

## **Annex 9.1.2(b)(i)**

### **Section A: Central Level of Government Entities**

1. This Chapter applies to the entities of the central level of government listed in each Party's Schedule to this Section where the value of the procurement is estimated, in accordance with paragraph 1 of Section H, to equal or exceed:

- (a) for procurement of goods and services:
  - (i) US\$58,550; or
  - (ii) in the case of the Central American Parties and the Dominican Republic, for the three-year period following the date of entry into force of this Agreement, US\$117,100; and
- (b) for procurement of construction services:
  - (i) US\$6,725,000; or
  - (ii) in the case of the Central American Parties and the Dominican Republic, for the three-year period following the date of entry into force of this Agreement, US\$8,000,000.

The monetary thresholds set out in subparagraphs (a)(i) and (b)(i) shall be adjusted in accordance with Section H of this Annex.

2. Unless otherwise specified, this Chapter covers all agencies subordinate to the entities listed in each Party's Schedule in this Section.

#### **Schedule of Costa Rica**

1. *Contraloría General de la República*
2. *Defensoría de los Habitantes de la República*
3. *Presidencia de la República*
4. *Ministerio de la Presidencia*
5. *Ministerio de Gobernación y Policía y Seguridad Pública*<sup>1</sup>
6. *Ministerio de Relaciones Exteriores y Culto*
7. *Ministerio de Hacienda*<sup>2</sup>
8. *Ministerio de Agricultura y Ganadería*
9. *Ministerio de Economía, Industria y Comercio*

10. *Ministerio de Obras Públicas y Transportes*
11. *Ministerio de Educación Pública*<sup>3</sup>
12. *Ministerio de Salud*
13. *Ministerio de Trabajo y Seguridad Social*
14. *Ministerio de Cultura, Juventud y Deportes*
15. *Ministerio de Justicia y Gracia*
16. *Ministerio de Vivienda y Asentamientos Humanos*
17. *Ministerio de Comercio Exterior*
18. *Ministerio de Planificación Nacional y Política Económica*
19. *Ministerio de Ciencia y Tecnología*
20. *Ministerio de Ambiente y Energía*
21. *Ministerio de Condición de la Mujer*
22. *Instituto Costarricense de Turismo*

### **Notes to Costa Rica Schedule**

1. *Ministerio de Gobernación y Policía y Seguridad Pública*: 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 1.0 (CPC, version 1.0), for the *Fuerza Pública*.
2. *Ministerio de Hacienda*: This Chapter does not cover the issuance of tax stamps.
3. *Ministerio de Educación Pública*: This Chapter does not cover procurement made in furtherance of school feeding programs.

### **Schedule of the Dominican Republic**

1. *Contraloría General de la República*
2. *Secretaría de Estado de Interior y Policía*<sup>1, 2</sup>
3. *Secretaría de Estado de las Fuerzas Armadas*<sup>2, 3</sup>
4. *Secretaría de Estado de Relaciones Exteriores*<sup>4</sup>
5. *Secretaría de Estado de Agricultura*<sup>5</sup>
6. *Secretaría de Estado de Finanzas*<sup>6</sup>
7. *Secretaría de Estado de Educación*<sup>7</sup>
8. *Secretaría de Estado de Salud Pública y Asistencia Social*
9. *Secretaría de Estado de Deportes, Educación Física y Recreación*
10. *Secretaría de Estado de Trabajo*
11. *Secretaría de Estado de Industria y Comercio*
12. *Secretaría de Estado de Turismo*
13. *Secretaría de Estado de la Mujer*
14. *Secretaría de Estado de la Juventud*

15. *Secretaría de Estado de Educación Superior, Ciencia y Tecnología*
16. *Secretaría de Estado de Obras Públicas y Comunicaciones*
17. *Secretaría de Estado de Medio Ambiente y Recursos Naturales*
18. *Secretaría de Estado de Cultura*
19. *La Presidencia de la República Dominicana*
20. *Secretariado Técnico de la Presidencia*<sup>8</sup>
21. *Secretaría de Estado de la Presidencia*
22. *Secretariado Administrativo de la Presidencia*

## **Notes to the Dominican Republic Schedule**

1. *Secretaría de Estado de Interior y Policía*: This Chapter does not cover:
  - (a) procurement by the *Dirección General de Migración*; or
  - (b) procurement by the *Policía Nacional* of: (i) goods classified under Group 447 (weapons and ammunition and parts thereof) of the United Nations Central Product Classification 1.0 (CPC, version 1.0), or (ii) combat, assault and tactical vehicles.
2. *Policía Nacional* in the *Secretaría de Estado de Interior y Policía* and *Secretaría de Estado de las Fuerzas Armadas*: 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.
3. *Secretaría de Estado de las Fuerzas Armadas*: This Chapter does not cover:
  - (a) procurement by the *Departamento Nacional de Investigación*, and the *Instituto de Altos Estudios para la Defensa y Seguridad Nacional*; or
  - (b) procurement of: (i) goods classified under Group 447 (weapons and ammunition and parts thereof) of the CPC; (ii) aircraft, airframe structural components, aircraft components, parts and accessories; (iii) landing and ground handling equipment; (iv) docks; (v) ships and ship components, parts and accessories; (vi) marine equipment; or (vii) combat, assault and tactical vehicles.
4. *Secretaría de Estado de Relaciones Exteriores*: This Chapter does not cover procurement by the *Dirección General de Pasaportes* for the production of passports.
5. *Secretaría de Estado de Agricultura*: This Chapter does not cover procurement made in furtherance of agricultural support programs.
6. *Secretaría de Estado de Finanzas*: This Chapter does not cover procurement by the

Tesorería Nacional with regard to the issuance of tax stamps or postage stamps, or the production of checks and treasury bonds.

7. Secretaría de Estado de Educación: This Chapter does not cover procurement made in furtherance of school feeding programs (*Desayuno Escolar*) or programs to support the dissemination of education, the well-being of students, or the accessibility of education, including at the border with Haiti (*Zona Fronteriza*) and in other rural or impoverished areas.
8. Secretariado Técnico de la Presidencia: This Chapter does not cover procurement by the *Comisión Nacional de Asuntos Nucleares*.

### **Schedule of El Salvador**

1. *Ministerio de Defensa*<sup>1</sup>
2. *Ministerio de Hacienda*
3. *Ministerio de Relaciones Exteriores*
4. *Ministerio de Gobernación*<sup>2</sup>
5. *Ministerio de Educación*<sup>1</sup>
6. *Ministerio de Salud Pública y Asistencia Social*<sup>1</sup>
7. *Ministerio de Trabajo y Previsión Social*
8. *Ministerio de Economía*
9. *Ministerio del Medio Ambiente y Recursos Naturales*
10. *Ministerio de Obras Públicas*
11. *Ministerio de Agricultura y Ganadería*

### **Notes to El Salvador Schedule**

1. *Ministerio de Defensa, Ministerio de Educación, and Ministerio de Salud Pública y Asistencia Social*: 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 1.1 (CPC, version 1.1).
2. *Ministerio de Gobernación*: This Chapter does not cover the procurement of goods classified under Section 2 (food products, beverages and tobacco; textiles, apparel and leather products) of CPC, version 1.1, for the *Policia Nacional Civil*.

### **Schedule of Guatemala**

1. *Ministerio de Agricultura, Ganadería y Alimentación*<sup>1</sup>
2. *Ministerio de la Defensa Nacional*<sup>2</sup>

3. *Ministerio de Economía*
4. *Ministerio de Educación*<sup>3</sup>
5. *Ministerio de Cultura y Deportes*
6. *Ministerio de Trabajo y Previsión Social*<sup>4</sup>
7. *Ministerio de Finanzas Públicas*
8. *Ministerio de Salud Pública y Asistencia Social*<sup>4</sup>
9. *Ministerio de Relaciones Exteriores*
10. *Ministerio de Gobernación*<sup>5</sup>
11. *Ministerio de Comunicaciones, Infraestructura y Vivienda*
12. *Ministerio de Energía y Minas*
13. *Ministerio de Ambiente y Recursos Naturales*
14. *Secretaría General*
15. *Secretaría de Coordinación Ejecutiva*
16. *Secretaría de Planificación y Programación*
17. *Secretaría de Análisis Estratégico*
18. *Secretaría de la Paz*
19. *Secretaría de Asuntos Administrativos y de Seguridad*
20. *Secretaría de Asuntos Agrarios*
21. *Secretaría Presidencial de la Mujer*
22. *Secretaría de Bienestar Social*
23. *Secretaría de Comunicación Social*
24. *Secretaría Ejecutiva de la Comisión contra el Consumo, Adicción y Tráfico Ilícito de Drogas*
25. *Secretaría de Obras Sociales de la Esposa del Presidente*
26. *Comisión Presidencial de Derechos Humanos*
27. *Comisión Presidencial para la Reforma del Estado, la Descentralización y la Participación Ciudadana*
28. *Consejo Nacional de Ciencia y Tecnología*
29. *Coordinadora Nacional para la Reducción de Desastres*
30. *Junta Nacional del Servicio Civil*
31. *Oficina Nacional del Servicio Civil*
32. *Fondo de Desarrollo Indígena Guatemalteco*
33. *Fondo Nacional de Ciencia y Tecnología*
34. *Fondo Nacional para la Paz*
35. *Consejo Nacional de la Juventud*

### **Notes to Guatemala Schedule**

1. *Ministerio de Agricultura, Ganadería y Alimentación*: This Chapter does not cover the procurement of agricultural goods made in furtherance of agricultural support programs, or procurement made in furtherance of school feeding programs.
2. *Ministerio de Defensa Nacional*: This Chapter does not cover the procurement of the

following goods and services: arms, munitions, equipment, construction materials, aircraft, vessels and other vehicles, fuel, lubricants, provisions, and the contracting for services or supply by or on behalf of the *Ejército de Guatemala* and its institutions.

3. *Ministerio de Educación*: This Chapter does not cover procurement made in furtherance of school feeding programs.

4. *Ministerio de Trabajo y Previsión Social* and *Ministerio de Salud Pública y Asistencia Social*: 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.

5. *Ministerio de Gobernación*: 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, for the *Policia Nacional Civil y Sistema Penitenciario*.

### **Schedule of Honduras**

1. *Secretaría de Estado en los Despachos de Gobernación y Justicia*
2. *Secretaría de Estado en el Despacho de Educación*<sup>1</sup>
3. *Secretaría de Estado en el Despacho de Salud*
4. *Secretaría de Estado en el Despacho de Seguridad*<sup>2</sup>
5. *Secretaría de Estado en el Despacho Presidencial*<sup>1</sup>
6. *Secretaría de Estado en el Despacho de Relaciones Exteriores*
7. *Secretaría de Estado en el Despacho de Defensa Nacional*<sup>3</sup>
8. *Secretaría de Estado en el Despacho de Finanzas*
9. *Secretaría de Estado en los Despachos de Industria y Comercio*
10. *Secretaría de Estado en los Despachos de Obras Públicas, Transporte y Vivienda*
11. *Secretaría de Estado en los Despachos de Trabajo y Seguridad Social*
12. *Secretaría de Estado en los Despachos de Agricultura y Ganadería*
13. *Secretaría de Estado en los Despachos de Recursos Naturales y Ambiente*
14. *Secretaría de Estado en los Despachos de Cultura, Artes y Deportes*
15. *Secretaría de Estado en el Despacho de Turismo*
16. *Secretaría Técnica y de Cooperación Internacional*

### **Notes to Honduras Schedule**

1. *Secretaría de Estado en el Despacho de Educación* and *Secretaría de Estado en el Despacho Presidencial*: This Chapter does not cover procurement made in furtherance of school feeding programs.

2. *Secretaría de Estado en el Despacho de Seguridad*: This Chapter does not cover procurement of uniforms, shoes, food, or tobacco for the *Policía Nacional*.

3. *Secretaría de Estado en el Despacho de Defensa Nacional*: 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, for the *Fuerzas Armadas de Honduras*. This Chapter does not cover the procurement of the following goods, or the procurement of uniforms for the *Fuerzas Armadas de Honduras* and the *Policía Nacional*:

1. Ammunition
2. War airplanes
3. Military rifles
4. Pistol and guns of any kind, 41 caliber or more
5. Honduran army regulation pistols
6. Silencers for all kinds of firearms
7. Firearms
8. Accessories and ammunition
9. Cartridges for firearms
10. Equipment and other accessories essential for cartridge loading
11. Gunpowder, explosives, primers and fuses
12. Mask for protection against asphyxiating gases
13. Air guns

### **Schedule of Nicaragua**

1. *Ministerio de Gobernación*<sup>1</sup>
2. *Ministerio de la Familia*
3. *Ministerio de Relaciones Exteriores*
4. *Ministerio Agropecuario y Forestal*
5. *Ministerio de Educación, Cultura y Deportes*<sup>2</sup>
6. *Ministerio de Fomento, Industria y Comercio*
7. *Ministerio de Salud*
8. *Ministerio del Trabajo*
9. *Ministerio de Hacienda y Crédito Público*
10. *Ministerio del Ambiente y de los Recursos Naturales*
11. *Procuraduría General de la República*
12. *Presidencia de la República*
13. *Vicepresidencia de la República*
14. *Ministerio de Defensa*<sup>3</sup>
15. *Ministerio de Transporte e Infraestructura*<sup>4</sup>

## Notes to Nicaragua Schedule

1. *Ministerio de Gobernación*: This Chapter does not cover procurement made by the *Policía Nacional*.
2. *Ministerio de Educación, Cultura y Deportes*: This Chapter does not cover procurement made in furtherance of school feeding programs.
3. *Ministerio de Defensa*: This Chapter will not cover procurement by the *Ministerio de Defensa* until the beginning of the fourth year after the date of entry into force of this Agreement. This Chapter does not cover procurement made by the *Ejército de Nicaragua*.
4. *Ministerio de Transporte e Infraestructura*: This Chapter will not cover procurement by the *Ministerio de Transporte e Infraestructura* until the beginning of the fourth year after the date of entry into force of this Agreement.

## Schedule of the United States

1. Advisory Commission on Intergovernmental Relations
2. African Development Foundation
3. Alaska Natural Gas Transportation System
4. American Battle Monuments Commission
5. Appalachian Regional Commission
6. Commission on Civil Rights
7. Commission of Fine Arts
8. Commodity Futures Trading Commission
9. Consumer Product Safety Commission
10. Broadcasting Board of Governors
11. Corporation for National and Community Service
12. Delaware River Basin Commission
13. Department of Agriculture<sup>1</sup>
14. Department of Commerce<sup>2</sup>
15. Department of Defense<sup>3</sup>
16. Department of Education
17. Department of Energy<sup>4</sup>
18. Department of Health and Human Services
19. Department of Homeland Security<sup>5</sup>
20. Department of Housing and Urban Development
21. Department of the Interior, including the Bureau of Reclamation
22. Department of Justice
23. Department of Labor
24. Department of State



25. Department of Transportation<sup>6</sup>
26. Department of the Treasury
27. Department of Veterans Affairs
28. Environmental Protection Agency
29. Equal Employment Opportunity Commission
30. Executive Office of the President
31. Export-Import Bank of the United States
32. Farm Credit Administration
33. Federal Communications Commission
34. Federal Crop Insurance Corporation
35. Federal Deposit Insurance Corporation
36. Federal Election Commission
37. Federal Home Loan Mortgage Corporation
38. Federal Housing Finance Board
39. Federal Maritime Commission
40. Federal Mediation and Conciliation Service
41. Federal Mine Safety and Health Review Commission
42. Federal Prison Industries, Inc.
43. Federal Reserve System
44. Federal Retirement Thrift Investment Board
45. Federal Trade Commission
46. General Services Administration<sup>7</sup>
47. Government National Mortgage Association
48. Holocaust Memorial Council
49. Inter-American Foundation
50. Merit Systems Protection Board
51. National Aeronautics and Space Administration (NASA)
52. National Archives and Records Administration
53. National Capital Planning Commission
54. National Commission on Libraries and Information Science
55. National Council on Disability
56. National Credit Union Administration
57. National Foundation on the Arts and the Humanities
58. National Labor Relations Board
59. National Mediation Board
60. National Science Foundation
61. National Transportation Safety Board
62. Nuclear Regulatory Commission
63. Occupational Safety and Health Review Commission
64. Office of Government Ethics
65. Office of the Nuclear Waste Negotiator
66. Office of Personnel Management
67. Office of the Special Counsel

68. Office of Thrift Supervision
69. Overseas Private Investment Corporation
70. Pennsylvania Avenue Development Corporation
71. Peace Corps
72. Railroad Retirement Board
73. Securities and Exchange Commission
74. Selective Service System
75. Small Business Administration
76. Smithsonian Institution
77. Susquehanna River Basin Commission
78. United States Agency for International Development
79. United States International Trade Commission

### Notes to United States Schedule

1. Department of Agriculture: This Chapter does not cover the procurement of agricultural goods made in furtherance of agricultural support programs or human feeding programs.
2. Department of Commerce: This Chapter does not cover shipbuilding activities of the U.S. National Oceanic and Atmospheric Administration (NOAA).
3. Department of Defense: This Chapter does not cover the procurement of the goods listed below. (*For complete listing of U.S. Federal Supply Classification, see [www.scrantonrtg.com/secrc/fsc-codes/fsc.html](http://www.scrantonrtg.com/secrc/fsc-codes/fsc.html)*):
  - (a) FSC 11 Nuclear Ordnance
  - FSC 18 Space Vehicles
  - FSC 19 Ships, Small Craft, Pontoons, and Floating Docks (the part of this classification defined as naval vessels or major components of the hull or superstructure thereof)
  - FSC 20 Ship and Marine Equipment (the part of this classification defined as naval vessels or major components of the hull or superstructure thereof)
  - FSC 2310 Passenger Motor Vehicles (only Buses)
  - FSC 2350 Combat, Assault & Tactical Vehicles, Tracked
  - FSC 51 Hand Tools
  - FSC 52 Measuring Tools
  - FSC 60 Fiber Optics Materials, Components, Assemblies, and Accessories
  - FSC 8140 Ammunition & Nuclear Ordnance Boxes, Packages & Special Containers
  - FSC 83 Textiles, Leather, Furs, Apparel, Shoes, Tents, and Flags (all elements other than pins, needles, sewing kits, flagstuffs, flagpoles and

	flagstaff trucks)
FSC 84	Clothing, Individual Equipment, and Insignia (all elements other than sub-class 8460 - luggage)
FSC 89	Subsistence (all elements other than sub-class 8975 – tobacco products)

- (b) “Specialty metals,” defined as steels melted in steel manufacturing facilities located in the United States or its possessions, where the maximum alloy content exceeds one or more of the following limits, must be used in products purchased by the Department of Defense: (1) manganese, 1.65 percent; silicon, 0.60 percent; or copper, 0.60 percent; or which contains more than 0.25 percent of any of the following elements: aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten or vanadium; (2) metal alloys consisting of nickel, iron-nickel and cobalt base alloys containing a total of other alloying metals (except iron) in excess of 10 per cent; (3) titanium and titanium alloys; or (4) zirconium base alloys; and
- (c) The goods in the following FSC categories are not generally covered by this Chapter due to application of Article 21.2 (Essential Security):

FSC 10	Weapons
FSC 12	Fire Control Equipment
FSC 13	Ammunitions and Explosives
FSC 14	Guided Missiles
FSC 15	Aircraft and Airframe Structural Components
FSC 16	Aircraft Components and Accessories
FSC 17	Aircraft Launching, Landing, and Ground Handling Equipment
FSC 19	Ships, Small Craft, pontoons, and Floating Docks
FSC 20	Ship and Marine Equipment
FSC 28	Engines, Turbines, and Components
FSC 31	Bearings
FSC 58	Communications, Detection, and Coherent Radiation
FSC 59	Electrical and Electronic Equipment Components
FSC 95	Metal Bars, Sheets, and Shapes

4. Department of Energy: This Chapter does not cover national security procurements made in support of safeguarding nuclear materials or technology and entered into under the authority of the *Atomic Energy Act*, or oil purchases related to the Strategic Petroleum Reserve.

5. Department of Homeland Security:

- (a) This Chapter does not cover procurement by the Transportation Security Administration.

(b) The national security considerations applicable to the Department of Defense are equally applicable to the U.S. Coast Guard.

6. Department of Transportation: This Chapter does not cover procurement by the Federal Aviation Administration.

7. General Services Administration: This Chapter does not cover the procurement of the goods in the following FSC categories:

FSC 51	Hand Tools
FSC 52	Measuring Tools
FSC 7340	Cutlery and Flatware

## **Section B: Sub-Central Level of Government Entities**

1. This Chapter applies to the entities of the sub-central level of government listed in each Party's Schedule to this Section where the value of the procurement is estimated, in accordance with paragraph 1 of Section H, to equal or exceed:

- (a) for procurement of goods and services:
  - (i) US\$477,000; or
  - (ii) in the case of the Central American Parties and the Dominican Republic, for the three-year period following the date of entry into force of this Agreement, US\$650,000; and
- (b) for procurement of construction services:
  - (i) US\$6,725,000; or
  - (ii) in the case of the Central American Parties and the Dominican Republic, for the three-year period following the date of entry into force of this Agreement, US\$8,000,000.

The monetary thresholds set out in subparagraphs (a)(i) and (b)(i) shall be adjusted in accordance with Section H of this Annex.

2. This Chapter only applies to the entities listed in each Party's Schedule in this Section.

### **Schedule of Costa Rica**

1. *Municipalidad de Abangares*
2. *Municipalidad de Acosta*
3. *Municipalidad de Aguirre*
4. *Municipalidad de Alajuela*
5. *Municipalidad de Alajuelita*
6. *Municipalidad de Alfaro Ruiz*
7. *Municipalidad de Alvarado*
8. *Municipalidad de Aserrí*
9. *Municipalidad de Atenas*
10. *Municipalidad de Bagaces*
11. *Municipalidad de Barba*
12. *Municipalidad de Belén*

13. *Municipalidad de Buenos Aires*
14. *Municipalidad de Cañas*
15. *Municipalidad de Carrillo*
16. *Municipalidad de Cartago*
17. *Municipalidad de Corredores*
18. *Municipalidad de Coto Brus*
19. *Municipalidad de Curridabat*
20. *Municipalidad de Desamparados*
21. *Municipalidad de Dota*
22. *Municipalidad de El Guarco*
23. *Municipalidad de Escazú*
24. *Municipalidad de Esparza*
25. *Municipalidad de Flores*
26. *Municipalidad de Garabito*
27. *Municipalidad de Goicoechea*
28. *Municipalidad de Golfito*
29. *Municipalidad de Grecia*
30. *Municipalidad de Guácimo*
31. *Municipalidad de Guatuso*
32. *Municipalidad de Heredia*
33. *Municipalidad de Hojancha*
34. *Municipalidad de Jiménez*
35. *Municipalidad de La Cruz*
36. *Municipalidad de La Unión*
37. *Municipalidad de León Cortés*
38. *Municipalidad de Liberia*
39. *Municipalidad de Limón*
40. *Municipalidad de Los Chiles*
41. *Municipalidad de Matina*
42. *Municipalidad de Montes de Oca*
43. *Municipalidad de Montes de Oro*
44. *Municipalidad de Mora*
45. *Municipalidad de Moravia*
46. *Municipalidad de Nandayure*
47. *Municipalidad de Naranjo*
48. *Municipalidad de Nicoya*
49. *Municipalidad de Oreamuno*
50. *Municipalidad de Orotina*
51. *Municipalidad de Osa*
52. *Municipalidad de Palmares*
53. *Municipalidad de Paraíso*
54. *Municipalidad de Parrita*
55. *Municipalidad de Pérez Zeledón*

56. *Municipalidad de Poás*
57. *Municipalidad de Pococí*
58. *Municipalidad de Puntarenas*
59. *Municipalidad de Puriscal*
60. *Municipalidad de San Carlos*
61. *Municipalidad de San Isidro*
62. *Municipalidad de San José*
63. *Municipalidad de San Mateo*
64. *Municipalidad de San Pablo*
65. *Municipalidad de San Rafael*
66. *Municipalidad de San Ramón*
67. *Municipalidad de Santa Ana*
68. *Municipalidad de Santa Bárbara*
69. *Municipalidad de Santa Cruz*
70. *Municipalidad de Santo Domingo*
71. *Municipalidad de Sarapiquí*
72. *Municipalidad de Siquirres*
73. *Municipalidad de Talamanca*
74. *Municipalidad de Tarrazú*
75. *Municipalidad de Tibás*
76. *Municipalidad de Tilarán*
77. *Municipalidad de Turrialba*
78. *Municipalidad de Turrúbares*
79. *Municipalidad de Upala*
80. *Municipalidad de Valverde Vega*
81. *Municipalidad de Vásquez de Coronado*

### **Schedule of the Dominican Republic**

1. *Gobernación de la Provincia de Azua*
2. *Gobernación de la Provincia de Bahoruco*
3. *Gobernación de la Provincia de Barahona*
4. *Gobernación de la Provincia de Dajabón*
5. *Gobernación de la Provincia de Duarte*
6. *Gobernación de la Provincia de Elías Piña*
7. *Gobernación de la Provincia de El Seybo*
8. *Gobernación de la Provincia de Espaillat*
9. *Gobernación de la Provincia de Hato Mayor*
10. *Gobernación de la Provincia de Independencia*
11. *Gobernación de la Provincia de La Altagracia*
12. *Gobernación de la Provincia de La Romana*
13. *Gobernación de la Provincia de La Vega*

14. *Gobernación de la Provincia de María Trinidad Sánchez*
15. *Gobernación de la Provincia de Monseñor Nouel*
16. *Gobernación de la Provincia de Montecristi*
17. *Gobernación de la Provincia de Monte Plata*
18. *Gobernación de la Provincia de Ocoa*
19. *Gobernación de la Provincia de Pedernales*
20. *Gobernación de la Provincia de Peravia*
21. *Gobernación de la Provincia de Puerto Plata*
22. *Gobernación de la Provincia de Salcedo*
23. *Gobernación de la Provincia de Samaná*
24. *Gobernación de la Provincia de Sánchez Ramírez*
25. *Gobernación de la Provincia de San Cristóbal*
26. *Gobernación de la Provincia de San Juan*
27. *Gobernación de la Provincia de San Pedro de Macorís*
28. *Gobernación de la Provincia de Santiago*
29. *Gobernación de la Provincia de Santiago Rodríguez*
30. *Gobernación de la Provincia de Santo Domingo*
31. *Gobernación de la Provincia de Valverde*

#### **Schedule of El Salvador**

1. *Municipalidad de San Salvador*
2. *Municipalidad de Mejicanos*
3. *Municipalidad de Ilopango*
4. *Municipalidad de Santiago Texacuangos*
5. *Municipalidad de Santa Ana*
6. *Municipalidad de Sesori*
7. *Municipalidad de Nueva Guadalupe*
8. *Municipalidad de Santa Tecla*
9. *Municipalidad de Ciudad Arce*
10. *Municipalidad de Santa Elena*
11. *Municipalidad de San Agustín*
12. *Municipalidad de Estanzuelas*
13. *Municipalidad de Mercedes Umaña*
14. *Municipalidad de Alegría*
15. *Municipalidad de Nueva Granada*
16. *Municipalidad de Sonsonate*
17. *Municipalidad de Acajutla*
18. *Municipalidad de San Julián*
19. *Municipalidad de La Unión*
20. *Municipalidad de San Alejo*
21. *Municipalidad de Conchagua*



22. *Municipalidad de Bolívar*
23. *Municipalidad de San Rafael Obrajuelo*
24. *Municipalidad de Tejutla*
25. *Municipalidad de La Reina*

## **Schedule of Guatemala**

### *Municipalidades Departamento de Guatemala*

1. Fraijanes
2. San Juan Sacatepéquez
3. San Pedro Sacatepéquez
4. San Raymundo
5. San Pedro Ayampuc
6. Chinautla
7. Santa Catarina Pinula
8. Guatemala
9. Mixco
10. Villa Nueva

This Chapter does not cover procurement of construction services by entities of *Departamento de Guatemala*.

### *Municipalidades Departamento de Quetzaltenango*

11. Quetzaltenango
12. Coatepeque

### *Municipalidades Departamento de Escuintla*

13. Chiquimulilla
14. Santa Lucía Cotzumalguapa
15. Escuintla
16. Puerto de San José

### *Municipalidades Departamento de Zacapa*

17. Zacapa
18. Río Hondo
19. Teculután

Municipalidades Departamento de Chiquimula

20. Chiquimula

Municipalidades Departamento de El Quiché

21. Santa Cruz del Quiché

Municipalidades Departamento de El Petén

22. Flores

23. San Benito

Municipalidades Departamento de El Progreso

24. Guastatoya

Municipalidades Departamento de Izabal

25. Puerto Barrios

Municipalidades Departamento de Huehuetenango

26. Huehuetenango

Municipalidades Departamento de Jalapa

27. Jalapa

Municipalidades Departamento de Jutiapa

28. Jutiapa

Municipalidades Departamento de Alta Verapaz

29. Cobán

Municipalidades Departamento de Baja Verapaz

30. Salamá

## Schedule of Honduras

1. *Municipalidad de La Ceiba, Atlántida*
2. *Municipalidad de El Porvenir, Atlántida*
3. *Municipalidad de Esparta, Atlántida*
4. *Municipalidad de Jutiapa, Atlántida*
5. *Municipalidad de La Masica, Atlántida*
6. *Municipalidad de San Francisco, Atlántida*
7. *Municipalidad de Tela, Atlántida*
8. *Municipalidad de Arizona, Atlántida*
9. *Municipalidad de Balfate, Colón*
10. *Municipalidad de Iriona, Colón*
11. *Municipalidad de Limón, Colón*
12. *Municipalidad de Sabá, Colón*
13. *Municipalidad de Santa Fe, Colón*
14. *Municipalidad de Santa Rosa de Aguán, Colón*
15. *Municipalidad de Sonaguera, Colón*
16. *Municipalidad de Tocoa, Colón*
17. *Municipalidad de Bonito Oriental, Colón*
18. *Municipalidad de Comayagua, Comayagua*
19. *Municipalidad de Ajuterique, Comayagua*
20. *Municipalidad de El Rosario, Comayagua*
21. *Municipalidad de Esquías, Comayagua*
22. *Municipalidad de Humuya, Comayagua*
23. *Municipalidad de La Libertad, Comayagua*
24. *Municipalidad de Lamaní, Comayagua*
25. *Municipalidad de Lejamaní, Comayagua*
26. *Municipalidad de La Trinidad, Comayagua*
27. *Municipalidad de Meámbar, Comayagua*
28. *Municipalidad de Minas de Oro, Comayagua*
29. *Municipalidad de Ojos de Agua, Comayagua*
30. *Municipalidad de San Jerónimo, Comayagua*
31. *Municipalidad de San José de Comayagua, Comayagua*
32. *Municipalidad de San José del Potrero, Comayagua*
33. *Municipalidad de San Luis, Comayagua*
34. *Municipalidad de San Sebastián, Comayagua*
35. *Municipalidad de Siguatepeque, Comayagua*
36. *Municipalidad de Villa de San Antonio, Comayagua*
37. *Municipalidad de Las Lajas, Comayagua*
38. *Municipalidad de Taulabé, Comayagua*
39. *Municipalidad de Santa Rosa de Copán, Copán*
40. *Municipalidad de Cabañas, Copán*
41. *Municipalidad de Concepción, Copán*

42. *Municipalidad de Corquín, Copán*
43. *Municipalidad de Cucuyagua, Copán*
44. *Municipalidad de Dolores, Copán*
45. *Municipalidad de Dulce Nombre, Copán*
46. *Municipalidad de El Paraíso, Copán*
47. *Municipalidad de Florida, Copán*
48. *Municipalidad de La Jigua, Copán*
49. *Municipalidad de La Unión, Copán*
50. *Municipalidad de Nueva Arcadia (La Entrada), Copán*
51. *Municipalidad de San Agustín, Copán*
52. *Municipalidad de San Antonio de Copán, Copán*
53. *Municipalidad de San Jerónimo, Copán*
54. *Municipalidad de San José, Copán*
55. *Municipalidad de San Juan de Opoa, Copán*
56. *Municipalidad de San Nicolás, Copán*
57. *Municipalidad de San Pedro, Copán*
58. *Municipalidad de Santa Rita, Copán*
59. *Municipalidad de Trinidad, Copán*
60. *Municipalidad de Veracruz, Copán*
61. *Municipalidad de Choloma, Cortés*
62. *Municipalidad de Omoa, Cortés*
63. *Municipalidad de Pimienta, Cortés*
64. *Municipalidad de Potrerillos, Cortés*
65. *Municipalidad de Puerto Cortés, Cortés*
66. *Municipalidad de San Antonio de Cortés, Cortés*
67. *Municipalidad de San Francisco de Yojoa, Cortés*
68. *Municipalidad de San Manuel, Cortés*
69. *Municipalidad de Santa Cruz de Yojoa, Cortés*
70. *Municipalidad de Villanueva, Cortés*
71. *Municipalidad de La Lima, Cortés*
72. *Municipalidad de Choluteca, Choluteca*
73. *Municipalidad de Apacilagua, Choluteca*
74. *Municipalidad de Concepción de María, Choluteca*
75. *Municipalidad de Duyure, Choluteca*
76. *Municipalidad de El Corpus, Choluteca*
77. *Municipalidad de El Triunfo, Choluteca*
78. *Municipalidad de Marcovia, Choluteca*
79. *Municipalidad de Morolica, Choluteca*
80. *Municipalidad de Namasigue, Choluteca*
81. *Municipalidad de Orocuina, Choluteca*
82. *Municipalidad de Pespire, Choluteca*
83. *Municipalidad de San Antonio de Flores, Choluteca*
84. *Municipalidad de San Isidro, Choluteca*

85. *Municipalidad de San José, Choluteca*
86. *Municipalidad de San Marcos de Colón, Choluteca*
87. *Municipalidad de Santa Ana de Yusguare, Choluteca*
88. *Municipalidad de Alauca, El Paraíso*
89. *Municipalidad de Danlí, El Paraíso*
90. *Municipalidad de El Paraíso, El Paraíso*
91. *Municipalidad de Guinope, El Paraíso*
92. *Municipalidad de Jacaleapa, El Paraíso*
93. *Municipalidad de Liure, El Paraíso*
94. *Municipalidad de Morocelí, El Paraíso*
95. *Municipalidad de Oropolí, El Paraíso*
96. *Municipalidad de Potrerillos, El Paraíso*
97. *Municipalidad de San Antonio de Flores, El Paraíso*
98. *Municipalidad de San Lucas, El Paraíso*
99. *Municipalidad de San Matías, El Paraíso*
100. *Municipalidad de Soledad, El Paraíso*
101. *Municipalidad de Teupasenti, El Paraíso*
102. *Municipalidad de Texíguat, El Paraíso*
103. *Municipalidad de Vado Ancho, El Paraíso*
104. *Municipalidad de Yauyupe, El Paraíso*
105. *Municipalidad de Trojes, El Paraíso*
106. *Municipalidad de Alubarén, Francisco Morazán*
107. *Municipalidad de Cedros, Francisco Morazán*
108. *Municipalidad de Curarén, Francisco Morazán*
109. *Municipalidad de El Porvenir, Francisco Morazán*
110. *Municipalidad de Guaimaca, Francisco Morazán*
111. *Municipalidad de La Libertad, Francisco Morazán*
112. *Municipalidad de La Venta, Francisco Morazán*
113. *Municipalidad de Lepaterique, Francisco Morazán*
114. *Municipalidad de Maraita, Francisco Morazán*
115. *Municipalidad de Marale, Francisco Morazán*
116. *Municipalidad de Nueva Armenia, Francisco Morazán*
117. *Municipalidad de Ojojona, Francisco Morazán*
118. *Municipalidad de Orica, Francisco Morazán*
119. *Municipalidad de Reitoca, Francisco Morazán*
120. *Municipalidad de Sabanagrande, Francisco Morazán*
121. *Municipalidad de San Antonio de Oriente, Francisco Morazán*
122. *Municipalidad de San Buenaventura, Francisco Morazán*
123. *Municipalidad de San Ignacio, Francisco Morazán*
124. *Municipalidad de San Juan de Flores, Francisco Morazán*
125. *Municipalidad de San Miguelito, Francisco Morazán*
126. *Municipalidad de Santa Ana, Francisco Morazán*
127. *Municipalidad de Santa Lucía, Francisco Morazán*

128. *Municipalidad de Talanga, Francisco Morazán*
129. *Municipalidad de Tatumbla, Francisco Morazán*
130. *Municipalidad de Valle de Angeles, Francisco Morazán*
131. *Municipalidad de Villa de San Francisco, Francisco Morazán*
132. *Municipalidad de Vallecillo, Francisco Morazán*
133. *Municipalidad de Puerto Lempira, Gracias a Dios*
134. *Municipalidad de Brus Laguna, Gracias a Dios*
135. *Municipalidad de Ahuas, Gracias a Dios*
136. *Municipalidad de Juan Francisco Bulnes, Gracias a Dios*
137. *Municipalidad de Villeda Morales, Gracias a Dios*
138. *Municipalidad de Wampusirpi, Gracias a Dios*
139. *Municipalidad de La Esperanza, Intibucá*
140. *Municipalidad de Camasca, Intibucá*
141. *Municipalidad de Colomoncagua, Intibucá*
142. *Municipalidad de Concepción, Intibucá*

#### **Schedule of Nicaragua**

1. *Municipalidad de Altagracia*
2. *Municipalidad de Belén*
3. *Municipalidad de Boaco*
4. *Municipalidad de Buenos Aires*
5. *Municipalidad de Cárdenas*
6. *Municipalidad de Catarina*
7. *Municipalidad de Ciudad Antigua*
8. *Municipalidad de Ciudad Darío*
9. *Municipalidad de Ciudad Sandino*
10. *Municipalidad de Dipilto*
11. *Municipalidad de Dolores*
12. *Municipalidad de El Jicaral*
13. *Municipalidad de El Júcaro*
14. *Municipalidad de El Rosario*
15. *Municipalidad de Esquipulas*
16. *Municipalidad de Jalapa*
17. *Municipalidad de Jinotega*
18. *Municipalidad de La Concepción*
19. *Municipalidad de La Concordia*
20. *Municipalidad de La Conquista*
21. *Municipalidad de La Paz de Carazo*
22. *Municipalidad de Macuelizo*
23. *Municipalidad de Matiguás*
24. *Municipalidad de Moyogalpa*

25. *Municipalidad de Mozonte*
26. *Municipalidad de Murra*
27. *Municipalidad de Muy Muy*
28. *Municipalidad de Nandasmo*
29. *Municipalidad de Nindirí*
30. *Municipalidad de Niquinohomo*
31. *Municipalidad de Ocotal*
32. *Municipalidad de Palacagüina*
33. *Municipalidad de Rancho Grande*
34. *Municipalidad de San Carlos*
35. *Municipalidad de San Dionisio*
36. *Municipalidad de San Fernando*
37. *Municipalidad de San Francisco del Norte*
38. *Municipalidad de San Isidro*
39. *Municipalidad de San Jorge*
40. *Municipalidad de San José de Cusmapa*
41. *Municipalidad de San José de los Remates*
42. *Municipalidad de San Lorenzo*
43. *Municipalidad de San Lucas*
44. *Municipalidad de San Ramón*
45. *Municipalidad de Santa Lucía*
46. *Municipalidad de Santa María*
47. *Municipalidad de Santa Rosa del Peñón*
48. *Municipalidad de Sébaco*
49. *Municipalidad de Telpaneca*
50. *Municipalidad de Terrabona*
51. *Municipalidad de Teustepe*
52. *Municipalidad de Ticuantepe*
53. *Municipalidad de Tisma*
54. *Municipalidad de Tola*
55. *Municipalidad de Totogalpa*
56. *Municipalidad de Tuma – La Dalia*
57. *Municipalidad de Wiwilí*
58. *Municipalidad de Yalagüina*
59. *Municipalidad de Camoapa*
60. *Municipalidad de Diriamba*
61. *Municipalidad de El Castillo*
62. *Municipalidad de El Crucero*
63. *Municipalidad de El Sauce*
64. *Municipalidad de El Viejo*
65. *Municipalidad de Jinotepe*
66. *Municipalidad de La Paz Centro*
67. *Municipalidad de Larreynaga*

68. *Municipalidad de León*
69. *Municipalidad de Managua*
70. *Municipalidad de Masatepe*
71. *Municipalidad de Masaya*
72. *Municipalidad de Matagalpa*
73. *Municipalidad de Mateare*
74. *Municipalidad de Nagarote*
75. *Municipalidad de Potosí*
76. *Municipalidad de Río Blanco*
77. *Municipalidad de San Francisco Libre*
78. *Municipalidad de San José de Achuapa*
79. *Municipalidad de San Juan de Oriente*
80. *Municipalidad de San Juan de Río Coco*
81. *Municipalidad de San Juan del Norte*
82. *Municipalidad de San Marcos*
83. *Municipalidad de San Rafael del Sur*
84. *Municipalidad de Santa Teresa*
85. *Municipalidad de Somoto*
86. *Municipalidad de Telica*
87. *Municipalidad de Tipitapa*
88. *Municipalidad de Villa Carlos Fonseca*

### **Schedule of the United States**

Unless otherwise specified, this Chapter covers procurement only by those entities listed in this schedule.

#### **List A:**

Costa Rica, the Dominican Republic, El Salvador, Guatemala, and Nicaragua shall have access to procurement by the following sub-central level of government entities:

#### Arkansas

Executive branch agencies, including universities

This Chapter does not cover procurement by the Office of Fish and Game or construction services.

#### Colorado

Executive branch agencies



Connecticut

Department of Administrative Services  
Connecticut Department of Transportation  
Connecticut Department of Public Works  
Constituent Units of Higher Education

Delaware\*

Administrative Services (Central Procurement Agency)  
State Universities  
State Colleges

Florida\*

Executive branch agencies

Hawaii

Department of Accounting and General Services

This Chapter does not cover procurement of software developed in the state or construction services.

Idaho

Idaho Central Procurement Agency (including all colleges and universities subject to central purchasing oversight)

Kentucky

Division of Purchases, Finance and Administration Cabinet

This Chapter does not cover procurement for construction projects.

Louisiana

Executive branch agencies

Maryland\*

Office of the Treasury  
Department of the Environment  
Department of General Services  
Department of Housing and Community Development  
Department of Human Resources  
Department of Licensing and Regulation  
Department of Natural Resources  
Department of Personnel  
Department of Public Safety and Correctional Services  
Department of Transportation

Mississippi

Department of Finance and Administration

This Chapter does not cover the procurement of services.

Nebraska

Central Procurement Agency

New Hampshire\*

Central Procurement Agency

New York\*

State agencies

State university system

Public authorities and public benefit corporations

1. This Chapter does not cover public authorities and public benefit corporations with multi-state mandates.
2. This Chapter does not cover the procurement of transit cars, buses, or related equipment.

Oregon

Department of Administrative Services

Puerto Rico

Department of State

Department of Justice

Department of the Treasury

Department of Economic Development and Commerce

Department of Labor and Human Resources

Department of Natural and Environmental Resources

Department of Consumer Affairs

Department of Sports and Recreation

This Chapter does not cover the procurement of construction services.

Rhode Island

Executive branch agencies

This Chapter does not cover the procurement of boats, automobiles, buses, or related equipment.

South Dakota

Central Procuring Agency (including universities and penal institutions)

This Chapter does not cover the procurement of beef.

Texas

Texas Building and Procurement Commission

This Chapter does not apply to preferences for: (1) motor vehicles; (2) travel agents located in Texas; and (3) rubberized asphalt paving made from scrap tires by a Texas facility.

Utah

Executive branch agencies

Vermont

Executive branch agencies

Washington

Washington State executive branch agencies, including:

- General Administration
- Department of Transportation
- State Universities

This Chapter does not cover the procurement of fuel, paper products, boats, ships, or vessels.

Wyoming\*

Procurement Services Division  
Wyoming Department of Transportation  
University of Wyoming

This Chapter does not cover the procurement of construction services.

**List B:**

Honduras shall have access to procurement by the following sub-central level of government entities:

Arkansas

Executive branch agencies, including universities

Colorado

Executive branch agencies

Connecticut

Department of Administrative Services

Connecticut Department of Transportation  
Connecticut Department of Public Works  
Constituent Units of Higher Education

Florida\*

Executive branch agencies

Kentucky

Division of Purchases, Finance and Administration Cabinet

This Chapter does not cover procurement for construction projects.

Louisiana

Executive branch agencies

Maryland\*

Office of the Treasury  
Department of the Environment  
Department of General Services  
Department of Housing and Community Development  
Department of Human Resources  
Department of Licensing and Regulation  
Department of Natural Resources  
Department of Personnel  
Department of Public Safety and Correctional Services  
Department of Transportation

Mississippi

Department of Finance and Administration

This Chapter does not cover the procurement of services.

Nebraska

Central Procurement Agency

New Hampshire\*

Central Procurement Agency

New York\*

State agencies  
State university system  
Public authorities and public benefit corporations

1. This Chapter does not cover public authorities and public benefit corporations with multi-state mandates.

2. This Chapter does not cover the procurement of transit cars, buses, or related equipment.

Puerto Rico

Department of State

Department of Justice

Department of the Treasury

Department of Economic Development and Commerce

Department of Labor and Human Resources

Department of Natural and Environmental Resources

Department of Consumer Affairs

Department of Sports and Recreation

This Chapter does not cover the procurement of construction services.

South Dakota

Central Procuring Agency (including universities and penal institutions)

This Chapter does not cover the procurement of beef.

Texas

Texas Building and Procurement Commission

This Chapter does not apply to preferences for: (1) motor vehicles; (2) travel agents located in Texas; and (3) rubberized asphalt paving made from scrap tires by a Texas facility.

Vermont

Executive branch agencies

Washington

Washington State executive branch agencies, including:

General Administration

Department of Transportation

State Universities

This Chapter does not cover the procurement of fuel, paper products, boats, ships, or vessels.

Wyoming\*

Procurement Services Division

Wyoming Department of Transportation

University of Wyoming

This Chapter does not cover the procurement of construction services.

#### **Notes to the Schedule of the United States**

1. For the states marked by an asterisk (\*), indicating pre-existing restrictions, this Chapter does not cover the procurement of construction-grade steel (including requirements on subcontracts), motor vehicles, or coal.
2. This Chapter does not apply to preferences or restrictions associated with programs promoting the development of distressed areas, or businesses owned by minorities, disabled veterans, or women.
3. Nothing in this Annex shall be construed to prevent any state entity from applying restrictions that promote the general environmental quality in that state, as long as such restrictions are not disguised barriers to international trade.
4. This Chapter does not cover any procurement made by a covered entity on behalf of non-covered entities at a different level of government.
5. This Chapter does not apply to restrictions attached to Federal funds for mass transit and highway projects.
6. This Chapter does not apply to the procurement of printing services.

## Section C: Other Covered Entities

1. This Chapter applies to the other covered entities listed in each Party's Schedule to this Section where the value of the procurement is estimated, in accordance with paragraph 1 of Section H, to equal or exceed:

- (a) for procurement of goods and services:
  - (i) of List A entities, US\$250,000; or
  - (ii) of List B entities, US\$538,000; and
- (b) for procurement of construction services for List A and List B entities:
  - (i) US\$6,725,000; or
  - (ii) in the case of the Central American Parties and the Dominican Republic, for the three-year period following the date of entry into force of this Agreement, US\$8,000,000.

The monetary thresholds set out in subparagraphs (a)(ii) and (b)(i) shall be adjusted in accordance with Section H of this Annex.

2. Unless otherwise specified, this Chapter covers only the entities listed in each Party's Schedule in this Section.

### Schedule of Costa Rica

#### List A:

1. *Instituto Costarricense de Ferrocarriles – INCOFER*
2. *Instituto Costarricense de Puertos del Pacífico – INCOP*
3. *Junta Administrativa de la Imprenta Nacional*
4. *Programa Integral de Mercadeo Agropecuario – PIMA*
5. *Autoridad Reguladora de los Servicios Públicos – ARESEP*
6. *Banco Hipotecario de la Vivienda – BANHVI*
7. *Consejo de Transporte Público*
8. *Instituto Costarricense del Deporte y la Recreación*
9. *Instituto Nacional de Fomento Cooperativo – INFOCOOP*
10. *Servicio Nacional de Aguas Subterráneas, Riego y Avenamiento*
11. *Banco Central de Costa Rica*<sup>1</sup>

### **List B:**

1. *Caja Costarricense de Seguro Social*<sup>2</sup>
2. *Instituto Costarricense de Electricidad*<sup>3</sup>

### **Notes to Costa Rica Schedule**

1. *Banco Central de Costa Rica*: This Chapter does not cover the issuance of bills, coins, or tax stamps.
2. *Caja Costarricense de Seguro Social*: This Chapter does not cover procurement by goods classified under Section 2 (food products, beverages and tobacco, textiles, apparel, and leather products) of the CPC, version 1.0.
3. *Instituto Costarricense de Electricidad* (“ICE”):
  - (a) The 40-day time limit set out in Article 9.5.1 shall not apply to the ICE. ICE shall provide suppliers sufficient time to prepare and submit responsive tenders.
  - (b) Notwithstanding Article 9.15.6(a), ICE shall provide no less than three business days for suppliers to prepare and submit written challenges.
  - (c) On request of the United States, Costa Rica shall consult with regard to the implementation of time periods referred to in subparagraphs (a) and (b).

### **Schedule of the Dominican Republic**

#### **List A:**

1. *Instituto Nacional de Formación y Capacitación Magisterial*
2. *Corporación de Fomento Industrial*
3. *Instituto Nacional de la Uva*
4. *Instituto Agrario Dominicano*
5. *Instituto Dominicano del Azúcar (INAZUCAR)*
6. *Centro de Exportación e Inversión de la República Dominicana*
7. *Instituto de Auxilios y Vivienda (INAVI)*
8. *Corporación Dominicana de Empresas Eléctricas Estatales (CDEE)*
9. *Autoridad Portuaria Dominicana*
10. *Cámara de Cuentas de la República Dominicana*
11. *Consejo Nacional de Zonas Francas de Exportación*
12. *Instituto Dominicano de las Telecomunicaciones (INDOTEL)*<sup>1</sup>
13. *Junta Central Electoral*



14. *Superintendencia de Bancos*
15. *Banco Central de la República Dominicana*<sup>2</sup>

### **Notes to the Dominican Republic Schedule**

1. *Instituto Dominicano de las Telecomunicaciones (INDOTEL)*: This Chapter does not apply to procurements of goods and services required for the implementation of special projects executed by the *Fondo de Desarrollo de las Telecomunicaciones* to implement the *Política Social sobre Servicio Universal* of the Dominican Republic pursuant to the *Ley General de Telecomunicaciones* No.153-98 and *Reglamento del Fondo de Desarrollo de las Telecomunicaciones*.
2. *Banco Central de la República Dominicana*: This Chapter does not cover the issuance of currency and coins.

### **Schedule of El Salvador**

#### **List A:**

1. *Consejo de Vigilancia de la Contaduría Pública*
2. *Consejo Nacional de Ciencia y Tecnología*
3. *Consejo Salvadoreño del Café*
4. *Consejo Superior de Salud Pública*
5. *Corporación Salvadoreña de Turismo*
6. *Federación Salvadoreña de Fútbol*
7. *Feria Internacional de El Salvador*
8. *Fondo de Inversión Social de Desarrollo Local*
9. *Hogar de Ancianos “Narcisa Castillo,” Santa Ana*
10. *Hospital Nacional “Benjamin Bloom”*
11. *Hospital Nacional “Dr. Luis Edmundo Vásquez,” Chalatenango*
12. *Hospital Nacional “Francisco Menéndez,” Ahuachapán*
13. *Hospital Nacional “Juan José Fernández” Zacamil*
14. *Hospital Nacional “San Juan de Dios,” San Miguel*
15. *Hospital Nacional “San Juan de Dios,” Santa Ana*
16. *Hospital Nacional “San Juan de Dios,” Sonsonate*
17. *Hospital Nacional “San Pedro,” Usulután*
18. *Hospital Nacional “San Rafael” Nueva San Salvador*
19. *Hospital Nacional “Santa Gertrudis,” San Vicente*
20. *Hospital Nacional “Santa Teresa” Zacatecoluca*
21. *Hospital Nacional de Ciudad Barrios*
22. *Hospital Nacional de Cojutepeque*
23. *Hospital Nacional de Ilobasco*

24. *Hospital Nacional de Jiquilisco*
25. *Hospital Nacional de La Unión*
26. *Hospital Nacional de Maternidad “Dr. Raúl Argüello Escolán”*
27. *Hospital Nacional de Metapán*
28. *Hospital Nacional de Nueva Concepción*
29. *Hospital Nacional de Nueva Guadalupe*
30. *Hospital Nacional de San Francisco Gotera*
31. *Hospital Nacional de Santa Rosa de Lima*
32. *Hospital Nacional de Santiago de María*
33. *Hospital Nacional de Sensuntepeque*
34. *Hospital Nacional de Suchitoto*
35. *Hospital Nacional Neumológico “Dr. José Antonio Saldaña”*
36. *Hospital Nacional Psiquiátrico “Dr. José Molina Martínez”*
37. *Hospital Nacional San Bartolo*
38. *Instituto Nacional de los Deportes de El Salvador*
39. *Instituto Nacional de Pensiones de los Empleados Públicos*
40. *Instituto Salvadoreño de Desarrollo de la Mujer*
41. *Instituto Salvadoreño de Desarrollo Municipal*
42. *Instituto Salvadoreño de Fomento Cooperativo*
43. *Instituto Salvadoreño de Formación Profesional*
44. *Instituto Salvadoreño de Protección al Menor*
45. *Instituto Salvadoreño de Rehabilitación de Inválidos*
46. *Instituto Salvadoreño de Transformación Agraria*
47. *Instituto Salvadoreño de Turismo*
48. *Registro Nacional de las Personas Naturales*
49. *Superintendencia de Pensiones*
50. *Superintendencia de Valores*
51. *Unidad Técnica Ejecutiva*
52. *Comisión Ejecutiva Portuaria Autónoma*
53. *Comisión Ejecutiva Hidroeléctrica del Río Lempa*
54. *Complejo Pesquero*
55. *Corporación Salvadoreña de Inversiones*

**List B:**

1. *Centro Nacional de Registros*
2. *Hospital Nacional Rosales*
3. *Superintendencia General de Energía y Telecomunicaciones (SIGET)*

**Note to El Salvador Schedule**

This Chapter does not cover procurement by the entities listed in List A items 10 through 37 and in List B item 2 of goods classified under Section 2 (food products, beverages and tobacco; textiles, apparel, and leather products) of the CPC, version 1.1.

## **Schedule of Guatemala**

### **List A:**

1. *Academia de Lenguas Mayas de Guatemala*
2. *Confederación Deportiva Autónoma de Guatemala*
3. *Comisión Institucional para el Desarrollo y Fortalecimiento de la Propiedad de la Tierra*
4. *Comité Olímpico Guatemalteco*
5. *Comité Permanente de Exposiciones*
6. *Consejo Nacional para la Protección de la Antigua Guatemala*
7. *Empresa Guatemalteca de Telecomunicaciones*
8. *Escuela Nacional Central de Agricultura*
9. *Instituto de Ciencia y Tecnología Agrícolas*
10. *Instituto de Fomento Municipal*
11. *Instituto Guatemalteco de Turismo*
12. *Instituto Nacional de Administración Pública*
13. *Instituto Nacional de Bosques*
14. *Instituto Nacional de Comercialización Agrícola*
15. *Instituto Nacional de Cooperativas*
16. *Instituto Nacional de Estadística*
17. *Instituto Técnico de Capacitación y Productividad*
18. *Superintendencia de Administración Tributaria*
19. *Fondo de Solidaridad para el Desarrollo Comunitario*

## **Schedule of Honduras**

### **List A:**

1. *Administración Forestal del Estado, Corporación Hondureña de Desarrollo Forestal (AFE-COHDEFOR)*
2. *Instituto Hondureño de Mercadeo Agrícola (IHMA)*
3. *Instituto Hondureño para la prevención del Alcoholismo, Drogadicción y Farmacodependencia (IHADFA)*
4. *Instituto Hondureño de Turismo (IHT)*
5. *Instituto Nacional de Jubilaciones y Pensiones de los Funcionarios y Empleados del Poder Ejecutivo (INJUPEMP)*
6. *Comisión Nacional Pro-Instalaciones Deportivas y Mejoramiento del Deporte (CONAPID)*
7. *Comité Permanente de Contingencias (COPECO)*
8. *Instituto Nacional Agrario (INA)*

9. *Empresa Nacional Portuaria (ENP)*
10. *Banco Central de Honduras (BCH)*<sup>1</sup>

### **Note to Honduras Schedule**

*Banco Central de Honduras (BCH)*: This Chapter does not cover the issuance or the circulation of currency.

### **Schedule of Nicaragua**

#### **List A:**

1. *Banco Central de Nicaragua*
2. *Comisión Nacional de Energía*
3. *Consejo Nacional de Planificación Económica y Social*
4. *Correos de Nicaragua*
5. *Dirección General de Ingresos*
6. *Dirección General de Servicios Aduaneros*
7. *Empresa Administradora de Aeropuertos Internacionales*
8. *Empresa Portuaria Nacional*
9. *Fondo de Inversión Social de Emergencia (FISE)*
10. *Fondo Nicaragüense de la Niñez y la Familia*
11. *Instituto de Desarrollo Rural (IDR)*
12. *Instituto de Seguridad Social y Desarrollo Humano*
13. *Instituto de Vivienda Urbana y Rural*
14. *Instituto Nacional de Estadísticas y Censos*
15. *Instituto Nacional Forestal*
16. *Instituto Nacional Tecnológico*
17. *Instituto Nicaragüense de Apoyo a la Pequeña y Mediana Empresa*
18. *Instituto Nicaragüense de Cultura*
19. *Instituto Nicaragüense de Estudios Territoriales*
20. *Instituto Nicaragüense de Juventud y Deportes*
21. *Instituto Nicaragüense de la Mujer*
22. *Instituto Nicaragüense de Seguridad Social*
23. *Instituto Nicaragüense de Tecnología Agropecuaria*
24. *Instituto Nicaragüense de Turismo*
25. *Instituto Tecnológico Nacional*
26. *Ministerio Público*
27. *Procuraduría para la Defensa de los Derechos Humanos*
28. *Radio Nicaragua*
29. *Sistema Nacional de Prevención, Mitigación y Atención de Desastres*
30. *Superintendencia de Bancos y de otras Instituciones Financieras*

31. *Teatro Nacional Rubén Darío*
32. *Universidades y Centros de Educación Técnica Superior* (with respect to purchases made with funds from the State)

### **Notes to Nicaragua Schedule**

1. *Banco Central de Nicaragua*: This Chapter does not cover the issuance of bills or coins.
2. *Dirección General de Ingresos*: This Chapter does not cover the production or issuance of passports (including its security elements, such as security paper or security plastic) or tax stamps.

### **Schedule of the United States**

#### **List A:**

1. Tennessee Valley Authority
2. Bonneville Power Administration
3. Western Area Power Administration
4. Southeastern Power Administration
5. Southwestern Power Administration
6. St. Lawrence Seaway Development Corporation

#### **List B:**

Rural Utilities Service<sup>1</sup>

### **Notes to United States Schedule**

1. The Rural Utilities Service agrees:
  - (a) to waive federal buy national requirements imposed as conditions of funding for all power generation projects; and
  - (b) to apply procurement procedures equivalent to the procedures in the WTO Agreement on Government Procurement and national treatment to funded projects exceeding the thresholds specified above.

For greater certainty, this Chapter does not apply to any other aspect of procurement by the Rural Utilities Service, including any restrictions the Rural Utilities Service places on financing for telecommunications projects.

2. With respect to procurement by entities listed in this Section, this Chapter does not apply to restrictions attached to Federal funds for airport projects.

## **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.

## **Section E**

### **Services**

This Chapter applies to all services procured by the entities listed in Sections A through C, subject to the Notes to the respective Sections, the General Notes, and the Notes to this Section, except for the services excluded in the Schedules of each Party. All services covered by this Section are subject to the existing measures listed in each Party's Schedule to Annex I.

#### **Schedule of Costa Rica**

This Chapter does not cover procurement of the following services:

1. Research and Development

Division 81 Research and Development Services

2. Management of Government-Owned Facilities (Administrative Facilities and Service Buildings, Airfield, Communications, and Missile Facilities, Educational Buildings, Hospital Buildings, Industrial Buildings, Residential Buildings, Warehouse Buildings, Research and Development Facilities, Other Buildings, Conservation and Development Facilities, Highways, Roads, Streets, Bridges and Railways, Electric Power Generation (EPG) Facilities, Utilities, Other Non-Building Facilities).

3. Management and Distribution of Lotteries

Class 9692 Gambling and Betting services

4. Public Services

Division 69 Electricity Distribution Services; Gas and Water Distribution Services through mains

Division 91 Public Administration and other services to the community as a whole; Compulsory Social Security Services

Division 92 Education Services (public education)

Division 93 Health and Social Services

Division 94 Sewage and Refuse Disposal, Sanitation and other Environmental Protection Services



## **Schedule of the Dominican Republic**

This Chapter does not cover procurement of the following services:

1. Business and Production Services  
  
Division 81 Research and Development Services  
Group: 836 Advertising Services
2. Management of Government-Owned Facilities (Administrative Facilities and Service Buildings, Airfield, Communications, Missile Facilities, Educational Buildings, Hospital Buildings, Industrial Buildings, Residential Buildings, Warehouse Buildings, Research and Development Facilities, Other Buildings, Conservation and Development Facilities, Highways, Roads, Streets, Bridges, Dams, Railways, Electric Power Generation (EPG) Facilities, Public Utilities, Other Non-Building Facilities).
3. Public Services  
  
Division 69 Electricity Distribution Services; Gas and Water Distribution Services through mains  
Division 913 Administrative Services of Compulsory Social Security Schemes  
Division 92 Education Services (public education)
4. Transport Services  
  
Division 64 Land Transport Services  
Division 65 Water Transport Services  
Division 66 Air Transport Services
5. Printing Services

## **Schedule of El Salvador**

No services are excluded.

## **Schedule of Guatemala**

This Chapter does not cover the following services, as elaborated in CPC, version 1.0:

1. Public Services

Division 69	Electricity Distribution Services; Gas and Water Distribution Services through mains
Division 91	Public Administration and other services to the community as a whole; Compulsory Social Security Services
Division 92	Education Services (public education)
Division 93	Health and Social Services
Division 94	Sewage and Refuse Disposal, Sanitation and other Environmental Protection Services

2. Individual Professional Services (This Chapter does not cover the contracting of individuals, for defined periods, who provide a professional service, where such contracting is not used to avoid the obligations of this Chapter.)

### **Schedule of Honduras**

This Chapter does not cover the following services, as elaborated in CPC, version 1.0.

1. CPC 64 Land Transport Services
2. CPC 66 Air Transport Services
3. CPC 69 Electricity Distribution Services; Gas and Water Distribution Services through mains

### **Schedule of Nicaragua**

This Chapter does not cover procurement of the following services, as elaborated in the Common Classification System (*for a complete listing of the Common Classification System see [www.sice.oas.org/trade/nafta/chap-105.asp](http://www.sice.oas.org/trade/nafta/chap-105.asp)*):

1. M. Operation of Government-Owned Facilities

All classes

This Chapter does not cover the procurement of the following services, as elaborated in CPC, version 1.0.

2. Public Services

Division 69	Electricity Distribution Services; Gas and Water Distribution Services through mains
Division 91	Public Administration and other services to the community as a whole; Compulsory Social Security Services
Division 92	Education Services (public education)

Division 93  
Division 94

Health and Social Services  
Sewage and Refuse Disposal, Sanitation and other Environmental  
Protection Services

### **Schedule of the United States**

This Chapter does not cover the procurement of the following services, as elaborated in the Common Classification System (*for a complete listing of the Common Classification System see <http://www.tcc.mac.doc.gov/cgi-bin/doiit.cgi?204:66:601961876:49#An1001.1b-2-B>*):

1. A. Research and Development  
  
All classes
2. D. Information Processing and Related Telecommunications Services  
  
D304 ADP Telecommunications and Transmission Services, except for those services classified as “enhanced or value-added services.” For the purposes of this provision, the procurement of “ADP Telecommunications and Transmission Services” does not include the ownership or furnishing of facilities for the transmission of voice or data services.  
  
D305 ADP Teleprocessing and Timesharing Services  
  
D316 Telecommunications Network Management Services  
  
D317 Automated News Services, Data Services or Other Information Services  
  
D399 Other ADP and Telecommunications Services
3. J. Maintenance, Repair, Modification, Rebuilding, and Installation of Goods/Equipment  
  
J019 Maintenance, Repair, Modification, Rebuilding and Installation of Equipment Related to Ships  
  
J998 Non-nuclear Ship Repair
4. M. Operation of Government-Owned Facilities

All facilities operated by the Department of Defense, Department of Energy, and the National Aeronautics and Space Administration; and for all entities:

M180 Research and Development facilities

5. S. Utilities

All Classes

6. V. Transportation, Travel and Relocation Services

All Classes except V503 Travel Agent Services

**Notes to the United States Schedule**

This Chapter does not cover the procurement of any service in support of military forces overseas.

## **Section F**

### **Construction Services**

This Chapter applies to all construction services for all Parties procured by the entities listed in Sections A through C, subject to the Notes to the respective Sections and the General Notes. All construction services covered by this Section are subject to the existing measures listed in each Party's Schedule to Annex I.

#### **Schedule of the Dominican Republic**

This Chapter does not cover the procurement of construction services with respect to suppliers of Puerto Rico, until such time as the Dominican Republic and Puerto Rico provide reciprocal access to procurement of construction services for each other's suppliers.

#### **Schedule of the United States**

This Chapter does not cover the procurement of dredging services.

## **Section G**

### **General Notes**

Unless otherwise specified herein, the following General Notes to each Party's Schedule apply without exception to this Chapter, including to all sections of this Annex.

#### **Schedule of Costa Rica**

1. This Chapter does not apply to procurement by one Costa Rican entity of a good or service obtained or acquired from another Costa Rican entity.
2. This Chapter does not apply to government procurement programs on behalf of small, medium and micro enterprises (SME).

#### **Schedule of the Dominican Republic**

1. This Chapter does not apply to government procurement programs on behalf of small, medium and micro enterprises, including any form of preference, such as the exclusive right to provide a good or a service.
2. This Chapter does not apply to the procurement of construction-grade steel (including requirements on subcontracts).
3. This Chapter does not apply to government procurement programs to promote the alleviation of poverty, or to protect women, the disabled, or children and adolescents, including at the border with Haiti (*Zona Fronteriza*) or in other rural or impoverished areas.
4. This Chapter does not apply to procurement of goods and services related to the disposal of toxic, dangerous, or radioactive waste.
5. This Chapter does not apply to procurement by one Dominican entity of a good or service obtained or acquired from another Dominican entity.
6. This Chapter does not cover procurement made in furtherance of public health protection programs, including treatment of HIV/AIDS, tuberculosis, paludism, malaria, or other epidemics.
7. This Chapter does not apply to procurements made in support of human feeding programs.

### **Schedule of El Salvador**

This Chapter does not apply to procurement by one Salvadoran entity of a good or service obtained or acquired from another Salvadoran entity.

### **Schedule of Guatemala**

1. This Chapter does not apply to procurement by one Guatemalan entity of a good or service obtained or acquired from another Guatemalan entity.
2. This Chapter does not apply to procurement of unrefined minerals naturally occurring in Guatemala for the construction of public works.
3. If, following the entry into force of this Agreement between the United States and Guatemala, Guatemala proposes to implement a procurement measure that is intended to promote the development of its minority-owned or small, medium and micro enterprises, but that would not be consistent with this Chapter, Guatemala shall consult with the United States. If the United States and Guatemala agree on the need and terms and conditions for such a measure, Guatemala shall be permitted to implement the measure.

### **Schedule of Honduras**

This Chapter does not apply to procurement by one Honduran entity of a good or service obtained or acquired from another Honduran entity.

### **Schedule of Nicaragua**

1. This Chapter does not apply to procurement by one Nicaraguan entity of a good or service obtained or acquired from another Nicaraguan entity.
2. (a) Notwithstanding Articles 9.2.1 and 9.2.2, for five years following the date of the entry into force of this Agreement between the United States and Nicaragua, Nicaragua may maintain a price preference program for its small, medium, and micro enterprises, in accordance with the following:
  - (i) A “small, medium, and micro enterprise” is defined, for purposes of this note, as a business that has 100 or fewer employees and total annual sales of no more than US\$1.2 million;
  - (ii) Nicaragua may award its small, medium, and micro enterprises up to a ten

percent price preference in tenders for procurement covered by this Chapter; and

- (iii) The price preference shall be clearly described in the notice of intended procurement or notice inviting suppliers to participate in the procurement and relevant tender documentation.
- (b) Before the end of the five-year period, the United States and Nicaragua shall consult to determine whether there is a need to extend the price preference program and, if they agree that there is such a need, to determine the scope of the extension.
- (c) If, following the entry into force of this Agreement between the United States and Nicaragua, Nicaragua proposes to implement a procurement measure that is intended to promote the development of its small, medium and micro enterprises, but that would not be consistent with this Chapter, Nicaragua shall consult with the United States. If the United States and Nicaragua agree on the need and terms and conditions for such a measure, Nicaragua shall be permitted to implement the measure.

#### **Schedule of the United States**

1. This Chapter does not apply to set asides on behalf of small or minority businesses. Set-asides include any form of preference, such as the exclusive right to provide a good or service and price preferences.
2. This Chapter does not apply to the procurement of transportation services that form a part of, or are incidental to, a procurement contract.



## Section H

### Threshold Adjustment Formula

1. In calculating the value of a contract for the purpose of ascertaining whether a procurement is covered by this Chapter, a procuring entity shall include the maximum total estimated value of the procurement over its entire duration, taking into account all options, premiums, fees, commissions, interest, and other revenue streams, or other forms of remuneration provided for in such contracts.
2. The thresholds in Sections A through C shall be adjusted at two-year intervals with each adjustment taking effect on January 1, beginning on January 1, 2006.
3. With regard to the thresholds for goods and services in Section A, the United States shall calculate the U.S. dollar value for the threshold every two years, based on the U.S. inflation rate measured by the Producer Price Index for Finished Goods published by the U.S. Bureau of Labor Statistics, using the two-year period that ends on October 31 in the year prior to the adjustment taking effect, and using the following formula:

$$T_0 \times (1 + \Pi_i) = T_1$$

$T_0$  = threshold value at base period

$\Pi_i$  = accumulated U.S. inflation rate for the  $i^{\text{th}}$  two-year period

$T_1$  = new threshold value.

4. The thresholds for construction services in Section A and the thresholds in Sections B and C are conversions into U.S. dollars of the thresholds listed in the U.S. Appendix 1 to the WTO Agreement on Government Procurement, which are set out in Special Drawing Rights (SDRs) and listed below. The United States shall calculate adjustments of these thresholds based on an average of the daily conversion rates of the U.S. dollar in terms of SDRs, published by the IMF in its monthly "International Financial Statistics," for the two-year period preceding October 1 or November 1 of the year before the adjusted thresholds are to take effect:
  - (a) 5 million SDRs for construction services;
  - (b) 355,000 SDRs for goods and services for Section B entities; and
  - (c) 400,000 SDRs for goods and services for Section C, List B entities.
5. The United States shall notify the other Parties of the adjusted threshold values by December 15 of the year before the adjusted thresholds take effect.

6. Except for El Salvador, which shall use the value expressed by the United States in U.S. dollars, each Party shall:

- (a) convert the adjusted thresholds values notified by the United States under paragraph 4 into its national currency based on the official conversion rate of its central bank, using the average of the daily values of its currency in terms of the U.S. dollar over the two-year period ending September 30 of the year in which the United States notifies the adjusted thresholds; and
- (b) promptly notify the other Parties of the value in its currency of the adjusted thresholds.

7. The Parties shall consult bilaterally if a major change in a national currency vis-à-vis the other currency were to create a significant problem with regard to the application of the Chapter.

## **Section I**

### **Transition Mechanisms**

1. Each Party shall make best efforts to comply with the obligations listed in each Party's Schedule to this Section during the two years following the date of entry into force of this Agreement. The Notes to each Party's Schedule shall apply during this two-year period. Thereafter, each Party shall fully comply with these obligations.

#### **Schedule of Costa Rica**

1. Article 9.4.2 (inclusion of an indication that the procurement is covered by this Chapter in the notice of intended procurement)
2. Article 9.5.1 (40-days time limit for the tendering process)<sup>1</sup>
3. Article 9.6.3 (written communication of modification to tender documentation)
4. Article 9.11.2 (publication of a notice regarding the contract award)
5. Article 9.15.6(a) (period provided to suppliers to prepare and submit written challenges)<sup>2</sup>

#### **Notes to Costa Rica Schedule**

1. Article 9.5.1: For the tendering process set out in Article 9.5.1, Costa Rica shall provide at least 30 days for procurement made through the *Licitación Pública* and at least ten days for procurement made through the *Licitación por Registro*.
2. Article 9.15.6(a): Costa Rica shall provide at least three days for suppliers to prepare and submit written challenges under Article 9.15.6(a).

#### **Schedule of the Dominican Republic**

1. Article 9.3 (make publicly available judicial decisions and administrative rulings of general application governing procurement)<sup>1</sup>
2. Article 9.4.2 (inclusion of an indication that the procurement is covered by this Chapter in the notice of intended procurement)
3. Article 9.5.1 (40-days time limit for the tendering process)<sup>2</sup>

4. Article 9.9.3 (only for preparation of written reports for the awarding of contracts using direct purchasing)
5. Article 9.11.2 (publication of a notice regarding the contract award)
6. Article 9.13 (establishment and maintenance of procedures that declare a supplier ineligible for participation)

#### **Notes to the Dominican Republic Schedule**

1. Article 9.3: The Dominican Republic shall provide to the other Parties any judicial decision and administrative ruling of general application governing procurement.
2. Article 9.5.1: The Dominican Republic shall provide at least 30 days for the tendering process set out in Article 9.5.1.

#### **Schedule of Guatemala**

1. Article 9.4.2 (inclusion of an indication that the procurement is covered by this Chapter in the notice of intended procurement)
2. Article 9.5.1 (40-days time limit for the tendering process)<sup>1</sup>
3. Article 9.6.3 (written communication of modification to tender documentation)
4. Article 9.11.2 (publication of a notice regarding the contract award)
5. Article 9.13 (establishment and maintenance of procedures that declare a supplier ineligible for participation)<sup>2</sup>
6. Article 9.15.6 (period provided to suppliers to prepare and submit written challenges)

#### **Notes to Guatemala Schedule**

1. Article 9.5.1: For the tendering process set out in Article 9.5.1, Guatemala shall provide at least eight days for suppliers to submit tenders following the publication of the notice of intended procurement.
2. Article 9.13: Guatemala shall not adopt any measure that weakens its current practice with respect to Article 9.13.

## **Schedule of Honduras**

1. Article 9.4.2 (inclusion of an indication that the procurement is covered by this Chapter in the notice of intended procurement)
2. Article 9.5.1 (40-days time limit for the tendering process)<sup>1</sup>
3. Article 9.6.3 (written communication of modification to tender documentation)
4. Article 9.11.2 (publication of a notice regarding the contract award)
5. Article 9.15.6(a) (period provided to suppliers to prepare and submit written challenges)<sup>2</sup>

### **Notes to Honduras Schedule**

1. Article 9.5.1: Honduras shall provide at least 15 days for the tendering process set out in Article 9.5.1, except for build-operate-transfer or public works concession contracts, in which case Honduras shall provide at least 30 days for the tendering process.
2. Article 9.15.6(a): Honduras shall provide at least five days for the period provided to suppliers to prepare and submit written challenges set out in Article 9.15.6(a).

## **Schedule of Nicaragua**

1. Article 9.4.2 (inclusion of an indication that the procurement is covered by this Chapter in the notice of intended procurement)
2. Article 9.5.1 (40-days time limit for the tendering process)<sup>1</sup>
3. Article 9.6.3 (written communication of modification to tender documentation)
4. Article 9.11.2 (publication of a notice regarding the contract award)
5. Article 9.13 (establishment and maintenance of procedures that declare a supplier ineligible for participation)<sup>2</sup>
6. Article 9.15.6 (period provided to suppliers to prepare and submit written challenges)<sup>3</sup>

### **Notes to Nicaragua Schedule**

1. Article 9.5.1: For the tendering process set out in Article 9.5.1, Nicaragua shall provide at least 30 days for a *Licitación Pública* procurement and at least 15 days for a *Licitación por*

*Registro* procurement.

2. Article 9.13: Nicaragua shall not adopt any measure that weakens its current practice with respect to Article 9.13.
3. Article 9.15.6: Nicaragua shall provide at least five days for suppliers to prepare and submit written challenges set out in Article 9.15.6.

## **Section J**

### **Transition Mechanisms for Coverage of Construction Services – the Dominican Republic**

1. Notwithstanding Article 9.2.4, the Dominican Republic may, subject to paragraphs 2 through 5, maintain the following offsets, as provided for in Law No. 322 of 2 June 1981, and its Regulation No. 578-86 with respect to procurement covered by Section F of this Chapter:
  - (a) a requirement that a foreign supplier seeking to participate in a procurement covered by this Chapter must be associated with an enterprise established under the laws of the Dominican Republic, that is capitalized with Dominican or mixed Dominican and foreign capital, and where the share held by the foreign supplier in the association is limited to no more than 50 percent, which may be increased to 70 percent depending on the availability of Dominican capital; and
  - (b) a requirement that 50 percent of the management of a procurement covered by this Chapter be comprised of Dominican nationals.
  
2. Where a procuring entity seeks, takes account of, or imposes an offset under paragraph 1, the entity:
  - (a) shall clearly describe the offset in the notice of intended procurement or notice inviting suppliers to participate in the procurement and in relevant tender documentation;
  - (b) shall conduct the procurement in accordance with the procedures in this Chapter;
  - (c) shall apply the offset in a non-discriminatory manner that does not provide U.S. suppliers with treatment that is less favorable than the treatment given to suppliers of any other foreign country; and
  - (d) may not require suppliers to purchase goods or services on non-competitive terms or of substandard quality, or to take any action that is not justified from a commercial standpoint.
  
3. The limitations permitted under paragraph 1 shall be reduced over a period of 15 years as follows:
  - (a) 40 percent for any procurement initiated after the beginning of the sixth year after the date of entry into force of this Agreement and until the end of the tenth year after the date of entry into force of this Agreement;
  - (b) 30 percent for any procurement initiated after the beginning of the 11th year after the date of entry into force of this Agreement and until the end of 12th year after the date of entry into force of this Agreement; and

- (c) 20 percent for any procurement initiated after the beginning of 13th year after the entry into force of this Agreement.
- 4. During the 13th year after the date of entry into force of this Agreement, the Dominican Republic and the United States shall enter into consultations with regard to the treatment of the offsets described in paragraph 1, following the end of the 15-year period referred to in paragraph 3, with a view to the elimination of the offsets. The consultations shall take into consideration, *inter alia*, the general and economic developments in the Dominican Republic, its implementation of this Chapter, and the need to maintain the offsets. If, by the end of the 15th year after the date of entry into force of this Agreement, the Dominican Republic and the United States are unable to reach agreement on the treatment of the offsets from the end of the 15th year, the United States may reduce the access that it accords to the Dominican Republic, as set out in the Schedules of the United States to this Annex.
- 5. At the end of each period specified in paragraph 3, the Dominican Republic shall provide written reports to the United States on the implementation of the transitional mechanism provided for in this Section.