

External Circular Letter No. 16 of the 1st of September of 2014

To: State Entities

Subject: Manual to determine and verify the enabling requirements in Procurement Processes

The National Public Procurement Agency -Colombia Compra Eficiente- pursuant to its purpose as the governing body of the public purchasing and procurement system updates the Manual to determine and verify the enabling requirements in the Procurement Processes, which is available on the following website www.colombiacompra.gov.co/manuales

This version (M-DVRHPC-04) integrally replaces the one issued by External Circular Letter No. 10 of the 31st of March of 2014.

Sincerely,



María Margarita Zuleta González
General Director

Regulatory Reference

Items 2, 5, 9 and 10 of Article 3 of Decree – Law 4170 of 2011.

Attached: amendments' control form



**Manual to determine and verify the enabling requirements in the
Procurement Processes
Amendment Control Form**

Final Version: Version M-DVRHPC-03 of the 31st of March of 2014

Amended Version: Version M-DVRHPC-04 of the 1st of September of 2014

Location in the amended version	Description
Title	Includes version number "VersionM-DVRHPC-04"
Introduction, first paragraph	Deletes the comma after the expression "functions"
Introduction, second paragraph	Deletes the comma after the expressions "function" and "Procurement Processes"
Section I, A, last paragraph	Amends the wording to read the redaction: "The minimum amount selection modality has special conditions to verify the enabling requirements, which are specified in the minimum amount selection modality Manual available at http://www.colombiacompra.gov.co/manuales ."
Section I, B, last bullet point	Amends the expression "Who" for "Who (Spanish spelling)"
Section I, D	Integral amendment of the text, for the following wording: "The State Entities may request the bidders to cure the errors or inconsistencies in the documents filed to accredit the enabling requirements. The bidders can cure the errors or inconsistencies up to the moment of awarding, excepting in: (i) the selection processes with auction in which the bidders must have accredited the enabling requirements before the start of the auction; and (ii) the merit contest selection process with pre-qualification in which it is possible to cure the errors or inconsistencies of the enabling requirements up to the date of formation of pre-qualified bidders. The State Entity must assess the offers of the bidders that accredited the enabling requirements. In consequence, the State Entity must reject the offers of those who do not clarify, complete or correct the information to accredit the enabling requirements before the awarding, or of the auction or formation of the short list, as the case may be. The State Entities cannot determine in the statements of petitions the documents or the type of information that can be cured."
Section II, second paragraph	Amends the phrase as from the first item and reads: "The record must contain the experience acquired in a direct manner or through the participation in plural bidders."
Section II	Divides the sixth paragraph, after the first item
Section III, B	Inserts a new paragraph after the first one with the following text: "The corporate purpose of the legal entities that make up a bidder or a plural bidder must allow the carrying out of the activities of the Procurement Process, either because it is part of the main corporate purpose or because it is an activity related to it. The legal representatives of the legal entities that are members of the plural bidder must be fully empowered to commit the legal entity in the compliance with the entire corporate purpose, as they have joint and several liability towards the State Entity."



Location in the amended version	Description
Section III, B, second paragraph	Deletes the expression “of” in the first phrase, which now reads: “(...) there are regulated activities that also require the authorization of the competent authority (...)”
Section IV, first paragraph	The expression “minimum” is placed before “conditions”
Section IV, A	In the first paragraph, deletes the expression “, and which, in consequence must be contained in the RUP as from 2014”
Section V, A	In the first paragraph, deletes the expression “, and that in consequence must be contained in the RUP as from 2014”
Section V, A	In the last paragraph, before the table, amends the wording and now reads “(...) and its relationship with the Risk probability”
Section VI, title	Adds interrogation signs to the title
Section VIII, title	Adds interrogation signs to the title
Section VIII, sub - title of legalization of documents	Amends the redaction of the first phrase of the second paragraph and now reads: “The bidders can submit, with their offer, the documents granted abroad, the legalization of which shall not be necessary.”

