

**NOTICE OF CONVOCATION
INTERNATIONAL OPEN BIDDING MONOMEROS 003-2024**

1. CONTRACTING ENTITY:

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

2. CORRESPONDENCE AND COMMUNICATIONS:

Communications related to the Procurement Process must be made in writing to the following e-mail address: licitacionabatimiento@monomeros.com.co.

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

- (a) The number of the present Selection Process: [003-2024];
- (b) Sender data including name, physical address, e-mail address and telephone number;
- (c) Identification of the annexes submitted with the communication.

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

3. OBJECT OF THE PROCESS:

To contract the "Supply of a secondary nitrous oxide (N₂O) abatement system 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 successful bidder in this tender process shall be obligated to Monómeros to execute each and every one of the activities and to deliver the goods described in Annex 1A "Technical Specifications - Requirements for Goods and Services; document that is an integral part of this selection process and of the future contract (See Annex 1A).

4. SELECTION METHOD:

In order to meet the requirements defined in the grant 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 this call corresponds to the **International Open tender**, where it is determined that the most advantageous offer will be the one resulting from the weighting of **quality and price** elements, supported by scores and the formulas set forth in this bidding document.

5. TERM OF EXECUTION OF THE CONTRACT:

To guarantee the development and compliance of the activities required in the supply of a Secondary Nitrous Oxide (N₂O) Abatement System, the interested bidder shall specify in its proposal, the time or term it deems convenient to perform and comply with each and every one of the activities described in Annex No. 1A "*Technical Specifications - Requirements of Goods and Services*". In any case, the Time of Execution shall be the one agreed between Monómeros and the contractor who is awarded the contract.

6. VALUE OF THE CONTRACT.

The value of the contract shall be that resulting from the selection process taking into account the value of the winning offer. In any case, the final value of the contract shall correspond to the goods effectively 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 amended by Article 138 of Law 2010 of 2019 regulated by Decree 1651 of 2021, the purchase and importation of the goods required by Monómeros, are **exempt from any tax, fee or contribution in accordance with** the Common Utility Certificate. Said Certificate of Common Utility will only be delivered to the awarded supplier as an annex to the contract.

7. GUARANTEES.

The successful bidder in the Contracting Process must submit a **guarantee** for the performance of the obligations derived from the Contract to be executed, in accordance with the following coverage:

WARRANTY	PERCENTAGE
PROPER MANAGEMENT AND INVESTMENT OF PREPAYMENTS	<p>For one hundred percent (100%) of the sum of money established as advance payment. This guarantee must be a BANK GUARANTEE.</p> <p>This guarantee is an indispensable requirement to receive the advance payment corresponding to the first milestone payment of the eventual contract.</p>
COMPLIANCE	<p>For ten percent (10%) of the total value of the supply contract signed with the supplier that is awarded the contract, valid for the total term of execution of the contract and two (2) more months. This guarantee may be a BANK GUARANTEE OR A POLICY GUARANTEE.</p> <p>The awarded supplier must present in favor of Monómeros Colombo Venezolanos S.A., a guarantee that will guarantee the fulfillment of the obligations arising from the signing of the contract and that will cover the company from the direct damages derived from the total or partial breach of the obligations, as well as from its late or defective fulfillment, when they are attributable to the future contractor.</p> <p>In addition to these risks, this coverage shall always include the payment of the value of fines and the penalty clause agreed upon in the contract.</p> <p>This guarantee is an indispensable requirement to start the execution of the activities and obligations defined in the contract.</p>
BANK GUARANTEE FOR DEFECTS AND HIDDEN DEFECTS	<p>For thirty percent (30%) of the total value of the Contract, to cover defects in the goods, hidden defects and any other liability incurred. This guarantee must be a BANK GUARANTEE.</p> <p>This guarantee is a prerequisite to receive the last milestone payment of the eventual contract.</p> <p>The term of this warranty shall be 3 years from the date of final acceptance to the full satisfaction of Monómeros, which shall be formalized in the delivery-reception certificate of the goods and services by the Parties.</p>

8. PRESENTATION OF PROPOSALS:

The offers must be delivered and sent to Monómeros to the e-mail receptionoffers@monomeros.com.co, with the fulfillment of all the requirements established in the Process Documents. Please note that this email is different from the one published for inquiries and responses during the tender, to which a copy of the economic proposal should not be sent.

Monómeros shall only receive **one offer per Bidder**. The presentation of the proposal implies the acceptance and knowledge of the Colombian legislation and the requirements of Monómeros regarding the subject matter of the present process and of all the conditions and obligations contained in the same.

The Tenderer shall be responsible for all costs associated with the preparation and presentation of its bid and Monómeros shall in no case be responsible for them. Any erasures and/or amendments in any document of the bid must be saved with the signature of the person who subscribes the corresponding document at the foot of the same 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:

- Fill out and attach **Form 1**. Anti-corruption commitment with the proposal.
- Complete and attach the proposal **Form 2**. Manifest of No Impediment to Participate.
- Complete and attach **Form 3**. Technical bid covering all goods and services specified in Attachment 1A. The rates and prices of the economic offer must cover all costs of labor, materials, equipment, including transportation and insurance to the Monomer Plant; general expenses, benefits and all costs associated with the performance of the work and services, and must not include tariffs or other taxes for importation into the country.
- Complete and attach **Format 4**, Proposal Presentation Letter, with the proposal.
- Complete and attach **Form 5**, Certification of the Legal Entity, with the proposal.
- Attach with the proposal the document showing capacity, existence and legal representation.
- Fill out and attach **Format 6** with the proposal. Constitutive document of the consortium or temporary union or promise of future partnership if the bidder is plural (if applicable).
- Attach with the proposal the Authorization of the corporate body (if applicable).
- Attach to the proposal the Power of Attorney duly constituted (if applicable).
- Attach to the proposal the minutes of the partners' meeting (if applicable).
- Complete and attach **Format 7** with the proposal. Certification of compliance with its obligations with the integral social security system and parafiscal contributions.
- Attach to the proposal the judicial, fiscal and disciplinary record of the person who holds the legal representation of the legal entity, according to its country of origin.
- Attach to the proposal a photocopy of the citizenship document and/or its equivalent, of the person who holds the Legal Representation of the legal entity bidder.
- Complete and attach **Format 8** with the proposal. Bidder's Experience (Enabling Requirement).

- Complete and attach **Format 9** with the proposal. Accreditation of Financial and Organizational Capacity of the Bidder.

NOTE 1: Documents should be sent according to the indications in Section III of this document.

NOTE 2: For the presentation of the economic proposal, **Format 3 "Tenderer's Economic Offer"** may be used. Monómeros accepts the submission of the information requested in a different format from the one provided, 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 Bidding Documents and are not subject to any cause of inability or incompatibility:

i) individually, **national or foreign legal entities** that are duly constituted, prior to the closing date of the process and/or jointly, in any of the forms of association provided in Article 7 of Law 80 of 1993 (**Consortiums, temporary unions or promises of future partnership**) formed by legal entities under the conditions set forth above, whose corporate purpose allows them to comply with the purpose of the Contract.

All Proposers must:

- a) To have the legal capacity to submit the Proposal.
- b) To have the legal capacity to enter into and execute the contract.
- c) Comply with the term of the company at the time of submitting the bid, which must be at least **equal to the estimated term of the contract plus two (2) more years.**
- d) Not to be in a process of compulsory liquidation, concordat or any other process of insolvency according to the applicable law; such affirmation shall be understood to be provided with the subscription of the Letter of Presentation of the proposal.
- e) Not being reported in the Fiscal Officers Bulletin according to the country of origin.
- f) Not to be involved in any of the causes of inability, incompatibility, and conflict of interest provided by the Colombian Law and the Constitution, as well as in the prohibitions of contracting provided by the company Monómeros.

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

10. SCHEDULE OF THE BIDDING PROCESS:

The selection process referred to in this notice will be carried out within the following deadlines:

CALL NOTICE
INTERNATIONAL OPEN BIDDING 003-2024
"SUPPLY OF A SECONDARY NITROUS OXIDE ABATEMENT SYSTEM (N₂O)"

ACTIVITY	DATE	RESPONSIBLE OF THE ACTIVITY
Publication of the selection process (Notice of the Call for Bids, preliminary studies, Draft Specifications and Annexes).	16/08/2024	Monómeros
Deadline for submitting observations to the Draft Tender Documents.	26/08/2024	Interested Bidder
Response to observations and suggestions to the Draft Tender Documents.	30/08/2024	Monómeros
Issuance of the administrative act of Opening of the Tender process and publication of the Definitive Tender Documents and its Annexes.	2/09/2024	Monómeros
Presentation of observations to the Definitive Tender Documents.	9/09/2024	Interested Bidder
Response of observations to the Definitive Bidding Documents.	12/09/2024	Monómeros
Deadline for issuance of addenda.	13/09/2024	Monómeros
Presentation of Offers (Closing of the bidding process). Only to this email: receptionoffers@monomeros.com.co	20/09/2024	Interested Bidder
Publication of the preliminary evaluation report of the Offers.	25/09/2024	Monómeros
Presentation of observations to the evaluation report of the offers and term to correct the qualifying requirements.	8/10/2024	Interested Bidder
Publication of the Second Preliminary Evaluation Report (if applicable).	15/10/2024	Monómeros
Audit of the Selection Process	25/11/2024	Independent third part
Publication of the final evaluation report of the qualified bids.	28/11/2024	Monómeros
Award Hearing or Declaration of No Award	2/12/2024	Monómeros

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

11. THE WAY IN WHICH THE INTERESTED PARTIES MAY CONSULT THE DOCUMENTS OF THE PROCESS.

Those interested in this call may consult the process through the official website of Monómeros: <https://www.monomeros.com.co/open-tender-abatement-2>, looking for the process International Open Bidding 003-2024, whose information will be considered for all purposes of this process as the only valid and binding.

Given in the city of Barranquilla – Atlántico, August 16, 2024.

BRYAHAM VILLA