



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

ANNEX XV – BIDDING PROCESS MODELS



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

TABLE OF CONTENTS

DECLARATION OF ACCEPTANCE OF AUCTION NOTICE CONDITIONS	3
CLARIFICATION REQUESTS	4
TECHNICAL VISIT CERTIFICATE	5
STATEMENT OF NON-OCCURRENCE OF TECHNICAL VISIT	6
DECLARATION FORM OF NON-EXISTENCE OF EQUIVALENT DOCUMENT	7
MODEL OF FORMAL DECLARATION OF EXPRESS SUBMISSION TO BRAZILIAN LEGISLATION	8
LETTER OF ACCREDITATION	9
PRICE PROPOSAL	10
RATIFICATION OF PRICE PROPOSAL	12
STATEMENT OF COMPLIANCE WITH SUBSECTION XXXIII OF ARTICLE 7 OF THE FEDERAL CONSTITUTION	15
STATEMENT OF NON-EXISTENCE OF LAWSUITS	16
STATEMENT OF NO DISQUALIFICATION EVENT	17
STATEMENT OF COMPLIANCE WITH THE PROVISIONS OF ARTICLE 117, SOLE PARAGRAPH, OF THE CONSTITUTION OF THE STATE OF SÃO PAULO	18
ACKNOWLEDGEMENT STATEMENT OF DISQUALIFICATION EVENTS FOR THE PROCUREMENT	19
STATEMENT OF COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1 OF STATE DECREE NO. 53.047/2008	21
FINANCIAL CAPACITY STATEMENT MODEL	22
AGREEMENT FOR PROCURING THE PERFORMANCE BOND	23
NOTICE AND ACKNOWLEDGMENT AGREEMENT	24



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

**DECLARATION OF ACCEPTANCE OF AUCTION NOTICE
CONDITIONS**

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

By means of its legal representative, [BIDDER], [QUALIFICATION], hereby states, subject to the penalties provided for under the legislation, that it shall be subject to all AUCTION NOTICE requirements and is fully aware of the purpose of the CONCESSION, as described in the AUCTION NOTICE, in addition to its respective requirements, as well as the difficulties posed by, and the specific traits, of construction works to be carried out within the scope of the CONCESSION CONTRACT.

It further states that it shall answer for the accuracy of all information provided in the documentation and proposal submitted, and additionally certifies that it has received all of the distinct parts that comprise this AUCTION NOTICE, in addition to having taken note of all information and requirements needed for fulfilling obligations that are the purpose of the BIDDING PROCESS, while deeming information received to be sufficient for purposes of drafting its proposal.

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

CLARIFICATION REQUESTS

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

APPLICANT:

Company/Organization:

Contact method:

Document (signalling which document the query refers to – e.g., AUCTION NOTICE, CONTRACT or ANNEXES)

Provision, item or contents of the draft (transcribe the provision to which the clarification request refers, or a specific subject addressed in its content):

Clarification Request:



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

TECHNICAL VISIT CERTIFICATE

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

Regarding INTERNATIONAL BIDDING PROCESS NO. 01/2021, we hereby certify that [BIDDER'S trade name] carried out the optional TECHNICAL VISIT on ____, with the purpose of becoming acquainted with, and verifying, current facilities that shall be taken on by the future CONCESSIONAIRE, pursuant to their current physical-operational conditions, aimed at allowing them to verify local conditions and therefore conduct their own assessment on the total intended quantity and nature of construction works, material and equipment required for fulfilling the purpose of the CONCESSION, form and provision requirements, access means to the grounds, in addition to procuring any other data that they deem necessary for the adequate provision of services rendered.

Any and all potential queries resulting from the TECHNICAL VISIT are to be submitted in writing, as provided for under the AUCTION NOTICE.

[PLACE], [DATE]

[REPRESENTATIVE]
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

STATEMENT OF NON-OCCURRENCE OF TECHNICAL VISIT

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

Regarding INTERNATIONAL BIDDING PROCESS NO. 01/2021, we hereby certify that [BIDDER'S trade name] chose not to carry out the optional TECHNICAL VISIT aimed at becoming acquainted with, and verifying, current facilities that shall be taken on by the future CONCESSIONAIRE, pursuant to their current physical-operational conditions, with the purpose of allowing them to verify local conditions and therefore conduct their own assessment on the total intended quantity and nature of construction works, material and equipment required for fulfilling the purpose of the CONCESSION, form and provision requirements, access means to the grounds, in addition to procuring any other data that they deem necessary for the adequate provision of services rendered. [BIDDER'S trade name] hereby states that it is aware of the option to carry out the technical visit to become acquainted with the entire CONCESSION AREA, but that, in knowing the concerning risks and consequences, it decided instead to draft its PRICE PROPOSAL without carrying out such technical visit.

Any and all potential queries resulting from the TECHNICAL VISIT are to be submitted in writing, as provided for under the AUCTION NOTICE.

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

DECLARATION FORM OF NON-EXISTENCE OF EQUIVALENT DOCUMENT

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

Regarding INTERNATIONAL BIDDING PROCESS NO. 01/2021, we hereby state that [BIDDER'S trade name], by its undersigned representative(s), states, subject to the penalties provided for under the legislation, that none of the documents required in INTERNATIONAL BIDDING PROCESS NO. nº 01/2021, as listed below, have an equivalent document in the BIDDER's country of origin and/or consortium member.

Document required under the auction notice does not have an equivalent document in the country of origin	Auction notice item requiring the document

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

MODEL OF FORMAL DECLARATION OF EXPRESS SUBMISSION TO BRAZILIAN LEGISLATION

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

São Paulo, [•] [•] [•].

To

SPECIAL BIDDING COMMISSION

Ref.: Auction Notice No. 01/2021 - Commercial Proposal.

Dear,

In compliance with sub-item 8.5.4 of the Auction Notice in reference, [Proponent], by its legal representative(s) undersigned(s), declares, for the proper purposes, its formal and express submission to Brazilian legislation.

[BIDDER]

By its legal representative

RG (Identification Card) no. [•]

CPF/ME (Individual Taxpayer/Small Business Category

Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

LETTER OF ACCREDITATION

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

By this power of attorney, [BIDDER], [QUALIFICATION], hereinafter referred to as the "GRANTING AUTHORITY", assigns and constitutes as his attorney-in-fact:

Mr./Mrs. [NAME], [QUALIFICATION] Mr./Mrs. [NAME], [QUALIFICATION]

Accrediting them, whether [jointly and/or separately], to undertake all necessary deeds throughout bidding proceedings described in the AUCTION NOTICE of International Bidding Process No. 01/2021, including for purposes of:

- I. representing the GRANTING AUTHORITY in public BIDDING sessions and in all other bidding process deeds;
- II. lodging appeals and waiving the right to lodge appeals;
- III. representing the GRANTING AUTHORITY in the defense of its administrative interests throughout the bidding process; and
- IV. signing, submitting a proposal, providing clarifications, fulfilling requirements, suiting conditions, receiving notifications and summons, and agreeing and disagreeing with BIDDING PROCESS COMMISSION deeds and rulings.

Upon being granted Accreditation, [BIDDER] states that it is aware that its Representatives shall be responsible for the BIDDER's full representation in the aforementioned International Bidding Process, having all necessary and sufficient powers to represent it throughout the entire bidding process.

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

PRICE PROPOSAL

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

Under the terms of the AUCTION NOTICE and ANNEXES, as well as other information provided during the aforementioned bidding process, in addition to surveys and further studies undertaken, with which the BIDDER hereby fully agrees, we submit our PRICE PROPOSAL for the CONCESSION for use of the public asset to carry out investment, upkeep, operations, maintenance and economic activities of the CONCESSION AREA corresponding to the territorial grounds comprising the Parque Estadual da Cantareira (Cantareira State Park) and the Parque Estadual Alberto Löfgren (Alberto Löfgren State Park), pursuant to the terms of the AUCTION NOTICE.

WHEREAS:

- I. this PRICE PROPOSAL conveys this BIDDER's intention and is furthermore binding, irrevocable, irreversible and unconditional;
- II. this PRICE PROPOSAL shall remain in effect for at least 180 (one hundred and eighty) days, effective the date of its receipt by the SPECIAL BIDDING PROCESS COMMISSION, whereas, during said time frame, all conditions are to be upheld, and which may be extended if the BIDDER and the SPECIAL BIDDING PROCESS COMMISSION agree so;
- III. the FIXED GRANT includes, on the base date of [•], the sum of the minimum FIXED GRANT amount and its PRICE PROPOSAL premium in Brazilian currency, according to the rules of the AUCTION NOTICE and the CONCESSION CONTRACT, and whose payment is to be made in a single installment until the date of signature of the CONTRACT, as well as adjusted for inflation starting from the CONTRACT's base date, until the date of actual payment;
- IV. to draft its PRICE PROPOSAL, the BIDDER took into account all investments, taxes, costs and expenses necessary for enforcing the CONCESSION, in compliance with the provisions of the BIDDING PROCESS's AUCTION NOTICE, as well as concerning ANNEXES;
- V. to draft its PRICE PROPOSAL, this BIDDER took note of, agreed to, and took into account, all risks taken on in any potential procurement, in the event that it is deemed the winner of this BIDDING PROCESS;
- VI. the PRICE PROPOSAL considered the CONCESSION's 30 (thirty) year-term;
- VII. all MINIMUM STARTING INVESTMENT sums, services and additional specific CONCESSION traits were accounted for, whereas information shared sufficed to submit this PRICE PROPOSAL.

HEREBY STATES THAT IT

- I. undertakes to carry out all investments and further INTERVENTIONS required to operate, manage and upkeep the CONCESSION AREA, in addition to undertaking to bear all funds required to meet all expenses, costs, charges, expenditures and pecuniary liabilities mentioned in the CONCESSION



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

CONTRACT should it be deemed the winner of the bidding process;

- II. consents to withholding of the sum corresponding to the VARIABLE GRANT, under the terms hereunder; and
- III. consents to withholding of the sum corresponding to INSPECTION FEES, under the terms of the CONTRACT.

PRICE PROPOSAL

This BIDDER, whose information is listed below, hereby submits, by means of its legal representative, the following PRICE PROPOSAL for the aforementioned BIDDING PROCESS:

Proposal Offered: R\$ [•] (FIXED GRANT in full)

Validity: This PRICE PROPOSAL shall be valid for 180 (one hundred and eighty) days, effective the date of receipt of the same, whereas all conditions are to be upheld during such time frame.

BIDDER INFORMATION

Trade Name/Consortium Corporate Name: [•]

CNPJ/ME (in case of Consortium, use CNPJ/ME of the leader company): [•]

Shareholder Composition/Consortial Share: [•]

Leader company (if applicable): [•]

Address: [•]

Telephone numbers: [•] Fax: [•]

BIDDER representative: [•] Email: [•]

[PLACE], [DATE]

[BIDDER]

By its legal representative

RG (Identification Card) no. [•]

CPF/ME (Individual Taxpayer/Small Business Category

Registration) no. [•]

RATIFICATION OF PRICE PROPOSAL

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

In accordance with the terms of the AUCTION NOTICE and ANNEXES, as well as other information provided during the aforementioned bidding process, in addition to surveys and further studies carried out, with which this BIDDER fully agrees, we submit the RATIFIED PRICE PROPOSAL for the CONCESSION for use of the public asset to carry out investment, upkeep, operations, maintenance and economic activities of the CONCESSION AREA corresponding to the territorial grounds comprising the Parque Estadual da Cantareira (Cantareira State Park) and the Parque Estadual Alberto Löfgren (Alberto Löfgren State Park), pursuant to the terms of the AUCTION NOTICE.

WHEREAS:

- I. the BIDDER successfully submitted its PRICE PROPOSAL;
- II. this PRICE PROPOSAL conveys this BIDDER's intention and is furthermore binding, irrevocable, irreversible and unconditional;
- III. a bidding stage was conducted and the BIDDER that submitted the top-ranked PRICE PROPOSAL is required to ratify their proposal, which may be signed by the ACCREDITED REPRESENTATIVE;
- IV. the Fixed Grant includes, on the base date of [•], the sum of the minimum Fixed Grant amount and its PRICE PROPOSAL premium in Brazilian currency, according to the rules of the AUCTION NOTICE and the CONCESSION CONTRACT, and whose payment is to be made in a single installment until the date of signature of the CONTRACT, as well as adjusted for inflation using the IPC/FIPE Consumer Price Index, starting from the CONTRACT's base date, until the date of actual payment, as per the terms of item 11.6 of the AUCTION NOTICE;
- V. to draft its PRICE PROPOSAL, the BIDDER took into account the CONCESSION AREA's physical and legal requirements, as well as all investments, taxes, costs and expenses necessary to enforce the CONCESSION, in compliance with the provisions of the BIDDING PROCESS's AUCTION NOTICE, as well as its respective ANNEXES;
- VI. to draft its PRICE PROPOSAL, this BIDDER took note of, agreed to, and took into account, all risks taken on under any potential procurement, should it be deemed the winner of this BIDDING PROCESS;
- VII. the PRICE PROPOSAL considered the CONCESSION's 30 (thirty)-year term;
- VIII. all starting investment sums, services and additional specific CONCESSION traits were accounted for, whereas information shared sufficed to submit this PRICE PROPOSAL.

HEREBY STATES THAT

STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

- I. it undertakes to carry out all investments and further INTERVENTIONS required to operate, manage and upkeep the CONCESSION AREA, in addition to undertaking to bear all expenses, costs, charges, expenditures and pecuniary liabilities mentioned in the CONCESSION CONTRACT;
- II. it consents to withholding of the sum corresponding to the VARIABLE GRANT, under the terms hereunder; and
- III. it consents to withholding of the sum corresponding to INSPECTION FEES, under the terms of the CONTRACT.

PRICE PROPOSAL

This BIDDER, whose information is listed below, hereby submits, by means of its legal representative, the ratified PRICE PROPOSAL for the aforementioned BIDDING PROCESS:

Proposal Offered: R\$ [•] (FIXED GRANT sum in full)

Validity: This PRICE PROPOSAL shall be valid for 180 (one hundred and eighty) days, effective the date of receipt of the same, whereas all conditions are to be upheld during such time frame.

BIDDER INFORMATION

Trade Name/Consortium Corporate Name: [•]
CNPJ/ME (in case of Consortium, use CNPJ/ME of the leader company): [•]
Shareholder Composition/Consortial Share: [•]
Leader company (if applicable): [•]
Address: [•]
Phone numbers: [•]
Fax: [•]
BIDDER representative: [•]
Email: [•]

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

STATEMENT OF COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1 OF STATE LAW NO. 10.218/1999

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

[BIDDER], [QUALIFICATION], by means of its legal representative, hereby states, subject to the penalties provided for under the current legislation, that none of its chief officers, managers or employees were sentenced for any crime or misdemeanor specified in article 1 of State Law no. 10.218/1999.

It further states that any instances of convictions of any of its chief officers, managers or employees due to them having engaged in any of the aforementioned crimes or misdemeanors, that it becomes aware of, are to be immediately disclosed to the STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT, for purposes of this BIDDING PROCESS.

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

STATEMENT OF COMPLIANCE WITH SUBSECTION XXXIII OF ARTICLE 7 OF THE FEDERAL CONSTITUTION

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

[BIDDER], [QUALIFICATION], by means of its legal representative, hereby states, for purposes of the provisions laid out in subsection V of article 27 of Federal Law no. 8.666/1993, subject to the penalties provided under the current legislation, that it does not employ minors under the age of eighteen years old in night shifts, dangerous or unsanitary labor conditions, and does not employ minors under the age of sixteen years old, except for those currently under an apprentice CONTRACT, over the age of fourteen years old.

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

STATEMENT OF NON-EXISTENCE OF LAWSUITS

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

[BIDDER], [QUALIFICATION], by means of its legal representative, hereby states, subject to the penalties provided for under the current legislation, that it is not currently subject to bankruptcy, court or out of court liquidation proceedings, insolvency, temporary bankruptcy management, or under intervention of the relevant supervisory body.

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

STATEMENT OF NO DISQUALIFICATION EVENT

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

[BIDDER], [QUALIFICATION], by means of its legal representative, hereby states, subject to the penalties provided for under the current legislation, that:

- I. there are no bans of any kind in place for it to partake in the above INTERNATIONAL BIDDING PROCESS;
- II. it was not declared ineligible under any federative realm, and it is not forbidden to bid or transact with the Public Administration due to being listed in the *Cadastro Nacional de Empresas Punidas* (National Registry of Punished Companies – CNEP) and the *Cadastro Nacional de Empresas Inidôneas e Suspensas* (National Registry of Ineligible and Suspended Companies – CEIS);
- III. it is not banned from transacting with the Public Administration of the State of São Paulo;
- IV. is not currently sanctioned with a temporary ban to transact with the Public Administration of the State of São Paulo;
- V. it undertakes to report all instances of any posterior event related to the purpose of this Statement; and
- VI. it is not currently convicted, with a final court decision issued, to the penalty of interdiction of rights for engaging in environmental crimes, as regulated under article 10 of Federal Law no. 9.605/1998.

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

**STATEMENT OF COMPLIANCE WITH THE PROVISIONS OF ARTICLE 117, SOLE PARAGRAPH, OF
THE CONSTITUTION OF THE STATE OF SÃO PAULO**

INTERNATIONAL BIDDING PROCESS NO. 01/2021

**CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS,
MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE
TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE
ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE**

To Whom it May Concern,

[BIDDER], [QUALIFICATION], by means of its legal representative, hereby states, subject to the penalties provided for under the current legislation, that it is compliant with all occupational health and safety-related guidelines, pursuant to the sole paragraph of article 117 of the Constitution of the State of São Paulo, while additionally being aware of the Public Administration's ban from transacting with companies that fail to meet such legal requirements.

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

ACKNOWLEDGEMENT STATEMENT OF DISQUALIFICATION EVENTS FOR THE PROCUREMENT

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

[BIDDER], [QUALIFICATION], by means of its legal representative, hereby states, subject to the penalties provided under the current legislation, that it is aware that the existence of records in *the Cadastro Informativo dos Créditos não Quitados de Órgãos e Entidades Estaduais - CADIN ESTADUAL* (Registry of Outstanding Credits of State Agencies and Entities – STATE CADIN), the *Sistema Eletrônico de Aplicação e Registro de Sanções Administrativas – e-Sanções* (Electronic System for Application and Registry of Administrative Sanctions – e-Sanctions), the *Cadastro Nacional de Empresas Inidôneas e Suspensas* (National Registry of Ineligible and Suspended Companies – CEIS), the *Cadastro Estadual de Empresas Punidas* (National Registry of Punished Companies – CNEP), the *Cadastro Estadual de Empresas Punidas* (State of São Paulo's Registry of Punished Corporations – CEEP), and the National Council of Justice's *Cadastro Nacional de Condenações Cíveis por Atos de Improbidade Administrativa e Inelegibilidade* (National Registry of Civil Convictions for Acts of Administrative Improbability – CNIA), shall be deemed a ban for purposes of transacting with the GRANTING AUTHORITY.

It further states that it does not have any restrictions or annotations recorded at the STATE CADIN or CEIS capable of rendering its procurement in this BIDDING PROCESS void.

Moreover, it states that:

- I. the submitted proposal was devised independently and its contents were not, whether in whole or in part, and whether directly or indirectly, disclosed or discussed with any other BIDDER or interested party, whether in potential or actual, in the present bidding proceedings;
- II. the intention to submit the proposal was not disclosed or discussed with any other BIDDER or interested party, whether in potential or actual, in the present bidding proceedings;
- III. the BIDDER did not attempt, whether by itself or by any individual, to influence the decision of any other BIDDER or interested party, whether in potential or actual, in the present bidding proceedings;
- IV. the contents of the submitted proposal shall not be, whether in whole or in part, and whether directly or indirectly, disclosed or discussed with any other BIDDER or interested party, whether in potential or in fact, in the present bidding proceedings before awarding its purpose;
- V. the contents of the submitted proposal were not, whether in whole or in part, disclosed, discussed or provided by any related member, whether directly or indirectly, to the BIDDER agency before official opening of proposals; and
- VI. the BIDDER's legal representative is fully aware of the contents and extent of said statement, and is fully empowered and holds sufficient information to sign it.

Finally, it states that it runs its business so as to prevent fraud, corruption and instances of any other acts that are harmful to the Public Administration, whether Brazilian or non-Brazilian, in compliance with Federal Law no.

STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

12.846/2013 and State Decree no. 60.106/2014, such as:

- I. promising, offering or giving, directly or indirectly, any undue advantage to a public agent, or to a third party related to it;
- II. provenly funding, bearing, sponsoring or in any way subsidizing the practice of illegal acts provided for under the legislation;
- III. provenly using an intermediary, whether a legal entity or individual, to hide or conceal its real interests or the identity of beneficiaries of acts performed;
- IV. regarding bidding processes and contracts:
 - a) preventing or defrauding, by means of an agreement, arrangement or any other means, the competitive nature of a public bidding proceeding;
 - b) hindering, disturbing or defrauding the performance of any public bidding proceeding deed;
 - c) removing or seeking to remove a bidder, by means of fraud or by offering any kind of advantage;
 - d) defrauding a public bidding proceeding or any contract resulting thereof;
 - e) fraudulently or improperly establishing a legal entity to participate in a public bidding process or to enter into an administrative contract;
 - f) fraudulently securing any improper advantage or benefit from modifications or extensions made to contracts entered into with the Public Administration, without authorization under the legislation, in the invitation to participate in bidding processes or in the respective agreements; or
 - g) manipulating or defrauding the economic-financial balance of contracts entered into with the Public Administration;
- IV. hampering investigations or inspection activities rendered by public bodies, entities or agents, or intervening in their activities, including within the scope of regulatory agencies and supervisory bodies of the Brazilian financial system.

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

**STATEMENT OF COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1 OF STATE DECREE NO.
53.047/2008**

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

[BIDDER], [QUALIFICATION], by means of its legal representative, hereby states, subject to the penalties provided for under the current legislation, that it is aware of the *Cadastro de Comerciantes de Madeira do Estado de São Paulo* (State of São Paulo's Register of Companies Selling Timber and Forest Products – *CADMADEIRA*), and that, in rendering bidding services procured, only products and by-products sourced from exotic origin wood, or products and by-products listed in Article 1 of State Decree No. 53.047/2008, purchased from legal entities duly registered with *CADMADEIRA*, shall be used.

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

FINANCIAL CAPACITY STATEMENT MODEL

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

[BIDDER], [QUALIFICATION], by means of its legal representative, hereby states, subject to the penalties provided for under the current legislation, that it is able to secure sufficient funding to duly meet duties concerning the allocation of its own funds and those of third parties required to fulfill the purpose of the CONCESSION. It further states that it:

- I. undertakes to make all investments and other necessary INTERVENTIONS to enable operations, management and maintenance of the CONCESSION AREA, and undertakes to bear expenses, costs, charges, expenditures and pecuniary obligations referred to in the CONTRACT;
- II. authorizes withholding of the amount corresponding to the VARIABLE GRANT sum, under the terms of the CONTRACT;
- III. authorizes withholding of the amount corresponding to INSPECTION FEES, under the terms of the CONTRACT;
- IV. procured or is able to procure all insurance policies and warranties required for fulfilling the purpose of the CONCESSION; and
- V. has or is able to secure funding to pay in the SPECIFIC PURPOSE COMPANY's minimum capital stock until the date of signature of the CONCESSION AGREEMENT in case it is announced the winner of this BIDDING PROCESS, as required under its articles of incorporation, including the obligation to settle the SPECIFIC PURPOSE COMPANY's capital stock in the minimum amount provided for under the AUCTION NOTICE of INTERNATIONAL BIDDING PROCESS NO. 01/2021, on the base date of [•], until signing of the CONCESSION AGREEMENT.

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

AGREEMENT FOR PROCURING THE PERFORMANCE BOND

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

To Whom it May Concern,

[BIDDER], [QUALIFICATION], by means of its legal representative, hereby states, subject to the penalties provided for under the current legislation, that it undertakes to annually procure and renew, should it be deemed the winner of the BIDDING PROCESS, the PERFORMANCE BOND, which may be procured in any of the modalities foreseen under the CONTRACT, aimed at ensuring investments made required to fulfill the purpose of the CONCESSION, encompassing fulfillment of operational and conservation duties, expansion duties as well as payment of variable monthly sums due to the GRANTING AUTHORITY, in addition to all other obligations taken on under the contract, as established under the terms of the CONTRACT.

[PLACE], [DATE]

[BIDDER]
By its legal representative
RG (Identification Card) no. [•]
CPF/ME (Individual Taxpayer/Small Business Category
Registration) no. [•]



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

NOTICE AND ACKNOWLEDGMENT AGREEMENT

INTERNATIONAL BIDDING PROCESS NO. 01/2021

CONCESSION FOR USE OF A PUBLIC ASSET TO CARRY OUT INVESTMENT, UPKEEP, OPERATIONS, MAINTENANCE AND ECONOMIC ACTIVITIES OF THE CONCESSION AREA CORRESPONDING TO THE TERRITORIAL GROUNDS COMPRISING THE PARQUE ESTADUAL DA CANTAREIRA AND THE PARQUE ESTADUAL ALBERTO LÖFGREN, PURSUANT TO THE TERMS OF THE AUCTION NOTICE

CONTRACTING PARTY: _____

CONTRACTED PARTY: _____

CONTRACT NO. (OF ORIGIN): _____

PURPOSE: _____

ATTORNEY(S) /OAB REGISTRATION NO.: (*). _____

By means of this AGREEMENT, we, the undersigned:

1. State that we are AWARE that:

- a) the agreement mentioned above shall be subject to the Tribunal de Contas do Estado de São Paulo's (State of São Paulo Audit Court) appraisal and ruling, which shall be conducted by means of the electronic system;
- b) we shall be allowed to access the case, requesting examination of records and making copies of statements of Court Orders and Rulings, through regular registration in the Electronic Processing System, according to the data indicated below, in accordance with the provisions of TCESP Resolution no. 01/2011;
- c) in addition to being provided in the electronic process, all Court Orders and Rulings that may potentially be taken with regard to the aforementioned case are to be published in the State's Official Gazette, the Legislative Branch Section, which comprises the Tribunal de Contas do Estado de São Paulo (State of São Paulo Audit Court), in compliance with article 90 of Complementary Law no. 709 of January 14, 1993, such that counting of case deadlines, according to the rules of the Civil Procedure Code, starts from then;
- d) any change of address - residential or electronic - or phone numbers are to be notified by the interested party, requesting in the case files.

2. We have been duly NOTIFIED as to:

- a) follow-up on all acts of the case until its final ruling and subsequent publication;
- b) if applicable, and according to our interests, within the terms and legal and regulatory forms, it shall be granted the right to be heard, lodge appeals and whatever else that may apply.

PLACE and DATE: _____



STATE SECRETARIAT FOR INFRASTRUCTURE AND ENVIRONMENT

ORGANIZATION/ENTITY MANAGER:

Name: _____
Position: _____
CPF: _____
RG: _____
Date of Birth: _____ / _____ / _____
Full home address: _____
Business email: _____
Personal email: _____
Phone Number(s): _____
Signature: _____
Individuals responsible for signing the agreement:

By the CONTRACTING PARTY:

Name: _____
Position: _____
CPF: _____
RG: _____
Date of Birth: _____ / _____ / _____
Full home address: _____
Business email: _____
Personal email: _____
Phone Number(s): _____
Signature: _____

By the CONTRACTED PARTY:

Name: _____
Position: _____
CPF: _____
RG: _____
Date of Birth: _____ / _____ / _____
Full home address: _____
Business email: _____
Personal email: _____
Phone Number(s): _____
Signature: _____

By the CONTRACTED PARTY:

Name: _____
Position: _____
CPF: _____
RG: _____
Date of Birth: _____ / _____ / _____
Full Home Address: _____
Business email: _____
Personal email: _____
Phone Number(s): _____
Signature: _____

Attorney:

(*) Optional. Please designate the name, if already procured, as well as the electronic address.