



GOVERNMENT OF PUERTO RICO
Department of Health
Auction Office

In accordance with the parameters established in Circular Letter No. 013-2021 "*Measures to Ensure Transparency and Fiscal Responsibility in Government Contracting of Professional Services*" issued on June 7, 2021 by the Office of Management and Budget of the Government of Puerto Rico, part v, section a, b (i to iii) and Executive Order No. 2021-029; and at the discretion of the Secretary of Health by Administrative Order Number 2023-581 of the Secretary of Health "*To establish the procedures applicable to the contracting of Professional and Consultative Services in the amount of one hundred and fifty thousand dollars (\$150,000.00) or more, during the same fiscal year; to create a Proposal Evaluation Committee and to repeal Administrative Order No. 535 of April 13, 2022*"; The requirements for submitting proposals for professional services are established.

REQUEST FOR PROPOSALS

**CONTRACTING A QUALITY ASSURANCE CONSULTING ENTITY FOR THE
PUERTO RICO SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANT
AND CHILDREN (WIC)**

RFP-SP-2024-2025-016-WIC

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1. BACKGROUND AND LEGAL BASIS

According to the parameters established in circular letter no. 013-2021 "Measures to Ensure Transparency and Fiscal Responsibility in Government Contracting for Professional Services" issued on June 7, 2021 by the Government of Puerto Rico Office of Management and Budget, part v, section a, b (i) to (iii) and Executive Order no. 2021-029; and at the discretion of the Secretary of Health through Administrative Order Number 2022-535 of the Secretary of Health "To establish the procedures applicable to the contracting of Professional and Consulting Services that exceed the amount of one hundred fifty thousand dollars (\$150,000.00) or more, during the same fiscal year in the Department of Health; and create the proposal evaluation committee for the procedures of "Request For Proposal" (RFP) or request for sealed proposals", as amended by Administrative Order 2022-543 of the Secretary of Health.

The Department of Health, being of constitutional rank, is the only agency whose duty is to ensure the health of all citizens and under its responsibility is the "Supplementary Food Program for Women, Infants and Children" better known as the Puerto Rico WIC Program (hereinafter, "PRWIC"). The PRWIC is a nutritional medical program that supplements the nutritional needs of pregnant, breastfeeding, and postpartum women, infants, and children from 1 to 5 years of age. Its main objective is to provide education in nutrition, breastfeeding and supplementary foods to a population that is at medical nutritional risk during a critical period of growth and development. Some of the medical risks of this population are anemia, low weight, obesity, premature infants, gastrointestinal problems, and others that affect the health of the child population.

2. OVERVIEW

As part of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) innovation and modernization efforts, the Food and Nutrition Services (FNS) of the Federal Department of Agriculture (USDA) is supporting planning and implementation projects focused on enhancements that improve WIC participant experience. Taking this into account, PRWIC is looking to continue enhancing the WIC shopping experience, increasing participant enrollment, reducing unnecessary administrative burden for both participants and PRWIC staff.

Currently, the PRWIC has approximately eighty-seven thousand (87,000) participants receiving its services through eighty-five (85) clinics island wide, including a virtual clinic that provides its services in a remotely mode, as well as two mobile clinics that provide services were needed. All clinics are connected to PRWIC MIS. Also, we have approximately six hundred and fifty (650) authorized vendors who delivers the prescribed authorized food items to our participants using a POS with an Electronic Benefits Transfer (EBT) processor who is connected to the PRWIC MIS system.

PRWIC is working with the implementation of the contactless payment (Mobile Payment), as 9part of the enhancements supported by FNS. This project will impact on our MIS, EBT processor and our authorized vendors.

3. OBJECTIVES OF THE PROPOSAL

The PRWIC relies on a variety of technology systems to manage applications, deliver benefits, and track outcomes. Taking this into consideration, PRWIC is seeking proposals from qualified Quality Assurance Consulting Entities, to assist PRWIC in the management of several projects, including design, development, and/or implementation of different technology projects. These projects may be related to the maintenance or implementation of a new MIS, as well as an EBT system and a new contactless payment method, among others, as requested to the contracted entity by the PRWIC.

Also, the proponents may have experience working with the Federal Government providing Quality Assurance consulting services, requests and reporting, procurement support services, and advising and guiding leadership based on industry best practices.

4. DESCRIPTION OF SERVICES (SCOPE OF WORK)

PRWIC is seeking an entity who offer specialists in Quality and Assurance consulting services for technological ongoing and new projects (EBT, MIS, Contactless Payment, among others) to work closely with PRWIC staff.

4.1 General Responsibilities:

- Engage in close collaboration with PRWIC staff, ensuring the inclusion of a Certified or Accredited Quality Assurance Professionals to oversee technological developments, including applications.
- Attend meetings as required by PRWIC (Kick off, UAT, Status, Planning, Federal Government, etc.).
- Manage record-keeping and document control in accordance with PRWIC's specifications.
- Assist and advise in managing and resolving project implementation issues.
- Prepare progress reports and presentations as requested.

4.2 Regulatory Compliance:

- Ensure that PRWIC software's and MIS systems comply with relevant laws, USDA and FNS regulations, and industry standards.
- Stay updated on changes in regulations that could impact PRWIC MIS systems, software and applications.
- Ensure that quality assurance practices do not conflict with legal requirements and standards.

4.3 Risk Management:

- Identify compliance risks related to IT projects and systems.
- Assist and advise the PRWIC management staff in reviewing and assessing the impact(s) of an ongoing or new projects in the PRWIC operations.
- Develop strategies to mitigate risks, including necessary controls and procedures.

- Maintain a project repository.
- Maintain thorough documentation of compliance efforts, risk assessments and reviews.
- Prepare and present reports on compliance status and quality assurance issues to PRWIC and stakeholders.

4.4 **Contract Review:**

- Review and advise in the negotiation of contracts with third-party vendors and service providers to ensure they include appropriate legal protections and compliance requirements.
- Ensure that contracts align with the PRWIC, Government of Puerto Rico and Federal Government quality assurance policies and procedures related. (Ex. FNS Handbook 901, PRWIC Policies and Procedures, PRDOH Policies and Procedures, etc.)

4.5 **Quality Assurance Processes:**

- Engage in close collaboration with PRWIC staff to:
 - i. Define the quality standards that must be met in PRWIC.
 - ii. Establish the methods, tools, and resources necessary to meet those standards.
 - iii. Identify quality requirements and criteria; key IT processes and their sequence and interaction; and the policies, criteria and methods for defining, detecting, correcting and preventing non-conformity.
 - iv. Define the organizational structure for quality management, covering the roles, tasks and responsibilities.
 - v. Develop in all key areas their quality plans in line with criteria and policies and record quality data.
 - vi. Focus quality management on customers by determining their requirements and aligning them to the IT standards and practices.
 - vii. Define roles and responsibilities concerning conflict resolution between the user/customer and the IT organization.
 - viii. Monitor and measure the effectiveness and acceptance of the Quality Management System (QMS) and improve it when needed.
- Collaborate with PRWIC and stakeholders to integrate compliance considerations into processes and testing methodologies.
- Monitor and Evaluate Third Party or Stakeholders System Operations, Support, and Training
- Review change request(s) and ensure documentation updates are following the governing regulations.
- Adopt and maintain standards for all development and acquisition that follow the life cycle of the ultimate deliverable and include sign-off at key milestones based on agreed-upon sign-off criteria.

- Consider software coding standards; naming conventions; file formats; schema and data dictionary design standards; user interface standards; interoperability; system performance efficiency; scalability; standards for development and testing; validation against requirements; test plans; and unit, regression and integration testing.
- Perform technical inspection and testing throughout the development process to identify and correct defects.
- Manage review and submit recommendations to PRWIC staff on User Acceptance Test (UAT) plan and scripts regarding technological projects.
- Support PRWIC with any quality control and improvement as they arise.
- Ensure that quality assurance practices do not conflict with legal requirements and standards.
- Review pilot and implementation readiness assessment
- Understanding key components of Service Level Agreements (SLA), including performance metrics, responses times and uptimes guarantees. Also, the Proponent should have experience negotiating SLA terms to align with quality and performance expectations.
- Review and submit recommendations to PRWIC staff on User Acceptance Test (UAT) plan and scripts regarding technological projects.
- Review all documentation required by the Functional & System Design, Requirements, UAT, Pilot, and Implementation Test Plans on technological projects.
- Review and advise PRWIC IT and participate in meetings with the Office of Technology Information and Technological Advances (known as, OIAT in Spanish) related to disaster recovery, business continuity, security plans and system server testing and assurance.
- Provide performance reports.
- Use tools to automate repetitive tests, reducing human errors.
- Perform manual and automated testing, including but not limited to: Functional Testing, Regression Testing, Performance Testing, Security Testing and Usability Testing.
- Perform non-functional testing focused on aspects such as performance, security, usability, and scalability.
- Support PRWIC with any quality control and improvement as they arise.

4.6 **Policy Development:**

- Evaluate and submit recommendations of PRWIC policies and procedures related to IT systems, software and applications to ensure legal and regulatory compliance.
- Work with IT PRWIC staff to ensure policies are practical and enforceable.

4.7 Training and Awareness:

- Provide training and guidance to PRWIC Staff Divisions (Finance, Nutrition, Vendors, IT, etc.) on regulatory requirements relevant to their work.
- Promote awareness of compliance issues within the organization.
- Evaluate and submit recommendations regarding training created by third parties or project stakeholders.

4.8 Incident Management:

- Recording, classification, analysis and monitoring of incidents or defects found in the system.
- Evaluation and prioritization of corrections.
- Assist in managing and responding to issues arising from IT incidents, such as data breaches or system failures, among others.
- Ensure that incident response plans include legal and compliance considerations.

4.9 Documentation and Reporting:

- Maintain thorough documentation of compliance efforts, risk assessments and reviews.
- Prepare and present reports on compliance status and quality assurance issues to PRWIC and stakeholders.

4.10 Collaboration:

- Work closely with PRWIC leadership and other PRWIC Staff Divisions, including IT, Nutrition, Vendor, Finance, etc., to ensure integrated compliance and quality assurance efforts.
- Provide support to a WIC Project Manager (PM) with the revisions of Advance Planning Document (APD) requirements and submit Planning and Implementation APD's and appropriate updates required by FNS-Handbook 901 v. 2.4. Also, provide advice and support to the PM on other required Federal and State Government reporting following the industry's best practices.
- Provide support to PRWIC and WIC PM in the creation of Feasibility Studies, Request for Information (RFI), RFPs templates for technological ongoing and new projects. This task will include meetings with PRWIC Staff Divisions such as Nutrition, Vendor, Finance and PRWIC IT for input. Also, providing advice and support establishing the project requirements and responses to the bidder questions.

4.11 Audit and Review:

- Participate in internal and/or external audits to ensure compliance with legal and regulatory requirements.
- Review audit findings and implement corrective actions as necessary.
- Verify that systems requirements are clearly defined, understood, and properly documented.
- Ensure requirements are feasible, measurable, and traceable throughout the development cycle.

4.12 Configuration Management:

- Version control and system changes to ensure that software elements are properly managed during development and maintenance.

4.13 Metrics and monitoring:

- Collect and analysis of metrics to measure the performance and quality of the development process (e.g., number of defects, response time).
- Continuous monitoring to make sure desired levels of quality are achieved.

4.14 Continuous Improvement:

- Implement of feedback loops to continuously improve quality processes.
- Use of techniques such as retrospective, post-mortem review and lessons learned.
- Continuously assess and improve to adapt to new legal requirements and industry best practices.
- Stay informed about technological advancements and their implications for legal and regulatory compliance.

5. **Proponent Requirements**

The Proponent shall comply with the following requirements:

- Proficiency with QA tools and technologies
- Strong understanding of software development lifecycle (SDLC) and QA best practices.
- Ability to deliver high quality results within agreed timelines.
- The Proponent will provide one or two QA specialists available to work with PRWIC staff agreed upon procedures. If it's only one, it should be a senior QA.
- The Proponent should obtain knowledge regarding the following FNS guidelines:
 - a) FNS Handbook 901 V.2.4 - <https://www.fns.usda.gov/sso/fns-handbook-901-v2-advance-planning-documents>
 - b) WIC EBT Implementation Guide - www.fns.usda.gov/wic/ebt/technical-implementation-guide-operating-rules
 - c) WIC EBT Operating Rules - www.fns.usda.gov/wic/ebt/technical-implementation-guide-operating-rules
- Experience working with SLAs terms, metrics, time responses, guarantees, etc.
- Excellent communication skills and the ability to collaborate effectively with PRWIC divisions (Nutrition, Finance, Vendor, etc.)
- Ensure that personnel of the Selected Proponent who will be working with PRWIC staff are proficient in both languages, Spanish and English.

5.1 **Validity and Duration**

The entity selected through the evaluation and award process by the Auction Committee will receive a professional services contract for a period of twelve (12) months starting on February 1, 2025, until January 31, 2026, with the possibility of renewal for twelve (12) additional month as requested by the Program.

5.2 **Compensation**

The PRWIC has allocated for this contract an approximately maximum quantity of two hundred hours (200 hrs.) per month for the period starting from February 1, 2025, until January 31, 2026. The awarded Proponent will submit a monthly invoice to PRWIC with a detailed description of the services provided and the number of hours worked for each task performed per person.

6. **PROPOSAL OVERVIEW**

6.1. **Proposal Format**

Proposals must include all documentation **and be submitted in the same order** as outlined below. From 6.2 to 6.3 of this section.

6.2. **Proposal Style Requirements**

- ARIAL, 12-point font; 1.5 spacing
- One-inch margins
- 8.5' x 11' Letter Paper size/portrait orientation
- No page minimum or maximum

6.3 **Evaluation Criteria**

Proposals must include and **must be submitted in the following order** (every evaluation criterion mentioned below will be assessed to assign its respective weight in the Proponent evaluation).

- 1) **Proponent Experience** – Proponents must include past experience of QA projects with satisfactory performance, including:
 - a. Background information of your entity (Proponent should specify that it complies with the **Proponent Requirements** numbered in section 5 of this RFP.)
 - b. Submit up to three (3) references from separate clients for whom the Proponent has worked as QA within the last seven (7) years. If you are unable to provide any references, specifically indicate “No References” in your RFP response.
 - c. Provide past or ongoing projects description, complexity and timeframes.
 - d. Describe your approach to QA, including methodologies, tools, and procedures that you usually carry out.
 - e. PRWIC also reserves the right to verify the information submitted in any reference before an award is made. The solicitation response will be rejected if the PRWIC Program, in its sole discretion, receives information that indicates the responder is non-responsible or non-responsive.
2. **Proponent Qualifications** – Proponents shall provide an organizational chart of your entity including the Teamwork Members that will be working with PRWIC.
 - a. Key Personnel qualifications and experience.
 - b. Including:
 - complete names
 - previous project roles
 - QA certifications and/or accreditations
 - Curriculum
3. **Proposal Cost** – Cost per hour for every Proponent Teamwork Member who will be available to work with PRWIC.

4. **Required Documentation (Pass/Fail)**– 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 cause for disqualification. No later opportunity will be provided to submit the information for evaluation. (Refer to: Attachments A, B, C, D and E).

7. **Proposal Evaluation**

All Proposals will be initially verified In a Round 1 Evaluation for fulfillment of minimum documentation requirements, which are mandatory for their Proposal to be considered in its totality (see details below). Proposals that meet minimum requirements will be deemed Responsive Proposals, all others will be Unresponsive Proposals and will be disqualified without further assessment of proposal value.

Responsive Proposals will pass on to Evaluation Round 2, and be assessed by PRDOH's Evaluation Committee appointed panel, according to the Evaluation Criteria established in Section 6.3 of this RFP and using a weighted scoring according to values and weights described below. Proposals that fail to comply with requirements will not be reviewed/rated. Attempts to contact or influence selection process will result in disqualification.

To be evaluated, proposals must:

- 1) Submit all required documentation completed in all its parts.
- 2) Be received by the due date/time.
- 3) Meet proposal style requirements and follow proposal format.

Evaluation Round 1 – Minimum Requirements	
Item	Performance
Required Documentation Attachments A, B, C, D and E	(Pass/Fail)

Evaluation Round 2 – Proposal Quality			
Evaluation Criteria	Weight	Value (1-5)	Total (Weight x Value)
Proponent Experience	5		
Proponent Qualifications	5		
Proposal Cost per Team Member	5		
Total Score			

The maximum Total Score possible for this RFP is 75 (see page 12).

VALUE RUBRIC

A Weighted Scoring rubric assigns a “weight” or importance number to each section of the RFP, which informs the Proponent which sections are most important for being chosen. Once Proposals are submitted, the Evaluation Committee will give each Proposal section a Value score based on the below Value Rubric. Each section Weight is then multiplied by the Value to give each Section Score, which is summed up for the Total Score. Proposal Total Scores and then compared and the Proposal with the highest Total Score is awarded the RFP.

Rating	Relation to Requirements	Strengths	Weaknesses	Likelihood of Success
Excellent 5	Exceeds the requirements	Numerous and significant in key areas	None	Very High
Good 4	Fully addresses the requirements	Some and significant in key areas	Minor, but far outweighed by strengths	High
Acceptable 3	Addresses the requirements, but has some minor deficiencies	Some and adequate in key areas	Minor, but outweighed by strengths	Fair
Marginal 2	Partially addresses the requirements or is very limited	Some that are outweighed by weaknesses	Significant	Poor
Unacceptable 1	Fails to address the requirements	None or some that are far outweighed by weakness	Extreme	None

7.1 Process Schedule

- **RFP Released:** October 30, 2024
- **Questions Period:** November 7, 2024, 4:00 p.m.
- **Answer Period:** November 14, 2024, 4:00 p.m.
- **Proposals Due:** November 21, 2024, 12:00 p.m.

7.2 Oral Presentations and/or Negotiations

The PRDOH may, at its sole discretion, request any Proponent to provide an oral presentation of its Proposal, or engage them in negotiation regarding the terms or price of their Proposal. The PRDOH will contact the Proponent(s) to schedule a date, time, location, or method. All presentations made by this Proponent at the oral interview, if any, will be considered a binding addition to their Proposal terms and may be incorporated to contract. Similarly, the PRDOH can invite Proponents to submit a final and best offer before the final adjudication is determined.

7.3 No Obligation to Contract

This RFP does not oblige the Government of Puerto Rico or the PRDOH to execute the Contract.

7.4 Full Acceptance of Terms and Conditions

By submitting a Proposal in response to this RFP, a Proponent agrees to follow and abide by the procedures, terms, conditions, and instructions set forth herein.

7.5 Notification to Proponents

The award of this RFP will be made to the Responsive Bidder that provides the Best Value for services herein required. The Proposal that provides the Best Value does not necessarily mean the Proposal with the lowest cost. The Successful Proponent as well as proponents whose Proposals have not been selected will be notified **via email**.

7.6 Review and Reconsideration

Any Proponent adversely affected by a decision made by the PRDOH in connection with the selection and award procedures provided in this RFP may submit a request for reconsideration within ten (10) days of the award notification date, in accordance with the *Uniform Administrative Procedure Act*, Law 38-2017, as amended.

A request for reconsideration, as well as any other petition for review, must be submitted in writing and include the name and address of the requesting party, contain a detailed and accurate statement of the grounds for the request, include copies of relevant documents, and specify the relief requested.

A request for reconsideration or other petition for review that fails to comply with the time limits or procedures stated above or otherwise provided by the PRDOH may be dismissed or denied without further consideration. Judicial review of the determinations made in regard to this RFP will be in accordance with the *Uniform Administrative Procedure Act*, Law 38-2017.

8. REQUIRED COMPLIANCE DOCUMENTS

Documentation herein included is part of RFP documentation. Proponent must review, evaluate, and incorporate, as applicable, as part of the services to be provided.

The Proponent must comply with all RFP requirements defined in this solicitation and provide the required documentation which means that the Proponent is responsive, for the Proposal be considered for evaluation. Required documents for Proposals are stated in the Proposal Checklist.

The following are Attachments included in the RFP Documents which must be submitted with Proposals:

- Attachment A – RUP/RUL Certificate provided by Administración de Servicios Generales (ASG, by its Spanish acronym).
- Attachment B – Lobbying Certification for Contracts, Grants, Loans and Cooperative Agreements
- Attachment C – Sworn Statement Law 2
- Attachment D – Limited Denial of Participation (LDP) / Suspension or Debarment Status Affidavit.
- Attachment E – Non-Collusive Affidavit

*****If the Proponent is an incorporated entity, the Proponent may submit a Corporate Resolution indicating that documents are signed by an authorized representative of the entity. *****

ATTACHMENT A

***** PLEASE PROVIDE **RUP / RUL** CERTIFICATE*****

ATTACHMENT B**LOBBYING CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Proponent, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Proponent understands and agrees that the provisions of 31 U.S.C. § 3801 *et seq.*, apply to this certification and disclosure, if any.

Signature of Proponent's Authorized Official

(If Corporation, signed and sealed)

Name and Title of Proponent's Authorized Official

Date

ATTACHMENT C

DECLARACIÓN JURADA-Ley 2-2018, Código Anti-Corrupción para el Nuevo Puerto Rico¹
[SWORN STATEMENT]- [Act 2-2018, Anti-Corruption Code for a New Puerto Rico]²

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 _____ (“Respondent” 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; (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 Respondent or Bidder, or its president, vice president, director, executive director, member of Board of officers or directors, or any persons performing equivalent functions on Respondent’s or Bidder’s behalf, has been convicted or has pleaded guilty in state or federal court, or in any other jurisdiction of

¹ 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.

² [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.]

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 Respondent 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 Respondent'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 Respondent 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 Respondent'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 2-2018.
5. *[As of the date of execution of this sworn statement and for the ten (10) years prior, neither the undersigned nor the Respondent 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 Respondent'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.
9. *[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 Respondent, and any government entity, public corporation or municipality at the date of conviction or guilty plea.]*
10. 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 Respondent, 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.].

11. *[I execute this sworn statement pursuant to Law 2-2018, and the terms and provisions of this IFB, RFQ or RFP.]*
12. 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 _____,
_____, no this ____ day of _____, 20 ____.]*

DECLARANTE
[DEPONENT]

JURAMENTO
[OATH]

AFFIDAVIT
NÚM.: _____

*[AFFIDAVIT
NUMBER:]* _____

JURADO Y SUSCRITO ante mí
por _____,
de las circunstancias personales anteriormente mencionadas y a quien 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 [NOTARY PUBLIC]

ATTACHMENT D**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 _____ of 20____.

(Name of Firm)

By:

(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

ATTACHMENT E
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 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