



DEPARTAMENTO DE SALUD  
OFICINA DE SUBASTAS

**PUERTO RICO DEPARTMENT OF HEALTH  
REQUEST FOR PROPOSALS  
PROFESSIONAL SERVICES**

**SUB-2022-2023-010-CDT ADJUNTAS  
A/E DESIGN SERVICES FOR  
INTERIOR IMPROVEMENTS  
CDT ADJUNTAS**

Request for Bids (**SUB-2022-2023-010-CDT ADJUNTAS**)  
A/E DESIGN SERVICES FOR INTERIOR IMPROVEMENTS  
CDT Adjuntas  
Adjuntas, PR  
Puerto Rico Department of Health  
March 16, 2023

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## PROFESSIONAL SERVICES / REQUEST FOR PROPOSAL CHECK LIST

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

Proponent's Initials	Item No.	Attachment No.	Document Description
	1	-	Proponent Cover Letter
	2	-	Request For Proposal Check List included
	3	-	Corporate Resolution as evidence documents is signed by a Proponent authorize representative.
	4	A	Statement of Proponent's Qualifications
			Proponent Experience- detailed description of similar projects
			Proponent Qualifications – Key Personnel experience, project role, and organization chart, among others
	5	-	CV/Resumes and copy of architect and engineering professional licenses for Key Personnel
	6	-	Understanding of the Project and Requested Services.
	7	B	Cost Schedule Form
	8	C	Evidence of RUL eligibility to date (Mandatory)
	9	-	Good Standing Certification
	10	-	Certification of Incorporation or Partnership or Joint Venture
	11	-	Duns Number
	12	D	Acknowledge Receipt of Addenda
	13	-	Certificate of Non-Criminal Record
	14	E	Sworn Statement Law 2
	15	F	Limited Denial of Participation (LDP) / Suspension or Debarment Status Affidavit
	16	G	Non-Collusive Affidavit
	21	J	Pending Litigation and No-Bankruptcy Sworn Statement

Signed: \_\_\_\_\_  
Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Proponent Name

## INSTRUCTIONS TO BIDDERS

### ARTICLE 1 – LEGAL BASIS AND DEFINITIONS

**An open, competitive, and public process will be executed as part of this Request for Proposal issued for Professional Services.** The process will be executed in alignment with: Administrative Bulletin Number OE-2020-082 (dated November 16, 2020), Administrative Bulletin OE-2021-029 (April 27, 2021), “Carta Circular” Number 013-2021 (June 7, 2021), Administrative Order Number 530 (issued by the Puerto Rico Department of Health on February 17, 2022), 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, among others.

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. **A/E Firm** – Qualified and authorized company/firm to perform architectural and engineering design services in Puerto Rico.
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. **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 particular necessities of the agency and the general public must be taken in consideration.

5. **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.
6. **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.
7. **Email** – Electronic mail
8. **Execution Time** – Time necessary to execute the services included as part of the Request for Proposal.
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 Request for Proposal. For this project, Key Personnel will be the Project Manager, superintendents (working at Architectural, Civil, Mechanical and Electrical disciplines), Safety, and **Quality Control** leads. 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. **PRDOH** – Puerto Rico Department of Health

12. **Professional Services** – Those services that are offered by a natural or juridical person with knowledge or specialized abilities which is required to have an university degree or license that certifies him(her) as a specialized professional, or which the principal service is the product of the intellectual, creative, or artistic labor, or management of highly technical or specialized techniques.

13. **Proposal** - Refers to the written response(s) submitted by Proponent(s) for this Request for Proposal.

14. **Responsive Proponent (“Licitador Responsivo”)** – Proponent 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. **SOW** – Scope of Work of the services included as part of these Request for Proposal.

The interpretation of the terms and words included as part of the Request for Proposal (RFP) 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 “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/21>.

2. Each Proponent 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 Proponent 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 Proponent 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-Proposal meeting/Site Visit will be mandatory as part of this RFP. 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 Proponents, 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 for Proposal (RFP).
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 Proponent 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 Proponent from any obligation with respect to his RFP. If Proponent fails to attend the Pre-Proposal meeting/Site Visit it will constitute reason for immediate disqualification.

4. Each Proponent 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 RFP. Proponent 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 RFP process.

#### **ARTICLE 5 – REQUEST FOR PROPOSAL SCHEDULE AND COMMUNICATIONS**

The PRDOH is seeking proposals from qualified companies (Proponent) to perform the construction activities for the works described in the SOW included as part of this RFP. This project is meant to provide and guarantee optimum healthcare facilities.

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

**Name:** Denise Marrero Santana

**Title:** Director Puerto Rico  
Department of Health Board of  
Awards 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 RFP 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-Proposal meeting/Site Visit:</b>	March 28, 2023	10:30 am	CDT Adjuntas
<b>Questions:</b>	March 31, 2023	4:00 pm	Submitted electronically at the email address herein included.
<b>PRDOH issue an Addendum:</b>	April 5, 2023	----	
<b>Proposal submission deadline</b>	April 13, 2023	11:00 am	PRDOH Building E 2 <sup>nd</sup> floor Office 225
<b>Proposal Opening</b>	April 13, 2022	1:30 pm	Virtual opening. Link will be provided by the PRDOH. Electronic platform to be used will be Microsoft Teams

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

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

## **ARTICLE 6 – BIDDING PROCEDURES**

- 1. Proponent’s questions must be submitted in writing to email address previously identified. Email’s subject must make reference to RFP number included at bidding documents. Ensure to include the complete RFP 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. Request for Proposal procedures will be performed in accordance with Chapter III Article 7 of Regulation 9318.**
- 3. Sealed Proposals must be submitted in writing.** Sealed envelope must include the RFP number, project’s name, project’s location, and Proponent 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 RFP 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 Proposal 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 Proponent unopened.
  5. In unit price contracts, the Proponent 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, the Proponent 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 must 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 responsible Proponent, 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 Proponent 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 Proponent must modify, withdraw or cancel his proposal or any part thereof for sixty (60) calendar days after the time designated for the receipt of bids in the advertisement or invitation to bid. Proponent 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 Proponent’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 Proponent to perform the work and the Proponent 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

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such bidder, qualified to carry out properly the terms of the Contract Documents, does not satisfy the PRDOH.

11. Each Proponent must execute an affidavit in the form provided with the Proposal 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. Proponent 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. The identity of the Proponents will be announced, and the preliminary submission compliance of required documents will be confirmed. Also, the Cost Schedule Form total amount will be read aloud.
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 7 of Regulation 9318** and based on requirements herein included. Proposal shall include and **must be submitted including the following sections order**. Section rating percentages are included in parenthesis.

### **1. Proponents Experience (15%)**

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

- Minimum of five (5) similar recent projects.
- 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 Proponent must provide **information**

**regarding their company** so the PRDOH can evaluate the Proponent's ability to provide the services herein requested. At its discretion, the PRDOH may require the Proponent to provide additional information and/or clarify information.

**2. Proponent Qualifications (15%)**

The Proponent must include detailed experience and capacity to perform the requested services.

- a. Key Personnel qualifications and experience. Include CV/resumes, copy of architectural and engineering license of Key Personnel, include complete names, proposed project's role, years to experience, and list of similar projects. Highlight execution experience with medical and hospital facilities.

**3. Understanding of the Project and Requested Services (20%)** A one-page description of the Proponent's overall understanding of the requirements, goals, expectations, project's challenges, areas of improvements, and milestones (if provided). Proponent approach to execute the services in compliance with the RFP, to implement quality control, and quality assurance procedures.

**4. Delivery Time (15%)**

Proponent must demonstrate the capacity to perform the work in accordance with the execution time included as part of the SOW.

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

Total Cost amount of the services to be provided, as requested on this RFP. 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. Proponent 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)** 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.

PRDOH reserves the right to request and coordinate meetings/presentations to qualified responsive Proponents, which proposals have the higher evaluation scores and offers the best value.

## **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 7 of Regulation 9318**. 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 Proponent recognizes the right of the PRDOH to reject a proposal if the Proponent 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 Proponent and the complete rejection of his proposal:
  - a. Failure to attend the Pre-Proposal meeting/Site Visit. Not compliance with bid schedule.
  - b. Evidence of collusion among proponents. Participants in such collusion will receive no recognition as proponents for any future work of PRDOH until any such participant must have been reinstated as a qualified proponent.
  - c. Lack of competency and adequate machinery, plant, and other equipment, as revealed by the statement of proponents' 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, 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 Proponent 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. If the statement is not properly filled out or prefilled as allowed in Article 6 Item 9.
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 Proponent 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. Contract will be awarded, if it be awarded, **to the qualified responsive Proponent 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 Proponents (including the successful Proponent) 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 Proponent 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 Proponent must be brought in accordance with **Chapter III Article 7 Sections 27 and 28 of Regulation 9318**.
4. The Proponent that wishes to take an appeal should do so by filing a written appeal, in accordance with **Chapter III Article 7 Sections 27 and 28 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. All proposal guaranties will be retained until the Contract with the successful Proponent has been executed. If no award is made, the retained proposal guaranties will be returned to the Proponent after the decision of not to award is taken by the Board of Awards.
7. The Proponent 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.
8. Should the Proponent 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 Proponent may be withhold, the Contract may be awarded to the next qualified responsible Proponent based on proposal evaluation or the Work may be readvertised or performed as the PRDOH may decide.
9. 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 RFP, Bidding Documents and Contract Requirements.

#### **ARTICLE 10 – SCOPE OF WORK**

Works will be performed at the CDT located at the Municipality of Adjuntas. The services associated to this project will be the following ones:

1. A/E Firm will complete a facility architectural “As-Built”. Reference drawing will be provided.
2. Evaluate projects space requirements based on the proposed conceptual programing included as part of this RFP. Basic program will consist of the following:
  - a. Decontamination area
  - b. Trauma areas
  - c. Cardiac Treatment room
  - d. At least 2 isolations rooms
  - e. Nurse station with support areas
  - f. 6 observation stations for patients
  - g. Treatment room
  - h. Triage
  - i. Staff area
  - j. Residents (Doctors) area
  - k. Medical record
  - l. Administration office

- m. Supervisor Office
  - n. Bathrooms
  - o. Storage
  - p. Telemedicine area with at least 2 spaces
  - q. Other support areas (Labs, X rays etc.)
3. Design work shall be done in compliance with local and federal regulations and guidelines applicable to this type of facility. For example, International Building Code, Guidelines for Design and Construction of Health Care Facilities (2018), and CMS Compliance, among others.
4. A/E Firm must take into consideration the followings:
- a. Identify and evaluate interior areas that need to be rehabilitated to allow compliance with the Americans with Disabilities Act (ADA).
  - b. Connect to existing:
    - i. Air Conditioning units.
    - ii. Water cistern
  - c. Provide:
    - i. New electrical generator
    - ii. NFPA Compliance
    - iii. ASHRE Compliance
    - iv. Proposed program compliance.
5. Design work must be done in compliance with Article 13.
- a. Schematic Design Phase (4 weeks)
  - b. Design Phase (8 weeks)
  - c. Construction Set, Specifications and Permits (6 weeks)
6. A/E firm must submit for PRDOH evaluation, review and approval deliverables associated to Schematic Design Phase, Design Phase, Construction Set, Specifications and Permits.
7. The A/E firm will identify and obtain the necessary permits and/or agencies approvals to allow works to be implemented.
8. **Assistance during project procurement process**

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- a. Assistance during procurement document preparation and participation in pre-bid and site visit.
  - b. Answer bidder questions via an Addenda.
  - c. Bid's technical evaluation, among others.

**9. Inspection Services during construction phase.**

- a. A&E firm will estimate construction duration for this project.
- b. Services will include submittal review, weekly inspection, weekly participation on weekly construction meeting, evaluate, and respond to request for information, among others. Based on estimated construction duration.

10. A/E Firm must take in consideration that CDT facility will continue to be in use during construction.

**ARTICLE 11 – EXECUTION TIME**

**The entire work for this project shall be completed within eighteen (18) weeks.** This period will be divided as follows:

- a. Schematic Design Phase (4 weeks)
- b. Design Phase (8 weeks)
- c. Construction Set, Specifications and Permits (6 weeks)

**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:

<b>SCHEDULE OF LIQUIDATED DAMAGES</b>		
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 – A/E DESIGN WORK BY PHASES:**

A/E firm must perform design works in compliance with requirements presented here.

#### **A. Schematic Design Phase**

The Proponent must validate the preliminary proposed programming for the facility, and establish the types of spaces, number of square feet per person or unit, relationship of the spaces, ratios of net assignable square footage to gross square footage, cost, and site

requirements typical for the type of project. This process will be repeated as necessary until it final PRDOH and its stakeholder's approval.

During this phase the proponent will develop the floor plans, site plans and building elevations for this design phase. This will give a complete description of the building systems (structural, mechanical, HVAC, plumbing and electrical), interior and exterior finishes and the building site. This process will be reviewed as necessary until it final PRDOH and its stakeholder's approval.

During this phase, technical studies (surveying, soil and geotechnical studies, asbestos containing materials (ACM), and lead base paint (LBP), among others) will be coordinated and prepared, unless the need to begin studies preparation earlier is identified by PRDOH. Results must be incorporated as part of schematic design documents. Also, an **initial cost estimate will be prepared**.

Proponent must deliver 1 full size hard copy and one digital copy of drawings, technical specifications, technical studies, cost estimate, and calculations (if applicable).

## **B. Design Phase and Construction Set, Specifications and Permits**

During this phase, schematic drawings will be further developed up to final construction documents, which would include the completed design. During this phase, final technical specifications, design drawings, cost estimate, proposed construction schedule, and calculations are completed. Proponent must submit design documents, including 60%, 90%, and 100% of design work. The PRDOH will review design documents at 60% and 90% and will issue comments. As part of each re-submission, the Proponent will provide a written document listing all comments provided by the PRDOH and identify how comments were attended.

At 60% and 90% review, proponent must deliver 1 full size hard copy and one digital copy of drawings, technical specifications, technical studies, cost estimate, and calculations (if applicable).

At the end of this phase, proponent must deliver 3 full size hard copies and one digital copy of drawings, technical specifications, technical studies, cost estimate, calculations (if applicable), a proposed construction schedule and a proposed detailed bid form.

Evidence that has submitted all permits requires for the project.

### **C. Bidding Phase**

The proponent must be available during the bidding process to explain the Project, answer, and clarify technical questions, and reviewed final proposals.

### **D. Construction Phase**

During the construction phase, the proponent must provide construction oversight and ensure the facility is constructed to the design specifications.

Proponent will review and approve submittals from contractors. This can include shop drawings, product data sheets, and samples. Review and approve monthly invoice requests from the contractor. Answer any Requests for Information from the contractor on an expedited manner.

Proponent will perform regular site visits to see how construction is progressing and ensure compliance with design documents. Will review and recommend to the PRDOH any Change Orders issued by the contractor.

After the construction has been completed, proponent must certify the Substantial Completion for the project and assist the PRDOH with the project close out process and Building Occupancy permit.

## **ARTICLE 14 - SPECIAL CLAUSES IN CONSTRUCTION CONTRACTS:**

This Article is applicable when construction activities are part of Article 10 – Scope of Work.

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). Proponent 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.

## ATTACHMENTS

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**Attachment A**

**STATEMENT OF PROPONENT'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 the industry as A&E firm, under its present business name? \_\_\_\_\_
- 2 How many years has your organization been in the industry as A&E firm, 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:
- 5 If other corporation or partnership, describe organization and name principals:

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:

- 6 General character of work performed by your Company:
- 7 We normally perform \_\_\_\_ % of the projects' design 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 **DESIGN projects** your organization has in progress on this date. Proponent must include any present 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, 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 **Proponents Experience**  
Provide detailed description of similar recent projects, with satisfactory performance, including:
  - Project's owner name and contract information.

**13 Proponent Qualification**

Include detailed experience and capacity to perform the requested services.

- **Key Personnel qualifications and experience.** Include CV/resumes, copy of architectural and engineering license of Key Personnel.

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

A narrative description of the Proponent's overall understanding of the requirements, goals, expectations, project's challenges, areas of improvements, and milestones

- 15** 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 Proponent)

\_\_\_\_\_  
(Proponent's Address)

\_\_\_\_\_  
(Proponent'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 2)

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

Request for Proposal Number: \_\_\_\_\_

Project Name: \_\_\_\_\_

Total Estimate Cost Amount: (Written Value): \$ \_\_\_\_\_

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

**Estimate Construction time duration:** \_\_\_\_\_ months. \_\_\_\_\_ weeks

ITEM	DESCRIPTION (Note 1)	AMOUNT	UNIT	TOTAL COST
1	Insurance	1	LS	
2	Schematic Design Phase	1	LS	
3	Design Phase	1	LS	
4	Construction Set, Specifications	1	LS	
5	Permits			
6	Procurement (Bid) Process Assistance	1	LS	
7	Construction Supervision (Base on construction project estimated duration)	1	LS	
<b>Total</b>				

LS = Lump Sum

Note 1: Overhead and Profit should be allocated as part of each item included here.

Note 2: Incorporate the corresponding amount of **construction duration**. Service estimate must consider overall construction duration.

\_\_\_\_\_  
Proponent Name

(If Corporation, signed and sealed)

\_\_\_\_\_  
Proponent Authorized Signature / Date

**C**

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**RUL CERTIFICATE**

**(To be provided by Proponent)**

**D****ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA FORM**

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

<b>ADDENDUM NUMBER</b>	<b>DATE OF ADDENDUM</b>	<b>ACKNOWLEDGEMENT</b>

☐ **NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS REQUEST FOR PROPOSAL. ACKNOWLEDGEMENT:**

\_\_\_\_\_  
**Proponent's Authorized Officer Signature**

***IMPORTANT NOTICE:***

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

## Attachment E

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 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;

<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.]*

(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 suscriptor, 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.
- [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.]*

6. 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  
 \_\_\_\_\_ de 20 \_\_\_\_\_.

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

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**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 .]*

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**NOTARIO PÚBLICO**  
**[PUBLIC NOTARY]**

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

By signing this Certification, the Proponent 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 \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
(Name of Firm)  
\_\_\_\_\_  
(Signature of Proponent)  
\_\_\_\_\_  
(Printed Name of Proponent)  
\_\_\_\_\_  
(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 Proponent, who I personally known or have  
identified by his/her \_\_\_\_\_.

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

**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.

**By:**\_\_\_\_\_  
(Name of Firm)\_\_\_\_\_  
(Signature of Proponent)\_\_\_\_\_  
(Printed Name of Proponent)\_\_\_\_\_  
(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 Proponent. Who I personally known or have identified by his/her \_\_\_\_\_?

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

**H**  
**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 Proponent 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 Proponent)

\_\_\_\_\_  
(Printed Name of Proponent)

\_\_\_\_\_  
(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