

Project: Privatization of National Ports

Tender: 67% participation in the share capital of the Thessaloniki Port Authority SA

Phase: First Phase (pre-qualification phase)

Date: 16 May 2014

Subject: Answers to Requests for Clarifications

Number: 2

Question 1
<p>Clause 9.1 of the Invitation states that the Expression of Interest should contain the supporting documents that are subsequently listed. Clause 9.1.4 then requires evidence of the Interested Party’s compliance with the Technical Eligibility Criteria. How does this tie in with Clause 4.2 which we had understood to mean that the Technical Eligibility Criteria was only required to be met upon submission of binding offers rather than as from the submission of the Expression of Interest? Is the Fund expecting the Interested Party to submit suitable evidence upon submission of the Expression of Interest to show that the Technical Eligibility Criteria are met? Or is the Interested Party just required to submit evidence of ISPS accreditation (as detailed in 6.1.3) and the letters of recommendation described in 9.1.4(ii) with the further information re technical eligibility to follow upon submission of binding offers?</p>
Answer 1
<p>Part of Section 4.4 of the IEoI reads “Interested Parties that do not fulfill the Pre-Qualification Criteria set forth in Sections 5, 6 and 7 as and when [emphasis added] applicable to them in accordance with this Section 4 will be disqualified from the Process”. Consequently, it is reiterated that all Interested Parties have to meet the Technical Eligibility Criteria as from the submission of the binding offers in the Second Phase and throughout the rest of the Process. Nevertheless, Interested Parties may submit any evidence that attests to the fulfillment of the Technical Eligibility Criteria before any binding offer.</p>
Question 2
<p>In connection to 9.1.4(ii), please can you confirm if you have: 1) a standard form declaration that we should request a Port Authority to sign; and 2) is there a minimum “office” (e.g. Director/equivalent) with the relevant PA that must make the PA declaration?</p>
Answer 2
<p>The Fund has no such standard form declaration. The declaration should be issued by a duly authorised representative of the port management authority.</p>
Question 3
<p>In connection to Clause 9.1.5 of the Invitation, could you please clarify exactly what</p>



information (other than the contact details referenced) that the Fund requires this letter to contain?

Answer 3

Please note that the Fund does not intend to provide a template of the letter required under Section 9.1.5 of the IEoI. Nevertheless, the Bank Reference Letter shall clearly refer to the Interested Party or the Member or the Third Party Supporter by stating its statutory name and affirm the relationship between such person and the credit institution in the standard wording used by such credit institution.

Question 4

Clause 9.4 states that all documents must be “issued and certified”. Does this mean that all documents need to be notarised? Or just signed by the relevant individuals mentioned in each relevant section (eg: by the Authorised Representative or the Associate of the Bank or the Port Management Authority etc). If you do require notarisation, please confirm exact requirements.

Answer 4

Clause 9.4 of the Invitation does not imply that all documents need to be notarized. Nevertheless, where applicable, documents must be certified in accordance with the rules of the jurisdiction in which such documents are produced. Copies of the above documents may be certified in accordance with the rules of either the jurisdiction in which such documents are produced or the Hellenic Republic.

Capitalized terms have the meaning ascribed to them in the Invitation for the Expression of Interest, unless the context indicates otherwise.