

FEDERAL PUBLIC SERVICE
MJSP - FEDERAL POLICE
PURCHASING DIVISION - DCOMP/CLC/CGAD/DLOG/PF

Notice No. 14-2025-DICOMP/CLC/CGAD/DLOG/PF

Process No. 08200.030040/2025-06



Document signed electronically by **ANDRE LUIS LIMA CARMO, Director**, on 10/13/2025, at 4:11 p.m., according to the official time in Brasília, based on art. 6, § 1, of [Decree No. 8,539, of October 8, 2015](#).



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Verification code: **143024103** and CRC code: **749AAE5D**.

ELECTRONIC AUCTION

CONTRACTOR

(200334)

OBJECT

Purchase of 3,000 firearms, rifle/carbine type, caliber 5.56x45 mm - NATO, and accessories for the Federal Police.

TOTAL CONTRACT VALUE

R\$78,350,280.00 (seventy-eight million, three hundred and fifty thousand, two hundred and eighty reais)

DATE OF PUBLIC SESSION

November 7, 2025, at 2 p.m. (Brasília time)

Judgment Criteria:

Lowest price

Bidding method:

Open and closed

FAVORABLE TREATMENT ME/EPP/EQUIVALENTS

NO

PREFERENCE MARGIN FOR ANY ITEM

NO

ELECTRONIC AUCTION

(Administrative Process No. **08200.030040/2025-06**)

It is hereby made public that **the FEDERAL POLICE, through the GENERAL ADMINISTRATION COORDINATION, headquartered at Edifício Multibrasil Corporate Setor Comercial Norte Q. 4 - Asa Norte, Brasília – DF, CEP 70714-000**

, will hold a bidding process for price registration, in the form of **an ELECTRONIC AUCTION**, in ELECTRONIC form, pursuant to Law No. 14,133, of April 1, 2021, Decree No. 11,462, dated March 31, 2023, and other applicable legislation, and also in accordance with the conditions set forth in this Notice.

1. OBJECT

1.1. The object of this bid is **the acquisition of firearms, type rifle/carbine, caliber 5.56x45 mm - NATO**, according to the conditions, quantities, and requirements established in this Notice and its annexes.

1.2. The bid will be held as a single item.

2. PRICE REGISTRATION

2.1 The rules regarding the managing and participating bodies, as well as any adhesions, are those contained in the draft Price Registration Minutes.

3. PARTICIPATION IN THE BIDDING PROCESS

3.1. Those interested in participating in this tender must be previously accredited in the Unified Supplier Registration System (SICAF) and the Federal Government Procurement System (www.gov.br/compras). _

3.2. Interested parties must meet the conditions required for registration in SICAF by the third business day prior to the date set for receipt of bids.

3.2.1. The bidder is solely and formally responsible for the transactions carried out in their name, and assumes their proposals and bids as firm and true, including acts performed directly or by their representative, excluding the responsibility of the system provider or the agency or entity promoting the bidding for any damages resulting from the misuse of access credentials, even by third parties.

3.2.2. Foreign companies may participate in this tender through a legal representative who, duly equipped with a document accrediting them to participate in this bidding procedure, will be responsible for their client through formal and express authorization from the same.

3.3. The bidder is solely and formally responsible for the transactions carried out in its name, and assumes that its proposals and bids are firm and true, including acts performed directly or by its representative, excluding the liability of the system provider or the agency or entity promoting the bidding for any damages resulting from the misuse of access credentials, even by third parties.

3.4. It is the responsibility of the registrant to check the accuracy of their registration data in the Systems listed in the previous item and to keep them updated with the bodies responsible for the information, and to immediately correct or change the records as soon as they identify any inaccuracies or if they become outdated.

3.5. Failure to comply with the provisions of the previous item may result in disqualification at the time of qualification.

3.6 The following are not eligible to participate in this bidding process:

3.6.1. those who do not meet the conditions of this Notice and its annex(es);

3.6.2. companies that perform activities incompatible with the object of the bid;

3.6.4. foreign companies that do not have legal representation in Brazil with express powers to receive summons and respond administratively or judicially;

3.6.5. the author of the preliminary draft, basic draft, or executive draft, whether an individual or legal entity, when the bid concerns the supply of goods related thereto;

3.6.6. a company, individually or in a consortium, responsible for preparing the basic project or executive project, or a company in which the author of the project is an officer, manager, controller, shareholder, or holder of more than 5% (five percent) of the voting capital, technical manager, or subcontractor, when the bid concerns the supply of goods necessary for it;

3.6.7. individuals or legal entities that, at the time of the bidding process, are unable to participate in the bidding process as a result of sanctions imposed on them;

3.6.8. anyone who has a technical, commercial, economic, financial, labor, or civil relationship with a manager of the contracting agency or entity or with a public official who performs a function in the bidding process or acts in the supervision or management of the contract, or who is their spouse, partner, or relative in a direct line, collateral line, or by affinity, up to the third degree;

3.6.9 parent companies, subsidiaries, or affiliates, under the terms of Law No. 6,404, of December 15, 1976, competing with each other;

3.6.10. individuals or legal entities that, in the five (5) years prior to the publication of the notice, have been convicted by a final and unappealable court decision for exploiting child labor, subjecting workers to conditions analogous to slavery, or hiring adolescents in cases prohibited by labor legislation;

3.6.11 Civil Society Organizations of Public Interest (OSCIP), acting in this capacity;

3.7. Public officials of the contracting agency or entity may not participate, directly or indirectly, in the bidding process or the execution of the contract, and situations that may constitute a conflict of interest during or after the exercise of their position or employment must be observed, in accordance with the legislation governing the matter, pursuant to § 1 of Article 9 of Law No. 14,133 of 2021.

3.8. The impediment referred to in item 3.10.7 shall also apply to bidders acting on behalf of another person, whether natural or legal, with the intention of circumventing the effectiveness of the sanction imposed on them, including their parent company, subsidiary, or affiliate, provided that the illegal act or fraudulent use of the bidder's legal personality is duly proven.

3.9. At the discretion of the Administration and exclusively at its service, the author of the projects and the company referred to in items 3.10.5 and 3.10.6 may participate in supporting the activities of planning the contract, executing the bid, or managing the contract, provided that they are under the exclusive supervision of public officials of the agency or entity.

3.10. Companies belonging to the same economic group are considered equivalent to the authors of the project.

3.11. The provisions of items 3.10.5 and 3.10.6 do not prevent bidding that includes as a charge to the contractor the preparation of the basic project and the executive project, in integrated contracts, and the executive project, in other execution regimes.

3.12. In bids and contracts carried out within the scope of projects and programs partially financed by an official foreign cooperation agency or by an international financial organization with financing or national counterpart funds, individuals or legal entities that are on the list of persons sanctioned by these entities or that are declared unfit under the terms of Law No. 14,133 of 2021 may not participate.

3.13. The prohibition referred to in item 3.11 extends to third parties who assist in the contracting process as members of the support team, specialized professionals, or employees or representatives of companies that provide technical advice.

3.14. Foreign companies may participate in this tender through a legal representative who, duly equipped with a document accrediting them to participate in this bidding procedure, will be responsible for their client by means of formal and express authorization from the latter.

3.15. In addition to being able to participate through a representative, foreign companies that do not operate in Brazil may participate in bidding procedures, waivers, unenforceability, and administrative contracts on their own behalf by registering directly with Sicaf, using a specific identification code provided by the system.

3.16. To participate in the bidding process, the documents required for the registration levels referred to in Article 6 of IN 03 /2018 SEGES/MPDG may be met by equivalent documents, initially presented with a free translation.

3.17. Foreign companies that do not operate in Brazil may participate on their own behalf or through individual or legal representatives. To submit a bid, participants or their representatives must be registered at Levels I, II, III, V, and VI of Sicaf and registered with Comprasnet.

3.18. Foreign documents from countries whose official language is Portuguese do not require certified translation.

3.19. The consularization requirement is waived for countries that are signatories to the Hague Apostille Convention, which are only required to apostille the documentation.

3.20. Foreign companies that are unable to submit the documentation required in this Notice and in the Terms of Reference in order to participate in the tender, due to the absence of an equivalent instrument or due to specific legislation in the bidder's country of origin, must submit a declaration in SICAF or signed by the company's legal representative, in a simple translation. For the signing of the contract or the price registration minutes,

the Administration may request that such a statement, regarding the non-existence or prohibition of the presentation of equivalent documentation due to legislation or internal determination of the country of origin, be authenticated by the respective consulate in Portuguese (Brazilian), translated by a sworn translator in Brazil.

3.21. It is the responsibility of the registrant to check the accuracy of their registration data in the Systems listed in the previous item and to keep them updated with the agencies responsible for the information, and to immediately correct or change the records as soon as they identify any inaccuracies or if they become outdated.

3.22. Failure to comply with the provisions of the previous item may result in disqualification at the time of qualification.

4. ESTIMATED BUDGET

4.1. The estimated budget for this contract shall not be confidential.

5. SUBMISSION OF PROPOSALS AND QUALIFICATION DOCUMENTS

5.1. In this bidding process, the qualification phase will follow the proposal and bid submission and evaluation phases.

5.2. Bidders shall submit, exclusively through the electronic system, the proposal with the price or discount percentage, according to the evaluation criteria adopted in this Notice, by the date and time established for the opening of the public session.

5.3. When registering the initial proposal, the bidder shall declare, in the appropriate field of the system, that:

5.3.1. is aware of and agrees to the conditions contained in the notice and its annexes, as well as that the proposal submitted covers all costs for compliance with labor rights guaranteed in the Federal Constitution, labor laws, in infra-legal norms, in collective bargaining agreements, and in the terms of conduct adjustment in force on the date of its final delivery, and that it fully complies with the qualification requirements defined in the call for bids;

5.3.2. it does not employ minors under the age of 18 in night work, dangerous or unhealthy work, and does not employ minors under the age of 16, except for minors aged 14 and over, as apprentices, under the terms of Article 7, XXXIII, of the Constitution;

5.3.3. it does not have employees performing degrading or forced labor, in accordance with the provisions of items III and IV of Article 1 and item III of Article 5 of the Federal Constitution;

5.3.4. complies with the requirements for reserving positions for persons with disabilities and for persons rehabilitated by Social Security, as provided for by law and other specific regulations.

5.4. Any false statements in the above items will subject the bidder to the penalties provided for in Law No. 14,133 of 2021 and in this Notice.

5.5. Bidders may withdraw or replace the proposal and the qualification documents previously entered into the system until the opening of the public session.

5.6. There will be no ranking order during the stage of submission of the bid and qualification documents by the bidder, which will only occur after the procedures for opening the public session and the bidding phase.

5.7. The documents comprising the proposals of the bidders invited to submit proposals will be made available for public access after the bidding phase.

5.8. Once the feature is available in the system, bidders will be able to set their minimum final price or maximum discount percentage when registering their bid, subject to the following rules:

5.8.1. the application of the minimum difference in values or percentages between bids, which will apply both to intermediate bids and to the bid covering the best offer; and

5.8.2. bids will be sent automatically by the system, respecting the minimum final value, if established, and the range referred to in the sub-item above.

5.9. The minimum final value or maximum final discount percentage set in the system may be changed by the supplier during the dispute phase, but the following is prohibited:

5.9.1. a value higher than the bid already registered by the supplier in the system, when the lowest price criterion is adopted;

5.10. The minimum final value or maximum final discount percentage set in accordance with item 5.13 shall be confidential to other suppliers and to the agency or entity promoting the bid, and may be made available strictly and permanently to external and internal control bodies.

5.11. Bidders interested in participating in the bidding process are responsible for monitoring operations in the electronic system during the bidding process and for any losses resulting from failure to observe messages issued by the Administration or from disconnection.

5.12. Bidders must immediately notify the system provider of any event that may compromise confidentiality or security, so that access can be blocked immediately.

5.13. The award criterion will be the lowest price per item.

5.14. In the case of companies that benefited from Law No. 12,546 of 2011, price proposals must be submitted with the rates in force, pursuant to Law No. 14,973 of 2024, applicable for the year in which the proposal is submitted.

5.15. At the request of the contracted company, the contract price may be revised, pursuant to art. 134 c/c art. 136, I, of Law No. 14,133, of 2021, after an effective increase in tax rates, in accordance with the transition regime provided for in Articles 9A and 9B of Law No. 12,546, of 2011, as amended by Law No. 14,973, of 2024.

6. COMPLETION OF THE PROPOSAL

6.1. The bidder must submit their proposal by filling in the following fields in the electronic system:

- a) unit and total value of the item;
- b) Brand;
- c) Manufacturer;
- d) Quantity quoted;
- e) Detailed description of the item, containing the information contained in the specification in ANNEX I - technical specification of the Terms of Reference: indicating the brand and model, warranty period, and all accessories and equipment.

6.2. All specifications of the item contained in the proposal are binding on the bidder.

6.2.1. The bidder may NOT offer a bid in a quantity lower than the maximum provided for in the contract.

6.2.2. The decision not to allow bidders to submit bids for quantities below the maximum amount specified for the contract is based on the following considerations:

- a) Ensuring equality among competitors, avoiding unequal conditions of participation;
- b) Ensuring economic advantage for the Public Administration, optimizing costs based on economies of scale;
- c) Promoting efficiency in contract management and execution, avoiding fragmentation that compromises contract coordination and control; and
- d) Meet the entire demand, ensuring that the agency's needs are fully met.

6.2.3. Thus, prohibiting bids for lower quantities is a measure that ensures the competitiveness, efficiency, and advantageous nature of the bidding process.

6.2.3. Include the following statements and presentation of what is requested in the body of the bid or in a separate document:

I - Description of the item, with all its characteristics, specifications, accessories, as well as the country of manufacture, brand, model, and reference, which must meet the minimum characteristics required by the Administration contained in the Terms of Reference.

II - Declaration of awareness that the omission of any expense or cost necessary for the perfect execution of the object of this bid will be interpreted as non-existent or already included in the prices, and the bidder may not claim any additions after the delivery of the proposal.

III - Declaration that the bid submitted fully complies with the specifications and conditions established in this Notice.

IV - Declaration of compliance with equipment delivery deadlines, committing to meet the definitions contained in the Terms of Reference and in this Notice.

V - Statement preferably expressed in the following terms: the prices offered include expenses with materials, labor, social, labor, tax, social security, and commercial charges, freight, transportation, insurance, packaging, brazing, applicable taxes, exemptions (immunities), personnel training, and any other expenses that apply or may apply to the object of this bid.

6.3. The proposed amounts shall include all operating costs, social security, labor, tax, commercial, and any other charges that directly or indirectly affect the execution of the object.

6.4. The prices offered, both in the initial proposal and in the bidding stage, shall be the sole responsibility of the bidder, who shall not be entitled to claim any change on the grounds of error, omission, or any other pretext.

6.5. If the company's tax regime involves the payment of taxes at variable rates, the appropriate quotation shall be that which corresponds to the average of the company's actual payments over the last twelve months.

6.5.1. Under the non-cumulative PIS and COFINS tax regime, the appropriate quotation shall be that which corresponds to the average of the rates actually paid by the company, as evidenced at any time by Digital Tax Bookkeeping (EFD-Contribuições) documents for PIS/PASEP and COFINS for the last twelve (12) months prior to the submission of the proposal, or by other appropriate means.

6.6. Regardless of the tax percentage entered in the spreadsheet, the percentages established in the current legislation will be withheld at source upon payment.

6.7. In this tender, micro and small businesses may benefit from the Simples Nacional tax regime.

6.8. The submission of bids implies mandatory compliance with the provisions contained therein, in accordance with the provisions of the Terms of Reference, with the bidder undertaking to execute the tendered object in accordance with its terms, as well as to supply the necessary materials, equipment, tools, and utensils, in quantities and qualities appropriate for the perfect execution of the contract, promoting, when required, their replacement.

6.9. The bid shall be valid for at least **60 (sixty)** days from the date of its submission.

6.10. Bidders must comply with the maximum prices established in the rules governing federal public procurement when participating in public tenders.

6.11. If the judging criterion is the lowest price, bidders must comply with the maximum prices set forth in the Terms of Reference;

6.12. Failure to comply with the above rules may result in liability before the Federal Court of Auditors and, after due legal process, generate the following consequences: signing of a deadline for the adoption of the necessary measures for strict compliance with the law, pursuant to Article 71, item IX, of the Constitution; or conviction of the responsible public officials and the contracted company to pay damages to the treasury, if overpricing is found to have occurred in the execution of the contract.

- 6.13. The prices offered, both in the initial proposal and in the bidding stage, shall be the sole responsibility of the bidder, who shall not have the right to claim any change on the grounds of error, omission, or any other pretext.
- 6.14. If the supplier is not the manufacturer of the product, they must submit a statement from the manufacturer ensuring that the products supplied will maintain the same original warranty and maintenance policies as the manufacturer.
- 6.15. It shall be the sole and entire responsibility of the bidder to obtain, from the competent authorities, whether abroad or in Brazil, information on the incidence or non-incidence of taxes, duties, and fees of any nature due for the supply of the object of this bid, in the domestic and/or foreign markets, considering the respective encumbrances in their proposals, and no claim of ignorance of tax incidence or other related matters shall be accepted.
- 6.16. The proposed amounts shall include all operating costs, social security, labor, tax, commercial, and any other charges that directly or indirectly affect the execution of the object.
- 6.17. Foreign bidders must include in the price of the item the cost of international transport insurance, international freight, customs clearance, and other applicable costs, taxes, and fees, considering the International Trade Terms - INCOTERMS 2020 - DPU - Delivered At Place Unloaded - as well as the cost of storage, handling, transportation/freight to the place of delivery in the city of Brasília-DF, Brazil. as well as "tax equalization" based on § 4, art. 52 of Law No. 14,133, of April 1, 2021, contained in Annex IV - Price Proposal Model in order to preserve competition and equality in the bidding process, to be defined in the public notice.
- 6.18. Be responsible for all necessary assistance to the Customs Broker, duly accredited by the Foreign Trade System (SISCOMEX), for effective customs clearance with customs authorities and other government agencies that may be involved in the process of regularizing the entry of the object of this bid into the country, whose responsibility for the selection, hiring and payment of the fees of the Customs Brokerage Company ("Broker") shall be exclusively at the expense, risk, and responsibility of the CONTRACTED company.
- 6.19. Any tax, cost, or expense, direct or indirect, related to the supply of the object of this bid, omitted or incorrectly quoted in the proposal, will be considered included in the price, and it will not be possible to claim additions under this argument.
- 6.20. The omission of any expense or cost necessary for the perfect execution of the object of this bid will be interpreted as non-existent or already included in the prices, and the bidder may not claim any additions after the delivery of the proposal.
- 6.21. If the company's tax regime involves the payment of taxes at variable rates, the appropriate quotation shall be that which corresponds to the average of the company's actual payments over the last twelve months.
- 6.22. Regardless of the tax percentage entered in the spreadsheet, the percentages established in the current legislation will be withheld at source upon payment.

Equalization of Bids

- 6.23. The prices offered, both in the initial proposal and in the bidding stage, will be the sole responsibility of the bidder, who will not have the right to claim any changes on the grounds of error, omission, or any other pretext.
- 6.24. The bidder may submit their proposal and bids in Brazilian Real, Euro, or US Dollar; however, to register in the Government Procurement system, it is necessary to inform the value in Brazilian Real, given the limitation of the system, which does not have automatic currency conversion.

6.25. Despite the possibility of submitting bids in foreign currency, it should be clarified that the Government Procurement system does not yet allow the registration of bids in foreign currency. In this regard, during the bid evaluation phase, when the duly signed bid attachment is requested, the company may submit the bid in foreign currency; however, in the system, all amounts must be converted and recorded in Brazilian Real, as this is the currency allowed by the electronic system.

6.26. In general terms, the equalization of bids consists of the simulated addition of the cost of taxes that burden the final sale of the object of the bid in the domestic market by a Brazilian or foreign company operating in the country to bids submitted by foreign companies that do not operate in the country.

6.22. This is therefore a simulation, carried out by the agent or contracting commission, for the sole purpose of evaluating bids, i.e., the Administration does not bear the cost related to these taxes if a foreign company that does not operate in the country is declared the winner after the tax equalization of bids, provided that all other requirements of the bid notice are met.

6.27. The price bids submitted by foreign bidders, for evaluation purposes, shall be increased by the taxes applicable to Brazilian companies, in compliance with Article 52, § 4, of Law No. 14,133/21, and duly detailed in Annex IV - Bid Template.

6.28. Brazilian and foreign bidders must show the breakdown of tax amounts in their bids, and equalization must be considered until the final bids. Only when the dispute is closed, if the winning bid is from a foreign company, will the final bid price be entered into the system in the "negotiated value" field with a tax-free value, due to the tax immunity of public entities, considering the import in their name.

6.29. For the purposes of the provisions of Article 52, § 4, of Law No. 14,133/21, the taxes for tax equalization will be the IPI (Tax on Industrialized Products), contributions to the PIS (Social Integration Program) and COFINS (Contribution for Social Security Financing), and the ICMS (Tax on Operations relating to the Circulation of Goods and on Interstate and Intermunicipal Transportation and Communication Services), as per Annex IV - Bid Template.

6.30. There will be no equalization of import rates, as this would cause a breach of equality, with greater costs for foreign bidders, which would violate Article 9, II, and Article 52, § 6, both of Law No. 14,133/21.

6.31. For the purposes of equalizing bids, foreign companies shall register their bids with prices converted into Brazilian currency (Real - R\$), according to the calculation memorandum contained in Annex IV - Bid Template.

6.32. The amounts proposed in foreign currency (dollar or euro) must be converted into Real at the PTAX exchange rate on the day prior to the bid.

6.33. Attached to these Terms of Reference are two price proposal templates (Annex IV - Proposal Template) – one for domestic or nationalized companies; the other for foreign companies that do not operate in the country.

6.34. In the price proposal for domestic or nationalized companies, the unit price and unit cost of taxes levied on the goods must be itemized.

6.35. In turn, the price proposal for foreign companies not operating in the country must only specify the unit price of the equipment, without considering the incidence of taxes applied in Brazil.

7. OPENING OF THE SESSION, CLASSIFICATION OF BIDS, AND FORMULATION OF BIDS

- 7.1. The opening of this bid will take place automatically in a public session, via an electronic system, on the date, time, and location indicated in this Notice.
- 7.2. Bidders may withdraw or replace their bids or qualification documents, where applicable, previously entered into the system, until the opening of the public session.
- 7.3. The system will provide a specific field for the exchange of messages between the Auctioneer and the bidders.
- 7.4. Once the competitive stage has begun, bidders must submit bids exclusively through the electronic system and will be immediately informed of their receipt and the amount recorded in the registry.
- 7.5. Bids must be submitted for the unit price of the item.
- 7.6. Bidders may submit successive bids, observing the time set for the opening of the session and the rules established in the Notice.
- 7.7. Bidders may only offer bids lower than or a higher discount percentage than the last bid they offered and recorded by the system.
- 7.8. The minimum difference in values or percentages between bids, which will apply both to intermediate bids and to the bid covering the best offer, shall be **R\$100.00 (one hundred reais)**.
- 7.9. The bidder may, on one occasion only, exclude their last bid within fifteen seconds of its registration in the system, in the event of an inconsistent or unfeasible bid.
- 7.10. The procedure will follow the adopted bidding method.
- 7.11. If the **"open and closed"** bidding mode is adopted for submitting bids in the auction, bidders will submit public and successive bids, with a final and closed bid.
- 7.11.1. The bidding stage of the public session will have an initial duration of fifteen minutes. After this period, the system will send a notice of imminent closure of bids, after which a randomly determined period of up to ten minutes will elapse, at the end of which the receipt of bids will be automatically closed.
- 7.11.2. Once the period specified in the previous subitem has ended, the system will open an opportunity for the author of the lowest bid and those with bids up to 10% (ten percent) higher than that to offer a final and closed bid within five minutes, which will remain confidential until the end of this period.
- 7.11.4. In the procedure referred to in the above sub-item, the bidder may choose to maintain their last bid from the open stage or to offer a better bid.
- 7.11.5. If there are not at least three bids under the conditions defined in this item, the authors of the best subsequent bids, in order of classification, up to a maximum of three, may offer a final and closed bid within five minutes, which will remain confidential until the end of this period.
- 7.11.6. After the deadlines established in the previous items have expired, the system will sort and disclose bids in ascending order of value.

- 7.12. After the deadlines established in the previous sub-items have expired, the system will order and disclose the bids in ascending order of value.
- 7.13. Two or more bids of the same value will not be accepted; the bid that is received and registered first will prevail.
- 7.14. During the public session, bidders will be informed in real time of the lowest bid recorded, without identifying the bidder.
- 7.15. In the event of disconnection with the Auctioneer/Contracting Agent/Commission during the competitive stage of the bidding process, the electronic system may remain accessible to bidders for the receipt of bids.
- 7.16. When the disconnection of the electronic system for the Auctioneer/Contracting Agent/Commission persists for more than ten minutes, the public session will be suspended and restarted only after twenty-four hours have elapsed since the Auctioneer/Contracting Agent/Commission communicated the fact to the participants on the website used for disclosure.
- 7.17. If the bidder does not submit bids, they will compete with the value of their proposal.
- 7.18. For items not exclusively for micro and small businesses, once the bidding stage is over, the Federal Revenue Service will automatically check the size of the business entity if the contract does not fall under the prohibitions of paragraphs 1 and 2 of Article 4 of Law No. 14,133 of 2021. The system will identify participating micro and small businesses in a separate column and compare them with the values of the first-place bidder, if it is a larger company, as well as the other classified companies, for the purpose of applying the provisions of Articles 44 and 45 of Complementary Law No. 123, of 2006, regulated by Decree No. 8,538, of 2015.
- 7.19. There can only be a tie between equal bids (not followed by bids), or between final bids in the closed phase of the open and closed bidding process.
- 7.20. In the event of a tie between bids or bids, the tiebreaker criteria shall be those provided for in Article 60 of Law No. 14,133 of 2021, in this order:
- 7.20.1. final dispute, in which case the tied bidders may submit a new bid immediately after the classification;
 - 7.20.2. evaluation of the previous contractual performance of bidders, for which registration records should preferably be used to certify compliance with the obligations set forth in this Law;
 - 7.20.3. development by the bidder of actions promoting gender equality in the workplace, in accordance with regulations;
 - 7.20.4. development by the bidder of an integrity program, in accordance with the guidelines of the control bodies.
- 7.21. If the tie persists, preference will be given, successively, to goods and services produced or provided by:
- 7.21.1. Brazilian companies;
 - 7.21.2. companies that invest in research and technology development in the country;
 - 7.21.3. companies that prove mitigation practices, under the terms of Law No. 12,187, of December 29, 2009.
- 7.22. Once all other tiebreaker criteria provided for by law have been exhausted, the winning bidder will be chosen by lottery, in a public ceremony to which all bidders will be invited, with no other process permitted.

7.23. Once the bidding stage of the public session has ended, if the winning bid remains above the maximum price or below the discount defined for the contract, the Auctioneer may negotiate more advantageous conditions after the result of the judgment has been defined.

7.23.2. Negotiations may be conducted with the other bidders, according to the order of classification initially established, when the first-ranked bidder, even after negotiation, is disqualified because its bid remains above the maximum price set by the Administration.

7.23.3. The negotiation will be carried out through the system and may be monitored by the other bidders.

7.23.4. The result of the negotiation will be disclosed to all bidders and attached to the bidding process records.

7.23.5. The Auctioneer shall request the highest-ranked bidder to submit, within two (2) hours, a bid matching the last bid offered after the negotiation, accompanied, if applicable, by any additional documents necessary to confirm those required in this Notice and already submitted.

7.23.6. The Auctioneer may extend the established deadline, based on a reasoned request made by the bidder in the chat room before the deadline expires.

7.24. After negotiating the price, the Auctioneer will begin the proposal acceptance and evaluation phase.

8. JUDGMENT PHASE

8.1. Once the negotiation stage is closed, the Auctioneer/Contracting Agent/Commission will verify whether the bidder provisionally ranked first meets the conditions for participation in the auction, as provided for in Article 14 of Law No. 14,133 of 2021, related legislation, and item 3.10 of the notice, especially regarding the existence of sanctions that prevent participation in the bidding process or future contracting, by consulting the following registries:

8.1.1. SICAF;

8.1.2. National Register of Punished Companies – CNEP, maintained by the Office of the Comptroller General (<https://portal.datatransparencia.gov.br/pagina-interna/603244-cnep>); and.

8.2. The records will be consulted using the name and CNPJ (Corporate Taxpayer ID) of the bidding company.

8.2.1. The consultation in the CNEP regarding the sanctions provided for in Law No. 8,429, of 1992, will also be carried out in the name and CPF of the majority partner of the bidding company, if any, pursuant to Article 12 of the aforementioned law.

8.3. If the bidder's Status Inquiry shows the existence of Indirect Impediments, the Auctioneer will take steps to verify whether there was fraud on the part of the companies listed in the Indirect Impediments Report.

8.3.1. The attempt at fraud will be verified through corporate links, similar supply lines, among others.

8.3.2. The bidder will be summoned to respond prior to any disqualification.

8.3.3. If a sanction is found to exist, the bidder will be deemed ineligible due to lack of participation conditions.

8.4. In the event of a reversal of the qualification and judgment phases, if the conditions for participation are met, the qualification procedure will be initiated.

8.5. If the proposal is accepted in terms of value, the interested party provisionally ranked first must submit a sample, the date, place, and time of which will be disclosed by message in the system, and which will be open to all interested parties, including other interested suppliers. The sample tests will be carried out at the factory of the bidder ranked first. The Auctioneer will require the bidder ranked in first place to submit a sample to the Sample Evaluation Committee, under penalty of non-acceptance of the proposal, at the location to be indicated and within 20 (days) business days from the request, which may be extended for an equal period, provided that the bidder presents the reasons for the extension. The samples will be analyzed during business hours at the bidder's factory, as informed in a chat message, and all expenses related to travel, accommodation, and meals for the commission designated to evaluate the samples will be covered by the Federal Police for the duration of the sample testing.

8.5.1. Any and all circumstances that prevent the commission from traveling within the timeframe specified above will be communicated via chat in the system, with a new date provided each time the session is reopened. Circumstances beyond the control of the Federal Police include budgetary restrictions on travel and per diem allowances, as well as authorization to leave the country, which is the exclusive responsibility of the Minister of Justice and Public Security.

8.5.2. Furthermore, during the sample presentation stage, the qualification documents of the provisionally ranked first bidder will be verified concurrently with the bid evaluation phase, in order to avoid delaying the bidding process by requesting samples (given the deadlines for sample presentation) from a provisionally ranked bidder who, upon analysis, is found to be ineligible because it does not meet the requirements of the notice. This act is performed because the qualification phase follows the bid evaluation phase, thus avoiding delays in the bidding process and allowing for greater speed in the bidding process.

8.6. Once the conditions for participation and use of the preferred treatment have been verified, the Auctioneer will examine the bid ranked first in terms of its suitability for the object and the compatibility of the price in relation to the maximum stipulated for contracting in this Notice and its annexes, in accordance with the provisions of Articles 29 to 35 of SEGES/ME Normative Instruction No. 73, of September 30, 2022.

8.9. The winning bid will be disqualified if:

8.9.1. Fails to submit the samples required by the Terms of Reference within the stipulated period or submits samples that do not comply with the established requirements

8.9.1.1. contains irremediable defects;

8.9.2. does not comply with the technical specifications contained in the Terms of Reference/Basic Project;

8.9.3. presents unfeasible prices or remains above the maximum price defined for the contract;

8.9.4. does not demonstrate its feasibility, when required by the Administration;

8.9.5. present non-compliance with any other requirements of this Notice or its annexes, provided that it is irremediable.

8.10. In the case of goods and services in general, values below 50% (fifty percent) of the amount budgeted by the Administration are indicative of the unenforceability of the proposals.

8.11. In the case referred to in the previous item, non-feasibility will only be considered after the Auctioneer has verified that:

8.11.1. that the bidder's cost exceeds the value of the bid; and

8.11.2. there are no opportunity costs capable of justifying the size of the offer.

8.13. If there are indications that the price proposal is unfeasible, or if further clarification is required, steps may be taken to ensure that the bidder proves the feasibility of the proposal.

8.14. Errors in completing the spreadsheet do not constitute grounds for disqualification of the proposal. The spreadsheet may be adjusted by the bidder within the period indicated by the system, provided that there is no price increase and that it is proven that the price is sufficient to cover all the costs of the contract.

8.14.1. The adjustment referred to in this provision is limited to correcting errors or omissions that do not alter the substance of the proposals;

8.14.2. An error in completing the spreadsheet that can be corrected is considered to be the indication of tax and contribution collection under the Simples Nacional regime, when this regime is not applicable.

8.15. For the purposes of analyzing the proposal in terms of compliance with the specifications of the object, a written statement may be obtained from the department requesting the service or from the area specializing in the object.

8.16. If the Terms of Reference require the submission of a sample, the bidder ranked first must submit it, as stipulated in the Terms of Reference, under penalty of non-acceptance of the proposal.

8.17. The location and time of the procedure for evaluating the samples will be disclosed through a message in the system, and all interested parties, including the other bidders, will be allowed to attend.

8.18. The results of the evaluations will be disclosed via message in the system.

8.19. In the event that the sample is not delivered or there is a delay in delivery without justification accepted by the Auctioneer, or if the sample delivered does not meet the specifications set forth in this Notice, the bidder's proposal will be rejected.

8.20. If the sample(s) submitted by the first-ranked bidder is/are not accepted, the Auctioneer will analyze the acceptability of the bid or offer submitted by the second-ranked bidder. This will be followed by verification of the sample(s) and so on, until one is found that meets the specifications contained in the Terms of Reference.

9. QUALIFICATION PHASE

9.1. The documents provided for in the Terms of Reference, necessary and sufficient to demonstrate the bidder's ability to perform the object of the bid, will be required for qualification purposes, pursuant to Articles 62 to 70 of Law No. 14,133, of 2021.

9.1.1. The documentation required for legal, tax, social, labor, and economic-financial qualification may be replaced by registration with SICAF.

9.2. When foreign companies that do not operate in Brazil are allowed to participate, the qualification requirements shall be met by means of equivalent documents, initially presented in free translation.

9.3. In the event that the winning bidder is a foreign company that does not operate in the country, for the purposes of signing the contract or the price registration minutes, the documents required for qualification shall be translated by a sworn translator in the country and apostilled in accordance with the provisions of Decree No. 8,660, of January 29, 2016, or any other decree that may replace it, or certified by the respective consulates or embassies.

9.4. Foreign documents from countries whose official language is Portuguese are exempt from certified translation.

9.4.1. The consularization requirement is waived for countries that are signatories to the Hague Apostille Convention, which are only required to apostille the documentation.

9.4.2. Foreign companies that are unable to submit the documentation required in this Notice and in the Terms of Reference in order to participate in the bidding process, due to the absence of an equivalent instrument or due to specific legislation in the bidder's country of origin, must submit a statement in SICAF or signed by the company's legal representative, in a simple translation. For the signing of the contract or the price registration minutes, the Administration may request that such a statement, regarding the non-existence or prohibition of the presentation of equivalent documentation due to legislation or internal determination of the country of origin, be authenticated by the respective consulate in Portuguese (Brazilian), translated by a sworn translator in Brazil.

9.5. The documents required for qualification purposes may be submitted in original, by copy, or by ANY OTHER MEANS EXPRESSLY ACCEPTED BY THE ADMINISTRATION.

9.6. The documents required for qualification purposes may be replaced by a registration certificate issued by a public agency or entity, provided that the registration has been made in accordance with the provisions of Law No. 14,133/2021.

9.7. It will be verified whether the bidder has submitted a declaration that it meets the qualification requirements, and the declarant will be responsible for the accuracy of the information provided, in accordance with the law.

9.8. It will be verified whether the bidder has submitted to the system, under penalty of disqualification, a statement that it complies with the requirements for reserving positions for persons with disabilities and for persons rehabilitated by Social Security, as provided for by law and other specific rules.

9.9. The bidder must submit, under penalty of disqualification, a statement that its economic proposals include all costs for compliance with labor rights guaranteed in the Federal Constitution, labor laws, infralegal regulations, collective bargaining agreements, and conduct adjustment terms in force on the date of submission of proposals.

9.10. Qualification will be verified through Sicaf, in the documents covered by it.

9.10.1. Proof of compliance with requirements will only be required through the presentation of original non-digital documents when there is doubt regarding the integrity of the digital document or when expressly required by law.

9.11. It is the bidder's responsibility to check the accuracy of their registration data in Sicaf and keep it up to date with the agencies responsible for the information, and they must immediately correct or change the records as soon as they identify any inaccuracies or if they become outdated.

9.11.1. Failure to comply with the provisions of the previous item may result in disqualification at the time of qualification.

9.12. Verification by the Auctioneer on the official websites of agencies and entities that issue certificates constitutes legal proof for qualification purposes.

9.12.1. Documents required for qualification that are not included in Sicaf shall be sent through the system, in digital format, within TWO (2) HOURS, extendable for an equal period, counted from the request of the Auctioneer/Contracting Agent/Commission.

9.12.2. In the event that the qualification phase precedes the phase of submission of proposals and bids, bidders shall simultaneously submit, through the system, the qualification documents and the proposal with the price or discount percentage, in accordance with the provisions of § 1 of art. 36 and § 1 of art. 39 of SEGES/ME Normative Instruction No. 73, of September 30, 2022.

9.13. Verification in Sicaf or the requirement of documents not contained therein shall only be made in relation to the winning bidder.

9.13.1. The documents relating to tax compliance contained in the Terms of Reference shall only be required, in any case, after the bids have been evaluated, and only from the highest-ranked bidder.

9.13.2. With the exception of the previous subitem, relating to tax compliance, when the qualification phase precedes the bid submission and evaluation phases, the verification or requirement of this subitem will occur in relation to all bidders.

9.15. Once the deadline for submitting the documentation referred to in item 9.12.1 has passed, the Auctioneer may, upon reasoned decision, allow the submission of new qualification documents or the supplementation of information regarding the documents already submitted by the bidders, within two [2] hours, for:

9.15.1 verification of the bidder's eligibility conditions, provided that they result from facts existing at the time of the opening of the tender;

9.15.2. updating documents whose validity expired after the date of receipt of bids;

9.15.3. supplementing the absence of a declaratory document issued unilaterally by the bidder;

9.15.4. supplementing the absence of a certificate and/or declaratory document issued by an agency or entity whose acts enjoy a presumption of veracity and public faith.

9.16. If the deadline passes without the new documentation being sent, this opportunity granted to the bidder will be forfeited, resulting in their disqualification.

9.17. When analyzing the qualification documents, the contracting committee may correct errors or omissions that do not alter the substance of the documents and their legal validity, by means of a reasoned decision, recorded in the minutes and accessible to all, attributing them effectiveness for qualification and classification purposes.

9.18. In the event that the bidder does not meet the qualification requirements, the Auctioneer shall examine the subsequent bid and so on, in order of classification, until a bid that meets the requirements of this notice is found, observing the deadline set forth in subitem 9.12.1.

9.19. Only the qualification documents of the bidder whose proposal complies with the bidding notice will be made available for public access, after the procedures referred to in the previous subitem have been completed.

9.20. Proof of tax and labor compliance by micro and small businesses will only be required for contracting purposes, and not as a condition for participation in the bidding process.

9.21. When the qualification phase precedes the judgment phase and has already been concluded, bidders may not be excluded for reasons related to qualification, except in the case of supervening facts or facts only known after the judgment.

10. CONTRACT TERMS

10.1. The rules relating to the Contract Term are those contained in the Terms of Reference and draft Contract.

10.2. Acceptance of the Commitment Note or equivalent instrument issued to the awarded supplier implies recognition that:

10.3. The successful bidder will have five business days from the date of notification to sign the contract or equivalent instrument, under penalty of forfeiting the right to contract, without prejudice to the penalties provided for in this Notice.

10.4. As an alternative to summoning the party to appear before the agency or entity to sign the Contract Agreement or equivalent instrument, the Administration may: a) send it for signature by registered mail with acknowledgment of receipt (AR), to be signed and returned within 30 business days from the date of receipt; b) provide access to an electronic processing system so that it can be digitally signed within 5 business days; or c) another electronic means, ensuring a period of 5 business days for response after receipt of the notification by the Administration.

10.5. Acceptance of the Commitment Note or equivalent instrument issued to the awarded supplier implies recognition that:

10.6. said Note replaces the contract, applying the provisions of Law No. 14,133, of 2021, to the business relationship established therein;

10.7. the contractor is bound by its proposal and the provisions contained in this Notice;

10.8. the contractor acknowledges that the grounds for termination are those provided for in Articles 137 and 138 of Law No. 14,133, of 2021, and acknowledges the rights of the Administration provided for in Articles 137 to 139 of the same Law.

10.9. The deadlines for items 10.3 and 10.4 may be extended for an equal period, upon justified request by the contractor and acceptance by the Administration.

10.10. The term of the contract is as established in the Terms of Reference.

10.11. Upon signing the contract or equivalent instrument, the Federal Public Sector Unpaid Credit Register (Cadin) and proof of the qualification and contracting conditions set forth in this Notice shall be required, which must be maintained by the supplier during the term of the contract.

10.12. The existence of a record in Cadin constitutes an impediment to contracting.

11. FROM THE PRICE REGISTRATION MINUTES

11.1. Once the bid results have been approved, the highest-ranked bidder will have *five (5)* days from the date of notification to sign the Price Registration Minutes, the validity period of which is specified therein, under penalty of forfeiture of the right to contract, without prejudice to the penalties provided for in Law No. 14,133 of 2021.

11.2. The summons period may be extended once, for an equal period, at the request of the highest-ranked bidder or the summoned supplier, provided that:

11.2.1. the request is duly justified and submitted within the deadline; and

11.2.2. the justification presented is accepted by the Administration.

11.3. The price registration minutes shall be signed by means of a digital signature and made available in the price registration system.

11.4. As many Price Registration Minutes as necessary will be formalized for the registration of all items included in the Terms of Reference/Basic Project, indicating the winning bidder, the description of the item(s), the respective quantities, registered prices, and other conditions.

11.5. The registered price, with the indication of suppliers, will be disclosed in the PNCP and made available during the term of the price registration minutes.

11.6. The existence of registered prices will imply a commitment to supply under the established conditions, but will not oblige the Administration to contract, allowing for a specific tender for the intended acquisition, provided that it is duly justified.

11.7. In the event that the invited party does not sign the price registration minutes within the established deadline and conditions, the Administration is entitled to invite the remaining bidders from the reserve list, in order of classification, to do so within the same deadline and under the conditions proposed by the first classified bidder.

11.8. The price registration minutes shall be valid for one (1) year and may be extended for an equal period and in the same quantities, provided that the advantageous price is proven.

12. FORMATION OF THE RESERVE REGISTRY

12.1. After the bid is approved, the following shall be included in the minutes, in the form of an annex:

12.1.1 of the bidders who agree to quote the object at a price equal to that of the winning bidder, observing the classification in the bid and excluding the percentage referring to the preference margin, when the object does not meet the requirements set forth in art. 26 of Law No. 14,133, of 2021; and

12.1.2. bidders who maintain their original bid

12.2. The order of classification of bidders or suppliers registered in the minutes will be respected in the contracting process.

- 12.2.1. The submission of new bids in accordance with this item shall not affect the outcome of the tender in relation to the highest-ranked bidder.
- 12.2.2. For the purposes of the ranking order, bidders or suppliers who agree to quote the same price as the winning bidder shall precede those who maintain their original bid.
- 12.3. The qualification of bidders who will make up the reserve list will be carried out when there is a need to contract the remaining bidders, in the following cases:
 - 12.3.1. when the winning bidder fails to sign the price registration minutes within the deadline and under the conditions established in the notice; or
 - 12.3.2. when the supplier's registration or price registration is canceled, in the cases provided for in Articles 28 and 29 of Decree No. 11,462, of 2023.
- 12.4. In the event that none of the bidders who agreed to quote the object at a price equal to that of the winning bidder agree to the contract under the terms and conditions proposed by the first-ranked bidder, the Administration, observing the estimated value and its possible adjustment as provided for in the notice, may:
 - 12.4.1. call the bidders who maintained their original bid for negotiation, in order of classification, with a view to obtaining a better price, even if above the price of the successful bidder; or
 - 12.4.2. award and sign the contract under the conditions offered by the remaining bidders, observing the order of classification, when negotiations for better conditions are unsuccessful.

13. APPEALS

- 13.1. The filing of appeals regarding the evaluation of bids, the qualification or disqualification of bidders, and the cancellation or revocation of the bid shall comply with the provisions of Article 165 of Law No. 14,133 of 2021.
- 13.2. The appeal period is three (3) business days from the date of notification or the date the minutes are drawn up.
- 13.3. When the appeal challenges the evaluation of bids or the qualification or disqualification of a bidder:
 - 13.3.1. the intention to appeal must be expressed immediately, under penalty of preclusion;
 - 13.3.2. the deadline for expressing the intention to appeal shall not be less than ten (10) minutes.
 - 13.3.3. the deadline for presenting the grounds for appeal shall begin on the date of notification or of the drawing up of the qualification or disqualification minutes;
 - 13.3.4. In the event of adoption of the reversal of phases provided for in § 1 of Article 17 of Law No. 14,133, of 2021, the deadline for submitting the grounds for appeal shall begin on the date of notification of the judgment minutes.
- 13.4. Appeals must be submitted in the appropriate field of the system.

13.5. The appeal shall be addressed to the authority that issued the act or rendered the appealed decision, which may reconsider its decision within three (3) business days or, within the same period, forward the appeal to the higher authority, which shall render its decision within ten (10) business days from receipt of the case file.

13.6. Appeals filed after the deadline will not be considered.

13.7. The deadline for other bidders to submit counterarguments to the appeal shall be three (3) business days from the date of personal notification or disclosure of the appeal, with immediate access to the elements necessary to defend their interests.

13.8. The appeal and the request for reconsideration shall have suspensive effect on the contested act or decision until a final decision is made by the competent authority.

13.9. The acceptance of the appeal shall invalidate only those acts that cannot be used.

13.10. The case files will remain available for viewing by interested parties on the website *secom.cgad*. dlog@pf.gov.br.

14. ADMINISTRATIVE VIOLATIONS AND SANCTIONS

14.1. An administrative infraction is committed, under the terms of the law, by a bidder who, with intent or negligence:

14.1.1. failing to submit the documentation required for the auction or failing to submit any document requested by the Auctioneer during the auction;

14.1.2. except in the event of a duly justified supervening circumstance, failing to maintain the bid, particularly when:

14.1.2.1. failing to submit a bid appropriate to the last bid offered or after negotiation;

14.1.2.2. refusing to send the details of the bid when required;

14.1.2.3. asking to be disqualified when the competitive stage is over;

14.1.2.4. fails to submit a sample;

14.1.2.5. submit a proposal or sample that does not comply with the specifications of the notice.

14.1.3. failing to enter into the contract or failing to deliver the documentation required for contracting, when summoned within the validity period of its proposal;

14.1.4. refusing, without justification, to sign the contract or the price registration minutes, or to accept or withdraw the equivalent instrument within the period established by the Administration;

14.1.5. submitting false statements or documentation required for the tender or making false statements during the bidding process;

14.1.6. defraud the bidding process;

14.1.7. behave inappropriately or commit fraud of any kind, especially when:

14.1.7.1. acting in collusion or in violation of the law;

14.1.7.2. deliberately misleading the judgment;

14.1.7.3. submitting falsified or damaged samples.

14.1.7.8. committing illegal acts with a view to frustrating the objectives of the bidding process;

14.1.7.9. committing a harmful act as provided for in Article 5 of Law No. 12,846 of 2013.

14.2 Based on Law No. 14,133, of 2021, the Administration may, after due administrative process, with prior defense guaranteed, apply the following sanctions to bidders and/or successful bidders, without prejudice to civil and criminal liability:

14.2.1 warning;

14.2.2. fine;

14.2.3. prohibition from bidding and contracting; and

14.2.4. declaration of ineligibility to bid or contract, while the reasons for the punishment persist or until rehabilitation is granted by the authority that applied the penalty.

14.3. In applying the sanctions, the following shall be considered:

14.3.1. the nature and severity of the offense committed;

14.3.2. the specific circumstances of the case;

14.3.3. aggravating or mitigating circumstances;

14.3.4. the damages caused to the Public Administration;

14.3.5. the implementation or improvement of an integrity program, in accordance with the rules and guidelines of the control bodies.

14.4. The fine shall be paid within a maximum period of thirty (30) business days from the date of official notification.

14.4.1. For violations described in items 14.1.1, 14.1.2, and 14.1.3, the fine shall be *0.5% to 15%* of the value of the tendered contract.

14.4.2. For violations described in items 14.1.4, 14.1.5, 14.1.6, 14.1.7, 14.1.8, and 14.1.9, the fine shall be *15%*

to 30% of the value of the tendered contract.

14.5. Warnings, disqualification from bidding and contracting, and declarations of ineligibility to bid or contract may be applied, cumulatively or not, to the penalty of a fine.

14.6. When applying the fine, the interested party will be given the opportunity to defend themselves within fifteen (15) business days from the date of notification.

14.7. The penalty of disqualification from bidding and contracting will be applied to the person responsible as a result of the administrative violations listed in items 14.1.1, 14.1.2, 14.1.3, and 14.1.4, when the imposition of a more severe penalty is not justified, and shall prevent the responsible party from bidding and contracting within the direct and indirect Public Administration of the federal entity to which the agency or entity belongs, for a maximum period of three (3) years.

14.8. The responsible party may be subject to a declaration of ineligibility to bid or contract as a result of the infractions set forth in items 14.1.5, 14.1.6, 14.1.7, 14.1.8, and 14.1.9, as well as for the administrative infractions set forth in items 14.1.1, 14.1.2, and 14.1.3, which justify the imposition of a more severe penalty than the sanction of disqualification from bidding and contracting, the duration of which shall comply with the term provided for in Article 156, §5, of Law No. 14,133, of 2021.

14.9. The unjustified refusal of the successful bidder to sign the contract or the price registration minutes, or to accept or withdraw the equivalent instrument within the period established by the Administration, described in item 14.1.3, shall characterize total non-compliance with the obligation assumed and shall subject it to penalties and the immediate loss of the bid bond in favor of the agency or entity promoting the bidding, pursuant to Article 45, §4 of SEGES/ME Normative Instruction No. 73, of September 30, 2022.

14.10. The determination of liability related to sanctions of disqualification from bidding and contracting and declaration of ineligibility to bid or contract will require the initiation of a liability proceeding to be conducted by a commission composed of two (2) or more permanent civil servants, which will evaluate known facts and circumstances and summon the bidder or the successful bidder to, within fifteen (15) business days from the date of the summons, to submit a written defense and specify the evidence they intend to produce.

14.11. An appeal may be filed within fifteen (15) business days of the application of the sanctions of warning, fine, and disqualification from bidding and contracting, from the date of the summons, which shall be addressed to the authority that issued the appealed decision, which, if it does not reconsider it within five (5) business days, shall forward the appeal with its reasoning to the higher authority, which shall issue its decision within a maximum of twenty (20) business days from the receipt of the case files.

14.12. A request for reconsideration of the application of the penalty of declaration of ineligibility to bid or contract must be submitted within fifteen (15) business days from the date of the summons and decided within a maximum of twenty (20) business days from its receipt.

14.13. The appeal and request for reconsideration shall have suspensive effect on the contested act or decision until a final decision is made by the competent authority.

14.14. The application of the penalties provided for in this notice does not, under any circumstances, exclude the obligation to fully repair the damage caused.

14.15. To ensure the full defense and right of reply of bidders, notifications will be sent electronically to the email addresses provided in the commercial proposal, as well as those registered by the company in SICAF.

14.15.1. The email addresses provided in the commercial proposal and/or registered with SICAF will be considered to be in continuous use by the company, and no claim of ignorance of communications proven to have been sent to them will be accepted.

15. CHALLENGING THE PUBLIC NOTICE AND REQUEST FOR CLARIFICATION

15.1. Any person is entitled to challenge this Notice for irregularities in the application of Law No. 14,133, of 2021, and must file the request up to three (3) business days before the opening date of the tender.

15.2. The response to the challenge or request for clarification will be published on the official website within three (3) business days, limited to the last business day prior to the opening date of the tender.

15.3. The challenge and request for clarification may be made electronically, through the following means: secom.cgad.dlog@pf.gov.br, or by petition addressed or filed at the following address: Edifício Multibrasil Corporate Setor Comercial Norte Q. 4 - Asa Norte, Brasília – DF, CEP 70714-000, Purchasing Department.

15.4. Challenges and requests for clarification do not suspend the deadlines set forth in the tender.

15.5. The granting of suspensive effect to the challenge is an exceptional measure and must be justified by the Auctioneer in the bidding process records.

15.6. Once the challenge has been accepted, a new date for the event will be set and published.

16. GENERAL PROVISIONS

16.1. The minutes of the public session will be published on the electronic system.

16.2. If there is no business day or if any supervening event prevents the auction from being held on the scheduled date, the session will be automatically transferred to the first subsequent business day, at the same time previously established, provided that there is no communication to the contrary by the Auctioneer.

16.3. All time references in the Notice, in the announcement, and during the public session will be in Brasília - DF time.

16.3.1. In addition to the official channels provided for in national legislation, the bidding notice will be published on the Portal (www.dgmarket.com), a portal created by the World Bank, with more than 170 countries, in order to enable wide dissemination of the event.

16.4. Approval of the result of this bidding process does not imply the right to contract.

16.5. The rules governing the tender will always be interpreted in favor of expanding the competition among interested parties, provided that they do not compromise the interests of the Administration, the principle of equality, the purpose, and the security of the contract.

16.6. Bidders shall bear all costs of preparing and submitting their bids, and the Administration shall in no case be liable for such costs, regardless of the conduct or outcome of the bidding process.

16.7. When counting the deadlines established in this Notice and its Annexes, the start date shall be excluded and the expiration date shall be included. Deadlines shall only begin and expire on business days of the Administration.

16.8. Failure to comply with non-essential formal requirements shall not result in the bidder's disqualification, provided that it is possible to take advantage of the act, observing the principles of equality and public interest.

16.9. In case of any discrepancy between the provisions of this Notice and its annexes or other documents that comprise the process, the provisions of this Notice shall prevail.

16.10. Reference to the model used: <https://www.gov.br/agu/pt-br/composicao/cgu/cgu/modelos/licitacoescontratos/14133/pregao-e-concorrencia/modelo-de-edital-pregao-e-concorrencia-menor-preco-e-maior-desconto-lei-no-14-133-sep-25.docx>. In the event of any translation discrepancies that may cause doubts regarding the interpretation of the documents in the process, the documents transcribed in Portuguese shall prevail.

16.10.1. The Notice and its annexes are available in full on the National Public Procurement Portal (PNCP) and at the following web addresses: www.comprasgovernamentais.gov.br, <https://www.gov.br/compras/pt-br>.

16.11. For all intents and purposes, the following annexes are part of this Notice:

16.11.1. Terms of Reference;

16.11.1. Preliminary Technical Study

16.11.1.1. Annex I – Technical Specification Booklet;

16.11.1.1. Annex II – Sample Tests;

16.11.1.1. Annex III – Provisional Acceptance Tests;

16.11.1.1. Annex IV – Proposal Template;

16.11.1.1. Annex V – Digital ETP;

16.11.1.1. Minutes Draft; and

16.11.1.1. Draft Contract.

SIGNATURE OF THE COMPETENT AUTHORITY

