

ANNEX 14-A

SCHEDULE OF COLOMBIA'S COMMITMENTS TO SINGAPORE

Section A: Entities at the Central Level of Government

Chapter 14 (Government Procurement) applies to entities at the central level of government contained in this Section, where the value of the procurement is estimated, in accordance with Article 14.5 (Valuation), to equal or exceed:

1. For government procurement of goods and services: **SDR 130,000.**
2. For government procurement of construction services **SDR 5,000,000.**

List of Entities:

1. Executive Branch
 - (a) Ministerio del Interior (Ministry of Internal Affairs)
 - (b) Ministerio de Relaciones Exteriores (Ministry of Foreign Affairs)
 - (c) Ministerio de Hacienda y Crédito Público (Ministry of Finance and Public Credit)
 - (d) Ministerio de Justicia y del Derecho (Ministry of Justice and Law)
 - (e) Ministerio de Defensa Nacional (Ministry of National Defence) (Note 2)
 - (f) Ministerio de Agricultura y Desarrollo Rural (Ministry of Agriculture and Rural Development) (Note 3)
 - (g) Ministerio de Salud y Protección Social (Ministry of Health and Social Security)
 - (h) Ministerio de Trabajo (Ministry of Labour)
 - (i) Ministerio de Minas y Energía (Ministry of Mines and Energy) (Note 4)
 - (j) Ministerio de Comercio, Industria y Turismo (Ministry of Commerce, Industry and Tourism)
 - (k) Ministerio de Educación Nacional (Ministry of National Education)
 - (l) Ministerio de Ambiente y Desarrollo Sostenible (Ministry of the Environment and Sustainable Development)
 - (m) Ministerio de Vivienda, Ciudad y Territorio (Ministry of Housing, Cities and Territory)
 - (n) Ministerio de Tecnologías de la Información y las Comunicaciones (Ministry of Information Technologies and Communications)
 - (o) Ministerio de Transporte (Ministry of Transport) (Note 5)
 - (p) Ministerio de Cultura (Ministry of Culture)
 - (q) Departamento Administrativo de la Presidencia de la República (Administrative Department of the Presidency of the Republic)
 - (r) Departamento Nacional de Planeación (National Planning Department)
 - (s) Departamento Administrativo de la Función Pública (Administrative Department of Public Service)

- (t) Departamento Administrativo Nacional de Estadística (National Administrative Department of Statistics)
 - (u) Departamento Administrativo para la Prosperidad Social (Administrative Department for Social Prosperity) (Note 6)
 - (v) Dirección Nacional de Inteligencia (National Directorate of Intelligence)
2. Legislative Branch
- (a) Senado de la República (Senate of the Republic)
 - (b) Cámara de Representantes (House of Representatives)
3. Judicial Branch
- (a) Consejo Superior de la Judicatura (Higher Judicial Council)
 - (b) Fiscalía General de la Nación (Office of the General Prosecutor)
4. Supervisory Bodies
- (a) Contraloría General de la República (Office of the Comptroller General of the Republic)
 - (b) Auditoría General de la República (Office of the Auditor General of the Republic)
 - (c) Procuraduría General de la Nación (Office of the Attorney General)
 - (d) Defensoría del Pueblo (Office of the Ombudsman)
5. Electoral Body
- (a) Registraduría Nacional del Estado Civil (National Civil Registry) (Note 7)

Notes to Section A

1. Unless otherwise provided, Chapter 14 (Government Procurement) shall apply to superintendencias (superintendency), unidades administrativas especiales (special administrative units), agencias (agencies), institutos científicos y tecnológicos (scientific and technology institutes), establecimientos públicos (public establishments), of the entities listed in this Section under the General Government Procurement Statute.

2. Ministerio de Defensa Nacional (Ministry of National Defence). Chapter 14 (Government Procurement) does not cover procurement of goods contained in Section 2 (Food, Beverages and Tobacco; Textiles, Apparel and Leather Products) of the Central Product Classification of the United Nations (CPC Version 1.0)¹ for the Comando General de las Fuerzas Militares, Ejército Nacional, Armada Nacional, Fuerza Aérea Nacional y Policía Nacional (General Command of the Armed Forces, the National Army, the National Navy, the National Air Force and the National Police).

¹ <http://unstats.un.org/unsd/cr/registry/regcst.asp?Cl=3>

3. Ministerio de Agricultura y Desarrollo Rural (Ministry of Agriculture and Rural Development). Chapter 14 (Government Procurement) does not cover the procurement of food, agricultural supplies and live animals, related to agricultural support and food aid programmes.
4. Ministerio de Minas y Energía (Ministry of Mines and Energy). Chapter 14 (Government Procurement) does not cover the procurement of nuclear materials and technology by the Servicio Geológico Colombiano- SGC (Colombian Geological Service –SGC).
5. Ministerio de Transporte (Ministry of Transport). Chapter 14 (Government Procurement) does not cover procurement carried out by the Unidad Administrativa Especial de la Aeronáutica Civil – AEROCIVIL (Special Administrative Unit of Civil Aeronautics - AEROCIVIL).
6. Departamento Administrativo para la Prosperidad Social (Administrative Department for Social Prosperity). Chapter 14 (Government Procurement) does not cover procurement of goods contained in Section 2 (Food, Beverages and Tobacco; Textiles, Apparel and Leather Products) of the Central Product Classification of the United Nations (CPC Version 1.0), targeting social assistance programmes carried out by the Instituto Colombiano de Bienestar Social – ICBF (Colombian Institute of Family Welfare).
7. Registraduría Nacional del Estado Civil (Office of the National Civil Registry). Procurements for the preparation and holding of elections are not covered by Chapter 14 (Government Procurement).

Section B: Entities at the Sub-central Level of Government

None

Section C: Other Entities Covered

Chapter 14 (Government Procurement) applies to other entities contained in this Section where the value of the respective procurement has been estimated in accordance with Article 14.5 (Valuation), to equal or exceed:

1. For government procurement of goods and services: **SDR 400,000.**
2. For government procurement of construction services: **SDR 5,000,000.**

List of Entities

1. Agencia Logística de las Fuerzas Militares (Logistics Agency of the Armed Forces) (Note 1)
2. Fondo Rotatorio de la Policía Nacional (National Police Rotary Fund) (Note 1)
3. Instituto de Casas Fiscales del Ejército (Army Institute of State Housing)
4. Dirección de Impuestos y Aduanas Nacionales – DIAN (National Taxes and Customs)

- Directorate – DIAN)
5. Departamento Administrativo del Deporte, la Recreación, la Actividad Física y el Aprovechamiento del Tiempo Libre –COLDEPORTES (Administrative Department of Sports, Recreation, Physical Activity and use of leisure time –COLDEPORTES)
 6. Departamento Administrativo de Ciencia, Tecnología e Innovación –COLCIENCIAS (Administrative Department of Science, Technology and Innovation - COLCIENCIAS)
 7. Instituto Colombiano para la Evaluación de la Educación Icfes (Colombian Institute for the Promotion of Higher Education – ICFES)
 8. Instituto Nacional Penitenciario y Carcelario – INPEC (National Penitentiary and Prison Institute – INPEC)
 9. Unidad de Servicios Penitenciarios y Carcelarios –USPEC (Penitentiary and Prison Services Unit –U SPEC)
 10. Servicio Nacional de Aprendizaje – SENA (National Learning Service – SENA)

Note to Section C

Agencia Logística de las Fuerzas Militares (Logistics Agency of the Armed Forces), Fondo Rotatorio de la Policía Nacional (Rotary Fund of the National Police), the procurement of goods contained in Section 2 (Food, Beverages and Tobacco; Textiles, Apparel and Leather Products) of the Central Product Classification of the United Nations (CPC Version 1.0), for the Comando General de las Fuerzas Militares, Ejército Nacional, Armada Nacional, Fuerza Aérea Nacional y Policía Nacional (General Command of the Armed Forces, the National Army, the National Navy, the National Air Force, and the National Police) are not covered by Chapter 14 (Government Procurement).

Section D: Goods

Chapter 14 (Government Procurement) applies to all goods procured by the entities listed in Sections A to C of this Schedule, subject to the Notes to the respective Sections and the General Notes, with the exception of the goods excluded from this Schedule.

Note to Section D

1. The acquisition of goods required in the execution of research and development services is not covered under Chapter 14 (Government Procurement).

Section E: Services

1. Chapter 14 (Government Procurement) applies to all services procured by the entities listed in Sections A to C of this Schedule, subject to the Notes of said Sections, the General Notes, and the Notes to this Section, except for those services excluded in this Schedule.

2. Chapter 14 (Government Procurement) does not cover procurement of the following

services, pursuant to the Central Product Classification of the United Nations (CPC Version 1.0):

(a) **Research and Development Services**

- (i) Division 81. Research and Development Services
- (ii) Group 835. Scientific and Other Technical Services
- (iii) Data processing services (8596) and event organisation (8597), required during the carrying-out of scientific and technological activities

(b) **Public Services**

- (i) Division 69. Electricity distribution services; reticulated gas and water distribution services
- (ii) Division 94. Sewage services and refuse disposal, sanitation and other environmental protection services (except 949 which is covered by this Chapter)
- (iii) Basic telecommunications (excludes value-added telecommunications services)

(c) **Social Services**

- (i) Division 91. Public administration and other services to the community in general; social security services with compulsory membership
- (ii) Division 92. Teaching services
- (iii) Group 931. Human health services

(d) **Television Programme Development**

- (i) Sub-class 96121. Motion picture, videotape and television programme production services

Section F: Construction Services

Chapter 14 (Government Procurement) applies to all construction services procured by the entities listed in Sections A to C in this Schedule, subject to the Notes to the respective Sections, the General Notes, and the Notes to this Section.

Note for Section F

Notwithstanding the content of any provision of Chapter 14 (Government Procurement), a Colombian entity may apply conditions relating to the recruitment of local staff in rural areas, in contracting construction services for the construction, maintenance or rehabilitation of roads and highways, with a view to the promotion of employment and the improvement of living conditions in these areas.

Section G: General Notes

1. Unless there exist provisions to the contrary, the following General Notes apply without exception to Chapter 14 (Government Procurement), including all sections of this Schedule.

2. Chapter 14 (Government Procurement) does not apply to:

- (a) The procurement of goods and services in the defence sector, the Dirección Nacional de Inteligencia (National Intelligence Agency) and the Unidad Nacional de Protección (National Protection Unit) requiring reserves for its acquisition;
- (b) Reserves of contracts up to USD 125,000 for the benefit of Micro, Small and Medium Enterprises (“MSMEs”), including any preferences, such as the exclusive right to provide a good or service; as well as measures aimed at facilitating technology disaggregation and outsourcing;
- (c) Reintegration in civilian life programmes originating in peace processes, to assist those displaced by violence, to support people in conflict zones, and programmes in general that derive from the resolution of the armed conflict; and
- (d) Procurements and acquisitions made by the missions of the diplomatic service of the Republic of Colombia, exclusively for their operation and management.

3. Pursuant to Act No. 1150 of 2007, Colombia will ensure that each of the following Colombian entities conduct its procurement in a transparent manner, in accordance with commercial considerations; and treats the suppliers of the other Party at least as favourably as it treats its domestic suppliers and other foreign suppliers in respect of all aspects of its procurements, including the terms, conditions, rules and procedures for awarding contracts.

- (a) Caja de Previsión Social de Comunicaciones – CAPRECOM (Communications Social Insurance Fund – CAPRECOM);
- (b) Comisión de Regulación de Energía y Gas – CREG (Energy and Gas Regulation Commission – CREG);
- (c) Empresa Colombiana de Petróleos S.A. – ECOPEL (Empresa Colombiana de Petróleos, S.A. – ECOPEL);

- (d) Empresa Industrial y Comercial del Estado Administradora del Monopolio Rentístico de los Juegos de Suerte y Azar – COLJUEGOS (State Industrial and Commercial Management Company for Games of Chance and Gambling Public Monopoly – COLJUEGOS);
- (e) Imprenta Nacional de Colombia (Government Printing Press of Colombia);
- (f) Industria Militar – INDUMIL (Military Industry – INDUMIL);
- (g) Interconexión Eléctrica S.A. – ISA (Electrical Interconnection Corporation –ISA);
- (h) ISAGEN;
- (i) Radio y Televisión Nacional de Colombia – RTVC (National Radio and Television of Colombia – RTVC);
- (j) Servicio Aéreo a Territorios Nacionales – SATENA (National Territorial Air Service – SATENA); and
- (k) Unidad de Planeación Minero Energética- UPME (Mining Energy Planning Unit – UPME).

4. For the purposes set forth in Article 14.17.4 (Domestic Review Procedures), the Tribunal Administrativo de Cundinamarca (Dispute Tribunal) and the Consejo de Estado (State Court) are impartial authorities. Whereas these authorities do not have the authority to adopt interim measures in accordance with Article 14.17.7(a) (Domestic Review Procedures), the power to adopt such measures delegated to the Office of the Attorney General are considered sufficient to meet the requirements, supplementary, of that paragraph. The Office of the Attorney General has the power to suspend the tendering and awarding of contracts in the course of any disciplinary proceedings brought against government officials responsible for government procurement.

5. Without prejudice to the provisions of the preceding paragraph, Colombia will work to implement the provisions of Article 14.17.4 (Domestic Review Procedures), within a maximum period of eight years from the entry into force of this agreement. Within this period and in accordance with the provisions of Article 22.6.3(b) (Administration of the Agreement), Colombia shall report to the Committee on the adoption of such measures.

Section H: Threshold Values

1. The thresholds shall be adjusted in every even-numbered year with each adjustment taking effect on January 1, beginning on January 1 of the first even-numbered year after the date of entry into force of the Agreement.

2. Every two years, Colombia shall calculate and publish the value of the thresholds under Chapter 14 (Government Procurement) expressed in Special Drawing Rights (SDR). These calculations shall be based on the average of the daily conversion rates of the Colombian currency in terms of SDR, published by the International Monetary Fund in its monthly International Financial Statistics over the two-year period preceding October 1 or November 1 of the year before the adjusted thresholds are to take effect.

3. Colombia shall notify the other Party of the current thresholds in its national currency immediately after the Agreement enters into force, and the adjusted thresholds in Colombian currency thereafter not later than one month before the thresholds take effect. Thresholds expressed in the respective national currency shall be fixed for a period of two years, i.e. calendar years.

4. Colombia shall consult if a major change in Colombia currency relative to the SDR or to the national currency of the other Party were to create a significant problem with regard to the application of Chapter 14 (Government Procurement).

Section J: Publications

All information on government procurement is published on the following websites:

1. Legislation:
 - (a) www.colombiacompra.gov.co
 - (b) www.secretariasenado.gov.co
2. Opportunities:
 - (a) www.colombiacompra.gov.co