

NEXUS COMPANIES SELECTION 001/2023

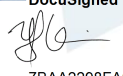
Selection of technology-based companies (EBTs) and institutions for programs (Scale Up, R&D and Base) from Nexus - Innovation Hub of São José dos Campos Technology Park.

SÃO JOSÉ DOS CAMPOS TECHNOLOGY PARK ASSOCIATION, a legal entity of private law, enrolled with the National Corporate Taxpayer's Register (CNPJ) under No. 09.105.890/0001-70, with address at Estrada Doutor Altino Bondesan, 500 - Distrito de Eugênio de Melo - São José dos Campos - State of São Paulo - ZIP Code 12247-016, hereinafter simply referred to as **APTSJC**, as a manager of the São José dos Campos Technology Park, pursuant to the terms of Management Agreement No. 307/2022, entered into with the City Hall of São José dos Campos, makes public this instrument to select technology-based companies (EBTs) and institutions interested in participating in the selection for the programs (Scale Up, R&D and Base) from Nexus - Innovation Hub of the Technology Park of São José dos Campos, according to the conditions established in this instrument and respective attachments, the terms of which are also part of such agreement.

Term of Effectiveness Start Date: 2/1/2023

End Date: 10/31/2023

LOCATION: São José dos Campos Technology Park Administration Building, located at Estrada Doutor Altino Bondesan, 500 - Distrito de Eugênio de Melo - São José dos Campos - State of São Paulo - ZIP Code 12247-016.

DocuSigned by:


São José dos Campos, February 1, 2023

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1. INITIAL CONSIDERATIONS

This Selection is regulated, when applicable, by the Bylaws of the São José dos Campos Technology Park Association and other legal documents of **APTSJC**, all of which can be found at the following website: <https://pqtec.org.br/transparencia/?tax%5Bwpdmcategory%5D=documentos-administrativos/>.

1.1. **APTSJC** also discloses to all those who wish to submit proposals within the scope of this Selection Process of technology-based companies (EBTs) and institutions interested in participating in the Selection for the programs (Scale Up, R&D and Base) from Nexus - Innovation Hub of São José dos Campos Technology Park that the application of funds linked to contracts, agreements, adjustments or other similar instruments does not change the status as a legal entity of private law and does not oblige it to the rules established for the Government with regard to the bidding processes. Thus, we hereby duly state that this process is promoted by a private institution; hence an agreement resulting between individuals is certain and will be governed by the regime of private law.

2. CONTEXT AND PURPOSE

2.1. The participation of technology-based companies (EBTs) and institutions in the programs (Scale Up, R&D and Base) from Nexus - Innovation Hub of São José dos Campos Technology Park is in line with São José dos Campos Technology Park institutional mission to foster science, technology, innovation, and entrepreneurship, with a view to competitive and sustainable development. To this end, **APTSJC** uses this instrument to select technology-based companies (EBTs) and institutions that meet the requirements of this Selection Instrument.

2.2. For the purposes of this Selection, a technology-based company is considered to be any **BIDDER** that grounds its production activities on the development or material improvements of new products, processes or services using the systematic application of scientific and technological knowledge.

3. PARTICIPATION CONDITIONS

3.1. The basic conditions for participating in this Selection Process are:

- 3.1.1. **BIDDER'S** moral, legal, and registration trustworthiness, which will be carried out through document inspection through Due Diligence analysis;
- 3.1.2. That the Project proposes the development or generation of innovative products, processes, or services with high value-added and technology-based;
- 3.1.3. For the purposes of the Selection herein, innovative products, processes, or services with high value-added and technology-based are considered those that, whether unpublished or not, involve, in their conception, manufacture or improvement, a high degree of technical and scientific knowledge;
- 3.1.4. That the executing team demonstrate technical training or expertise compatible with the proposed project;
- 3.1.5. That the **BIDDER** is willing to schedule at least 2 hours per month to provide/offer consultancy/mentoring related to the project to be presented for this Selection, and it will be on a voluntary basis for the São José dos Campos Technology Park ecosystem.

4. CONSTRAINTS TO PARTICIPATE IN THE SELECTION PROCESS

- 4.1. **BIDDERS** who fit any of the following situations shall not be able to participate in this Selection and will be automatically disqualified if they apply:
 - 4.1.1. Are under bankruptcy, arrangement with creditors, creditor contest, dissolution, winding up or in the court-supervised or out-of-court reorganization proceeding, as well as in the process of court execution or labor lawsuits;
 - 4.1.2. Have been declared unreliable by any Federal, State or Municipal Government body, directly or indirectly;
 - 4.1.3. Are prevented from entering into agreements with the Municipal Government;
 - 4.1.4. Companies that are in financial debt, recognized in court or upon admission of debt before **APTSJC**;
 - 4.1.5. Are in non-compliance with the **APTSJC** Code of Ethics and Conduct; access to the Code may be carried out through the **APTSJC** website.

5. ELIGIBLE PROJECTS

- 5.1. Legal entities hereinafter referred to as **BIDDERS**, whose proposals aim to develop or generate innovative products, processes, or services with high value-added and technology-based, may participate in the Selection process.

6. SELECTION PROGRAMS 001/2023

BIDDERS must validate exclusively with the Nexus team which program meets their characteristics and demands before submitting the proposal for SELECTION 001/2023. The programs' purpose of this Selection is: Scale Up, R&D, and Base, whose descriptions can be found respectively in items 6.1, 6.2, and 6.3 below:

6.1. Scale-Up (Nexus Scale Up)

- 6.1.1. This program is focused on startups and technology-based companies in the traction and scaling phase, whose purpose and project are growth and, preferably, the company headquarter will be the São José dos Campos Technology Park center. The companies in this program are primarily small and medium-sized companies that target the:

- 6.1.1.1. Expansion and consolidation of the product and/or service base;
- 6.1.1.2. Development of new innovative products and/or services;
- 6.1.1.3. Development of new innovative production methods;
- 6.1.1.4. Access to new markets.

- 6.1.2. Thus, the final purpose of the program is for companies to reach maturity in management and develop a products and services portfolio and a customer base.

6.2. Research, Development and Innovation (Nexus R&D)

- 6.2.1. This program is intended for consolidated technology-based companies that wish to establish a research, development or innovation center focused on new technologies, products, and services that preferably have their headquarter located outside the nucleus of the São José dos Campos Technology Park, as well as what will be

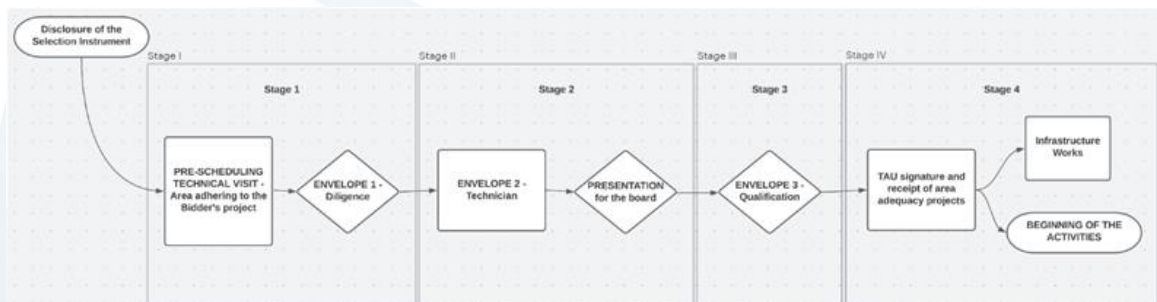
installed in the São José dos Campos Technology Park will be an R&D center.

6.3. Base (Nexus Base)

6.3.1. For companies and institutions, including those of teaching and research located in the São José dos Campos Technology Park nucleus as a business center or to add to the environment of synergy and collaboration between various players seeking to carry out research, development and innovation activities.

7. SELECTION STAGES 001/2023

7.1. Figure A - Flow chart



7.2. Table A - Stages and Deadlines

Stage	Deadline	Person in Charge
STAGE I - Scheduling the technical visit for pre-reserving the area adhering to the Bidder's project	Up to 10/31/2023	BIDDER
- Submission of Envelope 1 - Diligence	Up to 7 business days after pre-reserving the area	BIDDER
- Disclosure of those approved in Stage I	Up to 10 business days after documents submission	APTSJC
STAGE II - Submission of Envelope 2 - Technician	Up to 30 calendar days after approval in Stage I	BIDDER
- Presentation of the project to the Technical Committee	Up to 15 business days after submission of Envelope 2	BIDDER AND APTSJC

- Disclosure of those approved in Stage II	Up to 7 business days after the presentation of the project	APTSJC
STAGE III - Submission of Envelope 3 - Documents relating to QUALIFICATION	Up to 7 business days after approval in Stage II	BIDDER
- Disclosure of those approved in Stage III	Up to 7 business days after submission of Envelope 3	APTSJC
- Expression of interest in the area	Up to 5 business days after the disclosure of those approved in Stage III	BIDDER AND APTSJC
STAGE IV - Signature and authorization for admission - formalization of TAU	Up to 45 days after approval in Stage III	BIDDER AND APTSJC
- Statement on the TAUs draft	Up to 5 days to make a statement, as of the draft receipt	BIDDER
- Submission of the executive project and analysis/approval of the project by APTSJC	Up to 45 days (as of TAU signature)	BIDDER AND APTSJC
- Beginning of infrastructure works	Up to 30 days after project approval	BIDDER
- Beginning of the Bidder's activities in the Technology Park center	The date agreed upon between the parties	BIDDER AND APTSJC

8. SELECTION PROCESS

8.1. STAGES: The Selection process for the programs (Scale Up, R&D and Base) from Nexus - Innovation Hub of São José dos Campos Technology Park is made up of four stages that are represented in Figure A - Flow chart, item 7.1.

8.2. STAGE I

8.2.1. The first stage will begin with the **BIDDER'S** technical visit to the areas available for the implementation and development of its project.

- 8.2.2. Scheduling the technical visit consists of contacting the Area Management (GAP) department to verify the available areas suitable for the project needs that will be presented to **APTSJC**.
- 8.2.3. The Pre-reserving consists of indicating the location that the **BIDDER** intends to occupy for the development of its project, considering that the availability of the space is thirty (30) days after the technical visit.
- 8.2.4. The area indicated by the **BIDDER** at the site must be formalized by communication from the same to the Area Management (GAP) department, and the interested parties are already aware that the schedule remains for thirty (30) days from the date of pre-reserving.
- 8.2.5. The **BIDDERS** shall be responsible for all costs resulting from adapting the area to their project.
- 8.2.6. The indication of the areas available in the center of the Technology Park is mandatory, considering the setting of the space, as well as **BIDDER'S** needs, in compliance with the terms of this instrument.
- 8.2.7. The **BIDDER'S** participation in the NEXUS COMPANIES 001/2023 SELECTION process will be confirmed with the submission of Envelope 1 - Diligence, according to the guidelines described in item 9 hereto, which must be delivered to the management team of Nexus - Innovation Hub of São José dos Campos Technology Park, by electronic means.

9. DOCUMENTS SUBMISSION RELATED TO STAGE I

- 9.1. Documents relevant to STAGE I must be sent to the email address nexus@pqtec.org.br, containing the subject:

SELECTION No. 001/2023 - ENVELOPE No. 01 - DILIGENCE

(BIDDER CORPORATE NAME/TRADE NAME AND CNPJ)

9.1.1. ENVELOPE 1 - DILIGENCE

- 9.1.1.1. The **BIDDER** - shall deliver the following documents:

- 9.1.1.1.1. National Corporate Taxpayer's Register (CNPJ);

- 9.1.1.1.2. Articles of Incorporation or Bylaws;

- 9.1.1.1.3. Minutes of Officers' office holding;
- 9.1.1.1.4. ID Card (RG) and Individual Taxpayer's Register (CPF) of the legal representatives;
- 9.1.1.1.5. Proof of Good Standing with the overdue tax liabilities before the Federal Government and Federal, State, and Municipal Treasury Department through Clearance Certificate or Certificate of Suspended Debt Liability;
- 9.1.1.1.6. Proof of Good Standing with Guarantee Fund for Length of Service (FGTS), if applicable through Certificate of FGTS Good Standing;
- 9.1.1.1.7. Proof of Good Standing related to the Brazilian Social Security Institute (INSS) through Clearance Certificate;
- 9.1.1.1.8. Clearance Certificate of Court-Supervised Reorganization and Bankruptcy;
- 9.1.1.1.9. Certificate of Lawsuits Filed in Federal Civil Sphere;
- 9.1.1.1.10. For those who apply to the Nexus Scale Up or Nexus R&D Program, the **BIDDERS** shall send Attachment II - Classification as a Technology-Based Company (EBT) completed.

9.1.2. BIDDER'S Classification as a Technology-Based Company (EBT)

9.1.2.1. In order to verify the **BIDDER'S** classification as a "technology-based company" (item a, head provision), **APTSJC** shall use elements from the following list:

- 9.1.2.1.1. A company with technological project/activity carried out individually or in partnership with science and technology institutes (ICTs);

- 9.1.2.1.2.** A company that participates in the supply chain of any of the following industries: Aeronautical; Agribusiness; Automotive; Biotechnology; Defense; Education; Electronic; Energy; Space; Nanotechnology; New Materials; Oil, Gas, and Coal; Water Resources and Environmental Sanitation; Information Technology, Communication, and Multimedia (TICM) and Technologies for Application in Health;
- 9.1.2.1.3.** A company benefited, individually or in partnership with a company or science and technology institute, from government support from at least one of the three spheres of government for the development of activities related to the respective areas of competence;
- 9.1.2.1.4.** A company that uses engineers or scientists in its workforce or benefits from relationships with science and technology institutes (ICTs), individually or in a cooperation network;
- 9.1.2.1.5.** A company that allocates a portion of at least five percent (5%) of its annual revenue to corporate science and technology activities;
- 9.1.2.1.6.** A company that has and practices systematic policies for the technological improvement of its workforce;
- 9.1.2.1.7.** A company that provides products/services with high technological content for scientific laboratories;
- 9.1.2.1.8.** A company that seeks innovative solutions for the demands of industrial sectors relevant to the country's development, with participation in well-defined

elements of development/production chains in the area of science and technology;

- 9.1.2.2. The **BIDDER'S** assessment as a technology-based company will be eliminatory in nature and, therefore, it must bear at least five (5) points out of a possible ten (10).
- 9.1.2.3. Each item presented will receive a score of one (1.0) point, with the exception of items "9.3.3.1.2" and "9.3.3.1.5" which are worth two (2.0) points each, out of a total of ten (10) possible points.
- 9.1.2.4. **Note: The BIDDER(S) of the Nexus Base program will not be evaluated according to the EBT criteria.**

10. ENVELOPE 2 - TECHNICAL PROJECT

- 10.1. Documents relevant to STAGE II must be sent to the email address nexus@pqtec.org.br, containing the subject:

SELECTION No. 001/2023 - ENVELOPE No. 02 - TECHNICAL PROJECT

(BIDDER CORPORATE NAME/TRADE NAME AND CNPJ)

- 10.1.1. In its Technical Project, the **BIDDER** must provide clear and consistent information in order to allow the proper and correct analysis of the assessment items.
- 10.1.2. The documents inherent to the Technical Project will be analyzed by the Technical Committee, which will use the criteria established in **item 12** to define the number of points obtained by each **BIDDER**.
- 10.2. **Envelope 2 - Technical Project:** The **BIDDER** shall deliver the activities plan it intends to develop in the unit to be installed in the São José dos Campos Technology Park in accordance with the program, thus containing the following documents:
 - 10.2.1. **For those applying to the Nexus Scale Up Program**
 - 10.2.1.1. A company/institution business plan containing:
 - 10.2.1.1.1. Business view;

- 10.2.1.1.2. Market analysis: view, trends, and key players;
- 10.2.1.1.3. Competition summary;
- 10.2.1.1.4. Analysis of strengths, weaknesses, opportunities, and threats (SWOT);
- 10.2.1.1.5. Products and services base;
- 10.2.1.1.6. Market entry strategy;
- 10.2.1.1.7. Financial analysis containing assumptions, sales projections, expenses, and the expected financial result;
- 10.2.1.1.8. Human resources planning;
- 10.2.1.1.9. Initial investments;
- 10.2.1.1.10. Synergy with Park and resident companies.

10.2.2. For those who apply to the Nexus R&D Program (Research, Development and Innovation)

- 10.2.2.1. A development plan for the projects to be carried out in the Technology Park, containing:
 - 10.2.2.1.1. Business view;
 - 10.2.2.1.2. Market analysis: view, trends, and key players;
 - 10.2.2.1.3. Project scope (Research Line/Project to be developed at the São José dos Campos Technology Park);
 - 10.2.2.1.4. Purpose of the project;
 - 10.2.2.1.5. Project schedule;
 - 10.2.2.1.6. Human resources planning;
 - 10.2.2.1.7. Investment planning;

10.2.2.1.8. Synergy with Park and resident companies.

10.2.3. For those applying to the Nexus Base Program

10.2.3.1. A work plan for the services to be provided at the São José dos Campos Technology Park, containing:

10.2.3.1.1. Business view;

10.2.3.1.2. Market analysis: view, trends, and key players;

10.2.3.1.3. What services are offered/in the base;

10.2.3.1.4. What differential will be offered to companies that are resident/associated with the São José dos Campos Technology Park;

10.2.3.1.5. Which are the potential customers residing/associated with the São José dos Campos Technology Park.

11. PERSONAL PRESENTATION OF THE PROJECT

11.1. The **BIDDER** will have up to 20 minutes to present, via videoconference, the business plan or development plan, or work plan to be developed at the São José dos Campos Technology Park before the Technical Committee. In addition, there will be another 20 minutes of questions and answers, totaling 40 minutes for the PRESENTATION stage.

11.2. The Technical Committee has an annual agenda of meetings to evaluate the face-to-face presentation, and **APTSJC** will make these dates available to the **BIDDERS**. If the **BIDDER** does not attend the presentation without a plausible justification, it will be excluded from the selection process mentioned in SELECTION 001/2023.

11.2.1. The Technical Committee's assessment at this stage aims to support the Selection of companies to install in the São José dos Campos Technology Park. Therefore, approval by the Technical Committee does not ensure approval in the Selection process, considering other

factors will be considered, including the submission and **approval in Stage III (Qualification)**.

12. ASSESSMENT CRITERIA

12.1. The **BIDDERS** will be evaluated simultaneously (TECHNICAL PROJECT and ASSESSMENT). The assessment criteria used are described below:

12.1.1. **Consistency of the Business Plan (BP) or Development Plan (DP) or Work Plan (WP) and its suitability to the Technology Park environment:**

12.1.1.1. The assessment of the Business Plan (BP) or Development Plan (DP) or Work Plan (WP) will compose the final score (NF) of the **BIDDER** assessment in the PRESENTATION stage.

12.1.2. The **BIDDER'S** Technical Project Final Score (NF) will be calculated considering the Business Plan (BP) or Development Plan (DP) or Work Plan (WP) score through the weighted average of the scores, considering their respective weights.

Technical Project Final Score (NF) "≥" 7.0 (equal to or greater than seven point zero)

12.1.3. The documents referring to the Technical Qualification delivered in STAGE II will be evaluated and scored by the Technical Committee, and the ASSESSMENT will have the purpose of clarifying doubts and obtaining information to complete the assessment that will be unique for both stages.

12.1.4. The minimum score required from **BIDDERS** so that they can be qualified in this stage is equivalent to 7.0 points of the total score.

12.1.5. **BIDDERS** that fail to obtain the minimum required score will be disqualified.

12.1.6. If the **BIDDER** is approved in STAGE II (technical project and personal presentation in the selection process for the Nexus Scale Up, R&D, and Base programs), after publishing the results, such **BIDDER** shall proceed to STAGE III, which must be done by **submitting the**

documents relating to **LEGAL QUALIFICATION**, according to the guidelines described below.

13. DOCUMENTS SUBMISSION RELATED TO LEGAL QUALIFICATION (ENVELOPE 3)

13.1. Documents relevant to STAGE III - must be delivered via email to nexus@pqtec.org.br with the following in the subject:

SELECTION No. 001/2023 - ENVELOPE No. 03 - LEGAL QUALIFICATION

(BIDDER CORPORATE NAME/TRADE NAME AND CNPJ)

13.1.1. Legal Qualification:

13.1.1.1. Business Registry, in the case of a limited-liability company;

13.1.1.2. Copy of the organizational document, Bylaws or Articles of Incorporation in force, and its subsequent amendments or the consolidated instrument, duly registered with the Board of Trade, in the case of a business enterprise and, in the case of a corporation, accompanied by the document of the election of its managers and their respective qualification;

13.1.1.3. Copy of authorization decree in the case of a foreign enterprise or company operating in Brazil, and, if applicable, enrollment or authorization for operation issued by the competent body when the activity so requires;

13.1.2. Foreign Bidders:

13.1.2.1. The **BIDDER** that does not have a registered office in Brazil must, within a maximum period of 100 days, present its effective enrolments with the National Corporate Taxpayer's Register - CNPJ, State Registration (when necessary) and Municipal Registration.

13.1.2.2. The **BIDDER** must execute a consent decree, lasting up to 100 days, confirming the commitment to provide for the

legal regularization of the company in the Brazilian territory (CNPJ and state and municipal registrations).

- 13.1.2.3.** If the **BIDDER** fails to provide the necessary documentation within the established period, it will be disqualified from the selection process, and the pre-reserving of the area will be disregarded.

13.1.3. Tax Qualification

- 13.1.3.1.** Proof of enrollment in the state and municipal Taxpayer Register, related to the **BIDDER'S** domicile or registered office, relevant to its field of activity and compatible with the subject matter of the agreement.

- 13.1.3.2.** Proof of the **BIDDER** company's good standing with the Overdue Tax Liabilities of the Federal Government and Federal, State, and Municipal Treasury Department (at least, with regard to securities taxes), of the **BIDDER** company's domicile or registered office, through Debt Clearance Certificate or Certificate of Suspended Debt Liability, within the period established and printed on the certificate itself.

- 13.1.3.3.** Proof of good standing with the FGTS, through the Certificate of FGTS Good Standing (CRF), demonstrating a good standing regarding payments within the period established and printed on the certificate itself.

- 13.1.3.4.** Proof of good standing relating to the Brazilian Social Security Institute - INSS, by means of a Debt Clearance Certificate (CND) or Certificate of Suspended Debt Liability.

- 13.1.3.5.** Proof of good standing relating to the Labor Courts through a Labor Debt Clearance Certificate (CNDT) in accordance with the Law within the period established and printed on the certificate itself. LABOR good standing will be verified by means of proof of no debts due before the Labor Courts.

13.1.3.6. Clearance certificate of court-supervised or out-of-court reorganization, bankruptcy and arrangement with creditors issued by the distributor of the legal entity's registered office.

13.1.3.7. Unified statement pursuant to the form of ATTACHMENT I:

13.1.3.7.1. Commitment to Execute the Business Plan/Development Plan/Work Plan;

13.1.3.7.2. Awareness of the Terms of SELECTION 001/2023;

13.1.3.7.3. Awareness of the infrastructure of the São José dos Campos Technology Park and the inspected area;

13.1.3.8. Trustworthiness and Freedom to enter into agreements with the Municipal Government;

13.1.3.9. Not hiring a minor;

13.1.3.10. Statement of Lack of Conflict of Interest pursuant to the form of ATTACHMENT III.

13.1.4. Economic and Financial Qualification

13.1.4.1. In order to verify the economic and financial situation of each **BIDDER**, a copy of the last Balance Sheet and Accounting Statement of the last fiscal year must be provided, already required and presented in accordance with the law; their replacement by trial balances or interim balance sheets is prohibited, with **opening and closure statements** duly certified by the State Board of Trade or whoever acts on their behalf;

13.1.4.2. Demonstrative calculation, obtained by applying the formulas below with data extracted from the balance sheet itself, where the instrument must be signed by a company's legal representative.

i) General Liquidity Index (ILG) ≥ 1.0 (equal to or greater than one point zero)

$$ILG = \frac{AC + ANC}{PC + PNC}$$

ii) Current Liquidity Index (ILC) ≥ 1.0 (equal to or greater than one point zero)

$$ILC = \frac{AC}{PC}$$

iii) General Indebtedness Degree (GEG) ≤ 0.60 (equal to or less than zero point sixty)

$$GEG = \frac{PC + PNC}{AT}$$

Where:

AC = Current Assets

ANC = Noncurrent Assets

PC = Current Liabilities

PNC = Noncurrent Liabilities

13.1.4.3. If the **BIDDER** company is the parent company, all documents must be in the name of the parent company, and if it is a branch, all documents must be in the name of the branch, except those documents that, by their nature, are proven to be issued only in the name of the parent company;

13.1.4.4. Protocols or documents with expired due dates will not be accepted. In the case of certificates, when the validity is not stated, those issued with a date not exceeding ninety (90) days prior to the deadline for receiving the proposals of this Selection will be considered valid;

13.1.4.5. **BIDDERS** that do not have a registered office in Brazil must prove, through official documents, the Requirements contained in this instrument, mainly, where applicable, in the items of legal/tax/economic and financial qualification;

13.1.4.6. **APTSJC** may, at its discretion, considering the financial data presented in the qualification phase, demand

financial guarantees so that the agreement by and between the parties can be executed;

13.1.4.7. Refusal to present the financial guarantee will result in the disqualification of the **BIDDER** company;

13.1.4.8. The Technical Committee may, at its discretion and at any time, request additional documents in any of the phases of this Selection. Refusal to submit additional documentation will result in the exclusion of the **BIDDER** in the Selection process mentioned in SELECTION 001/2023.

13.2. Technical and legal/tax/economic and financial documentation compliance:

13.2.1. The compliance of documents related to LEGAL QUALIFICATION (ENVELOPE 3) will be eliminatory.

13.3. The consideration of the content of envelopes is an exclusive act of **APTSJC**, in particular, of the Legal Department, which reserves the right to disqualify proposals failing to comply with this Selection instrument or that prove to be manifestly unenforceable.

13.4. The unselected **BIDDER** may manifest itself through a request for reconsideration to be sent to the Monitoring and Assessment Commission itself (by official letter) within 48 hours from the date of receipt of the decision, registered at the reception of the **APTSJC'S** Administration (Estrada Doutor Altino Bondesan, 500 - Distrito de Eugênio de Melo - São José dos Campos - State of São Paulo - ZIP Code 12247-016, between 09:00 a.m. and 4:30 p.m.).

13.5. The result of the reconsideration request analysis will be forwarded to the **BIDDER** via email.

14. FORMALIZATION OF THE BIDDER'S ADMISSION - SIGNATURE OF THE TERM OF USE AUTHORIZATION (TAU)

14.1. **APTSJC** shall call the selected **BIDDER** to execute the Term of Use Authorization - TAU.

14.2. The selected **BIDDER** shall execute the Term of Use Authorization within forty-five (45) days after the communication of its approval. If the **BIDDER** fails to do so within this deadline, it may be disqualified, and the area will be made available.

- 14.3.** The Term of Use Authorization for the space will be valid as provided for by TECHNOLOGY PARK in accordance with the project to be developed.

15. SUBMISSION AND APPROVAL OF THE EXECUTIVE PROJECT

- 15.1.** The **BIDDER** is responsible for providing **APTSJC** with the executive project before the beginning of the suitability of the area, which is prepared in accordance with the laws and rules in force and with the appointment of a technician in charge.
- 15.2.** All projects referring to the facilities and suitability must be presented to the **APTSJC'S** Infrastructure Department, which will proceed with the analysis and subsequent resolution of the projects.
- 15.3.** The project must comprise: architecture, water and sewage, electrical system, data and voice system, fire prevention and firefighting system, air conditioning, ventilation and others, if necessary, all of which are the **BIDDER'S** responsibility.
- 15.4.** **APTSJC** shall consider that the **BIDDER** is fully aware of the requirements and needs set forth in this Selection process, aware of the Setting of areas, Building Facilities, Inspection and Project, considering the conditions for prior inspections of the places where the services are performed are offered, as well as for the previous tasks of surveying and evaluating the technical information regarding the facilities and physical interface existing in the São José dos Campos Technology Park; therefore, any subsequent supplement action for the execution of the contractual purpose is not applicable.

16. INFRASTRUCTURE WORKS

- 16.1.** The **BIDDER** approved in SELECTION 001/2023 undertakes to carry out infrastructure works, when necessary, in the area authorized for use, in accordance with the provisions:
- 16.1.1.** Under the terms of the Term of Use Authorization (TAU);
- 16.1.2.** In the technical manuals made available by the Infrastructure Department (<http://www.pqtec.org.br/centros-empresariais>);
- 16.1.3.** As indicated in the approved executive project(s), delivered in 2 copies.
- 16.2.** The execution period of the infrastructure works does not exempt the COMPANY from the obligations entered into in the TERM OF USE

AUTHORIZATION (TAU), including financial, and the COMPANY is also responsible for fitting the topics of the executive projects considered non-compliant.

- 16.3.** Both the beginning and the conclusion of the infrastructure works must follow the deadlines indicated in the schedule delivered and approved by **APTSJC**. If there is a delay of over 30 days at any stage as of the agreement execution, **APTSJC** may apply a fine of 5% on the value of the associative contribution (monthly increased in an equal value), as well as the appropriate legal measures, including a claim and judicialization, where the agreement will be subject to termination after 3 months of delay.

17. VALUES

- 17.1.** For the adhesion of the NEXUS program and for the possibility of developing the project presented to the São José dos Campos Technology Park, which allows the use of the individual space, the **BIDDER** approved in SELECTION 001/2023 shall pay, on a monthly basis, to **APTSJC**:

17.1.1. Associative Contribution

- 17.1.1.1.** The Associative Contribution value will be given according to the program that the company/institution is approved, having as reference the value charged by the Technology Park on the date of admission of the company/institution and indicated to the company during STAGE I (items 7.1 and 7.2).

17.1.2. Electricity and Water Consumption

- 17.1.2.1.** Consumption arising from the use of electricity, water and cold water consumed by air conditioning (when applicable), plus the cost of operation and maintenance of the supply system, are not included in the Associative Contribution value and must be paid during the period and under conditions set forth in the agreement to be executed by and between São José dos Campos Technology Park Association

17.1.3. Facility and maintenance expenses

17.1.3.1. The approved **BIDDER** shall bear the expenses inherent to its own facility and maintenance in the space to be occupied.

17.1.3.2. The payments of the values indicated herein refer only to the obligations indicated in this instrument, which will be the purpose of the agreement in the event the **BIDDER** enters the premises of the Technology Park.

18. MONITORING PROGRAMS

18.1. **BIDDERS** participating in the Scale Up, R&D, and Base programs are periodically monitored according to the standardized program. The Monitoring Programs have three pillars: Entrepreneurship, innovation and environment at São José dos Campos Technology Park.

18.2. The Monitoring Program considers the three pillars mentioned above and the characteristics of the programs. The result of the program is shown in Table 2 - Pillars of the Monitoring Programs:

Table 2 - Pillars of Monitoring Programs

Program	Entrepreneurship	Innovation	São José dos Campos Technology Park Environment
Scale Up	YES	YES	YES
R&D	NO	YES	YES
Base	NO	NO	YES

18.3. **BIDDERS** approved in SELECTION 001/2023 may be RE-CLASSIFIED during their relationship with **APTSJC**, in the Nexus programs after each cycle of the Monitoring Programs, according to the information obtained by **APTSJC**.

18.3.1. The Cycle will be held half-yearly for the Nexus Scale Up program.

18.3.2. The Cycle will be held annually for the Nexus R&D and Nexus Base programs.

19. CLARIFICATIONS TO THE SELECTION INSTRUMENT

- 19.1. Questions and information related to this Selection may be clarified through the institutional email address nexus@pqtec.org.br
- 19.2. The deadlines established in this Selection will be calculated in business days, excluding the start date, including the due date.
- 19.3. Omitted cases will be resolved by the Technical Committee, which shall decide based on the applicable rule.

20. MODIFICATIONS AND AMENDMENTS IN THE SELECTION INSTRUMENT

- 20.1. At any time and for whatever reason, **APTSJC** may modify this document by means of an addendum that will be duly disclosed.
- 20.2. Once the Selection has been changed, as provided above, the newly established conditions will be effective immediately.

21. GENERAL PROVISIONS

- 21.1. The proposal submission hereto will automatically imply **BIDDER'S** full and irreversible acceptance regarding the terms and content of this instrument and its attachments.
- 21.2. **APTSJC** reserves the right to revoke this Selection.
- 21.3. The billing of all goods manufactured or sold, as well as services rendered, originating from the facilities in the São José dos Campos Technology Park, must take place in the municipality of São José dos Campos.
- 21.4. The **BIDDER**, under the terms of this SELECTION instrument and for all legal purposes, cannot be considered as a representative, associate, affiliate, or related name of the São José dos Campos Technology Park Association.

22. ATTACHMENTS TO THIS INSTRUMENT

- 22.1. Attachment I - Unified Form of Statement

- 22.1.1.** Statement of Commitment to Execute the Business Plan/Development Plan/Work Plan;
- 22.1.2.** Statement of Awareness of the Terms of SELECTION 001/2023;
- 22.1.3.** Statement of Awareness of the Infrastructure of the Technology Park and of the inspected area.
- 22.1.4.** Statement of Trustworthiness and Freedom to enter into agreements with the Municipal Government;
- 22.2.** Attachment II - Technology-Based Company Classification Sheet.
- 22.3.** Attachment III - Statement of No Conflict of Interest.

São José dos Campos, February 1, 2023.

DocuSigned by:



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JEFERSON CHERIEGATE

MANAGING DIRECTOR

DocuSigned by:



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ATTACHMENT I - UNIFIED STATEMENT

By this instrument and under the penalties of the law and for the purposes of complying with the _____ SELECTION INSTRUMENT 001/2023, I _____, Individual Taxpayer's Register (CPF) _____, bearer of the ID Card (RG) _____, legal representative of the **BIDDER** _____, (corporate name/National Corporate Taxpayer's Register "CNPJ") _____, **DECLARE:**

- **FULL AWARENESS OF QUALIFICATION REQUIREMENTS, LEGAL, TAX, ECONOMIC AND FINANCIAL GOOD STANDING, AND TECHNICAL QUALIFICATION.**

- **TRUSTWORTHINESS AND FREEDOM TO ENTER INTO AGREEMENTS WITH THE MUNICIPAL GOVERNMENT**, and I have not been declared unreliable by any Federal and States Government, Federal District, and Municipal Government, including legal entities of private law under the control of the government, and foundations and/or social organizations instituted or maintained by it.

- **NOT TO EMPLOY PERSONS UNDER EIGHTEEN (18) YEARS OLD IN NIGHT SHIFT, HAZARDOUS OR UNHEALTHY POSITIONS, AND NOT TO EMPLOY PERSONS UNDER SIXTEEN (16) YEARS OLD.**

- **AWARENESS OF THE MINIMUM INFRASTRUCTURE THAT THE TECHNOLOGY PARK PROVIDES, AS WELL AS THE INFRASTRUCTURE PRESENT IN THE AREAS AVAILABLE FOR A POSSIBLE OCCUPANCY OF THE COMPANY ONCE APPROVED IN SELECTION 001/2023.**

- **COMMITMENT TO PERFORM THE BUSINESS PLAN/DEVELOPMENT PLAN/WORK PLAN** presented at the registration stage.

We also declare that upon acts of God where the change proves necessary, the company undertakes to inform the Technology Park of the adjustments made in the Business Plan/Development Plan/Work Plan, regardless of their nature, and is aware that, in this case, the Technology Park may request that the company undergo a new assessment of the Business Plan/Development Plan/Work Plan.

São José dos Campos, _____, 2023.

CORPORATE NAME

NATIONAL CORPORATE TAXPAYER'S REGISTER (CNPJ)

NAME AND SIGNATURE OF THE LEGAL REPRESENTATIVE

ATTACHMENT II - TECHNOLOGY-BASED COMPANY CLASSIFICATION SHEET

Criteria	Weight	Does it meet?	If so, please justify
A - A company with technological project/activity carried out individually or in partnership with science and technology institutes (ICTs)	1		
B - A company that participates in the supply chain of any of the following industries: Aeronautical; Agribusiness; Automotive; Biotechnology; Defense; Education; Electronic; Energy; Space; Nanotechnology; New Materials; Oil, Gas, and Coal; Water Resources and Environmental Sanitation; Information Technology, Communication, and Multimedia (TICM) and Technologies for Application in Health	2		
C - A company benefited, individually or in partnership with a company or science and technology institute, from government support from at least one of the three spheres of government for the development of activities related to the respective areas of competence	1		
D - A company that uses engineers or scientists in its workforce or benefits from relationships with science and technology institutes (ICTs), individually or in a cooperation network	1		
E - A company that allocates a portion of at least five percent (5%) of its annual revenue to corporate science and technology activities	2		

F - A company that has and practices systematic policies for the technological improvement of its workforce	1		
G - A company that provides products/services with high technological content for scientific laboratories	1		
H - A company that seeks innovative solutions for the demands of industrial sectors relevant to the country's development, with participation in well-defined elements of development/production chains in the area of science and technology.	1		

ATTACHMENT III - STATEMENT OF NO CONFLICT OF INTERESTS

By this instrument and under the penalties of the law and for the purposes of complying with the _____ SELECTION INSTRUMENT _____ 001/2023, I _____, Individual Taxpayer's Register (CPF) _____, bearer of the ID Card (RG) _____, legal representative of the **BIDDER** _____, (corporate name/National Corporate Taxpayer's Register "CNPJ") _____, **DECLARE THAT:**

- I AM NOT A COLLABORATOR OF SÃO JOSÉ DOS CAMPOS TECHNOLOGY PARK ASSOCIATION, NOR AM I IN THE SELECTION PROCESS FOR SUCH A POSITION;
- I DO NOT HAVE BIOLOGICAL RELATIONSHIP UP TO THE 3rd DEGREE WITH ANY COLLABORATOR AT SÃO JOSÉ DOS CAMPOS TECHNOLOGY PARK ASSOCIATION;
- I DO NOT HAVE BIOLOGICAL RELATIONSHIP UP TO THE 3rd DEGREE WITH ANY MEMBER OF THE BOARD OF DIRECTORS, AUDIT COMMITTEE, OR OF THE EXECUTIVE BOARD;

In witness whereof, I hereby execute this instrument.

São José dos Campos, _____, 2023.

CORPORATE NAME

NATIONAL CORPORATE TAXPAYER'S REGISTER (CNPJ)

NAME AND SIGNATURE OF THE LEGAL REPRESENTATIVE