

ANNEX 14-A
SECTION A: CENTRAL LEVEL OF GOVERNMENT ENTITIES

Goods

Threshold: 70,000 Special Drawing Rights (hereinafter referred to as “SDR”)

Services

Threshold: 70,000 SDR

Construction Services

Threshold: 5,000,000 SDR

Schedule of Colombia

1. Departamento Administrativo de la Presidencia de la República (*Administrative Department of the Presidency*)
2. Ministerio del Interior (*Ministry of Internal Affairs*)
3. Ministerio de Justicia y del Derecho (*Ministry of Justice and Law*)
4. Ministerio de Relaciones Exteriores (*Ministry of Foreign Affairs*)
5. Ministerio de Hacienda y Crédito Público (*Ministry of Finance and Public Credit*)
6. Ministerio de Defensa Nacional (*Ministry of National Defense*) (Note 2)
7. Ministerio de Agricultura y Desarrollo Rural (*Ministry of Agriculture and Rural Development*) (Note 3)
8. Ministerio de Salud y Protección Social (*Ministry of Health and Social Protection*) (Note 4)
9. Ministerio de Minas y Energía (*Ministry of Mining and Energy*) (Note 5)
10. Ministerio de Comercio, Industria y Turismo (*Ministry of Trade, Industry and Tourism*)
11. Ministerio de Educación Nacional (*Ministry of Education*)
12. Ministerio de Ambiente y Desarrollo Sostenible (*Ministry of Environment and Sustainable Development*)
13. Ministerio de Tecnologías de la Información y Comunicaciones (*Ministry of Information Technologies and Telecommunications*)
14. Ministerio del Transporte (*Ministry of Transportation*) (Note 6)
15. Ministerio de Cultura (*Ministry of Culture*)
16. Ministerio de Vivienda, Ciudad y Territorio (*Ministry of Housing, City and Territory*)
17. Ministerio de Trabajo (*Ministry of Labor*)
18. Departamento Nacional de Planeación (*National Planning Department*)
19. Dirección Nacional de Inteligencia (*National Bureau of Intelligence*)
20. Departamento Administrativo de la Función Pública (*Administrative Department of Civil Service*)
21. Departamento Administrativo Nacional de Estadísticas (*National Bureau of Statistics*)
22. Departamento Administrativo Nacional de Economía Solidaria (*National Bureau of Economic Solidarity*)

23. Departamento Administrativo de Ciencia, Tecnología e Innovación (*National Bureau of Science, Technology and Innovation*)
24. Contraloría General de la República (*Comptroller General's Office*)
25. Departamento Administrativo del Deporte la Recreación, la Actividad Física y el Aprovechamiento del Tiempo Libre “Coldeportes” (*National Department of Sports Recreation, Physical Activity and Leisure “Coldeportes”*)
26. Auditoría General de la República (*Auditor General's Office*)
27. Procuraduría General de la Nación (*Attorney General's Office*)
28. Defensoría del Pueblo (*Ombudsman Office*)

Notes to Colombian Schedule

1. All ministries and administrative departments are covered. Unless otherwise specified herein, this Chapter applies to the “superintendencias (*superintendents*)”, “unidades administrativas especiales (*special administrative units*)”, and “establecimientos públicos (*public institutions*)” of the entities listed in this Section.

2. Ministerio de Defensa Nacional (*Ministry of National Defense*): This Chapter does not cover the procurement of goods classified under Section 2 (food products, beverages and tobacco; textiles, apparel and leather products) of the United Nations Central Product Classification (hereinafter referred to as the “CPC”) version 1.0 by Comando General de las Fuerzas Militares (*General Command of the Military Forces*), Ejército Nacional (*National Army*), Armada Nacional (*National Navy*), Fuerza Aérea Colombiana (*Colombian Air Force*), and Policía Nacional (*National Police*).

3. Ministerio de Agricultura y Desarrollo Rural (*Ministry of Agriculture and Rural Development*): This Chapter does not cover the procurement of food, agricultural raw materials or inputs, and live animals related to agricultural support programs and food assistance.

4. Ministerio de Salud y Protección Social (*Ministry of Health and Social Protection*): This Chapter does not cover the procurement of goods classified under Section 2 (food products, beverages and tobacco; textiles, apparel and leather products) of the CPC version 1.0 by Instituto Colombiano de Bienestar Familiar – ICBF (*Colombian Family Welfare Institute*) for social assistance programs.

5. Ministerio de Minas y Energía (*Ministry of Mining and Energy*): This Chapter does not cover the procurement of nuclear materials and technology by Servicio Geológico Colombiano (*Colombian Geological Service*).

6. Ministerio del Transporte (*Ministry of Transportation*): This Chapter does not cover procurement by Unidad Administrativa Especial de Aeronáutica Civil – AEROCIVIL (*Administrative Unit of Civil Aeronautics*).

Schedule of Korea

1. Board of Audit and Inspection
2. Office of the Prime Minister

3. Ministry of Gender Equality and Family
4. Ministry of Strategy and Finance
5. Financial Services Commission
6. Ministry of Unification
7. Ministry of Public Administration and Security
8. Ministry of Education, Science and Technology
9. Ministry of Government Legislation
10. Ministry of Patriots and Veterans Affairs
11. Ministry of Foreign Affairs and Trade
12. Ministry of Justice
13. Ministry of National Defense (Note 3)
14. Ministry of Culture, Sports and Tourism
15. Cultural Heritage Administration
16. Ministry of Food, Agriculture, Forestry and Fisheries
17. Ministry of Knowledge Economy
18. Ministry for Health and Welfare
19. Korea Food and Drug Administration
20. Ministry of Employment and Labor
21. Ministry of Land, Transport and Maritime Affairs
22. Ministry of Environment
23. Public Procurement Service (Note 4)
24. National Tax Service
25. Korea Customs Service
26. Statistics Korea
27. Korea Meteorological Administration
28. National Police Agency (Note 5)
29. Supreme Prosecutors' Office
30. Military Manpower Administration
31. Rural Development Administration
32. Korea Forest Service
33. Korean Intellectual Property Office
34. Small and Medium Business Administration
35. Korea Coast Guard (Note 5)
36. National Emergency Management Agency
37. Defense Acquisition Program Administration (Note 3)
38. Korea Communications Commission
39. Fair Trade Commission
40. Anti-Corruption and Civil Rights Commission of Korea
41. Multifunctional Administrative City Construction Agency

Notes to Korean Schedule

1. The above central government entities cover their “subordinate linear organizations”, “special local administrative agencies”, and “attached organs”, as prescribed in the relevant provisions of the *Government Organization Act* of the Republic of Korea.

2. This Chapter does not apply to the single tendering procurement and set-asides for small and medium-sized businesses according to the *Act Relating to Contracts to*

which the State is a Party and its Presidential Decree, and the procurement of agricultural, fishery, and livestock products according to the Grain Management Act, the Act on Distribution and Price Stabilization of Agricultural and Fishery Products, and the Livestock Industry Act.

3. Ministry of National Defense and Defense Acquisition Program Administration: Subject to the decision of the Korean government under Article 21.2 (Essential Security) of this Agreement, for the purchases of the Ministry of National Defense and the Defense Acquisition Program Administration, this Chapter will generally apply to the following Federal Supply Classifications (FSC) categories only, and, for services and construction services listed in Section E and Section F, it will apply only to those areas which are not related to national security and defense.

FSC 2510 Vehicular cab, body, and frame structural components
FSC 2520 Vehicular power transmission components
FSC 2540 Vehicular furniture and accessories
FSC 2590 Miscellaneous vehicular components
FSC 2610 Tires and tubes, pneumatic, nonaircraft
FSC 2910 Engine fuel system components, nonaircraft
FSC 2920 Engine electrical system components, nonaircraft
FSC 2930 Engine cooling system components, nonaircraft
FSC 2940 Engine air and oil filters, strainers and cleaners, nonaircraft
FSC 2990 Miscellaneous engine accessories, nonaircraft
FSC 3020 Gears, pulleys, sprockets and transmission chain
FSC 3416 Lathes
FSC 3417 Milling machines
FSC 3510 Laundry and dry cleaning equipment
FSC 4110 Refrigeration equipment
FSC 4230 Decontaminating and impregnating equipment
FSC 4520 Space heating equipment and domestic water heaters
FSC 4940 Miscellaneous maintenance and repair shop specialized equipment
FSC 5120 Hand tools, nonedged, nonpowered
FSC 5410 Prefabricated and portable buildings
FSC 5530 Plywood and veneer
FSC 5660 Fencing, fences and gates
FSC 5945 Relays and solenoids
FSC 5965 Headsets, handsets, microphones and speakers
FSC 5985 Antennae, waveguide, and related equipment
FSC 5995 Cable, cord, and wire assemblies: communication equipment
FSC 6220 Electric vehicular lights and fixtures
FSC 6505 Drugs and biologicals
FSC 6840 Pest control agents disinfectants
FSC 6850 Miscellaneous chemical, specialties
FSC 7310 Food cooking, baking, and serving equipment
FSC 7320 Kitchen equipment and appliances
FSC 7330 Kitchen hand tools and utensils
FSC 7350 Table ware
FSC 7360 Sets, kits, outfits, and modules food preparation and serving
FSC 7530 Stationery and record forms
FSC 7920 Brooms, brushes, mops, and sponges

FSC 7930 Cleaning and polishing compounds and preparations
FSC 8110 Drums and cans
FSC 9150 Oils and greases: cutting, lubricating, and hydraulic
FSC 9310 Paper and paperboard

4. Public Procurement Service: This Chapter covers only those procurements carried out by the Public Procurement Service for the entities listed in this Section. Regarding procurement for entities listed in Sections B and C, the coverage and thresholds for such entities thereunder shall be applied.

5. National Police Agency and Korea Coast Guard: This Chapter does not cover procurement for the purpose of maintaining public order, as provided in Article 14.2 of this Chapter.

SECTION B: SUB-CENTRAL LEVEL OF GOVERNMENT ENTITIES

Goods

Threshold: 200,000 SDR

Services

Threshold: 200,000 SDR

Construction Services

Threshold: 15,000,000 SDR

Schedule of Colombia

1. Gobernación del Departamento de Amazonas (*Government of Department of Amazonas*)
2. Gobernación del Departamento de Antioquia (*Government of Department of Antioquia*)
3. Gobernación del Departamento de Arauca (*Government of Department of Arauca*)
4. Gobernación del Departamento de Atlántico (*Government of Department of Atlántico*)
5. Gobernación del Departamento de Bolívar (*Government of Department of Bolívar*)
6. Gobernación del Departamento de Boyacá (*Government of Department of Boyacá*)
7. Gobernación del Departamento de Caldas (*Government of Department of Caldas*)
8. Gobernación del Departamento de Caquetá (*Government of Department of Caquetá*)
9. Gobernación del Departamento de Casanare (*Government of Department of Casanare*)
10. Gobernación del Departamento de Cauca (*Government of Department of Cauca*)
11. Gobernación del Departamento de César (*Government of Department of César*)
12. Gobernación del Departamento de Chocó (*Government of Department of Chocó*)
13. Gobernación del Departamento de Córdoba (*Government of Department of Córdoba*)
14. Gobernación del Departamento de Cundinamarca (*Government of Department of Cundinamarca*)
15. Gobernación del Departamento de Guainía (*Government of Department of Guainía*)
16. Gobernación del Departamento de Guaviare (*Government of Department of Guaviare*)
17. Gobernación del Departamento de Huila (*Government of Department of Huila*)
18. Gobernación del Departamento de La Guajira (*Government of Department of La Guajira*)
19. Gobernación del Departamento de Magdalena (*Government of Department of Magdalena*)
20. Gobernación del Departamento de Meta (*Government of Department of Meta*)
21. Gobernación del Departamento de Nariño (*Government of Department of Nariño*)
22. Gobernación del Departamento de Norte de Santander (*Government of Department of Norte de Santander*)
23. Gobernación del Departamento de Putumayo (*Government of Department of Putumayo*)
24. Gobernación del Departamento de Quindío (*Government of Department of Quindío*)

25. Gobernación del Departamento de Risaralda (*Government of Department of Risaralda*)
26. Gobernación del Departamento de San Andrés y Providencia (*Government of Department of San Andrés y Providencia*)
27. Gobernación del Departamento de Santander (*Government of Department of Santander*)
28. Gobernación del Departamento de Sucre (*Government of Department of Sucre*)
29. Gobernación del Departamento de Tolima (*Government of Department of Tolima*)
30. Gobernación del Departamento de Valle del Cauca (*Government of Department of Valle del Cauca*)
31. Gobernación del Departamento de Vaupés (*Government of Department of Vaupés*)
32. Gobernación del Departamento de Vichada (*Government of Department of Vichada*)

Notes to Colombian Schedule

This Chapter does not cover:

- (a) procurements of food, agricultural raw materials/inputs, and live animals related to agricultural support programs and food assistance; and
- (b) procurements of goods classified under Section 2 (food products, beverages and tobacco; textiles, apparel and leather products) of the CPC version 1.0 for social assistance programs.

Schedule of Korea

1. Seoul Metropolitan Government
2. Busan Metropolitan City
3. Daegu Metropolitan City
4. Incheon Metropolitan City
5. Gwangju Metropolitan City
6. Daejeon Metropolitan City
7. Gyeonggi-do
8. Gangwon-do
9. Chungcheongbuk-do
10. Chungcheongnam-do
11. Gyeongsangbuk-do
12. Gyeongsangnam-do
13. Jeollabuk-do
14. Jeollanam-do
15. Jeju Special Self-Governing Province

Notes to Korean Schedule

1. The above sub-central administrative government entities cover their “subordinate organizations under direct control”, “offices”, and “branch offices”, as prescribed in the relevant provisions of the *Local Autonomy Act* of the Republic of

Korea. Any entity with a separate legal personality that is not listed in this Annex is not covered.

2. This Section does not apply to the single tendering procurement and set-asides for small and medium-sized businesses according to the *Act Relating to Contracts to which the Local Government is a Party* and its Presidential Decree.

SECTION C: OTHER COVERED ENTITIES

Goods

Threshold: 400,000 SDR

Services

Threshold: 400,000 SDR

The Coverage for Services¹ under this Section will come into effect for both Parties on the date when the revised *WTO Agreement on Government Procurement* (hereinafter referred to as the “GPA”) enters into force for Korea. In that case, the note 2 and 3 to Korea’s Annex 3 to Appendix I in the revised GPA shall be promptly applied to the services procured by procuring entities listed in Korea’s Schedule in this Section.

Construction Services

Threshold: 15,000,000 SDR

Schedule of Colombia

1. Agencia Logística de las Fuerzas Militares (*Logistic Agency for Armed Forces*) (Note 1)
2. Fondo Rotatorio de la Policía Nacional (*Loan Fund for Police Employees*) (Note 1)
3. Instituto de Casas Fiscales del Ejército (*Housing for Army Members Institute*)
4. Dirección de Impuestos y Aduanas Nacionales – DIAN (*National Tax and Customs Direction*)
5. Instituto Colombiano para el Fomento de la Educación Superior – ICFES (*Colombian Institute for the Promotion of Higher Education*)
6. Instituto Nacional Penitenciario y Carcelario – INPEC (*National Penitentiary and Prison Institute*)
7. Unidad de Servicios Penitenciarios y Carcelarios – SPC (*Penitentiary and Prison Services Unit*)
8. Servicio Nacional de Aprendizaje – SENA (*National Training Service*)

Notes to Colombian Schedule

Agencia Logística de las Fuerzas Militares (*Logistic Agency for Armed Forces*) and Fondo Rotatorio de la Policía Nacional (*Loan Fund for Police Employees*): This Chapter does not cover procurement of goods classified under Section 2 (food products, beverages and tobacco; textiles, apparel and leather products) of the CPC version 1.0 by the entities listed for Comando General de las Fuerzas Militares (*General Command of the Military Forces*), Ejército Nacional (*National Army*), Armada Nacional (*National Navy*), Fuerza Aérea Colombiana (*Colombian Air Force*), and Policía Nacional (*National Police*).

¹ For greater certainty, the threshold of Services in this Section will come into effect for both Parties on the date when the revised GPA enters into force for Korea.

Schedule of Korea

1. Korea Development Bank
2. Industrial Bank of Korea
3. Korea Minting and Security Printing Corporation
4. Korea Electric Power Corporation (except purchases of products in the categories of HS Nos. 8504, 8535, 8537, and 8544)
5. Korea Coal Corporation
6. Korea Resources Corporation
7. Korea National Oil Corporation
8. Korea Trade-Investment Promotion Agency
9. Korea Expressway Corporation
10. Korea Water Resources Corporation
11. Korea Rural Community Corporation
12. Korea Agro-Fisheries and Food Trade Corporation
13. Korea Tourism Organization
14. Korea Labor Welfare Corporation
15. Korea Gas Corporation
16. Korea Railroad Corporation
17. Korea Land and Housing Corporation

Notes to Korean Schedule

This Section does not apply to the single tendering procurement and set-asides for small and medium-sized businesses according to the *Act on the Management of Public Institutions* and the *Rule on Contract Business of Public Institutions and Quasi-governmental Institutions*.

SECTION D: GOODS

This Chapter applies to all goods procured by the entities listed in Sections A through C, subject to the notes to the respective Sections and the general notes of Section G.

SECTION E: SERVICES

Schedule of Colombia

This Chapter shall apply to all services procured by the entities listed in Sections A through C, subject to the notes to the respective Sections and the general notes of Section G, except for the following services, as elaborated in the CPC Version 1.0. (For complete listing of the CPC Version 1.0, see <http://unstats.un.org/unsd/cr/registry/regcst.asp?Cl=3>):

1. Research and Development Services

Division 81 Research and development services
Group 835 Scientific and other technical services
Class 8596 Data processing services (only those required for carrying out scientific and technological activities)
Class 8597 Trade fair and exhibition organization services (only those required for carrying out scientific and technological activities)

2. Utilities

Division 69 Electricity distribution services; gas and water distribution services through mains
Division 94 Sewer and refuse disposal, sanitation, and other environmental protection services
Basic telecommunication services (not including value-added telecommunication services)

3. Social Services

Division 91 Public administration and other services for the general public; compulsory social security services
Division 92 Education services
Group 931 Human health services

4. Production of Television Programs

Subclass 96121 Motion picture, video, and television program production services

Schedule of Korea

For purposes of this Chapter and without prejudice to Article 14.1, in the case of services in Sections A and B, no services, except financial services, of the Universal List of Services as contained in document MTN.GNS/W/120 shall be excluded. In the case of services in Section C, services listed in the revised GPA shall be included (others being excluded).

SECTION F: CONSTRUCTION SERVICES

This Chapter applies to the procurement of all construction services under Provisional CPC 51 procured by the entities listed in Sections A through C, unless otherwise specified in this Chapter.

SECTION G: GENERAL NOTES

Unless otherwise specified herein, the following general notes in each Party's Schedule apply without exception to this Chapter, including to all Sections of this Annex.

Schedule of Colombia

1. This Chapter does not apply to:
 - (a) procurements of goods and services by the defense sector and Dirección Nacional de Inteligencia (*National Bureau of Intelligence*), where secrecy is required;
 - (b) set-asides of procurements below SDR 130,000 on behalf of micro, small, and medium-sized companies (SMEs - MIPYMES). The set-asides include any form of preference, such as the exclusive right to provide a good or a service and measures conducive to facilitate the transfer of technology and sub-contracting;
 - (c) procurements under programs of reintegration to civil life as a result of peace processes, to aid persons displaced due to violence, and to support those living in conflict zones, and general programs resulting from the resolution of the armed conflict;
 - (d) procurements by the missions of the foreign service of Colombia exclusively for their operation and management; and
 - (e) the acquisition of goods required to conduct research and development services.
2. Notwithstanding any other provision of this Chapter, a procuring entity of Colombia, in a procurement of construction services for the construction, maintenance, or rehabilitation of roads and highways, may apply a condition related to the hiring of local personnel in rural areas in order to promote employment and improve living conditions in such areas.

Schedule of Korea

1. This Chapter does not apply to procurement in furtherance of human feeding programs.
2. This Chapter does not apply to set-asides for small and medium-sized businesses according to the *Act on Private Participation in Infrastructure*.

SECTION H: COLOMBIAN AUTHORITIES FOR PURPOSES OF ARTICLE 14.14

In the case of Colombia, Tribunal Contencioso Administrativo (*Administrative Court*) and Consejo de Estado (*State Council*) are impartial authorities for purposes of paragraph 4 of Article 14.14. As these impartial authorities do not have the authority to provide the interim measures referred to in Paragraph 7 of Article 14.14, the remedies available to Procuraduría General de la Nación (*National Attorney General's Office*) shall be deemed to satisfy the requirements of that paragraph. Procuraduría General de la Nación (*National Attorney General's Office*) is an independent agency that has the authority to suspend tendering procedures and the awarding of a contract in the course of any disciplinary proceedings brought against the government agents responsible for a procurement.

SECTION I: NON-COVERED ENTITIES

Pursuant to its *Law 1150 of 2007*, Colombia shall ensure that each of the following listed Colombian entities conducts its procurements in a transparent manner, in accordance with commercial considerations, and treats Korean suppliers at least as favorably as it treats domestic and other foreign suppliers with respect to all aspects of its procurement including the conditions, requirements, procedures and awarding rules for a procurement.

List:

1. Comisión de Regulación de Energía y Gas (CREG) (*Regulatory Commission of Energy and Gas*)
2. Unidad de Planeación Minero Energética (UPME) (*Planning Division for Mining and Energy*)
3. Caja de Previsión Social de Comunicaciones (CAPRECOM) (*Pension Fund for Communications*)
4. Caja Nacional de Previsión Social (CAJANAL) (*National Pension Fund*)
5. Empresa Industrial y Comercial del Estado Administradora del Monopolio Rentístico de los Juegos de Suerte y Azar (COLJUEGOS) (*Industrial and Commercial State Enterprise in charge of Gambling Rentistic Monopoly Management*)
6. Imprenta Nacional de Colombia (*National Printing Office*)
7. Industria Militar (INDUMIL) (*Military Industry*)
8. Instituto de Seguros Sociales (ISS) (*Social Security Institute*)
9. Radio Televisión Nacional de Colombia (RTVC) (*National Broadcasting of Colombia*)
10. Servicio Aéreo a Territorios Nacionales (SATENA) (*Air Services for National Territories*)
11. Empresa Colombiana de Petróleos, S.A. (ECOPETROL) (*Colombian Oil Company*)
12. Interconexión Eléctrica (*Electric Interconnection*) S.A. (ISA)
13. ISAGEN

SECTION J: THRESHOLD ADJUSTMENT FORMULA

1. Each Party shall calculate and convert for itself the value of the thresholds contained in Sections A through C into its own national currency, using the conversion rates published by the IMF in its monthly “International Financial Statistics.”
2. The conversion rates shall be:
 - (a) for Colombia, the average of the daily values of the Colombian Peso in terms of SDR over the two-year period preceding October 1 or November 1 of the year before the thresholds in Colombian Pesos are to take effect; and
 - (b) for Korea, the average of the daily values of the Korean Won in terms of SDR over the two-year period preceding October 1 or November 1 of the year before the thresholds in Korean Won are to take effect.
3. A Party may round down the value of the thresholds in its own national currency:
 - (a) for Colombia, to the nearest 1 million Colombian Pesos for goods and services and the nearest 10 million Colombian Pesos for construction services; and
 - (b) for Korea, to the nearest 1 million Korean won for goods and services and the nearest 10 million Korean won for construction services.
4. The value of the thresholds expressed in national currencies shall be fixed for two years, *i.e.* calendar years.
5. Each Party shall notify the other Party of the value of the thresholds in its national currency immediately after this Agreement enters into force, and the newly calculated value of the thresholds thereafter in a timely manner.
6. The Parties shall consult if a major change in a national currency relative to the SDR or to the national currency of the other Party were to create a significant problem with regard to the application of the Chapter.

SECTION K: MEANS OF PUBLICATION

For Colombia,

All information on government procurements is published on the following website:

Legislation and procuring opportunities: www.contratos.gov.co

For Korea,

All information on government procurements is published on the following websites:

Legislation and Jurisprudence: www.pps.go.kr

Procuring opportunities on goods and services: www.koneps.go.kr

Procuring opportunities on build-operate-transfer contracts: www.pimac.org