

№	Question	Answer
1	Could you please provide the preliminary profit & loss statements for the financial year 2018 and provide the EBITDA pro forma statements as prepared by the advisor IFC in the past?	The information will be updated and published in the Virtual Data Room.
2	Could you please confirm that the Airport Charges for 2019 and the first year of the Concession in the Financial Model shall be based upon the published “Sofia Airport Charges” being valid from 01.01.2019 – 31.12.2019 (to be found under https://www.sofia-airport.bg/sites/default/files/sofia_airport_charges_en_2.pdf) and update the tender documentation in this respect accordingly?	The airport charges for 2019 should be used for the 2019 calculations in the financial model. We will review and consider whether changes to the Tender Documents are needed.
3	Could you please provide an update of the moveable assets list provided in the virtual data room as per 31.12.2018?	This information is available in the Virtual Data Room – Appendix 5.9.1.4.
4	Could you please provide a staff overview (full-time equivalent) on a per department basis as per 31.12.2018 and indicate per department the amount of employees which you intend to transfer to the Concessionaire (full-time equivalent).	This information is available in the Virtual Data Room – Appendix 7.1.5.
5	<p>Art. 18, para.2, item 5 of Ordinance No. 20 of 24 November 2006 for certification of the operational fitness of civil airports, helipads, systems and equipment for ground handling, for licensing of airport operators and ground handling operators and for the ground handling market of the airports access (Ordinance No.20) requires the candidate for a certificate for operational fitness of a civil airport to provide for a permit issued under Art. 82, Para. 4 and 5 of the Environmental protection Act (EPA). However the current wording of Art. 82 EPA does not provide for issuance of any permit. In this regard, we have several questions:</p> <ol style="list-style-type: none"> 1. Our understanding is that not a permit is required but a resolution or statement of the competent body under Art. 84, Para. 1 EPA. Please confirm the correctness of our understanding. 2. Please specify which specific plan, program, construction investment proposal, activity or technology in connection with the operation of Sofia airport will be subject to the evaluation under Art.81, Para.1, item 1 EPA? 3. Please provide for review the document presented on the grounds of Art.18, Para. 2, item 5 of Ordinance 20 for the issuance of Operational Fitness Certificate No.1/30.10.2016. 4. Is it admissible that the concessionaire uses the document presented on the grounds of Art.18, Para. 2, item 5 of Ordinance 20 for the issuance of Operational Fitness Certificate No.1/30.10.2016 when applying for a new operational fitness certificate for Sofia Airport? 	<ol style="list-style-type: none"> 1. The environmental assessment of plans and programmes under Article 82 paragraph 4 of the Environmental Protection Act (EPA) shall be completed by an opinion or decision of the competent authority under Article 84, paragraph 1 of the EPA. The evaluation of investment proposals under Article 82, paragraph 5 of the EPA shall be completed by a decision of the competent authority under Article 93, para 2 or 3 or Art. 94 of the EPA. 2. Competent authority for issuing opinions and decisions under Article 81, paragraph 1, item 1 of the Environmental Protection Act is the Minister of Environment and Water or the Director of the relevant Regional Inspectorate of Environment and Water. The relevant provisions of the Spatial Development Act should also be complied with in this case (Art. 142 and subsequent), and also the Environmental Assessment of Plans and Programmes Ordinance. 3. The information on this issue is available for review in the Virtual Data Room – Appendix 5.6.2.1.17. - Decision 70-15/2001 on New Terminal Building and adjacent Infrastructure, Decision 20-5/2001 on a new runway system, taxiways and related works, as well as an indicative Notification of Investment Objective and a corresponding opinion of the MoEW.

		<p>4. For the initial issuance of an Operational Fitness Certificate of civil airport, it is permissible to present the opinions and decisions issued by MoEW by the date of application. For subsequent plans, programmes and investment proposals, relevant opinions and decisions should be obtained from the MoEW.</p>
6	<p>We believe that the proposed changes to Art. 21, para. 5 and Art. 63, para. 3 of the Concessions Act maintain the uncertainty regarding the possibility of a valid limitation of the joint liability of the shareholders in the concessionaire and the third parties providing financial capabilities. We therefore would like to propose the following wording which, in our opinion eliminate this uncertainty and from one hand allows the grantor to define in the concession contract the limits of joint liability according to the specifics of the procedure and on the other hand to create greater comfort for the participants in the procedures envisaging limitation of the joint liability.</p> <p>Article 21, para 5:</p> <p>The concession agreement may provide that the economic operators, participating in the group, referred to in par. 2 and 3, as well as the economic operator referred to in paragraph 4, shall be responsible jointly with the project company for the implementation of the concession agreement, as provided for therein. The joint liability under this article could be assumed only for a part of the obligations of the project company, depending on the nature and extent of the participation of each of the economic operators in the project company or of their undertaking to provide resources to the project company.</p> <p>Article. 63, para. 3:</p> <p>The third person, with the abilities of which the fulfilment of the financial and economic condition requirements is proven, may be jointly liable with the concessionaire for the implementation of the concession agreement, as provided for therein. The joint liability under this article could be assumed only for a part of the obligations of the concessionaire, depending on the nature and extent of the undertaking by such third person for the provision of capabilities or resources.</p>	<p>Thank you for your suggestions. We will consider and assess reflecting them in the bill.</p>