

SUPPLY MANAGEMENT MANAGEMENT OF SUPPLY

GAB-P-013

Prepared 22/10/2021

Version: 6

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1. OBJECTIVE

Establish the methodology and criteria to evaluate the effectiveness and efficiency of performance of the Contractors of Ecopetrol S.A. (hereinafter Ecopetrol), to thus ensure contractual relations with the best goods and services Suppliers, and to comply with the purposes of the contract.

2. GENERAL CONDITIONS

2.1. Scope

The Contractor Performance Procedure applies to the Supply Management process defined in the Process Operating Model - SUPPLY MANAGEMENT (GAB-N-001), which includes purchases and contracts performed by Ecopetrol on its own name and account, and when acting in the name and on behalf of third parties in cases in which this has been defined in the respective act or contract.

2.2. Exceptions

This contractor performance procedure will apply to:

- Rights of use, support, maintenance and/or rights to new versions of software licenses.
- · Adhesion contracts.
- Public utilities.
- Rental of buildings that do not include physical conditioning.
- Subscriptions, memberships, and affiliations.
- Mobility processes among Companies of the Business Group.
- Survey services, photocopying, advertising and media, translation, photography, and graphic design.
- Formats (preprinted forms) and printing and reprographics.

Except for those in which the need to include the performance evaluation is determined in their planning.

Additionally, for those contracts classified in complexity Tier 3 — Low Technique where the aggregator category currently is not part of exceptions, for conducting the contract performance evaluation, its non-applicability can be determined in the planning.

In cases where the performance evaluation is not applicable and there is a breach of contractual obligations, the Contract Monitoring Officer must report said situation to the Supplier Engagement Mailbox.

2.3. Other Considerations

- With the registration in Ecopetrol's Supplier Information System (hereinafter SIPROE) and/or submitting the proposal(s), the bidder accepts and represents that Ecopetrol, and the Business Group companies will have access and may know and use the Contractor performance information.
- This procedure is applicable to the Election Methods that start from the effective date registered in the P8 tool. For contracts that are in force at the discretion of the Authorized Official, an amendment may be signed to apply this new procedure.

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• The unfavorable information of the supplier, derived from the application of the previous performance procedures, is registered in SIPROE.

2.4. Relevant Concepts

- **Labor abnormality:** Incidents (meeting lasting over 30 minutes, activities cease, and blockade) involving Contractor and/or subcontractor workers, which occur during working hours.
- Health quality assessment: It is the evaluation of the quality of services provided by the Health Professionals, which is like the performance evaluation defined in this procedure; the structure of the health quality evaluation form must match the standard according to the specialty (See evaluation model catalog in the SRM tool: Ecopetrol Supply Community of Practice / Suppliers / Contractor Performance / Standard Models).
- Contractors Performance Evaluation: Documented rating made by Ecopetrol on compliance with
 the Contractor's obligations, applying the criteria agreed upon in the contract; it will be final once the
 Contractor's observations are resolved, if any, and it is approved and communicated to it by the
 Contract Monitoring Officer.
- Partial or Final Evaluation of the Contract by Criteria: It corresponds to the arithmetic mean of all the evaluations of the contract in each one of the periods evaluated by each criterion.
- **Contract monitoring official:** Consult the definition and scope in the General Guidelines of the Contract Management Model.
- Total Recordable Incident Frequency Rate (TRIF): Number of accidents caused by or related to the work conducted by contractor's personnel, its subcontractors, and suppliers, who suffer personal injuries with medical disability greater than or equal to one (1) day and/or days counted or with restricted work, or with medical treatment, for every 1,000,000 man-hours worked; calculated using the following formula:

TRIF = (fatalities + accidents with loss of time + restricted work + medical treatment) / total HHT (man-hours worked in the contract) * 1,000,000

For the calculation of the TRIF of the contract, the HHT and the events that have occurred in the past two (2) years or fraction thereof, elapsed prior to the date on which the evaluation of the corresponding period must be executed, standardized in SAP.

Events for which the contractor is responsible are those that occur during the execution of contract activities in which risk control is its responsibility, regardless of whether they are conducted inside or outside Ecopetrol's facilities.

If, because of the investigation of an incident, it is established that due to the action or omission of a contractor or one of its subcontractors or suppliers, Ecopetrol personnel or other contractors were affected, for performance evaluation purposes, said events will be registered as part of the contract of the person who caused the incident.

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- **KPIs**: KPI-Key Performance Indicators. Key management indicators.
- Number of Environmental Incidents due to operational cause (EI): Hydrocarbon or substance spills or leaks greater than one (1) barrel that have generated an environmental impact, and atmospheric pollutant emissions that can generate significant environmental impact. Not adding to the indicator: Events that have not been caused by the operation such as acts of third parties or acts of nature; or spills that are confined in waterproof containment systems or in oily water collection systems, which do not cause an environmental impact.
- **Improvement Plans:** Set of actions that must be conducted by the Contractor seeking to eliminate the causes that generated the identified deviation or gap so as not to recur in said situations. These apply only to suppliers classified in the strategic and core segments and, exceptionally, to suppliers located in the lever segment; in case of that generate unfavorable information, the Contract Monitoring Officer and/or Authorized Officer/Category Leader may implement an improvement plan in accordance with that defined in Annex 1 Construction and development of improvement plans. This is not exclusive with the specific plans established by the Contract Monitoring Officer for the closure of findings identified in contract performance.
- Average of Evaluations by Type of Criterion: Corresponds to the arithmetic mean of the last evaluation registered in SRM for each approved criterion, of all the contracts that have been executed or are in force during the last two (2) years, counted from the date of consultation.
- Vehicular accident rate (VAR): Measure the number work related road vehicle accidents (with
 responsibility for the occurrence, and which affect the indicator according to the indicator's resume
 HSE-H-002), of contractor and subcontractor personnel that generate fatalities, personal injuries with
 medical disability, restricted work, or medical treatment to Ecopetrol personnel, contractor,
 subcontractor, or third parties and/or material damage for every million kilometers traveled.

Vehicular accident rate = Σ (Vehicle accidents affecting the indicator) *10^6) / Σ (Kilometers traveled)

• **Tier 3 – Low Technique:** Consult the definition and scope in the General Guidelines Guide of the Contract Management Model.

3. DEVELOPMENT

3.1 SEGMENTED CONTRACTOR'S PERFORMANCE EVALUATION

The Supplier Segmentation Model groups suppliers into fou(4) segments: Routine, Lever, Core, and Strategic, considering the level of spending and the risk and impact for Ecopetrol's operations and in accordance with the Company's internal regulations, as follows:

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The type of interaction is defined in a different manner for each group of suppliers resulting from the Segmentation Model, as follows:

		Routine	Lever	Core	Strategic
	Interaction items with the co	ntractor for pe	rformance ev	aluation	
Metrics to follow	 Five (5) performance criteria (as applicable) Improvement plan PRM (Performance Review Meeting)(b) 	v *	√ x (a) x	✓ ✓	√ √

- (a) Applies exceptionally and arises from the specific requirement by Authorized Officials or Category Leaders in accordance with the contracting need.
- (b) Performance Review Meeting (PRM), a relationship mechanism that involves high-level sessions with Suppliers, which will be held at different levels, plus a session at the level of the Operational Executive Presidency and Vice-Presidency, with the aim of achieving:
 - Building strategic relationships and synergies.
 - Identification of opportunities for innovation and new technologies aimed at efficiency in operations, providing Ecopetrol with the best market practices.
 - Focus on critical aspects of process, environment, and technical safety in performance of contracts, and definition of improvement actions.

3.2. PERFORMANCE EVALUATION METHODOLOGY

The Criteria to evaluate the performance of the Contractor will be rated independently out of 100 points each, as follows:

- 1. Operating Efficiency
- 2. Contract terms
- 3. Labor, commercial, and administrative aspects
- 4. HSE aspects

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5. Environment management

3.2.1 Premises for the definition of the criteria and frequency of evaluation in the planning of service contracts

a. The **performance evaluation criteria** to be applied must be defined from the contractual planning by the business planner, supported by functional areas, considering the object and scope of the contract, the risk and impact of the good or service on the Ecopetrol operations. This definition must be registered in the Contractor Performance Evaluation Model Form (GAB-F-128), selecting from Catalog ¹ evaluation models in the SRM tool, the standardized form according to the category and/or aggregator, or to what was planned, if a standard model that fits that defined in the planning is not found, the requirement to create a new model is to be made in the Supplier Engagement mail box.

As to HSE criteria, the standard forms defined by categories and/or aggregator must be used. In the event that there is no particular one for the aggregator, the generic forms will be used for the HSE risk level of the contract¹. If the standard of a category and/or aggregator is not built and its development is required, the leading Professional of the HSE Vice Presidency on this matter should be consulted for its definition.

To establish the applicable criteria , the following must be considered:

- **Operational Efficiency Criteria**: This criterion seeks to measure the effectiveness and efficiency of the contracted service and will be evaluated in all cases.
- Contract Term Criteria: This criterion only applies to purchase-type or works and service type
 contracts. Care must be taken not to duplicate indicators (KPIs) that are currently being measured
 under the Operating Efficiency criterion. As to Purchase-type contracts, it will be mandatory to
 include this criterion.
- **Labor, Commercial and Administrative Aspects:** This criterion is applicable in contracts that imply:
 - · Hiring labor with exclusivity for it,
 - · Commitment of inclusive labor contracting, or of local skilled labor greater than the percentage set out in the law, or
 - Supply of goods and services, or
 - · Include monitoring and control of delivery of administrative documents.
- HSE Aspects Criteria: Goods and services contracts performed outside of Ecopetrol's facilities, and its operational control are not evaluated. Consider:
 - In purchase-type contracts it will not be mandatory; it should be evaluated in the event that the purchase includes an associated service.
 - In contracts for works and services performed within Ecopetrol facilities, those conducted outside Ecopetrol facilities that are under its operational control, and in purchase contracts in which HSE obligations have been established for the Contractor, the evaluation of such criterion will be mandatory.

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¹The evaluation models catalog in the SRM tool can be consulted in the following route: Ecopetrol Supply Community of Practice / Suppliers / Contractor Performance / Standard Models



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In risk contracts M, H and VH that exceed six (6) months, it will be mandatory to conduct at least one annual audit, to be performed preferably in the first three (3) months of the contract by the Technical Leader (for contracts that do not have this role, it is performed by the Contract Monitoring Officer) and the HSE Professional appointed by the Company.

• **Environment Management Criteria:** In the contractual planning, it will be determined if this criterion and its sub-criteria will be evaluated or not. When the environmental aspects have been evaluated in the commercial offer submitted by the contractor and/or are stipulated as minimum requirements to be met during the term of the contract, it will be mandatory to evaluate this criterion.

Regarding these sub-criteria in particular: environment alarms and incidents attributable to contractors, complaints and claims affecting the environment and/or the Contractor's environment plan for fulfilling the Environment Management Strategy, the application of these must be determined in accordance with the guidelines issued by the Environment Management and may be supported through the functional mailbox: gestionentorno.contractual@ecopetroI.com.co (or the mechanism that takes its place).

The Functional Area(s) in Labor, HSE, and Environment matters will report to the Contract Monitoring Officer the breaches of the Contractors of which they are aware through their audits, verifications, reports, inspections, or investigations, which must be reflected in the respective evaluation.

- b. **To set the frequency of measurement**, this is done according to the HSE risk level assessed for the contract as follows:
 - · Low Risk (Risk N or L) annually, or a final performance evaluation
 - · Medium Risk (Risk M) every six months
 - · High or Very High Risk (Risk H and VH) every three (3) months.

The risk is established in accordance with the HSE Focus Contractor Management Guide GAB-G-012 or the document that replaces or modifies it.

For those contracts to which the HSE Aspects Criteria does not apply, their measurement frequency must not be less than six (6) months, unless it is an execution contract for a shorter term, and their evaluation frequency will be unique (at the end of its performance, closing and balance).

The performance evaluation process is permanent and is conducted during the execution of each period to evaluate by documenting the information on indicators formalized in the GAB-F-128 form, that is, once each evaluation frequency has been completed, the Official monitoring of contracts (in contracts where the role of Technical Leader exists, they must calculate the indicators related to the criteria of operational efficiency, contract terms and HSE aspects) must calculate the result of the performance evaluation with the information obtained during the period to evaluate.

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3.2.2 Premises for the definition of the evaluation criteria and frequency in the planning of purchase orders

- a. From the contractual planning, evaluation models must be selected from Catalog ¹ in the SRM tool, the standardized form for the category of goods, applying only criteria of Operational Efficiency, Compliance with deadlines and Labor, commercial, and administrative aspects (Delivery of Documents); additionally, the classification of the Contractor in the Supplier Segmentation Model is considered. Hence, the two evaluation mechanisms for goods contracts are described:
 - Logistics Evaluation of purchase orders: It consists in the evaluation of compliance with technical aspects, deadlines, and timely delivery of administrative documents associated with the purchase orders; said information is related to the information systems provided by Ecopetrol. This evaluation is conducted by the Logistics Operator and applies to all Suppliers classified in the Strategic, Core, Lever, and Routine segments.
 - 2. Comprehensive Supplier Evaluation: This evaluation incorporates the logistical evaluation of the purchase orders executed by the Supplier and other value creation aspects. This evaluation is conducted by the Authorized Official/Category Leader and applies only to Suppliers classified in the Strategic and Core segments and exceptionally, as defined by the Purchasing Department, some Suppliers classified in the Lever segment.
- b. To set the measurement frequency, it is defined according to the following parameters:
 - For the logistics evaluation of purchase orders, the frequency of the evaluation will be unique
 at the end of its performance and must be conducted 30 calendar days following the last date
 of completion of the purchase orders.
 - For the comprehensive evaluation of the Supplier, the frequency of the evaluation will be every six months.
 - As to anticipation demand contracts, it will be conducted on a quarterly basis, considering that if all the Dispatch Orders of the contract are executed without non-compliances, 100% will be allocated; otherwise, the evaluation will consider the total sum of the number of dispatch orders fulfilled/total dispatch orders.

In the process of evaluating purchase orders, Ecopetrol may conduct post-delivery performance evaluations when it is noticed that the product does not meet the requirements, and the quality warranty must be used.

3.2.3 Criteria to evaluate²

(a) Operating Efficiency

Depending on the type of good or service to be contracted, the business planner must structure the indicators that will objectively measure the effectiveness and efficiency of the Contractors in theperformance of the contract, allowing to realistically reflect their performance.

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²The forms only allow whole numbers; therefore, decimals greater than or equal to 0.5 will be rounded up to the next whole number.



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These indicators must respond to:

- The measurement of the value promise (operational drivers) of the supply strategy (Strategic Supply Methodology Phase 4: Select strategy).
- The object and scope defined for the contracting of goods and/or services in the operational planning, considering the following aspects:
 - Compliance with technical specifications
 - Discrepancies, non-conformities, or operational incidents related to problems as to the quality of the materials delivered, attributable to the Contractor.
 - SMART (Specific, Measurable, Achievable, Relevant and with a defined time).
 - That add value for decision making.
 - It is suggested that there should be a maximum of 5 KPI's per contract.
- The definition of these indicators must be documented in the Contractor Performance Evaluation Model Form (GAB-F-128).
- · 100% of the score will be distributed within the different KPI's that are set out.

b. Contract terms

Only one sub-criterion applies depending on the nature of the type of contract (purchases or works and services):

b.1. Type of purchases

Compliance will be calculated as follows:

= (No. of Items delivered on time / Total No. of Items of the purchase order) X 100. If all purchased items are delivered with no default, the score will be 100%.

For each evaluated period, the cumulative total of items delivered on time/total items of the purchase order will be considered.

b.2. Works and services:

Progress compliance percentage:

The accumulated compliance with the work schedule will be considered; the steps to determine performance results are described below:

- \cdot Σ Of total activities executed / Σ Total activities planned
- · Assign the qualifying score.

c. HSE Aspects

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SUBCRITERIA				
	Limit	Reference value		
TRIF: Rate of Total Recordable Incidents Frequency (*)	The planner must define the limit in the contract: • A limit for this indicator may be the Frequency Rate established for each Vice Presidency, Management, or Department for the period in which the planning is performed. In case of affecting more than one Vice Presidency, Management, or Department, the rate must correspond to the lowest value. • A different limit cab be set out; if it is below the Frequency Rates established for each Vice Presidency, Management, or Department.	If TRIF <= Defined Limit, you will get 100% of the points If TRIF > Defined Limit, it will get 0 points		
EI: Environmental incidents due to operational cause. (When applicable)	The maximum limit in all cases in which this aspect is applicable will be Zero (0).	EI = 0 will get 100% of the points EI > 0 will get 0 points		
VAR (TAV): Vehicular Accident Rate ^(*) (When applicable)	The planner must define the limit in the contract: • A limit for this indicator may be the Frequency Rate established for each Vice Presidency, Management, or Department for the period in which the planning is performed. In case of affecting more than one Vice Presidency, Management, or Department, the rate must correspond to the lowest value. • A different limit cab be set out; if it is below the Frequency Rates established for each Vice Presidency, Management or Department.	If TAV < Defined limit it will get 100% of the points If TAV ≥ Defined limit, it will get 0 points.		
KPIs of compliance with contract HSE obligations; defined by type of contract or according to its risk level.	Evaluated based on the management or reporting of evidenced and documented defaults on monitoring, inspections, incident investigation, audits, etc., conducted by Ecopetrol personnel (contract monitoring officer, HSE, responsible for the area in which the contract is performed).	In the SLC portfolio or in the Supply Community of Practice of Ecopetrol/ Suppliers / Contractor Performance / Standard Models, the forms to be applied to conduct the performance evaluation are available, which are part of the Selection Method documents.		
Good HSE practices (when applicable)	 It recognizes good practices or HSE initiatives that, exceeding the contractual and legal requirements, generate improvements in the performance of the contract. These must be duly documented and monitored during contract performance, including those identified in the audit thereof. 	Five additional points will be assigned in the corresponding KPI of the performance evaluation, in the period that was endorsed by the HSE area, without exceeding the maximum evaluation score of 100 points on HSE.		

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SUBCRITERIA				
	Limit	Reference value		
	 Such acknowledgment must be endorsed by the HSE area of the business or businesses where the contract is performed. These must be related to the KPIs of obligation compliance evaluated for the HSE contract. 	 Such recognition will be maintained for one year, if the contract's HSE performance is upheld or improved, which is lost if it does not take place. 		
High Potential Event- HIPO	Defined according to Ecopetrol's standard	In case of occurrence of high potential- HIPO events, the TRIF will be reduced by 10 points, and said impact will be maintained for one year.		

^(*) For the TRIF and TAV indicators, when the comparison limit for the allocation of points has been defined based on Ecopetrol's frequency rates and it is other than zero, it will be updated each year in accordance with the limits defined by Ecopetrol and the Contract Monitoring Officer will advise the Contractor about the new limit.

- When the Contractor's HSE contractual obligations are audited (this applies to M, H and VH risk contracts that exceed six (6) months), the results of said exercise must feed the results of the KPI evaluation for the period.
- The value to be assigned to the Contractor in the TRIF sub-criterion will be zero (0) for two years from the month of occurrence of any of the following events:
 - · Fatalities occur due to causes attributable to the Contractor.
 - When the failure to report work accidents by the Contractor is evidenced, whether affecting it or its subcontractors.
- Should an incident occur to the Contractor during the term of the final balance of the contract, which affects its personnel, third parties, the environment, or Ecopetrol's infrastructure, the last HSE evaluation must be adjusted.

d. Labor, commercial and administrative aspects



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SUBCRITERIA		Weight
Compliance with legal and contractual obligations of a labor nature	, social security,	
If breaches of a labor or social security nature are found that are rated as Annex 2 herein: "Labor breaches considered to be of high and very high when evaluating this criterion. If there is no evidence of non-compliances be obtained will be the maximum.	impact'), must be considered	
The sources of information that the Contract Monitoring Officer must use t and social security obligations are:	o verify compliance with labor	
 Monthly Certification of Compliance with Labor Obligations of Contraction one that replaces it. Profile Compliance Certification Form (GAB-F-214), or the one that replaces Attention Comprehensive System (SIAT for its acronym verifications. These two sources only apply when the Contract Monitoria 	laces it. in Spanish) and work-related	
Management (Contractual Labor Assurance Coordination) of a breach to Complaints and Claims classified as valid; information provided by the	by the Contractor.	
	·	
If there is no default If there is one (1) breach rated High	100% 70%	
If there is one (1) breach rated Very High or two (2) breaches rated High	50%	
If there are two (2) breaches rated Very High or three (3) to four (4) breaches rated High	30%	
Three (3) or more breaches rated Very High or five (5) or more breaches rated High.	0%	
Compliance with contractual employment obligations in accordate proposed by the supplier (when applicable) If breaches of a contractual nature are evidenced of labor relationsh commitment presented by the supplier for: Inclusive employment relationship (when applicable) Hiring Local Skilled Labor (when applicable) These must be considered for the evaluation of this criterion. If there are score will be the maximum. The sources of information that the Contract Monitoring Officer must use to obligations are: Monthly Certification of Compliance with Labor Obligations of Contract one that replaces it. Report on Labor in Ecopetrol Contracted Activities (GAB-F-221). Complaints and Claims classified as valid; information provided by the Contractor's certification on the special condition of the population growho is part of their commitment to inclusive employment. Contractor's certification on compliance with the hiring of qualified local	no breaches of this type, the verify compliance with these tor Form (GAB-F-213), or the Citizen Participation Office.	15%

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	SUBCRITERIA			Weight
 Document is when that is 	sued by the Ministry of Labor evidencing non-cor the case.	npliance with perc	centages of local labor,	
	If there is no breach Si se presenta incumplimiento	100% 0%		
Compliance wi	th commercial obligations	0%		
and/or subcontrabe considered. The sources of it and/or commercial by Supply M. Complaints a. Certification	pliance with the civil and/or commercial obligation actors, the number of commercial breaches with information that the Contract Monitoring Officer ial obligations are: Format for the Commercial Commitments of cors (GAB-F-105), or the one that replaces it. Inverifications conducted by the Contract Monitoring anagement (Department of Supply Excellence) as and Claims classified as valid; information provides of the Legal Representative or Statutory Auditorivices in the respective period.	Suppliers and/or must use to ver the Contractor g Officer with resp to possible breaced by the Citizen	r Subcontractors must ify compliance of civil with Suppliers and ect to alerts generated hes by the Contractor. Participation Office.	30%
If	there is no breach	100)%	
If	there is one (1) or two (2) breaches	75	%	
If	there are three (3) to six (6) breaches	50	%	
If	there are seven (7) or more breaches	09	%	

Documents delivery

If the contractually agreed administrative documents are delivered in a timely manner and with quality (completeness, veracity, etc.) (it must be listed in the planning what documents are to be measured, eg, labor report, certifications of compliance with labor obligations, compliance with profiles, clearance certificate from workers, goods and services report, specific information requirements by Ecopetrol, timely billing, report information on green clause, information and documentation to keep the Contractor's authorization in the Supplier Information System SIPROE, or the one replacing it , among others). The score assigned for the respective evaluation period will be affected in accordance with the provisions of this sub-criterion (see explanatory notes), as follows:

If there is no breach 100%

If there is one (1) or two (2) breaches 75%

If there are two (2) to three (3) breaches 50%

If there are four (4) or more breaches 0%

15% /100%

Note:

- (a)With regard to the information and documentation required to maintain the Contractor's authorization in the SIPROE Supplier information system or the one that replaces it, consider the following aspects:
 - The contractor must ensure the updating of the information and documentation for determining the qualification in the system (legal, technical, financial, HSE, commercial, ethics and compliance accreditation, among others).

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• For the evaluation of this obligation, the Contract Monitoring Officer must consult the status of the contractor in SIPROE or the system that replaces it, in case it is not enabled, a rating of 0% must be assigned in the sub-criterion Delivery of Documents; this evaluation will be maintained until the contractor provides the information required for authorization in the system, that is, non-compliance with this information prevails over the evaluation table defined in this sub-criterion. At the time that the Contract Monitoring Officer verifies that the information provided by the Contractor does not correspond to reality in the fulfillment of obligations with third parties; this is caused by not reporting completely all credits or reporting pending payment obligations as fulfilled; this sub-criterion will have a result of 0% in the evaluated period, without prejudice of other actions that correspond to that agreed in the contract. For purchase-type contracts, this sub-criterion in the performance evaluation must represent 100% of the Labor, Commercial and Administrative Aspects criterion.

e. Environment Management

SUBCRITERIA	Weight
Alayma and anyiyanmant incidents attributable to contractors (when applicable)	

Alarms and environment incidents attributable to contractors (when applicable)

Situations arising within the framework of contract performance associated with the breach of contractual obligations and that, therefore, generate conflict with the stakeholders and interrupt the normal course of operations or projects and/or result in losing time, money, or business reputation, it is considered an environmental incident attributable to the contractor.

The evaluation of this component will be conducted considering the number of alarms environment incidents attributable to the contractor during the evaluation period. The scores assigned for the respective evaluation period will be affected in accordance with the provisions of this sub-criterion, as follows:

If there is no alarm in the area	100%
If there are two (2) or more alarms and (0) incidents in the area	90%
If there is one (1)incident in the area lasting less than 3 days	75%
If there is one (1) incident in the area lasting more than 3 days	50%
If there are two (2) or more incidents in the area lasting more than 3 days.	0%

The Contract Monitoring Officer is responsible for evaluating this sub-criterion based on information provided by the Environment Professional (Management with contractors); this information includes the number of environmental alarms and incidents reported in the official Ecopetrol tool. The definition of whether the alarms and/or the incident are attributable to the contractor will be made jointly by the Contract Monitoring Officer and the Environment Professional (Management with contractors), and other functional areas may also be consulted when applicable.

Indicatively, the following alarms and/or environment incidents attributable to the contractor can be identified:

- · Breach of labor obligations by the contractor.
- Non-compliance of the contractor, subcontractors and/or suppliers in the payment of salaries and social benefits where Ecopetrol had to make effective the guarantee of payment of said social concepts, in addition to the pertinent legal actions.
- Occurrence of environmental problems attributable to the Contractor where Ecopetrol had to incur
 expenses to clean up said problems.
- Non-compliance in terms of prioritization and hiring of local labor and regulations of the Public Employment Service (SPE), confirmed by the competent authorities.
- Failure to comply with commitments acquired by the Contractors with the Stakeholders in the territory.
- Damage and/or effects are confirmed by the Contractor in the Environment.

25%

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SUBCRITERIA	Weight
In any event, if causes other than those listed hereunder are identified, these must be validated between the Contract Monitoring Officer and the Environment Professional (Management with contractors) within the framework of the environment management strategy.	
The sources of information that the Contract Monitoring Officer must use to verify compliance with the environment sub-criterion are: Environment Monitoring Tool. Systematic reporting of Regional Environment with contractor companies Report of alarms and incidents of the Goods and Services Sales force tool. Other documentation such as minutes, reports, among others.	

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SUBCRITERIA		Weight
Complaints and claims affecting the environment The sub-criterion of complaints and claims affecting the environment refers to situations to expectations and non-conformities in the engagement with stakeholders, which may improper formance of the contract. The Contract Monitoring Officer must evaluate this sub-criterion with the Environment (Management with contractors) and other functional areas as applicable, and those complactons considered valid and attributable to the contractor, related to environment issues relate supplied by the Office of Citizen Participation, through the mailbox: citizen participation considered valid and attributable to the contractor, related to environment issues relate supplied by the Office of Citizen Participation, through the mailbox: citizen participation considered valid and attributable to the contractor, related to environment issues relate supplied by the Office of Citizen Participation, through the mailbox: citizen participation considered valid and attributable to the contractor, related to environment issues relate supplied by the Office of Citizen Participation, through the mailbox: citizen participation considered valid and attributable to the contractor, related to environment issues relate supplied by the Office of Citizen Participation, through the mailbox: citizen participation considered valid and attributable to the contractor, related to environment issues related to env	nt Professional lints and claims d to providers, Decopetrol com	10%
If there is no filing of a valid complaint and/or classified claim If there is filing of one (1) valid complaint and/or classified claim If there is filing of two (2) or three (3) valid complaints and/or classified claims If there is filing of four (4) or more valid complaints and/or classified claims	100% 85% 50% 0%	

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SUBCRITERIA Weight

Contractor Environment Plan (When applicable)

The contractor environmental plan committed to in the commercial offer is intended to reporting compliance with the actions planned for engagement with the stakeholders, prevention and attention to possible conflicts in the area, within the framework of contract performance.

The following aspects will be monitored, through the Follow-up Form on fulfillment of the Environment Plan of the Contractor Companies:

- · Engagement Actions.
- · Actions for the prevention and management of conflict.
- Actions to secure regulatory compliance with the prioritization of local labor and the Public Employment Service in areas influenced by the hydrocarbon industry.
- Management of the team or professional responsible for executing the environment plan (Of the contractor company)

Assignment of scores according to compliance with the following aspects:

If there is no breach of the Environment Plan	100%
If there is one (1) breach of the Environment Plan	80%
If there are two (2) breaches of the Environment Plan and this results in conflict with	
stakeholders, which lead to the interruption of the normal course of operations or projects,	50%
losses (time, money, or business reputation).	
If there are two (2) or more breaches of the Environment Plan	0%

In accordance with the schedule of the Environment Plan, the contractor must deliver the execution supports to both the Contract Monitoring Officer and the Environment Professional (Management with contractors).

The Environment Professional (Management with contractors) will conduct the monitoring, analysis, and evaluation of compliance with the plan, and will send the results of the evaluation of compliance with the Contractor's Environment Plan to the Contract Monitoring Officer for ratification and uploading to the SAP tool.

25%

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Promotion of local supply (When applicable)

The evaluation of fulfillment of the following activities will be conducted considering the respective commitment included in the commercial offer.

Commitment regarding chain management (when applicable) - 15%

Fulfillment of the commitment regarding the contracting of local goods and services acquired by the Contractor in the commercial offer and specified in the Form for the Disaggregation of Chains (GAB-F-268) must materialize during contract performance, that is, before the end of the term of the Contract and/or the Service Orders, the Contractor must certify fulfillment (100%) of the commitment.

The evaluation of this sub-criterion will be conducted in accordance with the level of compliance with the commitment acquired by the Contractor in the Disaggregation of Chains (GAB-F-268) form, for each evaluation period. Thus, the Contract Monitoring Officer will use the information on the contracting of local goods and services reported by the Contractor in the Form for Monitoring the Commercial Commitments of the Contractor with Suppliers and Subcontractors (GAB-F-105).

For such periods where there is no contracting of local goods and services, the Contractor must submit the justification certified by the Legal Representative or Statutory Auditor stating said circumstance for the respective evaluation period, which will not affect its performance, if before the end of the Contract and/or the Service Orders term, the contractor accredits fulfillment (100%) of the commitment.

For the evaluation of periods prior to the end of the contract, which have not presented local contracting and that have the justification certified by the Contractor, the maximum score will be assigned in the period; in case of not having said justification, the evaluation for this period will be 0%. The final evaluation of the Contract must reflect the contractor's level of fulfillment of that promised in the commercial offer, in accordance with the following established ranges:

40% / 100%

If the contractor fulfills 100% of what was promised in the offer	100%
If the contractor complies with 90% - 99% of what was promised in the offer	80%
If the contractor complies with 80% - 89% of what was promised in the offer	50%
If the contractor complies with less than 80% of what was promised in the offer	0%

When the Contract Monitoring Officer verifies that the information provided by the Contractor does not match reality, this sub-criterion will have a result of 0% in the evaluation of the final performance of the contract or service order, without prejudice of other pertinent actions pursuant to what was agreed in the contract.

• Timeliness and quality of information reported for chain management -10%

The contractor must report monthly the contracting of local goods and services conducted through the Form for Monitoring the Commercial Commitments of the Contractor with Suppliers and Subcontractors (GAB-F-105); both the timeliness and the quality of the information provided, must be considered, as indicated below:

Provides information in a timely and quality manner	100%
Provides information in a timely manner but not of quality or presents	50%
quality information, but not in a timely manner	
Contractor does not provide information	0%

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SUBCRITERIA Weight

Definitions:

- **Opportunity:** It refers to the fulfillment of the term agreed for the delivery of the information through the Form for the Follow-up of the Commercial Commitments of the Contractor with Suppliers and Subcontractors (GAB-F-105).
- Quality: Level of accuracy of the information provided, such as months reported, supplier/subcontractor information, invoice number, amounts contracted, allocation of amounts among contracts covered by the same invoice, etc.

Note: The quality of the information does NOT refer to its veracity, given that at the time the Contract Monitoring Officer verifies that the information provided by the Contractor does not match reality, this sub-criterion will have a result of 0% in the evaluation of the final performance of the contract or service order, without prejudice of other actions applicable in accordance with what was agreed in the contract.

• Activities to create value (When applicable) - 15%

During performance of the contract, the value generation plan to which the contractor committed in the commercial offer will be evaluated and the level of compliance with the activities and deliverables committed to in said plan will be analyzed, regarding business strengthening training actions and/or programs, innovation, and development programs, and/or transfer of knowledge and/or technology, among others. For the performance evaluation, the level of fulfillment of the plan committed to by the contractor (activities, scope, and deadline) will be considered.

The final evaluation of the Contract must reflect the level of achievement of the activities committed by the contractor in the commercial offer (Σ of the total activities executed / Σ Total of planned activities) according to the following ranges:

If the contractor fulfills 100% of what was promised in the offer	100%
If the contractor complies with 90% - 99% of what was promised in the offer	80%
If the contractor complies with 80% - 89% of what was promised in the offer	50%
If the contractor complies with less than 80% of what was promised in the offer	0%

The evidence for fulfillment of this sub-criterion will be the certification of the Legal Representative or Fiscal Auditor, together with the photographic record, attendance lists, exit tests (when applicable), among others.

When the Contract Monitoring Officer verifies that the information provided by the Contractor does not match reality, this sub-criterion will have a result of 0% in the evaluation of the final performance of the contract or service order, without prejudice of other pertinent actions pursuant to what was agreed in the contract.

3.2.4 Framework Contract

- In the planning of the supply strategies from which framework contracts are derived, the performance evaluation must be aligned with the Contract Management Protocol defined for the strategy.
- The Monitoring Officer of the framework contract must evaluate it comprehensively, based on the evaluation, supports, and deviations generated in the Service Orders (SO) derived from the framework contract, and comply with what is defined herein.

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3.2.5 Due diligence in identification of invited parties in the Selection Methods

In the exercise of due diligence and to ensure the purposes of the contracting, Ecopetrol will consider for the identification of those invited to participate in the Selection Methods, as well as for the execution of Additional contracts or Amendments, or options use, for the supply of goods and services, the favorable and unfavorable objective information of its Suppliers, conducting a comprehensive analysis thereof, in which it can include trends in the results of the performance evaluation by periods, categories or aggregators, among others that are considered relevant for the respective analysis. The unfavorable or favorable information of the Suppliers may be shared and used by the Companies of the Business Group.

The following information, without limitation, is considered unfavorable:

- (I) When in the opinion of Operational Efficiency, Contract Terms, Administrative Aspects and Environment Management the Contractor obtains a result of less than 80 points and for the HSE Aspects criteria the Contractor obtains a result of less than 85 points, in the following cases:
 - Average comprehensive performance evaluations.
 - Average performance evaluations by category and/or subcategory.
 - In the term of the contract performed more recently.
- (II) When in the evaluation of health professionals y a result of less than 90 points is obtained in the last performance evaluation.
- (III) If during the term of a contract, the Contractor has incurred in default of its obligations that generate Incidents of Social and/or Environmental Environment and/or economic damage (Consult the Environment Monitoring System according to the modality of the conflict, with the accompaniment by the Environment Professional).
- (IV) In force of a contract, the Contractor has incurred in breach of labor obligations.
- (V) During the term of a contract, the Contractor has incurred in breach of commercial obligations with Subcontractors and/or Suppliers.
- (VI) During the term of a contract, fatalities, or total permanent disability of one or more people occur due to causes attributable to the Contractor (consult the HSE Professional designated for its Business).
- (VII) Have judicial attachments that may seriously affect the performance of the contract. This occurs when the value of the attachment is greater than the expected profit.

The unfavorable information referred to in above paragraphs II, III, IV, V and VI will be recorded for two (2) years in Ecopetrol's internal systems; that of literal VII will be registered as of the notification of the attachment until its lifting.

Anyone who detects a possible breach of the Code of Ethics and Conduct must send the supporting documentation of the alleged breach to Ecopetrol's Corporate Management of Ethics and Compliance Affairs or to the Compliance Manager of the respective Group companies, which will undertake the pertinent validation and issue the respective opinion, if applicable.

3.3 APPLICATION OF THE PERFORMANCE EVALUATION TO THE CONTRACTOR

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The evaluation of the Contractor's performance will be conducted by the Contract Monitoring Officer
within thirty (30) calendar days following the date on which the period to be evaluated expires. Each
systematic and final performance evaluation considers all the results at the measurement date (it is
cumulative) and is calculated using the following formula:

$$Q_t = \Sigma (Q_1, Q_2, Q_3...Q_n) / n$$

 $Q_{(1, 2, 3...n)}$ = Result of the KPI evaluation for the evaluated period; within each criterion, each KPI must be evaluated separately. n= Number of periods evaluated. Remember that in each period only that time interval is evaluated.

 $\mathbf{Q_t}=$ Arithmetic average of the KPI's evaluation results, to be registered in the SAP tool. The results of the performance evaluations must be registered and approved in the SAP - SRM technology enabler.

Note 1: For the following criteria, the formula related to this item does not apply:

- Criterion on HSE in the TRIF, IA and TAV indicators, as they correspond to rates in which the
 events vs. exposure are related (total man-hours of the contract, kilometers traveled). These
 indicators are calculated in accordance with the provisions of chapter 2.4 Relevant Concepts of
 this procedure.
- Contract Terms Criterion
- Environment Management Criterion in the sub-criteria Contractor Environment Plan and Promotion of local supply.

Note 2: For Health Service Professionals, only the last performance evaluation is considered and not the average of the latest evaluations, and the result must be included in physical PDF format in the contract performance folder.

- It is the responsibility of the parties to the contract to ensure and/or require the completion of systematic and final contractor performance evaluations on time, which must be consistent with the reality of the contractor's behavior.
- The start date of the evaluation is the date in which the contract is executed.
- Final evaluation of the contract: it is the last evaluation of the contract registered in the SAP-SRM system, from the evaluation start date to the contract completion date; however, if within the balance and closing period of the contract a breach is evidenced, a final performance evaluation must be prepared, including said period, which will become the final evaluation of the contract.
- Once the evaluation has been completed, the Contractor must be notified, who within five (5) business days following the date of said communication may present its observations in writing, which will be resolved by the Contract Monitoring Officer within the next ten (10) business days.
- The performance evaluation or response to the observations will not lose their effect when they take place outside the terms set out.

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- If the Contractor does not submit observations or fails to support them, or if submitted and supported but not accepted by Ecopetrol, the Contract Monitoring Officer will approve the evaluation and close it in the tool.
- In justified cases, due to supervening events and without considering the defined evaluation frequency, the Contract Monitoring Officer may conduct a new evaluation to reflect the reality of the Contractor's performance at the time.
- The outcome of the systematic and/or final evaluations for each Criterion may be adjusted by Ecopetrol, in case of non-compliance attributable to the Contractor, which are known after the respective evaluation.
- The performance evaluation obtained by the Joint Contractor, for all purposes, shall apply to each of its members.
- When the contract is not started and/or performed for reasons attributable to the Contractor, its performance evaluation in all criteria will be zero (0) points, but when the contract is not started and/or performed by mutual agreement of the Parties, there will be no performance evaluation.
- If during the term of the contract, only the Contractor classified in the Strategic and Core segments and, exceptionally, the Suppliers in the Leverage segment, presents results that generate unfavorable information according to numerals (I), (II), (III), (IV) and (V) listed in chapter 3.2.5 Due Diligence in the identification of invited parties in the Selection Methods hereunder, the Contract Monitoring Officer may implement an improvement plan pursuant to that defined in Annex 1 Construction and furtherance of improvement plans.

4. CONTINGENCIES

- If there are problems with the SAP technological enabler, the Supply Excellence Department of Supply Management is responsible for delivering the information on Contractor Performance Evaluations.
- If the tool is not enabled to conduct the performance evaluation, it must be worked out in the GAB-F-245 form.

LIST OF VERSIONS

Previous Document			
Version	Date	Old Code and Title	Changes
8	27/03/2012	ECP-VST-F-005 Contractor Performance Procedure	Template standardization, target adjustment, terms standardization.
9	27/08/2012	ECP-DEA-P-006 Contractor	Template update and assignment of new code. (old code ECP-VST-P-005)

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		Performance	
		Procedure	
10	11/09/2012	ECP-DEA-P-006 Contractor Performance Procedure	Inclusion of Evaluation Methodology Purchases ANDE Contracts Inclusion of review of the application of the Performance Evaluation by the Functional Authority. Inclusion of a new literal for numeral 4.3.a. on noncompliance in hiring Local Labor. Application of numeral 4.3.a. for the Business Group.
11	30/10/2012	ECP-DEA-P-006 Contractor Performance Procedure	Change of Codes of the Related Formats in the Procedure
		Ne	w Document
Version	Date		Changes
1	30/06/2014	Derivative actions a	are included.
2	21/07/2016	The Contractor Performance Evaluation Methodology Form (GAB-F-128) is included.	
3	28/12/2017	The frequency of the various criteria is changed; precisions are made with respect to the different criteria to be evaluated, and it is determined that an analysis of the favorable and unfavorable objective information of the contractor must be conducted to determine the list of suppliers to be invited, based on Ecopetrol's strategy. It is indicated that the Procedure will not apply to health service providers engaged through the modality of Ascription, adhesion contracts, among others.	
4	30/10/2019	 Chapter inclusion: Segmented Contractor Performance Evaluation and Framework Contracts Strengthening and updating of criteria: Operational Efficiency (Measuring promise of value), Administrative Aspects, HSE and Management of Environment. Strengthening of the structuring of improvement plans (Annex 1. Construction and Furtherance of Improvement Plans) and updating of Annex 2. Labor breaches considered of high and very high impact Inclusion of the evaluation of Health Professionals hired with adscription letters. Exceptions chapter update. The time of Average of Evaluations of the contractors is modified. The Supplier Performance Committee was eliminated Contractor performance evaluation frequencies were standardized. 	
5	13/05/2021	The HSE Aspects criterion is updated: The TRIF calculation considers the man-hours worked and the events that have occurred in the last two years or part thereof, elapsed until the date on which the evaluation of the corresponding period is to be performed.	

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		,
		 The measurement of Good HSE practices is included.
		 High Potential Event-HIPO measurement is included.
		• In the criterion of Administrative Aspects, sub-criterion Compliance with
		Legal and Contractual Obligations of a Labor, Social Security type, the
		measurement of the inclusive labor relationship, and skilled labor above
		the percentage established in the Law is included.
		• The following amendments are made in the Environment Management
		criterion:
		o The measurement of the Environmental Alarms and Incidents sub-
		criterion attributable to contractors and timeliness and quality of
		information reported for Chain Management is included.
		o The mechanism for measuring the sub-criteria Complaints and Claims
		affecting the environment, Contractor's Environment Plan and
		Promotion of local supply is strengthened.
		· Update of the exceptions chapter.
	22/10/2021	· Coordination with the new role of the contractual Management model.
		· Strengthening measurement of purchase orders: Incorporation of
6		logistics evaluation of purchase orders and comprehensive evaluation of
		the Supplier by the Authorized Official/Category Leader. Lindating sub-criterion Delivery of Documents: Incorporation of the
		opuding sub-criterion belivery of bocuments. Incorporation of the
		measurement of delivery of documents required to keep the Contractor qualified in SIPROE.
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For further information contact:

Author(s):

Yesenia Santos Sánchez

Telephone: 2345000 Ext. 448191 Mail: relacionamiento.proveedores@Ecopetrol.com.co

Division: Supply Excellence Department

Reviewed on line by:	Approved on line by:
CAROLINA BAGES MESA	JAIME A. PINEDA DURÁN
Head of the Supply Excellence Department	Supply Manager
Identity Document No. CC 52.697.400	Identity Document No. CC 91.225.118
Management of Supply	Supply Management

Document signed electronically, in accordance with the provisions of Decree 2364 of 2012, whereby article 7 of Law 527 of 1999 is regulated, regarding electronic signature, and other provisions are set out.

To verify compliance with this mechanism, the system generates an electronic report showing the traceability of the review and approval actions by the accountable parties. Should you need to verify this information, you may request said report from the Service Desk

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