

**HELLENIC REPUBLIC ASSET DEVELOPMENT FUND S.A.**

Athens, 12 April 2013

Responses to clarification requests submitted by potential investors regarding the invitation to submit an expression of interest for the provision of services in relation to the operation and maintenance of the regional airports of the Hellenic Republic (Clusters A & B)

A/A	Reference to the Invitation	Question	Answer
1	Par. 5.2 (c) (1)	Please clarify/confirm that the six (6) million passengers refer to the total number of passengers (arrivals and departures) not for each year but for two years cumulatively. E.g., an airport with three (3) million passengers in 2011 plus three (3) million passengers in 2012 (total six (6) million passengers in 2011-2012) would meet this criterion.	It is confirmed that the numerical criterion of six (6) million passengers refers to the total number of passengers served (arrivals and departures) during the last two (2) years cumulatively.
2	Par. 5.2 (c) (2)	Please clarify/confirm that the eighteen (18) million passengers refer to the total number of passengers (arrivals and departures) for three years cumulatively and not eighteen (18) million passengers for each year. E.g., an airport with five (5) million passengers in 2010 plus six (6) million passengers in 2011 plus seven (7) million passengers in 2012: total eighteen (18) million passengers in 2010-2012) would meet this criterion.	It is confirmed that the numerical criterion of eighteen (18) million passengers refers to the total number of passengers served (arrivals and departures) for the last three (3) years cumulatively.
3.	Par. 6.1, 6.3	<p>In Paragraph 6.1 of the Invitation to Submit an Expression of Interest states that: “... <i>The EoI must be submitted in writing in Greek and in English...</i>”.</p> <p>Furthermore at the end of paragraph 6.3 states that “<i>All the certificates and other documents mentioned in Annex B and the Invitation must be submitted as originals or certified/true copies and, if they are originally prepared in a language other than Greek or English, they must be submitted with an official translation in the Greek</i>”.</p> <p>In view of the above please confirm the following:</p> <p>a) Since the EoI includes many certificates and documents that may not be issued in both languages, while it is not possible for</p>	<p>a) As provided in Par. 6.1 of the Invitation, the Expression of Interest which includes the Letter of Expression of Interest as well as the Supporting Documents referred in Par. 6.2, shall be submitted both in Greek and English and the Greek text shall prevail in case of discrepancies. Therefore, each Interested Party or Consortium Party or Affiliate (as applicable) must submit all documents comprising the EoI in both languages. An official translation in Greek is required only in case of submission of Supporting Documents which have been originally drafted in a language other than the Greek or the English language.</p> <p>b) It is confirmed that for the purposes of the submission of an EoI</p>

		<p>foreign firms to issue all documents attached as annexes-templates in both languages in an original form but only as "official translation" from one language to the other, it s allowed that:</p> <p><b>i)</b> the documents included in the annexes as templates (i.e. the Letter and the Solemn Declarations) to be submitted <b>either</b> in Greek <b>or</b> in English together with their official translation in the 2<sup>nd</sup> language respectively <b>and ii)</b> the supporting documents relating to “evidence”, such as authorizing decisions (end of Par. 6.1), certificates, documents evidencing the appointment and authority of the legal representative(s) of the companies (Par. 6.2.(a).1, 6.2.(a).2), list with the details of the shareholders[par. 6.2.(b)), copies of the financial statements (par. 6.2.(d)) etc. to be submitted <b>either</b> in Greek <b>or</b> in English <b>or</b> in a third language with an official translation only in Greek.</p> <p><b>b)</b> As “official translation” it is considered the one made <b>either</b> by the Translation Service of the Ministry of Foreign Affairs <b>or</b> by sworn translators <b>or</b> by a lawyer within the meaning of Article 454 of the Greek Code of Civil Procedure, the provisions of Law 3712/05.11.2008 and Article 53 of the Lawyer’s Code.</p>	<p>as official translation it is considered the translation made either by the Translation Service of the Ministry of Foreign Affairs or by sworn translators or by a lawyer within the meaning of Article 454 of the Greek Code of Civil Procedure, the provisions of Law 3712/05.11.2008 and Article 53 of the Lawyer’s Code.</p>
4.	Par. 5.2(d), 6.2 (d) (2)	Please confirm that a <b>newly established</b> company that does not have and, therefore, cannot submit audited financial statements is permitted to participate as a Consortium Party in the tender process, provided of course that the Financial Eligibility Criteria are met by the other Consortium Parties weighted and by analogy to their stake in the Consortium (par. 5.2.(d)).	As provided in Par. 6.2. (d) (2) each Interested Party or Consortium Party or Affiliate must have been established and in operation for a period that will allow it to have audited financial statements for at least one fiscal year. In case a newly established company does not have and, therefore, cannot submit audited financial statements for at least one fiscal year, it should be able to submit the audited (consolidated, if required by law) financial statements for at least one fiscal year of its Affiliate, on the resources of which it relies.

5.	In general	In case a Consortium, having the same composition, intends to express its interest for both clusters (A and B), can the submission of all the supporting documents be common for both clusters (since all the required documents are exactly the same)?	Tender Processes for Clusters A and B are separate and therefore all the Supporting Documents and all other documents in general must be submitted separately for every Process.
6.	Par. 6.2, 6.3	Please specify if <u>all</u> certificates and any other documents mentioned in Annex B of the Invitation to submit an Expression of Interest can be submitted in certified copies as mentioned in Section 6.3 or only those documents mentioned in paragraphs (a) and (b) of Section 6.2. Also, please specify if in case a foreign company is concerned, a Greek lawyer is competent for the certification.	It is confirmed that all documents submitted under the Invitation can be submitted as certified copies. A Greek Lawyer is competent for such certification.
7.	In general	Please confirm that it is not necessary for public documents (documents issued by a public authority, administrative documents, notary acts etc) concerning a foreign company, to bear the Apostille stamp of the Hague Convention.	For the authentication of the signature set on a foreign public document that is submitted, the Apostille stamp of the Hague Convention is required. Same applies with regard to the authentication of the signature set on a foreign private document, such authentication being effected by the competent public authority of the country in which the document has been drafted.
8.	Par. 6.2 (d) (1), (2)	Please specify if there is a difference between the “latest three years available financial statements” as mentioned in Section 6.2 (d) (1) of the EoI and the “audited consolidated financial statements for the last three fiscal years” as mentioned in Section 6.2 (d)( 2).	There is not any difference. Par. 6.2 (d) (2) clarifies par. 6.2 (d) (1).