

**ANSWER DOCUMENT - QUESTIONS AND COMMENTS
SUPPLIER INFORMATION REQUEST - SIP
MARKET RESEARCH
MONOMERS 001-2023**

OBJECT: To contract the "Supply of a Secondary Nitrous Oxide (N₂O) Abatement System for the Nitric Acid Plant of Monómeros, 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".

Within the term established in the schedule of the Bidding process, the company Monómeros allows itself to respond to the questions and comments received in stage 2 "project" of the International Open Bidding Monómeros 001-2024, in the following terms:

I. NOTES FOR CLARIFICATION.

Monómeros clarifies to the interested suppliers that on the date stipulated in the schedule, the **definitive terms** of the selection and contracting process (Definitive Specifications, Definitive Preliminary Studies, Annexes and formats) will be published, in which the modifications and clarifications that may arise as a result of the questions and answers offered in the present "project" stage may be evidenced.

In view of the foregoing, it is recommended that Suppliers interested in participating in this International Open Bidding carefully review the documents that will be published in the "definitive" stage, which will provide new opportunities to ask questions and consult on the terms of the future contracting. In the same sense, it is recommended to attend each of the stages established in the process chronogram and verify the procedure indicated in the document called Definitive Bidding Terms and Conditions.

Keep in mind the date and time set for the **closing of this process**, in no case will proposals submitted after the time set for this purpose in the process schedule be received.

II. LIST OF QUESTIONS AND COMMENTS RECEIVED.

1. Observation or Question.

- **Interested Supplier:** Umicore AG & Co. KG
- **Date observations received:** E-mail received on 09/04/2024, at 03:21 p. m.

Umicore – as highly recognized supplier of PGM catalyst gauzes for the Nitric Acid industry, is glad to be invited in participating in your open tender for N2O abatement.

We are delivering the N2O catalyst together with our industry partners, to various customers in the industry. However as we are not manufacturer of baskets, our portfolio for this tender would be limited to the secondary catalyst and installation support only.

As the relevant basket data are not yet available, we can unfortunately not participate at this stage.

In case Monómeros has chosen a basket supplier, we are happy to check the option of a joint project.

For now, all we can do is remaining at your service once the scope can be met by our portfolio.

Thank you for your kind understanding.

Monómeros' response.

In response to the observation presented, Monómeros clarifies that the supplier that is awarded the present International Open Bidding process must guarantee with the presentation of its proposal, that it has the capacity to develop each and every one of the activities described in Annex 1A and to execute the obligations of the future contract in an integral manner. To this end, the interested supplier must submit and prove in the process, its compliance (as a legal entity) with the legal, technical and financial requirements that were determined as a result of the market research previously carried out.

Monómeros clarified that this international call for bids is **OPEN**, and therefore all suppliers (legal entities) that express their interest and comply with the specifications required by Monómeros for the proper execution of the contract may participate.

May participate in this selection process, **individually** the national or foreign legal entities, which are duly constituted, prior to the closing date of the process or **jointly**, in any of the forms of association provided in Article 7 of Law 80 of 1993 (Consortia, 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.

For greater clarity, it is recommended that interested suppliers carefully read **SECTION III. PROCEDURE OF THE INTERNATIONAL OPEN BIDDING PROCEDURE** of the published draft bidding documents, where the different forms of participation admitted in this Bidding may be evidenced.

2. Observation or Question:

- **Interested Supplier:** CASALE SA.
- **Date observations received:** E-mail received on 15/04/2024, at 10:34 a.m.

Par. 6 of Notice of Convocation

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.

It means that for present supply no taxes shall be paid for goods import in Colombia? Please confirm our understanding.

Can you provide more information about the Certificate of Common Utility and the activities expected by Supplier?

Please confirm that any eventual import tax shall not be considered in the offer and within Supplier scope of work.

Monómeros' response.

The certificate of common utility is a document required in the Colombian's regulations for the importation of equipment and is not associated with the supplier that will provide it. For which reason I confirm that the value of the taxes that will be incurred at the time of filing the import declaration are for the account and risk of Monómeros S.A.

3. Observation or Question:

- **Interested Supplier:** CASALE SA.
- **Date observations received:** E-mail received on 15/04/2024, at 10:34 a.m.

Notice of Convocation Par. 7

Annex 03. Contract Minute Page. 8

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.

Please confirm that the total term of execution of the contract refers to the start-up of the abatement system, delivery of the list of participants of the personnel designated by Monómeros who received the training, Monómeros issues proof of acceptance, and the successful bidder has delivered the bank guarantee for defects and hidden defects “

Monómeros' response.

The company Monómeros clarifies that the supplier interested in participating in this International Open Bidding, must express in its "proposal" the term or the term it deems convenient to develop all the activities and requirements defined in Annex 1A. This term or execution time will be validated by Monómeros in the evaluation of the proposal and subsequently stipulated in the contract that will be signed with the successful bidder.

In this sense, it is recommended to read carefully each of the technical activities described in Annex 1A, as well as the documents that will be requested to the winning or awarded supplier. Please note that the execution term will begin with the signing of the respective contract and will end on the date of satisfactory receipt of the secondary nitrous oxide (N₂O) abatement system of the Monómeros nitric acid plant.

4. Observation or Question:

- **Interested Supplier:** CASALE SA.
- **Date observations received:** E-mail received on 15/04/2024, at 10:34 a.m.

(...) Annex 03. Contract Minute

When do you expect to discuss in details the terms of the draft of Contract proposed? Is it expected to be done in this very first stage of the proposal or in further stage?

Monómeros' response.

In response to the observation presented, we wish to clarify that the definitive terms of execution of the future contract (*minutes of the contract*) will only be reflected until the completion of the International Open Bidding procedure, whose contract will contemplate each and every one of the conditions requested by Monomers in the Tender Documents and its annexed documents, as well as the proposal and additional conditions (***additional technical criteria***) offered by the supplier that is awarded the contract.

For this purpose, the presentation of the proposal implies the **acceptance and knowledge** of the requirements of Monomers about the subject matter of the present process and all the conditions and obligations contained in the same.

5. Observation or Question:

- **Interested Supplier:** CASALE SA.
- **Date observations received:** E-mail received on 15/04/2024, at 10:34 a.m.

"Annex 03. Contract Minute Page. 1

MONÓMEROS COLOMBO VENEZOLANOS S.A., a commercial company ... who for the purposes of this contract shall be called THE CONTRACTOR

THE CONTRACTOR is used both for Monomers and the Bidder, definitons shall be corrected to avoid confusion."

Monómeros' response.

In response to this observation, Monómeros clarifies that the name "CONTRACTOR" in Spanish refers to the company or legal entity that contracts the services of another. In any case, the denomination indicated in the "draft" documents will be adjusted in order to avoid confusion to the interested parties.

6. Observation or Question:

- **Interested Supplier:** CASALE SA.
- **Date observations received:** E-mail received on 15/04/2024, at 10:34 a.m.

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OBLIGATIONS OF THE CONTRACTOR

a) Provide all technical information on equipment and reference drawings required for the execution of the contract.

Mentioned obligation shall be of Monomeros. Please confirm.

By providing all technical information on equipment, we intend that Monomeros will provide all technical drawings and information required to perform the modification of the existing equipment, including but not limited to the existing supporting grid and legs.

When do you expect to provide such docs?

Monómeros' response.

In response to the observation presented, we would like to clarify that Monómeros provided in the market research phase, detailed information on the reactor of the Monómeros nitric acid plant, with which we believe that the bidders have the necessary information to make the budget estimate for the manufacture of a **new basket** to support the secondary catalyst that will also be supplied by the successful bidder.

It should be noted that the successful bidder may request additional information deemed necessary to complement the manufacturing details of the new basket, once a confidentiality agreement has been signed.

7. Observation or Question:

- **Interested Supplier:** CASALE SA.
- **Date observations received:** E-mail received on 15/04/2024, at 10:34 a.m.

Annex 03. Contract Minute Page 7

SEVENTH CLAUSE. FORM OF PAYMENT

2nd Disbursement: A second disbursement of 30% (thirty percent) of the Contract Value will be made after receipt to satisfaction by the Monómeros Audit Office of the engineering study associated with the design of the abatement system, design drawings of the Basket and the proposal of the Catalyst to be used by the successful Bidder.

Please confirm our understanding, technical proposal of the catalyst to be shared by Supplier to Monómeros.

Monómeros' response.

This milestone payment is intended to enable the successful bidder to cover the costs associated with the purchase of the secondary catalyst, which at this stage should have already been selected by the bidder and submitted to Monómeros for review and acceptance.

A condition for the fulfillment of this milestone is that Monómeros personnel have reviewed and approved the design of the new basket submitted by the successful bidder and can cover the costs of manufacturing the basket and the purchase of the catalyst.

8. Observation or Question:

- **Interested Supplier:** CASALE SA.
- **Date observations received:** E-mail received on 15/04/2024, at 10:34 a.m.

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e) Capacity, existence and legal representation.

Please confirm accetability of Commercial Register documentation dated 2023.

Monómeros' response.

The company Monómeros clarifies that it is NOT possible to accede to the request made in the sense that in order to verify the current and valid conditions of the bidders, it will be required that at least such documents be issued no more than three (3) months prior to the date of presentation of the offer (date determined in the schedule).

This information is requested in order to verify that the legal representative has no limitations to contract obligations on behalf of the legal entity; that the purpose of the company includes the main activities that are the object of the present process and that the duration of the company is equal to or greater than the estimated term of the contract plus two (2) more years.

In this sense, it is not appropriate to accede to the request submitted.

9. Observation or Question:

- **Interested Supplier:** Alloy Engineering Company
- **Date observations received:** E-mail received on 15/04/2024, at 13:21

Hello-

The way we understand the Stages and progression on this project, we are to notify Monómeros with our intention to bid this project.

Alloy Engineering is notifying we are intending to make an offer on this tender. This is notification is to announce we are intending to make this offer with Johnson-Matthey. Please keep Alloy Engineering and Johnson-Matthey in the emails for announcements regarding this project.

We are in the process of reviewing the documents submitted. There might be commercial & technical questions a little later.

If Monómeros is expecting a different response by the April 15th date, please notify us.

Regards,

Monómeros' response.

Regarding the observation presented, Monómeros will take into account the Expression of Interest presented by the partnership between Alloy Engineering and Johnson-Matthey, reiterating that in compliance with the procedure of the International Open Bidding, interested suppliers have at their disposal different opportunities to ask or observe the conditions or requirements that generate doubts.

It should be noted that in accordance with the parameters established in the Colombian legislation, each of the stages of the bidding process seeks to build and define transparent conditions that guarantee the objective selection of the bidder and the effective execution of the future contract.

10. Observation or Question:

- **Interested Supplier:** Johnson Matthey
- **Date observations received:** E-mail received on 15/04/2024, at 09:53

Hello,

Johnson Matthey is in the process of finalizing our internal compliance review and planning to work with Alloy Engineering on the tender for supply of N2O secondary abatement system to Monómeros, inclusive of both catalyst and basket modification designs.

Best regards,

Monómeros' response.

Monómeros reiterates that this international call for bids is **OPEN**, and therefore all suppliers (legal entities) that express their interest and comply with the specifications required by Monómeros for the correct execution of the contract may participate.

May participate in this selection process, **individually** the national or foreign legal entities, which are duly constituted, prior to the closing date of the process or **jointly**, in any of the forms of association provided in Article 7 of Law 80 of 1993 (**Consortia, 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.

For greater clarity, it is recommended that interested suppliers carefully read **SECTION III. PROCEDURE OF THE INTERNATIONAL OPEN BIDDING PROCEDURE** of the published draft bidding documents, where the different forms of participation admitted in this Bidding may be evidenced.

In the foregoing terms, we respond to the observations and questions formulated.

In witness whereof, this document is hereby published on the nineteenth (19th) day of the month of April 2024.