

№	Question - EN	Отговор
1	Please confirm that all the security staff of Sofia Airport EAD (in its capacity of airport administration, airport operator and ground handling operator) has the necessary certifications and clearances for work in the strategic zones.	Confirmed.
2	Please, provide us with an clarification of the answer № 6, list 2 of 22 August. In the first sentence on page 29 of the Concession Justification it is stated that for the execution of the compulsory security at Sofia Airport as an object of critical infrastructure, a remuneration is not due. Under Clause 3.6 of the Concession Agreement, the Concessionaire takes no responsibility and will not pay any costs and expenses for the Reserved Activities which include under 3.6.2 the Immigration Service/Border Control and the Airport Police providing general security and public order protection. Which security activities should be paid to the Ministry of Interior by the new Concessionaire?	<p>Please see the answer to a question under item 5 of Q & A_29.08.18_3 posted on 29.08.2018.</p> <p>According to Art. 92 para. 2 of the Law on the Ministry of Interior (LMI), except in the cases under para. 1 The Ministry of Interior is responsible for the protection of police, including security and other equipment, of the sites listed in Annex 1 to the Law on the Ministry of Interior. The airport in Sofia is included in the list. According to Art. 92 para. 9 of the LMI, the revenues and expenses from the activity of the Ministry of Interior under par. 1 and 3 and the expenses under par. 2 shall be reported to the budget of the Ministry of Interior. This means that this cost should not be applicable to the concessionaire. Since the question raised concerns a significant amount of expenditure for a sufficient degree of precision, we will immediately contact the Ministry of the Interior and inform us of the response received.</p>
3	Please confirm that the Security Management Plan to be developed by the Concessionaire pursuant to point. 6 of Annex 20 to the Concession Agreement covers by its content the airport security program which is to be developed by the Concessionaire according to Art. 16L of the Civil Aviation Act, or two separate plans would need to be developed.	<p>It might be the same in content document to the Airport Security Program provided for in Article 16l of the Civil Aviation Act, as long as it meets both the requirements of the legislation and those under the CA (including the Annexes thereto). Please also consider the following:</p> <p>The Airport Security Program (ASP) is a mandatory document which is developed in accordance with the requirements of Art. 16l of the CAA and item 01.2.1 of the National Civil Aviation Security Program (NCASP). It is endorsed by the Director General of the General Directorate Civil Aviation Administration. The measures described therein are in concurrence with the provisions of the NCASP and Regulation 300/2008 of the European Parliament and of the Council. The development of an Airport Security Program follows the structure specified in Annex 01-E of the NCASP.</p>
4	Please specify the relevant legal provisions on the basis of which the Security Personnel Management Plan required by Art. 8.3.4 of the Concession Agreement should be developed.	The requirement for a Security Staff Management Plan is contractual and is meant to ensure the Concessionaire implements a systematic approach for the recruitment, qualification and training of security staff, abiding by all security staff requirements under Bulgarian national legislation,

		legal acts and standards. Please consider the answer to the previous question as well.
5	Please provide us with the General Terms and Conditions of Sofia Airport for the rental of telecommunication terminal service of the Alkatel Omni PCX digital switchboard.	Please refer to the answers to questions ## 5, 6, 7 and 8 of Q&A_30.08 .18 _ 1 published on 30.08.2018. Annexes 3.31., 3.32, 3.33 and 3.34 present a summary of all existing (by August 2018) telecommunication equipment rental contracts, deposits made under such contracts and relevant take-over documents for telecommunication equipment rentals and services. The above-mentioned Annexes are available for review in the Physical Information Room under terms and procedures set out in Art. 5.1 of the Concession Documentation.
6	Please kindly clarify whether art. 128 of the Concessions Act and the the limitation of the enforcement under art. 519 of the Civil Code will cover only receivables towards the state under the Concession Agreement or it will cover also revenues from the Airport? If it will cover revenue from the Airport, would it cover all of the revenues or only the receivables for Airport Charges?	The limitation of enforcement under Article 519 of the Civil Procedure Code (CPC), in relation to Art. 128 of the Concessions Act, covers only the receivables of the Concessionaire to the State, relating to compensations under the Concession Agreement.
7	What is the reason for the difference in the square meter size of the concession territory with total area of 5 128 460 sq. m, as provided in the Tender Documentation, and the square meter size of the concession territory of 5 112 649 sq. m, as provided in the Justification for the works concession for site Civil Airport for Public Use Sofia?	The concession area comprising an area of 5 128 460 sq m is detailed in the tender documentation, as well as in the Justification for the works concession for “Civil Airport for public use Sofia”. The area of 5 112 649 sq. m. specified in the Justification does not include the area of 15 811 sq m, forming a Land Plot with cadastral ID 07106.1401.10, described in III, item. 1, item 1.22. (p. 17) of Justification for the works concession for “Civil Airport for public use Sofia”. No Public State Property Act has yet been drawn up at the time of publication of the Concession Notice.
8	In case that a change is necessary in Sofia Urban Plan, as well as in some of the current Detailed Development Plans or a new Detailed Development Plans requires acceptance, which is the competent public authority responsible for the approval, the development, and the acceptance of each of these plans? Which is the competent public authority that accepts building permits for new construction and that places into service those construction objects?	The competent authorities for the authorization and development of each of the said plans, as well as the competent authorities for the issuance of building permits and for the commissioning of new facilities, are specified in the Spatial Development Act and in the Statutory Instruments for its implementation thereof, in particular, for Sofia Municipality General Spatial Plan – in the Structure and Development Act of the Sofia Municipality. The Sofia Municipality General Spatial Plan is publicly accessible and is published on the website of Sofia Municipality (Art. 5, paragraph 2 of the Structure and Development Act of the Sofia Municipality).

		<p>The approval of the detailed land use plan for the national sites (such as Sofia Airport), shall be carried out by an order of the Minister of Regional Development and Public Works (Art. 12a, paragraph 4, item 2 and Art. 129, para 3, item 2. b. “b” of the Spatial Development Act). The building permit shall be issued by the Minister of Regional Development and Public Works (Art. 148, paragraph 3, item 2, b. “b” of the Spatial Development Act).</p> <p>First, second and third categories construction works shall be commissioned by permit of use issued by the authorities of the National Construction Control Directorate under terms and procedures specified in an ordinance of the Minister of Regional Development and Public Works (Art. 177 of the Spatial Development Act). Under Art. 137, paragraph 1, item 1, b. “a” of the Spatial Development Act, the airports fall in the first category of construction works.</p>
9	<p>Pursuant to the Civil Aviation Act, Article 45a provides for the Minister of Transport, Information Technology and Communications to issue an ordinance defining the content, conditions, and procedure for the preparation of the general plans of civil airports. Please, confirm when it is planned to draft this ordinance. What are the requirements for the concessionaire in relation to a new general plan, provided that such an ordinance is not accepted?</p>	<p>Pending the adoption in Bulgaria of an ordinance setting out the content, terms and procedure for drawing up the master plans of civil airports, the requirements, recommendations and manuals of the European International Civil Aviation Organization Safety Agency (ICAO) on planning and designing of airports should be respected, as well as the certification specifications of the European Aviation Safety Agency (EASA), including, but not limited to, the following manuals:</p> <ul style="list-style-type: none"> - ICAO, Airport Planning Manual, Doc 9184, Part 1 and Part 2; - ICAO, Aerodrome Design Manual, Doc 9157, Parts 1, 2, 3, 4 and 5; - EASA Certification Specifications (CSs), Aerodromes Design CS-ADR-DSN.
10	<p>Does Sofia Airport represent a national object within the meaning of Paragraph 1 of the Additional Provisions to the State Property Act?</p>	<p>Yes, Sofia Airport is a national object within the meaning of § 1 of the Additional Provisions of the State Property Act (SPA). This provision of the SPA specifically defines airports and their adjacent facilities as sites of national importance. Historically, the text of § 1 of the Additional Provisions of the SPA was created precisely to speed up the construction of infrastructure projects of national importance by accelerating and simplifying the procedure for expropriation of the properties necessary for the construction of the sites. (see. Transcript of the National Assembly Meeting No 302-01-18 of 26.03.2003, where Sofia Airport is explicitly mentioned).</p>