



APPENDIX J:

SWORN STATEMENT - ACT NO. 2 – 2018

I, _____, of legal age, ☐ single ☐ married ☐ other, resident of, _____ in representation of:

- ☐ My own behalf, in my personal capacity
- ☐ Natural person, _____
- ☐ Legal entity, in my capacity as _____ of _____
- ☐ Foreign legal entity; in my capacity as _____ of _____

DO HEREBY SOLEMNLY SWEAR AS FOLLOWS:

1. That my name and personal circumstances are as stated above.
2. That the owner(s), associate(s), shareholder(s), partner(s), member(s) or any natural or legal person with decision-making power or control of the Entity¹ or Corporation are the following:

First Name and Last Name(s)	Type of participation (the owner(s), associate(s), stakeholder(s), partner(s), etc.)	Signature

3. That the Entity or Corporation I represent is a joint venture with the following Entity(ies), Corporation(s) or any other natural or legal person: (if applicable)

¹ For purposes of this Sworn Statement, **Entity** refers to, without being limited to, any partnership, limited liability company, corporation, association, organization, joint venture duly organized and/or registered in accordance with the applicable laws of Puerto Rico.



Entity(ies), Corporation(s) or any other natural or legal person

4. That I am authorized and have binding capacity to represent the Company and all its partners and owners for the purposes of this Sworn Statement pursuant to _____, dated _____.
5. That I acknowledge that by virtue of Act No. 2 of January 4, 2018, as amended, known as the "Anti-Corruption Code for the New Puerto Rico," it is provided that any person, whether natural or legal, who has been convicted of i) a violation of Articles 4.2, 4.3 or 5.7 of Act No. 1-2012, known as the "Office of Government Ethics Organic Act"; ii) a violation of any of the felonies against the exercise of public office or against public funds as contained in Articles 250 to 266 of Act No. 146-2012, as amended, known as the "Puerto Rico Penal Code"; iii) any of the crimes specified in the "Anti-Corruption Code for the New Puerto Rico" or iv) for any felony involving the misuse of public funds or property, including but not limited to the crimes mentioned in Section 6. 8 of Act No. 8-2017, as amended, known as the "Act for the Administration and Transformation of Human Resources in the Government of Puerto Rico", shall be disqualified from contracting or bidding with any executive agency of the Government of Puerto Rico, public corporation, or PRDA, for the applicable term under Section 6.8 of Act No. 8-2017, supra.

The prohibition contained in the aforementioned law, shall apply, for purposes of federal jurisdiction or that the states or territories of the United States of America or of any other country, in cases of conviction for crimes whose constituent elements are equivalent to those of the aforementioned crimes.

6. **Check only ONE of the following [(a) or (b)] Sworn Statements with both boxes checked are not valid.**
- a. ☐ Neither the undersigned, nor the _____, any of its subsidiaries, or alter egos, nor any of its presidents, vice presidents, directors, executives directors, members of its Board of Officers of Directors, or persons performing equivalent functions, has been convicted or has pleaded guilty in the state or federal court, in any other country, or is under investigation in any legislative, judicial or administrative proceeding, whether in Puerto Rico, the United States of America or any other country, for any of the offenses mentioned in Section 6.8 of Act No. 8-2017, Section 3.4 of Act No. 2-2018, or its equivalent for purposes of the referred Act No. 2-2018, supra.
- b. ☐ That _____, which is or was a subsidiary or alter ego of _____, holding the position of _____,



_____ (e.g., president, vice president, executive director, or board official or board of directors, or person performing equivalent functions) in the aforementioned company:

☐ has pled guilty in a state or federal forum, in any other jurisdiction of the United States of America or in any other country, or

☐ has been convicted in a state or federal forum, in any other jurisdiction of the United States of America or in any other country, or

☐ is under investigation in any legislative, judicial, or administrative proceeding, whether in Puerto Rico, the United States of America, or any other country, for any of the offenses mentioned in Section 6.8 of Act No. 8-2017, Section 3.4 of Act No. 2-2018, *supra* or its equivalent for purposes of the aforementioned Act No. 2-2018, *supra*.

If any of the checkboxes above are selected, please provide the following details below:

The company, subsidiary, alter ego or individual has plead guilty to, was convicted of, or is under investigation in any legislative, judicial or administrative proceeding for _____.

The company, subsidiary, alter ego or individual has plead guilty to, was convicted of, or is under investigation in _____ before _____ on _____.

7. That I acknowledge that no commissions or bonuses have been paid, in cash or in kind, and there is no commitment for the future payment of any such commissions or bonuses to any public official, employee or any former public official who participated in the negotiations and transactions contemplated by the Company's agreement with _____, while working for the Government of Puerto Rico.
8. That I acknowledge that neither I nor any Entity representatives shall violate, conspire to violate, or aid and abet the violation of any of the Acts and Anti-Corruption laws. No funds transferred by the PRDA to the Vendor shall be transferred by the Vendor, directly or indirectly, in violation of such aforementioned Acts and Anti-Corruption laws.
9. That I acknowledge the obligation to inform the PRDA, at any time during the contracting process or the term of the contract, if I or any representative of the Entity becomes aware of being under investigation in connection with criminal charges related to corruption, the public treasury, public trust, public office, or any charges involving public funds or property.
10. That I acknowledge the requirement to maintain and implement policies, procedures, and controls reasonably designed to ensure compliance with the Anti-Corruption Laws and Sanctions. Furthermore, I agree to promptly notify the PRDA, in writing, if the Entity becomes subject to any investigation by law enforcement or regulatory authorities in connection with the Anti-Corruption Laws or Sanctions, and to comply at all times with all applicable laws regarding non-discrimination.



11. That I subscribe this Sworn Statement freely and voluntarily in connection with, and as an integral part of, our interest to provide services and/or goods, as procured by the PRDA in accordance with Act No. 107-2020.
12. That I understand and agree that a conviction or guilty plea for any of the offenses listed in in Section 6.8 of Act No. 8-2017, and/or any of the offenses listed Section 3.4 of Act No. 2-2018, supra, will result in the automatic termination of all contracts between the undersigned, the company or represented, and any governmental entity, public corporation, PRDA, the Legislative Branch or the Judicial Branch, effective as of the date of such conviction or plea.
13. That I make this Sworn Statement so that the PRDA, and any governmental entity, public corporation, PRDA, the Legislative Branch, or the Judicial Branch, may be informed of the declarations herein, and for any other administrative and/or legal purpose.

AND FOR THE RECORD, I do hereby swear and sign this declaration at

_____.

Signature

AFFIDAVIT

Affidavit number: _____

SWORN AND SUBSCRIBED before me by Enter name of declarant,
of the circumstances set forth above, and whom I identify by
_____.

At _____ this day of _____.

Notary's Name

Notary's Signature

Note: Providing false information will result in immediate disqualification of the Proponent, as well as any applicable administrative or criminal sanction.