

Athens, 25th of February 2022

To: The Interested Parties of the open award procedure of HRADF in relation to the Request for Proposals dated the 20th of January of 2022 for the conclusion of framework agreements for the provision of advisory services for the preparation and the implementation of priority infrastructure projects referred to the Project Preparation Facility of the Hellenic Republic Asset Development Fund (OJ S: 2022/S 017-041266).

Number of Corrigendum in the EU OJ S: 2022/S 020-049774

Number of Corrigendum in the EU OJ S: 2022/S 026-067198

Number of Corrigendum in the EU OJ S: 2022/S 040-104257

Subject: **Responses to clarification requests submitted by Interested Parties in connection with the Request for Proposals dated the 20th of January of 2022 for the conclusion of framework agreements for the provision of advisory services for the preparation and the implementation of priority infrastructure projects referred to the Project Preparation Facility of the Hellenic Republic Asset Development Fund (OJ S: 2022/S 017-041266).**

On the questions submitted until 21.02.2022 regarding the Request for Proposals dated the 20th of January of 2022 for the conclusion of framework agreements for the provision of advisory services for the preparation and the implementation of priority infrastructure projects referred to the Project Preparation Facility of the Hellenic Republic Asset Development Fund (“the RfP”), HRADF provides the clarifications contained within this document.

In case more requests for clarifications are submitted until the deadline foreseen in the RfP, additional clarifications will be published by HRADF in accordance with clause 5.1 of the RfP, as amended and in force.

These clarifications are published on HRADF’s website (www.hradf.gr) and constitute an integral part of the RfP. The present clarifications made available, as described above, on the Fund's website will be presumed to be unquestionably known to all Interested Parties from the date of their publication.

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#	RfP Reference	QUESTIONS	RESPONSE
1	4.2.2.2	<p><i>In the table presenting the Qualification requirements for the Technical Expert(s) for Lot1 please confirm that the third bullet/requirement which is now reading “15 years’ experience as technical advisor in PPP and/or concession projects for the public and private sector” can be changed to “15 years’ experience as project manager and/or technical advisor in Public Works Projects and/or PPP and/or concession projects for the public and private sector”. We believe that the proposed wording/requirement is consistent to article“ 1.2.4 Subject of the RFP.</i></p> <p><i>In this line, HRADF is seeking to engage experienced and reputable Advisors to provide legal, economic/financial services, technical services, as well as auditing services, as follows: Lot 1 (a) PPP and Public Works Projects and more specifically, with respect to: (i) the preparation/maturity of PPP and Public Works Projects in order to pave the way for the tendering and implementation phases thereof; (ii) the preparation and implementation of relevant tender process(es) pertaining to the implementation of PPP and Public Works Projects; and (iii) the provision of support and monitoring during the implementation phase of PPP and Public Works Projects;”</i></p>	<p>Please see the 22nd February 2022 Amendment of the RfP (Number of Corrigendum in the EU OJ S: 2022/S 040-104257) as published on 25.02.2022 on HRADF’s official website (www.hradf.gr).</p>
2	2.1.4	<p><i>In chapter 2.1.4 of the RFP, the scope of the commercial analysis is presented, including the below:</i></p> <ul style="list-style-type: none"> <i>• Providing the ESG analysis of the project, namely whether and how the Project can meet certain ESG criteria (to be covered in collaboration with the technical Advisors).</i> <p><i>As per the above, in chapter 2.1.6 Technical assessment, there is no visible linkage with ESG workstream as prescribed in chapter 2.1.4. On the contrary</i></p>	<p>Confirmed</p>

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		<p><i>in chapter 2.1.7 Environmental and Social Assessment there is clear linkage between the two work streams as below:</i></p> <ul style="list-style-type: none"> • <i>Ensuring that the technical studies (including options analysis) consider E&S matters (in collaboration with the HRADF’s ESG unit where applicable), standards and lender’s requirements.</i> <p><i>To this end, we understand that the above section of 2.1.4 it should be understood as below:</i></p> <ul style="list-style-type: none"> • <i>Providing the ESG analysis of the project, namely whether and how the Project can meet certain ESG criteria (to be covered in collaboration with the technical Environmental Advisors; Please confirm our understanding is correct.</i> 	
3	4.2.2.2	<p><i>In chapters 2.1.4 and 2.1.7 the scope of the ESG and E&S aspects are presented: 2.1.4 ESG: • Providing the ESG analysis of the project, namely whether and how the Project can meet certain ESG criteria (to be covered in collaboration with the technical Advisors); 2.1.7 E&S Assessment: • Ensuring that the technical studies (including options analysis) consider E&S matters (in collaboration with the HRADF’s ESG unit where applicable), standards and lender’s requirements; • Preparing an ES analysis of the Project, i.e., whether and how the Project can meet certain ES criteria; • Carrying out a preliminary ESIA/E&S Assessment compliant with EU environmental directives and relevant legislative framework, commensurate with the potential impacts and adequate to the level of technical information available. Proposing mitigation measures, where applicable and specific E&S standards that need to be achieved by detailed design in the future; • The E&S assessment process will</i></p>	<p>Please see the 22nd February 2022 Amendment of the RfP (Number of Corrigendum in the EU OJ S: 2022/S 040-104257) as published on 25.02.2022 on HRADF’s official website (www.hradf.gr).</p>

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		<p><i>be commensurate with, and proportional to, the potential impacts and risks of the Project and its operations. The assessment will cover, in an integrated way, all relevant direct and indirect environmental and social impacts and risks of the Project; • Identifying scopes of work to conduct an appropriate Environmental Assessment. This would include carrying out a review of secondary relevant baseline surveys, analysis of impacts based on the proposed technical solutions, engagements and consultations with stakeholders, and development of mitigation and management plans; • Developing a stakeholder engagement framework (SEF) for the Project; • Developing a list of E&S requirements to be incorporated into tender documentation; • Providing an estimate of the potential additional costs related to implementation of project in line with Environmental and Social Assessment.</i></p> <p><i>In chapter 4.2.2.2, the required experience of the E&S Experts is presented as below: • University degree in economics, technology, engineering or relevant fields of study – a Master’s degree will be an advantage • 10 years’ experience in ESG related projects in the public and/or private sector • Experience in Greece’s infrastructure sector, especially with PPP projects will be an advantage • Knowledge of English is required, while Greek language skills will be considered an advantage • Home location in Greece will be an advantage. To our view, the qualifications requested to be covered by the E&S expert are not proportional to the scope of work required under the chapters 2.1.4 and 2.1.7. In particular excessive experience is requested in ESG related projects (10 years), that is relates of the scope of 2.1.4 and no environmental related</i></p>	

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		<p><i>experience is requested at all, i.e.: E&S analysis, ESIA/E&S assessment, appropriate assessment (AA), stakeholder engagement frameworks (SEF), E&S requirements in accordance to E&S Project Requirements of Financial Institutions as requested to be covered under 2.1.7.</i></p> <p><i>Please confirm that the second bullet of chapter 4.2.2.2, can be changed to: • 10 years’ experience in E&S assessment of projects in the public and/or private sector. Experience in ESG will be considered as an advantage.</i></p>	
4		<p><i>In relation to the issuer of the Letters of Guarantee, the RFP provides in Article 5.2 (i) thereof that such letters are “to be issued by credit institutions or financial institutions or insurance companies within the meaning of Article 14 (1)(b)(c) of Law 4364/2016 (A’ 13)”. Kindly clarify whether such Letters of Guarantee may also be issued by the Greek Deposits and Loans Fund, in line with Article 72 (11) of law 4412/2016, which provides such possibility.</i></p>	Confirmed.
5	Annex 2 Annex 7	<p><i>Please provide us the templates for Annex 2 CV Template Annex 7 Financial proposal Template in editable files (word).</i></p>	For the Interested Parties’ facilitation, the editable files for Annex 2 and Annex 7 of the RfP are provided on HRADF’s website (www.hradf.gr).
6	5.2.	<p><i>Παρακαλούμε όπως μας διευκρινίσετε στη περίπτωση που η προσφορά μας συνταχθεί και κατατεθεί στην ελληνική γλώσσα εάν τα υποδείγματα της από 20/01/2022 Πρόσκλησης μπορούν να υποβληθούν απευθείας στα ελληνικά.</i></p>	Confirmed.
7	4.2.5 4.2.6	<p><i>Please clarify whether a lawyer that collaborates with a law firm under a contract for the provision of independent services, is considered a third party to the law firm.</i></p>	A lawyer that collaborates with a law firm under a contract for the provision of independent services, is considered a third party to the law firm if the law firm relies on the external lawyer’s capacities to fulfil the selection criteria. In any other case the

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			above lawyer is considered a subcontractor to the law firm.
8	5.5	<i>Please confirm that the documents (espds, commitment letters, etc) of third parties (entities relied upon, subcontractors) can be also signed through gov.gr (digital certification of documents).</i>	Confirmed
9	5.4	<p><i>With respect to the tender titled “Request For Proposal (“Rfp”) for the conclusion of Framework Agreements for the provision of advisory services for the preparation and the implementation of priority infrastructure projects referred to the Project Preparation Facility of the HRADF”, published on the website of the HRADF on 25/01/2022 and published as per the text of the Request for Proposal on 20/01/2022 (for the avoidance of doubt we refer to the attached file “1.-RFP_Framework-Advisors_F.pdf”).</i></p> <p><i>Pursuant to article 5.4. “Submission of the proposals” that mentions that the proposal may be submitted:</i></p> <p><i>“(ii) by uploading the files (maximum overall file size 15GB) to a secure electronic folder to be created by the HRADF/PPF, upon request by the Interested Party and notification of the Interested Party’s e-mail address to: tender@hraf.gr (for the attention of Ms. Chrysoula Rallia) by no later than 48 hours prior to the deadline for the submission of Proposals, in order for the instructions and passwords for uploading the tender material to be sent to the Interested Party. Interested Parties are advised to keep evidence of the date and time of submission to the electronic folder. The exact time and date of the receipt of the Proposals will be confirmed in any case by way of an email sent by HRADF, confirming the aforesaid information.”</i></p> <p><i>We request herein the creation of a secure electronic folder to be created by the HRADF/PPF for us to be able to upload our proposal.</i></p>	<p>It is confirmed that Interested Parties can upload gradually the documents in different days until the deadline for the submission of Proposals.</p> <p>The Interested Party upon completion of the submission of its Proposal should send an e-mail to tender@hraf.gr (for the attention of Ms. Chrysoula Rallia) that verifies the finalization of the submission.</p>

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		<i>Please let us know if we can upload gradually the documents in different days gradually (given the large volume or they have to be uploaded all in the last day) and please let us know how you can certify that we have uploaded them so that we can also verify that everything is all right (and how receipt can be confirmed in such case).</i>	
10	4.2.2.2	<i>In article 4.2. “Selection Criteria” of the above RFP, p. 26-33, are also included the Key Experts (par. 4.2.2.2). However, on page 32, it is stated that “It is clarified that qualifications, skills and competences described as advantageous in the tables above shall not be considered “on/off” criteria but shall be assessed in the context of the evaluation of the Technical Proposal in accordance with articles 6.1 and 6.3 herein.” Please confirm that Key Experts are not considered as a “selection criterion” and therefore the external collaborators who will be part of the Key Experts team are not considered “other entities/ capacity providers” and thus are not required to submit an ESPD.</i>	Confirmed. It is noted that all Interested Parties shall satisfy the requirements of clause 4.2.2.2 otherwise they shall be excluded from the present procurement procedure.
11	Article 5	<i>In article 5 “Content and submission of proposals”, p. 37, it is stated that «(c) Declarations confirming the absence of any conflict of interest, as per the template of Annex [5] herein».</i> <i>Please confirm that the above declaration is submitted only by the candidate contractor (legal representative of the economic operator or legal representatives of the members of a consortium/joint venture) and not by the Key Experts.</i>	Confirmed
12	5.2	<i>In accordance with article “5.2 Content of the Proposals – I Dossier A’ (Exclusion and Selection Criteria)” “Interested Parties shall also include (b) a participation letter of guarantee, amounting to: Lot 1: EUR180.000, Lot 2: EUR20.000 to be issued by credit institutions or financial institutions or insurance companies within the meaning of Article 14 (1)(b)(c) of Law 4364/2016 (A’ 13), operating legally in the Member States of the EU or of the</i>	Confirmed

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		<p><i>EEA or in the Member States of the GPA and having, in accordance with the provisions in force, this right. The letter of guarantee shall be formulated in accordance with Annex [4] herein;”</i></p> <p><i>Taking into consideration the following: a) that the exact categories of credit institutions and financial institutions that are acceptable according to tender are not clearly stated in the RfP, b) the Engineers and Public Works Contractors Fund (TMEDE), the Greek private legal entity, provider of guarantee and credit, member of the European Association of Guarantee Institutions (AECM) supervised by the Ministry of Labour, Social Insurance and Social Solidarity with members SMEs and private engineers that has founded with the Greek Law 4387/2016 article 86 paragraph 1 and in accordance with the Ministerial Decision 80000/58192/2153/2016 as a scope according to its Statute, among others, the provision of guarantees to secure the liabilities of its members deriving from the performance of their tasks, please confirm that both the participation guarantee and the letter of guarantee for the proper execution of the Contract pertaining to the Framework Agreement of the Lot concerned can be issued by TMEDE.</i></p>	
13	6.2	<p><i>Article 6.2 paragraph ii of the RfP: Please clarify that the monthly rate refers to every expert of the project member team appointed for the respective Project, since the way its written: "It is noted that the maximum monthly rate for all services and category of experts for RRF projects only, cannot exceed the amount of six thousand and five hundred (6.500, 00) euros per RRF project' might lead to the wrong interpretation that for all services the maximum monthly rate is 6.500,00 per project. Same clarification applies for clause 6.2 of the Framework Agreement.</i></p>	<p>It is confirmed that the maximum monthly rate refers to every single expert of the project member team appointed for the respective RRF Project.</p> <p>Same clarification applies for clause 6.2 of the Framework Agreement.</p>
14	-	<p><i>Please clarify that for every specific project a specific team will be formed by the Framework Advisor based on the specific expertise needed to that Project and the composition of the team may include experts both from those included in the current offer as well additional to be defined by the needs of the</i></p>	<p>Confirmed. The criteria for the evaluation of the additional members of the Project Team shall be defined, amongst other criteria, in each Call-Off Notice.</p>

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		<i>Assignment (who will be evaluated according to the award criteria of paragraph 6.3.1).</i>	
15	4.2.2.2	<i>Related to the question #3, will each Individual Assignment shall contain 4 legal experts, 4 financial experts, 1 technical and 1 environmental expert as defined in the Section 4.2.2.1 and the qualifications of the Key Expert Team pursuant to 4.2.2.2 ?</i> <i>Again, we assume this team is for evaluation purpose of the offers of the Framework Agreement. For the Individual Assignment, the team composition and profiles of the experts may change. Please clarify.</i>	Confirmed
16	Article 5 Annex 5	<i>The declaration on the absence of conflict of interest pertains to the Framework Agreement in general (s. Annex 5 and definitions in Annex 8). Please clarify whether the Framework Advisor may be involved in projects relating to the services awarded under the Framework Agreement, in case that the Framework Advisor does not act as Project Advisor (engaged following the relevant Call Off Notice) for such projects.</i>	Confirmed.
17	4.1	<i>Section 4.1 -Exclusion criteria of the RfP, last paragraph: "In case of reliance in the capacity of third parties, the exclusion criteria are examined and with regards to the above entities (third parties), according to the provisions of this RfP. Interested Parties shall include in the respective Dossier of their Proposal an ESPD of the above entities and all the respective means of proof foreseen in this RfP'.</i> <i>Is an outsourced advisor/lawyer of a member of the consortium/JV considered third party and has to provide ESPD and related proofs?</i>	An outsourced advisor/lawyer of a member of the consortium/JV, is considered a third party if the member relies on the outsourced advisors/lawyer’s capacities to fulfil the selection criteria. In any other case the above outsourced advisor/lawyer is considered a subcontractor to Interested Party.
18	5.5	<i>Section 5.5 of the RfP , please clarify if the CVs (Annex 2 of the Rf) must be also signed by using electronic signatures or not.</i>	The CV’s must be signed according to clause 5.5. of the Rfp.

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19	Article 7	<p><i>Finally a comment on Section 7, paragraph iii of the RfP: it is stated that "In case a Framework Advisor fails to provide adequate justification for not submitting a proposal for the award of an Assignment, more than twice during the term of the Framework Agreement, the Fund shall be entitled to terminate the respective Framework Agreement."</i></p> <p><i>Based on our previous experience of many framework contracts with EU,EBRD,EIB (where there is no clause of compulsory submission from the framework contractors, while a framework of Information Society SA for e-gov-Now failed after 3-4 rounds), it is advisable that HRDAF might have the right to terminate the Framework in case the Framework Advisor fails to submit four (4) - instead of two (2) proposals without an adequate justification. Also, HRDAF should reserve the right to call some and not all of Framework Advisors, after a number of assignments have taken place.</i></p>	There will be no amendment regarding this matter.
20	Annex 8	<p><i>Payment-Article 8 of the FW Agreement - either way 1 and way 2, it seems that the Advisor finances 100% of the project or 70% (if an advance payment is going to be opted by the Advisor). Can this be amended and stipulate that payments shall be provide in 2 instalments (interim payment 50% and final payment 50%, unless an advance payment up to 30% will be required for the each Individual assignment, in which case they will be 3 installments: 30% advance, 30% interim and 40% final?</i></p>	No. The ways of payment shall not be amended.
21	-	<p><i>Παρακαλώ θερμά να μας αποστείλετε, εάν φυσικά υπάρχει, την προκήρυξη και το σχέδιο Εγγυητικής Επιστολής Συμμετοχής στα ελληνικά καθόσον έχει ζητηθεί από το ΤΣΜΕΔΕ για την έκδοση της εγγυητικής.</i></p>	The Rfp and its Annexes are not available in Greek language.
22	5.2	<p><i>Μετά την τροποποίηση της προκήρυξης και της πρόβλεψης για έξι κοινοπραξίες και όχι τρεις που επιλέγονται για την συμφωνία πλαίσιο, έχει τροποποιηθεί το ποσό της εγγυητικών, τόσο συμμετοχής όσον και καλής εκτέλεσης ή παραμένει το ίδιο ποσό με αυτό της αρχικής προκήρυξης?</i></p>	No, there has been no amendment regarding the amount of the participation guarantee nor the guarantee of good performance.

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23	4.2.2	<p><i>At page 31 of the RfP states the following: «In the case of consortium, the above criteria shall be fulfilled by the Interested Party as a whole, i.e., the combined capacities of all involved entities will be evaluated.».</i></p> <p><i>Please confirm that the above applies to the paragraph 4.2.2 Technical and professional capacity (4.2.2.1 Relevant Experience & 4.2.2.2 Key Experts Team) of the RFP, in the sense that the capacities of all involved entities of the same kind of Services (i.e. financial, technical, legal) are cumulatively assessed and not requested to apply for all of the them.</i></p>	<p><i>In the case of consortium, the criteria and requirements of clauses 4.2.2.1 and 4.2.2.2. shall be fulfilled by the Interested Party as a whole, i.e., the combined capacities of all involved entities will be evaluated.</i></p>
24	5.2	<p><i>In accordance with paragraph 5.2 of the RfP “The Proposals shall be submitted in Greek or English [...]”. Please clarify whether proposals that contain documentation both in Greek and English will be valid.</i></p>	<p>It is possible to submit parts of the proposal in English and other parts in Greek, under the condition that each document should be executed in one language only.</p>
25	4.3.2.4 ii	<p><i>According to article 4.2.4 of the RfP “Interested parties must prove that they have, for each of the previous three (3) financial years for which accounts have been closed and final audited figures are available (2019, 2020, 2021), an annual turnover of [...]”. Also, in article 4.3.2.4. regarding the documentation for the Economic and financial standing that must accompany the ESPD of the RfP it is stated that: “The ESPD document(s) to be submitted by the Interested Parties shall be accompanied by the following means of proof: i. Copies of the balance sheets and economic outturn (profit & loss) statements covering at least the last three years for which accounts have been closed (2019, 2020, 2021), to the extent that publication of such balance sheets and statements is required under the applicable law of the country in which the economic operator is established [...]”.</i></p> <p><i>Also according to the clarifications published on 8/02/2022 on HRADF’s website you responded to a similar question as following: “According to clause 4.3.2.4 ii) of the RfP [...] the financial capacity shall be proven by way of any</i></p>	<p>As other equivalent documentation may be accepted, indicatively, the approved and signed official balance sheets, the VAT declarations, bank statements, etc.</p>

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		<p><i>other equivalent documentation, which, according to the national law of the country in which the Interested Party is established, can confirm the respective criterion”.</i></p> <p><i>Please clarify the term “other equivalent documentation” that will be accepted as mean of proof of financial capacity.</i></p>	
26	-	<p><i>Παρακαλώ όπως μας επιβεβαιώσετε ότι σε περίπτωση συμμετοχής Ένωσης Εταιρειών, κατά το στάδιο υποβολής Δικαιολογητικών Συμμετοχής – Τεχνικής Προσφοράς, δεν απαιτείται να ορίζονται συγκεκριμένα ποσοστά συμμετοχής ανά Εταιρεία, δεδομένου ότι τα εν λόγω συγκεκριμένα ποσοστά συμμετοχής σε φυσικό και οικονομικό αντικείμενο θα ορισθούν με ακρίβεια κατά την υποβολή προσφοράς για την σύναψη των εκτελεστικών συμβάσεων.</i></p> <p><i>Επιπλέον, παρακαλώ όπως μας επιβεβαιώσετε ότι το παραπάνω ισχύει και στην περίπτωση χρήσης υπεργολάβων.</i></p>	Both Confirmed.