

URUGUAY

CENTRAL GOVERNMENT ENTITIES

(a) Thresholds for goods and services:

- (i) from the date of entry into force of this Agreement until the end of the 10th (tenth) year after its date of entry into force: SDR 211 951 (two hundred and eleven thousand nine hundred and fifty-one);
- (ii) from the 11th (eleventh) year until the end of the 15th (fifteenth) year after the date of entry into force of this Agreement: SDR 200 000 (two hundred thousand); and
- (iii) from the 16th (sixteenth) year after the date of entry into force of this Agreement onwards: SDR 130 000 (one hundred and thirty thousand).

(b) Thresholds for construction services:

SDR 5 652 032 (five million six hundred and fifty two thousand and thirty-two) for the construction or public works services specified in Appendix 12-E-6.

List of Uruguay

Unless otherwise specified, Chapter 12 applies to the entities listed below:

Executive Branch:

- (a) Presidencia de la República
- (b) Ministerio de Defensa Nacional (Ministry of National Defence)
- (c) Ministerio del Interior
- (d) Ministerio de Economía y Finanzas
- (e) Ministerio de Relaciones Exteriores
- (f) Ministerio de Ganadería, Agricultura y Pesca
- (g) Ministerio de Industria, Energía y Minería
- (h) Ministerio de Turismo
- (i) Ministerio de Transporte y Obras Públicas
- (j) Ministerio de Educación y Cultura
- (k) Ministerio de Salud Pública
- (l) Ministerio de Trabajo y Seguridad Social

- (m) Ministerio de Vivienda y Ordenamiento Territorial
- (n) Ministerio de Desarrollo Social
- (o) Ministerio de Ambiente

Legislative Branch:

- (a) Cámara de Senadores;
- (b) Cámara de Representantes;
- (c) Asamblea General;
- (d) Comisión Permanente;
- (e) Comisión Administrativa.

Judicial Branch:

- (a) Suprema Corte de Justicia;
- (b) Tribunales de Apelaciones;
- (c) Juzgados Letrados de Primera Instancia;
- (d) Juzgados de Paz Departamentales de la Capital;
- (e) Juzgados de Faltas;

- (f) Juzgados de Paz Departamentales del Interior;
- (g) Juzgados de Paz de las Ciudades, Villas o Pueblos del Interior;
- (h) Juzgados de Paz Rurales.

Other:

- (a) Corte Electoral (Electoral Court)
- (b) Tribunal de Cuentas (Court of Auditors)
- (c) Tribunal de lo Contencioso Administrativo (Court of Administrative Matters)

Notes concerning the list of entities set out above Appendix 12-E-1:

1. the procurement of goods and services by the Presidency of Uruguay does not include the procurement carried out by the Unidad Operativa Central of Plan Nacional de Integración Socio-Habitacional Juntos, set by Ley n° 18.829 de 24 de octubre de 2011;
2. purchases made by the Ministerio de Defensa Nacional and by the Ministerio del Interior do not include the goods listed below:
 - (a) nuclear war material;
 - (b) fire control equipment;
 - (c) ammunition and explosives;

- (d) missiles;
- (e) aircraft and components for aircraft;
- (f) equipment for take-off, landing and ground handling of aircraft;
- (g) boats and maritime equipment; and
- (h) armament.

Procurement of goods made by the Ministerio de Defensa Nacional and by Ministerio del Interior are not covered by Section 2 (Food, Beverage and Tobacco, Textile and Clothing and Leather Products) of the Central Product Classifier (CPC) Version 1.0.) of the United Nations.

SUB-CENTRAL GOVERNMENT ENTITIES

1. Uruguay shall initiate internal consultation proceedings with its departmental governments with a view to committing a satisfactory level of coverage at sub-central level. Consultations shall be conducted with the aim of engaging all the entities under the departmental governments. Coverage shall be considered satisfactory if it encompasses departmental governments which generate at least 65 % (sixty-five percent) of its national GDP.
2. Uruguay shall conclude these consultations no later than 2 (two) years after the date of entry into force of this Agreement and shall immediately notify the European Union of the results of such consultations.
3. Provided that the satisfactory coverage set out under paragraph 1 has been achieved, the Trade Council shall adopt a decision to modify this Appendix accordingly.

OTHER ENTITIES

Autonomous entities:

1. Administración Nacional de Educación Pública (ANEP)
2. Banco Central del Uruguay (BCU)
3. Banco de la República Oriental del Uruguay (BROU)
4. Banco de Seguros del Estado (BSE)
5. Consejo Directivo Central (CODICEN)
6. Instituto Nacional de Colonización (INC)
7. Universidad de la República (UDELAR)
8. Universidad Tecnológica (UTEC)

Decentralised services:

1. Administración Nacional de Correos (ANC)
2. Instituto Uruguayo de Meteorología (INUMET)

Notes concerning the list of entities set out above (Appendix 12-E-3)

1. Purchases of the Administración Nacional de Educación Pública do not include those that are made to acquire, execute or repair goods, or hire services, for the maintenance and infrastructure improvements of teaching premises under its dependency.
2. Purchases made by the Universidad de la República do not include those that are made to acquire, execute, repair goods or hire services for scientific research.

GOODS

Chapter 12 applies to all public procurement of goods acquired by entities included in Annex 12-E, unless otherwise specified in Appendices 12-E-1 to 12-E-7.

SERVICES

Chapter 12 applies to all public procurement of services contracted by entities included in the list of Uruguay in Annex 12-E, unless otherwise specified in Appendices 12-E-1 to 12-E-7.

CONSTRUCTION SERVICES

Chapter 12 applies to all public procurement of services contracted by entities included in the list of Uruguay in Annex 12-E, unless otherwise specified in Appendices 12-E-1 to 12-E-7.

GENERAL NOTES

The following general notes apply to Chapter 12.

1. Chapter 12 does not apply to:
 - (a) purchases of crude oil and its derivatives, basic oils, lubricant additives and their respective freight charges;
 - (b) energy purchases;
 - (c) purchases of livestock by selection, in the case of specimens with special characteristics;
 - (d) the contracting of financial services;
 - (e) contracts for the delegation of services, such as authorisations, permits and concessions, including the concession of public works;
 - (f) the contracts made within the framework of the Public Procurement for Development Programme and the law on family farming and artisanal fishing;
 - (g) the acquisition of services of agencies or services of fiscal deposits, services of liquidation and administration for regulated financial institutions, nor the services of sale and distribution of public debt;

- (h) public procurement by an entity for another entity or company of the State of Uruguay, whether or not listed in Appendices 12-E-1, 12-E-2 and 12-E-3;
 - (i) the hiring of non-profit institutions dedicated to social assistance, teaching, research and institutional development; or
 - (j) public procurement made outside the territory of Uruguay, for consumption outside the territory of the Party.
2. Notwithstanding any provision of this Agreement, in construction services contracts or public works, Uruguay may grant a margin of preference in the price of the offers, which may be conditioned to hiring nationals, in accordance with the requirements of qualification established in Uruguayan law.

This condition shall be indicated in the notice of intended procurement and clearly defined in the tender documentation.

Exceptions to the public tender procedure

Entities may award contracts by means other than the open tender procedures, in the following cases:

- (a) in the case of construction services or public works, when construction services additional to those originally contracted are required, in order to respond to unforeseen circumstances and that are necessary to fulfil the objectives of the contract on which they are based; the total value of the contracts awarded for such additional construction or public works services may not exceed 50 % (fifty percent) of the amount of the main contract; and
 - (b) when an entity requires consulting services related to matters of a confidential nature the disclosure of which could reasonably be expected to prejudice confidential information of the public sector, cause serious economic disturbances or, otherwise, be contrary to the public interest.
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