**ANNEXES AND DOWNLOADABLES FORMS FOR BIDDERS.**

1. **ANNEXES.**

This section contains a list of the Annexes of the International Open Bidding, which must be taken into account by the Bidders at the time of submitting their offers and which are an integral part of the RFP and of the future contract:

Annex 1A. Technical Specifications - Requirements for Goods and Services.

Annex 1B. Datasheet FIT-11E02

Annex 1C1. Datasheet AIT-11E02 (N2O).

Annex 1C2. Datasheet AIT-11E02 (O2).

Annex 2. Safety, hygiene and environmental requirements to be complied with by the awarded supplier.

Annex 3. Contract Minute.

1. **DOWNLOADABLE FORMATS FOR BIDDERS.**

The bidder must fill out and attach with its proposal each and every one of the following forms:

Form N° 01. Anticorruption Commitment.

Form N° 02. Manifest of No impediment to participate.

Form N° 03. Bidder's Financial Offer.

Form N° 04. Letter of Presentation of the Proposal.

Form N° 05. Certification of the Legal Entity.

Form N° 06. Constitutive Document of the Consortium/Temporary Union or Promise of Future Partnership.

Form N° 07. Certification of compliance with its obligations with the integral social security system and parafiscal contributions.

Form N° 08. Bidder's Experience (Qualifying Requirement).

Form N° 09. Accreditation of Financial and Organizational Capacity of the Bidder (Enabling Requirement)

1. Matrix 1 - Risk Matrix.

**FORM N° 01**

**ANTI-CORRUPTION COMMITMENT**

Gentlemen

**MONOMEROS COLOMBO VENEZOLANOS S.A.**

**Reference: INTERNATIONAL OPEN BIDDING PROCESS - MONOMEROS 003-2024**

**OBJECT OF THE PROCESS:** *To contract the "Supply of a Nitrous Oxide (N2O) Continuous Emissions Monitoring System (CEMS) 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.".*

I, the undersigned*, (Name of the legal representative of the proposing company, association or legal entity), in my* capacity as legal representative of the *(Name of the proposing company, association or legal entity),* declare under oath.

1. That I will not request any payments or wire transfers to accounts that are not located in the jurisdiction where the legal entity I represent is not incorporated or resident. In addition, I will not request or coordinate wire transfers or payment instructions that in any way conceal the identity of the sender or recipient;
2. That the legal entity I represent has not been recommended to Monómeros Colombo Venezolanos S.A. by an official or public servant of Colombian or any other nationality;
3. That the legal entity I represent will not request or demand payment in cash;
4. That the legal entity I represent will not request that false invoices and other documents be prepared in connection with any transaction.
5. That the legal entity I represent has not made and will not make any payment that constitutes a violation of the Anti-Bribery or Anti-Corruption Laws in any of their modalities or Financing of Terrorism and Financing of the Proliferation of Weapons of Mass Destruction;
6. That if such payments are discovered or Monómeros Colombo Venezolanos S.A. has sufficient reason to believe that such payments have been, are or will be made, Monómeros Colombo Venezolanos S.A. has the right to immediately terminate any contract or agreement and bring it to the attention of the competent authority.
7. That my resources or the resources of the legal entity that I represent come from lawful activities and are linked to the normal development of my activities, and that, therefore, the same do not come from any illicit activity of those contemplated in the Colombian Criminal Code or in any norm that substitutes, adds or modifies it.
8. That it complies with the general and specific Anti-bribery, Anti-corruption, Prevention of Money Laundering and Financing of Terrorism and Financing of the Proliferation of Weapons of Mass Destruction regulations.
9. That in the execution of the contract or the development of the activities in which the legal business with Monómeros Colombo Venezolanos S.A. consists, I will not contract or have links of any type with third parties that carry out operations or whose resources come from illicit activities of those contemplated in the Colombian Penal Code or in any norm that substitutes, adds, or modifies it.
10. That in all the operations that I carry out, I will follow up on the origin of the resources. Likewise, in order to carry out commercial transactions or transactions of any nature, I will proceed to verify that the counterparty is not: (a) on any of the international or local public lists of persons identified as drug traffickers, terrorists, subject to forfeiture of domain and tax responsible, or, (b) has known seizure measures in the market in proceedings for money laundering.
11. That in the event that I become aware of any of the circumstances described above, I agree to immediately notify Monómeros Colombo Venezolanos S.A.
12. That all documentation and information provided for the conclusion and execution of the contract or legal business with Monómeros Colombo Venezolanos S.A. is truthful and accurate, being Monómeros Colombo Venezolanos S.A. empowered to make the verifications it deems appropriate and to terminate the contract or legal business, if it verifies, or has knowledge that this is not so.

And, I commit to:

1. Not to engage in any form of bribery or corruption, either giving or receiving.
2. Implement measures to prevent opportunities for fraudulent activities that could be carried out by employees of the company I represent.
3. Report to Monómeros Colombo Venezolanos S.A. any suspected or confirmed incidents related to bribery, fraud or corruption as soon as possible and do not withhold information relevant to any investigation.
4. Ensure the proper use of the resources of Monómeros Colombo Venezolanos S.A. and prevent theft, fraud or damage in any other way (within its control).
5. Report any actual, possible or potential conflict of interest and declare to Monómeros Colombo Venezolanos S.A. if it is part of any business relationship with any organization or person with which Monómeros Colombo Venezolanos S.A. does business if that relationship creates a potential or actual conflict of interest, through the ethics line provided in accordance with the Transparency and Business Ethics Policy and the Code of Conduct, Ethics and Conflict of Interest of the company.

Cordially yours,

Name or Company Name of the Bidder: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Legal Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identification Document No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-mail\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Country and City \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SIGNATURE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM N° 02**

**MANIFEST THAT THERE IS NO IMPEDIMENT TO PARTICIPATE**

Gentlemen

**MONOMEROS COLOMBO VENEZOLANOS S.A.**

**Reference: INTERNATIONAL OPEN BIDDING PROCESS - MONOMEROS 002-2024**

**OBJECT OF THE PROCESS:** *To contract the "Supply of a Nitrous Oxide (N2O) Continuous Emissions Monitoring System (CEMS) 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.".*

I, the undersigned*, (Name of the legal representative of the company, association or legal entity), in my* capacity as legal representative of the *(Name of the company, association or legal entity),* declare under oath that:

The undersigned Legal Representative and the persons that are part of the company and of the company I represent are not in the following cases of the call:

1. We are not suppliers who are in a **situation of delay in the** delivery of goods or in the presentation of services for causes attributable to the same, with respect to one or more other contracts entered into with Monómeros;
2. We have not been subject to **fines and/or sanctions as a result of non-compliance**, regardless of their denomination, during the last two (2) years prior to the closing of this call.
3. We are aware of the **causes of inability and incompatibility** defined by the Public Contracting Regime in Colombia, previously defined in the Bidding Terms and Conditions of the contracting process in reference and we are not involved in any of them.
4. We are not in a **liquidation or insolvency situation**.
5. We are not subject to **bankruptcy or similar proceedings.**
6. That our business and/or commercial activities are not suspended or impeded, including by legal determination.
7. That we are in compliance with all tax and social security obligations in our country of origin, as applicable.
8. We do not have any **conflict of interest** with Monómeros.
9. We hold the nationality of an **eligible country**, in accordance with the item "PROHIBITED PRACTICES IN ACCORDANCE WITH GIZ POLICIES" of the solicitation documents.

Cordially yours,

Name or Company Name of the Bidder: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Legal Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identification Document No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM N° 03.**

**FINANCIAL OFFER**

Gentlemen,

**MONOMEROS COLOMBO VENEZOLANOS S.A.**

**Reference: INTERNATIONAL OPEN BIDDING PROCESS - MONOMEROS 003-2024**

**OBJECT OF THE PROCESS:** *To contract the "Supply of a Nitrous Oxide (N2O) Continuous Emissions Monitoring System (CEMS-DAS/DASH) 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.".*

|  |  |
| --- | --- |
| **PROPONENT:** |  |
|  |  |

The undersigned, namely*: (Insert Name of the legal representative of the legal entity, national or foreign bidder),* submitted the economic offer of the reference process, whose total value amounts to the sum expressed in **EUROS** corresponds to:

**(Є)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.**

The breakdown of goods required by Monómeros is as follows:

|  |  |
| --- | --- |
| **(GOODS TO BE SUPPLIED)** | **TOTAL VALUE**  **(DDP Incoterms)** |
| *Continuous monitoring system for nitrous oxide (N2O) emissions (CEMS). “Electrochemical oxygen sensor”.* | EUR |
| *Annubar type stack gas flow meter.* | EUR |
| *DAS/DAHS data acquisition system.* | EUR |
| ***Total*** | **$ EUR** |

I certify that the value of the economic offer includes all the goods and services specified in Technical Annex N° 01, transportation costs and other direct and indirect costs required for the effective execution of the contract.

This bid shall remain in effect during the term of validity established in the bidding documents.

Cordially,

Name or Company Name of the Bidder: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Legal Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identification Document N°: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-Mail: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Country and City: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SIGNATURE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM N° 04.**

**LETTER OF PRESENTATION OF THE OFFER**

Gentlemen

**MONOMEROS COLOMBO VENEZOLANOS S.A.**

**Reference: INTERNATIONAL OPEN BIDDING PROCESS - MONOMEROS 003-2024**

**OBJECT OF THE PROCESS:** *To contract the "Supply of a Nitrous Oxide (N2O) Continuous Emissions Monitoring System (CEMS) 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”.*

|  |  |
| --- | --- |
| **PROPONENT:** |  |
|  |  |

The undersigned, namely*: (Insert Name of the legal representative of the legal entity, national or foreign bidder),* domiciled at *(Insert Address of the undersigned),* identified with *(Identification Document of the undersigned. and place of issue),* who acts as *(Legal Representative of the Company, Consortium, Temporary Union, or of the Bidder Association, if it is a legal entity, in which case the Company must be identified in full)* in accordance with the provisions of the **INTERNATIONAL OPEN BIDDING PROCESS No. MONOMEROS 002-2024,** we undertake to comply with the bid submitted in accordance with the technical specifications set forth in the call for bids and we hereby declare:

* 1. That we are aware of the general information and other documents of the **INTERNATIONAL OPEN BIDDING PROCEDURE No. MONOMEROS 002-2024** and accept the requirements contained therein.
  2. That we commit ourselves to fully execute the offer, within the term established in the bidding documents.
  3. That, if we are awarded the selection process, we commit ourselves to constitute the required guarantees and to subscribe these and that within the terms indicated for such purpose.
  4. That we are aware of the addenda and documents published by the company Monómeros and that we accept their contents.
  5. That the value of our offer corresponds to the value indicated in the **ECONOMIC OFFER,** expressed in EUROS**.**
  6. Likewise, we declare UNDER THE GRAVITY OF OATH:

6.1. That the information contained in the proposal is true and that we assume full responsibility before the Monómeros Company, when the information provided is false or contrary to reality, without prejudice to the provisions of the Criminal Code of the Republic of Colombia and other concordant norms.

6.2 That we are NOT involved in any cause of inability and incompatibility of those indicated in the Constitution and the Colombian Law and that we are not in any of the events of special prohibitions to contract with the Monomers Company.

6.3 That we are not involved in any conflict of interest or any cause of inability and incompatibility of those indicated in the Colombian Constitution and the Law and we are not in any of the events of special prohibitions to contract.

6.4 That no other person with kinship ties up to the second degree of consanguinity or affinity with the signatory has submitted a proposal for this process. D. That I am not aware of any irregular fact that compromises the transparency of this process and should be reported to Monomers.

6.5 That I declare under oath that all the information provided and contained in my proposal is true and subject to verification.

6.6 That I declare under oath that neither I nor the company I represent, nor the members of the consortium or temporary union are included in national or international money laundering lists.

That we are NOT involved in any cause of inability and incompatibility of those indicated in the Constitution and the Colombian Law and that we are not in any of the events of special prohibitions to contract with the Monómeros Company.

Cordially yours,

Name or Company Name of the Bidder: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Legal Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identification Document N°: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-mail: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Country and City: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM N° 05.**

**CERTIFICATION OF EXISTENCE AND LEGAL REPRESENTATION OF THE LEGAL ENTITY**

**Reference: INTERNATIONAL OPEN BIDDING PROCESS - MONOMEROS 002-2024**

**OBJECT OF THE PROCESS:** *To contract the "Supply of a Nitrous Oxide (N2O) Continuous Emissions Monitoring System (CEMS) 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”.*

I, the undersigned, *(Insert name of the legal representative of the legal entity, national or foreign bidder),* declare under oath that the information provided herein is true and has been duly verified, and that I have sufficient powers to commit myself or on behalf of: (*(Insert name of the company or legal entity bidder*), to sign the bid and, if applicable, the respective contract; documents related to the contracting procedure corresponding to the International Open Bidding Monómeros 002-2024, according to the following information:

**Offeror Data:**

|  |  |
| --- | --- |
| Name of the Company / Legal Entity: |  |
| Type of Document proving the incorporation of the Company / Legal Entity: |  |
| Identification number of the Company / Legal Entity: |  |
| Address: |  |
| Zip Code: |  |
| Phone: |  |
| E-mail: |  |
| Date of Incorporation of the Company / Legal Entity: |  |
| Description of the corporate purpose/business activity: |  |

List of Shareholders: (Insert Names and Surnames of the active Shareholders of the company)

|  |  |
| --- | --- |
| **Shareholder's First and Last Name** | **Percentage % Stockholders** |
|  |  |
|  |  |

**Information of the Person Legally Empowered**:

|  |  |
| --- | --- |
| Names and Surnames of the Legal Representative of the Company / Legal Entity: |  |
| Complete Address and Telephone of the Attorney-in-Fact or Representative: |  |
| Data of the Document by means of which it accredits its Personality and Powers: |  |

Cordially,

Name of Legal Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identification Document N°: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-Mail: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Country and City: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM N° 06 (IF APPLICABLE)**

**CONSTITUENT DOCUMENT OF THE CONSORTIUM/TEMPORARY UNION OR PROMISE OF FUTURE PARTNERSHIP.**

**Reference: INTERNATIONAL OPEN BIDDING PROCESS - MONOMEROS 003-2024**

**OBJECT OF THE PROCESS:** *To contract the "Supply of a Nitrous Oxide (N2O) Continuous Emissions Monitoring System (CEMS) 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”.*

**CONSORTIUM DOCUMENT**

Between the undersigned, to wit: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, of legal age, resident of this city, identified with citizenship card No\_\_\_\_\_\_\_\_, issued in\_\_\_\_\_\_\_\_\_\_\_\_, who acts in his own name or in legal representation of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(Write the complete name including the type of company), legally constituted, with main domicile in\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, with NIT No\_\_\_\_\_\_\_\_\_\_\_\_, and duly empowered by the bylaws (or Board of Partners or the corresponding governing body, in this event provide the respective document), and\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of legal age, resident of this city, identified with citizenship card No\_\_\_\_\_\_\_\_\_\_, issued in\_\_\_\_\_\_\_\_\_\_\_, who acts in its own name or in legal representation of (Write the full name including the type of company. )\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, legally constituted, with main domicile at\_\_\_\_\_\_\_\_\_\_\_\_\_, with Tax ID No. \_\_\_\_\_\_\_\_\_\_, and duly empowered by the bylaws (or Board of Partners or the corresponding governing body, in this event provide the respective document), we hereby state that we have agreed to form a CONSORTIUM whose integration, conformation and regulation shall be governed by the following clauses: FIRST: OBJECT The object of this document is the integration of a CONSORTIUM between, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, with the purpose of jointly submitting a proposal, for the process of INTERNATIONAL OPEN BIDDING PROCESS NO. 002-2024, summoned by the company Monómeros Colombo Venezolanos S.A. Consequently, the actions, facts and omissions that are presented in the development of the proposal and the contract, will affect all the members that form it. SECOND. NAME AND DOMICILE. - The CONSORTIUM shall be called \_\_\_\_\_\_\_\_\_, and its domicile shall be the city of\_\_\_\_\_, with address at\_\_\_\_\_\_\_, office, \_\_\_\_\_\_\_\_\_\_\_\_\_, email\_\_\_\_\_\_\_\_\_\_, Telephone \_\_\_\_\_\_\_\_\_\_\_\_. THIRD: CONSORTIUM'S REPRESENTATIVE: Mr. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, identified with citizenship card No. \_\_\_\_\_\_\_\_\_\_\_\_, of \_\_\_\_\_\_\_\_\_\_\_\_, domiciled at \_\_\_\_\_\_, is appointed as Representative of this CONSORTIUM, a position that is understood as accepted with the signature of this document and who is fully empowered to contract, commit, negotiate and represent the CONSORTIUM. Likewise, Mr. (a)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, identified with citizenship card No. \_\_\_\_\_\_\_ of \_\_\_\_\_\_, domiciled at \_\_\_\_\_\_\_\_, who has the same powers as the main representative, is appointed as Alternate Representative of the CONSORTIUM. FOURTH: ASSIGNMENT. - The participation of any of the members of the CONSORTIUM may not be assigned in whole or in part, among them. In the case of assignment to a third party, prior written approval from Monómeros shall be required, which reserves the right to approve such assignment. FIFTH: DURATION. - The duration of this CONSORTIUM in case of being favored with the award shall be equal to the term of execution of the contract and one (1) year more. In any case, the CONSORTIUM shall last the whole term necessary to liquidate the contract and take care of the guarantees provided. SIXTH: It is further stated for the record that we, the undersigned, have sufficient powers to represent our firms and to contract on their behalf, not only for the purposes of this agreement, but also for the execution and celebration of all acts and contracts arising from the consortium, as well as from the selection process and the contract arising therefrom. SEVENTH: PERCENTAGE OF PARTICIPATION. The members of the consortium have the following participation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_ % \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ offer.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contact person** |  | | | | |
| **Address and city** | [Company address] | | | **City** |  |
| **Phone** | [Company phone] [Company phone | **Cellular** | [Company phone] [Company phone | | |
| **E-mail address** | [Company e-mail address] [Company e-mail address] [Company e-mail address | | | | |

For the record, it is signed in [include city of signature], on [day of signature] of the month of [month of signature], 2024.

|  |  |
| --- | --- |
| Signature of legal representative of Member 1 | |
| Name/Company Name of Member: |  |
| Share (%) |  |
| Legal Representative: |  |
| Identity Card: |  |
|  |  |
| Physical address and telephone number: |  |
| Main Mail: |  |

|  |  |
| --- | --- |
| Signature of legal representative of Member 2 | |
| Name/Company Name of Member: |  |
| Share (%) |  |
| Legal Representative: |  |
| Identity Card: |  |
|  |  |
| Physical address and telephone number: |  |
| Main Mail: |  |

**DOCUMENT TEMPORARY UNION (if applicable)**

**Reference: INTERNATIONAL OPEN TENDER PROCESS - MONOMEROS 002-2024**

**OBJECT OF THE PROCESS:** To contract the “*Supply of a Continuous Emissions Monitoring System (CEMS) of nitrous oxide (N2O), 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*”.

Between the undersigned to wit: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, of legal age, resident of this city, identified with citizenship card No\_\_\_\_\_\_\_\_, issued in\_\_\_\_\_\_\_\_\_\_\_\_, who acts in his own name or in legal representation of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(Write the full name including the type of company), legally constituted, with main domicile in\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, with NIT No\_\_\_\_\_\_\_\_\_\_\_\_, and duly empowered by the bylaws (or Board of Partners or the corresponding governing body, in this event provide the respective document), and\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of legal age, resident of this city, identified with citizenship card No\_\_\_\_\_\_\_\_\_\_, issued in\_\_\_\_\_\_\_\_\_\_\_, who acts on behalf of or in legal representation of (Write the full name including the type of company. )\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, legally constituted, with main domicile at\_\_\_\_\_\_\_\_\_\_\_\_\_, with Tax ID No. \_\_\_\_\_\_\_\_\_\_, and duly empowered by the bylaws (or Board of Partners or the corresponding governing body, in this event please provide the respective document), we hereby state that we have agreed to form a TEMPORARY UNION whose integration, conformation and regulations shall be governed by the following clauses: FIRST: OBJECT The object of this document is the integration of a TEMPORARY UNION between, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, with the purpose of jointly submitting a proposal, for the process of INTERNATIONAL OPEN BIDDING PROCESS NO. 002-2024, summoned by the company Monómeros Colombo Venezolanos S.A. Consequently, the actions, facts and omissions that are presented in the development of the proposal and the contract, will affect all the members that form it. SECOND. NAME AND DOMICILE. - The CONSORTIUM shall be called \_\_\_\_\_\_\_\_\_, and its domicile shall be the city of\_\_\_\_\_, with address at\_\_\_\_\_\_\_, office, \_\_\_\_\_\_\_\_\_\_\_\_\_, email\_\_\_\_\_\_\_\_\_\_, Telephone \_\_\_\_\_\_\_\_\_\_\_\_. THIRD: REPRESENTATIVE OF THE TEMPORARY UNION: Mr. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, identified with citizenship card No. \_\_\_\_\_\_\_\_\_\_\_\_, of \_\_\_\_\_\_\_\_\_\_\_\_, domiciled at \_\_\_\_\_\_, is appointed as Representative of this CONSORTIUM, a position that is understood as accepted with the signature of this document and who is fully empowered to contract, commit, negotiate and represent the CONSORTIUM. Likewise, Mr. (a)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, identified with citizenship card No. \_\_\_\_\_\_\_ of \_\_\_\_\_\_, domiciled at \_\_\_\_\_\_\_\_, who has the same powers as the main representative, is appointed as Alternate Representative of the TEMPORARY UNION. FOURTH: ASSIGNMENT. - The participation of any of the members of the TEMPORARY UNION, in whole or in part, may not be assigned among them. In the case of assignment to a third party, prior written approval from Monómeros shall be required, which reserves the right to approve such assignment. FIFTH: DURATION. - The duration of this TEMPORARY UNION in case it is awarded the contract shall be equal to the term of execution of the contract and one (1) year more. In any case, the TEMPORARY UNION shall last for the entire term necessary to liquidate the contract and take care of the guarantees provided. SIXTH: It is also stated for the record that those of us who sign this document have sufficient powers to represent our firms and to contract on their behalf, not only for the purposes of this agreement, but also for the execution and celebration of all acts and contracts arising from the Temporary Union - Commitment: By forming the Temporary Union to participate in this process, its members undertake to:

1.1. To be jointly and unlimitedly liable for the fulfillment of the obligations arising from the selection process and the Contract.

1.2. To be jointly and severally liable for all the actions, facts and omissions that may arise in the execution of the Supply Contract.

1.3. Not to assign its participation in the Temporary Consortium to another member of the same.

1.4. Not to assign its participation in the Temporary Joint Venture to third parties without prior authorization from Sociedad Monómeros.

1.5. Not to revoke the Temporary Joint Venture during the time of execution of the Contract and one (1) more year.

2. The headquarters of the Temporary Joint Venture and notifications shall be at:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contact person** |  | | | | |
| **Address and city** | [Company address] | | | **City** |  |
| **Phone** | [Company phone] [Company phone | **Cellular** | [Company phone] [Company phone | | |
| **E-mail address** | [Company e-mail address] [Company e-mail address] [Company e-mail address | | | | |

For the record, it is signed in [include city of signature], on [day of signature] of the month of [month of signature], 2024.

|  |  |
| --- | --- |
| Signature of legal representative of Member 1 | |
| Name/Company Name of Member: |  |
| Share (%) |  |
| Legal Representative: |  |
| Identity Card: |  |
|  |  |
| Physical address and telephone number: |  |
| Main Mail: |  |

**FORM N° 07**

**CERTIFICATION OF COMPLIANCE WITH THEIR OBLIGATIONS UNDER THE INTEGRAL SYSTEM**

**SOCIAL SECURITY AND PARAFISCAL CONTRIBUTIONS.**

Gentlemen

**MONOMEROS COLOMBO VENEZOLANOS S.A.**

**Reference: INTERNATIONAL OPEN BIDDING PROCESS - MONOMEROS 002-2024**

**OBJECT OF THE PROCESS:** To contract the “*Supply of a Continuous Emissions Monitoring System (CEMS) of nitrous oxide (N2O), 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*”.

In my capacity as Statutory Auditor or Legal Representative [ACCORDING TO THE OBLIGATION OF THE COMPANY] and in order to comply with the provisions of Colombian regulations, Article 50 of Law 789 of 2002 and 9th of Law 828 of 2003,

**I CERTIFY:**

That the [*(INSERT NAME OF THE LEGAL REPRESENTATIVE OF THE OFFERING NATIONAL OR FOREIGN LEGAL PERSON),* identified with (INSERT BUSINESS IDENTIFICATION NUMBER), during the last six (6) calendar months legally required and prior to this International Open Bidding process, we have made the payment of the contributions corresponding to the labor claims of our workers; being up to date and in good standing for all concepts related to said contributions.

*[In the event that a statutory auditor is not required, this annex must be completed and signed by the Legal Representative of the company, certifying the payment made for the aforementioned concepts in the aforementioned periods].*

Cordially,

Name or Company Name of the Bidder: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Legal Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identification Document N°: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-Mail: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM N° 08.**

**BIDDER'S EXPERIENCE**

**(TECHNICAL QUALIFICATION REQUIREMENT)**

Gentlemen

**MONOMEROS COLOMBO VENEZOLANOS S.A.**

**Reference: INTERNATIONAL OPEN BIDDING PROCESS - MONOMEROS 003-2024**

**OBJECT OF THE PROCESS:** To contract the “*Supply of a Continuous Emissions Monitoring System (CEMS) of nitrous oxide (N2O), 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*”.

|  |  |
| --- | --- |
| **PROPONENT:** |  |
|  |  |

I, the undersigned*, (Insert Name of the legal representative of the national or foreign legal entity -respondent),* hereby relate the experience acquired by the (*Name of the legal representative of the company, association or legal entity),* which is closely related to the object of the selection process and the supply required by Monómeros.

In view of the foregoing, we certify that:

***NOTES:***

*1. The object of the PROPONENT's general experience was recorded as it appears in the contract or equivalent document for the execution of the project.*

*2. The experience related in this form has the supports requested by Monómeros in the bidding documents.*

The Bidder shall provide at least **two (2) contracts or equivalent documents1**, in which, within its object, scope and/or list of activities, there is evidence of experience in supply and technical assistance for the implementation of continuous emissions monitoring systems (CEMS) of nitrous oxide (N2O).

**NOTE 1:** Certifications issued by third parties; liquidation certificates; final or satisfactory receipt certificates, contract termination certificates, purchase orders or service orders will be accepted as documents equivalent to a Contract. It should be noted that in order to be accepted as verifiable experience, the following information must be included in the body of the document:

a) Object of the contract.

b) Contract number (if any).

c) Name of the contracting entity or company.

d) Name of the contractor who executed the contract. If it was executed in a joint venture or consortium, identify the members and their percentage of participation.

e) Signature of the competent person.

Activities or work performed that certify experience in supply and technical assistance for the implementation of continuous emissions monitoring systems (CEMS) of nitrous oxide (N2O).

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **ITEM**  **item**    **item** | **NAME OF CONTRACTOR  (COMPANY NAME)** | **DESCRIPTION OF THE SUBJECT OF THE CONTRACT** | **PROJECT DURATION** | **VALUE EXECUTED** |
| **1** |  |  |  |  |
| **2** |  |  |  |  |
| **3** |  |  |  |  |
| … |  |  |  |  |

Cordially,

Name or Company Name of the Proposer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Legal Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identification Document No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-Mail: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Country and City \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM N° 09**

**FINANCIAL AND ORGANIZATIONAL CAPACITY OF THE BIDDER**

Gentlemen

**MONOMEROS COLOMBO VENEZOLANOS S.A.**

**Reference: INTERNATIONAL OPEN BIDDING PROCESS - MONOMEROS 003-2024**

**OBJECT OF THE PROCESS:** To contract the “*Supply of a Continuous Emissions Monitoring System (CEMS) of nitrous oxide (N2O), 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*”.

|  |  |
| --- | --- |
| **PROPONENT:** |  |

[The financial information must be presented in euros, use period for thousands and comma for decimals. The cut-off dates shall be those indicated in the specifications].

**Balance sheet and income statement**

| **Account** | **Single Proposer** | **Plural Proposer** | | |
| --- | --- | --- | --- | --- |
| **Bidder** | **Member N°1** | **Member N°2** | **Member N°3** |
| Current assets |  |  |  |  |
| Total assets |  |  |  |  |
| Current liabilities |  |  |  |  |
| Total liabilities |  |  |  |  |
| Operating income |  |  |  |  |
| Interest expense[[1]](#footnote-1) |  |  |  |  |
| Cut-off date of the financial statements |  |  |  |  |

[If the proposer is plural and has more than three members, additional columns must be inserted in the table above.

**Financial capacity**

Indicate the following figures to no more than 2 decimal places:

| **Percentage of participation** | **Single Proposer**  **(Legal Entity)** | **Plural Proposer** | | |
| --- | --- | --- | --- | --- |
| **Indicator** | **Bidder's Index** | **Index of member N°1** | **Index of member N°2** | **Index of member N°3** |
| Liquidity Ratio |  |  |  |  |
| Debt Ratio |  |  |  |  |
| Interest Coverage Ratio |  |  |  |  |

[If the proposer is plural and has more than three participants you must insert the additional columns in the table above].

**Organizational capacity**

Indicate the following figures to no more than 2 decimal places:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Percentage of participation** | **Single Proposer**  **(Legal Entity)** | **Plural Proposer** | | |
| **Indicator** | **Bidder's Index** | **Participant Index N°1** | **Participant Index N°2** | **Participant Index N°3** |
| Return on assets |  |  |  |  |
| Return on equity |  |  |  |  |

[If the bidder is plural and has more than three participants, additional columns must be inserted in the table above].

In support of the above information, I attach *[list of documents proving financial and organizational capacity]*, issued in [include country of issuance].

We declare under oath that the information provided is true, compromising our personal responsibility and the institutional responsibility of the legal entities we represent.

Name or Company Name of the Bidder: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Legal Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identification Document No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-Mail\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Country and City \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM No. 10**

**SWORN DECLARATION OF NON-EXISTENCE OF ANTECEDENTS**

Messrs.

**MONOMEROS COLOMBO VENEZOLANOS S.A.**

**Reference: INTERNATIONAL OPEN BIDDING PROCESS - MONOMEROS 002-2024**

PURPOSE OF THE PROCESS: To contract the “Supply of a Nitrous Oxide (N2O) Continuous Emissions Monitoring System (CEMS), for 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”.

|  |  |
| --- | --- |
| **PROPONENT:** |  |

The undersigned namely: *(Name of the legal representative of the proposing company, association or legal entity)*, in my capacity as Legal Representative of the *(Name of the proposing company, association or legal entity)*, declare under oath that:

There does not exist in the country of incorporation of the company *(Name of the legal representative of the company, association or legal entity),* an authority that certifies the non-existence of tax, disciplinary and criminal records of the company, nor of the legal representative of the same.

Based on the foregoing, we declare that the company does not have any record that would prevent it from participating in this call for bids. We declare under oath that the information provided is true, compromising our personal responsibility and the institutional responsibility of the legal entities we represent.

Name or Company Name of the Bidder: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Legal Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identification Document No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Country and City: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. When there are no Interest Expenses please indicate with a value of 0. [↑](#footnote-ref-1)