

TERMS OF REFERENCE

OPEN INVITATION TO PRESENT BIDS NO. FPT-039-2013

IMPORTANT NOTICE

This document is a non-official translation of the terms of reference to the public invitation to present bids, for informative purposes only. All official documents such as the General Conditions for the Terms of Reference, the Terms of Reference and its addendums, among others, are held in Spanish language and posted in FONTUR's official web site (www.fontur.com.co).

In case of contradiction or difference between this document or other documents in English language, FONTUR will prefer the official document in Spanish language.

OBJECT:

"Complete all technical studies and architectural designs for the construction of the "CENTRO DE EVENTOS Y CULTURAL DE LA MÚSICA VALLE NATA", (CULTURAL CENTER FOR THE VALLENATO MUSIC) project in the Municipality of Valledupar, Department of Cesar"

Bogotá D.C., July 2013

CHAPTER 1 - GENERAL ASPECTS OF THE PROCESS

The current open invitation process to present bids will be governed by the conditions stipulated in these Terms of Reference, in the document known as General Conditions for the Terms of Reference, the Contracting Manual for the CONSORCIO ALIANZA TURÍSTICA -FONDO NACIONAL DEL TURISMO, known as FONTUR and any additional regulations, which are an integral part of this document.

The General Conditions for the Terms of Reference, and the Contracting Manual for the CONSORCIO ALIANZA TURÍSTICA -FONDO NACIONAL DEL TURISMO, known as FONTUR, may be consulted in the www.fontur.com.co web page.

IMPORTANT NOTE: The parties interested in the current contracting process must consider that the Ministry of Commerce, Industry and Tourism, is currently in the process of hiring a new manager for the Fondo Nacional del Turismo (National Tourism Fund) -FONTUR, therefore the contract arising from this project may be underwritten by the new management entity, if deemed convenient.

1.1. OBJECT OF THE CONTRACT

Complete all technical studies and architectural designs for the construction of the "CENTRO DE EVENTOS Y CULTURAL DE LA MÚSICA VALLE NATA", (CULTURAL CENTER FOR THE VALLENATO MUSIC) project in the Municipality of Valledupar, Department of Cesar.

1.2 CONTRACT BUDGET

The estimated amount for this contract is up to **TWO THOUSAND FIVE HUNDRED SIXTY FIVE MILLION PESOS (\$2.565.000.000.00)**, including VAT and other relevant taxes.

When developing the proposal, the bidder must bear in mind that it is a **FIXED NON ADJUSTABLE FEE**, which must be presented physically and electronically on an Excel spreadsheet, including the following aspects, among others:

- All amounts must be adjusted to the nearest unit, without decimals and in Colombian pesos COP
- Complete the FEE BUDGET form, including all boxes related to:
 - Personnel expenses (position, monthly fee, monthly man-hours, term in months, partial value)
 - Multiplication factor
 - Total personnel costs

- Other direct costs (description, unit, unit price, quantity, partial amounts)
- Total other direct costs
- Cost Sub total
- VAT
- Total amount

In addition to the FEE BUDGET Form the bidder must also complete the MULTIPLICATION FACTOR ANALYSIS Form.

With the submission of the tender, the bidder states that he has studied the terms of reference and all documents pertaining to the selection process, has received clarifications on the provisions he has considered uncertain or doubtful, is aware of the nature of the work, its cost and its execution time, and prepared its tender in a free, serious, precise and consistent manner.

All documents in the selection process are mutually complementary, so what is indicated in one will be understood as indicated in all.

1.3. TERM OF EXECUTION OF THE CONTRACT

The estimated term for the execution of the contract will be four and a half months (4.5) from the registration of the Act of Initiation in conjunction with the Contract's Controller, and the previous underwriting and legalization of the contract, plus the approval of guarantees.

PARAGRAPH ONE: Should the contractor complete the object of the contract before the stipulated time period for its execution, the Contract supervisor will state so in writing.

PARAGRAPH TWO: The bidder must bear in mind that in order to begin the execution of the contract all requirements stipulated in this document must be met.

1.4. COMMUNICATION AND CORRESPONDENCE

All correspondence arising from or related to the contracting process will be directly received in the CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO mailroom, located in Carrera 13 No. 28-01 8th Floor, in Bogotá D.C., or by email to lpardo@fontur.com.co. The CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO will send all correspondence to the addresses, fax numbers or emails indicated by the interested parties, and must include the process number and name.

CHAPTER 2 - SCHEDULE AND SELECTION PROCESS ACTIVITIES

2.1. Schedule

The current selection process will follow the terms and times indicated in the Schedule below:

ACTIVITY	BEGINNING DATE	END DATE	LOCATION
Publication of the bid	July 9, 2013		www.fontur.com.co Deputy Legal Director CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO Carrera 13 No. 28-01 8th Floor
Clarification of terms request	July 9, 2013	August 5, 2013 until 11AM	lpardo@fontur.com.co Deputy Legal Director CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO www.fontur.com.co Carrera 13 No. 28-01 8th Floor
Response to observations on terms		August 9, 2013	www.fontur.com.co lpardo@fontur.com.co Deputy Legal Director CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO Carrera 13 No. 28-01 8th Floor
Closing and delivery	August 20, 2013		Deputy Legal Director CONSORCIO

of tenders	until 11AM		ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO Carrera 13 No. 28-01 8th Floor
Evaluation of tenders	August 21, 2013	August 28, 2013	CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO Carrera 13 No. 28-01 8th Floor
Publication of evaluations	August 29, 2013		www.fontur.com.co Deputy Legal Director CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO Carrera 13 No. 28-01 8th Floor
Observations on the evaluation	August 30, 2013	September 2, 2013 until 5PM	lpardo@fontur.com.co
Response to the observations	September 5, 2013		lpardo@fontur.com.co
Selection of the contractor	September 6, 2013		www.fontur.com.co Deputy Legal Director CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO Carrera 13 No. 28-01 8th Floor
Legalization of the contract	Starting September 9, 2013		CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO Carrera 13 No. 28-01 8th Floor

2.2 CLARIFICATION OF THE TERMS OF REFERENCE

In order to clarify any doubts by the interested parties regarding the contracting process, the observations must be presented in the time and date set in the above schedule. Any observation presented outside this time frame will not be considered.

2.3 PUBLICATION OF THE EVALUATION OF TENDERS AND OBSERVATION REPORT.

In order to comply with the applicable principles for this process, the verification and evaluation of tender reports will be published in the www.fontur.com.co web page, and will also be available to the bidders at the Legal Deputy Director's office of the CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO, during the time and date stipulated in the schedule. During this time the bidders may present any observations they consider relevant. The term of publication is two (2) business days.

In exercising this power, the bidders may not complete, add, amend or improve their tender; otherwise it will be liable for refusal.

Responses to the observations regarding the evaluation report will be part of the content of the award which will be published in the www.fontur.com.co web page.

NOTE: The CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO will only receive observations to the evaluation of tenders until the date and time stipulated in the schedule.

No response will be given to the consultations or observations received after the terms stipulated in the schedule.

CHAPTER 3 - BID SECURITY

Proposers must provide a bid security which consists of an insurance policy in favor of CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DE TURISMO – FONTUR, according to the format for the general public, duly signed by the bidder, in an amount equal to ten percent (10%) of the official budget. The validity of this guarantee must be four (4) months from the date and time of closure of the contract. The original receipt stipulating payment of policy premiums must be attached.

Guarantees may also be offered in the form of a stand by letter of credit issued by a financial institution, which must comply with all provisions stipulated in this chapter, and indicate that the beneficiary of the letter of credit is CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DE TURISMO – FONTUR, as a private entity.

Note ".Only insurance policies issued by insurance companies that have a credit rating issued by an organization certified by the Colombian Superintendence of Finance will be considered."

In the case of joint tenders, the bid security must be issued on behalf of all members of the consortium or joint venture, as the case may be, and indicate that the beneficiary of the letter of credit is CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DE TURISMO – FONTUR, as a private entity.

In the event of an extension of terms, the bidder must also increase the term of the policy or the stand by letter of credit in the same period of time, as the case may be.

Failure by the bidder to comply with any of the conditions and obligations stipulated in this document will cause the bid security of the stand by letter of credit to become effective in favor of CONSORCIO ALIANZA TURÍSTICA -FONDO NACIONAL DE TURISMO - FONTUR.

The CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DE TURISMO - FONTUR will return the bid security or the stand by letter of credit to the unsuccessful bidder (s) should they request it, once the contract with the selected bidder is underwritten, or when the contracting process is declared null.

CHAPTER 4 – ENABLING FINANCIAL DOCUMENTS

Interested parties who wish to present a tender for the contracting process must present the following documentation in order to verify their financial standing:

a. Financial statements: General Balance and Profit and Loss Statements to December 31, 2012, and related Notes to the Financial Statements, signed by an Accountant and the Statutory Auditor, when this position is required according to the bylaws or the law.

In the case of a foreign bidder, financial statements must be presented in Colombian pesos and according to the provisions stipulated in this document for documents granted abroad.

In the case of Consortiums or Joint Ventures, the individual members must present their individual financial statements.

b. Copy of the professional card of the Accountant and the Statutory Auditor (if this position is required): In addition a copy of the certificate of personal records for the Accountant and the Statutory Auditor who underwrite and pass judgment on the Financial Statements, issued by the Central Accounting Board must be attached. These certificates must be valid at the time the current process closes.

In the case of foreign bidders, should this requirement not be applicable in the country or origin, the legal representative must attest to the fact, according to the legislation of the country of origin. This statement will be taken under oath, and the document presented to the CONSORCIO ALIANZA TURÍSTICA - FONDO DE PROMOCIÓN TURÍSTICA.

c. Copy of the Income Tax Statement for Fiscal Year 2012: For those who are required to present an income or equity statement, according to the provisions stipulated in section two, Article 620 of the Tax Law.

Foreign bidders, without a Colombian domicile, must present the equivalent tax statement for their country of origin. Should there be no obligation to present the aforementioned statement in the country of origin, either the statutory auditor, or the legal representative must certify payment of the taxes for which the organization is responsible, according to the legislation of the country of origin. This statement will be taken under oath, and the document presented to the CONSORCIO ALIANZA TURÍSTICA - FONDO DE PROMOCIÓN TURÍSTICA.

In the case of Consortiums or Joint Ventures, each member must present a copy of his/her Income Tax Statement for fiscal year 2012.

d. Copy of the Taxpayer Identification (RUT):

In the case of a foreign individual or corporation, without a Colombian domicile, a copy of the equivalent document in the country of origin, according to the requirements stipulated for documents issued abroad. Should this requirement not exist, a statement will be taken under oath, and the document presented to the CONSORCIO ALIANZA TURÍSTICA - FONDO DE PROMOCIÓN TURÍSTICA.

e. Bank certificate: indicating that the bidder has a numbered account with a Financial Institution.

In the case of Consortiums of Joint Ventures, each of the members must present their bank certificates individually.

EVALUATION OF FINANCIAL INDICATORS - (Enabling)

Tenders will be subject to a quantitative evaluation process by the CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO according to.... Financial indicators will be calculated based on the financial information provided.

The bidder will be financially enabled if it has: an Equity Indicator above 0%; an Indebtedness Index, less than or equal to 70% and a Liquidity Index greater than or equal to 1.

INDICATOR	PARAMETERS CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO
LIQUIDITY INDEX Current assets /Current liabilities	1 %
INDEBTEDNESS INDEX Total liabilities / Total assets	70 %
EQUITY INDEX	0%

Whenever the tender is presented by a consortium, joint venture or any other type of associations, the financial verification will be made on the sum of the Consolidated Financial Statements for the members of the association that present the tender.

CHAPTER 5 - TENDER SELECTION CRITERIA

The selection criteria for the selection process are as follows:

CRITERIA	SCORE
5.1.1. ATTESTATION OF LOCATION KNOWLEDGE	ENABLING/NON ENABLING
5.1.2. GENERAL EXPERIENCE	ENABLING/NON

	ENABLING
5.2.1 SPECIFIC EXPERIENCE	100 POINTS
5.2.2. TASK TEAM	100 POINTS
5.2.3. AMOUNT OF ECONOMIC PROPOSAL	100 POINTS
TOTAL	300 POINTS

5.1 ENABLING REQUIREMENTS

5.1.1. ATTESTATION OF KNOWLEDGE OF THE LOCATION WHERE THE TECHNICAL STUDIES AND DESIGNS WILL BE EXECUTED

The BIDDER must attach to the tender a certificate that attests to his/her knowledge of the location where the technical studies and architectural designs will be carried out, and the current conditions of the location. This statement will be taken under oath.

The aforementioned certificate of knowledge of the location where the technical studies and architectural designs will be carried out, indicates that the bidders have sufficient knowledge of the location where the activities will be developed; therefore the selected contractor may not present any future claims originating from his/her lack of knowledge of the current state of the zone, the work place, access and other elements relevant to the conditions where the object of the tender will be executed.

5.1.2. GENERAL EXPERIENCE: ENABLING

The bidder must complete the BIDDER EXPERIENCE FORM, checking the GENERAL box. Only the maximum number of requested contract will be evaluated, in the order listed in the form. If the form is not completed, only the first certifications presented with the original tender will be evaluated, up to the maximum number of contracts requested.

In order to verify general experience, the bidder must confirm at least two (2) and maximum four (4) consulting contracts in study and design, executed and completed in the last eight (8) years from the closing date of the current process, for which the purpose is related to the study and design of convention centers, cultural and/ or museographical centers, city planning, geometric road design, and whose sum is at least one hundred percent (100%) of the contract stipulated in this document, in Colombian Legal Minimum Current Monthly Salaries (S.M.M.L.V.) of the year the contract was completed.

Experience must be accredited by the contracting entities. In order to do this, the bidder must attach the certificate or the contract together with the Liquidation Act, underwritten by the contractor. Clarifications to the information registered in the act, or to the documentation the evaluation committee deems necessary, may be requested to validate the experience.

Contract certifications and Liquidation Acts that verify general experience must complete the following requirements:

1. Name or company name of the contractor
2. Name or company name of the contracting party
3. Number and purpose of the contract.
4. Initiation and termination dates.
5. Execution value
6. The certificate must be duly underwritten by the issuer, on behalf of the contractor.
7. If the certificate is issued to a consortium or joint venture, the percentage of participation for each of the members must be stipulated.
8. If the document includes several contracts, it must clearly stipulate if these are additional contracts to the original or new contracts, and include each of the individual terms and amounts.
9. Self-signed certificates are not accepted.

Should the certificate fail to comply with the requirements, the relevant criteria will be considered "Non-enabling".

Whenever the bidder provides information relevant to its participation in a consortium or joint venture, the participation stipulated in the BIDDER GENERAL EXPERIENCE FORM will be used for evaluation purposes, to determine the percentage of the value of the contract.

The Manager for the Fondo Nacional de Turismo reserves the right to verify the information presented. In case of falsehood or inaccuracies, the bidder will be disqualified and the proposal eliminated.

5.2. QUALIFYING REQUIREMENTS:

In order for the contract to be granted one enabled (1) bid that complies with the stipulated requirements will suffice.

This current open invitation to present bids will select only one bidder. The bids will be evaluated according to the following evaluation factors, on a total maximum score of three hundred (300) points.

The contracting entity will verify the minimum legal, financial and technical enabling requirements, required for the presentation of the bid, and will then proceed with the evaluation, verifying that the bid totally adjusts to the general and specific conditions for the invitation, in the following manner:

5.2.1. SPECIFIC EXPERIENCE: (100)

The bidder must complete the BIDDER EXPERIENCE FORM, checking the specific box. Only the maximum number of requested contract will be evaluated, in the order listed in the form. If the form is not completed, only the first certifications presented with the original tender will be evaluated, up to the maximum number of contracts requested.

In order to verify specific experience, the bidder must confirm a maximum four (4) contracts, executed and completed in the last eight (8) years from the closing date of the current process, where the following activities are developed:

- Study and design of urban planning projects
- Design of interactive educational projects
- Design of urban roadways and traffic management
- Designs for event centers with a minimum capacity of 1,000 square meters (M2) including air conditioning and acoustic designs.

The above-mentioned activities may be included in one contract, or developed individually. Specific experience may be validated through the same general experience contracts. Validation of specific experience must be completed in the same manner as for general experience:

1. Name or company name of the contractor
2. Name or company name of the contracting party
3. Number and purpose of the contract.
4. Initiation and termination dates.
5. Execution value
6. The certificate must be duly underwritten by the issuer, on behalf of the contractor.
7. If the certificate is issued to a consortium or joint venture, the percentage of participation for each of the members must be stipulated.
8. If the document includes several contracts, it must clearly stipulate if these are additional contracts to the original or new contracts, and include each of the individual terms and amounts.
9. Self-signed certificates are not accepted.

For each validated activity, the bidder will receive one hundred (100) points. If the activity is not validated, or the document presented is not valid, the bidder will receive zero (0) points.

The specific experience score is calculated according to the following formula, rounded to the nearest unit.

$$CE = \frac{CE_1 + CE_2 + \dots + CE_n}{n}$$

n

Where: **CE** = Specific experience score

CE_i = Score for each specific activity

n = Number of specific activities

5.2.2. TRAINING AND EXPERIENCE OF THE PROFESSIONALS AND EXPERTS WHO MAKE UP THE WORK TEAM (100)

The bidder must complete the KEY PROFESSIONALS FORM. Only the Candidate Profiles included in the form will be evaluated, one for each position requested. If the form is not completed, only the first candidates presented with the original tender will be evaluated, one for each position requested.

Post graduate studies, in subjects relevant to the profession or activity requested will be validated as years of general experience according to the following equivalence: Specialization, 1 year; Masters, 2 years; Doctorate, 3 years.

In order to verify experience the copy of the diplomas must be attached, and the following included:

1. For Colombian professionals a copy of the professional card, or certificate stating the date of issue of the professional card, must be attached.
2. Should the bidder select a foreign professional to execute the purpose of the contract, a validation certificate from the Ministry of Education, or a temporary permit issued by the regulating entity for each profession, must be presented to the Contract's Controller in order to begin the process.

Each key professional must present a signed letter indicating their intent to participate in the Project for the bidder. Any professional who does not include the letter of intent will not be considered.

No professional may present a letter of intent for more than one bid; should this occur he/she will not be considered for evaluation in any of the bids in which he/she is participating.

POSITION	PROFESSION	MINIMUM GENERAL EXPERIENCE REQUIRED	MINIMUM SPECIFIC EXPERIENCE REQUIRED	DEDICATION
Consulting director	Civil engineer or architect	Eight (8) years or more general experience from the date of issue of	18 months specific experience as consulting director in projects	100%

		his/her professional card	concerning events centers, and involving urban development, verified through certificates stating the time worked in each project	
Architectural consultant	Architect	Six (6) years or more general experience from the date of issue of his/her professional card	18 months specific experience working in projects concerning events centers, auditoriums, and urban development, verified through certificates stating the time worked in each project	100%
Structural consultant	Civil engineer with specialization in structures	Six (6) years or more general experience from the date of issue of his/her professional card	18 months specific experience working in projects concerning events centers, verified through certificates stating the time worked in each project	70%
Museographic consultant	Professional in museography or professional specialized in museography	Six (6) years or more general experience from the date	18 months specific experience working in museographic	50%

		of issue of his/her professional card	development projects verified through certificates stating the time worked in each project	
Road consultant	Civil or road engineer with specialization in road design, traffic and transport.	Six (6) years or more general experience from the date of issue of his/her professional card	18 months specific experience working in projects concerning geometric road design and traffic management plans verified through certificates stating the time worked in each project	50%

The certificates of experience for the professionals must include the following information:

- a) Name or company name of the Company or Individual for whom he/she worked
- b) Name of the professional.
- c) Name and description of the project in which he/she worked.
- d) Position and dedication.
- e) Initiation and termination dates of the position.
- f) Execution value.
- g) The certificate must be duly underwritten by the issuer, on behalf of the contractor.
- h) Self-signed certificates are not accepted.

In addition, the Contractor must guarantee that he/she will have the necessary professionals and technicians available to address any issues regarding the different specialties for the activities contemplated in the project. As part of the economic bid, the bidder must include the cost and time of the key professionals and minimum additional professionals, technicians and managers required.

The bidder will receive 100 points for each qualified position in the work team, if the candidate presented complies with all the profession, general and specific experience requirements. If he/she does not comply with the requirements or a candidate is not presented for the position, the bidder will receive 0 points.

The score for each work team will be calculated according to the following formula, rounded to the nearest unit.

$$CP = \frac{CP_1 + CP_2 + \dots + CP_n}{n}$$

Where: CP = Work team score

CP_i = Score for each professional or key specialist requested

n = Number of key qualified positions required

In addition to the abovementioned professionals, the bidder must guarantee that he/she has the following personnel available, who although are not subject to verification, are required for the completion of the contract:

Minimum number of additional positions required

Position	Profession	Dedication	Specific experience requested
Environmental consultant	Environmental engineer	50%	Accreditation of Environmental license development
Plumbing network consultant	Plumbing engineer	50%	Plumbing network design
Electrical, voice and data consultant	Specialized Electrical engineer	35%	Electrical network design
Mechanical consultant	Mechanical engineer	35%	Ventilation network design
Geotechnical consultant	Civil engineer with specialization in geotechnology	30%	Soil survey consultation
Landscaping and urban consultant	Architect with specialization in urban design	50%	Consulting and urban and landscaping design

Sound consultant	Sound engineer	35%	Acoustic consulting in 1,000 M2 event center projects
Topographer	Topographer	20%	Road and building surveys
Draftsman 1	Architect or draftsman	100%	Participates in building projects

As part of the bid, the bidder must present the cost and dedication of the key professionals, the minimum required personnel and any other deemed necessary for the execution of the project.

Should the professional responsible for each area not perform to standards, the Controller may request they replace the professional or professionals in question in order to guarantee a quality final product within the stipulated time period.

Note: Should any of the professionals fail to comply within the evaluation phase, once the contract is awarded, and prior to signing the contract, the bidder must present all the resumes for the requested professionals who comply with the general and specific experience requirements. If after a maximum of eight (8) business days the totality of professionals is not presented, the contract will not be underwritten and the next bidder in line will be called forth, whom must also comply with the request within the stipulated time period. Should this second bidder fail to comply, the process will be declared null.

If during the execution period, the professionals or key professionals presented, and/or the minimum professionals requested are not working according to the terms of reference and the bid itself, FONTUR Management will impose a penalty of three (3) minimum Legal Minimum Current Monthly Salaries (S.M.M.L.V.) for each professional not working, for the number of calendar days the worker is absent.

The contractor may replace a professional or professionals who has been approved by the Controller or Supervisor, by duly presenting the resume for the new professional, who must at least comply with the minimum general and specific experience, the academic background and minimum profile requested; if the candidate fails to comply with the aforementioned, the Controller may accept the candidate if he/she deems him/her able; however, FONTUR Management will impose a penalty of one (1) minimum Legal Minimum Current Monthly Salaries (S.M.M.L.V.) for each professional who fails to comply with the profile requested in the terms of reference, for each calendar day in which a professional is replaced by another with a lesser capacity.

5.2.3. ECONOMIC PROPOSAL:

The bidder must bear in mind that it is a FIXED NON ADJUSTABLE FEE, which must be presented physically and electronically on an Excel spreadsheet, including the following aspects, among others:

All amounts must be adjusted to the nearest unit, without decimals and in Colombian pesos COP.

Complete the FEE BUDGET FORM, including all boxes related to:

1. Personnel expenses (position, monthly fee, term in months, partial value)
2. Multiplication factor
3. Total personnel costs
4. Other direct costs (description, unit, unit price, quantity, partial amounts)
5. Total other direct costs
6. Cost Sub total
7. VAT
8. Total amount

The bidder must also complete the MULTIPLICATION FACTOR ANALYSIS FORM. Should he/she fail to do so, a 10 point penalty will be applied to the bid score.

All bid amounts must be adjusted to the nearest unit, without decimals and in Colombian pesos COP. FONTUR Management will verify that the bid has no mathematical errors. The multiplying factor presented in the MULTIPLICATION FACTOR ANALYSIS FORM will be used in calculating any errors in the bid. Should there be any multiplication or addition errors of the partial amounts, the FONTUR Manager will rectify the situation and amend the amount of the bid; this adjusted bid will be accepted by the bidder if the contract is awarded. If the bidder refuses to accept it, the bid security will be made effective. If the difference between the original and the amended bid is greater than 1%, the bid will be refused.

The amended bid may not exceed 100% of the Estimated Budget, nor be lower than 80%, if the amount of the amended bid is outside the stipulated limits it will be refused,

The bidder with the amended bid closest to and below the geometric mean will receive a score of one hundred (100) points. In order to calculate the geometric mean, the amended amounts of all the bids presented will be used, and the following formula applied:

$$MG = \sqrt[n]{PE_1 \times PE_2 \times PE_3 \times \dots \times PE_n}$$

MG = Geometric mean

PE_i = Amended bid for each bidder

n = Number of enabled bids presented

For the remaining amended bids, 10 points each will be deducted from those below the geometric mean, and once these are exhausted, 10 point each will be deducted from those above the geometric mean.

5.4. BID TIE-BREAKER

Should two bids have the same final score, the following procedure will apply:

The first place will be awarded to the bid with the highest **SPECIFIC EXPERIENCE SCORE**.

If the tie break continues, the first place will be awarded to the bid with the highest **ECONOMIC PROPOSAL VALUE** score.

If the tie break continues, a drawing will be held between the interested parties, on a date, time and place which will be communicated to the interested parties, and where the following procedure will occur:

1. In the presence of the CONSORCIO ALIANZA TURÍSTICA - FONDO DE PROMOCIÓN TURÍSTICA employees, and the Legal Representatives (or Representatives) of the interested parties, the names on the tie break list will be confirmed.
2. The names of the bidders on the list will be cut up, one by one.
3. Each ballot will be folded in two.
4. All ballots will be placed in a non-transparent envelope or bag, and whichever comes out first will be awarded the contract.

CHAPTER 6 - CONTRACTUAL MATTERS

In addition to the conditions stipulated in this document, in the general conditions for the terms of reference and the CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO Contracting Manual, the bidder agrees to accept those conditions that according to the law all contracts must comply with.

Regarding the execution of the contract, the following aspects must be considered:

6.1 CONTRACT EXECUTION REQUIREMENTS

The following documents, which are considered essential for the execution of the contract, must be delivered by the contractor to the Deputy Legal Office of the CONSORCIO ALIANZA TURÍSTICA -FONDO DE PROMOCIÓN TURÍSTICA within the following five (5) business days of signing the contract.

Performance guarantee, as described in the contract and the general conditions for the terms of reference, together with the corresponding payment receipt, if any.

6.2. SUFFICIENCY OF THE GUARANTEE – RISK ASSOCIATED WITH FAILURE TO COMPLY WITH CONTRACTUAL OBLIGATIONS:

In order to guarantee compliance of the obligations associated with the contract, the bidder must take out an individual insurance policy, with an Insurance Agency duly authorized by the Colombian Finance Superintendence, which has a credit rating issued by an institution certified by the aforementioned Superintendence, and which covers the following risks:

Compliance of the obligations arising from the contract itself. The Performance guarantee must be granted for a sum equal to twenty percent (20%) of the value of the contract, and its validity must be equal to the term of execution plus six (6) months, from the date of issue.

Quality of Service, the quality guarantee must be granted for a sum equal to fifteen percent (15%) of the value of the contract, and its validity must be equal to the term of execution plus six (6) months, from the date of issue.

Proper management and investment of the advance for 100% of the value of the advance and a validity equal to the term of execution plus six (6) months, from the date of issue.

Payment of wages, social security and compensation for a sum equal to five percent (5%) of the value of the contract, and its validity must be equal to the term of execution plus three (3) years, from the date of issue.

6.3. GENERAL CONTRACTOR OBLIGATIONS:

The following activities are considered necessary for the fulfillment of the aforementioned purpose:

During the term of the contract, the Contractor/Consultant agrees to perform the following activities:

Technical activities: All those required to complete the studies and designs according to the spatial and operational requirements stipulated in the selection and contracting processes, and according to the current regulations for the specific type of project.

In order to complete the studies and designs, the Consultant must keep within the framework of the purpose stipulated for the selection and contracting process, and its supporting documentation.

Fully comply with the inherent obligations of the contract, according to the stipulated conditions, manner and terms.

Review all documentation and information provided during the selection and contracting process, or that found in other sources, in order to present a document which reflects the state of the aforementioned information and supporting technical documentation in the design. To this end, the consultant must consult with the necessary specialists regarding any specific issues, consider the tendencies on energy efficiency, when sustainability applies, and the use of economic and ecofriendly materials.

Prepare a management information and technical support report regarding any aspects that the consultant has identified and considers should be included.

Prepare geotechnical, hydrological and topographic studies of the plot, if applicable. Prepare surveys and architectural studies, structural and pathological studies of the existing structures involved, if applicable. Prepare urban and road design when applicable.

Prepare the different architectural draft alternatives and the designs for the public utility networks that apply, sewer and drainage systems, power, gas, public lighting, and other services required.

Once the alternative is chosen, prepare the architectural, structural, hydro sanitary, power, gas, voice and data network, and fireproof network designs that apply to the projected buildings. Prepare the designs for special installations such as air conditioning, elevators, freight lifts, PETAR, PETAR, septic tanks, electrical ramps, wheelchair lift, electromechanical elements, docks, and any other required and scheduled elements, when applicable.

Prepare additional designs regarding any roofing, doors, windows, furniture and fixtures required.

Prepare the general and specific technical specification for the construction of the designed works, following current regulations for each of the items stipulated in the budget.

Prepare a unit price analysis for each of the items stipulated in the budget, in such a manner that it coincides with the name and unit of measure for the items included in the Budget Chart. The unit price analysis must include materials, transportation, labor, tools and equipment required.

Prepare a development budget by chapter, clearly and precisely indicating the name of each item, the unit of measure, the unit price and the quantity; duly supported by the calculation report for the quantities. Prepare all floor plans, cutting plans and facades, construction details required to understand the architectural project, technical structural designs, hydro-sanitary and electrical designs, gas, voice and data networks, and special installations, as well as fixtures. All plans must be signed by the professional in charge, including name and professional card number, and endorsed by the Controller.

Guarantee the quality of the services rendered and the professionalism of the work team.

Organize biweekly design committee meetings, inviting consulting and controller personnel when required, during the whole time period in which the studies and design are being developed, in order to define the applicable parameters. Personnel from the Vice Ministry of Tourism and FONTUR Management may participate in the design. All acts must be duly underwritten. The approval or the design must be endorsed by the Controller, and all recommendations by the Vice Ministry of Tourism and FONTUR Management must be taken into consideration.

Studies and designs must be prepared according to Colombian earthquake proof, electrical, water, gas, public utilities, safety and comfort regulations, land use and environmental legislation, and all other current national and territorial legislation. Designs must be prepared in coordination with all other studies and designs considered and required for the fulfilment of the purpose of the contract.

- The results for the studies and designs prepared by the Consultant must be previously reviewed and approved by the Controller, before the deadline for the execution of the consulting contract, and then verified by the Vice Ministry of Tourism and FONTUR Management.
- The Consultant is responsible for all proceedings and formalities required for the procurement and approval of studies and designs, as well as all proceedings and procurement of planning and building licenses required, availability of public utilities, environmental licenses, and any other license required for the execution of the project.
- The Consultant must be constantly in contact with the Controller, in order to obtain the approval for the basic documentation that supports the development of the products inherent to the studies and designs.
- Develop each one of the aspects required to comply with the scope of the consulting project, according to contract guidelines.

- Prepare a PowerPoint presentation including all approved aspects in order to contribute with the communication processes for the Project.

Management, finance and legal activities: Those required to adequately manage the consulting contract, its personnel, and guarantee compliance with current legislation.

- Prior to starting any relevant activity, the Contractor must provide the Contract supervisor with the supporting documentation that verifies the quality and general and specific experience of the key professionals and the minimum personnel required and presented to execute the contract. Should the Contractor fail to comply with this provision, the Controller will apply the corresponding penalties stipulated in the contract.
- Guarantee that the main key professional work team presented will be the one used in the execution of the contract. Once the contract is underwritten, should the Contractor wish to replace any on the team members, he/she must guarantee that the individual complies with the minimum stipulated selection process requirements.
- Provide the professionals or technicians required to successfully complete the Project, in addition to the minimum personnel required. Guarantee that all professionals who work in project activities have a valid professional license or card, if applicable.
- Compliance of labor obligations will be of particular importance to the contract Controller; failure to comply, including unjustified absences by one or several of the team members, will result in penalties, as stipulated in the contract.
- Accept responsibility at his/her own risk, for the payment of wages, social benefits, compensation and fees for the personnel associated with the execution of the contract; clearly stipulating that there is no employment relationship of the personnel with FONTUR Management, non any liability arising from this contract.
- Respond to any type of claim, judicial or extrajudicial, presented, promoted or contributed by its personnel or subcontractors against FONTUR Management, due to the contract. Confirm that payments to the Comprehensive Social Security System, the National Learning Service (SENA), the Family Welfare Institute (ICBF) and the Family Welfare Funds are up to date.
- Respond, according to the terms stipulated by law, for the compliance of obligations arising from the consulting contract, due to acts or omissions attributable to the Contractor, and that cause damages to FONTUR Management, arising from the signing and execution of the contracts where he/she has acted in the capacity of Consultant.
- Compensate and/or respond for damages caused to third parties, to third party or personal assets, or to the personnel hired for the execution of the contract, due to the development of the contract itself.
- Respond for the payment of taxes accrued due to the signing, execution and liquidation of the contract.
- Promptly respond to any requirements presented by the Controller. Comply with the work plan presented and the commitment of the professionals, delivered by the Consultant according to the provisions stipulated during the contracting process. Should an amendment be required, supporting documentation and the corresponding proposal must be presented, as long as the proposal is not inferior in quality.

- As a requirement, after the termination of the contract, and the receipt and approval of the designs, the Consultant must accompany the Constructor who has been chosen to execute the construction in order to answer any doubts regarding the studies and designs presented as a result of this Consulting process. The Consultant will be responsible for the cost of these visits, which must be included in the total value of the Contract. At least one visit must be stipulated, plus any that the Consultant deems necessary according to the complexity of the design. The Consultant must participate in the advance and presentation of deliverable meetings. In addition, the Consultant must adjust any of the contents presented according to the observations or recommendations suggested.
- The Consultant agrees to respond for the compliance of the obligations arising from the Consulting Contract, according to Colombian legislation. Prepare and underwrite the Act of Initiation for the execution of the contract, prior compliance of the necessary requirements.
- Participate in any meetings relevant to the works associated to the purpose of the Consulting process, outside the project's work area, in the Vice Ministry of Tourism offices or the FONTUR Management offices, and underwrite the corresponding minutes prepared by the Controller, ensuring that all issues addressed, commitments acquired by the parties and the decisions taken are included therein.
- Prepare and deliver any documents within the time limits stipulated in the work plan approved by the Controller; present any reports requested by FONTUR Management, in order to keep all contract development information up to date.
 - Prepare and present any reports required.

Obligations prior to underwriting the Act of Initiation: Within the following five (5) days of underwriting the contract, the Contractor must present the performance guarantee according to the stipulated terms. In addition, within the following five (5) days of underwriting the contract, the Contractor must present the following document for Controller approval:

- Work Plan presenting a detailed description of the method suggested for the execution of the consulting process, for each phase, task force and project activities; including mechanisms for the analysis, evaluation and implementation of the performance proposed for the execution of the consulting process within the time period stipulated, records, products and reports.
- In the Work Plan include the execution schedule for the works, and a document stipulating the position and duties of the professional and technical personnel required for the execution of the contract, including key professionals and required personnel during the selection process, with their corresponding resumes and academic and work certificates.
 - Management and investment plan for the advance, when applicable.

Progress and management reports: During the execution of the aforementioned works, the Contractor-Consultant must prepare and deliver to the Controller the following

reports, in addition to the executive reports required by the Contract Controller of FONTUR Management.

Phase delivery Report for payment: - Summary of the activities and development of the consulting process. List of delivered products expected for each phase, including supporting documentation. – Supporting documentation for payments to the Social Security System, - Supporting documentation for amortization of the advance. The Report and all documentation must be delivered with the approval of the Controller, together with the corresponding invoice.

Final Report: Summary of the activities and development of the consulting process. Design plans approved by the Controller and duly signed by the Consulting Director and relevant professionals. Construction Budget, including an analysis of unit process and technical specifications for each item. – Soil, topographic and hydrological surveys, a study of the demand and all other studies required. Results for the material tests and other tests performed. Environmental management and social management plans. General recommendations – Free and clear certificate, regarding all matters, from the professionals and subcontractors. This report must be delivered within the following fifteen (15) days of the date of termination of the execution of the contract.

6.4. SPECIFIC OBLIGATIONS

In order to comply with the aforementioned purpose, the following obligations are deemed necessary:

Prior to signing the Act of Initiation, the Contractor must present a Work Schedule including all activities that comprise the development and execution of the contract. The schedule must include a time frame for the development of the project, indicating activities and responsible parties for each stage, and specifying intermediate projects, such as preliminary designs, architectural projects, drafts and technical designs, budgets, and final products, in order to control both the investment and the guidelines for the design.

During the development of the contract, the Consultant must deliver the following items according to the different phases of the Project:

FASE 1. FIELD WORK, DIAGNOSIS AND ALTERNATIVES

In order to begin this phase the contractor must have underwritten the Act of Initiation, prior compliance of all requirements. A desk study and field work will be completed as well as the alternatives for architectural designs.

Survey:

- Survey including plants and terrain profiles with the geographical coordinates of the plot and the neighboring blocks, for the proposal of the roundabout and road design.
- Rural roads.
- Mooring certificates, or in the absence of these, GPS data.
- Location of material milestones, preferably the same BM with their corresponding coordinates.
- Descriptive report on the work performed.
- Identification and survey of existing public utility networks for the plot.

Soil study and geotechnical concepts:

This report includes a risk and vulnerability and geological risk study and the level of exposure in the project's area of influence. In addition, the parameters and recommendation for the construction of new equipment and the consolidation study regarding structural analysis and earthquake vulnerability will be determined. Stratigraphic profile records, lab results (Atterberg limits, sieving granulometry, natural humidity, unified classification of soils, apparent density of the foundation materials, angle of internal friction of the soil, cohesion, among others), load bearing capacity, foundation strata, foundation alternatives, soil profile, location quotient results, and the analysis for the proper management of high water tables and/or piezometric surfaces, with a minimum of 15 drill holes, will be provided. In addition, recommendations will be made regarding management of areas with inadequate materials, excavations, cuts and fills required for the adaptation of the terrain.

Architectural drafts

- Basic schemes: Present three basic scheme alternatives, for evaluation by the Ministry of Commerce, Industry and Tourism, FONTUR Management and the Office of the Governor, in which the space required, the types of materials to be used and all other schemes and additional descriptions are clearly indicated.
- Proposal for materials.
- Proposal for the roundabout.
- Identification of alternatives for the clean energy proposal.
- Identification of existing public utility networks for the plot.
- Advances in the collection of information for the environmental management plan and other required permits.

PHASE 2 GENERAL DESIGN

In order to begin this phase, the contractor must have the approval of Ministry of Commerce Industry and Tourism and FONTUR for the prior phase. During this phase the contractor must

develop the revision, adjustments and complements for the chosen alternative, and prepare the general technical studies.

Architectural project

Location plans and general plans for the architectural design of floor plans, cutting plans and facades where each element is clearly indicated, all plans must have reference heights, widths and in general all necessary benchmarks, a clear description of the types of materials, construction procedures and all schemes or addition descriptions required for clarification purposes, following the proper scale and easily understood.

Structural project

All plans where the structural concept is defined, the structural calculations report and all other documentations regarding NSR-10 must be provided.

Hydro-sanitary project

Hydro-sanitary, firefighting network and plant and profile calculation reports and proposals will be provided, all components of the hydro-sanitary networks, including connections and waste water treatment for the project, according to the current environmental legislation.

Electrical Project

General design, plant and profile plans, all components of the substations, support, connections, electrical networks, lighting and others required for the project will be provided. Calculation reports according to the RETIE and other current and applicable regulations.

Acoustic Project

General acoustic design plans, calculations, schemes, equipment and recommendations according to current applicable regulations for the type of use of the Project, will be provided.

Interactive Museum project

General design plans for interactive educational systems, active equipment for educational areas, reports, schemes, equipment and applicable recommendations for the type of use of the project are provided.

Special Installations

Design plans and reports on air and ventilations systems, safety networks, audiovisual systems and fire alarms are provided.

Environmental Study

Includes the diagnosis of environmental conditions, identification and mitigation of impacts, waste water drainage and solid residue management, location for material procurement sources, and the observance of sustainable development of the project; study of local and regional current regulations.

Landscaping and Urban Project

Landscaping, urban, and urban furnishings design will be provided, with the scheme reports and recommendations for pedestrian integration to the Cultural Center for Vallenato Music (Centro De Eventos y Cultural de La Música Vallenata) and the Governorship of Cesar.

Road Project

The geometric road design and integration with the fiftieth anniversary roundabout will be provided, with the scheme reports and recommendations for the integration of the Cultural Center for Vallenato Music (Centro De Eventos y Cultural de La Música Vallenata), and updates on the procurement of the corresponding licenses and permits for the development of the project will be reported.

Interior Design

Conceptual preliminary studies must be presented, including sketches and suggested materials for flooring, furniture, wood finishings, paint, facing, architectural drawings for woodworking and special constructions, with the purpose of presenting the complete information, and including general and detailed plans to the proper scale, required for a perfect and complete interpretation, and where details can be clearly appreciated.

PHASE 3. COMPREHENSIVE ARCHITECTURAL AND TECHNICAL DESIGNS

In order to begin this phase, the contractor must have the approval for the previous stage, by the Ministry of Commerce Industry and Tourism and FONTUR. In this phase the contractor must review, adjust and add to the architectural designs and all other technical studies.

Architectural and Technical Designs

- During this phase the definitive general plans, and construction details (to scale) for the perfect and complete interpretation and further execution must be provided for the following elements.
- Architectural project, floors, cuts, facades, details, perspectives and other necessary aids for its comprehension and construction.
- Technical designs, floor, cuts and necessary details for its comprehension and constructions. Calculations reports and designs (structural, electrical, hydro-sanitary, firefighting networks, and air conditioning systems).

Interior Design

All general and detailed plans (to the appropriate scale) must be presented in order to obtain a perfect and complete interpretation, where the details can be clearly appreciated.

Environmental Study

The final study on the Environmental Impact and/or Environmental Management Plan for the Project must be delivered, including all documentation required by the competent authorities.

Landscaping and Urban Project

The landscaping, urban and urban furnishings design will be provided, together with the scheme reports and recommendations for the pedestrian integration to the Cultural Center for Vallenato Music (Centro De Eventos y Cultural de La Música Vallenata) and the Governorship of Cesar.

Road Project

The geometric road design and integration with the fiftieth anniversary roundabout will be provided, with the scheme reports and recommendations for the integration of the Cultural Center for Vallenato Music (Centro De Eventos y Cultural de La Música Vallenata).

Special Installations

Design plans and reports on air and ventilations systems, are provided.

Interactive Museum Project

General and detailed design plans for interactive educational systems, active equipment for educational areas, reports, schemes, equipment and applicable recommendations for the type of use of the project are provided.

Technical Specifications, Budget, Licenses and Permits

- Technical specifications for each of the activities to be developed, including description, materials and tools, construction procedures, resistance, units of measure and payment.
- List of basic materials with prices for the region (certificate of amounts issued by a municipal agency).
- Analysis of unit prices per item or activity.
- Calculation report for construction amounts.
- Detailed construction timeline.
- General construction budget, by item and chapter.
- Proceeding for obtaining a construction license, environmental permits, availability of public utilities and other necessary permits for the construction and operation of the Project, at the expense of the contractor.
- The accessory or element report is also part of the deliverables, as is any other element associated with the activities to develop or that are involved in its operation.

Descriptive Report of the Project

A descriptive report justifying the project must be provided, together with the basic plans in a legible size, in addition to a PowerPoint presentation or similar, including renders.

Note 1: The project must be environmentally sustainable and must present alternative energy and waste water treatment solutions.

Note 2: The contractor is responsible for the management and procurement of permits and licenses, at his/her expense.

Note 3: The contractor must offer support to the Contractor who executes the project, during the time period in which it is developed.

6.5. DELIVERABLES:

The Consulting Project basically includes the execution of the Technical Studies and Designs for the Cultural Center for Vallenato Music, based on technical, social, cultural, environmental and economic arguments. The activities to be developed in this type of studies include the following deliverables:

Planimetric surveys

Architectural designs and details

Soil studies and geotechnical concepts Electrical designs

Communication, voice and data networks

Hydro-sanitary installations, firefighting and gas networks
Structural design
Special mechanical installations networks (air conditioning, safety networks, fire alarms)
Design of acoustic installations
Environmental design
Interior design
Landscaping and urban design
Design for the solution to the fiftieth anniversary roundabout and traffic management plan
Design for the incorporation of the Government Plaza and the Centro de Eventos y Cultural de la Música Vallenata
Museographic and interactive design

6.6. OBLIGACIONES OF THE CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO

The CONSORCIO ALIANZA TURÍSTICA - FONDO NACIONAL DEL TURISMO agrees to:

- 1) Pay the contractor according to the terms and conditions agreed in the contract.
- 2) Implement the controls required to successfully execute the contract.
- 3) Offer the CONTRACTOR its' full support in order to develop the purpose of the contract according to the terms of reference, the general conditions of the terms of reference and all other documentation that is part of the contract, such as clarifications, addendums and the offer presented by the CONTRACTOR.
- 4) Consider any observation or recommendation presented by the CONTRACTOR during the term of execution of the contract.

6.7. TERM OF EXECUTION OF THE CONTRACT

The estimated term for the execution of the contract will be four and a half months (4.5), from the date in which the Act of Initiation is underwritten in conjunction with the Contract Supervisor, prior underwriting and legalization of the latter, and approval of the guarantees.

6.8. METHOD OF PAYMENT

EL CONSORCIO ALIANZA TURÍSTICA – FONTUR will pay the Contractor the amount of the contract in the following manner:

- a) 20% of the total contract amount as an advance, prior approval of the corresponding insurance policies, Act of Initiation, approval of the advance investment plan by the Controller and corresponding invoice from the Contractor to the Manager of the Fondo Nacional de Turismo.
- b) Three equal payments of 30% against the Partial Acts of Receipt of products underwritten by the Consultant and the Controller. For each of the underwritten acts a third of the advance will be deducted as amortization, until 100% of the advance is complete. The three partial payments will be made according to the delivery of the following products:

- First payment against a satisfactory receipt of phase 1 products.
- Second payment against a satisfactory receipt of phase 2 products.
- Third payment against a satisfactory receipt of phase 3 products.
- c) Final payment of 10% of the value of the contract, with the underwriting of the Bilateral Liquidation Act for the Contract, prior underwriting of the Final Consulting Act by the Consultant and the Controller, underwriting of the Delivery Act and Final Receipt of the Project by the Consultant, the Controller and the Manager for the Fondo Nacional de Turismo and Vice Ministry of Tourism, Final report presented by the Consultant, approved by the Controller and the corresponding licenses and permits required.

For each payment, if the contractor is a corporation, it must present an invoice or bill, certified by the Statutory Auditor or the Legal Representative where it stated that it has paid all amounts due to the Social Security System, SENA (National Learning Service), ICBF (Family Welfare Institute), etc. In the case of individuals, the payments slips indicating Social Security payments must be presented. From the abovementioned amounts, taxes and retentions will be discounted according to legal regulations.

Paragraph 1: From the abovementioned amounts, taxes and retentions will be discounted according to legal regulations.

Note: In any event, and according to the specific requirements, the method of payment may be amended, during the pre-contractual phase, prior to the contract being underwritten

