

#### **Disclaimer, waiver and limitation of liability**

The purpose of the documents (preliminary rules, PPP contract and their exhibits) that the Ministry of Communications and Transportation (*Secretaría de Comunicaciones y Transportes* – SCT) publishes hereby, is to make the process that is being performed thereby more transparent in order to define the terms, modalities and requirements of the competitive bidding whereby the telecommunications *Red Compartida* project referred to in article sixteenth transitory of the Executive Order that amends and supplements several provisions of articles 6<sup>th</sup>, 7<sup>th</sup>, 27, 28, 73, 78, 94 and 105 of the Political Constitution of the United Mexican States, in telecommunication matters, published in the Federal Gazette on June 11, 2013, which includes the use of the radioelectric spectrum frequency band, which includes the segments of 703 to 748 MHz and of 758 to 803 MHz, with a total of 90 MHz nationwide, as well as a pair of dark fiber optic strands of the Backbone Network contemplated in article fifteenth transitory of the aforesaid Executive Order, shall be awarded. The preliminary rules, the PPP Contract and the exhibits that are hereby published, are preliminary documents and are the result of the analysis performed by the SCT and by the IFT, within their scope of their respective duties, therefore anyone who wishes to participate in the aforesaid competitive bidding, if the case may be, whether as a participant, bidder or with any other capacity, interest or desire, must not take such documents and information therein provided as final, whether in whole or in part, as specifications, definitions, terms, conditions or features applicable to the competitive bidding or to the *Red Compartida* project, since they may be amended in whole or in part, and therefore do not mean any commitment whatsoever for the SCT or for the IFT or have any binding content whatsoever. In such regard, neither the Federal Government, including the SCT and its other agencies or entities, nor whoever acts as the inviting entity to the *Red Compartida* project, nor the IFT, undertake any responsibility whatsoever regarding the accuracy of the information or the preliminary documentation that is being published; nor any liability of any kind regarding its interpretation, understanding, analysis or comment, or regarding the decision making of any person, with any capacity, based on such information or documentation. The information and values that are being published do not represent or constitute any offer, promise or commitment whatsoever of the Federal Government, including the SCT and its other agencies or entities, or of whoever acts as inviting entity of the competitive bidding of the *Red Compartida* project, if the case may be, nor of the IFT, and therefore rejects any obligation or indemnification that is claimed, imposed or derived from the information that is being published. No obligation, commitment, damage, lost profit or right to any indemnification shall be acknowledged, derived from the information referenced herein. The information contained in the documents that are being published is preliminary and for consultation and feedback purposes, and it is just a sample of some of the specifications of the *Red Compartida*. Likewise, the information contained in the documents that are being published does not imply any commitment by the Federal Government, including the SCT and its other agencies and entities, to carry out any proceeding under any modality, whether as a public tender, competitive bidding or any other that is determined. The people who wish to participate in the *Red Compartida* project competitive bidding, if the case may be, or who have an interest therein, shall be responsible for making their own analysis and calculations, based on the final information published for such purpose, and shall be fully responsible for the results, conclusion and information obtained therefrom and mainly the actions and decision making based thereon. This act of publication does not constitute the commencement of any stage of the public tender or competitive bidding of the *Red Compartida* project, or any invitation or request of expressions of interest or of requested or unrequested proposals. The delivery to the SCT or to any other agency or entity of the Federal Government, or to the IFT, of comments, opinions, proposals, requests or expressions of any kind, by any individual or entity, derived from the information provided in these documents, does not imply any commitment whatsoever nor in any way binds the SCT or any other agency or entity of the Federal Government or the IFT to respond to them affirmatively or to take them into consideration, adopt them or abide by them, in whole or in part; nor grants whoever delivers them any right, present or future, in the proceeding that is carried out for the award of the project.

This courtesy English translation is provided only for reference. It has no validity and in the event of any discrepancy, the Spanish version shall prevail and be considered as the correct version for all intents and purposes.

## **Guidelines for submitting comments regarding the Preliminary Bidding Rules**

### **Instructions for submitting comments**

Comments sent to the Ministry of Communications and Transportation (Secretaría de Comunicaciones y Transportes) (SCT) and the Federal Telecommunications Institute (Instituto Federal de Telecomunicaciones) (IFT) in relation to the Preliminary Bidding Rules must use the formats provided in this document. Any communication must be conducted exclusively by email to the email address indicated below. The SCT and the IFT will not accept communications received by other means of communication, including verbal communication. Only comments submitted in English or Spanish will be addressed.

Comments on the Preliminary Bidding Rules should be sent by email to the account [contacto@redcompartida.gob.mx](mailto:contacto@redcompartida.gob.mx) in a single document in *portable document format (.pdf)*, which must include a duly completed “Cover Page” as the first page.

To avoid confusion between versions, or between documents, only one document of comments will be accepted per respondent; if two or more documents of comments are received from the same respondent, the SCT and the IFT will only address the most recent document. However, applicants who wish to extend or amend their comments after submission will be able to do so if they include such extensions or amendments in the original document, and sending it back by email to the point of contact.

**Documents with comments should be sent before October 30, 2015**, at 5:00 pm (Mexico City time). The SCT and the IFT will not consider documents received after the indicated date and time.

### **Formats for submission of comments**

#### **1.1. Cover page format**

The applicant must provide its contact information in the format shown in the next page. This form must be the cover page of any submission of comments to these Preliminary Bidding Rules.

**Comments regarding the Preliminary Bidding Rules of  
the Red Compartida project**

**Cover Page**

Date:

\_\_\_\_\_

(mm / dd / yyyy)

Full name of the person submitting comments:

\_\_\_\_\_

Title of the person submitting comments:

\_\_\_\_\_

Name of the company (if answering as an authorized spokesperson or legal representative):

\_\_\_\_\_

Full address (street / exterior number / interior number):

\_\_\_\_\_

District / zip code / circumscription of municipality

\_\_\_\_\_

City / state or region / country

\_\_\_\_\_

Office phone number:

\_\_\_\_\_

(Country code) (phone number)

Mobile phone number:

\_\_\_\_\_

(Country code) (phone number)

Email:

\_\_\_\_\_

## 1.2. Information request form

Respondents are required to use the following form to make comments on specific topics of these Preliminary Bidding Rules. Respondents must indicate the section of the document to which the comment or the question is being referenced or asked.

**Section number:** [insert number of section of the document here]

**Comments:**

[Insert comment from the participant in this section]

**Questions:**

- [Insert questions in this section]