

Permanent Process of Area Allocations

Declaration and Commitment relative to Inabilities, Incompatibilities and Prohibitions, and other Circumstances

Colombian Legal Persons

Bogota, D.C., (or City) ____ (day) of _____ (month) of 20__ (year)

The undersigned, (*full name*) identified with (*pertinent document*) issued in (*place*), acting in his capacity as Legal Representative (*Authorized Representative or Mandatary*) of (*Denomination or Corporate Name*), duly authorized for such purpose by (*articles of association, act of competent societary body or power of attorney*), through the subscription to this document, under oath, which is understood as provided with the signature of its text:

Hereby represents:

- That the Legal Person represented has not been subject to the declaration of State contract expiration for causes attributable to the Contractor's responsibility and diligence, pursuant to articles 18 of Law 80 of 1993 and 66 of Agreement 2 of 2017, nor has it been revoked an award decision on such Contracts for having proved that these were obtained through illegal means, pursuant to articles 9 of Law 150 of 2007 and 38 and 52 of Agreement 2 of 2017, in all events through a firm administrative act, during five (5) years preceding the presentation of this declaration.
- That neither the Legal Person represented, nor its partners (*except for open corporations or those listed in Stock Exchanges*), administrators, representative or proxy, are involved in causes of inability, incompatibility or conflicts of interest to contract with the ANH, in accordance with the Political Constitution and the Law.

(The disabilities, incompatibilities, prohibitions and conflicts of interest are aimed at an objective, impartial contractual management; therefore, after the existence of one of these circumstances, prior or subsequent, has been identified or declared, the **ANH** must verify the factual assumptions making it up for law purposes).

(The regime of incompatibilities, inabilities, prohibitions and conflicts of interest is that provided for in the Political Constitution, laws 80 of 1993, 734 of 2002, 1474 of 2011, and other norms of the same hierarchy that regulate the matter, as well as in those that modify, add to, substitute or supplement them).

(In dealing with conflicts of interest, actions taken will be in accordance with the law, in particular, article 40 of Law 734 of 2002 and the Mission Contracting Manual of the **ANH**, adopted by Agreement 1 of 2009, of the Steering Council).

- That, in the event of occurrence of any of the aforementioned causes of Incompatibility, Inability, Prohibition or Conflict of Interest, it formally and irrevocably undertakes to report them immediately to the ANH, as well as to waive its Proposals or Counterproposals, or to assign the legal business entered into or its participation therein, with express, prior, written authorization of the ANH, or to terminate them by mutual agreement.

- That the Legal Person represented is NOT involved in a judiciary winding up process or similar circumstance, such as bankruptcy, voluntary or forced liquidation and, in general, any process or situation that would result in the extinction of the legal person, nor does it have pending litigation, jurisdictional processes underway, nor is it involved in other situation or contingency that could materially compromise the timely, effective and efficient fulfillment of the services, obligations and commitments derived from the request for Qualification, the filing of a Proposal or Counterproposal, or the entering into, performance or settlement of the legal business(es) that could be awarded to it in furtherance of this Selection Procedure. *(Otherwise, the statement must specify in detail such litigation, processes, circumstances and situations, indicating their nature, concept, amount, current status, risks and provisions.)*

(In the event of pending litigation, ongoing judicial proceedings or other similar situation or contingency, which may materially compromise the fulfillment of services, obligations and commitments derived from the request for Qualification, the filing of a Proposal or Counterproposal, and the entering into, performance, termination and settlement of this Procedure, the ANH reserves the right to verify the sufficiency of the provisions and/or warranties established to support its materialization, and/or demand additional warranty.)

(Full name)
(Identification Number)
(Capacity for signing)
(Name of the Legal Person Represented)