 <p>Filial de <b>Pequiven</b> Petroquímica del Estado, S.A.</p>	<p align="center"><b>NOTICE OF CONVOCATION - INTERNATIONAL OPEN TENDER</b>  <b>SUPPLY OF CONTINUOUS MONITORING SYSTEM OF NITROUS OXIDE</b>  <b>EMISSIONS (N<sub>2</sub>O)</b></p>
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**NOTICE OF CONVOCATION**  
**INTERNATIONAL OPEN TENDER FOR MONÓMEROS 002-2024**

**1. CONTRACTING ENTITY:**

Monómeros Colombo Venezolanos SA, a commercial company with 56 years in the petrochemical industry, subsidiary of the Venezuelan state company, Petrochemical de Venezuela SA (Pequiven), located near the mouth of the Magdalena River in the city of Barranquilla, Colombia.

**2. CORRESPONDENCE AND COMMUNICATIONS:**

Communications related to the Contracting Process must be made in writing, to the following email address: [licitacionabatimiento@monomeros.com.co](mailto:licitacionabatimiento@monomeros.com.co).

Any type of communication required by interested bidders must contain at least the following information:

- (a) The number of this Selection Process: [002-2024];
- (b) The sender's data that includes name, physical address, email address and telephone number;
- (c) Identification of the annexes presented with the communication.


It is clarified that communications and requests sent to Monómeros through channels other than those mentioned in this document **will not be taken into account**. Monómeros will respond to the observations and concerns received from bidders through an official document published on the website provided for this purpose.

**3. PURPOSE OF THE PROCESS:**

*Contract the "Supply of a Continuous Emissions Monitoring System (CEMS) of nitrous oxide (N<sub>2</sub>O), for the Monómeros nitric acid plant, located in the Special, Industrial and Port District of Barranquilla, Department of Atlántico – Colombia, in the context of the Nitric Acid Climate Action Group (NACAG) initiative."*

**3.1 DETAILED SCOPE OF THE CONTRACTUAL OBJECT.**

The bidder who is awarded the present bidding process will undertake with Monómeros to execute each and every one of the activities and to deliver the goods described in Annex 1A "Technical Specifications - Requirements of Goods and Services; document that is an integral part of the present selection process and the future contract (See Annex 1A).

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#### 4. SELECTION MODE:

In order to satisfy the requirements defined in the subsidy contract signed with the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), the call and selection process will follow the principles established by Colombian legislation on public procurement, which for the This call corresponds to the **Tender**, where it is determined that the most advantageous offer will be the one resulting from the weighting of elements of **quality and price**, supported by scores and the formulas indicated in this document of conditions.

#### 5. EXECUTION PERIOD OF THE CONTRACT:

To guarantee the development and compliance of the activities required for the contracting of the continuous monitoring system for Nitrous Oxide (N<sub>2</sub>O) emissions, an execution period of **six (6) months is estimated** , counted from the subscription or signature. of the contract and the delivery and approval of the guarantees requested from the contractor.

#### 6. VALUE OF THE CONTRACT.


The value of the contract will be the result of the selection process, taking into account **the value of the** winning offer. In any case, the final value of the contract will correspond to the goods actually delivered and received to the satisfaction of Monómeros, during the time of execution of the contract.

In accordance with article 96 of Law 788 of 2008 modified by article 138 of Law 2010 of 20019 regulated by Decree 1651 of 2021, the purchase and import of the goods required by Monómeros are exempt from all taxes, fees or contribution in accordance with the Common Utility Certificate. Said **Common Utility Certificate** will only be delivered to the successful supplier as an annex to the contract.

#### 7. GUARANTEES.

The bidder who is awarded the Contracting Process must present **a guarantee** for compliance with the obligations derived from the Contract that is signed, in accordance with the following protections:

WARRANTY	PERCENTAGE
<b>GOOD MANAGEMENT AND CORRECT INVESTMENT OF ADVANCE PAYMENT</b>	<p>For one <b>hundred percent (100%)</b> of the sum of money established as an advance. This guarantee must necessarily be a BANK GUARANTEE.</p> <p>This guarantee is an essential requirement to receive the advance payment corresponding to the first payment milestone of the eventual contract.</p>



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<p align="center"><b>COMPLIANCE</b></p>	<p>For <b>ten percent (10%)</b> of the total value of the supply contract signed with the supplier that is awarded, valid <b>for the total execution period of the contract</b> and two (2) more months. This guarantee can be a BANK GUARANTEE OR A POLICY GUARANTEE.</p> <p>The successful supplier must present in favor of Monómeros Colombo Venezolanos SA, a guarantee that will guarantee compliance with the obligations arising from the signing of the contract and that will cover the company from direct damages derived from total or partial non-compliance with the obligations, as well as of its late or defective compliance, when they are attributable to the future contractor.</p> <p>In addition to these risks, this protection will always include the payment of the value of the fines and the pecuniary penalty clause agreed in the contract.</p> <p>This guarantee is an essential requirement to begin the execution of the activities and obligations defined in the contract.</p>
<p align="center"><b>BANK GUARANTEE FOR HIDDEN DEFECTS AND DEFECTS</b></p>	<p>For <b>thirty percent (30%)</b> of the total value of the Contract, to be liable for defects resulting in the goods, hidden defects and any other liability incurred. This guarantee must necessarily be a BANK GUARANTEE.</p> <p>This guarantee is an essential requirement to receive the last payment milestone of the eventual contract.</p> <p>The validity of this guarantee will be 3 years from the final receipt to the complete satisfaction of Monómeros, which is formalized through the delivery-receipt document of the goods and services by the Parties.</p>

## 8. PRESENTATION OF PROPOSALS:

The offers must be delivered and sent to Monómeros to the email [receptionoffers@monomeros.com.co](mailto:receptionoffers@monomeros.com.co), on the dates defined in the schedule, with compliance with all the requirements established in the Process Documents. Please note that this email is **different** from the one published for queries and responses during the tender, to which you should not send a copy of the financial proposal.

Monómeros will only receive **one offer per Proposer**. The presentation of the proposal implies the acceptance and knowledge of Colombian legislation and the demands of Monómeros regarding the topics that are the subject of this process and all the conditions and obligations contained therein.


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The Proposer will be responsible for all costs associated with the preparation and presentation of its offer and Monómeros will in no case be responsible for them. Any deletion and/or amendment presented in any document of the offer must be saved with the signature of the person signing the corresponding document at the bottom and a note in the margin of the document clearly and expressly stating the correction made.

The documentation sent by the bidders must contain at least the following information, all documents must be duly signed and documented and, for their delivery, the following indications must be taken into account:

- Complete and attach with the proposal **Form 1**. Anti-corruption commitment.
- Fill out and attach the proposal for **Format 2**. Manifesto of No Impediment to Participate.
- Fill out and attach **Format 3**. Technical offer covering all goods and services specified in Annex 1A. The rates and prices of the economic offer must cover all costs of labor, materials, equipment, including their transportation and transportation insurance to the Monómeros Plant; general expenses, benefits and all costs associated with the performance of the work and services, and must not include tariffs or other import taxes into the country.
- Fill out and attach **Form 4 to the proposal**. Proposal Presentation Letter.
- Fill out and attach **Form 5 to the proposal**. Certification of the Legal Entity.
- Attach with the proposal the Document that shows the capacity, existence and legal representation.
- Complete and attach with the proposal **Form 6**. Constitutive document of the consortium or temporary union or promise of a future partnership if the proponent is plural (if applicable).
- Attach with the proposal the Authorization of the corporate body (if applicable).
- Attach to the proposal the duly constituted Power of Attorney (if applicable).
- Attach to the proposal Minutes of the partners' meeting (if applicable).
- Complete and attach with the proposal **Form 7**. Certification of compliance with your obligations with the comprehensive social security system and parafiscal contributions.
- Attach to the proposal the Judicial, fiscal and Disciplinary Records of the person who holds the Legal Representation of the offering legal entity, according to their country of origin.
- Attach to the proposal Photocopy of the citizenship document and/or its equivalent, of the person who holds the Legal Representation of the offering legal entity .
- Fill out and attach **Form 8 to the proposal** . Experience of the Offeror (Enabling requirement).
- Fill out and attach **Form 9 to the proposal**. Accreditation of the Bidder's Financial and Organizational Capacity.

**NOTE 1:** The documents must be sent according to the instructions in Section III of this document.

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**NOTE 2:** For the presentation of the economic proposal, **Format 3 can be used** “*Economic Offer of the proponent*”. Monómeros accepts the sending of the requested information in a format other than that supplied, as long as it includes each and every one of the goods and services required in the technical specifications.



## **9. CONDITIONS TO PARTICIPATE IN THE PROCESS:**

The following may participate in this selection process, as long as they meet the conditions required in the Tender Document and are not subject to causes of inability or incompatibility: i) individually, **national or foreign legal entities**, which are duly constituted, previously at the closing date of the process and/or jointly, in any of the forms of association provided for in article 7 of Law 80 of 1993 ( **Consortiums, temporary unions or promises of future partnership**) formed by the legal entities under the conditions provided above, whose corporate purpose allows them to comply with the purpose of the Contract.

All Proposers must:

- a) Have legal capacity to present the Proposal.
- b) Have legal capacity to enter into and execute the contract.
- c) Comply with the validity of the company at the time of presentation of the offer, which must be at least **equal to the estimated term of the contract and two (2) more years**.
- d) Not being in a mandatory liquidation process, concordat or any other bankruptcy process according to the applicable law; said affirmation will be understood to be provided with the subscription of the Letter of presentation of the proposal.
- e) Not be reported in the Bulletin of Tax Responsible Parties according to the country of origin.
- f) Not be subject to any of the causes of disqualification, incompatibility, conflict of interest provided for in the Colombian Law and the Constitution, as well as in the contracting prohibitions provided for by the Monómeros company.

**NOTE:** A legal entity may NOT present more than one offer for the same contractual process, individually or as a member of a consortium or temporary union or any other associative form. In the event that this prohibition is incurred, by itself or through an intermediary, Monómeros will not take into account any of the offers and the proposals will be **REJECTED**.


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## 10. SCHEDULE OF THE TENDER PROCESS:

The selection process referred to in this call notice will take place within the following deadlines:

STAGE 2 (DRAFT SPECIFICATIONS)			
No.	ACTIVITY	RESPONSIBLE FOR THE ACTIVITY	START DATE/DEADLINE DATE
1	Publication of selection process. (Notice of Call, previous studies, Draft Specifications and Annexes).	Monómeros	<b>08/22/2024</b>
2	Maximum Deadline to Submit Observations on the Draft Terms and Conditions.	Interested Bidder	<b>From 08/22/2024 to 09/05/2024</b>
3	Response to observations and suggestions to the draft Specification Document.	Monómeros	<b>09/10/2024</b>

STAGE 3 (FINAL FORM)			
No.	ACTIVITY	RESPONSIBLE FOR THE ACTIVITY	DATE
1	Issuance of the administrative act of <b>Opening</b> of the Bidding process and publication of the Definitive Terms and Conditions and its Annexes.	Monómeros	<b>09/12/2024</b>
2	Expression of Interest from Bidders interested in participating in the International Open call.	Interested Bidder	From <b>09/12/2024</b> until on <b>09/17/2024</b>
3	Date established for the <b>on-site visit to the Nitric Acid Plant</b> , by interested bidders. (Hours: From 7:00 am – 11: am).	Interested Bidder	<b>09/19/2024</b>
4	Presentation of observations to the Final Terms and Conditions.	Interested Bidder	From 09/12/2024 to <b>09/20/2024</b>
5	Response to observations to the final specifications.	Monómeros	<b>09/23/2024</b>
6	Risk assignment hearing.	Monómeros	<b>09/24/2024</b>

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7	Maximum deadline for Issuance of Addendums.	Monómeros	Until <b>09/25/2024</b>
8	Presentation of Offers (Closing of the bidding process).	Interested Bidder	<b>Until 01/10/2024</b>
9	Publication of the preliminary evaluation report of the Bids.	Monómeros	10/04/2024
10	Presentation of observations to the bid evaluation report and <b>completion to correct the qualifying requirements.</b>	Offeror/Proposer	<b>From 10/04/2024 to 10/15/2024</b>
11	Publication of the second preliminary evaluation report	Monómeros	<b>10/17/2024</b>
12	End of the GIZ audit.	Independent third party	11/27/2024
13	Publication of final evaluation report.	Monómeros	11/28/2024
14	Adjudication Hearing.	Monómeros	11/29/2024

Note: Modifications to the schedule will be reflected directly on the Monómeros company website and in the respective addendums.

#### **11. THE WAY IN WHICH INTERESTED PARTIES CAN CONSULT THE DOCUMENTS OF THE PROCESS.**

Those interested in this call can consult the process through the official website of Monómeros <https://www.monomeros.com.co/open-tender-monitoring/>, searching for the International Open Bidding process 002-2024, whose information It will be considered for all purposes of this process as the only valid and binding one.

Given in the city of Barranquilla – Atlántico August 22, 2024.