

GAIAirport PPP RFQ Clarifications (Mar 19, 2020)

1. Annex 8 (Evidence of Compliance with Financial Capability Requirements) requires evidence to be provided for Financial Criterion No. 2. Please clarify what type of evidence would comply with the aforementioned request.

Answer: We confirm that evidence could be a certificate from the lending bank or a redacted loan agreement. For equity raised we could accept a certificate from CEO, CFO, Corporate Secretary or Accountants.

2. Related to the required evidence of operation experience (RfQ Schedule 4, Part A, Item 6):

We are named the airport operator in the National Aviation Act which basically is our license to operate. No other separate certificate or document / written approval exists, as there is no need for it, since the "license" is codified in the applicable law. As such, it is not possible for us to produce or procure the requested certificate/approval.

The government will not separately "state the obvious" or confirm that the law is applicable. We suggest that a translation of the applicable provisions in the National Aviation act combined with a written statement explaining how the provisions work is considered sufficient for purposes of the RFQ provision covering this requirement.

Answer: We confirm that this is acceptable

3. Related to RfQ Technical Criteria no. 2: The legal structure of our Group, where the Group Company acts as holding company for several subsidiaries, makes it practically impossible for the Group Company to bid. Two of its subsidiaries are the Operating Company for its local activities, primarily at the Airport and the Holding Subsidiary for our international participations, which is the entity with which we intend to participate in the GAIA concession tender. The Holding Subsidiary for international does not employ any employees but makes use of the Operating Company resources. All directors of the Holding Subsidiary and the rest of the International team are employed by either the Operating Company and/or the Group Company.

In order to meet Technical Criteria no. 2, the Holding Subsidiary for international or a non-sister affiliate must demonstrate airport infrastructure project experience. The group obviously has the necessary experience, however almost all of its airport development and construction experience in the past 10 years has been undertaken by the Operating Company for airport activities (a sister affiliate) or one of its subsidiaries.

Considering the above we kindly suggest that the Holding Subsidiary for international is allowed to submit its airport infrastructure experience by demonstrating the relevant experience executed by its sister affiliate operating company.

Answer: We confirm that either the Group Company, the Operating Company or its subsidiary would have to bid. Alternately the Operating Company or its subsidiary and the Holding Subsidiary for International could form a consortium to bid, allowing the Operating Company to submit its experience.

4. While we have the RfQ documentation in our offices ready for delivery (subject to receipt from you of clarification we have requested with respect to certain matters of form and procedures affecting the filing of our SOQ), in Puerto Rico the Governor has declared a curfew and has ordered all commercial establishments, including law offices, to close until March 30 and all citizen to stay in their homes (except for special circumstances) as a means of reducing the opportunity for the spread of the Corona virus. This may make it very difficult for us to send you an electronic version of GPC's SOQ by the March 30 deadline. Given that other potential proponents may face similar practical difficulties, have you considered extending the deadlines further?

[Answer: Please refer to the new Prequalification Application Submission Deadline and updated timeline in Addendum 8](#)

5. Considering the current situation of COVID-19, where most countries have shut public and private offices and borders down, and being e-mail the safest way for the RFQ submission, we would like to know whether you are going to: (a) create a cloud to allow every bidder documents' upload (many of them are not able to be sent by simple e-mail regarding their size), or (b) allow the use of our company private clouds for a secure exchange.

[Answer: Please refer to the new Prequalification Application Submission Deadline and updated timeline in Addendum 8 to address the current COVID-19 situation. At this time, we have not yet considered the use of a cloud for submission of documents.](#)

6. We would like to request that Financial Criteria 2 be satisfied by either (a) a company controlled by the applicable member (as has been previously confirmed) OR (b) by a company under common control with the applicable member **with a project financed or refinanced in the past 10 years**

[Answer: Please refer to Addendum 7](#)

7. Confinement measures recently adopted by various countries in response to the COVID-19 crisis make it difficult for the relevant persons to sign, notarize and send the documentation in response to the prequalification. In this context, will the presentation of the prequalification applications be significantly postponed?

[Answer: Please refer to the new Prequalification Application Submission Deadline and updated timeline in Addendum 8](#)

8. As you may be aware, our country is now on lock-down due to the fast growth in the number of Covid-19 cases. We remain very motivated by the Project but given this highly disruptive context, we would kindly ask you to consider a 6 weeks postponement of the deadline for the Prequalification Application Submission Deadline.

[Answer: Please refer to the new Prequalification Application Submission Deadline and updated timeline in Addendum 8](#)

9. Due to the turbulent times, please allow me to address question: Is the Prequalification Application Submission Deadline (30 March 2020) and the RFQ phase as such affected by the current circumstances in the world?

[Answer: Please refer to the new Prequalification Application Submission Deadline and updated timeline in Addendum 8 to address the current COVID-19 situation.](#)

10. As you already know, strong mobility restrictions apply now in our country and obviously affect day-to-day business. Despite our current intense home office practice, Covid-19 epidemic and its consequences (staff quarantine, attorneys closed...) are making March 30th a very challenging deadline. As the situation stands, we may either propose to submit on due time by email (planned March 30th) a full set of documents (but possibly incomplete in terms of notarization and not initialed), or we may require a deadline postponement to ensure we, and possibly other bidders, are then able to submit a full package. We may revert later regarding the physical delivery currently planned April 6th, as physical submission seems unrealistic for now. We will follow-up closely the evolution of the overall logistics chain to see if sending our files across is feasible.

[Answer: Please refer to the new Prequalification Application Submission Deadline and updated timeline in Addendum 8 to address the current COVID-19 situation.](#)

11. We would like to clarify what type of evidence would comply with the requirements of Annex 8 regarding Financial Criterion No. 2.

[Answer: We confirm that evidence could be a certificate from the lending bank or a redacted loan agreement. For equity raised we could accept a certificate from CEO, CFO, Corporate Secretary or Accountants.](#)

12. Due to the rapid deterioration of the Coronavirus crisis, the shutdown of major airports, and the risk of delays in the delivery of the documents, is GAIA considering the postponement of the RFQ process?

[Answer: Please refer to the new Prequalification Application Submission Deadline and updated timeline in Addendum 8 to address the current COVID-19 situation.](#)