



NOTE: THE OFFICIAL LANGUAGE OF THE SELECTION PROCESS IS SPANISH. IN CASE OF DIFFERENCES IN THE ENGLISH TRANSLATION, THE SPANISH VERSION SHALL PREVAIL.

ADDENDUM No. 4

TERMS OF REFERENCE

“COLOMBIA ROUND 2010 BIDDING PROCESS”

April 23, 2010

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In accordance with Section **2.11.** of the **Terms of Reference**, pursuant to this **Addendum No. 4**, the a **ANH** issues the following modifications.

For a better understanding, the modifications are presented in ***italics, underlined and bold font.***

The rest of the rules set forth in the **Terms of Reference**, which have not been expressly modified by this **Addendum No 4**, continue in effect.

1. The following definitions are modified as follows:

“Qualified Company: It is understood that a Company is Qualified if it meets the requirements for the qualification of its legal and financial capacities, according to the provisions of these Terms of Reference. The Qualified Company must be part of a Consortium with a Qualified Operating Company or a ***Qualified Restricted Operating Company*** per each offered block.

Qualified Restricted Operating Company: Is the Participating Company that meets with the requirements to prove the legal, financial, technical, environmental and corporate social responsibility capacities, but which does not have the minimum reserves and production requirements set forth in Section 3.2.9., of these Terms of Reference.

Heavy Crudes: Are those crudes that have a gravity between 10 and ***15*** API degrees.

Bidder: Is every Qualified Operating Company or ***Qualified Restricted Operating Company*** or Consortium which members have been qualified (one of them as Qualified Operating Company or Qualified ***Restricted Operating Company***) and that submit an Offer”.



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2. Table No. 1 of Section 2.4.3. is modified as follow.

BASIN	Cost km 2D seismic (prices in US\$)	Cost km 3D seismic offshore (prices in US\$)	Cost of high resolution bathymetry (prices in US\$)	Stratigraphic or Exploration Well (prices in millions US\$)	Cost Km aero geophysics (prices in US\$)	Cost km Multispectral analysis (prices in US\$)	Cost point piston core (prices in US\$)	Cost km Seismic reprocessing and reinterpretation (prices in US\$)
Caguan- Putumayo	45,000	<u>72,000</u>		6	170	1,100		100
Catatumbo	45,000	<u>72,000</u>		6	170	1,100		100
Cauca- Patía	50,000	<u>80,000</u>		6	170	1,100		100
Cesar- Ranchería	30,000	<u>48,000</u>		6	170	1,100		100
Chocó	45,000	<u>72,000</u>		6	170	1,100		100
Chocó offshore	4,000	12,000	250	25	170	1,100	15,000	100
Eastern Cordillera	40,000	<u>64,000</u>		6	170	1,100		100
Eastern Plains	25,000	<u>40,000</u>		6	170	1,100		100
Guajira	30,000	<u>48,000</u>		6	170	1,100		100
Guajira Offshore	4,000	12,000	250	25	170	1,100	15,000	100
Los Cayos- Colombia	4,000	12,000		6	170	1,100		100
Lower Magdalena Valley	35,000	<u>56,000</u>		3	170	1,100		100
Middle Magdalena Valley	40,000	<u>64,000</u>		3	170	1,100		100
Upper Magdalena Valley	40,000	<u>64,000</u>		3	170	1,100		100
Sinú – San Jacinto	35,000	<u>56,000</u>		3	170	1,100		100
Sinú offshore	4,000	12,000	250	25	170	1,100	15,000	100
Tumaco	45,000	<u>72,000</u>		6	170	1,100		100
Tumaco offshore	4,000	12,000	250	25	170	1,100	15,000	100
Urabá	35,000	<u>56,000</u>		6	170	1,100		100
Urabá offshore	4,000	12,000	250	25	170	1,100	15,000	100

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3. The first paragraph of Section 3.2.3 is modified as follows:

“Companies wishing to participate as Qualified Companies must only provide evidence of its legal and financial capacities. In order to submit an Offer they must form a Consortium with at least one Qualified Operating Company or with a **Qualified Restricted Operating Company**”.

4. Paragraphs 5 and 6 of Section 3.2.6.3 is modified as follows:

"The Qualified Companies can only submit a joint Offer in Consortium with at least one Qualified Operating Company or a **Qualified Restricted Operating Company**. In this case, the Qualified Operating Company **or Qualified Restricted Operating Company**, must have a participation of at least thirty percent (30%) in the Consortium where it participates.

For purposes of the foregoing, the Qualified Companies, the Qualified Operating Company and the **Qualified Restricted Operating Company** must submit with the Offer a letter of intent, which form is attached to these Terms of Reference as Annex 6, signed by the legal representatives stating that once the respective block within one of the Areas object of this Bidding Process is awarded, and prior to the signature of the E&P Contract and/or Special TEA, they will sign the consortium agreement.”.

5. Paragraph 7 and Table No. 3 of Section 3.2.7 are modified as follows:

“(…) In case of the companies that qualify individually and declare their intent of forming a Consortium with other Qualified Companies at the moment of submitting the Offer, the Operating Company **or Restricted Operating Company** must have a minimum participation of thirty percent (30%) in the Consortium.

(…)

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Table 1. Credit Rating

Credit Rating Agency	Qualification
Standard & Poor's	BBB
Moody's	Baa
Duff & Phelps	BBB
<i>Fitch Ratings</i>	<i>BBB</i>

(...)"

6. The following text is added as paragraph 6^o to Section 3.2.9.1:

"(...)

In any case, a consortium where the operator is a Restricted Operator can only be awardee of one contract with the ANH as a result of this bidding process, regardless of its networth and in the understanding that the latter does not have a contract signed with the ANH.

7. Paragraph 3 of Section 4.6.1 is modified as follows:

"Regarding the blocks of the Area Type 1, each Qualified Restricted Operating Company, Operator or Consortium in which the ***latter*** acts as Operator, may be the Awardee for one or more blocks, in all cases and according to the provisions of Section ***iError! No se encuentra el origen de la referencia.*** of these Terms of Reference; provided, however, the total amount of the areas of contiguous blocks to be awarded does not exceed 45,000 has. In case the total amount of the area of the blocks to be awarded exceeds the limit set forth herein, the ANH will proceed to award the blocks using as criteria the greatest added benefit for the Nation, in terms of exploration investment.

8. The first paragraph of Section 4.1 is modified as follows:

"The Qualified Operating Company, ***Qualified Restricted Operating Company*** and the Consortia formed by at least one

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Qualified Operating Company **or Restricted Operating Company** and by Qualified Companies, must submit the Offer(s) on the date set forth in the Schedule, which must include the following”.

9. The first Whereas and third section of Annex 6 is modified as follows:

“WHEREAS _____ has manifested its interest in participating in the Bidding Process, being qualified as Operating Company **or Restricted Operating Company**, as defined in the Terms of Reference.

(...)”

CAROLYNNA ARCE HERNANDEZ

Technical Sub Director