



REPUBLIC OF CYPRUS
MINISTRY OF TRANSPORT, COMMUNICATIONS AND WORKS

Limassol Port Commercialisation Transaction
MTCW /LP1/2015

Date: 25/6/2015

Subject: Responses to clarification requests submitted by Interested Parties regarding the Invitation for Expression of Interest (“IEoI”) for the commercialisation of the activities of Limassol Port

Issue number: 1

#	Reference to the IEoI	Question	Response
1	n/a	<i>“We would like to be informed whether, collectively or individually, the present employees of the Authority would be allowed to participate in the process, as part of a consortium that would be interested in succeeding in one or more than one of the lots that the Government of Cyprus wishes to extend to the private sector ... If the answer is no (i.e. the employees are barred from showing an interest) we would like to be informed by which articles and conditions in the documents this is effected.”</i>	Section 6.8 of the Invitation for Expressions of Interest applies in this scenario and this has an impact upon the Interested Party and their communication with the employees of the Authority or the CPA and the ability of the Authority to disqualify the Interested Party from the procurement. In addition, any such participation by employees of the Authority or the CPA may create a conflict of interest which may have the effect of distorting competition and impacting upon the equal treatment of candidates and tenderers. Accordingly, this gives rise to the right of the Authority to disqualify the consortium as a whole in accordance with paragraph 2.2 (d) of Annex A, Annex B or Annex C (depending upon the Lot).
2	Section 8.4.2 (page 24)	<i>“We would also like to have further clarification to article 8.4.2 (page 24). More specifically if the consortium as a whole meets the Financial Eligibility Criteria set for each lot, because the main Member of the Consortium meets on its own these financial criteria, the employees will still need to required to meet (be it pro rata) their share of the Financial Criterion or this would be considered as having already been met by the Consortium as a whole”</i>	As is stated in section 8.4.2 of the Invitation, the consortium as a whole (weighted by the relevant participation of each Member of the consortium) or each Member (pro rata to such Member’s participation in the consortium) must meet the Financial Eligibility Criteria.