



The BACW's Bidding Commission hereby present questions made by companies with their respective answers.

*REMARK: The questions presented in this "Questions and Answers" shall be numbered as they are received by the Bidding Commission and may not match the numbering provided by the companies.*

*Therefore, the Bidding Commission has answered previous questions on July 18, 2017, August 21, 2017, August 22, 2017, August 24, 2017, and August 31, 2017 and they are published on BACW's website.*

**Question 23** – *Item 28.2.3.1.1 of the Invitation For Bid – "A fine may be applied due to partial inexecution of adjustment in the amount of 0.2% of CONTRACT amount." Is this fine per incident? And is the fine for the total amount left in the contract or for the beginning total amount of the contract?*

**Answer** – First and foremost, it is important to mention what is foreseen on item 28.1 of the IFB "For the application of administrative sanction the following must be taken into account: gravity of flaw, the relapse, and damage caused to Public Interest, loss to Administration." Furthermore, the CONTRACTED PARTY has the right to a fair defense, and the right to appeal to the application of fines within 5 (five) business days.

The fine is applied in regards to the total Contract amount, per incident.

**Question 24** – *Item 28.2.3.1.2 of the Invitation For Bid "...10% of updated CONTRACT amount". The 10% will be from what is left of the contract at that time? Or from the total contract amount? Please clarify UPDATED CONTRACT AMOUNT.*

**Answer** – First and foremost, it is important to mention what is foreseen on item 28.1 of the IFB "For the application of administrative sanction the following must be taken into account: gravity of flaw, the relapse, and damage caused to Public Interest, loss to Administration." Furthermore, the CONTRACTED PARTY has the right to a fair defense, and the right to appeal to the application of fines within 5 (five) business days.

The fine shall be applied to the total updated contract amount, which reflects the original contract amount at time of signature and any amendment that it may have incurred during its execution.

Furthermore, the Brazilian Aeronautical Commission appreciates the question, and stands available to clarify and explain any doubts or concerns in order to increase the BID quality. Any questions or concerns must be submitted to [con@cabw.org](mailto:con@cabw.org)

*Note: This information has been made available at BACW website in the publishing for the related Bidding Process.*  
<http://www.cabwnews.com/index.php/solicitations.html>