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**COMPETITIVE PROCESS FOR GRANTING THE TEMPORARY OCCUPANCY PERMIT  
OVER MARITIME AREAS, FOR THE DEVELOPMENT OF OFFSHORE  
WIND ENERGY GENERATION PROJECTS IN COLOMBIA**

**FORM No. 5.1**

**Submission Letter for Pre-Qualification Documents of Foreign Legal Entities**

*(City), (day) of (month), 20\_\_ (year)*

To:

National Hydrocarbons Agency (ANH), Vice-Presidency of Promotion and Area Allocation,  
Avenida Calle 26 No. 59 – 65, Piso 2  
Bogotá, Colombia Phone: (571) 593-17-17  
Fax: (571) 593-17-18

Reference: *Offshore Wind Energy Generation Round*

Legal Entity: \_\_\_\_\_

I, the undersigned, \_\_\_\_\_ *(full names)*, identified with \_\_\_\_\_  
*(citizenship ID, foreign ID, or passport, as applicable)* No. \_\_\_\_\_ issued in \_\_\_\_\_ *(city or country, depending on whether it is the first two or the third one)*, as Legal Representative [Authorized or Representative in Colombia] *(if the foreign legal entity decides to act through another Representative to whom it has given authorization or the one it is obliged to constitute)* or attorney-in-fact *(if it chooses to act through a representative)*, of \_\_\_\_\_ *(Name or Company Name of the Interested Party, in accordance with the Articles of Incorporation)*, with main domicile at \_\_\_\_\_, *(city and country)*, duly authorized for such purpose as evidenced by \_\_\_\_\_ *(document evidencing the legal capacity of the undersigned)*, hereby submit to the consideration of the Administrator the set of documents required to obtain Pre-Qualification, with which the Legal, Financial and Technical Capacity of the petitioning legal entity is accredited, in order to participate in the Process identified in the reference, either individually or as a member of a Multiple Participant, according to the list shown in the Table of Contents.

*(If the legal entity invokes qualities or circumstances of the Parent or Controlling Company that assumes joint and several liability for the timely, effective and efficient compliance of the obligations and commitments of the Stakeholder, Bidder and Holder, by means of a joint and several debtor guarantee, under the terms of the Terms and Conditions, to obtain the incorporation to its corporate purpose of activities of Structuring, Design, Construction and Development of Power Generation Projects or Complementary to the same -Legal Capacity-, The legal capacity, financial or technical capacity must be indicated below, and accredited with a certificate of existence and legal representation issued by the competent authority of the country in question and through certification of the Legal Representative and the Statutory Auditor or the person or firm performing the external audit, if required by the respective legal entity, or, otherwise, by the Internal Auditor or Controller).*

The applicant verifies the following qualifications with the background of \_\_\_\_\_ (Parent or Controlling Company), \_\_\_\_\_ - (Business Name/Title of the company) \_\_\_\_\_ (Conditions being verified: Legal, Financial and Technical Capacity).

*(Include the structure chart of the entity or corporate group, highlighting the position of the firm aiming for qualification, beginning in descending order from the real beneficiary and main controlling company. Each company's control and ownership percentage over their affiliates or subsidiaries should be indicated, as applicable).*

Upon signing this Letter and the associated Pre-Qualification Documents, the legal entity I represent explicitly acknowledges and asserts the stipulations outlined in the Legal Considerations of the Terms and Conditions, specifically:

Further, the signer acknowledges:

- The foreign legal entity I represent commits to either establish a branch in Colombia or extend the objectives and duration of an existing one if relevant. Moreover, it pledges to diligently meet all responsibilities associated with these branches should the Temporary Occupancy Permit be granted.
- It promises to promptly inform the DIMAR in writing of any changes to its address, phone numbers, or email address, bearing full accountability for this information. The entity will use the details provided in this Letter for all related communication and notifications.
- The enclosed Forms were accurately completed with genuine and credible information. The supporting documentation aligns with reality and adheres to the guidelines detailed in the form text, pertinent instructions, and Terms and Conditions, without any alterations, modifications, or reordering of the requested data.

- It is known to us that DIMAR reserves the right to verify the provided information and to inspect the submitted documents either before or after the Pre-Qualification, the Allocation, and even the issuance of the Temporary Occupancy Permit.
- They understand that the Qualification Phase requires the submission of applications involving multiple Colombian governmental entities, each deciding based on its competences and terms. Consequently, the Administrator will not be held accountable for any delays or challenges encountered during these official dealings.

All communications, notifications, and related correspondence concerning the Pre-Qualification should be addressed to the mentioned location, though the Legal Entity I represent understands that all related proceedings will be published on the Process's Website.

Applicant:	
Legal Representative(s) [Authorized/ Representative in Colombia/Power(s) of Attorney]:	
Address:	
City:	
Phone Numbers:	
Email Address:	
Point of Contact:	

Documents presented for the Administrator's review, demonstrating the Legal, Financial, and Technical Capacity, are detailed in the following table:

No.	Description	Folder Name	File Name	Pages
<b>1</b>	<b>Forms for General Documentation and Guarantor's Collateral Assurance</b>			
1.1	Table of Contents			
1.2	Submission Letter for Pre-Qualification Documents			
1.3	Guarantor's Collateral Assurance (if necessary)			
1.4	Legal Opinion on the Guarantor's Collateral (if applicable)			
<b>2</b>	<b>Legal Capacity</b>			

No.	Description	Folder Name	File Name	Pages
2.1	Forms			
2.1.1	General Information			
2.1.2	Supporting Documents			
2.1.2.1	Certificate provided by the relevant authority affirming the existence and legal representation of the Legal Entity.			
2.1.2.2	Affirmation from the Legal Representative and the Statutory Auditor, individual or corporate, overseeing the external audit or Controller, detailing the business objective, validity duration, legal representation, and powers or roles of various administrative and managerial bodies, especially when the official certification lacks this data.			
2.1.2.3	Parent or Controlling Entity's Existence and Legal Representation Certificate <i>(If the corporate entity references characteristics or conditions of one of them for qualification)</i> Include organizational chart.			
2.1.2.4	Photocopy of the updated Unique Tax Registration (RUT) if the Corporate Entity operates a branch in Colombia.			
2.1.2.5	Photocopy of ID Document for Legal Representative(s)			
2.1.2.6	Photocopy of ID Document for Authorized Representative/Legal Proxy before ANH			
2.1.2.7	Photocopy of the document confirming the pertinent authorization or directive.			
2.1.2.8	Photocopy of the External Auditor's identification.			
2.1.2.9	Certificates of No Fiscal Liability from the Comptroller General's Office.			

No.	Description	Folder Name	File Name	Pages
2.1.2.10	Records of Disciplinary Actions from the Office of the Attorney General of the Nation.			
2.1.2.11	Clearance Certificate for the General Social Security System/Parafiscal Contributions, applicable when the Corporate Entity runs a branch in Colombia.			
2.1.3	Commitments and Declarations			
2.1.4.1	Annex: Declaration from the Legal Representative and External Auditor or Controller regarding the actual Beneficiaries or Dominant Shareholders of the Corporate Entity, as well as about the shareholder structure or shares or societal interest portions, especially if not listed on the Stock Exchange.			
<b>3</b>	<b>Financial Capacity</b>			
3	Forms			
3.1	Criteria for Demonstrating Financial Capability			
3.2	Credit Allocation and Selection of the Project's Installed Capacity			
3.2.1	Annexes: Bank Credit Limit Certification, Financial Institution Existence and Legal Representation Certificate, and Financial Institution Credit Rating Certificate.			
3.3.1	Credit Rating			
3.3.1.2	Annex: Evidence of the Applicant's Credit Rating			
3.4.1	Financial Eligibility based on Financial Statement Indicators:			
3.4.1.1	Net Equity- Financial Capability - Debt Ratio			

No.	Description	Folder Name	File Name	Pages
3.4.1.2	Financial Statements for the most recent period or fiscal year, compliant with International Financial Reporting Standards (IFRS) or their equivalent, as adopted in the applicant's country of origin, certified and audited, along with their annotations			
4	<b>Technical and Operational Capability</b>			
4.1	Form			
4.1.1	Technical Capacity			
4.2	Supporting Documents			
4.2.1	Document demonstrating to have participated in at least three (3) of the following phases of Offshore Wind Energy Development Projects: (i) Structuring, (ii) Designing, (iii) Selecting and Contracting Suppliers, (iv) Building, or (v) Quality assurance.			
4.2.2	Document demonstrating involvement in a minimum of two (2) of the following phases of Offshore Wind Energy Development Projects: (i) Structuring, (ii) Designing, (iii) Selecting and Contracting Suppliers, and (iv) Building, specifically for projects not yet operational.			

Sincerely,

\_\_\_\_\_  
(Signature)

Full Name:

Status of the Signatory:

ID Document for the Legal Entity