



DEPARTAMENTO DE SALUD  
OFICINA DE SUBASTAS

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## **REQUEST FOR BID**

**SUB-2022-2023-009-HURRA**

**INTERIOR DEMOLITION OF EXISTING  
DELIVERY ROOMS SECOND FLOOR**

**HOSPITAL UNIVERSITARIO DR. RAMÓN RUIZ  
ARNAU, BAYAMÓN PR**

Request for Bids (**SUB-2022-2023-009-HURRA**)  
INTERIOR DEMOLITION OF EXISTING DELIVERY ROOMS SECOND FLOOR  
Hospital Universitario Dr. Ramón Ruiz Arnau  
Bayamón, PR  
Puerto Rico Department of Health  
March 16, 2023

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## BID CHECK LIST

Instructions: Please complete this check list to assure submission of individual items. Use this list prior to binding and submission. Bidder must initiate on the left side of each item confirming its inclusion in the Bid. **All documents must be completed in all its parts and are part of the requirements of submission, otherwise Bidder will be disqualified.**

Bidder's Initials	Item No.	Attachment No.	Document Description
	1	-	Bid Cover Letter
	2	-	Bid Check List included
	3	-	Corporate Resolution as evidence documents is signed by a Bidder authorize representative.
	4	A	Statement of Bidder's Qualifications
			Bidder Experience- detailed description of similar projects
			Bidder Qualifications – Key Personnel experience, project role, and organization chart, among others
	5	-	OSHA Forms 300 and 300A for yearly reporting for the last five (5) years. If applicable, OSHA 301 form in the event of an injury and illnesses incident report during the last five (5) years. Latest version of the forms must be used.
	6	-	Evidence of valid OSHA training for 30 hours for all personnel associated to the project.
	7	-	Understanding of the Project and Requested Services. A detailed execution construction schedule must be provided.
	8	B	Cost Schedule Form
	9	C	Evidence of RUL eligibility to date (Mandatory)
	10	-	Good Standing Certification
	11	-	Certification of Incorporation or Partnership or Joint Venture
	12	-	Unique Entity ID (Previously Identified as Duns Number)
	13	D	Acknowledge Receipt of Addenda
	14	-	Certificate of Non-Criminal Record
	15	E	Sworn Statement Law 2
	16	F	Limited Denial of Participation (LDP) / Suspension or Debarment Status Affidavit
	17	G	Non-Collusive Affidavit
	18	H	Bid Bond (10% of proposal amount)
	19	-	Audited Financial Statement (Last two calendar years. Applicable to prime contractor and subcontractors.)

			Date must not be older than fifteen (15) months prior to proposal submission due date.
	21	-	Line of Credit Certification (Original bank letter certifying available credit.)
	22	I	Pending Litigation and No-Bankruptcy Sworn Statement

Signed:

\_\_\_\_\_  
Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bidder Name

**General Highlights** (Information included is for reference only. A detailed and complete revision of this document is the sole responsibility of the bidder.)

### **Proposal Evaluation Criteria (ARTICLE 7)**

Evidence of Bidder experience on minimum five (5) similar recent projects with satisfactory performance is required. **Execution experience with similar projects at medical and hospital facilities is necessary.**

1. Bidder Experience (25%)
2. Bidder Qualifications (20 %)
3. Understanding of the Project and Requested Services (10 %)
4. Delivery time (10 %)
5. Proposal Cost (30 %)
6. Required Documentation (5 %)
7. Act 164, December 16, 2009, Act 173, August 12, 1988 (Pass or Fail) Proponents that fail this requirement will be disqualified.
8. Suspension and Debarment (as required by 2CFR 180.995) (Pass and Fail) Proponents that fail this requirement will be disqualified.

Contract will be awarded, if it be awarded, **to the qualified responsive Bidder that presents the best value**, whose proposal complies with all requirements included at the bidding documents, which are in compliance with **Regulation 9318**.

**The PRDOH reserves the right to cancel the award of any contract at any time before the execution of said contract without any liability against him.**

## **INSTRUCTIONS TO BIDDERS**

### **ARTICLE 1 – LEGAL BASIS AND DEFINITIONS**

This Formal Bid was prepared in compliance with **Regulation 9318 “Reglamento Uniforme de Compras y Subastas de Bienes, Obras, y Servicios No Profesionales Para las Entidades Exentas del Departamento de Salud”** approved on October 21, 2021, and General Conditions of Construction Contract herein included.

All definitions set in **Regulation 9318** and the General Conditions of Construction Contract, are applicable to these Instructions to Bidders.

- 1 **Addenda** - Are written or graphic instruments issued prior to the execution of the Contract which modify or interpret the bidding documents, including Drawings and Specifications, by additions, deletions, clarifications, or corrections. Addenda will become part of the Contract Documents when the Construction Contract is executed.
- 2 **Best Value** – Shall be the offer or proposal that represents the greater benefit for the Puerto Rico Department of Health’s exempt entities; the offer or proposal of the bidder or proponent that best meets the requirements established in the quotation sheet or the bid or proposal documents and in which it is established that the bidder or proponent offers that best good or service, or that has the capacity of efficiently carrying out the work, upon considering all the criteria, namely: inspection, tests, quality, deliver, compliance with delivery times, suitability for a particular objective, guarantees of the good or service and the terms under which such guarantees would be provided, life cycle of the goods to be acquired, discounts, economic impact in terms of creation of jobs and fiscal impact.

The following elements shall also be considered as part of the best value: the conditions and limitations of the guarantees of parts and services of the product or service offered, as well as the time and place in which such guarantees are honored and executed, and the fiscal impact of the product or service offered. The criteria that shall affect the price of the offer and that shall be considered in the evaluation for the award shall be objectively measurable, like discounts, transportation cost both in its original delivery as to execute its guarantees, and the cost of disposal of the equipment, once its shelf life or lifetime ends, among other criteria.

The best value shall not necessarily be the offer or proposal that presents the lowest cost or price. The necessities of the agency and the general public must be taken in consideration.

- 3 **Bidder, Proposer, Proponent or Respondent** – Means a natural or legal person registered at the “Registro Único de Licitadores” (RUL) of the Puerto Rico General Services Administration (GSA), which participates or submit quotations, offers, or proposals in response to a publication or invitation to bid, to submit proposals or to submit offers.
- 4 **Days** – Means calendar days including Saturday, Sundays, and holidays. If the term provided to execute an action ends on a Saturday, Sunday or holiday, the term will be extended to expire the next working day.
- 5 **Design/Built Project** – Will be those projects where the Proponent undertakes the duty to design the Scope of Work, in addition to performing the duties of a Contractor.
- 6 **Email** – Electronic mail
- 7 **Execution Time** – Time necessary to execute the services included as part of the Request for Proposal.

- 8 **Formal Bid (Bid)** –Competitive formal process with the purpose to acquire goods or services or to issue the corresponding contract or purchase orders requested via an invitation to submit offers based on the necessities of the exempt entities of the Puerto Rico Department of Health. This bid process is used to acquire goods, work, and nonprofessional services which cost exceeds one hundred thousand dollars (\$100,000.00) or more. The Puerto Rico Department of Health Board of Awards will issue the award.
- 9 **Key Personnel** - Means an individual or group of individuals who will play a leading role in the execution of the work resulting from this Bid. Key Personnel will be the Project Manager, superintendents (working at Architectural, Civil, Mechanical and Electrical disciplines), Safety, and Quality Control leads, unless otherwise indicated as part of this document. In Design/Built Projects the Key Personnel will be divided on two components: a. Design: (Project Manager, lead project engineer(s) and architect for the disciplines of civil, electrical, mechanical, structural, and architecture) and b. Construction (Project Manager, superintendents (working at Architectural, Civil, Mechanical and Electrical disciplines), Safety, and Quality Control leads).
- 10 **Medical and/or Hospital Facilities** –A place that provide health care (as hospitals, clinics, outpatient care centers, and specialized care centers, among others) in accordance with Puerto Rico Department of Health ‘s exempt entities as per included in **Regulation 9318**.
- 11 **Offer or Proposal** - Refers to the written response(s) submitted by Bidder or Proponent(s) as a response to a bid announcement or Request for Proposal.
- 12 **OSHA** – Occupational Safety and Health Administration.
- 13 **PRDOH** – Puerto Rico Department of Health
- 14 **Responsive Proponent or Bidder (“Licitador Responsivo”)** – Proponent or Bidder that has presented an offer or a proposal after a proposal process that complied with all terms, conditions, specifications, and special requirements included at the proposal invitation and the associated proposal documents.
- 15 **RFP** – Request for Proposal
- 16 **Selected Bidder** – Bidder to which the goodwill (“buena pro”) of a bid or proposal has been awarded.
- 17 **SOW** – Scope of Work of the services included as part of this document.

The interpretation of the terms and words included as part of the Formal Bid (Bid) will be based on the approved context they are commonly and typically used, they include the present and future, singular and plural, masculine, feminine, and neutral, unless the result of interpretation is not adequate.

## ARTICLE 2 – PROJECT FUNDING

Funds to be available for this project will be state funds granted mostly by the government of Puerto Rico to the Puerto Rico Department of Health (PRDOH). They are commonly identified as CAPEX funds.

## ARTICLE 3 – EXAMINATION OF BIDDING DOCUMENTS AND SITE

1. As part of the PRDOH main website <https://www.salud.gov.pr>, area identified as “Aviso de Subastas y Solicitudes de Propuestas” and at <https://subastas.pr.gov>, an announcement will be posted advising about the availability of bidding documents. Bidding documents can be downloaded electronically at PRDOH website <https://www.salud.gov.pr/CMS/453>.
2. Each Bidder must examine the bidding documents carefully and not later than the date indicated on the advertisement or invitation to bid, must make written request to the PRDOH for interpretation or correction of any ambiguity, inconsistency, or error therein which he may discover. Any interpretation or correction will be issued as an Addendum by the PRDOH. Only a written interpretation or correction by Addendum must be binding.  
No Bidder must rely upon any interpretation or correction given by any other method.
3. In unit price Contracts, quantities appearing in the Bid Schedule are approximate only and are prepared for the comparison of bids. Payment to the Contractor will be made only for the actual quantities of work performed and accepted or materials furnished, in accordance with the Contract, and it is understood that the schedule quantities of work to be done and materials to be furnished may each be increased, diminished, or omitted as hereinafter provided without in any way invalidating the Contract.
4. Each Bidder is required to visit the site of the proposed work and to inform himself of the conditions under which the work is to be performed and other relevant matters concerning the work to be performed, in such a manner that he will fully understand the facilities, difficulties, and restrictions attending the execution of the work under the contract.
5. Pre-Bid meeting/Site Visit **will be mandatory** as part of this Bid. Compliance with bid schedule is mandatory and no exceptions will be made.
6. The Puerto Rico Department of Health Board of Awards reserves the right to send, to all prospective Bidders, any addenda by fax, email, or issued via a share point to be provided to them. All such addenda must become part of the Contract and all bidders must be bound by such addenda.



**ARTICLE 4 – BIDDER’S REPRESENTATION**

1. Each Bidder, by making his bid, acknowledges that he has read and understand the bidding documents included as part of this request.
2. Each Bidder, by making his bid, acknowledges that he has visited the site and familiarized himself with the local conditions under which the work is to be performed.
3. The failure or omission of any Bidder to receive or examine any form, instruments, or document, or to visit the site and acquaint himself with conditions there existing, must in no way relieve said Bidder from any obligation with respect to his Bid. If Bidder fails to attend the Pre-Bid meeting / Site Visit, it will constitute reason for immediate disqualification.
4. Each Bidder represents that his proposal is based upon the materials, equipment, and works necessary to execute the Scope of Work (SOW) described in the bidding documents included as part of this Bid. Bidder understands that the execution of works included here must meet the requirements identified as part of the technical documentation herein included and any additional one issued during the Bid process.
5. Each Bidder, by making his bid, accepts and recognizes that it must comply with the terms, conditions and formalities required by law and regulations for government contracts in Puerto Rico. Bidder must observe and comply with all applicable law and must instruct all of its subcontractors to perform the services in accordance with applicable laws (local and federal), including, but not limited to: compliance with Act 12012, as amended, known as the Organic Act of the Office of Government Ethics of Puerto Rico. In the same manner Bidder agrees to comply with the terms of the Act 22018, as amended, known as the Anti-Corruption Code for a New Puerto Rico Act of Governmental; Act No. 14 enacted on January 8, 2004, as amended.

**ARTICLE 5 – BID SCHEDULE AND COMMUNICATIONS**

The PRDOH is seeking proposals from qualified companies (Bidders) to perform the scope of work (SOW) described as part of this Bid. This project is meant to provide and guarantee optimum healthcare facilities.

Questions associated to this Bid and/or request for information must be directed to:

**Name:** Denise Marrero Santana  
**Title:** Director Puerto Rico Department of  
 Health Bids Office  
**Email:** [subastas@salud.pr.gov](mailto:subastas@salud.pr.gov)  
**Contact Numbers:** 787-765-2929, ext. 4475

<b>Bid Schedule*</b>			
<b>Description</b>	<b>Date</b>	<b>Time</b>	<b>Location</b>
<b>Request of Bid documents</b>	To be downloaded electronically at PRDOH website <a href="https://www.salud.gov.pr/CMS/21">https://www.salud.gov.pr/CMS/21</a>		
<b>Pre-Bid meeting/Site Visit:</b>	March 24, 2023	10:30 am	Anfiteatro Hospital Universitario Dr. Ramón Ruiz Arnau (HURRA) Bayamón, PR
<b>Questions:</b>	March 29, 2023	4:00 pm	Submitted electronically at the email address herein included.
<b>PRDOH issue an Addendum:</b>	April 3, 2023	4:00 pm	Submitted electronically at the email address herein included.
<b>Bid submission deadline</b>	Abril 13, 2023	11:00 am	PRDOH Building H 2 <sup>nd</sup> Floor Office 223
<b>Bid Opening</b>	Abril 13, 2022	2:30 pm	Virtual opening. Link will be provided by the PRDOH. Electronic platform to be used will be Microsoft Teams**

**\*Bidders must comply with bid schedule presented here with no exceptions.**

Bidders must follow COVID 19 safety measures during site visit and meetings.

If a **virtual** Bid Opening is scheduled and performed, Bidders with interest of reviewing submitted bids will have up to two weeks to schedule a visit and review submitted proposals at the Department of Health's Board of Award Office. This process will be implemented only when a virtual Bid Opening is scheduled.

## **ARTICLE 6 – BIDDING PROCEDURES**

1. **Bidder's questions must be submitted in writing to email address previously identified. Email's subject must refer to Bid number included at bidding documents. Ensure to include the complete Bid number.**
2. All bids must be prepared on the form provided by the PRDOH and submitted in accordance with the Instructions to Bidders. Failure to do so may constitute immediate disqualification. Bidding procedures will be performed in accordance with **Chapter III Article 5 of Regulation 9318.**
3. **Sealed Proposals must be submitted in writing.** Sealed envelope must include the Bid number, project's name, project's location, and Bidder details (complete name, contact number, and email address). Written information must be included in BLUE ink. One (1) original, two (2) hardcopies and a USB drive including all proposal documents in portable document format (pdf). Proposal must include the Bid Checklist and all information herein requested.

Proposal style must comply with the following requirements:

- Arial 12-point font, 1.5 spacing
  - One-inch margins
  - 8.5"x 11" Letter pager size/ portrait orientation
  - No page minimum or maximum
4. Proposals must include the Bid Form, Statement of Bidder's Qualification, Non-Collusive Affidavit, Proposal Bond, and all other documents forming part of said Proposal, as requested by the PRDOH with no alterations or changes. Proposals received after the time for opening of proposals will be returned to the Bidder unopened.
  5. In unit price contract, the Bidder must specify a unit or lump sum price, in both words and figures, for each item for which a quantity is given, and must also show the products of the respective unit prices and quantities written in figures in the column provided for that purpose, and the total amount of the proposal obtained by adding the mounts of the several items. All words and figures must be written in BLUE ink or typewriter. In case of discrepancy between the price written in words

and those written in figures, the prices written in words will govern. Erasures and other changes to the proposal must be initiated by the bidders. When an item in the proposal contains a choice to be made by the Bidder, he must indicate his choice in accordance with the specifications for that particular item and thereafter no further choice must be permitted.

6. The proposal must be properly executed. To constitute proper execution, the proposal has to be executed in strict compliance with the following. No other forms or executions will be accepted.
  - If a proposal is by an individual, it must show the name and post office address of the individual and must be signed by the individual with the word “Individually” appearing under the signature. If the individual operates under a firm name, the proposal must be signed in the name of the individual doing business under the firm name.
  - If the proposal is by a corporation, it must be executed in the name of the Corporation by the President or Vice-President. It must be attested by the Secretary or Assistant Secretary. The seal of the corporation must be affixed. If the proposal is executed on behalf of a corporation in any other manner than as above, a certified copy of the minutes of the Board of Directors of said corporation authorizing the manner and style of execution and the authority of the person executing, must be attached to the bid. The proposal must show the post office address of the principal office of the corporation.
  - If the proposal is made by a partnership, it must be executed in the name of the partnership and signed by one of the partners. The post office address of the partnership must also be shown.
  - If the proposal is a joint venture, it must be executed and signed by each of the joint venturers in the appropriate manner set out above. In addition, the execution by the joint ventures must appear below their names. The post office address for the joint venture must be shown.
7. The proposal must be accompanied by a bid guaranty that must not be less than ten percent (10%) of the total proposal amount. For construction projects, a Performance and Payment Bond must be provided by the selected Bidder, as requested in the Notice of Award. Each of them must be no less than one hundred percent (100%) of the total proposal amount. The bonds must be provided as certified checks, bank money orders, or proposal bond issued by an insurance company authorized by the “Comisionado de Seguros de Puerto Rico”. Cash deposit will not be accepted. Bonds for amounts less than required will not be accepted. Lack of compliance with this requirement may be cause for disqualification.

8. Bonds must be made payable to the order of “Secretario de Hacienda”. The bonds must ensure the execution of the Contract, performance, and payment by the successful Bidder as specified in the Contract Documents. No proposal will be considered unless it is so guaranteed. In case Bid Bond is in the form a certified check, or bank money order, the owner may make such disposition of the same as will accomplish the purpose for which submitted. Certified checks or bank money order, or the amount thereof, of unsuccessful bidders will be returned as soon as practicable after the award of bid.
9. Unless otherwise provided in the General Conditions, no Bidder must modify, withdraw, or cancel his proposal or any part thereof for **one-hundred twenty (120) calendar days** after the time designated for the receipt of bids in the advertisement or invitation to bid. Bidder must make sure that bonds submitted are valid during this period. All bids will be under the custody of PRDOH Financial Division.
10. Each proposal must be accompanied by a statement, on the form furnished for that purpose with the proposal forms, of the Bidder’s financial resources, his experience, and his organization and equipment available for the work contemplated. The PRDOH must have the right to take steps as it deems necessary to determine the ability of the Bidder to perform the work and the Bidder must furnish to the PRDOH all such information and data for this purpose as the PRDOH may request. PRDOH reserves the right to reject any proposal where an investigation of the available evidence or information submitted by such bidder, qualified to carry out properly the terms of the Contract Documents, does not satisfy the PRDOH.
11. Each Bidder must execute an affidavit in the form provided with the Bid forms to the effect that he has not colluded with any other person, firm or corporation, regarding any proposal submitted. Such affidavit must be attached to the bid.
12. **PRDOH will receive proposals within the date and time for receipt indicated in the advertisement or invitation to bid. The PRDOH Board of Awards will decide when the specified time has arrived, and no proposal received thereafter will be considered.** No responsibility will be attached to an officer from the premature opening of a proposal not properly addressed and identified. Bidder should secure information relative to the time of arrival at the place where proposals will be submitted.
13. Proposals received within the date and hour specified at the advertisement or invitation to bid will be publicly opened. Proposal’s content will be read aloud by the Board of Awards in accordance with **Chapter III Article 5 Sections 17-19 of Regulation 9318.**

**14. Proposals received after the date and hour specified in the advertisement or invitation to bid will not be considered and will be returned unopened.**

15. During the bid opening process, incomplete proposals received will not be considered and will constitute automatic disqualification.

## **ARTICLE 7 – PROPOSAL EVALUATION CRITERIA**

Proposal will be evaluated in accordance with the requirements presented at **Chapter III Article 6 of Regulation 9318** and based on requirements herein included. Proposal shall include and **must be submitted presenting the following sections order**. Section rating percentages are included in parenthesis.

### **1. Bidders Experience (25%)**

To be considered for award the Bidder must provide detailed description of similar recent projects, with satisfactory performance, including:

- Minimum of five (5) similar recent projects with satisfactory performance is required. Execution experience with similar projects at medical and hospital facilities is necessary. Identify previous experience working at PRDOH facilities.
- Per project identify project role (prime or subcontractor), include project name, description, construction cost, year it was constructed, and location.
- Project's owner name and contract information.

Provide evidence of compliance with all requirements by law to operate in Puerto Rico and contract with Puerto Rico Government. The Bidder must provide **information regarding their company** so the PRDOH can evaluate the Bidder's ability to provide the services herein requested. At its discretion, the PRDOH may require the Bidder to provide additional information and/or clarify information.

### **2. Bidder Qualifications (20%)**

The Bidder must include detailed experience and capacity to perform the requested services. Bidder must provide evidence that he has the capacity to execute the work implementing the necessary health and safety provisions to prevent work related injuries and illnesses, among others.

- a. **Key Personnel:** Will include Project Manager, Safety Officer, and Sub-Contractor responsible of Asbestos Containing Material (ACM) and Lead Based Paint (LBP) mitigation. Also, Independent Third-Party company responsible of monitoring, sampling equipment location, sampling collection, and sampling analysis of air, personnel, and wastewater prior, during, and

after ACM and LBP mitigation activities up to final cleaning certification. Company and personnel must be qualified by entities regulating asbestos containing material and lead based paint mitigation and certified laboratory accreditations, among others.

- b. Key Personnel qualifications and experience. Include CV/resumes, copy of professional license and OSHA 30 hrs certifications. Also, qualifications and certifications of companies associated to ACM and LBP mitigation, monitoring, sampling equipment location, sampling collection, and sampling analysis of air, personnel, and wastewater, and laboratory certifications. Include complete names, proposed project's role, years to experience, and list of similar projects. Execution experience with similar projects at medical and hospital facilities is necessary. Per project identify project role, include project construction cost, project name, year it was constructed, owner's representative (name and telephone), project name, and location.

### **3. Understanding of the Project and Requested Services (10%)**

A two-page description of the Bidder's overall understanding of the requirements, goals, expectations, project's challenges, areas of improvements, and milestones (if provided).

Bidder's approach to execute the services in compliance with the Bid, to implement health and safety measures and requirements, quality control, and quality assurance procedures. A detailed description of approach to be implemented for hurricane season, health and safety measures, inspection procedures, and quality must be included.

### **4. Delivery Time (10%)**

Bidder must demonstrate the capacity to perform the work in accordance with the execution time included as part of the SOW. Proposal must include a detailed construction schedule. Challenges and areas of improvements must be identified and alternatives to ever come them must be presented.

### **5. Proposal Cost (30%)**

Total Cost amount of the services to be provided, as requested on this Bid. Must be submitted in the Cost Schedule Form herein included. Estimate must be as detailed as required at the Cost Schedule Form.

### **6. Required Documentation (5%)**

Submission of required documentation. Bidder must submit documentation completed in all its parts. Failure to submit all required documentation completed in all its parts will be a cause for disqualification. No later opportunity will be provided to submit the information for evaluation.

- 7. **Act 164, December 16, 2009, Act 173, August 12, 1988 (Pass or Fail)** Bidders that fail this requirement will be disqualified.

8. **Suspension and Debarment (as required by 2CFR 180.995) (Pass and Fail)**  
Bidders that fail this requirement will be disqualified.

## **ARTICLE 8 – REJECTION OF BIDS**

1. The Bidder acknowledges the right of the PRDOH to reject any or all bids in compliance with **Chapter III Article 6 of Regulation 9318**. In addition, Bidder acknowledges PRDOH right to waive any informality or minor difference in any proposal received. If the proposal complies with the purpose to which it was submitted and it results of a benefit to the PRDOH and the Government of Puerto Rico. Deviations must not substantially affect the quality, capacity, or essential characteristics of the articles or services requested.
2. In addition, the Bidder recognizes the right of the PRDOH to reject a proposal if the Bidder failed to furnish any required proposal security or to submit the data required by the bidding documents, or if the proposal is in any way incomplete or irregular.
3. Any one of the following causes **will be sufficient** cause for the disqualification of Bidder and the complete rejection of his proposal:
  - a. Failure to attend the Pre-Bid meeting/Site Visit.
  - b. Evidence of collusion among Bidders. Participants in such collusion will receive no recognition as Bidders for any future work of PRDOH until any such participant must have been reinstated as a qualified bidder
  - c. Lack of competency and adequate machinery, plant, and other equipment, as revealed by the statement of Bidders' qualifications required.
  - d. Unsatisfactory performance record as shown by past work, for the PRDOH, judged from the standpoint of workmanship, quality, and progress.
  - e. Uncompleted work which, in the judgment of the PRDOH, might hinder or prevent the prompt completion of additional work, if awarded.
  - f. Failure to pay, or satisfactorily settle, all bills due for labor and material on former contracts in force at the time of letting.
  - g. Failure to comply with any qualification requirements of the PRDOH. As well as failure to submit an Audited Financial Statement.
  - h. Default under previous contracts.



- i. If there are unauthorized additions, exclusions, conditional, or alternate bids or irregularities of any kind which may tend to make the proposal incomplete, indefinite, or ambiguous as to its meaning.
  - j. If the Bidder adds any provisions reserving the right to accept or reject an award, or to enter into a contract pursuant to an award.
  - k. In unit price contracts, if the proposal fails to contain a unit price forever item indicated except in the case of authorized alternate items.
  - l. Submitted prices are irrational or terms are burdensome.
  - m. If the statement is not properly filled out or prefilled as allowed in Article 6 Item 9.
  - n. Failure to comply with the requirements and conditions included at the bidding documents.
  - o. PRDOH reserves the sole right to disqualify any Bidder if after an evaluation of all Bidder's OSHA Forms 300, 300A, and 301 (if applicable), provided as part of the bidding documents, it is understood that company is not adequate for the project.
4. In case that more than one (1) proposal for the same work is submitted by an individual, firm, or corporation under the same or different names, the Bidder will be disqualified, and the proposals rejected.

## ARTICLE 9 – AWARD AND EXECUTION OF CONTRACT

1. The PRDOH Board of Awards will evaluate all proposals received. **For the services herein included, no Purchase Order will be issued.** Contract will be awarded, if it be awarded, **to the responsive Bidder that presents the best value**, whose proposal complies with all requirements included at the bidding documents, which are in compliance with **Regulation 9318**. The all Bidders (including the selected Bidder) will be notified by certified mail or electronic email to the address shown on their proposal.
2. Performance and Payment Bonds and insurances will be provided by the Bidder prior to contract execution.
3. Both the award of the contract and the appeal of the same will be ruled by PRDOH's **Regulation 9318**. All cases dealing with the appeal made by a Bidder must be brought in accordance with **Chapter III Article 6 of Regulation 9318**.

4. The Bidder that wishes to take an appeal should do so by filing a written appeal, in accordance with **Chapter III Article 6 of Regulation 9318**.
5. The PRDOH reserves the right to cancel the award of any contract at any time before the execution of said contract without any liability against him.
6. The PRDOH reserves the right to award the base bid including or not the Additive Alternatives.
7. All proposal guaranties will be retained until the Contract with the successful Bidder has been executed. If no award is made, the retained proposal guaranties will be returned to the Bidder after the decision of not to award is taken by the Board of Awards.
8. The Bidder to whom the Contract is awarded must execute the Contract within ten (10) calendar days after the date of Notice of Award. No proposal must be considered binding upon the PRDOH until the Agreement has been so signed. The Contractor will be furnished with a signed copy of the Agreement.
9. Should the Bidder to whom award is made, fails to execute the Contract Requirements within ten (10) calendar days after the date of the Notice of Award, the Award may be annulled and the Bid Bond submitted by the Bidder may be withhold, the Contract may be awarded to the next responsible Bidder based on proposal evaluation or the Work may be readvertised or performed as the PRDOH may decide.
10. Uniform General Conditions for Public Works Contract and Supplementary General Conditions are part of the contract documents. Both documents are included as part of the Bid, Bidding Documents and Contract Requirements.

## **ARTICLE 10 – SCOPE OF WORK**

Works will be performed at the Hospital Universitario Dr. Ramón Ruiz Arnau (HURRA) located at the municipality of Bayamón, PR. Demolition activities will be executed as indicated in the attached design documents. Works are mostly associated to mitigation of Asbestos Containing Material (ACM) and Lead Based Paint (LBP) and demolition in areas associated to Delivery Room located at HURRA's second floor. Demolition will include removal and disposal of electrical, mechanical, and architectural components. Also, removal and disposal of equipment, lockers, and furniture, among others, located at the area will be part of demolition works.

Bidder will be required to provide all the necessary materials, equipment, workers, supervisors, managers, tools, transportation, and supplies, among others, required to complete the execution of the work. Solid wastes resulting from ACM, LBP, and demolition

must be disposed in accordance with the applicable federal and local codes and regulations.  
**Bidder will be responsible to issue the demolition permit (Permiso Único Incidental).**

Bidder must take in consideration that HURRA facility will continue to be in use on a 24hr/7days schedule during the execution of project's related activities. Close and effective coordination with HURRA, "Universidad Central del Caribe", and PRDOH authorized personnel will be necessary to prevent impact on facility operations and other on-going projects. All coordination work will be performed in advance to prevent risks, impacts to ongoing facility operation, patient comfort, and safety. Bidder must take in consideration all activities that might impact negatively the **Operating Rooms located at the first floor, such as** dust, noise, vibration, leakages, among others. Special attention will be taken to avoid interruptions of electrical and mechanical systems, such as air conditioning/ventilation, potable water supply, and wastewater discharges and falling debris and/or materials. **Any damage caused will be the Bidder's responsibility to correct it to its previous condition.**

**Bidder must develop the most secure and cost-effective approach to remove solid wastes outside the project area.** The contractor must familiarize himself with existing utilities prior to execution, to efficiently plan in advance any utilities shutdowns and area segregations.

Demolition scope of work includes but is not limited to:

1. Mitigation of ACM and LBP for elements as indicated in the attached reports prepared for project area.
2. Removal and disposal of:
  - a. Interior windows, partitions, walls, doors (including hardware), door frames, cabinets (any type), lockers (any type), furniture, storage closets, floors (without ACM and LBP) components, wall tiles (without ACM and LBP) components, ceiling, acoustical tiles, nurse call stations, and gypsum board, among others.
  - b. Faucets, toilets, bathroom fixtures, and showers, among others.
  - c. Delivery rooms lighting fixtures, and equipment, among others.
  - d. Electrical infrastructure (wires, lighting fixtures (any type), receptacles, and boxes, among others).
  - e. Air conditioning components (ductwork, fan coils, exhaust fans, grills, among others).
  - f. Plumbing (potable water and wastewater plumbing, among others).
  - g. Fire Alarm, Fire Protection System, and Telecommunications.
  - h. Medical Gases (panels and piping, among others).
  - i. Equipment (all equipment with property number will be removed from the area and stored in an area designated by the Owner).

3. Provide all necessary end caps for plumbing (water and wastewater), piping, air conditioning, medical gases, electrical, among others.
4. Protect existing columns located at the project area.
5. Existing plumbing potable, sanitary piping, and building runoff located at the ceiling and floor level of project area will not be demolished. Necessary work to guarantee its functionality is required as part of the demolition.

Bidder must be responsible to obtain the following permits (including any related fees):

- a. Permits to allow ACM and LBP mitigation.
- b. Demolition Permit (including environmental approval).
- c. Permits to allow proper disposal of solid wastes, protection, and prevention of soil and runoff water contamination.

Demolition Package Documents included:

1. Drawings –
  - a. TI.001
  - b. EX.001
  - c. EX.002
  - d. EX.003
  - e. EX.004
2. Photo Report
3. Technical Specifications
4. Technical Reports included:
  - a. Asbestos Containing Building (ACM) Materials Inspection Report (June, 2022)
  - b. Lead Based Paint (LBP) Inspection Report (June 2022)
5. Uniform General Conditions
6. Supplementary General Conditions

## ARTICLE 11 – EXECUTION TIME

Works will be performed at the Hospital Universitario Dr. Ramón Ruiz Arnau (HURRA) located at the municipality of Bayamón, PR. Project's activities will be executed as indicated in the attached design documents. **The maximum execution time for project's activities herein included must be 4 months.**

## ARTICLE 12 – LIQUIDATED DAMAGES

Should the Contractor or, the Surety in case of Termination for Cause, fails to complete all the work within the time specified in the Contract or as extended by the written authorization of the Owner, a deduction of the amount stipulated in the Article 9.5.1 of Uniform General Conditions for Public Works Contract and the Agreement will be made for each and every calendar day that such work remains uncompleted after the expiration of the time limit to execute the Work as described on 9.1.4 of Uniform General Conditions for Public Works Contract. This amount will be deducted by Owner from any money due or that may become due the Contractor or his Surety under the Contract. The amount stipulated in Article 9.5.1 and the Agreement, or otherwise if otherwise specified in the Contract Documents, as the case may be, shall be considered and treated not as penalty, but as a total, fixed and agreed liquidated damages due the Owner by the Contractor or, by the Surety in case of Termination for Cause, for and including but not limited to, public inconvenience, obstruction to traffic interference with and/or loss of business, increase of engineering, inspection and administrative cost to the Owner; and other costs and expenses which have caused an expenditure of public funds, resulting from the Contractor's, or in case of Termination for Cause of the Surety's, failure to complete the work within the time specified in the contract. Liquidated damages table as per Uniform General Conditions for Public Works Contract that will apply for this project will be as follow:

SCHEDULE OF LIQUIDATED DAMAGES		
Original Contract Price		Daily Charge
From More Than	To and Including	
\$ 0.00	\$ 99,999.99	\$ 300.00
\$ 100,000.00	\$ 499,999.99	\$ 400.00
\$ 500,000.00	\$ 999,999.99	\$ 800.00
\$ 1,000,000.00	\$ 1,999,999.99	\$ 1,000.00
\$ 2,000,000.00	\$ 4,999,999.99	\$ 2,000.00
\$ 5,000,000.00	\$ 9,999,999.99	\$ 3,000.00
\$ 10,000,000.00	\$19,999,999.99	\$ 4,000.00
\$ 20,000,000.00	\$29,999,999.99	\$ 5,000.00
\$ 30,000,000.00	\$39,999,999.99	\$6,000.00
\$ 40,000,000.00	\$49,999,999.99	\$7,000.00
Over \$50,000,000.00	Unlimited	\$8,000.00 or as otherwise indicated in the Special Conditions

## ARTICLE 13 - SPECIAL CLAUSES IN CONSTRUCTION CONTRACTS:

1. **The Contractor shall contract** the human resources, necessary technical help, materials and supplies within the Municipality where the work object of this contract,

will be carried out. If it is not possible to contract the human resources, necessary technical help, materials, and supplies in the area, as an alternative, said services can be contracted out of the Municipality, as long as it is made clear to the Owner's satisfaction that pertinent effort has been made to obtain same without success.

2. **The Contractor is required to comply** with Law 109, approved on July 12, 1985, which makes it mandatory the use of construction materials manufactured in Puerto Rico in the construction, reconstruction, conservation, or repair of public buildings financed with public funds.
3. **The Contractor is required to comply** with applicable stipulations indicated on the official memos identified as *Carta Circular 141-17* and *Carta Circular 144-17*, issued by State Budget and Management Office (*Oficina de Gerencia y Presupuesto*) on January 30, 2017, and March 10, 2017, respectively. Texts of both memos are included as part of Contract Documents under the section identified as Attachment E (Part II).
4. **The Contractor is required to comply** with all applicable stipulations of the following laws of the Commonwealth of Puerto Rico:
  - a. **Law No. 117, approved on July 4, 2006**, known as *Ley de Justicia Contributiva 2006*, which impose state and municipal taxes identified as *Impuesto de Venta y Uso (IVU)*.
  - b. **Law No. 72, approved on May 29, 2015**, which amends several articles of Puerto Rico Internal Revenue Code, some of them related to aforementioned state and municipal taxes.
5. **The Contractor must comply with** Puerto Rico Treasury Department's requirement for contracting with the government regarding income and property (CRIM) taxes. These requirements are in accordance with Circular Letter No. 1300-13-97, dated April 11, 1997, stating instructions for the implementation of Administrative Bulletin No. OE-1191-24 from the Governor Office dated August 18, 1991 amended by Administrative Bulletin No. OE1992-52 from the Governor Office dated August 28, 1992. Contractor must abide with latest amendment of the Administrative Bulletin.
6. **The Contractor must comply with** Puerto Rico Department of Labor laws and regulations including, but not limited to, Fair Labor Laws, Equal Opportunity Program requirements, unemployment tax, temporarily disabled tax, and social security tax for drivers.
7. **The Contractor must comply with** U.S. Immigration requirements (I-9 Form). Bidder must comply with Puerto Rico Police Department laws, regulations and requirements governing on the job performance.

**8. The Contractor must comply with** following laws of the Commonwealth of Puerto Rico

- a. **1. Law No. 105, approved on August 6, 1996** (*Ley Uniforme para la Contratación de Proveedores de Acarreo de Agregados o Materias Análogas y de Servicio de Grúas por Agencias Gubernamentales*), which makes mandatory to Contractors of Government Agencies and Public Corporations of the Commonwealth of Puerto Rico, the request of the corresponding documentation and authorization from Public Service Commission (*Comisión de Servicio Público*) to all suppliers of hauling services and aggregate/fill material transportation.
- b. **Law No. 458, approved on December 29, 2000**, as amended by Law No. 84 of July 29, 2001, which prohibits the award of any public bid or contract to a natural or legal person previously convicted for fraud or misappropriation of public funds.
- c. **Law No., 84, approved on June 18, 2002**, which stipulates the Code of Ethics for Contractors, Supplier and Petitioners of Economic Assistance from Governmental Agencies of the Commonwealth of Puerto Rico.
- d. **Law No. 85, approved on June 18, 2002** (Amendment to Articles 2 and 14 of Puerto Rico General Services Administration Law, as amended) that stipulates the mandatory enrollment for Contractors and Suppliers of Products and NonProfessional Services to the Unique Bidders' Registry of Puerto Rico General Services Administration (*Registro Único de Licitadores de la Administración de Servicios Generales*).
- e. **Law No. 14, approved on January 8, 2004** (*Ley para la Inversión en la Industria Puertorriqueña*), as amended, that stipulates the public policy and defines parameters to promotes the purchase of local manufactured products and the acquisition of services offered by local firms or companies settled in Puerto Rico, by Government Agencies and Public Corporations of the Commonwealth of Puerto Rico, derogating former Law No. 42 of August 5, 1989.

**ARTICLE 14 - PROJECT IDENTIFICATION SIGN**

1. **SCOPE:** - This work shall consist in furnishing, erecting, maintaining, and removing a 12' x 8' project identification signs, in accordance with these specifications and in conformity with the design, dimensions, materials and locations shown on the construction drawings or established by the Project Engineer or Government Agency representative.

2. **MATERIALS:** - Each sign and supporting frame shall be constructed of good quality new lumber as follows:
  - a. **Frame** - Shall be dry No. 1 grade lumber, sound, squared, surfaced four sides, free of loose knots or decay. It may be Douglas fir, spruce, oak, or cypress conforming to AASHTO M 168. Lumber shall be pressure treated with pentachlorophenol or chromate copper arsenate in conformity with the standards of the American Wood Preservers Association (AWPA).
  - b. **Sign Panel** - Shall be 1/2" thickness exterior type, high density plywood, resin-bonded, B-B grade or better as per the National Bureau of Standards Specification PS-1 for construction plywood. It shall be laminated with vinyl or aluminum at both sides.
  - c. **Printing - Full Color UV Cure Digital Printing Process**, with a minimum resolution of 720 DPI. Printing shall be warranted for a minimum of three years.
3. **Hardware** - Bolts, nuts, washers, and hardware for erecting the sign assembly shall be aluminum or galvanized steel.

### **CONSTRUCTION REQUIREMENTS:**

- a. **The Contractor shall furnish and erect** the number of signs indicated in the contract documents. If not so indicated, the Government Agency promoting the project will determine the number of signs to be installed.
- b. **Signs shall be erected** at the locations shown on the plans or indicated by the Engineer. They shall be so placed as to not obstruct the visibility of traffic signs.
- c. **The Contractor shall maintain** the signs in good condition throughout the full construction period, repainting and repairing then as necessary.
- d. **After the construction work** is completed and accepted the Contractor shall remove the signs from the project site unless otherwise directed by the Engineer.



## ATTACHMENTS

## ATTACHMENT A - STATEMENT OF BIDDER'S QUALIFICATIONS

The Undersigned hereby certifies, under oath, the truth and correctness of all statements and of all answers to questions made hereinafter.

Submitted to: \_\_\_\_\_  
(Name of Owner)

Submitted by: \_\_\_\_\_  
(Name of Authorized Person)

\_\_\_Corporation \_\_\_Partnership \_\_\_Individual \_\_\_Joint Venture  
\_\_\_Other

Note: (Attach Separate Sheets as Required)

**1** How many years has your organization been in construction industry as General Contractor, under its present business name?

\_\_\_\_\_

**2** How many years has your organization been in construction industry as General Contractor, under other business name?

\_\_\_\_\_

**3** If a corporation answer the following:

a. Date of incorporate:

\_\_\_\_\_

b. Where incorporated:

\_\_\_\_\_

c. President's name: \_\_\_\_\_

d. Vice-President's name:

\_\_\_\_\_

e. Secretary's or Clerk's name:

\_\_\_\_\_

f. Treasurer's name: \_\_\_\_\_

g. Postal Mailing Address:

\_\_\_\_\_

h. Contact Telephone Number:

\_\_\_\_\_

i. Email Address: \_\_\_\_\_

Puerto Rico Department of Health (PRDOH) requires  
submission of Certificate of Incorporation or Partnership or  
Joint Venture.

**Attach separate sheets to include the requested information.**

4. If individual or partnership answer the following:

a. Date of incorporate:

\_\_\_\_\_

b. Name and address of all partners. (State whether general or limited partnership):

\_\_\_\_\_

c. Postal Mailing Address:

\_\_\_\_\_

d. Contact Telephone Number:

\_\_\_\_\_

e. Email Address:

\_\_\_\_\_

5. If other corporation or partnership, describe organization and name principals:

6. General character of work performed by your Company:

7. We normally perform \_\_\_\_ % of the projects' construction work with our own forces.  
List trades below:

8. Have you ever failed to accomplish with the stipulations of any contract awarded to you? If so, note when, where, and why (includes attached sheets, if necessary):

9. Have you ever defaulted on any contract in:
- a. Puerto Rico Department of Health? If yes, please indicate most important facts, including project and scope of contracted works.
  - b. Any other local or federal government agency? If yes, please indicate most important facts, including project, agency, and scope of contracted works.
  - c. Private owner? If yes, please indicate most important facts, including project, owner, and scope of contracted works.
10. Has any officer or partner of your organization ever been an officer or partner of another organization that failed to accomplish with the stipulations of any construction or rehabilitation contract? If so state circumstances:
11. List name of all major construction projects your organization has in progress on this date. Bidder must include any present construction project or any building remodeling/rehabilitation to start on the next six (6) months (if any), indicating, for all of them, the following information: Owner name or project, architect/engineer, or design firm, contact name, telephone numbers, e-mail addresses, contract amount, percent completed, project starting date and project expected completion deadline (includes attached sheets, if necessary):

**12. Bidders Experience**

Provide detailed description of similar recent projects, with satisfactory performance, including:

- Minimum of five (5) similar recent projects. Execution experience with medical and hospital facilities is necessary. Identify previous experience working at PRDOH facilities.
- Bidder must provide OSHA's Forms 300 and 300A for the previous five (5) years. If applicable, OSHA 301 form in the event of an injury and illnesses incident report during the previous five (5) years. Latest version of the forms must be used.

- Per project identify project role (prime or subcontractor), include project name, description, construction cost, year it was constructed, and location.
  - o Project's owner name and contract information.

### **13. Bidder Qualification**

Include detailed experience and capacity to perform the requested services.

- Key Personnel qualifications and experience. Include CV/resumes, copy of professional license and OSHA 30 hrs certifications. Also, qualifications and certifications of companies associated to ACM and LBP mitigation, monitoring, sampling equipment location, sampling collection, and sampling analysis of air, personnel, and wastewater. Include complete names, proposed project's role, years to experience, and list of similar projects. Execution experience with similar projects at medical and hospital facilities is necessary. Per project identify project role, include project construction cost, project name, year it was constructed, owner's representative (name and telephone), project name, and location.

### **14. Understanding of the Project and Requested Services**

A narrative description of the Bidder's overall understanding of the requirements, goals, expectations, project's challenges, safety measures, areas of improvements, and milestones (if provided). Bidder's approach to execute the services in compliance with the Bid, to implement health and safety measures and requirements, quality control, and quality assurance procedures. A detailed description of approach to be implemented for hurricane season, health and safety measures, inspection procedures, and quality must be included.

- 15.** List of major construction equipment (for example cranes, air compressors, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, loaders, backhoes, scrapers, pavers, and generators, etc.) and technical resources available to perform the Scope of Work.

**16.** Name of Bonding Company and name and address of Agent

**17.** Provide a Line of Credit Certification (Original bank letter certifying available credit.) and

Pending Litigation and No-Bankruptcy Sworn Statement (complete provided attachment)

**18. Audited Financial Statements.** Submit last two calendar years audited statements duly audited and certified by a Public Certified Accountant (Contador Público Autorizado (C.P.A.)). Applicable to prime contractor and subcontractors. Date must not be older than fifteen (15) months prior to proposal submission due date. The financial statement must include the following key components:

- Balance Sheet – Assets, liability, and equity.
- Income Statement – Revenue and expenses.
- Statement of Retained Earnings – Reconciles retained earnings from prior to current year.
- Statement of Cash Flow – Where did cash come from and where did it go.
- Notes to Financial Statement and Schedules.

**19.** It is mandatory that the firm who has not completed one year (1) of operation, according to its articles of incorporation, include a line of credit of ten percent (10%) of the Proposal (10% of Base Bid) containing terms and conditions of such agreement and the following:

- Rate of interest and commission
- Purpose and due date
- Disbursement and incompliance
- Guaranty and collateral of partners

General Contract of Indemnity – All companies who reflect a limited economic solvency in their financial statements will be asked to include a sworn personal guarantee jointly with their personal financial statements audited and certified by a Public Certified Accountant.

20. The undersigned hereby agrees to fill out any detailed financial statement that the Puerto Rico Department of Health may require to submit in connection with this proposal and to furnish any other information that may be required by said Owner.
21. The undersigned hereby authorizes and requests from any person, firm or corporation to disclose or furnish any information requested by Puerto Rico Department of Health in verification or recital comprise in this Statement of Bidder's Qualifications.

In \_\_\_\_\_, Puerto Rico, this \_\_\_\_\_ day of, \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Name of Bidder)

\_\_\_\_\_  
(Bidder's Address)

\_\_\_\_\_  
(Bidder's Authorized Representative)

\_\_\_\_\_  
(Title)

Affidavit No.

Sworn and subscribed to before me on the place and date above stated by \_\_\_\_\_ and personally known to me.

\_\_\_\_\_  
(Public Notary)

**ATTACHMENT B - COST SCHEDULE FORM**

(Page 1 of 1)

The Bidder includes all labor, equipment, materials, tools, transportation, supplies, overhead, travel expenses (if applicable), permits, taxes (all type), fees, and profit to complete the work in accordance with drawings, and technical specifications included at the Scope of Work and bidding documents.

Bid Number: \_\_\_\_\_ Project Name: \_\_\_\_\_

Total Estimate Cost Amount: (Written Value):

\$ \_\_\_\_\_ (Number Value):

\$ \_\_\_\_\_

Execution time duration: \_\_\_\_\_ months. (If it is not in accordance with **Article 11**

**Execution Time** list the specific activity causing it to increase or decrease and explain): \_\_\_\_\_

\_\_\_\_\_

ITEM	DESCRIPTION (Note 1)	AMOUNT	UNIT	TOTAL COST
<b>1</b>	<b>General Conditions</b>			
1.1	Insurances	1	LS	
1.2	Patente Municipal	1	LS	
1.3	Mobilization	1	LS	
1.4	Temporary facilities for demolition	1	LS	
1.5	Restore temporary facilities areas to original conditions	1	LS	
1.6	Demolition Barriers	1	LS	
<b>Sub-Total</b>				
<b>2</b>	<b>Mitigation</b>			
2.1	Permits (JCA)	1	LS	
2.2	Mobilization	1	LS	
2.3	Asbestos Containing Material (ACM) Mitigation	1	LS	
2.4	Lead Based Paint (ACM) Mitigation	1	LS	



<b>Sub-Total</b>				
<b>3</b>	<b>Demolition Works</b>			
3.1	Permits	1	LS	
3.2	Architectural Demolition Works	1	LS	
3.3	Mechanical Demolition Works	1	LS	
3.4	Electrical Demolition Works	1	LS	
<b>ITEM</b>	<b>DESCRIPTION (Note 1)</b>	<b>AMOUNT</b>	<b>UNIT</b>	<b>TOTAL COST</b>
3.4	Equipment Removal and Disposal	1	LS	
3.5	Delivery Room Surgical Electrical Fixtures (Removal and Disposal)	1	LS	
<b>Sub-Total</b>				
<b>TOTAL</b>				

**LS** = Lump Sum      **Note 1:** Include all project's activities. Overhead and Profit should be allocated as part of each item included here.

\_\_\_\_\_  
Bidder Name

(If Corporation, signed and sealed)

\_\_\_\_\_  
Bidder Authorized Signature / Date

**ATTACHMENT C - RUL CERTIFICATE**

**(To be provided by Bidder)**

## ATTACHMENT D - ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA FORM

The Bidder hereby acknowledges that he/she has received and that he/she has considered in the preparation of his/her Bid, all requirements in the following Addenda to this Request for Proposal/ Bid Proposal/Contract:

ADDENDUM NUMBER	DATE OF ADDENDUM	ACKNOWLEDGEMENT

☐ **NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS BID ACKNOWLEDGEMENT:**

\_\_\_\_\_  
 \_\_\_\_\_ Bidder's Authorized Officer Signature

***IMPORTANT NOTICE:***

**THIS FORM MUST BE COMPLETED AND SUBMITTED BY ALL BIDDERS. IF NO ADDENDA ARE RECEIVED, CHECK THE "NO ADDENDUM" BOX ABOVE AND SIGN THE ACKNOWLEDGMENT.**

## ATTACHMENT E - SWORN STATEMENT ACT 2-2018

DECLARACIÓN JURADA Ley 2-2018, Código Anti-Corrupción para el Nuevo  
Puerto Rico<sup>1</sup>[SWORN STATEMENT] [Act 2-2018, Anti-Corruption Code for a New Puerto  
Rico]<sup>2</sup>

Yo, \_\_\_\_\_, en mi carácter personal y en  
representación de \_\_\_\_ (“Proponente” o “Licitador”), con número de seguro social  
patronal \_\_\_\_\_, mayor de edad, de profesión:  
\_\_\_\_\_, con estado civil: \_\_\_\_\_ y vecino de \_\_\_\_\_ el más solemne juramento  
declaro como sigue:

*[I, \_\_\_\_\_, in my personal capacity and in  
representation of \_\_\_\_\_ (“Proponent” or “Bidder”),  
Tax I.D. Number \_\_\_\_\_, of legal age, with profession:  
, marital status: \_\_\_\_\_ and resident of  
\_\_\_\_\_, do hereby solemnly swear as follows:]*

1. Mi nombre y demás circunstancias personales son las anteriormente expresadas.
1. *[My name and personal circumstances are as stated above.]*
2. A la fecha en que suscribo esta declaración jurada, el suscribiente, el Proponente o Licitador, su presidente, vicepresidente, director, director ejecutivo, miembro junta de oficiales o directores y personas que desempeñen funciones equivalentes para el Proponente o Licitador **no ha sido convicto ni se ha declarado culpable en el foro estatal o federal**, o en cualquier otra jurisdicción de los Estados Unidos, por cualquiera de los siguientes delitos: (a) apropiación ilegal agravada; (b) extorsión; (c) sabotaje de servicios públicos esenciales; (d) falsificación de documentos; (e) fraude; (f) fraude por medio informático; (g) fraude en las construcciones; (h) uso, posesión o traspaso

<sup>1</sup> Como requisito para la participación en esta Solicitud de Propuestas, el Proponente deberá suscribir esta declaración tal como está redactada, sin alteración, reserva o modificación de índole alguna. Si el suscribiente, Licitador o Proponente no puede suscribir esta declaración según redactada, deberá someter una certificación bajo juramento aclarando todas las excepciones y/o aclaraciones aplicables. Someter información falsa, incompleta o incorrecta podría conllevar la imposición de sanciones civiles y criminales en contra del suscribiente, el Proponente.

<sup>2</sup> [As a requirement to participate in this RFP, the Proposer must file this sworn statement in the exact form and content as set forth herein, without alteration, exception, or modification of any kind. If the Proposer is unable to execute this statement in the exact form provided herein, the Bidder or Respondent shall submit a separate sworn certification stating all exceptions, clarifications, or modifications to this form of sworn statement. The submission of false, incomplete, or incorrect information could lead to the imposition of civil and/or criminal penalties against the Proposer.]

fraudulento de tarjetas con bandas electrónicas; (i) enriquecimiento ilícito; (j) enriquecimiento ilícito de funcionario público; (k) enriquecimiento injustificado; (l) aprovechamiento ilícito de trabajos o servicios públicos; (m) intervención indebida en las operaciones gubernamentales; (n) negociación incompatible con el ejercicio del cargo público;

(o) alteración o mutilación de propiedad; (p) certificaciones falsas; (q) soborno, en todas sus modalidades; (r) influencia indebida; (s) malversación de fondos públicos; o (t) lavado de dinero.

2. *[As of the date of execution of this sworn statement, neither the undersigned nor the Proponent or Bidder, or its president, vice president, director, executive director, member of Board of officers or directors, or any persons performing equivalent functions on Proponent's or Bidder's behalf, has been convicted or has pleaded guilty in state or federal court, or in any other jurisdiction of the United States, for any of the following crimes: (a) aggravated misappropriation; (b) extortion; (c) sabotage of essential public services; (d) forgery of documents; (e) fraud; (f) electronic fraud;*

*(g) construction fraud; (h) fraudulent use, possession or transfer of cards with electronic bands; (I) illicit enrichment; (j) illicit enrichment by public official; (k) unjustified enrichment; (l) illicit enrichment of public work or services; (m) improper intervention in government operations; (n) negotiation incompatible with the exercise of public office; (p) false certifications; (q) bribery, in all its modalities; (r) undue influence; (s) embezzlement of public funds; or (t) money laundering.]*

3. A la fecha en que suscribo esta declaración jurada y **por los pasados veinte (20) años**, ni el suscribiente, ni el Proponente o Licitador, ni cualquiera de sus siguientes oficiales: presidente, vicepresidente, director, director ejecutivo o miembro junta de oficiales o directores o personas que desempeñen funciones equivalentes para el Proponente o Licitador, ha sido convicto o se ha declarado culpable en el foro estatal o federal, o en cualquier otra jurisdicción de los Estados Unidos, por cualquiera de los siguientes delitos: (a) daño agravado; (b) retención de propiedad; (c) alteración o mutilación de propiedad; (d) archivo de documentos o datos falsos; (e) posesión y uso ilegal de información, recibos y comprobantes de pago de contribuciones; (f) compra y venta ilegal de bienes en pago de contribuciones; (g) presentación de escritos falsos; (h) posesión ilegal de recibos de contribuciones; (i) falsificación de asientos en registros; (j) falsificación de sellos; (k) falsedad ideológica; (l) falsificación de licencia, certificado y otra documentación; (m) falsificación en el ejercicio de profesiones u ocupaciones; (n) posesión y traspaso de documentos falsificados; (o) posesión de instrumentos para falsificación; (p) preparación de escritos falsos.

3. *[As of the date of execution of this sworn statement and **for the twenty (20) years** prior, neither the undersigned nor the Proponent or Bidder, or any of its officers, including its president, vice president, director, executive director, member of board of officers or directors, or any person performing equivalent functions on Proponent's or Bidder's behalf, has been convicted or has pleaded guilty in the state or federal forum, or in any other jurisdiction of the United States, for any of the*

*following crimes: (a) aggravated damage; (b) property retention; (c) alteration or mutilation of property; (d) filing of false documents or data; (e) illegal possession and use of tax information, receipts and payment vouchers; (f) illegal purchase and sale of goods for the payment of taxes; (g) filing false writings; (h) illegal possession of tax receipts; (a) falsification of entries in registers; (j) forgery of stamps; (k) ideological falsehood; (l) forgery of license, certificates and other documents; (m) forgery in the exercise of professions or occupations; (n) possession and transfer of forged documents; (o) possession of counterfeit instruments; (p) preparation of false writings.]*

4. A la fecha en que suscribo esta declaración jurada y **por los pasados ocho (8) años**, ni el suscribiente, ni el Proponente o Licitador, ni cualquiera de sus siguientes oficiales: presidente, vicepresidente, director, director ejecutivo o miembro junta de oficiales o directores o personas que desempeñen funciones equivalentes para el Proponente o Licitador, ha sido convicto o se ha declarado culpable en el foro estatal o federal, o en cualquier otra jurisdicción de los Estados Unidos, por cualquiera de los siguientes delitos: (a) omisión en el cumplimiento del deber; (b) venta ilegal de bienes; (c) incumplimiento del deber; (d) negligencia en el cumplimiento del deber; (e) usurpación de cargo público; o (f) impedir la inspección de libros y documentos.
4. *[As of the date of execution of this sworn statement and **for the eight (8) years prior**, neither the undersigned nor the Proponent or Bidder, or any of its officers, including its president, vice president, director, executive director, member of board officers or directors, or any person performing equivalent functions on Proponent's or Bidder's behalf, has been convicted or has pleaded guilty in the state or federal forum, or in any other jurisdiction of the United States, for any of the following crimes: (a) omission in the fulfillment of duty; (b) illegal sale of goods; (c) breach of duty; (d) negligence in the fulfillment of duty; (e) usurpation of public office; or (f) preventing the inspection of records and documents.]*
5. A la fecha en que suscribo esta declaración jurada y **por los pasados diez (10) años**, ni el suscribiente, ni el Proponente o Licitador, ni cualquiera de sus siguientes oficiales: presidente, vicepresidente, director, director ejecutivo o miembro junta de oficiales o directores o personas que desempeñen funciones equivalentes para el Proponente o Licitador, ha sido convicto o se ha declarado culpable en el foro estatal o federal, o en cualquier otra jurisdicción de los Estados Unidos, por delitos graves contra el ejercicio del cargo público o contra fondos públicos codificados en el Código Penal de Puerto Rico; la Ley Núm. 1-2012, según enmendada, la "Ley Orgánica de la Oficina de Ética Gubernamental"; o cualquier otro según dispuesto en la Ley 22018.
5. *[As of the date of execution of this sworn statement and **for the ten (10) years prior**, neither the undersigned nor the Proponent or Bidder, or any of its officers, including its president, vice president, director, executive director, member of board officers or directors, or any person performing equivalent functions on Proponent's or Bidder's behalf, has been convicted or has pleaded guilty in the state or federal*

*forum, or in any other jurisdiction of the United States, for crimes against the exercise of public office or public funds as defined in the Puerto Rico Penal Code, ; Law No. 1-2012, as amended, the Government Ethics Office Enabling Act; or any other crime defined in Law 2-2018.]*

6. Entiendo y acepto el deber de informar cualquier cambio al contenido de esta declaración durante el proceso de contratación o la vigencia del contrato, ya sea por alegación de culpabilidad o convicción por cualquiera de los delitos antes mencionados, o cualquier otra conducta proscrita en el “Código de Ética para Contratistas, Suplidores y Solicitantes de Incentivos Económicos de las Agencias Ejecutivas del Gobierno de Puerto Rico”, Código Anticorrupción para el Nuevo Puerto Rico, Título III, Ley 2-2018.
6. *[I accept and acknowledge my obligation to inform of any change or modification to this statement during the contracting process or the term of the contract, as the result of a guilty plea or conviction for any of the above-mentioned crimes or any other conduct prohibited by the “Code of Ethics for Contractors, Suppliers of Goods and Services and Applicants for Economics Incentives of the Executive Agencies of the Government of Puerto Rico”, Title III, Law 2-2018.]*
7. Entiendo y acepto que la convicción posterior a esta declaración por cualquiera de los delitos enumerados en cualquiera de los incisos anteriores conllevará, además de cualquiera otra penalidad, la rescisión automática de cualquier contrato entre el suscribiente, el Proponente o el Licitador, y cualquier entidad gubernamental, corporación pública o municipio.
7. *[I accept and acknowledge that a conviction for any of the crimes specified in the above paragraphs will result, in addition to any other penalties, in the immediate termination of any contract in force at the time of conviction, between the undersigned, the Bidder or Proponent, and any government entity, public corporation or municipality at the date of conviction or guilty plea.]*
8. El suscribiente, el Proponente o el Licitador, según sea el caso, se compromete a cumplir con lo dispuesto en el Código de Ética para Contratistas, Suplidores y Solicitantes de Incentivos Económicos de las Agencias Ejecutivas del Gobierno de Puerto Rico”, Código Anticorrupción para el Nuevo Puerto Rico, Título III, Ley 2-2018.
8. *[The undersigned and/or the Bidder or Proponent, as the case may be, commits to complying with the “Code of Ethics for Contractors, Suppliers of Goods and Services and Applicants for Economics Incentives of the Executive Agencies of the Government of Puerto Rico”, Title III, Law 2-2018.]*
9. Suscribo esta declaración jurada de conformidad con las disposiciones de la Ley 2-2018, y los requisitos de esta [Subasta, Solicitud de Cualificaciones o Solicitud de Propuestas.].
9. *[I execute this sworn statement pursuant to Law 2-2018, and the terms and provisions of this IFB, RFQ or RFP.]*

10. Hago la presente declaración jurada para que cualquier entidad gubernamental, corporación pública o municipio, tenga conocimiento de lo aquí declarado para cualquier propósito administrativo y/o legal.

10. *[I execute this sworn statement so that any government entity, public corporation or municipality has knowledge of what is herewith declared and for any administrative and/or legal purpose in relation thereto.]*

**Y PARA QUE ASÍ CONSTE**, juro y suscribo esta declaración en \_\_\_\_\_,  
\_\_\_\_\_, hoy \_\_\_\_\_ de \_\_\_\_\_ 20\_\_.

*[NOW THEREFORE, I hereby swear and sign this statement in \_\_\_\_\_,  
\_\_\_\_\_, on this \_\_\_\_\_ of \_\_\_\_\_, 20\_\_ .*

\_\_\_\_\_  
**DECLARANTE / [DEPONENT]**

### **JURAMENTO**

**[OATH] AFFIDAVIT NÚM.:**

\_\_\_\_\_

**[AFFIDAVIT NUMBER:]** \_\_\_\_\_

**JURADO Y SUSCRITO** ante mí por \_\_\_\_\_,  
de las circunstancias personales anteriormente mencionadas y a quién identifico mediante  
\_\_\_\_\_, en \_\_\_\_\_,  
hoy \_\_\_\_\_ de \_\_\_\_\_ de 20\_\_ .

**[SWORN AND SUBSCRIBED before me**  
by \_\_\_\_\_,

*with the aforesaid personal circumstances and whom I have identified by means of*  
\_\_\_\_\_, in \_\_\_\_\_, \_\_\_\_\_, on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ .

\_\_\_\_\_  
**NOTARIO PÚBLICO**  
**[PUBLIC NOTARY]**



**ATTACHMENT F - LIMITED DENIAL OF PARTICIPATION  
(LDP)/SUSPENSION OR  
DEBARMENT STATUS AFFIDAVIT**

By signing this Certification, the Bidder certifies that the firm, business, or person submitting the proposal has not been LDP, suspended, debarred, or otherwise lawfully precluded from participating in any public procurement activity with any Federal, State or local government. Signing this Certification without disclosing all pertinent information about a debarment or suspension shall result in rejection of the proposal or cancellation of a contract. The PRDOH also may exercise any other remedy available by law.

In \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Name of Firm)

**By:**

\_\_\_\_\_  
(Signature of Bidder)

\_\_\_\_\_  
(Printed Name of Bidder)

\_\_\_\_\_  
(Position)

Affidavit No. \_\_\_\_\_

Subscribed and sworn to before me in the city of \_\_\_\_\_, \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ of legal age, \_\_\_\_\_ (civil status), \_\_\_\_\_ (occupation) and resident of \_\_\_\_\_, \_\_\_\_\_, in RFP his/her capacity as \_\_\_\_\_ of Bidder, who I personally known or have identified by his/her \_\_\_\_\_.

\_\_\_\_\_  
Public Notary

**ATTACHMENT G - NON-COLLUSIVE AFFIDAVIT**

\_\_\_\_\_, being first duly sworn, deposes and says:

That he is\_ (a partner or officer of the firm of etc.) the party making the foregoing proposal or bid, that such proposal or bid is genuine and not collusive or sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly with any bidder or person, to put in a sham bid or to refrain from bidding and has not in any matter directly or indirectly sought by agreement or collusion or communication or conference, with any person, to fix the bid price of the affiant or of any other bidder, or to fix any overhead, profit or cost element of said bid price, or of that of any other bidder, or to secure any advantage against the Municipality of \_\_\_\_\_ or any person interested in the proposed contract; and that all statements in said proposal or bid are true.

\_\_\_\_\_  
(Name of Firm)

**By:**

\_\_\_\_\_  
(Signature of Bidder)

\_\_\_\_\_  
(Printed Name of Bidder)

\_\_\_\_\_  
(Position)

Affidavit No: \_\_\_\_\_

Subscribed and sworn to before me in the city of \_\_\_\_\_, \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ of legal age, \_\_\_\_\_ (civil status), \_\_\_\_\_ (occupation) and resident of \_\_\_\_\_, \_\_\_\_\_, in his/her capacity as \_\_\_\_\_ of Bidder. Who I personally known or have identified by his/her \_\_\_\_\_?

\_\_\_\_\_  
Public Notary

## ATTACHMENT H - BID BOND FORM

### Instructions:

1. This form is authorized for use whenever a bid guaranty is required in connection with construction work or the furnishing of supplies or services. There shall be no deviation from this form.
2. The full legal name and business address of the Principal shall be inserted in the space designated "Principal" on the face of this form. The bond shall signed by an authorized person. Where such person is signing in a representative capacity (e.g. and attorney-in-fact), but is not a member of the firm, partnership, or joint venture, or an officer of the corporation involved evidence of his authority must be furnished.
3. The penal sum of the bond may be expressed as a percentage of the bid price if desired. In such cases, a maximum dollar limitation may be stipulated (e.g. 10% of the bid price but the amount not to exceed \_\_\_\_\_ dollars).
4. The attorney-in-fact signing for the Surety must hold a current power of attorney filed with the Commissioner of Insurance of Puerto Rico. **Copy of this document must be attached; if not available, a certification by the Commissioner of Insurance will suffice.**
5. Corporations executing the bond shall affix their Corporate Seal.
6. The name of each person signing this bond should be typed in the space provided.

### **NOTE:**

The following documents are request in addition and as part of the Bid Bond:

- a. Copy of Attorney in fact license
- b. Copy of Certificate of authority by Office of the Commissioner of Insurance to Surety Company
- c. Insurance representative contact information (name, phone number and email address)
- d. Bidder's Bond Capacity
- e. Copy of Certificate of appointment of attorney in fact

**BID BOND FORM**

NOW THEREFORE, IF THE Obligated shall accepted the bid of the Principal and the Principal shall enter into a Contract with the Obligated in accordance with the terms of such request, and give such bond or bonds as may be specified in the proposal or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or, in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligated the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligated may in good faith Contract with another party to perform the work covered by said bid, then this

obligation shall be null and void, otherwise to remain in full force and effect.

Signed and Sealed this \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, Puerto Rico.

\_\_\_\_\_

\_\_\_\_\_

*Bidder's name*

*Name of authorized person*

\_\_\_\_\_

*Bidder's signature*

\_\_\_\_\_

*Bidder's seal* \_\_\_\_\_

by: \_\_\_\_\_

*Name of surety*

*Attorney-in fact*

*Attest:* \_\_\_\_\_

\_\_\_\_\_

*Bonding's seal*

**BID BOND FORM ACKNOWLEDGEMENT OF SURETY****ISLAND OF PUERTO RICO****CITY OF** \_\_\_\_\_

Affidavit Number: \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, the subscriber, a Notary Public of the city of \_\_\_\_\_, Puerto Rico, duly commissioned and qualified came \_\_\_\_\_ to me personally known to be the officer who executed the preceding instrument, and he acknowledges execution of the same, and being by me duly sworn, deposit, and faith, that he is the said officer of the Company aforesaid, and that his signature as such officer was duly affixed and subscribed to said instrument by authority and direction of the said the Company given in the Power of Attorney\* executed by said Company

On the \_\_\_\_\_ day of \_\_\_\_\_, the original of which is on file in the Officer of the Superintendent of Insurance of Puerto Rico.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at the city of \_\_\_\_\_, Puerto Rico the day and year first above written.

\_\_\_\_\_  
*Public Notary*\_\_\_\_\_  
*Notary's seal***\*Power of Attorney**

The Bid Bond must be accompanied by a copy of a current, valid Power of Attorney from the Surety to the person issuing the bond on behalf to the Surety, copy insurance license issued by the Office of the Insurance Commissioner, certification of the Office of the Insurance Commissioner.

**CERTIFICATE AS TO CORPORATE PRINCIPAL**

I, \_\_\_\_\_, certify that I am  
the \_\_\_\_\_ of the Corporation named as  
Principal in the foregoing Bid Bond,  
that \_\_\_\_\_ who

(Name of)

signed this bond on behalf of the Principal, was then

\_\_\_\_\_

(Title or Position)

of said Corporation, that said Bond was duly signed for and on behalf of said Corporation  
by authority of its governing body, and is within the scope of its corporate powers, this

\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at

\_\_\_\_\_, Puerto Rico.

\_\_\_\_\_

(Signature of Secretary)

CORPORATE SEAL

**ATTACHMENT I - PENDING LITIGATION AND NO-  
BANKRUPTCY  
SWORN STATEMENT**

I, \_\_\_\_\_, of legal age, of marital status (married/single), and a resident of \_\_\_\_\_, have been designated as the authorized representative of \_\_\_\_\_. In such regard, I hereby certify that:

- 1) The company \_\_\_\_\_, or any representative are not bankrupt, nor has suspended *(add Bidder name)* business activities due to any analogous situation arising from a similar procedure under national laws and regulations.
- 2) The company is not under any bankruptcy litigation.

In \_\_\_\_\_, Puerto Rico this \_\_\_\_ day of \_\_\_\_\_ of \_\_\_\_\_.

*(add municipality)*

\_\_\_\_\_  
(Name of Firm)

**By:**

\_\_\_\_\_  
(Signature of Bidder)

\_\_\_\_\_  
(Printed Name of Bidder)

\_\_\_\_\_  
(Title)

Affidavit No. \_\_\_\_\_

Subscribed and sworn to before me in the city of \_\_\_\_\_, \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_ of legal age, \_\_\_\_\_ (civil status), \_\_\_\_\_ (occupation) and resident of \_\_\_\_\_, \_\_\_\_\_, in his/her capacity as \_\_\_\_\_ of Proposer, who I personally known or have identified by his/her \_\_\_\_\_.

\_\_\_\_\_  
Public Notary

