

EXECUTIVE OFFICE OF THE PRESIDENT
DEPUTY UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

November 22, 2006

The Honorable Jorge Humberto Botero
Minister of Commerce, Industry and Tourism
Ministerio de Comercio, Industria y Turismo
Bogotá, Colombia

Dear Minister Botero:

In connection with the signing on this date of the United States – Colombia Trade Promotion Agreement (the “Agreement”), I have the honor to confirm the following understanding reached by the Governments of the United States of America and Colombia during the course of the negotiation of Chapter Nine (Government Procurement):

A procuring entity of Colombia may not reduce the time limit for submission of a tender pursuant to paragraph 3 of Article 9.5 unless the United States and Colombia agree that Colombia has demonstrated its ability to comply with the requirements in that paragraph. If Colombia notifies the United States in writing that it has implemented an electronic procurement system that would enable it to comply with paragraph 3 of Article 9.5 and the United States does not object within 60 days of the receipt of the notification, Colombia may reduce the time limit for submission of a tender pursuant to paragraph 3 of Article 9.5. If the United States objects, Colombia shall not reduce its time limit for tendering under paragraph 3 of Article 9.5.

I have the honor to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an integral part of the Agreement.

Sincerely,



John K. Veroneau

[Courtesy Translation]

November 22, 2006

The Honorable John K. Veroneau
Deputy United States Trade Representative
Washington, DC

Dear Ambassador Veroneau:

I have the honor to acknowledge receipt of your letter of this date, which reads as follows:

“In connection with the signing on this date of the United States – Colombia Trade Promotion Agreement (the “Agreement”), I have the honor to confirm the following understanding reached by the Governments of the United States of America and Colombia during the course of the negotiation of Chapter Nine (Government Procurement):

A procuring entity of Colombia may not reduce the time limit for submission of a tender pursuant to paragraph 3 of Article 9.5 unless the United States and Colombia agree that Colombia has demonstrated its ability to comply with the requirements in that paragraph. If Colombia notifies the United States in writing that it has implemented an electronic procurement system that would enable it to comply with paragraph 3 of Article 9.5 and the United States does not object within 60 days of the receipt of the notification, Colombia may reduce the time limit for submission of a tender pursuant to paragraph 3 of Article 9.5. If the United States objects, Colombia shall not reduce its time limit for tendering under paragraph 3 of Article 9.5.

I have the honor to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an integral part of the Agreement.”

I have the honor to confirm that my Government shares the understanding expressed in your letter and to confirm that your letter and this letter in reply shall constitute an integral part of the Agreement.

Sincerely,

Jorge Humberto Botero
Minister of Commerce, Industry and Tourism
