, is attached hereto as Schedule “A”.

As approved by the Sale Process Order, the Company has entered into a Stalking Horse Asset Purchase Agreement with a company owned by two of the JMX Group shareholders (the “Stalking Horse Purchaser”), dated September 29, 2020, pursuant to which the Stalking Horse Purchaser has agreed to acquire substantially all of the Assets and to assume certain of the liabilities of the Company (the “Stalking Horse Agreement”). Such liabilities include trade payables, equipment leases and secured operating debt.

The objective of the Sale Process is to obtain offers to effect a sale of the Company’s business and the Assets on a going concern basis for an amount and/or on terms which are superior to the transaction contemplated by the Stalking Horse Agreement.

#### **Sale Process Next Steps**

If you are interested in pursuing this opportunity, please contact the Monitor at the coordinates below to obtain a non-disclosure agreement (“NDA”). Parties who execute the NDA will be given access to a virtual data room providing confidential information and documents regarding the Assets and liabilities of the Company.

The deadline for submission of Phase 1 Bids (non-binding letters of intent) is October 23, 2020 at 5:00 pm (EST).

The deadline for submission of Phase 2 Bids (binding agreements) is November 9, 2020 at 5:00 pm (EST).

The Monitor will also make available a form of asset purchase agreement to prospective purchasers who execute the NDA and Bidders are required to submit their offers in the form (or substantially in the form) of such agreement.

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