

**DOCUMENTATION FOR PARTICIPATION IN AN OPEN
PROCEDURE FOR GRANTING A CONCESSION FOR SERVICE FOR
THE OBJECT “CIVIL AIRPORT FOR PUBLIC USE SOFIA” –
PUBLIC STATE PROPERTY**

Sofia, 2016

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I. DESCRIPTION OF THE OBJECT OF CONCESSION AND OF THE DOCUMENTS INDIVIDUALIZING IT

The object of concession is Sofia civil airport for public use, which is public state property.

Sofia Airport is the largest international airport in Bulgaria, having a capacity to handle up to 4.4 million passengers per year.

Sofia Airport is the airport with the biggest number of passenger flights on the territory of Republic of Bulgaria.

Sofia Airport has a special and significant place in the infrastructure system of the Republic of Bulgaria: it serves the capital and the district, the region with the most developed economy in Bulgaria, and is the most convenient airport for two major national ski resorts: Bansko and Borovets. The prospects are that the airport is developed as a logistics centre in the Balkans, attracting transit passengers from the countries of the Near and Middle East, Transcaucasia and Central Europe, and for this purpose it is necessary that an investment programme is designed and implemented, aimed at improving the quality, scope and efficiency of airport services to airlines and passengers, improving flight safety, and modernization of the technical facilities and equipment.

In 2014 Sofia Airport handled 3.8 million passengers, and in 2015 - 4.065 million passengers.

At present Sofia Airport has two terminals:

Terminal 2

A new terminal is Terminal 2 with capacity of up to 2,6 million passengers per year. The terminal was opened on 27 December 2006. The central building has a total floor area of 56,500 m² and a 200 m long gallery. The terminal building has 7 passenger sleeves. Vertical access to the levels is provided by 12 lifts and 7 escalators. Covered walkways (passages) connect the central building and the four floors of the covered public parking lot, a garage with 800 parking spaces.

Terminal 2 has commercial zones of total area 4,000 m², offering travellers a variety of services: restaurants, cafés, shops, tourist and rent-a-car services, banks and currency exchange offices.

The automated baggage handling system with integrated four-level security control, the thirty-four check-in desks and the modern flight information display system are only some of facilities providing "C" level of service for 2,500 passengers per peak hour.

There is no possibility for expansion of Terminal 2.

Terminal 1

Terminal 1 with capacity of up to 1,8 million passengers per year is the older passenger terminal, familiar to passengers travelling to and from Sofia. Built in the first half of the 20th century, repeatedly extended and rebuilt, and thoroughly renovated in 2000, that terminal

provides some interesting reference to the contemporary history of Europe. Terminal 1 offers convenient access, simplified procedures, but low level of service in peak hours.

On 31 August 2006 Sofia Airport put into operation its new runway system. The new runway is offset at 210 m to the north from the old one, the east end of the 3600 m-long runway crossing over Iskar River bed on a specially constructed bridge. New rapid-exit taxiways and connecting taxiways were constructed additionally, allowing for 25 aircraft movements per hour at a high level of safety. The aeronautical equipment of the new runway guarantees landing under low visibility conditions at Category IIIB of ICAO standards since 2013. The old take-off and landing runway is used as a taxiway.

The two newly constructed de-icing platforms provide conditions for centralization of those procedures in winter season, which is an element of the integrated strategy of Sofia Airport for environmental protection and reduction of the harmful effects of airport operations.

Sofia Airport takes all appropriate measures in order to:

- guarantee the safety and security parameters;
- improve the service level and quality;
- apply all national and international standards and full compliance with them;
- comply with the standards required by the carriers operating to/from Sofia Airport;
- cultivate in its employees an attitude of consideration and care in applying and maintaining the quality of service parameters.

Many other supporting activities are also performed at Sofia Airport, like for example:

- Ground handling of aircraft, passengers, baggage, cargo and mail and aircraft fuelling for over sixty-five airlines operating flights to and from Sofia;
- A series of additional services are provided, related to the security of flights to risky destinations, security of transported valuable or special items, aircraft guarding on the apron, and others. Sofia Airport is equipped with modern technological equipment and installations and applies procedures ensuring safety of service, regularity of flights and high standards of quality of services;
 - For passenger convenience Sofia Airport has opened duty free and travel retail shops in both passenger terminals, offering a wide range of products and services for the needs of passengers travelling on domestic and international flights.
 - Sofia Airport is equipped with modern advertisement installations, strategically located at the most attractive spots in the terminals and outside them, which makes advertising campaigns highly effective.
 - Sofia Airport has parking lots for the vehicles visiting the airport terminals. Public unguarded parking lots are functioning 24 hours per day. They are situated right in front of terminal buildings. The parking lot of Terminal 1 is an open space with 400 parking places. The parking lot of Terminal 2 is an underground space with 800 parking places related to the public arrivals and departures zones through a walkway.

At present the airport operator of Sofia Airport is “Sofia Airport” EAD, a single member joint-stock company. 100% of the capital of this company is owned by the Bulgarian state. The ownership rights of the state are performed by the Minister of Transport, Information Technologies and Communications.

THE OBJECT OF CONCESSION INCLUDES:

1. The object of concession is "Sofia civil airport for public use". The object of concession has concession area of 5,219,778 m² and includes the landed property and the buildings and installations constructed on it, as follows:

1.1. Landed property and buildings, public state property, as follows:

1.1.1. A landed property located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with identifier 68134.709.9, of area 2,072,572 m² (two million seventy-two thousand five hundred and seventy-two square metres) according to cadastral plan No 15-24815 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport; number under previous plan: block 2, parcel XI, with the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.55, 68134.709.10, 68134.8573.10, 68134.8573.11, 68134.8575.39, 68134.8575.27, 68134.8574.11, 68134.8574.12, 68134.8575.29, 68134.8574.323, 68134.709.242, 68134.8574.8, 68134.857.12, 68134.8575.32, 68134.8574.6, 68134.8575.10, 68134.8574.7, 68134.709.64, 68134.8575.44, 68134.8575.42, 68134.709.195, 68134.709.63, 68134.709.8, 68134.709.430, 68134.709.7, 68134.709.54, 68134.709.68, 68134.709.67, 68134.709.66, 68134.709.65, with the facilities and buildings constructed on the property:

1.1.1.1. a building of identifier 68134.709.9.1, single-storey, with 186 m² built-up area, designated as: a building for energy production.

Public state property deed No 09084 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.2. A landed property located in Sofia city, Kremikovtsi district, Krivinski pat St., locality VII-38-I, with identifier 68134.8566.177, of area 23,073 m² (twenty-three thousand seventy-three square metres) according to cadastral plan No 15-24816 of 20 January 2016, area designated permanently as: an area of the transport system; zoned for sustainable use: for airfield, airport, with the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.8566.8, 68134.8567.15, 68134.8566.83, 68134.8566.68, 68134.8566.279, 68134.8566.71, 68134.8566.85, 68134.8566.79, 68134.8566.284, 68134.8566.61, 68134.8566.10, 68134.8566.11, 68134.8566.12, 68134.8566.89, 68134.8566.91, 68134.8566.93, 68134.8566.37, 68134.8566.95, 68134.8566.97, 68134.8566.81, 68134.8566.19, 68134.8566.80, 68134.8566.96, 68134.8566.90, 68134.8566.94, 68134.8566.92, 68134.8566.86, 68134.8566.84, 68134.8566.175, 68134.8566.78, 68134.8566.176, 68134.8566.82, 68134.8567.11, 68134.8567.12, 68134.8567.14, number under previous plan: none.

Public state property deed No 09085 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.3. A landed property located in Sofia city, Kremikovtsi district, Vrazhdebna quarter, with identifier 68134.8573.11, of area 667,626 m² (six hundred sixty-seven thousand, six hundred and twenty-six square metres) according to cadastral plan No 15-24820 of 20 January 2016, area designated permanently as: an area of the transport system; zoned for sustainable use: for airfield, airport, with the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.10, 68134.8559.36, 68134.8560.2, 68134.8573.10, 68134.8559.13, 68134.8559.23, 68134.8560.3, 68134.8559.14, 68134.8560.4, 68134.8560.5, 68134.8559.34,

68134.8559.30, 68134.8559.16, 68134.8559.38, 68134.8559.32, 68134.8559.26,
68134.8560.12, 68134.8560.51, 68134.8560.53, 68134.8560.15, 68134.8560.16,
68134.8560.43, 68134.8560.45, 68134.8560.37, 68134.8560.39, 68134.8560.41,
68134.8560.49, 68134.8560.47, 68134.8560.23, 68134.8560.24, 68134.8560.54,
68134.8560.25, 68134.8560.27, 68134.8565.41, 68134.8565.40, 68134.8565.52,
68134.8565.53, 68134.8565.42, 68134.8565.7, 68134.8565.56, 68134.8565.6,
68134.8565.17, 68134.8565.16, 68134.8565.44, 68134.8565.46, 68134.8565.9,
68134.8565.50, 68134.8565.55, 68134.8571.54, 68134.8571.158, 68134.8571.156,
68134.8571.157, 68134.8571.55, 68134.8567.4, 68134.8567.6, 68134.8567.16,
68134.8567.17, 68134.8570.54, 68134.8570.50, 68134.8570.53, 68134.8570.34,
68134.8570.35, 68134.8570.36, 68134.8570.37, 68134.8570.44, 68134.8570.42,
68134.8570.47, 68134.8570.46, 68134.8570.30, 68134.8570.19, 68134.8570.20,
68134.8570.5, 68134.8570.52, 68134.8570.40, 68134.8570.3, 68134.8588.14,
68134.8588.20, 68134.8588.18, 68134.8588.22, 68134.8588.21, 68134.8572.3,
68134.8572.2, 68134.8587.14, 68134.8572.42, 68134.8587.13, 68134.8572.1,
68134.8574.11, 68134.709.9, with the facilities constructed on the property as described in
the public property deed; number under previous plan: none.

Public state property deed No 09086 of 11 April 2016 was issued for the property by the
Governor of Sofia City District.

1.1.4. A landed property located in Sofia District, Sofia Municipality, Sofia City,
Slatina district, with identifier 68134.709.65, of area 490 m² (four hundred and ninety
square metres) according to cadastral plan No 15-24803 of 20 January 2016, area designated
permanently as: urban; zoned for sustainable use: for another landed property for movement
and transport; number under previous plan: 130; with the following property boundaries
according to the plan: adjacent landed properties of identifiers: 68134.709.55, 68134.709.9,
68134.709.67, 68134.709.68, 68134.709.66.

Public state property deed No 09087 of 11 April 2016 was issued for the property by the
Governor of Sofia City District.

1.1.5. A section of landed property of area 1,171,419 m² (one million, one hundred
seventy-one thousand, four hundred and nineteen square metres), the entire landed property
being located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with
identifier 68134.709.469, having area 1,200,059 m² (one million, two hundred thousand and
fifty-nine square metres) according to cadastral plan No 15-197215 of 21 April 2016
(previous identifier: 68134.709.10), area designated permanently as: urban; zoned for
sustainable use: for another landed property for movement and transport; number under
previous plan: block 2, parcel X, with the following property boundaries according to the
plan: adjacent landed properties of identifiers: 68134.709.11, 68134.709.12, 68134.709.15,
68134.709.16, 68134.709.18, 68134.709.19, 68134.709.463, 68134.8558.71,
68134.709.462, 68134.709.461, 68134.709.458, 68134.709.457, 68134.8573.10,
68134.8573.11, 68134.709.9, 68134.709.55, 68134.709.56, 68134.709.470, together with
the following buildings and facilities constructed on that part of the landed property as
described in public state property deed No 09139, issued by the Governor of Sofia City
District:

- 1.1.5.1. a building of identifier 68134.709.469.1, single-storey, designated as: another type of production, warehouse or infrastructure building; having 15 m² (fifteen square metres) built-up area according to the plan;
- 1.1.5.2. a building of identifier 68134.709.469.2, single-storey, designated as: another type of production, warehouse or infrastructure building; having 12 m² (twelve square metres) built-up area according to the plan;
- 1.1.5.3. a building of identifier 68134.709.469.3, single-storey, designated as: another type of production, warehouse or infrastructure building; having 78 m² (seventy-eight square metres) built-up area according to the plan;
- 1.1.5.4. a building of identifier 68134.709.469.4, single-storey, designated as: another type of production, warehouse or infrastructure building; having 20 m² (twenty square metres) built-up area according to the plan;
- 1.1.5.5. a building of identifier 68134.709.469.5, single-storey, designated as: a special-purpose building, of built-up area 868 m² (eight hundred and sixty-eight square metres). Regarding that building ("Fire station") an asset declaration and a sketch of the separate sites are enclosed.
- 1.1.5.6. a building of identifier 68134.709.469.6, single-storey, designated as: another type of production, warehouse or infrastructure building; having 118 m² (one hundred and eighteen square metres) built-up area according to the plan;
- 1.1.5.7. a building of identifier 68134.709.469.7, single-storey, designated as: another type of production, warehouse or infrastructure building; having 122 m² (one hundred and twenty-two square metres) built-up area according to the plan;
- 1.1.5.8. a building of identifier 68134.709.469.8, single-storey, designated as: another type of production, warehouse or infrastructure building; having 88 m² (eighty-eight square metres) built-up area according to the plan;
- 1.1.5.9. a building of identifier 68134.709.469.11, single-storey, designated as: a hangar, shed, garage, having 1,324 m² (one thousand three hundred and twenty-four square metres) built-up area according to the plan;
- 1.1.5.10. a building of identifier 68134.709.469.12, single-storey, designated as: another type of production, warehouse or infrastructure building; having 59 m² (fifty-nine square metres) built-up area according to the plan;
- 1.1.5.11. a building of identifier 68134.709.469.13, single-storey, designated as: another type of production, warehouse or infrastructure building; having 54 m² (fifty-four square metres) built-up area according to the plan;
- 1.1.5.12. a building of identifier 68134.709.469.14, single-storey, designated as: another type of production, warehouse or infrastructure building; having 35 m² (thirty-five square metres) built-up area according to the plan;
- 1.1.5.13. a building of identifier 68134.709.469.15, single-storey, designated as: an industrial building, of built-up area 453 m² (four hundred and fifty-three square metres). Regarding that building ("Initial service and information and coordination centre") an asset declaration and a sketch of the separate sites are enclosed.
- 1.1.5.14. a building of identifier 68134.709.469.16, single-storey, designated as: a hangar, shed, garage, having 90 m² (ninety square metres) built-up area according to the plan;
- 1.1.5.15. a building of identifier 68134.709.469.24, single-storey, designated as: another type of production, warehouse or infrastructure building; having 30 m² (thirty square metres) built-up area according to the plan;

1.1.5.16. a building of identifier 68134.709.469.26, single-storey, designated as: another type of production, warehouse or infrastructure building; having 18 m² (eighteen square metres) built-up area according to the plan;

1.1.5.17. an acoustic screen facility; with coordinates of its border points as follows:

Y = 8505168.369 X = 4603161.411

Y = 8505161.398 X = 4603167.812

Y = 8505119.805 X = 4603170.880

Y = 8505085.231 X = 4603168.701

Y = 8505079.530 X = 4603105.220

Y = 8505113.235 X = 4603096.890

Y = 8505158.515 X = 4603092.584

Y = 8505162.690 X = 4603098.184

Coordinate system of 1970

Permission for use № 09-05-391/22.04.2009 – Annex № 3.5.

1.1.6. A landed property located in Sofia city, Kremikovtsi district, Vrazhdebna quarter, with identifier 68134.8573.10, of area 49,541 m² (forty-nine thousand, five hundred and forty-one square metres) according to cadastral plan No 15-24817 of 20 January 2016, area designated permanently as: an area of the transport system; zoned for sustainable use: for airfield, airport, with the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.461, 68134.8558.71, 68134.8558.81, 68134.8558.62, 68134.8558.68, 68134.8558.83, 68134.8558.70, 68134.8558.60, 68134.8558.66, 68134.8558.37, 68134.8558.38, 68134.8558.79, 68134.8558.74, 68134.8558.78, 68134.8558.64, 68134.8558.82, 68134.8558.80, 68134.8559.40, 68134.8559.13, 68134.8573.11, 68134.709.9, 68134.709.10, number under previous plan: none. Public state property deed No 09090 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.7. A landed property located in Sofia city, Slatina district, with identifier 68134.709.16, of area 24,281 m² (twenty-four thousand, two hundred and eighty-one square metres) according to cadastral plan No 15-24751 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for airfield, airport, with the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.15, 68134.709.46, 68134.709.17, 68134.709.18, 68134.709.10, number under previous plan: block 2, parcel IV, together with the following buildings, located within the property and described in public state property deed No 09091 of 11 April 2016, issued for the property by the Governor of Sofia City District :

1.1.7.1. the building of Passenger Terminal 1 "Departures", with identifier 68134.709.16.1, built-up area 9,586 m² (nine thousand, five hundred and eighty-six square metres), in two storeys, designated as: a building of the transport system, consisting of: Terminal 1 "Departures", elevation 0.00, of area 5,751.27 m² (five thousand, seven hundred and fifty-one point twenty-seven square metres), including: halls of area 3,266.12 m² (three thousand, two hundred and sixty-six point twelve square metres); shops of total area 421.10 m² (four hundred and twenty-one point ten square metres); a café bar of area 276.16 m² (two hundred and seventy-six point sixteen square metres); offices of total area 635.16 m² (six hundred and thirty-five point sixteen square metres); rooms of: luggage conveyor belts, switchboards and luggage, of total area 878.69 m² (eight hundred and seventy-eight point sixty-nine square metres); corridors and staircases of total area 138.75 m² (one hundred and

thirty-eight point seventy-five square metres); toilets of total area 135.29 m² (one hundred and thirty-five point twenty-nine square metres); Terminal 1 "Departures" gallery level, elevation +3.70 of area 381.44 m² (three hundred and eighty-one point forty-four square metres) including: gallery café of area 246 m² (two hundred and forty-six square metres); offices of total area 67.87 m² (sixty-seven point eighty-seven square metres); toilets of total area 16.07 m² (sixteen point zero seven square metres); a corridor of area 3.72 m² (three point seventy-two square metres); an equipment room of area 47.78 m² (forty-seven point seventy-eight square metres); Administration section, elevation +4.00 western part, area 1,118.92 m² (one thousand one hundred and eighteen point ninety-two square metres), including: offices of total area 557.60 m² (five hundred and fifty-seven point sixty square metres); halls of total area 277.80 m² (two hundred and seventy-seven point eighty square metres); a corridor and staircase of area 247.42 m² (two hundred and forty-seven point forty-two square metres); toilets of total area 36.10 m² (thirty-six point ten square metres); Administration section +4.00 eastern part, area 496.10 m² (four hundred and ninety-six point ten square metres), including: offices of total area 319.80 m² (three hundred and nineteen point eighty square metres); a corridor and staircase of area 145.60 m² (one hundred and forty-five point sixty square metres); toilets of total area 30.70 m² (thirty point seventy square metres); A restaurant and a kitchen at elevation +4.00 of area 1,037.92 m² (one thousand and thirty-seven point ninety-two square metres), including: Level One of area 826.67 m² (eight hundred and twenty-six point sixty-seven square metres) and Level Two of area 211.25 m² (two hundred and eleven point twenty-five square metres); Administration section, elevation +7.00 western part, of area 1,009.90 m² (one thousand and nine point ninety square metres) including: offices of total area 872.40 m² (eight hundred and seventy-two point forty square metres); a corridor and staircase of area 115 m² (one hundred and fifteen square metres); toilets of total area 22.50 m² (twenty-two point fifty square metres); Terminal 1 "Departures" basement, elevation -2.80 of area 3,024.07 m² (three thousand and twenty-four point zero seven square metres), including: warehouses, workshops and a boiler room of total area 2,345.67 m² (two thousand three hundred and forty-five point sixty-seven square metres); corridors and staircases of total area 660.40 m² (six hundred and sixty point forty square metres); toilets of total area 18 m² (eighteen square metres); a VIP section of area 482.59 m² (four hundred and eighty-two point fifty-nine square metres) including: halls of total area 252.79 m² (two hundred and fifty-two point seventy-nine square metres); offices of total area 50.64 m² (fifty point sixty-four square metres); a foyer of area 63.43 m² (sixty-three point forty-three square metres); corridors and staircases of total area 97.83 m² (ninety-seven point eighty-three square metres), and toilets of total area 17.90 m² (seventeen point ninety square metres);

1.1.7.2. a building of identifier 68134.709.16.2, single-storey, 12 (twelve) m² built-up area, designated as: a building of the transport system;

1.1.7.3. a building of identifier 68134.709.16.3, single-storey, 15 (fifteen) m² built-up area, designated as: another type of production, warehouse or infrastructure building;

1.1.7.4. a building of identifier 68134.709.16.4, single-storey, 24 (twenty-four) m² built-up area, designated as: another type of production, warehouse or infrastructure building.

1.1.8. A landed property located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with identifier 68134.709.19, of area 359,332 m² (three hundred and

fifty-nine thousand three hundred and thirty-three square metres) according to cadastral plan No 15-24755 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for airfield, airport; number under previous plan: block 2, parcel XV, with the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.18, 68134.709.42, 68134.709.49, 68134.709.26, 68134.709.48, 68134.709.41, 68134.709.47, 68134.709.465, 68134.709.464, 68134.709.463, 68134.709.10, 68134.709.20, together with the following buildings, public state property, located within that property and described in Public state property deed No 09093 of 11 April 2016, issued by the Governor of Sofia City District:

1.1.8.1. a building of identifier 68134.709.19.1, two-storey, designated as: a building of the transport system, having built-up area of 29,887 m² (twenty-nine thousand eight hundred and eighty-seven square metres).

1.1.8.2. a building of identifier 68134.709.19.2, two-storey, designated as: a hangar, shed, garage, having 8,110 m² (eight thousand one hundred and ten square metres) built-up area according to the plan;

1.1.8.3. a building of identifier 68134.709.19.3, single-storey, designated as: a building of the water supply and/or sewerage system, of 192 m² (one hundred and ninety-two square metres) built-up area according to the plan;

1.1.8.4. a building of identifier 68134.709.19.4, single-storey, designated as: a building of the water supply and/or sewerage system, of 65 m² (sixty-five square metres) built-up area according to the plan;

1.1.8.5. a building of identifier 68134.709.19.5, single-storey, designated as: another type of production, warehouse or infrastructure building; having 42 m² (forty-two square metres) built-up area according to the plan;

1.1.8.6. a building of identifier 68134.709.19.6, single-storey, designated as: another type of production, warehouse or infrastructure building; having 41 m² (forty-one square metres) built-up area according to the plan;

1.1.8.7. a building of identifier 68134.709.19.8, single-storey, designated as: a building of the water supply and/or sewerage system, of 214 m² (two hundred and fourteen square metres) built-up area according to the plan;

1.1.8.8. a building of identifier 68134.709.19.9, single-storey, designated as: a building of the water supply and/or sewerage system, of 489 m² (four hundred and eighty-nine square metres) built-up area according to the plan;

1.1.8.9. a building of identifier 68134.709.19.10, single-storey, designated as: a building for energy production, of 126 m² (one hundred and twenty-six square metres) built-up area according to the plan.

1.1.9. A landed property located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with identifier 68134.709.26, of area 73,500 m² (seventy-three thousand five hundred square metres) according to cadastral plan No 15-24767 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport; number under previous plan: block 2, parcel XVI, with the following property boundaries according to the plan: adjacent landed properties of identifiers: 07106.1401.1004, 07106.1401.1005, 68134.709.48, 68134.709.47, 68134.709.19, 68134.709.49, 68134.709.50. Public state property deed No 09094 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.10. A landed property located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with identifier 68134.709.41, of area 13,104 m² (thirteen thousand one hundred and four square metres) according to cadastral plan No 15-24766 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport, with the following boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.48, 07106.1403.393, 07106.1403.394, 07106.1403.11, 68134.709.466, 68134.709.465, 68134.709.47, 68134.709.19. Public state property deed No 09095 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.11. A landed property located in Sofia city, Slatina district, with identifier 68134.709.1, of area 166,656 m² (one hundred and sixty-six thousand, six hundred and fifty-six square metres) according to cadastral plan No 15-24763 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport, with the following boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.53, 68134.709.7, 68134.709.407, 68134.709.427, 68134.8578.110, 68134.8578.1395, 68134.8578.109, 68134.709.52, number under previous plan: block 2, parcel XIII. Public state property deed No 09096 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.12. A landed property located in Sofia city, Slatina district, with identifier 68134.709.7, area 109,563 m² (one hundred and nine thousand, five hundred and sixty-three square metres) according to cadastral plan No 15-24809 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport, with the following boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.9, 68134.709.430, 68134.709.407, 68134.709.1, number under previous plan: block 2, parcel XII. Public state property deed No 09097 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.13. A landed property located in Sofia city, Slatina district, with identifier 68134.709.8, area 9,345 m² (nine thousand, three hundred and forty-five square metres) according to cadastral plan No 15-24813 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport, with the following boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.9, 68134.709.64, 68134.709.63, 68134.709.62, 68134.709.430, number under previous plan: block 2, parcel XII. Public state property deed No 09098 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.14. A landed property located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with identifier 68134.709.430, of area 32,520 m² (thirty-two thousand, five hundred and twenty square metres) according to cadastral plan No 15-24771 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport; number under previous plan: 430 of block 2, parcel XII, with the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.9, 68134.709.8, 68134.709.63, 68134.709.62, 68134.709.194, 68134.709.429, 68134.709.5, 68134.709.6, 68134.709.4, 68134.709.407,

68134.709.7. Public state property deed No 09099 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

With regard to that property Order No 0X-882 of 4 December 2000 and Order No RD-08-902 of 4 December 2000 of the Minister of Defence and of the Minister of Transport were issued (Annex No 3.3) for joint use of the property.

1.1.15. A landed property located in Sofia city, Slatina district, with identifier 68134.709.11, of area 142,713 m² (one hundred and forty-two thousand, seven hundred and thirteen square metres) according to cadastral plan No 15-24765 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport, with the following boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.58, 68134.709.51, 68134.709.12, 68134.709.10, 68134.709.56, 68134.709.57, number under previous plan: block 2, parcel IX, with the facilities described in the public state property deed. Public state property deed No 09100 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.16. A landed property located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with identifier 68134.709.56, of area 11,983 m² (eleven thousand, nine hundred and eighty-three square metres) according to cadastral plan No 15-24791 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport, with the following boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.72, 68134.709.57, 68134.709.11, 68134.709.10, 68134.709.55. Public state property deed No 09102 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.17. A landed property located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with identifier 68134.709.57, of area 16,366 m² (sixteen thousand, three hundred and sixty-six square metres) according to cadastral plan No 15-24794 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport, with the following boundaries according to the plan: adjacent landed properties of identifiers 68134.709.11, 68134.709.56. A part of that property falls within zoned land plot IX, for which Public state property deed No 03298 of 2002 was issued by the Governor of Sofia City District. Public state property deed No 09103 of 11 April 2016 was issued for the property under this point by the Governor of Sofia City District.

1.1.18. A landed property located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with identifier 68134.709.58, of area 20,015 m² (twenty thousand and fifteen square metres) according to cadastral plan No 15-24795 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport, with the following boundaries according to the plan: adjacent landed properties of identifiers 68134.709.51, 68134.709.11. Public state property deed No 09122 of 25 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.19. A landed property located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with identifier 68134.709.52, of area 285 m² (two hundred and eight-five square metres) according to cadastral plan No 15-24775 of 20 January 2016, area designated

permanently as: urban; zoned for sustainable use: for another landed property for movement and transport, with the following boundaries according to the plan: adjacent landed property of identifier 68134.709.1. Public state property deed No 09107 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.20. A landed property located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with identifier 68134.709.53, of area 2,436 m² (two thousand four hundred and thirty-six square metres) according to cadastral plan No 15-24782 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport, with the following boundaries according to the plan: adjacent landed property of identifier 68134.709.1. Public state property deed No 09108 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.21. A landed property located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with identifier 68134.709.54, of area 9,759 m² (nine thousand seven hundred and fifty-nine square metres) according to cadastral plan No 15-24783 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport, with the following boundaries according to the plan: adjacent landed properties of identifiers 68134.709.68, 68134.709.67, 68134.709.9. Public state property deed No 09109 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.22. A landed property located in Sofia District, Sofia Municipality, Sofia City, Slatina district, with identifier 68134.709.55, of area 28,031 m² (twenty-eight thousand and thirty-one square metres) according to cadastral plan No 15-24788 of 20 January 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport, with the following boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.56, 68134.709.10, 68134.709.9, 68134.709.65, 68134.709.66, 68134.709.61. Public state property deed No 09110 of 11 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.23. A landed property located in Sofia city, Kremikovtsi district, Vrazhdebna quarter, Novata Mahala place, with identifier 68134.8571.55, of area 138 m² (one hundred and thirty-eight square metres) according to cadastral plan No 15-66898 of 12 February 2016, area designated permanently as: agricultural; zoned for sustainable use: another type or landed property with no definite economic function; number under previous plan: 000229; with the following property boundaries according to the plan: adjacent landed properties of identifiers 68134.8571.158, 68134.8571.156, 68134.8573.11. Public state property deed No 09123 of 25 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.24. A landed property located in Sofia City, Kremikovtsi district, 42 Novata Mahala place, area VIII-10-I, with identifier 68134.8571.156, of area 2,537 m² (two thousand, five hundred and thirty-seven square metres) according to cadastral plan No 15-66858 of 12 February 2016, area designated permanently as: urban; zoned for sustainable use: for another type of building up; number under previous plan: 156; with the following property boundaries according to the plan: adjacent landed properties of

identifiers: 68134.8571.158, 68134.8571.54, 68134.8571.157, 68134.8571.55, 68134.8573.11. Public state property deed No 09124 of 25 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.25. A landed property located in Sofia city, Kremikovtsi district, 43 Nova Mahala place, area VIII-10-I, with identifier 68134.8571.157, of area 1,769 m² (one thousand seven hundred and sixty-nine square metres) according to cadastral plan No 15-66859 of 12 February 2016, area designated permanently as: urban; zoned for sustainable use: for another type of building up; number under previous plan: 157; with the following property boundaries according to the plan: adjacent landed properties of identifiers 68134.8571.156, 68134.8571.54, 68134.8573.11. Public state property deed No 09125 of 25 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.26. A landed property located in Sofia city, Slatina district, with identifier 68134.709.13, of area 70,155 m² according to cadastral plan No 15-66826 of 12 February 2016, and according to notary deed - area 70,306 m²; area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport; number under previous plan: block 2, parcel VII, with the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.51, 68134.709.14, 68134.709.15, 68134.709.12, together with the following buildings constructed in that landed property and described in Public state property deed No 09115 of 25 April 2016, issued for the property by the Governor of Sofia City District: a building with identifier 68134.709.13.1 which is a building for fuels and lubricants, single-storey, designated as: another type of production, warehouse or infrastructure building; having 303 m² built-up area according to the plan and 290 m² built-up area according to notary deed; a building with identifier 68134.709.13.3 - a fuels and lubricants laboratory, single storey, designated as: an industrial building; having 315 m² built-up area according to the plan and 310 m² built-up area according to notary deed; a building with identifier 68134.709.13.6, single-storey, designated as: a commercial building, having 79 m² built-up area according to the plan; a building with identifier 68134.709.13.8 - "a petrol station building", single-storey, designated as: another type of production, warehouse or infrastructure building; having 18 m² built-up area according to the plan and 29 m² built-up area according to notary deed; a building with identifier 68134.709.13.2, single storey, designated as: another type of production, warehouse or infrastructure building; having 85 m² built-up area according to the plan; a building with identifier 68134.709.13.4, single-storey, designated as: another type of production, warehouse or infrastructure building; having 11 m² built-up area according to the plan; a building with identifier 68134.709.13.5, single-storey, designated as: another type of residential building; having 72 m² built-up area according to the plan; a building with identifier 68134.709.13.7, single storey, designated as: another type of production, warehouse or infrastructure building, having 61 m² built-up area according to the plan. Facilities are located in the property as indicated in the tender documentation and in the concession agreement.

1.1.27. A landed property located in Sofia city, Slatina district, with identifier 68134.709.14, of area 50,051 m² according to cadastral plan No 15-66827 of 12 February 2016, area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport; number under previous plan: block 2, parcel VI, with

the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.46, 68134.709.15, 68134.709.13, together with the following buildings constructed in that landed property, described in Public state property deed No 09116 of 25 April 2016, issued for the property by the Governor of Sofia City District: a building with identifier 68134.709.14.1 (Pavilion No 1), single-storey, designated as: another type of residential building; having 260 m² built-up area according to the plan, and according to the notary deed the area of the building is 242 m²; a building with identifier 68134.709.14.2, (Pavilion No 2), single storey, designated as: another type of residential building, having 267 m² built-up area according to the plan, and according to the notary deed the area of the building is 256 m², as well as "Football field area" and "Tennis courts and a handball court"; a building with identifier 68134.709.14.3, single-storey, designated as another type of production, warehouse or infrastructure building, of area 42 m² according to the plan.

Public state property deed No 09116 of 25 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.28. A landed property located in Sofia city, Slatina district, with identifier 68134.709.15, of area 34,519 m² according to cadastral plan No 15-66828 of 12 February 2016, an area designated permanently as: urban; zoned for sustainable use: for airfield, airport; with number under previous plan: block 2, parcel V, with the following property boundaries according to the plan: adjacent landed properties of identifiers 68134.709.13, 68134.709.14, 68134.709.46, 68134.709.16, 68134.709.10, 68134.709.12, together with the following buildings constructed in that landed property and described in Public state property deed No 09117 of 25 April 2016, issued for the property by the Governor of Sofia City District: a building of identifier 68134.709.19.3 (a metal-structure hall), single-storey, designated as: a hangar, shed, garage, of 891 m² built-up area according to the plan, and according to the notary deed - two buildings of 720 m² each, 1,440 m² total area; 937 m² area calculated using graphic methods; a building of identifier 68134.709.15.4 (a former shed, reported in the balance sheet as a facility), single-storey, designated as: a hangar, shed, garage, of 1,765 m² built-up area according to the plan, and according to the notary deed - 720 m²; 1,750 m² area calculated using graphic methods; a building of identifier 68134.709.15.5 (a garage of reinforced concrete and an administration building), single-storey, designated as: a hangar, shed, garage, of 1,410 m² built-up area according to the plan, and according to the notary deed - 720 m²; 1,320 m² area calculated using graphic methods; a part of building of identifier 68134.709.15.6 (a maintenance building), single-storey, designated as: an industrial building; having 1,609 m² built-up area according to the plan and 1,260 m² area of that part according to the notary deed; 960 m² area calculated using graphic methods; a building with identifier 68134.709.15.2, single-storey, designated as: another type of production, warehouse or infrastructure building, of 75 m² built-up according to the plan, located within landed property with identifier 68134.709.15 according to the cadastral map and cadastral registers of Sofia city, Slatina district; a building with identifier 68134.709.15.11, single-storey, designated as: a residential building of other type, having 16 m² built-up area; a building located in Sofia District, Sofia Municipality, Sofia City, Slatina district (located within landed properties of identifiers 68134.709.15 and 68134.709.16, belonging to the landed property of identifier 68134.709.15), with identifier 68134.709.15.1, two-storey, designated as: a building of the transport system, of built-up area 2,493 m² (two thousand, four hundred and ninety-three

square metres) according to cadastral plans No 15-66828 of 12 February 2016 and No 15-66830 of 12 February 2016.

1.1.29. A landed property located in Sofia city, Slatina district, with identifier 68134.709.17, area 16,255 m² according to cadastral plan No 15-66862 of 12 February 2016, and according to notary deed - 16,204 m²; an area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport; number under previous plan: block 2, parcel XIX, with the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.46, 68134.709.27, 68134.709.28, 68134.709.29, 68134.709.18, 68134.709.16. Public state property deed No 09118 of 25 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.30. A landed property located in Sofia city, Slatina district, with identifier 68134.709.24, area 11,776 m² according to cadastral plan No 15-66838 of 12 February 2016; an area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport; number under previous plan: block 2, parcel XVIII, with the following property boundaries according to the plan: adjacent landed properties numbers: 68134.709.23, 68134.709.50, 68134.709.42, 68134.709.18, 68134.709.59, 68134.709.60, 68134.709.43. Public state property deed No 09119 of 25 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.31. A landed property located in Sofia city, Slatina district, with identifier 68134.709.31, area 1,175 m² according to cadastral plan No 15-66844 of 12 February 2016; an area designated permanently as: urban; zoned for sustainable use: for another type of production or warehouse building; number under previous plan: block 2, parcel XXVII, with the following property boundaries according to the plan: adjacent landed properties of identifiers 68134.709.32, 68134.709.44. Public state property deed No 09120 of 25 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.32. A landed property located in Sofia city, Slatina district, with identifier 68134.709.44, area 2,200 m² according to cadastral plan No 15-66901 of 12 February 2016; an area designated permanently as: urban; zoned for sustainable use: for a side street; with the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.36, 68134.709.37, 68134.709.50, 68134.709.18, 68134.709.29, 68134.709.30, 68134.709.31, 68134.709.32, together with the building of identifier 68134.709.44.1, built in that landed property, single-storey, designated as: another type of production, warehouse or infrastructure building; having 43 m² built-up area according to the plan. Public state property deed No 09121 of 25 April 2016 was issued for the property by the Governor of Sofia City District.

1.1.33. A facility comprising the following: railway platform for unloading of fuels and lubricants, tank R-50 No 69, tank R-50 No 70, a drill well, identifier 07106.1401.10.2, of 17 m² area according to the plan, with metal fencing; an immovable system for transportation of drained and settled kerosene, with identifier 07106.1401.10.1, area 33 m² according to the plan; an underground tank 4 m³ N37, a diesel generator AD100-3C4 SW680 (AD-10030SM 680), a pump for petroleum products and kerosene, a level meter for tube well, a submersible pump for the railway platform for unloading of fuels

and lubricants, a mechanism for manual control of railway switches, a flow meter system for the railway platform for unloading of fuels and lubricants, a filtering and air bleed-off system, a shed, a water pump WT40XK3-DE HONDA, representing fuels and lubricants unloading base, located in landed property with identifier 07106.1401.10 according to a composite plan issued by GIS Sofia, with area 15,811 m² according to the cadastral map and 15,369 m² according to the archival cadastral plan, an area designated permanently as: an area for fuels and lubricants, mixed-type production zone; as well as a kerosene pipeline with the following characteristics: pipe diameter 159/4.5, working pressure 0.96 MPa and test pressure 1.2 MPa, with the following geodesic coordinates in Sofia system: start point X = 52076.392, Y = 47191.3095, located within property of identifier 07106.1401.10; end point coordinates X = 50781.4250, Y = 48289.8055, located in the property described above under point 1.1.1 with identifier 68134.709.14; coordinates of major bends in the pipeline route: X = 50761.3650, Y = 48207.0006; X = 51068.8546, Y = 48081.7849; X = 51743.9333, Y = 47284.0038 and X = 51876.1390, Y = 47277.7809, with total length 1,965 m.

1.1.34. The following buildings located in Sofia district, Sofia city, Sofia municipality, Slatina district:

1.1.34.1. Buildings (Sofia Airport Cargo Area), located in landed property of identifier 68134.709.18, number under previous plan: block 2, zoned land plot XVII, which are: a building with identifier 68134.709.18.1 - an administration and amenity building, area 102 m² according to the plan; a building with identifier 68134.709.18.2 - an X-ray section and a service entrance-exit, area 126 m² according to the plan; a building with identifier 68134.709.18.4. - three prefabricated rooms of total area 15 m² according to the plan; a building with identifier 68134.709.18.5, of area 2,712 m² according to the plan, comprising: a hall for apron equipment; a shed used for cargo storage; a "Duty-free and currency trade" warehouse, and a cargo warehouse with a charging system for electric trucks. Plan No 15-66886 of 12 February 2016 was issued for landed property of identifier 68134.709.18. Public state property deed No 09113 of 25 April 2016 was issued by the Governor of Sofia City District for the building of identifier 68134.709.18.1.

1.1.34.2. A building located in Sofia District, Sofia Municipality, Sofia City, Slatina district (located within landed properties of identifiers 68134.709.16 and 68134.709.18, belonging to the landed property of identifier 68134.709.18), with identifier 68134.709.18.90, two-storey, designated as: a building of the transport system, of built-up area 3,064 (three thousand and sixty-four) m² according to cadastral plan 15-24759 of 20 January 2016. The building is Passenger Terminal 1 - "Arrivals". Public state property deed No 09092 of 11 April 2016 was issued by the Governor of Sofia City District for the building specified in point 1.1.34.2.

A division proposal has been submitted regarding zoned land plot XVII, and after division the property will be added to the buildings and will be included in the object of concession.

There is a legal dispute regarding shares of zoned land plot XVII and legal proceedings have been initiated as follows:

(a) An action pursuant to art.108 of the Property Act brought by Hemus Air EAD airlines against Trans Air EOOD, requesting the court to declare the former company as the owner of the landed property against the latter and to transfer the title of that property to the

former company. On the initiated proceedings, civil case No 3928 according to Sofia City Court dockets for 2014, Civil Division, Second Panel ruled Judgment No 1867 of 7 March 2016, by which the court dismissed the brought claim as unfounded. The judgment was ruled with the participation of a third party - Sofia Airport EAD - assisting the claimant. The judgment has not become effective; it has been appealed against, and is enclosed in its entirety with this documentation.

(b) An action pursuant to art.124(1) of the Code of Civil Procedure, brought by Hemus Air EAD airlines against the state, represented by the minister of regional development, where the claimant claims that he is the owner of shares of a property described in details in the statement of claim. On the brought action a lawsuit was initiated, civil case No 2145 according to Sofia City Court dockets for 2014, Civil College, First Division, First Panel. A judgment of 26 February 2016 was ruled on the case, by which the brought declarative claim was upheld. The judgment was ruled with the participation of a third party - Sofia Airport EAD - assisting the claimant. The judgment has not become effective; it has been appealed against, and is enclosed in its entirety with this documentation.

1.1.35. Sections of zoned land plot XI, located in its north-east part, with the following boundaries: to the east and to the south - the boundary of Slatina district, and to the north-west - the zoning boundary of zoned land plot XI:

1.1.35.1. a landed property located in Sofia city, Poduyane district, with identifier 68134.608.2050, area 21,413 m² according to cadastral plan No 15-212483 of 3 May 2016, in an area designated permanently as: urban; zoned for sustainable use: for airfield, airport; number under previous plan: block 2, parcel XI, with the following property boundaries according to the plan: adjacent landed properties of identifiers 68134.709.6, 68134.709.428, 68134.8578.89, 68134.608.2051, 68134.709.54, 68134.709.9, 68134.709.7, 68134.608.2048, 68134.608.2049, 68134.608.2057, 68134.608.1503, 68134.608.2056, 68134.608.2043, 68134.608.2055, 68134.608.2058 and 68134.608.2052; Public state property deed No 09133 of 14 May 2016 was issued for the property by the Governor of Sofia City District.

1.1.35.2. a landed property located in Sofia city, Poduyane district, with identifier 68134.608.2043, area 1,371 m² according to cadastral plan No 15-212471 of 3 May 2016; in an area designated permanently as: urban; zoned for sustainable use: for airfield, airport; number under previous plan: none; with the following property boundaries according to the plan: adjacent landed properties of identifiers 68134.608.2052, 68134.608.2050, 68134.608.2055, and 68134.608.2058; Public state property deed No 09138 of 14 May 2016 was issued for the property by the Governor of Sofia City District.

1.1.36. Sections of zoned land plot XII - the south-west corner of zoned land plot XII, with the following boundaries: the boundary of Slatina district to the east, the boundary of zoned land plot XI to the south, and the zoning boundary of zoned land plot XII to the north-west:

1.1.36.1. a landed property located in Sofia city, Poduyane district, with identifier 68134.608.2048, area 1,095 m² according to cadastral plan No 15-212533 of 3 May 2016; in an area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport; number under previous plan: block 2, parcel XII, with

the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.608.2049, 68134.608.2050, 68134.709.9, 68134.709.7, 68134.709.1, 68134.608.2047, 68134.608.2045 and 68134.608.2046; Public state property deed No 09134 of 14 May 2016 was issued for the property by the Governor of Sofia City District;

1.1.36.2. a landed property located in Sofia city, Poduyane district, with identifier 68134.608.2046, of area 132 m² according to cadastral plan No 15-212507 of 3 May 2016, in an area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport; number under previous plan: 1219,743, block 2, parcel XII, with the following property boundaries according to the plan: adjacent landed properties of identifiers 68134.608.2049, 68134.608.2048, 68134.608.2047, and 68134.608.2045. Public state property deed No 09136 of 14 May 2016 was issued for the property by the Governor of Sofia City District.

1.1.37. Sections of zoned land plot XIII - a small section of the south-west corner of zoned land plot XIII, with the following boundaries: the boundary of Slatina district and zoned land plot XII to the east, the boundary of zoned land plot XII to the south, and the zoning boundary of zoned land plot XIII to the north-west:

1.1.37.1. a landed property located in Sofia city, Poduyane district, with identifier 68134.608.2049, area 54 m² according to cadastral plan No 15-212505 of 3 May 2016; in an area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport; number under previous plan: block 2, parcel XIII, with the following property boundaries according to the plan: adjacent landed properties of identifiers 68134.608.2050, 68134.608.2048, 68134.608.2046, 68134.608.2045, 68134.608.2044 и 68134.608.2057; Public state property deed No 09135 of 14 May 2016 was issued for the property by the Governor of Sofia City District;

1.1.37.2. a landed property located in Sofia city, Poduyane district, with identifier 68134.608.2045, area 86 m² according to cadastral plan No 15-212519 of 3 May 2016; in an area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport; number under previous plan: 1219, 743, block 2, parcel XIII, with the following property boundaries according to the plan: adjacent landed properties of identifiers 68134.608.2057, 68134.608.2049, 68134.608.2046, 68134.608.2048, 68134.608.2047, 68134.608.1503 and 68134.608.2044; Public state property deed No 09137 of 14 May 2016 was issued for the property by the Governor of Sofia City District;

1.1.37.3. a landed property located in Sofia city, Poduyane district, with identifier 68134.608.2047, of area 442 m² according to cadastral plan No 15-212512 of 3 May 2016, in an area designated permanently as: urban; zoned for sustainable use: for another landed property for movement and transport; number under previous plan: block 2, parcel XIII, with the following property boundaries according to the plan: adjacent landed properties of identifiers 68134.608.2044, 68134.608.2045, 68134.608.2046, 68134.608.2048, 68134.709.7, 68134.709.1, 68134.709.53 and 68134.608.1503; Public state property deed No 09132 of 14 May 2016 was issued for the property by the Governor of Sofia City District.

1.1.38. By a supplementary agreement to the concession agreement the following may be included as a part of the object of concession, under conditions and procedures specified in this tender documentation:

1.1.38.1. Landed property 68134.709.60, located in Sofia district, Sofia city, Sofia municipality, Slatina district, of number under previous plan XVIII;

1.1.38.2. A landed property located in Sofia city, Poduyane district, with identifier 68134.608.2051, and area 2,296 m² according to cadastral plan No 15-212463 of 3 May 2016; in an area designated permanently as: urban; zoned for sustainable use: for a facility of another type of connection; number under previous plan: block 2, parcel XIII, with the following property boundaries according to the plan: adjacent landed properties of identifiers: 68134.709.54, 68134.709.9, 68134.608.2050, 68134.608.2052, 68134.608.721 and 68134.608.1506;

1.1.38.3. The landed property within which the facility mentioned in point 1.1.33 is located;

1.1.38.4. The landed property, which will be assigned to the buildings mentioned in point 1.1.34 of zoned land plot XVII, after the division project is approved, as well as the sections of zoned land plot XVII for which pre-trial proceedings have been initiated as described above in this tender documentation (there are legal disputes regarding shares of zoned land plot XVII as described above);

The following are excluded from landed property of identifier 68134.709.469 having area 1,200,059 m² and are not part of the object of concession: apron VIP 1 of area 10,120 m²; the apron of 28th Air Detachment of area 17,400 m², the coordinates of border points as indicated in the tender documentation and in the concession agreement, as well as an area of 1,120 m² designated for the kennels for police dogs of the Ministry of Interior; the coordinates of its border points as indicated in the tender documentation and in the concession agreement.

Public state property deed No 09139 of 14 May 2016 was issued for the property by the Governor of Sofia City District.

1.1.38.5. Other property, needed for extending the object of concession where that is necessitated by the approved master plan for the airport development and is connected with the implementation of the investment programme of the participant selected to be the concessionaire.

1.2. The facilities and the related infrastructure, indicated in this tender documentation and in the concession agreement.

1.3. Properties and corporeal things, which are public state property: buildings, installations and systems of the visual air navigation facilities (lighting systems), located within the territory of Sofia Airport and in the concession area, as well as other equipment and the related infrastructure according to Annex No 3.6.

1.4. The buildings, installations and equipment, which will be constructed and/or installed by the concessionaire at his own risk and expense, under the conditions and procedures laid down in the concession agreement.

1.3 The object of the concession does not include:

1.3.1. The following landed properties and buildings - public state property, installations and equipment, committed to the State Enterprise "Air Traffic Control" (BULATSA) for management and use described under Annex No 3.9 as follows:

- A landed property and a building: landed property with identifier 68134.709.20, public state property deed No 07254 of 29 July 2009, and a building with identifier 68134.709.20.1 (Air traffic control tower), public state property deed No 08297 of 30 September 2013,;
- A building with identifier 68134.709.469.9 (the building of Airport Radar Complex "Selenia", number under previous plan: 414, block 2) - public state property deed No 08324 of 9 December 2013,;
- A building with identifier 68134.709.469.10 (building AR-1, number under previous plan: 412, block 2) - public state property deed No 08996 of 10 September 2015,;
- Landed property of identifier 68134.709.10.458 (an area for a new airport radar) - public state property deed No 08986 of 14 August 2015, and landed property of identifier 68134.709.10.457 (access road to the radar) - public state property deed No 08985 of 14 August 2015.
- Landed properties, buildings and facilities of BULATSA and their reserved service areas;
- The routes of cable duct grids and banks in the territory of Sofia Airport, laid, maintained and used by BULATSA,.
- ½ shares of the gas pipeline branch to the Integrated Air Traffic Control Centre (By Decision No 475 of the Council of Ministers dated 26 June 2006 the other 1/2 shares of it were delivered free for management by the Ministry of Transport for the needs of Directorate General "Civil Aviation Administration" and for use by Sofia Airport EAD).

1.3.2. Zoned land plot VIII designated as a VIP terminal;

1.3.3. The properties and buildings in the territory of Sofia Airport, which are private property of third parties;

1.3.4. The following are excluded from the landed property of identifier 68134.709.469 and area 1,200,059 m² and are not part of the object of concession: apron VIP 1 of area 10,120 m² and the apron of 28th Air Detachment of area 17,400 m², the coordinates of their border points as indicated in Annex No 3.4, as well as an area of 1,120 m² designated for kennels for police dogs of the Ministry of Interior; the coordinates of its border points, Annex No 3.4; Public state property deed No 09139 of 14 May 2016 was issued for the property by the Governor of Sofia City District.

1.4. Facilities, buildings and equipment

In accordance with the zoning plan, buildings, facilities and equipment of Directorate General "Civil Aviation Administration", located in the territory of Sofia Airport, which are included in the object of concession, are those specified in Annex No 3.6 and Annex No 3.7 as well as in the table below:

No.	FACILITY	Built in year	Area (total floor area); length	Location according to the detailed site development plan
1.	The square in front of airport T1	2001	32,610 m ²	IV, XVII
2.	Kiosk switchgear and power line	2006	182 m	XI
3.	Reinforcement of Iskar river bank	2006	261,270 m ²	X, XI, XV
4.	A new runway	2006	247,200 m ²	XI
5.	Taxiway "C"	2006	31,270 m ²	X, XI
6.	Taxiway "E"	2006	14,691 m ²	XI
7.	Taxiway "H"	2006	243,330 m ²	XI
8.	Bridge facility across Iskar river	2006	31,190 m ²	XI
9.	Perimeter fencing sections along B1	2006	1,435 m ²	X
10.	Perimeter fencing sections along B2	2006	5,690 m ²	X, XI
11.	Perimeter fencing sections beyond the project	2006/2007	5,254 m ²	IX, XIII, XVII
12.	Taxiway "S"	2006	2,960 m ²	XI
13.	Taxiway "A"	2006	20,010 m ²	XI
14.	Taxiway "B"	2006	35,990 m ²	XI
15.	Perimeter road sections along B1	2006	8,175 m ²	IX, XV
16.	Perimeter road sections along B2	2006	30,720 m ²	IX, X, XI, XII, XIII
17.	Perimeter road sections beyond the project	2006	10,000	IX, XIII
18.	Radio-transparent fence	2008	1,700.52 m ²	XI
19.	Installation conduit	2006		XV
20.	Deep wells	2006	2 wells	XV
21.	Land-side access roads, outdoor parking lot B1 (together	2006	72,852	XV, XVI

	with the pavement and sidewalks)			
22.	Runoff rainwater treatment plants	2007	3 plants	XV
23.	A dyke on the left bank of Iskar river	2008	1,246 m ²	
24.	Acoustic screen	2009	10,240 m ²	X
25.	Apron from stand No 1 to stand No 11	2006	68,420 m ²	X, XV
26.	Apron from stand No 12 to stand No 16	2006	28,545 m ²	X, XV
27.	Apron from stand No 17 to stand No 23	2008	20,055 m ²	X
28.	Apron from stand No 24 to stand No 28	2008	14,530 m ²	X
29.	Apron from stand No 29 to stand No 34	2008	21,805 m ²	X
30.	Business aviation apron from stand No 12A to stand No 16A		12,590 m ²	X
31.	Business aviation apron from stand No 35 to stand No 38		7,005 m ²	X
32.	De-icing platform East	2006/2016	33,560 m ²	X
33.	De-icing platform West	2006	10,420 m ²	X, XI
34.	Taxiway "L"	2006	61,560 m ²	X, XI
35.	Apron taxiway "J"	2006	120,730 m ²	X, XI
36.	Taxiway "P"		4,890 m ²	X
37.	Taxiway "R"		4,025 m ²	X
38.	Apron taxiway "N"		110,400 m ²	X
39.	Taxiway "N" - closed section		30,485 m ²	X, XI
40.	Taxiway "Q" - closed section		8,335 m ²	X, XI
41.	Taxiway "H" - closed section		33,042 m ²	XI
42.	Taxiway "S"	2006	2,940 m ²	XI
43.	Taxiway "D"	2006	4,070 m ²	XI

44.	Taxiway "M"	2006	9,350 m ²	X
45.	Taxiway "K"	2006	7,665 m ²	XI
46.	Measurement points for monitoring of deformations	2010	366 points	X, XI, XV
47.	A transit road from VIP A section, going by the front of T1 and to T2		119,60 m ²	X
48.	Parking lot in front of Checkpoint 1		1,550	XVII, X
49.	Cargo pavement		4,600 m ²	XVII, X
50.	Pavement in front of Lufthansa's hangars		25,600 m ²	X

1.5. Electric power supply:

The power supply for Sofia Airport is from the following independent external sources:

For Terminal 1:

- TPP Sofia-East - medium voltage (MV) 6 kV;
- Substation Iskar-Industria - MV 6 kV;
- Substation Sofia-East - MV 10 kV.

For Terminal 2:

- Substation Iskar-Industria - MV 20 kV - Boeing terminal;
- Substation RTs RVD (air traffic control regional centre), Block 6 - MV 20 kV - Airport - SS1 terminal.

Sofia Airport has main MV distribution substations, MV transformer substations and internal power supply cable networks as follows:

For Terminal 1: A main distribution substation, medium voltage, with 6 kV single bus bar system with sectionalisation, supply from TPP Sofia-East and from substation Iskar-Industria, and 10 kV single bus bar system, with supply from substation Sofia-East. The 6 kV and 10 kV bus bar systems are connected through an intermediary transformer (IT; Bulgarian: TM) 1,000 kVA, 10/6 kV. The main distribution substation supplies electricity to the following medium-voltage transformer substations (TS; Bulgarian: TII): 6/0.4 kV - TS 1, TS 1 A, TS 8, TS 9, TS Hangar, TS VIP A; 6/0.4 kV for the lighting system - TS 2; TS Radar; compact transformer substation (CTS; Bulgarian: KTII) „Zapad" ("West"), TS 3 and TS 2, CTS „Iztok" ("East"), TS 4; 10/0.4 kV - TS 6, TS 7, TS 10, TS 10A, TS 11, TS Northern area.

TS Flight simulator. Power supply to the transformer substations is by means of medium voltage cables laid in conduits or trenches.

For Terminal 2: Main distribution substation SS1, medium voltage, 20 kV, with single bus bar system with sectionalisation, supply from substation Iskar-Industria and from the

switching substation of air traffic control regional centre, Block 6. Substation SS1 provides power supply to substation SS2 - with single bus bar system with sectionalisation with two transformers 20/0.4 kV; and to substation SS4 - with single bus bar system with sectionalisation with two transformers 20/0.4 kV. Substation SS2 provides power supply to substation SS3 - with single bus bar system with sectionalisation with two transformers 20/0.4 kV. Power supply to the substations is by means of medium voltage cables 20 kV, laid in a tunnel or trenches.

A pole-mounted substation 20/0.4 kV has been constructed, to which power is supplied by means of an overhead line from substation Iskar-Industria.

For redundancy of all priority electricity consuming systems in Terminal 2, the lighting system, a part of Terminal 1, VIP A section and the railway platform for unloading of fuels and lubricants in case of failure of the main power supply, local emergency sources - diesel generators - have been installed in TS SS1; in TS SS2; in TS SS3; in TS SS4; in TS 2; in TS 3; in TS 4; in TS Radar; in CTS "Iztok" (compact transformer substation "East"); in CTS "Zapad" ("West"); in the main distribution substation of Terminal 1; in TS 8 for VIP A section and at the platform for unloading of fuels and lubricants.

The floodlights for lighting the apron, the stands and the de-icing platforms are with high-pressure sodium-vapour lamps, 600 W and 400 W, with possibility for luminance regulation.

The system for control and monitoring of the lights of the take-off and landing runways and of the taxiways of Sofia Airport has been designed and implemented by SAFEGATE and enables continuous monitoring of the condition of lights. The power supply to the primary circuits of the lamps of the take-off and landing runways and of the taxiways is through direct current regulators of capacity 5 kV to 30 kV.

1.6. Water supply and sewerage:

- Water supply

The water supply to Sofia Airport is from a single water-main for the airport complex, with a main water meter; the two terminals have separate water meter and control units and separate customer numbers. The water supply networks of both terminals are of mixed type, supplying drinking water as well as water for fire-fighting and technical needs. The water main common for the entire airport complex territory has only one connection to the city water mains, with a water meter shaft in the area of the crossroads of Mimi Balkanska St. and Prodan Tarakchiev St. crossing Brussels Blvd. The water supply company is Sofia Water AD. Constructing a second water supply connection is planned, and the project is currently in "development of detailed design" phase.

- Sewerage

The sewerage system is common for the entire territory of Sofia Airport and carries away sewage of all main water consumers, the two terminals, the cargo handling section, the vehicle fleet section and the fuels and lubricants department. Household waste water from Terminal 2 is removed through a waste water pumping station. Rainwater from Terminal 2 is carried away to a retention pond in the former quarry "Stari Silozi" and from there it is pumped over to Iskar river through a powerful pumping station. A new reception inspection chamber has been built, connected to the site sewerage system carrying away the waste water from water service units servicing aircraft. Waste water from the old Center for information and coordination and from the new fire station is carried to local collecting

shafts. It has been accepted that the quantity of domestic waste water is equal to the quantity of water supplied by Sofia Water AD. That quantity is measured by the water meters; the losses generated by the site water distribution system are calculated based on it and added to that quantity.

The water supply and sewerage networks with their characteristics are indicated in the underground cadastre of Sofia Airport.

- Water wells

Sofia Airport EAD has five water wells, for which Basin Directorate for Water Management in Danube River Region – Pleven has issued use permits. The water supplied from those wells is used for technical and fire fighting needs and for the air conditioning system of Terminal 2. The wells are as follows:

Groundwater source	Location	Permit	Water use
Tube well 1	Vehicle fleet department Terminal 1	No 1434 of 8 October 2014	For washing of vehicles and for other purposes
Tube well 2	Fuels and lubricants department Terminal 1	No 1434 of 8 October 2014	For fire-fighting needs and for other purposes
Tube well 3	Unloading platform Terminal 1	No 1434 of 8 October 2014	For fire-fighting needs and for other purposes
Tube well 1 Terminal 2	Technical area, Terminal 2	No 849 of 28 August 2012	Cooling
Tube well 1 Terminal 2	Technical area, Terminal 2	No 849 of 28 August 2012	Cooling

- Pollution sources:

Lavatory waste of aeroplanes is pumped out by toilet trucks which dump it in a sewerage shaft at a site constructed specially for the purpose in the western part of Sofia Airport, for which the airport has obtained the written consent of Sofia Water AD.

De-icing of aircraft is performed in winter season, only at the platforms specially designed for the purpose ("East" and "West"). The platforms are equipped with underground tanks for collecting the de-icing fluid. After winter season is over a specialised company pumps out the contents of those tanks.

- Treatment installations

Run-off rainwater from the drainage system of the apron of Terminal 1 flows through a mud and oil trap - MOT 1, and rainwater from the apron of Terminal 2 flows through MOT 2, and is then discharged into a drainage gutter, which carries it into Iskar river. Permit No 1487 of 3 December 2014 has been issued for the purpose by Basin Directorate for Water Management in Danube River Region – Pleven.

Run-off rainwater from the outdoor parking areas, the underground parking lot and the roof of Terminal 2 is treated as it flows through MOT 3, and is then discharged into the retention pond in the park near Terminal 2, from where a pumping station discharges it into Iskar river. Permit No 1647 of 5 June 2015 has been issued for the purpose by Basin Directorate for Water Management in Danube River Region – Pleven.

1.7. Gas supply:

By Decision No 475 of the Council of Ministers dated 26 June 2006 the gas pipeline branch to the Integrated Air Traffic Control Centre was declared public state property. That part of the branch was constructed by BULATSA and has total length 3,436.63 m. It is located in Sofia city, Iskar district, and connects to the existing gas pipeline dia 630 x 8, supplying gas to TPP Sofia-East; the initial point of the gas pipeline branch is valve station No.1 (VS N1) located at 3 m distance before the fixed support of the overhead section of the existing pipeline across over Iskar river, and the end point is valve station No.2 (VS N2). The branch consists of:

- Section I: a gas pipeline of steel pipes dia 219 x 6, total length 3,152,63 m, located in municipal property land, its route being from valve station No.1 to point B44 (joining section II at point B0), determined according to the design coordinates of the pipeline route curves, established in preparing working drawings.
- Section II: a gas pipeline of steel pipes dia 219 x 6, total length 284 m, located in the territory of Integrated Air Traffic Control Centre, its route being from point B0 (joining section I at point B44) to valve station No.2, determined according to the coordinates of the curves of the constructed pipeline, established in surveying for preparing as-built drawings, according to the annex to Decision No 475.

½ shares of the above described gas pipeline branch shall be provided to the Concessionaire for use and maintenance.

The companies supplying gas to Sofia Airport are Bulgargas EAD and respectively Sofiagas.

1.8. Private assets

Movable assets, property of Sofia Airport EAD, specified in Annex No 4, are located in the territory of Sofia Airport – according to Annex No 3.10.

The participant selected to be the concessionaire has the right to purchase or rent from Sofia Airport EAD, in accordance with the procedures specified in the concession agreement, movable assets connected with performing the activities of operating and managing the object of concession.

1.9. List of documents individualising the object of concession according to Annex No 3.1 and 3.2:

1. cadastral sketch № 15-24815-20.01.2016 and Public State Property Deed № 09084 dated 11.04.2016 of the Governor of Sofia City District;

2. cadastral sketch № 15-24816-20.01.2016 and Public State Property Deed № 09085 dated 11.04.2016 of the Governor of Sofia City District;
3. cadastral sketch № 15-24820-20.01.2016 and Public State Property Deed № 09086 dated 11.04.2016 of the Governor of Sofia City District;
4. cadastral sketch № 15-24803-20.01.2016 and Public State Property Deed № 09087 dated 11.04.2016 of the Governor of Sofia City District;
5. cadastral sketch № 15-197215-21.04.2016 and Public State Property Deed № 09139, issued by the Governor of Sofia City District;
6. cadastral sketch № 15-24817-20.01.2016 and Public State Property Deed № 09090 dated 11.04.2016 of the Governor of Sofia City District;
7. cadastral sketch № 15-24751-20.01.2016 and Public State Property Deed № 09091 dated 11.04.2016 of the Governor of Sofia City District;
8. cadastral sketch № 15-24755-20.01.2016 and Public State Property Deed № 09093 dated 11.04.2016 of the Governor of Sofia City District;
9. cadastral sketch № 15-24767-20.01.2016 and Public State Property Deed № 09094 dated 11.04.2016 of the Governor of Sofia City District;
10. cadastral sketch № 15-24766-20.01.2016 and Public State Property Deed № 09095 dated 11.04.2016 of the Governor of Sofia City District;
11. cadastral sketch № 15-24763-20.01.2016 and Public State Property Deed № 09096 dated 11.04.2016 of the Governor of Sofia City District;
12. cadastral sketch № 15-24809-20.01.2016 and Public State Property Deed № 09097 dated 11.04.2016 of the Governor of Sofia City District;
13. cadastral sketch № 15-24813-20.01.2016 and Public State Property Deed № 09098 dated 11.04.2016 of the Governor of Sofia City District;
14. cadastral sketch № 15-24771-20.01.2016 and Public State Property Deed № 09099 dated 11.04.2016 of the Governor of Sofia City District;
15. cadastral sketch № 15-24765-20.01.2016 and Public State Property Deed № 09100 dated 11.04.2016 of the Governor of Sofia City District;
16. cadastral sketch № 15-24791-20.01.2016 and Public State Property Deed № 09102 dated 11.04.2016 of the Governor of Sofia City District;
17. cadastral sketch № 15-24794-20.01.2016 and Public State Property Deed № 09103 dated 11.04.2016 of the Governor of Sofia City District;
18. cadastral sketch № 15-24795-20.01.2016 and Public State Property Deed № 09122 dated 25.04.2016 of the Governor of Sofia City District;
19. cadastral sketch № 15-24775-20.01.2016 and Public State Property Deed № 09107 dated 11.04.2016 of the Governor of Sofia City District;
20. cadastral sketch № 15-24782-20.01.2016 and Public State Property Deed № 09108 dated 11.04.2016 of the Governor of Sofia City District;
21. cadastral sketch № 15-24783-20.01.2016 and Public State Property Deed № 09109 dated 11.04.2016 of the Governor of Sofia City District;
22. cadastral sketch № 15-24788-20.01.2016 and Public State Property Deed № 09110 dated 11.04.2016 of the Governor of Sofia City District;
23. cadastral sketch № 15-66898-12.02.2016 and Public State Property Deed № 09123 dated 25.04.2016 of the Governor of Sofia City District;
24. cadastral sketch № 15-66858-12.02.2016 and Public State Property Deed № 09124 dated 25.04.2016 of the Governor of Sofia City District;

25. cadastral sketch № 15-66859-12.02.2016 and Public State Property Deed № 09125 dated 25.04.2016 of the Governor of Sofia City District;
26. cadastral sketch № 15-66826-12.02.2016 and Public State Property Deed № 09115 dated 25.04.2016 of the Governor of Sofia City District;
27. cadastral sketch № 15-66827-12.02.2016 and Public State Property Deed № 09116 dated 25.04.2016 of the Governor of Sofia City District;
28. cadastral sketch № 15-66828-12.02.2016 and Public State Property Deed № 09117 dated 25.04.2016 of the Governor of Sofia City District; cadastral sketches №№ 15-66828-12.02.2016 and 15-66830-12.02.2016
29. cadastral sketch № 15-66862-12.02.2016 and Public State Property Deed № 09118 dated 25.04.2016 of the Governor of Sofia City District;
30. cadastral sketch № 15-66838-12.02.2016 and Public State Property Deed № 09119 dated 25.04.2016 of the Governor of Sofia City District;
31. cadastral sketch № 15-66844-12.02.2016 and Public State Property Deed № 09120 dated 25.04.2016 of the Governor of Sofia City District;
32. cadastral sketch № 15-66901-12.02.2016 and Public State Property Deed № 09121 dated 25.04.2016 of the Governor of Sofia City District;
33. combined sketch issued by GIS-Sofia for the fuel and lubricants terminal;
- 34.1. cadastral sketch № 15-66886 of 12.02.2016 and State Property Deed № 09113 dated 25.04.2016 of the Governor of Sofia City District.
- 34.2 cadastral sketch № 15-24759-20.01.2016 and Public State Property Deed № 09092 dated 11.04.2016 of the Governor of Sofia City District;
- 35.1. cadastral sketch № 15-212483-03.05.2016 and Public State Property Deed № 09133/14.05.2016 of the Governor of Sofia City District;
- 35.2. cadastral sketch № 15-212471-03.05.2016 and Public State Property Deed № 09138/14.05.2016 of the Governor of Sofia City District;
- 36.1. cadastral sketch № 15-212533-03.05.2016 and Public State Property Deed № 09134/14.05.2016 of the Governor of Sofia City District;
- 36.2. cadastral sketch № 15-212507-03.05.2016 and Public State Property Deed № 09136/14.05.2016 of the Governor of Sofia City District;
- 37.1. cadastral sketch № 15-212505-03.05.2016 and Public State Property Deed № 09135/14.05.2016 of the Governor of Sofia City District;
- 37.2. cadastral sketch № 15-212519-03.05.2016 and Public State Property Deed № 09137/14.05.2016 of the Governor of Sofia City District;
- 37.3. cadastral sketch № 15-212512-03.05.2016 and Public State Property Deed № 09132/14.05.2016 of the Governor of Sofia City District.
38. Use permit No ST-12-856 of 20 November 2006; Use permit No ST- 12- 591 of 25 August 2006; Use permit No ST-12-855 of 20 November 2006; Use permit No ST-12-826 of 20 September 2007; Use permit No ST-12- 203 of 14 March 2008; Use permit No 522 of 23 November 2000; Use permit No ST-12- 822 of 20 September 2007; Use permit No ST-12-1188 of 17 November 2008; Use permit No ST-05-391 of 22 April 2009; Use permit No ST-12-1360 of 22 December 2008, Use permit No ST-05-1824 of 2013.

1.10. Information about the Loan Agreement (project: Development of Sofia Airport) signed between the Republic of Bulgaria and the Kuwaiti Arab Economic Development Fund and the Financial Contract signed between the Republic of Bulgaria, the European Investment Bank and “Sofia Airport” EAD referring to financing of the project for reconstruction and extension of Sofia Airport.

1.10.1. Financial contract signed between the Republic of Bulgaria, the European Investment Bank and “Sofia Airport” EAD referring to financing of the project for reconstruction and extension of Sofia Airport:

The Financial contract (The Contract) signed between the Republic of Bulgaria, the European Investment Bank and “Sofia Airport” EAD referring to financing of the project for reconstruction and extension of Sofia Airport was ratified by the 38-th National Assembly and promulgated in the State Gazette, issue 6 dated 16.01.1998, amended State Gazette, issue 51 dated 3.06.2003 by Agreement No 1 on amendment of the Financial Contract ratified by a law adopted by the 39-th National Assembly on 29.01.2003 (promulgated State Gazette, issue 13 of 2003). Parties to the contract are the Republic of Bulgaria represented by the Minister of Finance on one part in the capacity of “Borrower” and on the other part the European Investment Bank, represented by its Vice-President and on the third part “Sofia Airport” EAD, represented by its Executive Director in the capacity as “the end beneficiary”. By virtue of this contract the bank shall lend to the Borrower and the Borrower shall accept to receive a credit in the size equal to 60 (sixty) million Euro with the only purpose to finance partially the project, including the development planning of the extension of Sofia Airport in conformity to the standards of the International Civil Aviation Organization (ICAO), the designing and construction of a building for a new terminal and construction of a new runway. According to the preamble of the Financial Contract the parties agreed that the total value of the project is in the size of 192 000 000 Euro and the EIB shall provide financing for a part of the total size of financing by means of a loan in the size of 60 000 000 Euro and the rest of the financing shall be provided by own funds of the Borrower/End Beneficiary (in the size of 38 000 000 Euro), a loan from the Kuwaiti Arab Economic Development Fund (in the size of 42 000 000 Euro) and funds under PHARE Program for granting of free financial aid and funds under ISPA Program for granting of free financial aid (in the size of 52 000 000 Euro).

The Financial contract envisages obligations for the Borrower and/or the End Beneficiary with deadline until the final payment of the loan (05.09.2017). According to item 6.08 of the Contract “the Borrower or the End Beneficiary shall be obliged, until the final payment of the loan to keep the ownership and possession over the assets that form the object or according to the needs to change or renew these assets and to maintain the object in continuous exploitation in conformity to the initial concept, except if the EIB agree in writing with some different conditions”.

The financial-economic model and the reasoning of concession are developed under conditions of ahead-of-term repayment (before entering into force of the concession contract) of the loan by “Sofia Airport” EAD. In this regard several possible options were analysed and the accepted option is “Sofia Airport” EAD to repay the loan before the deadline for its repayment and before entering into force of the concession contract.

At present the remainder of the loan that shall be repaid is in the size of 15 369 865.45 BGN and the deadline for repayment is 05.09.2017, three more instalments shall be repaid.

The Ministry of Transport, Information Technologies and Communications has taken the necessary steps, in conformity to the applicable rules, to assure the ahead-of-term repayment of the loan. In the mean time, as a party to the Contract, the Minister of Transport, Information Technologies and Communications has informed the EIB about the concession procedure at Sofia Airport.

The ahead-of-term repayment of the loan on the part of “Sofia Airport” EAD will lead to cancelling of the obligation of the Borrower or the End Beneficiary, until the final

repayment of the loan, to keep the ownership and possession over the assets that form the object or according to the needs to change or renew these assets and to maintain the object in continuous exploitation in conformity to the initial concept, except if the EIB agree in writing with some different conditions, as well as the obligation of the Borrower, until the final repayment of the loan, to provide to the End Beneficiary the right to use all assets of the Borrower that form the object and the right to use all assets of the Borrower related to it that fall within the perimeter of Sofia Airport (art. 6.08 of the Contract) and the right to collect and use all fees for landing, parking and servicing of passengers and other fees at Sofia Airport (art. 6.09).

At the moment of entering into force of the Decision of the Council of Ministers on selection of a concessionaire that will be different from the present end beneficiary “Sofia Airport” EAD, if the loan from the EIB is repaid before the deadline envisaged under the contract, there will not be any breach of conditions of the Contract, according to which (art.10) the EIB may declare the loan due before the deadline for repayment in case of significant change of some of the material conditions such as the agreed under the amendment of 2003 of the financial contract defining of the end beneficiary as an operator and manager of the infrastructure of the Airport by virtue of a “management agreement” signed between the Borrower and the End Beneficiary. In this case indemnity to the EIB will not be due.

With regard to the stated above the loan from the EIB will be repaid by “Sofia Airport” EAD before the deadline for repayment and towards the date of signing of the concession contract the financial contract and sub-loan agreements related to it will be terminated and the concessionaire will not have any financial obligations towards the EIB.

1.10.2. Loan Agreement (project: Development of Sofia Airport) signed between the Republic of Bulgaria and the Kuwaiti Arab Economic Development Fund (KAEDF):

The Loan Agreement (project: Development of Sofia Airport) signed between the Republic of Bulgaria and the Kuwaiti Arab Economic Development Fund is signed on 22.06.1998, promulgated in the State Gazette, issue 135 dated 17.11.1998, amended State Gazette, issue 16 dated 18.02.2005. Parties to the Agreement are the Republic of Bulgaria, represented by the Minister of Transport and the Minister of Finance – on one part as Borrower and on the other part – the Kuwaiti Arab Economic Development Fund Kuwaiti Arab Economic Development Fund, represented by the Chairperson of the Board of Directors. By virtue of this Loan Agreement the Fund grants its consent for providing of credit to the Borrower up to the size of 12 300 000 (twelve million three hundred thousand) KWD. According to art.4 the Borrower shall re-credit “Sofia Airport” EAD with the received funds by virtue of a re-credit contract signed between the Borrower and “Sofia Airport” EAD and the terms of conditions of this re-credit contract shall conform to the terms and conditions of the Loan Agreement signed with KAEDF. The Loan Agreement contains exhaustive description of the rights and obligations of the parties, all material issues relevant to the provision of the credit and a repayment schedule with fixed due dates of instalments.

By virtue of Agreement on Amendment of the Loan Agreement (project: Development of Sofia Airport) signed between RB and KAEDF, ratified by a law and promulgated in the State Gazette, issue 10 dated 28.01.2005 art. 1 is amended and a new repayment schedule under art.3, item 9 of the Loan Agreement with KAEDF is agreed with repayment deadline until 15.08.2017. By virtue of ar. 3 of the Loan Agreement with KAEDF and by virtue of

art. 2 of the Re-credit Contract signed between the Government of RB and “Sofia Airport” EAD on 03.05.1999, the Borrower/“Sofia Airport” EAD used 8 444 861,761 KWD from the approved size of credit (12 300 000 KWD). On 13.02.2014 “Sofia Airport” EAD paid an instalment in the size of 640 832,17 USD (equal to 181 861,762 KWD) and 19 280,66 USD (equal to 5 471,659 KWD), by which **completely repaid** the used sums due to KAEDF.

1.11. Information about Award of the International Court of Arbitration at the International Chamber of Commerce, Paris between “Sofia Airport” EAD and MAK/ADMAK (Mohamed Abdulmohsin Al- Kharafi and Sons for General Trading, General Contracting and Industrial Structures W.L.L. and Admak General Contracting Company W.L.L, JV) under arbitration case ref. No 15178/EC/GZ.

The Assignee under Construction Contract under project “Reconstruction, development and extension of Sofia Airport; Lot B2 – New runway system and concomitant works” – MAK/ADMAK initiated arbitration case ref. No 15178/EC/GZ on the inventory of the International Court of Arbitration (ICA) at the International Chamber of Commerce (ICC), Paris, France against “Sofia Airport” EAD.

On 28.09.2011 the ICC ICA Tribunal in Paris enacted a Final Award under case ref. No 15178/EC/GZ/GFG, by virtue of which “Sofia Airport” EAD shall pay to MAK/ADMAK the sums of: 30 253 617,06 USD (after deduction of the awarded indemnity in the size of 166 337 USD), interest over different parts of the above sum in the size of LIBOR plus 1,5% as from different initial dates until the final payment; 390 000 USD representing the part of the arbitration costs deposit paid by the claimants; 4 997 582,77 GBP representing costs of claimants under the arbitration case. “Sofia Airport” EAD is condemned to deliver immediately to MAK/ADMAK two guarantees issued by Gulf International Bank B.S.C., each in the size of 5 297 300 USD.

“Sofia Airport” EAD requested correction of the award (by virtue of art. 29 of the ICC Rules) – with regard to incorrectness and arithmetical mistakes in the award due to which on 11.07.2012 the ICC ICA Tribunal enacted an Addendum to the Final Award under case ref. No 15178/EC/GZ/GFG. According to the Addendum “Sofia Airport” EAD shall pay the following sums: 26 802 343,39 USD (under granted claims after deduction of the awarded indemnity in the size of 166 337 USD), interest over different parts of the above sum in the size of LIBOR plus 1,5% as from different initial dates until the final payment; 390 000 USD representing the part of the arbitration costs deposit paid by the claimants; 4 997 582,77 GBP representing costs of claimants under the arbitration case. “Sofia Airport” EAD is also condemned to deliver immediately to MAK/ADMAK two guarantees issued by Gulf International Bank B.S.C., each in the size of 5 297 300 USD.

A foreign award may be enforced on the territory of the Republic of Bulgaria, the same way it may be enforced on the territory of the state in which it was enacted (Republic of France) only after it is recognized and its enforcement is admitted in Bulgaria by the Bulgarian state court (Sofia City Court) under a three-instance court proceedings the so called exequatur.

On 11.06.2014 Sofia City Court by Decision No 867 ruled in favour of MAK/ADMAK and admitted the enforcement in Bulgaria of Award issued by the ICC ICA Tribunal under case ref. 15178/EC/GZ/GFG. By its decision Sofia City Court condemned “Sofia Airport” EAD to pay to the claimants MAK/ADMAK the sum of 15 494,23 BGN representing their costs under the exequatur proceedings. On 03.07.2014 i.e. in the term

envisaged by the law “Sofia Airport” EAD through its appointed legal representatives filed an appeal against the decision of Sofia City Court. The decision is appealed as a whole including in the part relevant to the costs of proceedings. Sofia Court of Appeal, Commercial Department, 5-th court panel issued a decision dated 13.10.2015 under commercial case No 4069/2014, by which it confirmed Decision No 867/11.06.2014 under commercial case No 6378/2012 on the inventory of Sofia City Court, Commercial Department, 2-nd court panel. In due term an appeal of cassation was filed against the decision of Sofia Court of Appeal.

Party to the arbitration case is “Sofia Airport” EAD. The concessionaire shall not be obliged to take part in the described proceedings and shall not be obliged to pay any sums in case the enforcement of the award is finally admitted.

II. CONDITIONS OF CONCESSION

The main purpose of the concession of Sofia Airport is to attract private investors to the process of optimization of airport services and development of airport infrastructure in the Republic of Bulgaria by assuring of financial resources and management know-how corresponding to the subject of concession.

The concession is a confirmed form of improvement of airport services and future development and modernization of the airport, because by means of a concession it is possible to attract a financially stable concessionaire with experience in the management, exploitation and development of airports. The concession will contribute to improvement of the existing airport infrastructure, reaching of envisaged international standards and categories, transfer of management know-how, generating of traffic and development of commercial activities in the region.

First hand needs that are expected to be satisfied by the proposed project are related mainly to making of investments in the development and modernization of airport infrastructure, technical facilities and equipment, as well as to improvement of quality of airport services.

Realization of the project will lead to protection of public interest and the interest of the state in several directions:

- Development and modernization of airport infrastructure and improvement of quality of service;
- Application of new technologies, increasing safety and security of exploitation of airport facilities, safety of flights, improving organization of service and increasing of qualification of personnel;
- Increasing of competitive power and quality of airport services;
- Improvement of the effectiveness of airport facilities and fuel charging systems, increasing of accident and fire safety and improvement of measures for environmental protection;
- Modernization of security and safety system of Sofia Airport;
- Creation of prerequisites for development of air transport and attracting of new air carriers for performance of regular and charter flights from/to Sofia Airport;
- Transfer of management expertise and experience (know-how);
- Extension of commercial activities as a result of increasing of traffic in the region of Sofia Airport;
- Attraction of transit passengers from/to Near and Middle East countries, Transcaucasia and Central Europe;
- Assuring of minimum servicing level “C” in peak hours to the passengers at Terminal 1 of Sofia Airport according to categorization of IATA.

The granting of this concession is aimed at transferring from the state to the concessionaire the operative and construction risk and the functions of the state to remain only regulatory and controlling. The state reserves the ownership right over the assets – public state property, subject of the concession and acquires ownership right over the assets built-up by the concessionaire during the term of concession, which becomes public state property.

The opening of procedure for granting of concession over civil airport for public use Sofia is part of the Strategy for Development of transportation system of Republic of Bulgaria until 2020 aimed at construction and effective maintenance, integration, modernization and development of the national transport infrastructure; integration of

Bulgarian transport infrastructure in the European one, transparent and harmonized competitive conditions on transportation market and assurance of good business environment; assurance of adequate financing for smooth functioning and development of the transport sector; limitation of the negative effect of transport on the environment and peoples' health; reaching of high level of safety and security of transport.

The Concession shall be performed with financial resources provided by the concessionaire and the latter shall take the operative and construction risk under the following conditions:

- The concessionaire shall manage and maintain the object of concession ready for exploitation for the term of concession.

- The concessionaire shall perform airport services in conformity to the concession contract by assuring equal access to all users to these services and by observing the conditions for their provision.

- The concessionaire shall maintain the availability of activities of an airport operator, activities of an operator of ground servicing, airport administration and economic activities under conditions and order defined under the concession contract.

- The concessionaire shall fulfil the investment program, business proposal for operation of Sofia Airport and airport security measures, proposed under the offer of participant, to whom the concession is awarded, that form an inseparable part of concession contract.

- The grantor of concession is the owner of all accretions and improvements constructed permanently on the territory of the object of concession .

- Inspection of legal requirements and requirements defined by the competent state authorities relevant to national security and defence of the country, protection of environment, public health, protected territories, zones and sites and of public order.

- Fulfilment of obligations assumed under international contracts, to which the Republic of Bulgaria is a party.

- The purpose of the object of concession may not be changed.

- Non-transferability of rights and obligations under the concession contract. The concessionaire shall not be entitled fully or partially to dispose of the object of concession and the rights and obligations related to it or to encumber the object in any manner.

- At fulfilment of concession both the concession grantor and the concessionaire shall observe the provisions of legislation in force in conformity to the clauses of concession contract.

- The grantor of concession shall not owe to the concessionaire compensation under art. 6 of Concessions Act.

- In case of termination of concession contract due to expiry of the term of concession the concessionaire shall not be entitled to receive indemnity.

- Relations between the parties in case of ahead of term termination of the contract shall be regulated under the concession contract.

- In case of ahead of term termination of concession contract due to a reason, for which one of the parties is responsible, the same shall pay indemnity in conformity to the legislation in force.

- At defining of airport fees, in conformity to the principles of Convention on International Civil Aviation (adopted on 7 December 1944 and ratified by Decree No 596 dated 4 August 1966 of the Presidium of the National Assembly for accession – State Gazette, issue 62 of 1966) and under the conditions and rules of Chapter X “B” (art.122e-art.122t) of Civil Aviation Act, to the costs for implementation of necessary

standards assuring safety and secure landing and parking of aircrafts, a percentage of regulated return, proposed in the offer of participant, to whom the concession is awarded, shall be added to the costs for servicing and security of passenger and costs for concession payment in conformity to the following condition – the sum of percentages of regulated return and of concession payment shall be equal to 20.6%.

■ The concessionaire shall maintain for the term of concession the following categories in accordance with the classifications and recommendations of the International Civil Aviation Organization and International Air Carrier Association:

- Airport category - 4E;
- Category of emergency rescue and fire safety assurance - IX;
- Level of servicing of passengers - C

■ In conformity to the Concessions Act and Directive 2014/23/EC of the European Parliament and the Council the concession contract may be amended under rules and conditions envisaged in it, including in the following cases, in which additional construction of airport infrastructure will be assigned to the concessionaire:

- The forecasted size of traffic of 6 million passenger per year is exceeded and this leads to necessity the concessionaire to be assigned with the task to extend one or the two terminals or to built-up a new terminal (independent of the obligation for construction of new terminal 1);
- Reaching of 70% of capacity of flight and landing strip and this leads to necessity the concessionaire to be assigned with the task to design and construct a new runway and one or more taxiway/s

2.1. Legal framework:

The concession of civil airport for public use Sofia is in conformity to the provisions of the Concessions Act, the Regulation on the Implementation of the Concessions Act, the Civil Aviation Act and Decision No 419 of the Council of Ministers dated 20 May 2016 on opening of procedure for granting of concession for service over Civil airport for public use Sofia, as well as the applicable provisions of the European Union law in this field.

The legal grounds for granting of concession of civil airport for public use Sofia are the applicable Bulgarian legislation and the law on the EU as follows:

(a) art. 13, paragraph 1, item 2 of Concessions Act according to which object of concession may be sites, estates or parts of estates – public state property; art. 436 of the Civil Aviation Act according to which civil airports that are public state property may be used by airport operators – merchants, which have gained concession under the rules and conditions of the Concessions Act and the Civil Aviation Act or commercial companies in which the state is a single owner of capital. In this regard the concession shall be granted in conformity to the rules and conditions of the applicable national legislation in force.

(b) the applicable law of the European Union:

Directive 2014/23/EU of the European Parliament and the Council dated 26 February 2014 on the award of concession contracts (the Directive) entered into force on 18 April 2014. The Directive is an act that is not directly applicable and it is necessary to be implemented in the legislation of the member-states by specific provisions. At present with regard to concession for services of trans-border interest (as the present case) the principles of the Treaty on Functioning of the European Union shall apply and particularly the

principles of free movement of goods, freedom of establishment and free offering of services as well as the ensuing principles as equality, non-discrimination, mutual recognition, proportionality and transparency. The Directive states that due to the different interpretation of the principles defined under the Treaty by the national legislative bodies and the big discrepancies between the legislations of the different member-states create risk of legal uncertainty. This risk is confirmed by the extensive case law of the Court of the European Union, which only partially regulated some aspects of awarding of concession contracts. By establishing of the need of uniform application of the principles of TFEU the Directive envisages that for concessions of or above certain value the proper thing is to envisage minimum coordination of national procedures for awarding of such contracts in conformity to the principles of TFEU in order to guarantee the opening of concessions to competition and sufficient legal certainty.

Commission implementing regulation (EU) 2015/1986 dated 11 November 2015 establishing standard forms for the publication of notices in the field of public procurement and repealing Implementing Regulation (EU) No 842/2011 sets the standard forms of notices described under art. 31, 32 and 43 of the Directive. Regulation 2015/1986 is in force as from 1 December 2015 and is directly applicable in the member-states.

The provisions of the Concessions Act conform to the main requirements of the Directive. As far as gaps or non-conformities exist the described principles ensuing from the TFEU and the provisions of Regulation 2015/1986 are directly applicable to the concession of Sofia Airport.

With regard to the stated above, the legal framework of the present concession is in full conformity to the applicable Bulgarian legislation in force and the law of the European Union. The drafts of concession documents (decision of Council of Ministers on opening of procedure, notice about concession, motivation of concession; documentation for participation in the procedure and draft of concession contract) are in conformity to the applicable national legislation and the law of the European Union. The drafts envisage the notice for concession to be published in the Official Journal of the European Union. The notice is elaborated in the standard form under Annex No XXI of Regulation 2015/1986; the provision of unlimited and full free of charge direct access to the concession documentation is envisaged, which shall be realized by electronic means as from the date of publication of notice for concession.

The notice for concession shall contain the internet address, on which the concession documentation will be accessible, the notice shall contain information about the main and additional CPV codes; the estimated value of concession is defined in conformity to the requirements of the Directive and the way of calculation of estimated value is described in concession documentation. The assumption of the operative risk (both the risk relevant to demand and the risk relevant to supply) by the concessionaire is defined as one of the conditions of concession. The conditions of concession guarantee the principles of equality and non-admission of discrimination between potential participants and none of these conditions may be defined as limitative or impeding the participation. In this regard the selection criteria are related exclusively to the technical capacity and economic and financial status of participants and to the subject of the contract; they are described in the notice for concession, they envisage an opportunity for participants to use the capacity of third parties if evidence are presented that the participant has the third party at his disposal and an opportunity for using of subcontractors. When the participant uses the capacity of one or more third parties in order to prove the required financial and economic status, joint liability

for fulfilment of the contract is envisaged for the participant, to whom the concession is awarded and the third party. The requirements towards participants are consistent with the subject, the value of concession, the volume of services of public interest and with the specific features and complexity of concession. The draft concession contract regulates the particular obligations of the concessionaire relevant to requirements for environmental protection, social and labour legislation. The term of the present concession is 35 years and is defined under the decision for opening of the procedure, the notice and documentation for participation in the procedure. The defined term of concession is sufficient and does not exceed the time necessary to the concessionaire to return the realized investments and to receive revenues from the invested funds. The criteria for awarding of concession (selection of concessionaire) are relevant to the subject of concession and are described in descending order according to their importance and their specific gravity.

The Minister of Transport, Information Technologies and Communications is the authority, which according to the legislation in force is competent to organize and conduct the open procedure for selection of concessionaire for civil airport for public use Sofia and to sign the concession contract..

2.2. Revenues and regulations:

The participant to whom the concession contract will be awarded will receive the right to collect all airport fees, the revenues from the ground services, which he provides and the revenues from performance of economic activities.

The sizes of airport fees of Sofia Airport shall be defined in conformity to the procedure envisaged under Chapter X "B" "Procedure for defining of the size of airport fees at an airport with annual traffic over 5 million transported passengers or at an airport with the biggest number of passenger flights on the territory of Republic of Bulgaria" of the Civil Aviation Act (art. 122f-art.122d) and in conformity to art. 16e of the Civil Aviation Act.

2.3. Payments:

The participant to whom the concession is awarded shall perform one concession payment in a size proposed by him in conformity to the conditions defined under the opened procedure. The size of the single concession payment may not be smaller than the size fixed under the Decision of the Council of Ministers on opening of procedure for granting of concession, namely 550 000 000 BGN without VAT or 660 000 000 with included VAT. The performance of the single concession payments is one of the conditions for entering into force of the concession contract.

The participant to whom the concession is awarded shall take the obligation to perform yearly concession payments to the grantor of concession from the first year until the end of the concession term in the size of percentage of the net revenues of the concessionaire for the respective year, defined according to the offer of concessionaire, but not less than 7 per cent of the total size of net revenues from all activities during the current year, which are related to the use of object of concession.

The size of the yearly concession payment may not be less than 9 957 000 BGN without VAT.

The minimum size of the yearly concession payment (9 957 000) shall be corrected every three years by the applicable yearly indexes of inflation of consumer prices with accrual for the respective period, published by the National Statistical Institute of Republic of Bulgaria for the respective years with base year: the year of entering into force of concession contract and respectively base years defined under Regulation (EC) No 1165/98 of the Council dated 19 May 1998 on short-term statistics and Regulation (EC) No 1158/2005 of the European Parliament and the Council dated 6 July 2005 amending the Regulation (EC) No 1165/98 of the Council.

The yearly concession payments shall be performed in two instalments payable via bank transfers under rules and conditions defined under the concession contract.

The final size of the single and yearly concession payments shall be defined by the decision of the Council of Ministers on awarding of concession contract in conformity to the conditions defined under the conducted procedure.

When necessary, on the basis of audited financial statements, an adjusting yearly concession payment shall be defined – correction for the differences between the final due concession payments from the preceding year and the concession payments actually performed.

2.4. Requirements for exploitation and development of the airport

2.4.1. Exploitation of Sofia Airport:

The participant to whom the concession is awarded shall be responsible for the management and maintenance of the airport in conformity to the Bulgarian legislation in force, the law of the European Union and the best international practice during the whole term of the concession contract.

The participant to whom the concession is awarded shall assume the obligation to assure the performance of activities relevant to the ground servicing, such as:

- Performance of activities relevant to ground servicing under art. 48d, paragraph 3, item 1-7 of the Civil Aviation Act after fulfilment of the requirements and receiving of the necessary licenses;
- Assuming of an obligation during the whole term of concession to assure to the licensed ground service operators proper conditions for performance of economic activities on the territory of the airport.

The participant to whom the concession is awarded shall assume the obligation to assure and pay certain activities related to assuring of security and safety of the airport.

The particular responsibility for performance of activities relevant to security and safety, including checking of passengers and luggage, security of airport perimeter and flight field is regulated under the concession contract.

The Civil Aviation Act envisages the thresholds for volume of traffic from Directive 96/67/EC dated 15 October 1996 on access to the ground-handling market at Community airports.

The participant to whom the concession is awarded shall sign independently contracts with clients and suppliers to the airport in relation to realization of his concession right.

The obligation of the participant to whom the concession is awarded shall include all functions of airport administration according to art. 48a, paragraph 3 of the Civil Aviation Act, namely:

1. ensuring the level of validated categories and standards in the fulfilment of all the functions assumed by the government as obligations under international contracts relative to:
 - a) maintenance of airfield and development of airport infrastructure;
 - b) restricting and removal of obstructions;
 - c) maintenance of visual ground aids;
 - d) securing emergency, rescue and fire-prevention services both within the limits and in the vicinity of the airport;
 - e) airport security and protection;
 - f) safety of flights;
 - g) co-ordination among the various administrations and business enterprises concerning airport operations and utilisation;
 - h) control and management of ground movement within airport limits;
 - i) power-supply equipment and installations;
 - j) streamlining the usual airport formalities;
2. assigning of contracts for elaboration and updating of the airport's master plan and cadastral plans;
3.) creating of conditions for economic activity on the airport territory for the ground service operators licensed under the Civil Aviation Act;
4. Taking of measures for reduction of aviation noise;
5. Effecting of a precautionary arrest of an aircraft (unless engaged in a scheduled air-service flight) in the event its user has failed to pay the owing fees, or has not given an adequate bond or posted satisfactory security;
6. Collecting of airport fees in conformity to art. 120, paragraph 1 of the Civil Aviation Act for:
 - landing of aircraft;
 - parking;
 - passengers;
 - use of passenger arm;
 - security and
 - noise (ecologic).

2.4.2. Obligations of the participant to whom the concession is awarded:

The obligations of the participant to whom the concession is awarded conform to the legislation in force and to the rules and conditions envisaged under the concession contract:

- 1) to fulfil on his own risk the obligations ensuing from concession conditions;
- 2) to perform all functions of airport administration at the object of concession envisaged under art. 48a, paragraph 3 of Civil Aviation Act in conformity to the conditions envisaged under the concession contract;
- 3) to receive and maintain for the term of the contract a certificate for exploitation suitability of the object of concession , a license of an airport operator and licenses of a ground services operator for the activities under art. 48e, paragraph 3, items 1-7 of Civil Aviation Act;
- 4) to perform on his own account partial construction and installation works and delivery and maintenance of airport equipment in conformity to the concession contract.
- 5) To assure the elaboration and/or updating of a master plan for development of the airport and on its basis – detailed organizational plan under rules, conditions and terms envisaged under the concession contract. The master plan shall be elaborated in conformity

to the concessionaire's offer and may be amended or supplemented under rules and conditions envisaged under the concession contract in accordance with the forecasts under the concessionaire's offer. Outside these cases, the master plan may be amended or supplemented in case new construction works have been assigned to the concessionaire, which is defined as an opportunity in the general part of Section II of the present documentation, last bullet and under rules and conditions envisaged under the concession contract.

6) For the term of concession to maintain not lower than the following categories according to the classifications and recommendations of the International Civil Aviation Organization and the International Air Carrier Association:

- a) Airport category - 4E;
- b) Category of emergency rescue and fire safety assurance - IX;
- c) Level of servicing of passengers - C

7) To assure the year-round functioning of the airport in accordance with its purpose as a civil airport for public use for servicing of international and internal air transport;

8) To perform concession payments in the size, under the rules, conditions and terms envisaged under the concession contract;

9) To assure on his own account the development and if necessary the updating of the master plan of the airport and to present it to the grantor of concession for coordination as well as any project, technical, financial and other documentation necessary for the development of Sofia Airport in conformity to the offer of participant to whom the concession is awarded;

10) To maintain the exploitation suitability of the object of concession during the whole term of the contract;

11) To maintain the availability of services of public interest and to assure continuity and level of quality of provided services in conformity to the concession contract.

12) To provide free and unimpeded access to all parts of the object of concession to all international organizations or authorities whose activity is related to aviation or to the management and exploitation of the airport or to other bodies or authorities that deal with the border control, defence, police activities, safety or security for performance of their functions;

13) Immediately to inform the Minister of Transport, Information Technologies and Communications and the empowered state bodies about all circumstances that create danger for the national security, defence of the country and the public order, for the environment, peoples' health as well as for territories, zones and sites protected by virtue of the law and about all circumstances that endanger the safety of civil aviation in conformity to the rules envisaged under the concession contract;

14) To assure access to the object of concession to the competent state authorities or to officials defined by the Minister of Transport, Information Technologies and Communications when this is necessary with regard to performance of urgent activities in public favour or to the protection of public order and security;

15) In case of force majeure to accept temporary use of the object of concession or parts of it by third parties defined by the Minister of Transport, Information Technologies and Communications without any right to indemnity for this in conformity to the concession contract;

16) To insure the object of concession on his own account in favour of the grantor of concession for each year of the term of concession contract as well as his liability as an

airport operator and as ground service operator towards third parties (beneficiary) for each year of the concession term in conformity to the legislation in force and the concession contract;

17) To assure opportunity for using of the object of concession in fulfilment of obligations, assumed under international contracts, to which the Republic of Bulgaria is a party and in case of signing of new or amendment of signed international contracts that affect the rights and obligations of the parties to the concession contract, they may sign supplementary agreement on amendment and/or supplementing of the contract in conformity to the legislation in force;

18) To maintain the bank guarantees for the term of concession in conformity to the concession contract;

19) To assure to the state users free of charge and unimpeded use of premises and airport assets necessary for fulfilment of their tasks at the object of concession under rules and conditions envisaged under the concession contract including to maintain and repair the premises provided to them.

20) In case of termination of concession contract to deliver to the grantor of concession the object of concession suitable for exploitation under rules, conditions and terms envisaged under the concession contract;

21) In case of termination of concession contract to deliver to the Minister of Transport, Information Technologies and Communications the whole technical, financial, project, executive and other documentation related to the object of concession and its exploitation as well as the documentation provided by the grantor of concession before entering into force of the concession contract and the documentation elaborated and acquired by the concessionaire until the termination of the contract;

22) At any time to assure to the supplier of ground aids (SGA) access to the object of concession in order to install or maintain the equipment, necessary for performance of ground aids services or fulfilment of any other legal obligation in conformity to the concession contract;

23) In case of occurrence of circumstances relevant to the national security, air space guarding and defence of the country to accept temporary use of the object of concession or parts of it by third parties defined by the grantor of concession without any right to indemnity for this in conformity to the concession contract;

24) During the whole term concession to perform independently the activities relevant to ground servicing under art. 48e, paragraph 3, items 1-7 of Civil Aviation Act and at his discretion to perform the activities relevant to ground servicing under art. 48e, paragraph 3, items 8-11 of Civil Aviation Act independently or through third parties in favour of which the respective license for ground servicing is issued;

25) At any time to assure access to sites under item 3.5.1 – 3.5.3 of Decision No 419 of the Council of Ministers of 2016 to the persons to whom the management of the same is assigned and to the sites - private property under item 3.5.2 of Decision No 419 of the Council of Ministers of 2016 – to their owners ;

26) To assure access of the licensed ground service operators, defined in conformity to the rules envisaged under the law;

27) To manage the airport by assuring of 24-hour access to it, with working hours in conformity to the forecast air traffic and to provide airport services under the conditions of the concession contract;

28) To provide access at any time to the controlling bodies and authorized representatives of the grantor of concession in order to inspect the way of fulfilment of the concession contract;

29) To provide reports and information about performance of the investment program, engineering and technical projects, ecologic and complex plans as well as any other information relevant to the fulfilment of obligations under the concession contract for the purposes of control over the fulfilment of the concession contract in conformity to the rules specified under this contract;

30) To inform the grantor of concession about all accessions and improvements on the object of concession after the date of entering into force of the concession contract (newly acquired property);

31) To accept from the grantor of concession by signing of a statement of delivery the assets – public state property related to the performance of exploitation and management of the object of concession;

32) To inform immediately the grantor of concession and the Minister of Culture when in the course of concession some finds are discovered that has the features of cultural objects;

33) To enter and/or replace “Sofia Airport” EAD in effective contracts related to exploitation and management of the object of concession under rules, conditions and terms envisaged under the concession contract;

34) To envisage under his investment program resources for construction of proof ground for practical training of emergency rescue and fire safety teams;

35) For the period of construction of a new Terminal 1 of Sofia Airport and until its putting into exploitation to assure to the air companies departing and landing at Terminal 1 equal opportunities for performance of their activities at Terminal 2.

2.4.3. Employees at Sofia Airport:

1) By virtue of art. 123a of Labour Code the labour contracts of employees of “Sofia Airport” EAD shall not be terminated.

2) As from the date of entering into force of the concession contract the employees of “Sofia Airport” EAD who perform functions that will be included in the scope of concession shall be transferred to the concessionaire – company and the rights and obligation of the former employer “Sofia Airport” EAD ensuing from the labour contracts shall be transferred to the new employer - the concessionaire – company.

3) The two employers shall be jointly liable for obligations towards the worker or the employee that have occurred before the date of entering into force of the concession contract.

2.4.4. Contractual relations

2.4.4.1. Rent contracts signed by “Sofia Airport” EAD.

In case the participant to whom the concession is awarded is not interested in prolongation of the effective rent contracts, according to the conditions for ahead-of-term termination of most of the rent contracts, these contracts shall be terminated as from the moment of entering into force of concession contract. With regard to part of these contracts the described termination condition is not explicitly envisaged and the general rules for termination of bilateral contracts is applicable. With regard to its rent contracts “Sofia Airport” EAD adopted General Terms by Decision No 4.1 under Minutes No

14/02.06.2005, approved by the Minister of Transport No PD-316/13.07.2005 that are effective at present. According to art. 2 of Section XI of the General Terms, if not explicitly envisaged otherwise the rent contracts are signed for indefinite term and may be terminated by one-month written preliminary notice. According to art.5 of the same section of the General Terms, the lessor may at any time decide that he needs the site or part of it for the purposes of performance of his activities or the development of the airport and due to these reasons to terminate the rent contract immediately by written notification addressed to the lessee. In this case the lessee shall not be entitled to receive indemnity. He is only entitled to reimbursement of proportional part of the rent price or other sums paid for the time after the date of termination of the rent contract.

2.4.4.2. Contracts signed by “Sofia Airport” EAD under the rules of Public Procurement Act. Under part of these contracts the signing of concession contract is explicitly envisaged as a condition for termination. Contracts that does not envisage explicitly such termination condition may be terminated in case of wilful misconduct of the Assignee. In case the assignee is not in default, the contract may envisage an opportunity for unilateral termination by the Assignor with preliminary notification /each of the parties may realize this right and the value of activities actually performed by the assignee in fulfilment of the contract shall be paid by the Assignor/. The unilateral ahead-of-term termination of contracts in the two cases described above shall be performed in conformity to the individual termination conditions and in the terms envisaged under each separate contract. In cases when the contract shall be terminated after sending of preliminary notification this condition shall be observed in each separate case and with regard to verification of all circumstances written notifications shall be sent in conformity to the envisaged terms and conditions.

In the cases when an opportunity for unilateral termination of the contract without fault of any of the parties is not envisaged and neither of the parties is in default, an opportunity for termination of the contract upon mutual agreement of the parties shall be sought.

2.4.4.3. Services and delivery contracts of “Sofia Airport” EAD, which are not signed under the rules of Public Procurement Act. The participant to whom the concession is awarded may replace “Sofia Airport” EAD as a party to the signed contracts or respectively, in case the same are not of interest to him, they may be terminated unilaterally in conformity to the individual termination conditions and terms envisaged under each separate contract.

2.4.4.4. Insurance contracts, signed by “Sofia Airport” EAD. The participant to whom the concession is awarded shall assume the rights and obligations under the effective insurance contracts.

2.4.4.5. Ground service contracts, signed by “Sofia Airport” EAD. For these ground service activities, for which there is no obligation to be performed independently and for which licenses for ground services are issued to licensed ground service operators, the participant to whom the concession is awarded may assume the rights and obligations of “Sofia Airport” EAD or to sign new ground service contracts in order to assure the performance of ground service activities at the airport.

2.4.5 Operating and transferring of assets:

1) Every infrastructure – public state property shall remain property of concession grantor, including the improvements of the existing assets and the construction of new infrastructure. The right of exploitation of these assets will be assigned by the state by means of concession contract. The participant to whom the concession is awarded shall not be entitled to pledge these concession assets as a collateral under credit contracts, loan

agreements or other similar contracts. The participant to whom the concession is awarded shall be required to assume the obligation to maintain and preserve with due care all assets received for exploitation in relation to the concession in conformity to the best international practices. The Ministry of Transport, Information Technologies and Communications, GD “Civil Aviation Administration” and the bodies defined by virtue of the law shall have the right to inspect on regular basis all assets and to require corrections of faults, which the participant to whom the concession is awarded shall be obliged to perform in due time.

2) The participant to whom the concession is awarded shall be obliged during the concession term to insure and maintain all insurances that are necessary for protection of the assets and unimpeded functioning of the airport. In case of termination of concession the assets shall be returned to the state in a usable condition.

3) The participant to whom the concession is awarded may buy or rent from “Sofia Airport” EAD movables relevant to performance of management and exploitation of the site, proposed by the grantor of concession at their market value, defined by an assessment elaborated by a licensed expert in accordance with the present documentation under rules and terms envisaged under the concession contract.

4) The state shall not provide state guarantees or any other forms of support for payment of credits, received by the participant to whom the concession is awarded.

2.4.6. Incorporation of a company under the Commerce Act of Republic of Bulgaria or under the legislation of a member-state of the European Union or of any other country – party to the Agreement on European Economic Area:

2.4.6.1 The concession contract may be concluded only with an entity that conforms to the conditions under art. 18, paragraph 3 of Concessions Act and under art. 48c, paragraph 1 of Civil Aviation Act, namely:

In this regard when the participant to whom the concession is awarded is not a capital company, the concession contract shall be signed with the newly incorporated commercial company called “project company” in which:

a) the participant to whom the concession is awarded is a single owner of capital or
b) the participants in the association that is not a merchant own the whole capital in the same proportion as their participation is distributed under the association agreement.

2.4.6.2 When the participant to whom the concession is awarded is a merchant the concession contract shall be signed with the newly incorporated capital commercial company called “project company”, in which the participant owns the whole capital when the intention of incorporation of a new company is explicitly pointed in the offer.

2.4.6.3 In any case the capital commercial company shall be registered in conformity to the Commerce Act of Republic of Bulgaria or under the legislation of a member-state of the European Union or of another state – party to the Agreement on European Economic Area.

2.4.6.4 With regard to fulfilment of conditions under item 2.4.6.1, if the participant in the procedure for granting of concession is a merchant whose registration is in a country that falls outside the countries described under item 2.4.6.3, this participant by his offer mandatorily shall state that if he is selected as concessionaire he will incorporate a project company, which will conform to the requirements under item 2.4.6.1.

2.4.6.5 License for an airport operator shall be issued in favour of concessionaire selected by the Council of Ministers after signing of the concession contract in the terms envisaged under this contract, if the participant to whom the concession is awarded conforms to the requirements for issuing of a license envisaged under the Civil Aviation Act.

2.4.7. Guarantees:

The participant to whom the concession is awarded shall be obliged to provide and maintain verified unconditional, irrevocable guarantees for each year of the term of concession issued by banks approved by the concession grantor as follows:

2.4.7.1. a bank guarantee for performance of investment program in the size of 10 per cent of the value of investments planned for the respective year and

2.4.7.2. a bank guarantee for securing of performance of obligations under the concession contract, including the obligations for payment of concession payments, for performance of investments and for payment of interest and liquidated damages as well as for other obligations envisaged under the concession contract in the size of the sum equal to 100 per cent of the yearly concession payment for the preceding year and the due VAT over the sum included in its size, valid up to 10 months after expiry of the respective year of the term of concession. For the first year of the term of concession the size of this guarantee shall be 12 000 000 BGN.

III. GENERAL INSTRUCTIONS

3.1 Any Bulgarian or foreign physical or legal person or a association of such persons may participate in the procedure for granting of concession over the civil airport for public use Sofia.

3.1.1 Any person who has access to this documentation has the status of “Interested person” within the meaning of the Concessions Act. Interested person is also any person who:

- a) Is or was interested in signing of the concession contract;
- b) Suffered or risks the suffering of damage caused by the alleged violation of the procedure for granting of concession and
- c) Is not finally disqualified from the procedure if he acquired the capacity of participant.

3.1.2 As from the date of filing of the offer the Interested persons acquires the status of ‘Participant’ in the procedure and until any of the conditions under § 1, item 56 of the Additional Provisions of Concessions Act exists – also of “Interested Participant”.

3.2 Each person will have unlimited and full free of charge access to the present documentation hereinafter called “The Documentation”, including to all annexes to it via the electronic page of the Ministry of Transport, Information Technologies and Communications - www.mtite.government.bg section “Concession of Sofia Airport” (<https://www.mtite.government.bg/page.php?category=755&id=9140>) as from the day following the date of publishing of the notice for concession at Publications Service of the European Union, hereinafter called “The Notice”.

3.2.1. The following documents and information are publicly accessible:

- a) Financial statements of “Sofia Airport” EAD for the last 5 years published in the Commercial Register at the Registry Agency, Ministry of Justice;
- b) About the number of passengers passed through the passenger terminals of the airport for the last 5 years – the data is publicly accessible and available on the web page of GD “Civil Aviation Administration” - www.caa.bg, section “Aviation Industry” – “Statistics”;
- c) Characteristic features and size of the air field – on the web page of State Enterprise “Air Traffic Services” - www.atsa.bg, section “E-services” – collection “Air navigation information and publication”

3.3. The information about the activities of the current airport operator of Sofia Airport – “Sofia Airport” EAD is sensitive commercial information and is not part of the present documentation. Nevertheless, this information is accessible, but it may be accessed only by review on the spot under the following terms and conditions:

3.3.1. Until the expiry of the deadline for filing of offers, each person may have access to the following documents, containing information relevant to the activity of commercial company “Sofia Airport” EAD:

- 1) All effective contracts of “Sofia Airport” EAD ;
- 2) List of all pending court proceedings, under which “Sofia Airport” EAD is a party;
- 3) List of personnel of “Sofia Airport” EAD under positions, Collective Labour Agreement;
- 4) Copies of insurance policies under signed insurance contracts.

3.3.2. Review of the above described documents may be performed any business day from 10.00 h to 12.00 h and from 14.00 to 17.00 h in the building of the Ministry of Transport, Information Technologies and Tourism. Room 1006c.

3.3.3. The review may be performed after the person who requests it presents an ID document and a document that certify which interested person he/she represents and in what capacity.

3.3.4. The person shall sign confidentiality declaration, which will be served to him/her on the spot.

3.3.5. An official appointed by the Commission shall record the data under item 3.3.3, except for the personal data, in a special register. The register shall contain records about the time taken for review of documents. The recorded data shall be certified by the signature of the person who performed the review and the appointed official.

3.3.6. One interested person may send more than one representative to review the documents as many times as he/she finds necessary.

3.4 The filing of an offer includes the knowing and accepting of all conditions under the present Documentation, the criteria for complex assessment of offers, their specific gravity and the methodology for assessment of offers as well as the draft concession contract.

3.5 The filing of an offer shall mean that the Participant knows the object of concession, has made all surveys and analyses, which in his opinion are necessary for elaboration of the offer and the concession is awarded to him he accepts the object in the condition in which it remains towards that date.

3.6 When the participant to whom the concession is awarded is not a capital commercial company and when this is pointed out in the notice for opening of the procedure or in the offer of the participant to whom the concession is awarded, the concession contract shall be signed with a newly incorporated capital commercial company called “project company” in which the participant to whom the concession is awarded is a single owner of the capital or the participants in the association , that is not a merchant, own the whole capital in the same proportion as their participation is distributed under the association agreement.

3.7 Each person has the right to file only one offer. A person who files an offer independently may not participate in association . One person may not participate in more than one association – participant in the procedure.

The limitation also refers to persons who are “related persons” within the meaning of § 1, item 14 of the Additional Provisions of the Concessions Act to a participant and/or his partners or shareholders.

3.8 The offer may not be filed in versions.

3.9 All costs relevant to the participation in the procedure, including the costs in relation to the inspection of the site shall be fully covered by the Participants.

3.10 Until the finalization of the procedure exchange of information about issues relevant to conducting of the procedure is not permitted, except in conformity to the rules envisaged under the Documentation, between a Participant or his representatives and:

- a) Members of the Commission on conducting of the procedure;
- b) employees of ministries, institutions or other persons related to the conducting of the procedure;
- c) persons who took part in the elaboration of concession analyses and/or elaboration of the Documentation;
- d) management team, workers and employees of “Sofia Airport” EAD.

3.11 Bodies, officials, consultants and experts who are related to the conducting of the procedure are not entitled to announce any information referring to their actions with regard to conducting of the procedure and about the content of collected documentation, except in cases and under the rules envisaged under the Documentation.

3.12 The publishing of notices for the procedure in the mass media in the country and/or abroad and/or in the internet performed after publishing of the Notice in the Official Journal of the European Union shall not be considered as violation of the requirement under item 3.11.

3.13 The Commission on conducting of the procedure hereinafter called “The Commission” shall notify any interested participant about the decisions on admission to or disqualification from the procedure and about the selection performed.

3.14 The exchange of information between the Commission and participants, including the notification under item 3.13 shall be in writing and shall be performed in the following way:

3.14.1 The Commission shall clarify and provide additional information by publishing of the respective clarification/provision of additional information on the internet page of the Ministry of Transport, Information Technologies and Communications www.mtitc.government.bg, section “Concession of Sofia Airport” (<https://www.mtitc.government.bg/page.php?category=755&id=9140>).

3.14.2 The Commission shall notify about its decisions under item 3.13 by serving in person verified by signature and/or by sending of the decision via the e-mail, pointed in the offer. When sent via the e-mail the decision shall be considered duly served with its entering in the specified information system and the serving is verified by a copy of the electronic record for this.

3.14.3 In case of change in the specified e-mail correspondence address, the Participant is obliged in 24-hour term to inform the Commission.

3.15 The serving in person by signing shall be performed by/to:

- a) The body that represents the grantor of concession – by the contact person pointed in the Notice;
- b) The interested person or his authorized representative;
- c) The person pointed in the offer of the participant.

3.16 When the interested person or a Participant in the procedure has requested, the Commission is obliged to provide:

- a) Clarification and/or additional information referring to conducting of procedure or to technical specifications or
- b) Additional documents available to it that do not represent classified information.

3.17 Requests for clarifications or for provision of additional information or documents may be made not later than 14 days before the deadline for filing of offers by a person with representative powers or a person explicitly authorized by him.

3.18 Clarifications, additional information or additional documents shall be provided to all interested persons and Participants not later than 7 days before the expiry of the term for receiving of the offers if they have been requested in due time and shall be published on the internet page of the Ministry of Transport, Information Technologies and Communications.

3.19 Each Interested person is entitled to request and receive a certificate about the right of his representatives to perform inspection of the object of concession in the sample form under Annex No 6.

3.20 The inspections may be performed each business day from the day following the day of issuing of the certificate for inspection until 7 days before the deadline for filing of offers.

3.21. When filing of a request for inspection the person shall present an ID document and a document that certify which interested person he/she represents and in what capacity.

3.22. The person shall sign confidentiality declaration, which will be served to him/her on the spot.

3.23. An employee appointed by the executive director of “Sofia Airport” EAD shall record the data under item 3.21, except for the personal data, in a special register. The register shall contain records about the time taken for inspection. The recorded data shall be certified by the signature of the person who performed the review and the employee appointed by the executive director of “Sofia Airport” EAD.

3.24 The persons under item 3.19 shall file their requests for inspection before the Commission by delivery or sending of a filled in sample form of the certificate for inspection – for its signing. The filing of request for inspection shall be performed in person – to the contact person pointed in the Notice, via post or fax. The signed certificate for inspection shall be delivered personally to the Participant or to an authorized person or shall be sent via post or fax.

3.25 If the inspection may not be performed on the dates fixed under the filled sample form certificate, the Commission shall fix other dates.

3.26 If second inspection of the object of concession is necessary, the person under item 3.19 shall file new request before the Commission.

3.27 In the course of inspection the person under item 3.19 and his team may communicate only with explicitly authorized persons.

3.28 In the course of inspection the person under item 3.19 and his team shall not receive copies of documents that are relevant to the object of concession except after an explicit permission of the Commission.

IV. DOCUMENTS VERIFYING THE LACK OF CIRCUMSTANCES UNDER ART. 16, PARAGRAPHS 2 AND 3 OF CONCESSIONS ACT (CA)

4.1. A Participant with regard to whom the circumstances under art. 16, paragraphs 2 and 3 of Concessions Act do not exist shall be admitted to participation in the procedure.

4.2. In order to participate in the present procedure for granting of concession, the participants shall present declarations for the existence or lack of circumstances under art. 16, paragraphs 2 and 3 of Concessions Act in the sample forms under Annexes No 10, 11 and 12.

4.2.1. When the participant is a legal entity in order to certify the lack of circumstances under art. 16, paragraph 2 it shall fill, sign and present:

1) A declaration under Annex No 10 for the lack of circumstances under art. 16, paragraph 2, items 1, 2 and 5 of Concessions Act – signed by the person with representative powers according to the registration of the participant;

2) A declaration under Annex No 11 for the lack of circumstances under art. 16, paragraph 2, items 3 and 4 of Concessions Act – signed by each manager, member of management body and in case a member of the management body is a legal entity – his representative in the respective management body.

4.2.2. When the participant is a physical person he/she shall fill, sign and present a declaration in the sample form under Annex No 12 in order to certify the lack of circumstances under art. 16, paragraph 3 of Concessions Act.

4.3. Before signing of the concession contract the participant to whom the concession is awarded shall present evidence that certify the circumstances declared under item 4.2 envisaged under art. 41, paragraph 2, items 1, 2 and 4 of the Regulation on the Implementation of the Concessions Act. The concession contract shall be signed only after the participant to whom the concession is awarded fulfils the obligation under the present item.

4.4. When the Participant is a association the documents under items 4.2 and 4.3 shall be presented by every participant in the association .

4.5. When the participant pointed subcontractors in his offer, the requirements under this section shall be applied also with regard to subcontractors.

4.6. The participants are obliged in the course of the procedure to inform the Commission about all changes in the circumstances under art. 16, paragraph 2 and 3 of Concessions Act in term of 7 days as from the day of their occurrence.

V. CIRCUMSTANCES UNDER ART. 16, PARAGRAPH 4 OF CONCESSIONS ACT THAT REPRESENT GROUNDS FOR DISQUALIFICATION OF PARTICIPANTS AND DOCUMENTS THAT CERTIFY THE LACK OF THESE CIRCUMSTANCES

5.1. A participant may be removed from participation in the concession granting procedure, if he/she:

5.1.1. is in insolvency proceedings;

5.1.2. has liabilities for public receivables of the state or municipality in the sense of art. 162, para 2 of the Tax Insurance Procedure Code established with entered into force act of competent body unless deferment or delay of the liabilities is admitted or has liabilities for public receivables of the state in which it is established – for a participant foreign entity;

5.1.3. has delayed pecuniary liabilities towards his own workers and employees;

5.1.4. has been concessionaire and the concession contract has been terminated due to his fault;

5.1.5. is guilty for professional breaches for which the Commission has written proofs issued by competent body;

5.1.6. has not presented the whole information required from the participants in the procedure for granting of concession, or the presented information is untrue or incomplete.

5.2. When participate in the present procedure for granting of concession the participants shall present declarations for existence or lack of circumstances under items 5.1.1 – 5.1.5 in the sample form under Annexes No 13 and 14. When the participant is a legal entity the declaration shall be signed by a person with representative powers according its registration.

5.3. The circumstances under item 5.1.6 shall be established by the Commission by means of a motivated decision.

5.4. Before signing of the concession contract the participant to whom the concession is awarded shall present evidence that certify the circumstances declared under item 5.1 envisaged under art. 41, paragraph 2, items 1, 2 and 4 of the Regulations on Application of the Concessions Act. The concession contract shall be signed only after the participant to whom the concession is awarded fulfils the obligation under the present item.

5.5. When the Participant is a association the documents under items 5.2 and 5.4 shall be presented by every participant in the association.

5.6. When the participant pointed subcontractors in his offer, the requirements under this section shall be applied also with regard to subcontractors.

5.7. The participants are obliged in the course of the procedure to inform the Commission about all changes in the circumstances under art. 16, paragraph 4 of Concessions Act in term of 7 days as from the day of their occurrence.

VI. CRITERIA FOR SELECTION OF PARTICIPANTS UNDER ART. 26, PARAGRAPH 1 OF CA AND MINIMUM LEVELS OF THE APPLICABLE REQUIREMENTS RELEVANT TO THEIR FULFILLMENT

6.1. Criterion “Economic and financial status” includes:

6.1.1. Registered capital not less than 200 000 000 (two hundred million) BGN and

6.1.2. Available disposable financial resources. The Participant in the procedure shall have his own and/or borrowed financial resources in the size of not less than 550 000 000 BGN without VAT (660 000 000 BGN with VAT) at make evident that the same is financially stable and has the resources necessary for assuring of the performance of the minimum single concession payment.

6.2. Criterion “Technical capacity and/or professional qualification” includes:

6.2.1. Experience of the participant in the last 5 (five) years as an airport operator in activities representing management and exploitation of at least one international airport with passenger flow exceeding 6 million passengers per year.

6.2.2. the participant shall offer technical equipment and shall have the opportunity to assure the offered technical equipment when it is necessary for assuring of quality performance of management and exploitation of Sofia airport and for ground servicing activities under art. 48e, paragraph 3, items 1-7 of Civil Aviation Act.

In conformity to the minimum requirements towards normal functioning of a civil airport for public use, envisaged under Ordinance No 20 of the Minister of Transport of 2006 on certifying the exploitation suitability of civil airports, airfields, systems and facilities for ground servicing, on licensing of airport operators and ground service operators and on the access to ground-handling market at the airports (promulgated in the State Gazette (SG), issue 101 of 2006, supplemented SG issue 26 dated 07.04.2015) – standards for exploitation of facilities and performance of activities relevant to the ground servicing of the aircrafts (Ordinance No 20).

6.2.3. (To have qualified technical professionals), (management personnel) who will be responsible for the management and exploitation of the airport including at least one person who will be responsible for the overall fulfilment of the concession contract;

6.2.3.1 The management personnel shall have the necessary qualification, professional experience and length of service for performance of activity as airport operator and for performance of ground servicing activities under art. 48e, paragraph 3, items 1-7 of Civil Aviation Act, in conformity to the minimum requirements envisaged under Ordinance No 20.

6.2.3.2 The person who will be responsible for the overall fulfilment of the concession contract shall have management experience of at least 6 years at an airport with yearly passenger flow not less than 4 million passengers.

6.2.4. Experience in assigning or performance of construction of airport infrastructure in fulfilment of activities as an airport operator in the last 5 years.

6.3. A participant in the procedure for granting of concession may prove the fulfilment of minimum levels for professional or technical capacity and/or for financial and economic status with the abilities of one or more third parties. In this case the participant shall present

evidence that at fulfilment of the concession contract he will have at his disposal the resources of the third parties for the whole term of the concession. The third party whose resources are used as evidence for the financial and economic status shall be jointly liable with the participant for the fulfilment of the concession contract.

6.4. In case of association:

6.4.1. All participants in the association shall conform to the criterion “Technical capacity and/or professional qualification”, except for the experience of the participant as an airport operator under item 6.2.1, which requirement shall be fulfilled at least by one of the participants in the association and this participant shall have the leading role in the association with majority share in the association that gives him the opportunity to have decisive role in adoption of decisions by the general meeting of the project company incorporated for the purposes of the concession contract relevant to the management and exploitation of the airport. Respectively the participants shall keep the same percentage share of this participant in the capital of the project company, rights to vote in the general meeting and the control over the management of the company during the whole term of the concession and this may be changed only with the explicit written consent of the concession grantor.

6.4.2. At least one of the participants in the association shall conform to the criterion “Economic and financial status”.

6.4.3. Every participant in the association shall explicitly state what part of the criteria under items 6.4.1 and 6.4.2 he shall prove.

6.4.4. In case the concession is awarded to a participant who participated in the procedure as an association, which is not a legal entity, the concession shall be awarded to a newly incorporated capital commercial company registered in conformity to the Commerce Act of the Republic of Bulgaria or an entity registered as a merchant under the legislation of a member-state of the European Union or of another country – party to the Agreement on the European Economic Area, in which the participants in the association shall own the whole capital in the same proportion as under the association agreement and the participants shall keep the percentage shares in the capital of the company – concessionaire, their rights to vote in the general meeting and the control over the management of the company during the whole term of the concession, this may be changed only with the explicit written consent of the concession grantor.

VII. DOCUMENTS THAT EVIDENCE THE MINIMUM APPLICABLE REQUIREMENTS RELEVANT TO FULFILLMENT OF CRITERIA FOR SELECTION OF PARTICIPANTS UNDER SECTION VI

7.1. The criterion “Economic and financial status” shall be proved by:

1) Annual financial statements for the last 3 financial years and

2) A document issued by one or more acceptable financial institutions that proves the existence and/or the security of financial resources in the size of the minimum single concession payment, defined under Decision No 419 of the Council of Ministers of 2016 with validity term of 360 (three hundred and sixty) days as from the date of filing of the Offer. In case the validity of the document expires before the signing of the concession contract, the participant shall present evidence for renewal of the validity of this document.

7.1.1 The Participant shall enclose to the Application a declaration of commitment according to Annex No 17 referring to the sources of financing of the minimum single concession payment with indication of the sum provided by each Acceptable Financial Institution, together with documents that evidence the commitment/engagement (copies of respective binding offers, letter of commitment, mandate letter or other binding documents)

7.1.2 The document under item 2) may be presented in the form of a bank guarantee, certificate of availability of resources in a bank account, bank credit contract, letter of commitment, mandate letter or any other written binding statement issued by one or more Acceptable financial institutions, which gives reasons to be accepted that the participant will have sufficient financial resources for performance of the minimum single concession payment and that the resources are easily accessible and may be used unconditionally for the purposes of concession.

7.1.3 “Acceptable financial institution” means a bank or another financial institution with long-term credit rating of BBB+ (or higher) of Standard & Poor's Corporation or Baal (or higher) of Moody's Investors Services, Inc. or BBB+ (or higher) of Fitch Ratings.

3) An official document that includes unconditional decision of the Board of Directors (or of the respective body competent to adopt such decision) for approval of financing is also necessary together with an excerpt from a company document that proves which is the body competent to adopt such decision and if necessary decision of shareholders for approval of financing.

7.1.4 If the legislation of the country in which the participant is established requires so, the presented annual financial statements under item 1) shall be certified by a registered auditor. The lack of requirement for auditing under the respective legislation shall be proved by the participant by a declaration in this regard.

7.1.5 When the fulfilment of criterion “Economic and financial status” is proved by a foreign entity the equivalence in Bulgarian leva shall be calculated by using of the exchange rate of the respective currency towards the Bulgarian lev, announced by the Bulgarian National Bank for 31 December of the year of the respective annual financial statement by means of which the conformity to the criterion is proved. In case the Bulgarian National Bank does not announce an exchange rate for the currency of the participant towards the Bulgarian lev, the equivalence in Bulgarian leva shall be calculated by using the exchange rate of the respective currency towards the Bulgarian lev for the respective date announced by OANDA Corporation - <http://www.oanda.com/currency/converter/>.

7.2. The criterion “Technical capacity and/or professional qualification” shall be proved by:

- 1) A declaration containing lists of performed management and exploitation of an international airport with passenger flow exceeding 6 million passengers per year in the last 5 years and data about documents certifying the right to perform activities as an airport operator of an international airport (licenses, certificates, contracts or other documents in conformity to the national legislation of participant), which data shall include at least the number of the document, the country in which it was issued and the term of performance of activity and with regard to contracts – date of signing, term of validity and parties to the contract;
- 2) Description of the technical equipment offered by the participant for fulfilment of the requirements for receiving of an airport operator license and ground service operator license, which is necessary for the quality performance of activities relevant to management and exploitation of Sofia Airport and for ground service activities under art. 48e, paragraph 3, items 1-7 of Civil Aviation Act with indication of the way of its possession or acquisition – ownership, contract or other document.
- 3) List of persons who will be appointed as management personnel responsible for the management and exploitation of the airport, including at least one person who will be responsible for the overall fulfilment of the concession contract.
- 4) CVs and documents certifying the education, qualification and professional experience of the persons included in the list under item 3.
- 5) A declaration containing list of the fulfilled, ongoing and/or assigned for fulfilment contracts for construction of airport infrastructure in the last 5 years.

When the fulfilment of criteria under items 6.1 and 6.2 is proved by capacity of third parties, including subcontractors, the participant shall present evidence that at fulfilment of the concession contract he will have at his disposal the resources of the third parties for the whole term of the concession.

7.3 The third party whose resources are used as evidence for the financial and economic status shall be jointly liable with the participant for the fulfilment of the concession contract.

VIII. CONDITIONS (MAIN REQUIREMENTS TOWARDS THE CONTENT) THAT SHALL BE FULFILLED BY THE OFFER, INCLUDING TECHNICAL SPECIFICATIONS

8. The offer of participants shall include three parts:

- 1) Application for participation in sample form, Annex No 7;
- 2) Offer/Proposal – Annex No 8;
- 3) Binding offer – Annex No 9.

8.1. The application for participation shall contain:

- 1) The procedure under which the offer is filed, and
- 2) Presentation of the participant that shall include:
 - a) Information about his legal organizational form;
 - b) The name/s of the manager/members of the management body of the participant and in case a legal entity is a member of the management body – of its representative in the respective management body;
 - c) Name, address/s, telephone number/s and e-mail/s, which shall be used for notification about decisions under art. 48, paragraph 1, items 2 and 3 of Concessions Act;
 - d) indication of the third persons with the capacity of which the participant will prove the fulfilment of criteria under item 6.1 and item 6.2 together with the information under indents “a” and “b” for each of them;
 - e) indication of subcontractors, when applicable, and the part of concession and the types of activities from the subject of concession that will be performed by each of the subcontractors together with the information under indents “a” and “b” for each of them.

8.2. The application for participation shall be accompanied by:

- 1) In cases when the participant have not indicated in the Application a Unified Identification Code (UIC) under art. 23, paragraph 1 of Commerce Register Act –
 - a) a certified copy of a document for current registration of the participant, or
 - b) A copy of the ID document, when the offer is filed by a physical person who is not a merchant;
- 2) A document for authorization – when the participant is represented by an authorized representative;
- 3) Declarations in sample form certifying the existence or lack of circumstances under art. 16, paragraphs 2 and 3 and paragraph 4, items 1-5 of Concessions Act, together with an information card indicating the competent bodies that control the professional activity of the Participant (in a sample form);
- 4) Documents certifying fulfilment of the applicable selection criteria under art. 26, paragraph 1 of Concessions Act, defined under the documentation for participation;
- 5) A decision of the competent body of the merchant for filing of an offer;
- 6) Statutes (Articles of Association) or a similar document in conformity to the legislation at the place of registration of the Participant;
- 7) A declaration filled by the participant that he does not participate in an association or as “related person” to another participant in an association or an independent participant in the procedure for granting of concession over “Civil airport for public use Sofia” (free format);
- 8) A declaration of commitment under Annex No 17 certifying that the minimum single concession payment is fully financed and the assured financing is binding and

unconditional, including indication of the sources of financing. The participant shall not include in the declaration a particular size that shows the particular proposal for a single concession payment.

9) A proper electronic carrier containing the application and the annexes to it in electronic format;

10) Inventory of the annexes to the application with indication of number of pages;

8.2.1 The application filed by an association, shall be accompanied by the following enclosed documents:

1) A copy of association agreement and when under such contract the person who represents the association is not indicated – a power of attorney certified by a notary indicating the representative power of this person;

2) A copy of a document for current registration of every participant in the association, for which UIC is not indicated;

3) The documents under items 8.2.3 and 8.2.4 – for every participant in the association.

8.2.2 When the Application for participation contains indication of using of subcontractors, the documents under item 8.2, item 3 shall be presented for each of the subcontractors selected towards the date of filing of the application.

8.3. The offer/proposal shall contain:

8.3.1. Elaborations relevant to the applicable criteria, which form the complex assessment of the offer defined under the notice and the documentation for participation;

8.3.2. Financial model including analysis of cash flows of concession;

8.3.3. Evidence that prove fulfilment of applicable criteria that form the complex assessment of the offer;

8.3.4. A declaration referring to the origin of funds under art. 4, paragraph 7 and under art. 6, paragraph 5, item 3 of Measures Against Money Laundering Act– Annex No 15;

8.3.5. A declaration on validity term of the offer – Annex No 16;

8.3.6. Other elaborations and information in fulfilment of the conditions specified under section XI of documentation for participation;

8.3.7. Electronic carrier containing the offer/proposal and annexes to it;

8.3.8. Inventory of the content of the offer/proposal with indication of the number of pages.

When the participant in the procedure is an association, which is not a legal entity, the declaration under item 8.3.5 shall be presented by every participant in the association.

8.4. The binding offer shall contain a summary of elaborations relevant to the applicable criteria, which form the complex assessment of the offer.

The binding offer shall be elaborated in a sample form – Annex No 9 and shall be certified on each page by the person who represents the participant.

In case of differences between the offer/proposal and the binding offer, the assessment of the offer shall be performed according to the data indicted in the binding offer.

The envelope with the binding offer shall contain also a proper carrier that contains the binding offer and the annexes to it, if any, in an electronic format.

8.5. The offer shall contain as a minimum elaborations relevant to the main criteria for assessment of the offers/proposals, defined under the decision of the

Council of Ministers on opening of procedure for granting of concession over Civil airport for public use Sofia in conformity to the following mandatory conditions:

8.5.1. Conformity to the conditions and requirements under Decision No 419 of the Council of Ministers dated 20.05.2016 and the present Documentation;

8.5.2 Conformity to the legislation in force in the Republic of Bulgaria and the applicable EU law;

8.5.3 The Commission by a motivated decision shall refuse to assess the offer of participant in the cases under art. 81 of the Regulation on the Implementation of the Concessions Act.

8.6 At drafting of the separate elaborations relevant to the main criteria for assessment of offers at least the following technical specifications and standards for management and exploitation of airports and ground service shall be considered:

8.6.1 Main legal requirements relevant to exploitation and ground servicing of the airport:

The participant to whom the concession is awarded shall be obliged to fulfil all requirements, including, but not only, those in the legislation and other documents described below with their future amendments and supplements:

1) Civil Aviation Act;

2) Ordinance No 14 of the Minister of Transport and Communications dated 15.10.2012 on airports and the airport assurance – standards for maintenance of fitness for exploitation of the airport;

3) Ordinance No 20 of the Minister of Transport dated 24.11.2006 on certifying the exploitation suitability of civil airports, airfields, systems and facilities for ground servicing, on licensing of airport operators and ground service operators and on the access to ground-handling market at the airports – rules for issuing of license for an airport operator, ground service operator and standards for exploitation of facilities and performance of activities relevant to the ground servicing of the aircrafts;

4) Ordinance No 3 dated 07.03.2012 on the meteorological servicing of civil aviation (promulgated in the State Gazette issue 25 dated 27.03.2012);

5) Ordinance No 3 of the Minister of Transport dated 25.05.2009 on emergency rescue assurance at civil airports (promulgated in the State Gazette issue 44 dated 12.06.2009);

6) Ordinance No RD-08-20 dated 14.01.1999 on collecting of statistical information about civil aviation in the Republic of Bulgaria issued by the Minister of Transport (promulgated in the State Gazette issue 8 dated 29.01.1999, amended and supplemented issue 1 dated 03.01.2006);

7) Ordinance on fees for using of airports for public use and ground aids in the Republic of Bulgaria adopted by a Decree of Council of Ministers No 280 dated 23.12.1998, promulgated in the State Gazette issue 2 dated 08.01.1999).

8) Annexes of ICAO:

Annex 9 - Streamlining of the airport formalities;

Annex 14 - Airports;

Annex 16 – Protection of environment;

Annex 17 - Security.

9) Documents of ICAO:

9.1 Doc. 9137 – Airport Services Manual: Part 1.

Rescue and Fire Fighting;

Part 2. Pavement Surface Conditions;

Part 3. Bird Strike Control and Reduction;

Part 4. Visual Aids;

Part 5. Removal of Disabled Aircraft;

Part 6. Control of Obstacles;

Part 7. Airport Emergency Planning;

Part 8. Airport Operational Services;

Part 9. Airport Technical Maintenance Practices.

9.2 Doc. 9157 – Aerodrome Design Manual: Part 1. Runways; Part 2. Taxiways, Apron and Holding Bays; Part 3. Pavements; Part 4. Visual Aids; Part 5. Electrical Systems.

9.3 Doc. 9184 – Airport Planning Manual: Part 1. Master Planning; Part 2. Land Use And Environmental Control; Part 3. Guidelines for Consultant/Construction Services.

9.4 Doc. 9332 - Manual on the ICAO Bird Strike Information System.

9.5 Doc. 9476 - Manual on Surface Movement Guidance and Control Systems.

9.6 Doc. 9830 - Advanced Surface Movement Guidance and Control Systems.

9.7 Doc. 9640 - Aircraft Ground De-icing/Anti-icing Operations.

9.8 Doc. 8973 – Manual on Defence of Civil Aviation from Acts of Unlawful Interference.

9.9 Cir. 205 - Recommended Method for Computing Noise Contours around Airports.

10) Other documents:

10.1 Doc. 30 of ECAC (European Civil Aviation Conference) Policy statement in the field of civil aviation security;

10.2 Regulation (EC) No 300/2008 of the European Parliament and of the Council dated 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002.

11) Recommended guidelines and practices:

Airport Development Reference Manual - IATA;

Airport Handling Manual - IATA.

12) All legal requirements - under laws and secondary legislation acts – relevant to the planning and construction at airports.

8.7. With regard to assessment of the economic reasoning and relation of proposals under separate criteria, the offer shall contain a financial model for the term of concession and pro-forma financial reports of the concessionaire.

8.7.1. The pro-forma statements shall be presented on a hard copy and an electronic copy in Microsoft Excel version 2000 or higher version without any hidden cells or formulae. The pro-forma statements shall include operative profit and loss accounts, balance sheet, cash flows and statements on the regulated part of the activities of the concessionaire. Pro-forma statements shall include also a text part with explanations of key assumptions used at elaboration of the forecasts together with their reasoning as well as assessment of risks relevant to the financial stability of the concessionaire and indications of sensitiveness of key assumptions towards different variable factors. The financial forecasts shall be presented in sufficient details, which to allow performance of thorough assessment of the individual components of the pro-forma financial statements.

8.7.2 All participants shall use the percentage of concession payment offered by them when elaborate the pro-forma financial statements.

8.7.3 Together with Excel-tables, the accompanying the analyses shall include brief explanation of the methodology under the following components:

1) Forecast for traffic;

- 2) Regulated revenues – from aviation activities;
- 3) Commercial aviation revenues – from ground servicing;
- 4) Additional commercial revenues;
- 5) Operative costs (separately for the regulated and commercial activities with separate accounting of the ground services);
- 6) Concession payments;
- 7) Costs for capital improvements, separately for the regulated and commercial activities with separate accounting of the ground services;
- 8) Costs for capital maintenance (such as capital repairs etc.) separately for the regulated and commercial activities with separate accounting of the ground services;
- 9) Financing and servicing of credits;
- 10) General assumptions envisaged under financial modelling (as inflation percentage, currency exchange rate, income tax rate).

8.7.4 With regard to assessment of the financial effect of the Investment Proposal on the users of the airport, the financial statements shall include also a table with the cost base of regulated activities, calculated as a result of the proposed improvements. When elaborate the pro-forma financial statements, all participants shall use the percentage of concession payment proposed by them. The sum of percentages of regulated return and of concession payment shall be equal to 20.6. The depreciation for the capital improvements mandatorily shall be envisaged by using of the straight line depreciation method.

8.7.5 The financial model shall be presented on a hard copy and an electronic copy in Microsoft Excel version 2000 or higher version without any hidden cells or formulae.

8.7.6 The financial model shall be for the term of concession and shall include indicators for effectiveness of the concession including rate of return and shall include also a text part with explanation of the forecast under types of passengers, cargoes, key assumptions, used at elaboration of the forecasts together with their reasoning, as well as assessment of risks relevant to the financial stability of the concessionaire and indications for the sensitiveness of the key assumptions towards different variable factors. The forecasts shall be presented in sufficient details that allow thorough assessment of individual components.

8.7.7 Separate financial model of regulated activities shall be presented with regard to proving of the proposed regulated return under item 6.17 of Decision No 419 of the Council of Ministers dated 20.05.2016.

8.7.8 Any conditions or reserves relevant to the filed proposals under the separate criteria or requirements towards the grantor of concession different from the conditions for performance of the concession and the obligation of the grantor of concession defined under Decision No 419 of the Council of Ministers dated 20.05.2016 are inadmissible.

8.7.9 Offers that contain conditions or reserves relevant to the filed proposals under the separate criteria are inadmissible or requirements towards the grantor of concession different from the conditions for performance of the concession and the obligation of the grantor of concession defined under Decision No 419 of the Council of Ministers dated 20.05.2016 on opening of procedure for granting of concession for service over the Civil Airport for Public Use Sofia shall not be reviewed and assessed.

IX. CRITERIA FOR COMPLEX ASSESSMENT OF OFFERS AND THEIR SPECIFIC GRAVITY

The criteria for complex assessment of the offers and their specific gravity are:

9.1. Size of the single and annual concession payment with specific gravity of 55 per cent and the proportion between the single and the annual payment in the framework of this criterion shall be 90:10.

9.2. Business proposal for operation of Sofia Airport with specific gravity of 25 per cent.

9.3. Investment program with proposed size of investments for the term of concession with specific gravity of 15 per cent.

9.4. Security measures at Sofia Airport with specific gravity of 5 per cent.

X. METHODOLOGY FOR ASSESSMENT OF OFFERS

10.1. General principles

10.1.1. After filing of the offers and in the cases under art. 48, paragraph 2, item 1 of Regulation on the Implementation of the Concessions Act after corrections of non-conformities and/or incompleteness and/or receiving of additional clarifications, the Commission shall assess the Offers.

10.1.2. The Offers of Participants shall be assessed on the basis of the proposal for concession payment (single and annual concession payment); business proposal for operation of Sofia Airport; investment program and security measures at Sofia Airport – each shall be assessed separately in proportion 55:25:15:5 in the way defined under the present section X.

Proposals/offers that do not conform to the criteria and/or the defined minimum values, terms and other requirements for the fulfilment of criteria, defined under Decision No 419 of the Council of Ministers dated 20.05.2016 on opening of procedure for granting of concession at ‘Civil airport for public use Sofia’ and the present Documentation shall not be reviewed and assessed by the Commission.

10.1.3. The Commission shall assess the proposals/offers of the Participants with regard to their conformity to the requirements under each of the criteria and/or subcriteria envisaged under the Documentation by application of a formula for assessment and according to expert assessments at a maximum score 100 (a hundred).

10.1.4. The assessments under the separate criteria and subcriteria shall be made up and presented up to the second figure after the decimal point.

10.1.5. The criteria or subcriteria that are assessed by means of expert assessment and not by application of a formula for assessment, shall be assessed in conformity to the following principles:

10.1.5.1. Maximum score envisaged for assessment of the proposal under a certain criterion or subcriterion shall be awarded to the Participant when the elaboration conform simultaneously to the following requirements:

- a) conform to the requirements towards the criterion or subcriterion envisaged under the Documentation for participation and under the applicable legislation;
- b) contain not only the minimum required measures and elements, but also other proposed by the participant, which exceed the minimum required elements and envisage the performance of all activities (mandatory and not mandatory), envisaged under a certain criterion or subcriterion and are in accordance with all instructions about the elaboration of the offer, described under Section XII “Instructions referring to elaboration of offers/proposals that fulfil the criteria for complex assessment of the offers”;
- c) contain clear and detailed description of the actions and measures, which will be realized by the Participant in fulfilment of the envisaged purposes, the activities and measures are supported by particular description and time schedule for their realization;
- d) contain description of relations and consistency of the separate activities and measures;
- e) there is mutual relation and consistency between the activities and measures, proposed under all criteria and subcriteria, subject of assessment;

10.1.5.2. The Participant shall receive 50 (fifty) of the maximum number of points envisaged for assessment of proposal under a certain criterion or subcriterion when the elaborations:

- a) conform to the requirements, envisaged under the Documentation for participation and under the applicable legislation;
- b) contain all mandatory minimum required measures and elements and envisage realization of all mandatory activities, envisaged under a certain criterion or its component and are in accordance with all mandatory instructions referring to elaboration of the offer under Section XI "Instructions referring to elaboration of offers/proposals that fulfil the criteria for complex assessment of the offers";
- c) contain detailed description of the activities and measures that will be realized by the Participant in fulfilment of the envisaged purposes;
- d) there is mutual relation and consistency between the activities and measures, proposed under all criteria and their components, subject of assessment;

10.1.5.3. The Participant shall receive 10 (ten) of the maximum number of points envisaged for assessment of proposal under a certain criterion or subcriterion when the elaborations:

- a) conform to the requirements, envisaged under the Documentation for participation and under the applicable legislation;
- b) contain all mandatory minimum required measures and elements and envisage realization of all mandatory activities, envisaged under a certain criterion or its component and are in accordance with all mandatory instructions referring to elaboration of the offer under Section XI "Instructions referring to elaboration of offers/proposals that fulfil the criteria for complex assessment of the offers";

„Clear" – shall be understood as relevant to unambiguous logical connections: consistent, well structured;

„Detailed" – shall be understood as thorough, exhaustive, circumstantial, elaborate and in details.

In case of equal proposals/offers under separate criteria the Commission may motivate equal marks for the respective proposal.

10.1.6. The Commission shall assess the proposals/offers of the participants with regard to their conformity to the requirements of the Documentation for participation under the criteria by means of application of formulae and by expert assessments. The Commission shall award the first place to the participant who received the biggest number of points.

10.1.7. In case only one participant is admitted, the following principles shall be observed:

10.1.7.1. The Commission shall review the offer with regard to its conformity to each of the criteria for assessment, included in the methodology for assessment of offers and with regard to fulfilment of all requirements for their certification under the present Documentation;

10.1.7.2. In case the Commission finds non-conformity to the requirements under the present Documentation it shall propose to the grantor of concession to terminate the procedure for granting of concession by virtue of art. 60, paragraph 1, item 2 of Concessions Act.

10.2. Assessment of proposals/offers of participants for single concession payment and annual concession payments.

10.2.1. The participant shall make a proposal referring to the size of single concession payment as an absolute sum, but not less than 550 million BGN without VAT or 660 million BGN with included VAT.

The proposals/offers of participants referring to subcriterion “size of single concession payment” shall be assessed by the following formula:

$$O = \frac{P}{M} \times 90, \text{ where}$$

O is assessment of the proposal for a single concession payment;

P is the size of the single concession payment proposed by the participant;

M is the highest proposed size of the single concession payment among all filed proposals.

The Commission shall assess the proposal by the higher proposed size among all filed proposals about the size of the single concession payment.

10.2.2. The participant shall make proposal for the size of the annual concession payment as percentage of the net revenues of the concessionaire for the respective year, defined in accordance with the offer of the participant, but not less than 7 per cent of the total size of the net revenues from all activities for the current year, which are related to the using of the object of concession.

The proposals/offers of the participants referring to subcriterion “size of annual concession payments” shall be assessed by the following formula:

$$A = \frac{X}{Y} \times 10, \text{ where}$$

“A” is the assessment of the proposal for the annual concession payments;

“X” is the size of percentage proposed by the participant.

“Y” is the highest size of percentage among all proposals filed.

The general assessment of the proposal under this criterion is equal to the sum of the two assessments of proposals of participants for a single concession payment and the annual concession payments $(A + O) \times 55\%$. The received total assessment under this criterion has specific gravity of 55%.

The participants shall elaborate their proposals for concession payments and investments in BGN. In case a participant has presented its proposals in a currency different

from BGN the Commission shall calculate the BGN equivalent by using the exchange rate of the respective currency towards BGN announced by the Bulgarian National Bank on the date of filing of the offer. In case the Bulgarian National Bank does not announce an exchange rate for the currency of the participant towards the Bulgarian lev, the equivalence in Bulgarian leva shall be calculated by using the exchange rate of the respective currency towards the Bulgarian lev for the respective date announced by OANDA Corporation - <http://www.oanda.com/currency/converter/>.

10.3. Assessment of the Business proposal for operation of Sofia Airport.

The assessment of the Business proposal of participants shall be performed by awarding of 100, 50 or 10 points according to the criteria described below:

The Commission shall perform expert assessment according to the following rules:

The Commission shall perform assessment of the business proposals for operation of Sofia Airport and shall objectify its expert assessment by comparing of the proposals of participants under each of the subcriteria under item 11.3 and by comparing of the proposals of every participant. In case of equal proposals under separate criteria the Commission shall motivate the equal assessments of the respective proposal.

10.3.1. The maximum score of 100 points shall be awarded to the offer/s that:

- a) conform to the requirement envisaged under item 11.3 of the present Documentation and under the applicable legislation;
- b) contain not only the minimum required measures and elements, but also other proposed by the participant, which exceed the minimum required elements and envisage the performance of all activities (mandatory and not mandatory), envisaged under the subcriteria under item 10.3 of the present Documentation and are in accordance with all instructions about the elaboration of the offer;
- c) contain clear and detailed description of the activities and measures that will be realized by the Participant in fulfilment of the envisaged purposes;
- d) contain description of relations and consistency of the separate activities and measures;
- e) there is mutual relation and consistency between the activities and measures, proposed under all subcriteria under item 10.3 of the present Documentation;

10.3.2. The Participant shall receive 50 (fifty) of the maximum number of points envisaged for assessment of business proposals when it:

- a) conforms to the requirements envisaged under item 10.3 of the Documentation for participation and under the applicable legislation;
- b) contains all mandatory minimum required measures and elements and envisages realization of all mandatory activities, envisaged under item 10.3 of the present Documentation and is in accordance with all mandatory instructions referring to elaboration of the offer under Section XII "Instructions referring to elaboration of offers/proposals that fulfil the criteria for complex assessment of the offers"
- c) contain description of the activities and measures that will be realized by the Participant in fulfilment of the envisaged purposes;
- d) there is mutual relation and consistency between the activities and measures, proposed under all subcriteria under item 10.3 of the present Documentation;

10.3.3. The Participant shall receive 10 (ten) of the maximum number of points envisaged for assessment of business proposals when it:

a) conforms to the requirements envisaged under item 10.3 of the Documentation for participation and under the applicable legislation;

b) contains all mandatory minimum required measures and elements and envisages realization of all mandatory activities, envisaged under item 10.3 of the present Documentation and is in accordance with all mandatory instructions referring to elaboration of the offer under Section XI “Instructions referring to elaboration of offers/proposals that fulfil the criteria for complex assessment of the offers”;

“Clear” – shall be understood as relevant to unambiguous logical connections: consistent, well structured;

“Detailed” – shall be understood as thorough, exhaustive, circumstantial, elaborate and in details.

The received number of points under this criterion shall have specific gravity of 25%.

10.4. Assessment of proposal of participants referring to the investment program. The total size of investments for the term of concession proposed by the Participant may not be less than 306 545 000 BGN and will be assessed by the following formula:

$$I = \frac{K}{L} \times 10, \text{ where}$$

“I” is the assessment of the proposal for the size of investments made by the respective participant;

“K” is the total size of the proposed investments by the respective participant for the term of concession and

“L” is the maximum proposed size of investments for the term of concession.

The received number of points under this criterion shall have specific gravity of 15%.

10.5 Assessment of security measures at Sofia Airport:

The security measures for non-admission of acts of unlawful interference in the civil aviation and the vision of the participant for creation of his own security structures shall be assessed in the following way:

The Commission shall assess the criterion “security measures at Sofia Airport” and shall and shall objectify its expert assessment by comparing of the proposals of participants under each of the subcriteria under item 11.4 of the present Documentation and by comparing of the proposals of every participant. In case of equal proposals under separate criteria the Commission shall motivate the equal assessments of the respective proposal.

10.5.1. The maximum score of 100 points shall be awarded to the offer/s that:

a) conform to the requirement envisaged under item 11.4 of the present Documentation and under the applicable legislation;

b) contain not only security measures and the minimum elements of the security program, but also other measures proposed by the participant and the way of their realization;

c) contain clear and detailed description of the envisaged purposes in relation to the security measures and program;

10.5.2. The Participant shall receive 50 (fifty) of the maximum number of points envisaged for assessment of security measures when they:

- a) conform to the requirement envisaged under item 11.4 of the present Documentation and under the applicable legislation;
- b) contain security measures and minimum elements of the security program;
- c) contain clear and detailed description of the envisaged purposes in relation to the security measures and program;

10.5.3. The Participant shall receive 10 (ten) of the maximum number of points envisaged for assessment of security measures when they:

- a) conform to the requirement envisaged under item 11.4 of the present Documentation and under the applicable legislation;
- b) contain security measures and minimum elements of the security program;

„Clear“ – shall be understood as relevant to unambiguous logical connections: consistent, well structured;

„Detailed“ – shall be understood as thorough, exhaustive, circumstantial, elaborate and in details.

The Commission on conducting of an open procedure is obliged to reason in details and to present motives for awarding of the respective score. The motives shall be particular and shall contain the reasons due to which the Commission finds that some of the circumstances under items 10.5.1, 10.5.2 and 10.5.3 exist.

The received score under this criterion shall be multiplied by 5%.

10.6. Complex assessment of proposals:

The Commission shall not review and assess the proposals, which do not conform to the requirements defined under Decision of the Council of Ministers No 419 dated 20.05.2016 and under the present Documentations.

The complex assessment of proposals of each participant shall be received by addition of the scores under each of the above four criteria with the respective specific gravity as follows:

Assessment criterion	Assessment (A)	Specific gravity of criterion (B)	Result (A x B)
1. Sizes of the single and the annual concession payments		55%	
2. Business proposal for Sofia Airport		25%	
3. Investment program		15%	
4) Security measures at Sofia Airport		5%	
Assessment of participant:		100%	

XI. INSTRUCTIONS REFERRING TO ELABORATION OF PROPOSALS THAT CONFORM TO THE CRITERIA FOR COMPLEX ASSESSMENT OF THE OFFER

11.1. Investment program of Sofia Airport:

1) The participant shall elaborate an Investment program for the airport, which shall include the overall scope, character and time frame of realization of investments in the airport infrastructure that are necessary for satisfaction of demand during the whole 35-year term of the concession and a description of the ways of financing. The investment program shall include, but shall not be limited to, proper and suitable measures that will assure the fulfilment of the obligation of the participant to whom the concession is awarded for the term of construction of new Terminal 1 at Sofia Airport until its putting into exploitation to provide to the air companies arriving and departing at terminal 1 equal opportunities for performance of their activities at the operating terminal 2.

2) The participant shall observe the requirements under art. 46, paragraphs 1 and 2 of Civil Aviation Act, namely that the coordination of the projects for expansion or reconstruction of civil airports and navigation facilities shall be preceded by:

- a) Existence of a master plan for development of the airport and
- b) Approved Detailed organizational plan and realization of procedures under the Environmental Protection Act, the Spatial Development Act, the State Property Act and the Municipal Property Act and also under other acts that could be relevant to the issued permission.

In this regard when defining the separate measures and terms for realization of the investment program the participant shall comply with the necessity of elaboration and entering into force of a new Master Plan and Detailed Organizational Plan or of addition/amendment of the existing Master Plan of Sofia Airport and the respective process time for this.

3) The terms for elaboration of a draft Master Plan, respectively Detailed Organizational Plan may not be longer than 1 year for the Master plan and 1 year for the Detailed Organizational Plan as from the date of entering into force of the concession contract.

4) The investment program shall be developed for the whole term of the concession under years and the size of investments may not be less than 306 545 000 BGN. In this regard the proposals shall be presented in BGN. The investment program shall contain proposals at least in the following directions:

c) Investments relevant to construction of a new passenger terminal 1 with seven arms for contact berths/stands and 5 passenger gates serviced by non-contact berths/stands with service capacity - 3 000 000 per year. This investment shall be performed and the new passenger terminal shall be put into exploitation not later than 5 years after the approval of the Detailed Organizational Plan.

- d) Investments related to the air field and improvement of the capacity of the runway;
- e) Investments related to assuring of lighting engineering system at the airport;
- f) Investments related to security and safety facilities, including:
 - Rehabilitation of the perimeter fence and the perimeter way by installation of electronic, signal and video facilities for establishing of offences;

- Changing of existing technique and modernization of IT devices – X-ray examination devices, analysis of forbidden substances devices, cameras and monitors for video surveillance;
- The specialized software and computers for procession of specialized information (including for face recognition).
- g) Investments related to facilities for fuels and lubricants terminal including:
 - Replacement of depreciated 4 covered fuel reservoirs with new ones, including construction of pipe internal connections for independent feeding of the separate tanks;
 - Construction of controlling and measuring system managing the whole storage facilities – entrance-exit of each of the 8 fuel tanks;
 - Realization of own power substation in the railway discharge lot and repair of adjacent track for acceptance of a train of 12 tank wagons;
 - Replacement and installation of new pumps;
 - Rehabilitation of the underground product pipe;
 - Construction of water extracting systems for each of the 8 fuel tanks;
- h) Investments related to improvement of the general engineering infrastructure.
- i) Investments related to new Flight Operation System (FOS) including the following modules:
 - Airport Connect CUTE - IP system for registration and servicing of passengers, tickets and luggage with independent “host” at Sofia Airport (SOF);
 - Public Address System (PAS) – audio professional system with automatic voice announcement ability and installed “notification server” covering all public and office areas in the terminal and the system shall be used not only for announcement of flights, but also in case of crisis or emergency situations; luggage system with installed functionality for “intelligent” separation of luggage and system for monitoring of transport and x-ray equipment and the processed luggage;
 - Display system for flight information (Flight Information Display System - FIDS);
 - Unified information transmission environment on the territory of the two terminals and the air field;
 - Permanent on-line connection of airports – data base with the European Union Airport Coordinators Association at the separate European Airports (European Union Airport Coordinators Association - EUACA); LOAD CONTROL system for calculation of load balance in the aircrafts according to their type.
- j) Investments in buildings in the public zone. Construction of parking lots is envisaged.
- k) Investments related to replacement of the existing machinery and facilities and modernization of technical devices.
- l) Investments related to systems and facilities for environmental protection. Subject of such investments may be:
 - Facilities and systems for decreasing of noise;
 - Sound and frequency facilities and systems for chasing out of birds and facilities for filtration and purification of waste waters.
- m) Construction of proof ground for practical training of emergency rescue and fire safety teams.
- 5) The participants may propose performance of additional investment related to other activities and directions according to their Business proposal for operation of the airport.

- 6) The investment program shall include description of:
 - A) Time frame of the proposed sub-stages of realization of the investment program;
 - B) Technical parameters of the project and effect on the site;
 - C) Estimation and sources of financing for the costs under major projects for each separate stage;
 - D) Reasoning including description of forecasts of traffic, capacity/demand analysis and analysis of peak hours as well as planning criteria;
 - E) Reasoning of the need of supplementing/amending of the master plan or adoption of a new master plan, respectively if necessary – amendment of the detailed organizational plan of the airport with regard to the realization of the proposed investment program;
 - F) Reasoning of investments that assure the maintenance of availability of the object of concession for the whole term of concession under the following categories of the airport: airport category- „E“; category of emergency rescue and fire safety assurance – IX; level of passenger service – “C”.
- 7) The investment program shall contain complete and detailed information about designing and partial construction works related to assuring of aviation and non-aviation infrastructure and about delivery of equipment, installation and putting into exploitation.
- 8) The terms of sub-stages under the investment program shall be in compliance with the legally defined process terms under the Spatial Development Act, Environmental Protection Act, Civil Aviation Act and under secondary legislation acts relevant to their application.
- 9) The investment program shall describe how the Participant proposes to integrate the separate stages of development in a complete long-term strategy for development of the airport.
- 10) The Participant may present a plan in scale not less than 1:5000 that contains block-schemes of the situation and the approximate size/area of all facilities and buildings, which will be situated within the borderlines of the Airport. This plan shall illustrate the scope of development of the runway, taxiways and the apron. The investment program shall clearly outline the stages of development of the airport together with their graphical presentation.
- 11) The investment program shall be elaborated in sufficient details so that it shall give opportunity for defining to what extent the Proposal of the Participant will be able to meet the level of traffic, servicing and other requirements proposed by him. Furthermore, the Participant shall demonstrate this by filling of a binding form for the planned purpose indicators and the expected passenger flows to a large extent in the form, envisaged under Annex No 19.
- 12) The Participant shall present an estimation of his capital expenditures and plan for financing.
- 13) The estimation of capital expenditures for the Investment program shall include all necessary payments related to the planning and designing of the proposed projects. The value of capital expenditures shall be calculated at prices valid for 2016 in BGN with additional breakdowns as follows:
 - Expenditures under categories with regard to regulatory activities and to non-regulated activities;
 - For each of the above categories a breakdown shall be presented for the year, in which the expenditures are expected to be spent.
- 14) With regard to the financing of the investment program the participant is required to present in details the proposed sources of financing of the project. It is accepted that the

financing is not possible to be completely and unconditionally assured at the stage of filing of offers. With regard to the procedure for granting of concession the participant is required to present the possible number of evidence that prove the fact that his offer is structured in a way, which make possible fast and unimpeded assuring of the necessary capital investments and the using of most effective sources of capital so that the financial effect on the users of the airport would be minimized. The participant shall point out:

- Description of eventual sources of financing (such as own capital, loans from shareholders and external credits);
- Indication for availability of funds and support of credit and financial institutions with outlined main parameters – for example interest rates, payment of principal, main commitments, requirements toward reserve, default clauses, guarantee etc.

11.2. Size of the single and annual concession payment

The proposal for payment shall be duly included in the Form envisaged under Annex No 9. The figures stated in the Proposal for payment shall be indicated in figures and in words. In case of discrepancy between the sum indicated in figures and the one indicated in words, the latter shall be considered as the valid sum. The inclusion of conditions or reserves relevant to the Proposal for payment is not admitted. The proposal for single concession payment shall be presented in BGN.

11.3. Business proposal for operation of Sofia Airport

The business proposal shall contain detailed description how the participants will manage and operate Sofia Airport. Where appropriate, the participants may, at their own discretion, demonstrate their experience in each field by means of examples from other projects. The business proposal shall contain the following elements relevant to the management and operation of Sofia Airport for the whole term of concession:

11.3.1. Social program, which shall include at least the following elements:

- 1 Description of labour relations with the personnel, which the Participant intends to establish during the term of concession. Particular plans about the full time and part time personnel shall be outlined;
- 2 Description of particular proposals (measures) for improvement of conditions of labour of the persons employed at the airport;
- 3 Description of methods, procedures and means, by which the Participant intends to realize transfer of knowledge and skills related to application of the best international practices at management and operation of the Airport. This program shall contain particular proposals for training and increasing of qualification of personnel and managers of the Airport;
- 4 Assurance and provision of services to clients, which contribute to the normal functioning of airport facilities and are incidental to a well-functioning modern airport, namely, but not limited to: Assurance of proper facilities for servicing of disabled persons and for assurance of access to the airport to disabled persons and people with difficulties to move;

11.3.2. Commercial program, which shall include at least, but not only, the following elements:

- 1 Description of shops for retail trading, duty free shops, restaurants and food and drink shops, which will be opened at the Airport and maintenance of adequate prices of products offered in the commercial sites at the airport. Detailed breakdowns referring to average value of the sum spent by one passenger at the airport shall be presented for these

sites and to the commercial conditions under which these types of businesses will operate in the form of pro-forma tables for forecast non-aviation revenues;

- 2 Assurance of opportunity for using of rent-a-car services from and to the airport;
- 3 Assurance of different and accessible shops for different kinds of goods at the terminal and of proper restaurants;
- 4 Maintenance of adequate prices for the offered products in the commercial sites at the airport (restaurants, shops etc.);
- 5 Assurance of parking lots, bus stops, rent-a-car and taxis convenient for passengers;
- 6 Maintenance of areas around the terminal, the bus stops, taxi stands and rent-a-car desks;
- 7 Assurance of sufficient number of luggage trolleys for the passengers at the airport;
- 8 Assurance of convenience for the people waiting at the airport terminal, including, but not only convenient and sufficient number of places for sitting and waiting of arriving or departing flights, cleanness of terminal, toilet rooms in and around the terminal;
- 9 Assurance of internet connection with very good quality on the whole territory of terminal;
- 10 Placement of sign boards on proper places aimed at facilitation of visitors and passenger of the terminal.
- 11 Description how the ground service activities will be performed during the term of concession in conformity to the Bulgarian legislation and the principles of IATA together with pro-forma profit and loss accounts, in which the accounts for commercial activities and for activities of airport administration are clearly defined and which show how the principle “cost plus” shall be applied at defining of prices of services;
- 12 Description of other sources of commercial revenues, including from exploitation and development of the airport and proposals for renting of areas/premises and other revenues;
- 13 A marketing plan for development of the traffic of the airport with realizable steps, contacts, which shall be made, expected costs and results.

11.3.3. Program for management and maintenance, which shall include at least, but not only, the following elements:

- 1 The approach that the participant shall apply towards the operative activity of the airport and a plan for improvement of indicators referring to operative costs and quality of service. This shall also include a list particular activities with time schedule, by which the participant intends to improve the operative activity;
- 2 Description of the system, by which it is guaranteed that the envisaged purposes referring to improvement of quality of work will be reached. The system shall include measuring units of quality, which are binding to the participant and by means of which the activity of the concessionaire relevant to the exploitation of the airport and which shall be coordinated with GD “Civil Aviation Administration” and the Ministry of Transport, Information Technologies and Communications. This plan shall include binding list of indicators and envisaged purposes, which shall to a large extent conform to the form, envisaged under Annex No 18. A plan for collecting and reporting of the reached indicators shall be included in the above described plan;
- 3 Description of the system, by which it is guaranteed that the equipment and facilities at the airport are duly maintained or changed in conformity to the best practices in the sector and the useful life of the equipment and facilities.

11.3.4. Ecologic program, which shall include at least, but not only, the following elements:

1 Program, which guarantees minimizing of the negative effect on the environment caused by the exploitation of the airport, under separate components that include noise, surface waters, leaking of fuel and greasing materials etc. and the respective measures for minimization of the negative consequences;

2 Description of the approach for improvement of the system for collection and processing of waste and the systems for dismantling;

3 Description of the approach for improvement of water sewerage and drains systems;

4 Description of the approach of concessionaire toward the work with local communities, including particular programs for work with the local interested participants and the communities affected by the airport activities.

11.3.5. Organizational and management program, which shall include at least, but not only, the following elements:

- detailed description of the organizational structure and personnel, which will be responsible for the management of the airport during the term of concession. It shall include detailed organizational scheme and description of responsibilities of key positions and how the concessionaire-company will be structured and managed, with a breakdown of the management structure, where appropriate under regulated aviation activities, commercial services and ground servicing. Detailed CVs of persons who are envisaged to occupy the key positions shall be enclosed.

- description of the proposed organization for project and construction works and how this organization will be integrated in the overall organizational structure;

- proposal for relation between the concessionaire and the state authorities that are responsible for activities on the territory of the airport or related to the airport, with particular attention to Air Traffic Services, ground control, police activities and reaction in emergency situations.

11.3.6. Transition plan, which shall include time schedule, operative plan with description of particular steps and main events in the transition period between the signing of concession contract and the moment of taking of full operative control and responsibility over the airport. The plan shall include at least the following elements:

- management and transfer of personnel: the participant shall present his plan with regard to the present employees of the airport, whose labour relations with the current airport operator will be transformed into labour relations with the concessionaire. The transition plan shall include detailed plan for the personnel and description of the way the participant will organize the transferring of responsibilities and activities from the current management to the concessionaire.

- transferring of administration and fulfilment of contracts and other agreements relevant to the exploitation and performance of activities at the airport;

- elaboration of Guidelines for management and exploitation of the airport in conformity to the normative requirements;

- ability to fulfil the requirements relevant to receiving from GD "Civil Aviation Administration" licenses for airport operator and ground service operator;

- acquiring and transferring of assets, respectively assuming of obligations, where applicable (as envisaged in details under the concession contract);

- public relations strategy.

11.4. Security measures at Sofia Airport:

The participants shall present the minimum measures, which will assure the physical and information security at Sofia Airport and a security program aimed at non-admission of acts of unlawful interference in civil aviation.

The security measures shall be elaborated in conformity to the legislation in force and the National Program on Quality Control in the Field of Civil Aviation Security.

The security measures shall contain also the vision of the participant for creation of his own structures, which shall be reflected under the concept for elaboration of a master plan of Sofia Airport. The security measures shall contain the methods and procedures that shall be performed by the airport operator in order to fulfil the requirements of Regulation (EC) No 300/2008 of the European Parliament and of the Council dated 11 March 2008 on common rules in the field of civil aviation security, the requirements of the national legislation in the field of security and of the National Civil Aviation Security Program.

The security measures shall contain provisions for internal quality control, which shall define the ways of control of application of these methods and procedures by the airport operator.

The airport security measures of Sofia Airport shall contain minimum the following main components:

1. Description of the security organization at the airport, but not only:
 - Physical characteristics of the airport and other sites related to it;
 - Access control;
 - Checking of persons who are not passengers and of carried objects;
 - Checking of vehicles;
 - Surveillance, patrol and other types of physical control;
 - Forbidden objects.
2. Security related to demarked zones and derogations;
3. Assurance of security of the aircrafts;
4. Security with regard to passengers and hand/cabin luggage;
5. Security related to registered luggage;
6. Security related to cargo and post and to materials and post of air carriers;
7. Security related to goods intended for flights;
8. Security related to goods intended for the airport;
9. Increased security measures;
10. Training on security of airport personnel issues;
11. Assurance of equipment related to security.
12. International and national normative acts in the field of civil aviation security, obligations and responsibilities in the field of civil aviation security and competent bodies

XII. INSTRUCTIONS REFERRING TO FORMAL REQUIREMENTS FOR ELABORATION AND CONTENT OF PARTICIPANT'S OFFER

12.1. Instructions for filing of offer:

12.1.1. The offer shall be filed in a sealed non-transparent envelope or a box with inscription "Offer". The following shall be indicated on the envelope/box: the procedure under which the offer is filed, the name of the participant and correspondence address, telephone number, fax number and e-mail address. Three separate non-transparent envelopes shall be put in the envelope/box, on each of these separate envelopes the name of the participant shall be indicated with inscription respectively:

- „Application for participation”;
- „Proposal”;
- „Binding offer”.

12.1.2. When the content of the application or the proposal is of significant size, they may be filed in one or more additional envelopes, respectively in one or more boxes, enclosed to the envelope/box with the offer. The additional envelopes/boxes shall be inscribed "Application for participation", respectively "Proposal" and the fact that this is a sequel shall be indicated with the respective consecutive number, the procedure under which the offer is filed and the name of the participant shall also be indicated.

12.1.3. The offer shall be filed on a hard copy in two copies in conformity to the instructions, described under the documentation for participation and the envelopes/boxes with the originals of the application for participation, the proposal and the binding offer shall also contain their records in electronic format on an appropriate carrier.

12.1.4. The content of the offer shall be in Bulgarian language.

12.1.5. The enclosed documents shall be presented in the language in which they were issued together with an official translation in Bulgarian language.

12.1.6. Official translation shall mean such translation, which is performed by a translator who has signed a contract with the Ministry of Foreign Affairs for performance of official translations.

12.1.7. The offer together with the enclosures to it shall be filed on the place and in the deadline defined in the notice.

12.1.8. The serial number, date and time of receiving shall be indicated on each of the envelopes and each of the boxes and they shall be registered in the incoming documents register of the Commission in the order of receiving. The bearer shall receive a certificate for recording in the register in the form envisaged under Annex No 21 of the present Documentation.

12.2. Instructions for the application:

12.2.1. The Application for participation in the procedure, hereinafter called “The Application”, shall be placed in a separate sealed envelope (box) that shall be attached to the envelope (box) containing the offer. When the content of the application or the proposal is of significant size, they may be filed in one or more additional envelopes, respectively in one or more boxes, enclosed to the envelope/box with the offer. The additional envelopes/boxes shall be inscribed “Application for participation”, and the fact that this is a sequel shall be indicated with the respective consecutive number, the procedure under which the offer is filed and the name of the participant shall also be indicated;

12.2.2. The Application shall be drafted in Bulgarian language and shall be signed by a person with powers to represent the Participant;

12.2.3. The Application shall be presented in two copies on a hard copy with consecutively numbered pages including the enclosures to it and each page shall be signed by the person who signed the application.

The copies of the Application shall be clearly marked as First copy and Second copy:

- the first copy shall contain: original of the application and originals or notarized copies of documents, when such are required according to the Documentation;

- the second copy shall contain: original of the application and originals or copies of documents containing in the first copy.

In case of non-conformities between the content of the two copies and enclosures to them and of the indicated number of pages that they contain, the Commission shall accept for review the first copy of the application.

12.2.4. The enclosed documents shall be presented in the language in which they were issued together with an official translation in Bulgarian language;

12.2.5. Official translation shall mean such translation that conforms to the requirements under item 12.1.6.;

12.2.6. The application for participation shall be filled in conformity to the sample form envisaged under Annex No 7.

12.3. Instructions for the proposal:

12.3.1. The proposal of participants shall be elaborated in the sample form envisaged under Annex No 8 and shall contain:

12.3.1.1. Elaborations relevant to the applicable criteria that form the complex assessment of the offer, described under Section XI of Documentation;

12.3.1.2. Financial model, including analysis of cash flows of concession – on a hard copy and on electronic carrier;

12.3.1.3. Evidence for fulfilment of the applicable criteria that form the complex assessment of the offer;

12.3.1.4. Inventory of the content of the proposal, including the enclosures to it;

12.3.1.5. A declaration for origin of funds under art. 4, paragraph 7 and art. 6, paragraph 5, item 3 of the Measures against Money Laundering Act– Annex No 15;

12.3.1.6. A declaration for validity term of the offer – Annex No 16;

12.3.1.7. Other information;

12.3.1.8 Number of pages of the proposal and the enclosed tables, schemes etc. and of all enclosures to it;

12.3.1.9. An electronic carrier on which the proposal and enclosures to it are recorded.

12.4. Other instructions for elaboration of the offer and enclosures to it:

12.4.1. In case of differences between the proposal and the binding offer, the assessment of the offer shall be performed on the basis of the data stated in the binding offer;

12.4.2. Presentation of versions of the offer is inadmissible;

12.4.3. The offer together with the enclosures to it shall be filed on a hard copy in two copies, signed by a person with representative powers and in electronic format on a proper carrier – in two copies.

The copies of the offer shall be clearly marked as First copy and Second copy:

- the first copy shall contain: original of the offer and originals or notarized copies of documents, when such are required according to the Documentation;

- the second copy shall contain: original of the offer and originals or copies of documents containing in the first copy.

In case of non-conformities between the content of the two copies and enclosures to them and of the indicated number of pages that they contain, the Commission shall accept for review the first copy of the offer.

12.4.4. Both copies of the offer together with all enclosures to it shall be presented with consecutively numbered pages and each page shall be signed by the person who signed the offer;

12.4.5. The content of the offer shall be in Bulgarian language;

12.4.6. The enclosed documents shall be presented in the language in which they were issued together with an official translation in Bulgarian language;

12.4.7. Official translation shall mean such translation that conforms to the requirements under item 12.1.6.;

12.5. Instructions for presenting of additional clarifications and documents to the filed offers.

After filing of the offers, the Commission may require clarifications or additional information relevant to the conducting of procedure and to the technical specifications or available additional documents that do not represent classified information, all such additional clarifications and documents shall be filed in a sealed envelope or a box in the term fixed by the Commission at the Ministry of Transport, Information Technologies and Communication, room 1007/1011 by the contact persons pointed in the Concession Notice.

The only thing indicated on each of the envelopes and boxes shall be: “Clarification relevant to offer”, the procedure to which it refers and correspondence address, telephone number, fax number and e-mail address.

XIII ESTIMATED VALUE OF CONCESSION AND METHOD FOR ITS CALCULATION

According to art. 8, paragraph 3 of Directive 2014/23/EC of the European Parliament and the Council dated 26 February 2014 on the award of concession contracts: *“The estimated value of the concession shall be calculated using an objective method specified in the concession documents. When calculating the estimated value of the concession, contracting authorities and contracting entities shall, where applicable, take into account in particular:*

- a) the value of any form of option and any extension of the duration of the concession;*
- b) revenue from the payment of fees and fines by the users of the works or services other than those collected on behalf of the contracting authority or contracting entity;*
- c) payments or any financial advantage in any form whatsoever made by the contracting authority or contracting entity or any other public authority to the concessionaire, including compensation for compliance with a public service obligation and public investment subsidies;*
- d) the value of grants or any other financial advantages, in any form, from third parties for the performance of the concession;*
- e) revenue from sales of any assets which are part of the concession;*
- f) the value of all the supplies and services that are made available to the concessionaire by the contracting authorities or contracting entities, provided that they are necessary for executing the works or providing the services;*
- g) any prizes or payments to candidates or tenderers.”*

Methodology for calculation of the estimated value of concession:

1. Vertical structure analysis of revenues of Sofia Airport for 3 (three) preceding years is performed.
2. Conservative trend of increasing in the following 35 (thirty five) years is defined for each revenue.
3. Summarizing table of revenues under items/allocations is elaborated, the received total size of revenues is discounted with regard to the true and correct presentation of the money in time.

The estimated value of concession for civil airport for public use Sofia is calculated as the total turnover of the concessionaire (without VAT) at exploitation of the object of concession, received as sum of all revenues from exploitation of services, which are subject to this procedure with consideration of the following assumptions:

- Term of concession – 35 years:
- The participant to whom the concession is awarded will receive the right to collect all airport fees, revenues from ground service activities, which he performs and the revenues from performance of economic activities at the object of concession.
- The forecast revenues that the concessionaire will receive from collection of airport fees, revenues from ground service activities and revenues from performance of economic activities are calculated as follows:

Indicator, source of income	Value of concession in thousand BGN
1. Forecast revenues from collecting of airport fees in size including the revenues of the future concessionaire from:	1 526 624
- revenues from landing fee	
- revenues from passenger fee	
- revenues from parking fee	
- revenues from arm	
- revenues from security fee including: revenues from security fee – passengers and revenues from security fee Aircrafts	
- revenues from noise fee	
2. Forecast revenues from sales in size including the revenues of the future concessionaire from:	1 149 252
- ground service	
- duty free and community trade	
- rent and advertising	
- transportation, keeping, fuelling of aircrafts, sale of fuel and defrost	
- cargo and spedition activities	
- service at VIP Terminal	
- parking lots	
- servicing of unassisted passengers /PRM/	
- cute fee	
- sale of airplane tickets	
- business halls	
- other commercial activities	
TOTAL	2 675 876

The average weighted value of capital is accepted as a proper norm of discounting and minimum level of return of concession. The analysis shows average weighted value of capital in the size of 5.1%.

The total calculated estimated value of concession is in the size of 2 675 876 thousand BGN.

The estimated value of concession is calculated without deduction of forecast costs, which the concessionaire will perform in the course of exploitation and management of the object of concession.

XIV. ANNEXES AND SAMPLES OF DOCUMENTS

1. Decision No 419 of the Council of Ministers dated 20.05.2016 on opening of procedure for granting of concession for service over Civil airport for public use Sofia.

2. Notice No № 2016/S 105-187282 of concession published in the Official Journal of the European Union, on the web site of National Concession Register under № A-000796 dated 02.06.2016 and promulgated in the State Gazette, issue № 2 dated 02.06.2016.

3. Documents that certify the ownership right of the state over the object of concession described under item 1.1 of the present Documentation or certifying other circumstances relevant to the object of concession:

3.1. Public State Property Deeds – 42 pieces;

3.2. Sketches – 44 pieces;

3.3. Order № 0X-882/04.12.2000 and Order № ПД-08-902/04.12.2000 of the Minister of Defence and the Minister of Transport for joint using of the real estate;

3.4. Coordinates of border points of apron VIP 1, the apron of 28th Air Detachment and area of kennel for police dogs of the Ministry of Interior;

3.5. Permission for use № 09-05-391/22.04.2009 for noise-proof screen facility;

3.6. Decision № 662 of the Council of Ministers dated 06.08.2012 and Annex No 1 to it containing real estates and things public state property, representing buildings, facilities and systems of ground aids (lights and technical assurance) located on the territory of Sofia Airport;

3.7. facilities public state property located in the object of concession;

3.8. excerpt of the inventory book of GD “CAA” referring to assets public state property located in the object of concession;

3.9. ownership documents relevant to sites - public state property, assigned for management to State Enterprise "Air Traffic Control" – Sofia, located on the concession territory, which are not part of the object of concession. Decision No 475/2006 of the Council of Ministers;

3.10. list of sites – private property, located on the concession territory;

3.11. Permission for use as follows:

- Permission for use № CT-12-856/20.11.2006;

- Permission for use № CT-12- 591/25.08.2006;

- Permission for use № CT-12-855/20.11.2006;

- Permission for use № CT-12-826/20.09.2007;

- Permission for use № CT-12- 203/14.03.2008;

- Permission for use № 522/23.11.2000;

- Permission for use № CT-12-822/20.09.2007;

- Permission for use № CT-12-1188/17.11.2008;

- Permission for use № CT-05-391/22.04.2009;

- Permission for use № CT-12-1360 от 22.12.2008;

- Permission for use № CT-05-1824 от 14.10.2013;

4. Inventory of assets owned by “Sofia Airport” EAD, which the participant to whom the concession is awarded may buy or rent,;

5. Sample form of certificate for recording in the incoming documents register of the filed applications and offers;

6. Certificate for right of representatives of participant to inspect the object of concession;
7. Sample form of application for participation;
8. Sample form of proposal;
9. Sample form of binding offer;
10. Sample form of declaration for lack of circumstances under art. 16, paragraph 2, items 1, 2 and 5 of Concessions Act;
11. Sample form of declaration for lack of circumstances under art. 16, paragraph 2, items 3 and 4 of Concessions Act;
12. Sample form of declaration for lack of circumstances under art. 16, paragraph 3 of Concessions Act;
13. Sample form of declaration for lack of circumstances under art. 16, paragraph 4 of Concessions Act;
14. Form of information card indicating the authorities competent to control the professional activity of Participants;
15. Declaration for origin of funds for realization of concession under art. 4, paragraph 7 and art. 6, paragraph 5, item 3 of the Measures against Money Laundering Act;
16. Sample form of declaration for validity term of the offer;
17. Declaration about the sources of financing of the minimum single concession payment.
18. Sample form of inspection of the quality of operations during the term of concession;
19. Form for planned purpose indicators and expected traffic flows;
20. Draft of concession contract;

Annex № 5
Sample form

CERTIFICATE
FOR
RECORDING IN THE INCOMING DOCUMENTS REGISTER
of

Commission by virtue of Order № P-/ year
Of the Prime Minister of Republic of Bulgaria referring to conducting of procedure for
granting of concession for service over “Civil airport for public use Sofia”

The present certificate is issued to [*names of person*], PIN [...], ID document № [...], issued on [...], by [...], living in the city of [...], address [...], telephone/fax number for contacts [...], e-mail: [...], in his/her capacity as representative of [*name of participant*],

In order to certify that the same has filed an Offer in an open procedure for granting of concession for service over “Civil airport for public use Sofia” as follows:

Registration number

Date and time of filing:.....

Form of delivered documents

This document shall be issued in two copies: one for the person who filed the Offer and one for the Ministry of Transport, Information Technologies and Communications

Official:

Name and surname:	
Signature:	

Person who filed the Offer¹:

Name and surname:	
Signature:	

¹ Only on the copy of MTITC.

Annex № 6
Sample form

CERTIFICATE FOR RIGHT TO MAKE AN INSPECTION

Of Civil airport for public use Sofia.

On this day 2016 the present certificate is issued to:

.....
.....

In order to certify that the same has the right to perform inspection of the airport.

The following members of the team of the participant shall have the right to take part in the inspection:

- 1).....
...
- 2).....
...
- 3).....
...
- 4).....
...
- 5).....
...

The inspection shall be performed from to h on 2016

The authorized representatives of “Sofia Airport” EAD are obliged to render assistance to the team of the person while performing the inspection.

During the inspection the person and his team may not request and may not receive copies of documents relevant to the object of concession.

Official:

(.....)

Official:

(.....)

Annex № 7

Sample form

TO

THE CHAIRPERSON OF THE COMMISSION

On conducting of procedure for granting of concession for service over Civil airport for public use Sofia

A P P L I C A T I O N

for performance of an open procedure for granting of concession over Civil airport for public use Sofia

FROM

*[name of Participant]*²

Represented by: *[full names and capacity of the representative/s of Participant who sign the Application]*³

DEAR SIRS AND MADAMS,

By the present application we would like to declare our will to participate in the opened procedure for granting of concession at Civil Airport for Public Use Sofia.

I. Presentation of Participant:

I.1. Herein we present the following information about the Participant:

Table No 1

1	Name:	[...]
2	Legal organizational form:	<i>[association, type of merchant, type of commercial company, other]</i>
3	Address:	<i>[state, city, street, No, other]</i>
4	Contact and notification data:	<i>[address, telephone number, fax number, e-mail]</i>
5	Contact person:	

² Here and everywhere else the text in the brackets shall be filled in by the Participant.

³ When the participant is represented by more than one person the data in the brackets shall be filled in for each of the representatives.

6	Management and representation – according to the current registration of Participant:	<i>[full names and capacity of persons who represent the participant⁴]</i>
7	Way of representation:	<i>[jointly, severally]⁵</i>
8	Persons/s duly authorized to bind and represent the Participant in the procedure	<i>[full names and capacity of the person, contact and notification data if different from those on line 4]</i>
9	Identification information:	<i>[UIC/PIN/BULSTAT]</i>
10	Other identification information	<i>[according to the legislation of the state in which the Participant is established]</i>
11	Identification Number under the VAT Act:	<i>[...]</i>
12	Bank account details:	<i>[servicing bank, IBAN, BIC, holder of account, other if applicable]</i>
13	Participants in the association:	<i>[listed when applicable]</i>

14 Structure and participation in the capital, the nominal holders of share/s of capital and/or holders of contractual rights that give voting right or assure any other way for controlling of Participant are as follows:

[the relevant information shall be presented]

15 The main fields of activity of the Participant are:

[the relevant fields of activity be presented]

I.2 We present the following information about every participant in the association⁶:

Table № 1a

	Name:	<i>[...]</i>
2.	Legal organizational form:	<i>[association, type of merchant, type of</i>

⁴ When a legal entity is a member of the management body, the data of its representative in the respective management body shall be indicated.

⁵Filled in when applicable, the true circumstances shall be left.

⁶Filled in when applicable, for each of the participants in the association the data from Table No 1a shall be filled in and the tables shall be numbered respectively 1a, 1b etc.

		<i>commercial company, other]</i>
3.	Address:	<i>[state, city, street, No, other]</i>
4.	Contact data::	<i>[address, telephone number, fax number, e-mail]</i>
5.	Management and representation – according to the current registration	<i>[full names and capacity of persons who represent the participant in the association]</i>
6.	Way of representation:	<i>[jointly, severally]⁷</i>
7.	Identification information:	<i>[UIC/PIN/BULSTAT]</i>
8.	Other identification information	<i>[according to the legislation of the state in which the participant in the association is established]</i>
9.	Identification Number under the VAT Act:	<i>[...]</i>

10. Structure and participation in the capital, the nominal holders of share/s of capital and/or holders of contractual rights that give voting right or assure any other way for controlling of every participant in the association are as follows:

[the relevant information shall be presented]

11. The distribution of shares between the participants in the association is as follows:

[the distribution shall be indicated]

II.1. We have reviewed the documentation for participation and we are acquainted with the instructions and conditions for participation in the announced procedure for granting of concession at Civil Airport for Public Use Sofia.

II.2. We agree with the required conditions and we accept them without any objections.

II.3. The whole information presented in and/or in relation to the Application is true, accurate and complete and gives the right to the Commission or to persons authorized by it to verify its truthfulness, accuracy and completeness by all means

II.4. In the course of procedure we will inform the Commission about all changes in the circumstances under art. 16, paragraphs 2-4 of Concessions Act in term of 7 (seven) days as from the moment of their occurrence.

II.5. In fulfilment of the concession contract *[we will/we will not use]*⁸ subcontractors.

⁷Filled in when applicable, the true circumstances shall be left.

II.6. The subcontractors envisaged towards the date of filing of the present application, types of works that will be performed and the share of concession are described in Table No 2⁹:

Table № 2

№	Subcontractor (name)	Type of works performed by the subcontractor (types of works shall be indentified)	Percentage share of the value of concession (the share of every subcontractor shall be indentified)
1			

II.4.1. The information about the representation of subcontractors¹⁰, is presented in Table No 2a:

Table № 2a

№	Subcontractor (the company name/name and addresses of the subcontractors, UIC/PIN/other identification information)	Legal organizational form: (type of merchant, type of commercial company, other)	Management and representation – according to the current registration (full names and capacity of persons who represent the subcontractor)
1.			

II.7. We conform to the requirements and conditions envisaged in the documentation for participation in the procedure as follows:

II.7.1. We conform to the criteria for personal status envisaged in the Notice and none of the circumstances under art. 16, paragraph 2-4 of Concessions Act do not exist with regard to us, for which herein we enclose the required documents.

⁸The applicable statement shall be left.

⁹Table № 2 shall be filled in if under item II.5 it is stated that subcontractors will be used. Here and everywhere else in the Application the necessary number of additional rows shall be added in the tables.

¹⁰ Table 2a shall not be filled in by subcontractors – physical persons.

II.7.2. We conform to the criteria for economic and financial status envisaged in the Notice, for which herein we enclose the required documents.

II.7.3. We conform to the criteria for technical and professional capacity envisaged in the Notice, for which herein we enclose the required documents that certify the following:

1) Under item 6.2.1 of Documentation for participation: We have experience during the last 5 (five) years as an airport operator in activities relevant to management and exploitation of international airports (experience of the participant in activities relevant to management and exploitation of at least one international airport with passenger flow exceeding 6 million passengers per year is required), as stated in Table No 3:

Table № 3

№	Activity	Term of performance of activity (starting date – end date)	International Airport	Passenger Flow (for each year between the starting and the end date indicated in column 3)	Performer of activity / capacity in the procedure (name/participant, member of association, subcontractor, other third party)	Grounds for performing of activity (license, certificate, contract or other according to the national legislation of the participant)	Information about the document indicated in column 7 (No and date of issue/signing, issuing/signing authority, other)
(1)	(2)	(3)	(4)	(5)	(6)		
1.							

2) Under item 6.2.2 of Documentation for participation: We have technical equipment necessary for quality performance of activities relevant to management and exploitation of Sofia Airport and to ground service activities under art. 48e, paragraph 3, items 1-7 of Civil Aviation Act as stated in Table No 4:

Table № 4

№	Description of the technical equipment	Entity that will assure the equipment and its capacity in the procedure (participant, member of association, subcontractor, other third party)	Way of possession or acquisition (ownership, contract or other document)
1			

3) Under item 6.2.3 of Documentation for participation: We have qualified technical professionals (management personnel) who will be responsible for the management and exploitation of the Airport, including at least one employee who will be responsible for the overall fulfilment of concession contract as stated in Table No 5:

Table № 5

№	Management team member (full names)	Concession activity for which he/she will be responsible (overall fulfillment of concession contract/other activity)	Education and professional qualification (degree, subject, department, No of diploma, educational institution)	Professional and management experience in activities for which he/she will be responsible in fulfilment of concession contract (place of work, participation in fulfillment of contracts, position, main functions, data about the passenger flow at the airport where the activity was performed ¹¹)	Period during which the experience indicated in column 5 is gained
(1)	(2)	(3)	(4)	(5)	(6)
1.					
2.					

4) Under item 6.2.4 of Documentation for participation: We have experience in assigning and performance of construction of airport infrastructure while performing of activities as an airport operator during the last 5 years, as stated in Table No 6 – list of performed, ongoing and/or assigned for performance contracts for construction of airport infrastructure during the last 5 years:

Table № 6

№	Description of the airport	Airport	Person, who has the experience and his	Way of gaining the experience (assignor or	Term of performance of construction works (starting	Information about the contract (date of signing,
---	----------------------------	---------	----------------------------------------	--------------------------------------------	-----------------------------------------------------	--------------------------------------------------

¹¹ Data about the passenger flow at the airport where the activity was performed mandatorily shall be indicated only with regard to the employee who will be responsible for the overall fulfillment of the concession contract.

	infrastructure		capacity in the procedure (<i>participant, member of association, subcontractor, other third party</i>)	<i>assignee of construction works</i>)	<i>and end dates</i>)	<i>assignor and assignee</i>)
1.						

II.8. At performance of the concession we will have at our disposal resources of third parties as stated in Table No 7:

Table № 7

№	Third party	Resource that will be provided by the third party	Evidence that the described resources will be provided to the Candidate for fulfilment of the concession contract <i>(documents by which the candidate certifies the declared circumstance)</i>
1.			

III. Herein we enclose the following documents:

11. Identification document – [yes / no]¹²

[certified copy of a document for current registration of the participant or a copy of the ID document when the offer is filed by a physical person who is not a merchant]¹³

12 Authorization document – [yes / no]¹⁴;

13 Declarations for certifying of existence or lack of circumstances under art. 16, paragraph 2 and 3 and paragraph 4, items 1-5 of Concessions Act in sample form together with information card for indication of authorities competent to control the professional activity of Participant (in sample form) – [...] pieces;

14 Documents that certify the conformity to applicable selection criteria under art. 26, paragraph 1 of Concessions Act envisaged under the documentation for participation - [...] pieces;

15 Declaration for origin of funds under art. 4, paragraph 7 and under art. 6, paragraph 5, item 3 of the Measures Against Money Laundering Act (in sample form);

16 Declaration about the sources of financing of the minimum single concession payment (in sample form);

17 Decision of the competent authority of the merchant for filing of offer – [yes / no]¹⁵;

18 Statutes (Articles of Association) or other document according to the legislation of the state in which the Participant is established;

19 Information card for indication of authorities competent to control the professional activity of the Participant (in sample form);

¹² It is applied when the participant did not indicated UIC under art.23, paragraph 1 of the Commercial Register Act in the Application for participation.

¹³ It is filled in and the true fact is left only if it is applicable.

¹⁴ It is applied when the participant is represented in the procedure by an authorized representative.

¹⁵ It is applied when applicable.

20 A declaration by the participant that he does not participate in an association or as “related person” to another participant in an association or an independent participant in the procedure for granting of concession over “Civil airport for public use Sofia” (free format);

21 Declaration of commitment in conformity to Annex No 17.

III. Herein we enclose the following information and documents about the Association¹⁶:

22 A copy of the Association Agreement;

23 A document signed by the members in the association in which the person who represents the members in the association is indicated - [yes / no]¹⁷.

IV. Herein we enclose the following information and documents about the indicated subcontractors¹⁸:

24 Declarations for certifying of existence or lack of circumstances under art. 16, paragraph 2 and 3 and paragraph 4, items 1-5 of Concessions Act (in sample form) – [...] pieces;

V. Herein we enclose the following evidence that in fulfilment of concession contract we will have at our disposal the resources of the third parties for the whole term of concession:

25 [*the enclosed documents shall be listed*].

VI. We declare that if the concession is awarded to the participant that we represent, before the signing of concession contract we will present the required documents that prove the circumstances under art. 16, paragraphs 2-4 of Concessions Act declared in this Application.

Date:	
Name and Surname:	
Capacity of the authorized representative of the Participant:	
Signature¹⁹:	

¹⁶ Section III shall be filled in if the Candidate is an association, which is not a legal entity.

¹⁷ It is indicated and applied by a participant which is an Association when the person who represents the participants in the Association is not indicated under the Association Agreement.

¹⁸ Section IV is filled in if the Candidate stated that he will use subcontractors and the documents listed under items 1-6 shall be presented for each of the indicated subcontractors.

¹⁹When the Participant is represented jointly by more than one person, the Application shall be signed by each of these persons with indication of name and surname and capacity of the representative.

Annex № 8

Sample form

TO

THE CHAIRPERSON OF THE COMMISSION

On conducting of procedure for granting of concession for service over Civil airport for public use Sofia

PROPOSAL

FOR PARTICIPATION IN AN OPEN PROCEDURE FOR GRANTING OF CONCESSION OVER CIVIL AIRPORT FOR PUBLIC USE SOFIA

FROM

*[name of Participant]*²⁰

Represented by: *[full names and capacity of the representative/s of Participant who sign the Application]*

DEAR MR CHAIRPERSON,

After we have received and reviewed the documentation for participation in an open procedure for granting of concession for service over object – Civil airport for public use Sofia we would like to present our proposal by means of which we engage our liability for signing of concession contract and for fulfilment of this contract in conformity to the requirements envisaged under the Documentation for participation.

Our proposal contains the following:

1. Elaborations relevant to the applicable criteria that form the complex assessment of the offer according to the instructions under Section XI - [xxx] pages;

2. Financial model, including analysis of cash flows of concession – on a hard copy and on an electronic carrier according to the instructions under **Section VIII, item 8.6** as well as pro-forma financial statements - [xxx] pages.

3. Analysis of financial effect of the offer over the users of Sofia Airport– [xxx] pages;

4. Sample form for results from measuring of the quality of operations during the term of concession – [xxx] pages;

5. Sample form of the planned purpose indicators and expected traffic flows – [xxx] pages;

²⁰ Here and everywhere else the text in the brackets shall be filled in by the Participant.

6. Evidence for fulfilment of the applicable criteria that form the complex assessment of the offer including about the ability of the participant to fulfil the technical specification – reasoning of elaborations relevant to the applicable criteria for conformity to the technical specifications and standards under Section VIII, item 8.5 – [xxx] pieces containing [xxx] pages.

The following documents form an inseparable part of the proposal:

7. Confidentiality declaration under art. 52, paragraph 1 of Concessions Act – upon discretion of the Participant and in free format;

8. Declaration for origin of funds under art. 4, paragraph 7 and under art. 6, paragraph 5, item 3 of the Measures Against Money Laundering Act;

9. Declaration for validity term of the offer ;

10. Other information and documents as follows [*documents shall be listed when applicable*].

This proposal together with all enclosures to it, including schemes, drawings etc. contains [xxx] pages.

An electronic carrier is also attached to the proposal containing record of the proposal and the enclosures to it.

Date:	
Name and Surname:	
Capacity of the authorized representative of the Participant:	
Signature²¹:	

²¹When the Participant is represented jointly by more than one person, the Application shall be signed by each of these persons with indication of name and surname and capacity of the representative.

Annex № 9
Sample form
TO

THE CHAIRPERSON OF THE COMMISSION

On conducting of procedure for granting of concession for service over Civil airport for public use Sofia

BINDING OFFER²²

For participation in procedure for granting of concession over Civil airport for public use Sofia

FROM

*[name of Participant]*²³

Represented by: *[full names and capacity of the representative/s of Participant who sign the Application]*

DEAR MR CHAIRPERSON,

After we have received and reviewed the documentation for participation in an open procedure for granting of concession for service over object – civil airport for public use Sofia, we have elaborated an offer for participation in the procedure for granting of concession and in conformity to the requirements of art. 43, paragraph 1 of Regulation on Implementation of the Concessions Act

WE MAKE THE FOLLOWING BINDING OFFER:

1. With regard to the single and annual concession payments:

1.1. Single concession payment in the size of *[figures and in words]* without VAT, respectively *[figures and in words]* with VAT.

1.2. Annual concession payments in the size of *[figures and in words]* percent of the total size of net income from all activities for the current year, which are related to the use of object of concession.

2. To perform annual concession payments in the size of percent of the total size of net income from all activities for the current year, which are related to the use of object of concession and the VAT due over the sum.

²² The Binding offer shall be signed on each page by the person who signed the proposal and the binding offer.

²³ Here and everywhere else the text in the brackets shall be filled in by the Participant.

2. With regard to the business proposal for operation of Sofia Airport:

2.1. Social program: *[particular proposals shall be listed without details]*;

2.2. Commercial program: *[particular proposals shall be listed without details]*;

2.3. Management and maintenance program: *[particular proposals shall be listed without details]*;

2.4. Ecological program: *[particular proposals shall be listed without details]*;

2.5. Organizational and management program *[particular proposals shall be listed without details]*;

2.6. Transition plan *[particular proposals shall be listed without details]*;

3. With regard to the investment program: the mandatory investments that are included in the investment program are:

3.1. for the term of concession – in the size *[figures and in words]* BGN without VAT including those for the first fifteen years.

3.2. Schedule for realization of the **separate stages** of investment program *[the particular stages and the term for their realization in months shall be listed without details]*;

3.3. Plan for financing of the investment program:

3.4. Assessment of the financial effect of investments on the consumers:

4. With regard to security measures at Sofia Airport *[particular security measures shall be listed without details]*.

We declare that in case of differences between the proposal and the data indicated in this binding offer the assessment of the offer shall be performed on the basis of the data indicated in the binding offer.

Date:	
Name and Surname:	
Capacity of the authorized representative of the Participant:	
Signature²⁴:	

²⁴When the Participant is represented jointly by more than one person, the Application shall be signed by each of these persons with indication of name and surname and capacity of the representative.

Annex № 10
Sample form

DECLARATION

for lack of circumstances under art. 16, paragraph 2, items 1, 2 and 5 of Concessions Act

The undersigned [*full names*] _____ in my capacity as [*position*] representing [*name*] _____ of [*participant/participant in association/subcontractor*]-[*participant/participant in association/indicated subcontractor*]²⁵,

With a seat of business and management address [*state, city, street, No, other*]

tel/fax _____

Declare that:

1. The entity represented by me is not declared insolvent.
2. The entity represented by me is not in liquidation procedure.
3. The entity represented by me does not have an effective contract with a person under art. 21 or art. 22 of the Conflict of Interest Prevention and Ascertainment Act.

I am aware of the penal liability under art. 313 of Criminal Code for declaring of false circumstances.

Date:	
Name and surname:	
Signature:	

²⁵The applicable fact shall be left.

Annex № 11
Sample form

DECLARATION

for lack of circumstances under art. 16, paragraph 2, items 3 and 4 of Concessions Act

The undersigned [*full names*] _____ in my capacity as [*position*]
representing [*name*] _____ of [*participant/participant*]
association/subcontractor]-[*participant/participant in association/indicated subcontractor*]²⁶,

With a seat of business and management address [*state, city, street, No, other*]

tel/fax _____

Declare that:

1. I am not convicted by an enforceable verdict for crimes against property, against economy, against the financial, taxation and insurance system (money laundering or fraud), for a crime while acting in official capacity or for bribe (corruption) and for crime related to participation in an organized criminal grouping.

2. I am not a related person to the grantor of concession and to the authority that organizes the conducting of procedure for granting of concession or to officials who occupy management positions in this institution or organization.

I am aware of the penal liability under art. 313 of Criminal Code for declaring of false circumstances.

Date:	
Name and surname:	
Signature:	

²⁶The applicable fact shall be left.

Annex № 12

Sample form

DECLARATION

for lack of circumstances under art. 16, paragraph 3 of Concessions Act

The undersigned [*full names*] _____ in my capacity as [*position*]
representing [*name*] _____ of [*participant/participant*]
association/subcontractor]-[*participant/participant in association/indicated subcontractor*]²⁷,

With a seat of business and management address [*state, city, street, No, other*]

tel/fax _____

Declare that:

1. I am not convicted by an enforceable verdict for crimes against property, against economy, against the financial, taxation and insurance system (money laundering or fraud), for a crime while acting in official capacity or for bribe (corruption) and for crime related to participation in an organized criminal grouping.

2. I am not deprived of the right to perform commercial activity.

3. I am not a related person to the grantor of concession and to the authority that organizes the conducting of procedure for granting of concession or to officials who occupy management positions in this institution or organization.

4. I am not in contractual relations with an entity under art. 21 or art. 22 of the Conflict of Interest Prevention and Ascertainment Act.

I am aware of the penal liability under art. 313 of Criminal Code for declaring of false circumstances.

Date:	
Name and surname:	
Signature:	

²⁷The applicable fact shall be left.

Annex № 13
Sample form

DECLARATION
for lack of circumstances under art. 16, paragraph 4 of Concessions Act

The undersigned [*full names*] _____ in my capacity as [*position*]
representing [*name* of *participant/participant* in
association/subcontractor]-[*participant/participant in association/indicated subcontractor*]²⁸,

With a seat of business and management address [*state, city, street, No, other*]

tel/fax _____

Declare that I/the entity represented by me

(name of participant)

1. Is not in insolvency proceedings;
2. Have no obligations for public receivables of the state by virtue of art. 162, paragraph 2 of Tax Insurance Procedure Code, established by an enforceable act of a competent authority, except rescheduling or deferral of payment is admitted.
3. Have no delayed payments towards his own workers and employees;
4. Has not a been a concessioner in a case when the concession contract was terminated due to his fault;
5. Is not guilty of professional offences.

I am aware of the penal liability under art. 313 of Criminal Code for declaring of false circumstances.

Date:	
Name and surname:	
Signature:	

²⁸The applicable fact shall be left.

Annex № 14

Sample form

Information card

indicating the authorities competent to control the professional activity of Participants

The undersigned [*full names*] _____ in my capacity as [*position*]
representing [*name* of *participant/participant in*
association/subcontractor]-[*participant/participant in association/indicated subcontractor*]²⁹,

With a seat of business and management address [*state, city, street, No, other*]

tel/fax _____

Declare that the authorities competent to control the professional activity of the participant
are:

.....
.....
.....

I am aware of the penal liability under art. 313 of Criminal Code for declaring of false
circumstances.

Date:	
Name and surname:	
Signature:	

²⁹The applicable fact shall be left.

Annex № 15

Sample form

DECLARATION

For origin of funds under art. 4, paragraph 7 and art. 6, paragraph 5, item 3 of the Measures Against Money Laundering Act

The undersigned [*full names*] _____ in my capacity as [*position*] representing [*name*] _____ of [*participant/participant in association/subcontractor*]–[*participant/participant in association/indicated subcontractor*]³⁰,

With a seat of business and management address [*state, city, street, No, other*]

tel/fax _____

Declare, that the funds – subject to the described operation with which

(*name of participant*)

The participant will fulfil the assumed obligation according to presented offer in an open procedure for granting of concession for service over object – “**Civil airport for public use Sofia**” have the following origin: [*the origin of funds shall be described*]

I am aware of the penal liability under art. 313 of Criminal Code for declaring of false circumstances.

Date:	
Name and surname:	
Signature:	

³⁰The applicable fact shall be left.

Annex № 16
Sample form

DECLARATION³¹
for validity term of the offer

The undersigned [*full names*] _____ in my capacity as [*position*]
representing [*name*] _____ of _____ participant/participant _____ in
association/subcontractor]–[*participant/participant in association/indicated subcontractor*]³²,

With a seat of business and management address [*state, city, street, No, other*]

tel/fax _____

Hereby declare that the offer is binding and irrevocable and has validity term of 360 (three hundred and sixty) days after the expiry of the deadline for filing of offers, fixed in the notice.

In case the concession is awarded to [*name of participant*], he will take in good faith all the steps necessary for signing of Concession Contract in conformity to his offer and his binding offer.

date

Date:	
Name and surname:	
Signature:	

³¹ When the participant in the procedure is an association, which is not a legal entity every participant in the association shall present such declaration.

³²The applicable fact shall be left.

Annex № 17

DECLARATION

referring to the sources of financing of the minimum single concession payment

The undersigned [*full names*] _____ in my capacity as [*position*] representing [*name*] _____ of [*participant/participant in association/subcontractor*]-[*participant/participant in association/indicated subcontractor*]³³,

With a seat of business and management address [*state, city, street, No, other*]

tel/fax _____

1. Hereby declare that the necessary financial resources and/or financing of the **minimum** single concession payment will be assured as follows:

1) sum representing [*xxx per cent*] of the minimum concession payment proposed by us – from own financing and

2) sum representing [*xxx per cent*] of the minimum concession payment proposed by us – from own financing – of million BGN loan financing as follows:

a) [*xxx per cent*] – from [*name of the third person/financing institution*]³⁴

(*Note: The declaration shall not include indication of the size of proposed minimum concession payment)

2. By the present letter we would like to confirm that we unconditionally assume the obligation to maintain these financial resources available until payment of the single concession payment and in conformity to the conditions of the concession contract. .

For and on behalf of [name of participant]

Name and surname:	
Signature:	

³³The applicable fact shall be left.

³⁴ As many indents as applicable shall be enumerated.

Annex № 18

Sample form

Sample Form**For results of measuring of the quality of operations during the term of concession**

SPHERE OF ACTIVITY	MEASURING	MINIMUM RESULTS
Servicing of passengers and checking of luggage	Waiting time for one passenger, number of passengers waiting in queue	
“security” checking of passengers	Waiting time for one passenger, number of passengers waiting in queue	
Passport check – departures	Waiting time for one passenger, number of passengers waiting in queue	
Passport check – arrivals	Waiting time for one passenger, number of passengers waiting in queue	
Luggage trolleys	Availability	
Receiving of luggage	Waiting time	
Boarding/deboarding from aircraft	Availability of stands/buses; waiting time	
Information boards for announcement of flights etc.	% of time in which they function	

Air conditioners/ventilation/heating	% of time in which they function	
Cleanness/hygiene	Consumer survey	
Sign boards	Consumer survey	
Variety of commercial services / price against quality	Consumer survey	

Annex № 19
Sample form

Sample Form
for planned purpose indicators and expected traffic flows

			PROPOSAL
Benchmarking of traffic:			
	Total annual number of passengers boarded & deboarded on/from aircrafts		
	Total number of departing passengers in peak hour		
	Total number of arriving passengers in peak hour		
	Total passenger flow (2-way) in peak hour		
	Annual number of aircraft movements		
	Number of aircraft movements in peak hour		
Terminal:			
	Total area of terminal (m2)		
	Area of departures terminal for one departing passenger in peak hour (m2)		
	Total area of terminal arrivals (m2)		
	Area of terminal arrivals for one arriving passenger in peak hour (m2)		
	Total combined area of terminal (m2)		
	Total combined area of terminal for one passenger in peak hour (m2)		

	Total area for main activities (m2)		
	Number of gates		
	Area of one gate (m2)		
	Number of check-in desks		
	Width of one check-in desk (l.m.)		
	Outgoing luggage system (m2)		
	Incoming luggage system (m2)		
	Number of luggage lines		
	Length of luggage lines (l.m.)		
	Number of x-ray devices for checking of departing passengers		
	Total public area (m2)		
	Area for queue in front of one check-in desk (m2)		
	Total check-in area (m2)		
	Area for check-in of one departing passenger in peak hour (m2)		
	Area for queue in the security check zone – departures (m2)		
	Area for security check of one passenger in peak hour – departures (m2)		
	Area for queues in the passport and custom check zones – departures (m2)		

	Area for passport and custom check for one departing passenger in peak hour (m2)	
	Total area in the sterile zone and waiting halls – departures (m2)	
	Area for departing passengers/waiting halls for one passenger in peak hour (m2)	
	Area for queues in the passport check zone – arrivals (m2)	
	Area for queues in the passport check zone – arriving passengers – area for one arriving passenger (m2)	
	Area for receiving of luggage – arrivals (m2)	
	Area for receiving of luggage for one arriving passenger in peak hour (m2)	
	Custom check area – arrivals (m2)	
	Area for meeting persons – arrivals (m2)	
	Toilet rooms (m2)	
	Total commercial area (m2)	
	Shops/other services (m2)	
	Restaurants/snack bars and pavilions (m2)	
	Duty free shops (m2)	
	Office areas for rent (m2)	
	Total area for management and administration (m2)	
	Border authorities (police, customs etc.) (m2)	
	Offices of airport operator management (m2)	

	Information desks (m2)		
	Service premises such as: water supply, electricity supply, place for telephone exchange, cable premises etc. (m2)		
	Total area in front of terminal (m2)		
	Sidewalks in front of terminal – departures (l.m.)		
	Sidewalks in front of terminal – arrivals (l.m.)		
	Area for descending, bus parking (m2)		
	Car parking (long-term/short-term for clients and employees (m2)		
	Rent-a-car zone /rent-a-car parking (m2)		
AIR FIELD			
	Total area of apron (m2)		
	Total area of apron of one aircraft movement in peak hour (m2)		
	Number of aircraft stands (under types of aircrafts)		
	Length of runway (l.m.)		
	Width of runway (l.m.)		
	Width of side safety lines (l.m)		
	PCN – hardness, durability of pavements		

Annex № 20
Draft

CONCESSION CONTRACT