

S. E. “Chisinau International Airport”

The Republic of Moldova

Specifications

**for participation in a competitive tender to select a tenant
for commercial spaces at Chisinau International Airport,
specifically for providing public catering services (Food and
Beverages).**

TENDER No: 2/RMO2024 (lot 2)

CHAPTER 1. GENERAL INFORMATION

1. Introduction

S.E. “Chisinau International Airport” launches a competitive tender for identification of an economic agent to lease commercial spaces for providing public catering services. These spaces include both restricted access area and common access area in the Terminal and Express Lounge within the airport premises, as well as the canteen.

2. Presentation of the Chisinau International Airport

S.E. „Chisinau International Airport” was founded in 1995 by the order nr. 14 from 22.02.1995 of the State Civil Aviation Authority of the Republic of Moldova. The founder of S.E. “Chisinau International Airport” is Public Property Agency of the Republic of Moldova.

Chisinau International Airport is situated at 13 kilometers distance from the center of the capital. Chisinau International Airport (IATA: RMO; ICAO: LUKK) is located at the intersection of commercial roads of Asia and Europe, being the main air gate of the Republic of Moldova.

The airport is equipped with a runway 3590 meters long, 45 meters wide, coded 4D, being operated 24 hours.

At the moment, 17 airlines operate regular and charter flights to/from Chisinau International Airport to 39 international destinations.

Effective 27.03.2023, the material goods, including commercial premises, and land properties related to Chisinau International Airport were transmitted to S.E. „Chisinau International Airport” by the Order nr. 61 from 27.03.2023 of Public Property Agency.

3. Passenger Traffic

In period 2015-2019, the total passenger flow of Chisinau International Airport increased with around 35%. The maximum passenger flow was registered in 2019 reaching a total of 2.995.530 passengers.

Table 1: Development of the Passenger Traffic (millions passenger)

	2015	2016	2017	2018	2019	2020	2021	2022	2023
Total passengers	2.21	2.2	2.74	2.83	2.99	0.94	1.84	2.31	2.83

As any other airport in the world, Chisinau International Airport was negatively influenced by COVID-19 pandemic, with drastic decrease of passenger flow in 2020. Still, the passenger flow began to recover in 2021, and in 2022, notwithstanding the negative impact of the Ukraine conflict, the number of the passengers reached 77% of the traffic registered in 2019.

Table 2 below demonstrates the forecast regarding the development of the passenger traffic in period 2023-2027. The participants of the present procedure are highly recommended to perform own analysis and forecasts. S.E. „Chisinau International Airport” shall in no case be liable for any deviations of the real passenger traffic from the forecasted one.

Table 2: Development of the Passenger Traffic Forecast (millions passenger)

	2024	2025	2026	2027
Total passengers	3.0	3.4	4.0	4.5

CHAPTER II. SUBJECT OF THE COMPETITIVE TENDER

1. Goal of S.E. “Chisinau International Airport”

The goal of the S.E. “Chisinau International Airport” is to identify the most qualified economic agent whose commitments, practices and quality standards are best aligned with those of an international airport.

Expectations of S.E. “Chisinau International Airport” aim at:

- improvement of the overall traveler experience;
- enhancing the offer and local heritage which together with the international offer will satisfy constantly growing needs of travelers transiting Chisinau International Airport;
- increase of share of non-aeronautical revenues.

The participants of the procedure shall demonstrate, by confirmative documents, that they possess:

- necessary experience, gathered at international airports, to provide services at same quality standards aligned with those of top international airports of the European Union;
- financial resources for the arrangements of the premises;
- ability to organize and to manage the process of taking over and arrangements of the premises, without causing any disruption to passenger flow and comfort of travelers during the period of works.

2. Description of the premises offered for rent

Single lot – premises in the limited access and common access areas of the Airport Terminal, Express Lounge, and airport territory (restaurant, cafeteria, business lounge, storage premises, canteen) – 7 units, with the total surface of the lot of 4 781,3 m².

No	Purpose of the premises	Method of use	Surface, sq.m	Initial amount of the monthly rent/sq.m (without VAT) EUR
Premises, Terminal, Limited Access Area, floor II				
1	Public catering (425,7m ² +45,6m ² +107,0m ² +51,0m ² +9,3m ² +10,6 m ² +43,4m ²)	Restaurant/Cafeteria with kitchen	692,6	40,00
2	Public catering 5,9m ² +2,4m ² + 71,0m ² +5,4m ²	Business-Lounge	84,7	50,00
3	Public catering	Cafeteria / Restaurant Business Lounge	75,0	50,00
Premises, Terminal, Common Access Area, floor II				
1	Public catering (common access area, departures) 205,3m ² +35,9m ² +5,1 m ² + 12,7 m ² +5,0 m ²	Restaurant with kitchen in traditional style	264	35,00
Premises, Express Lounge				
1	Public catering (Common Access Area, floor 1)	Cafeteria/snack bar	70.6	30,00
Premises, Public Catering (Canteen)				
1	Canteen, Chisinau International Airport territory	Canteen	2 503,41	10,00
2	Canteen Area	Adjacent area	1 091,0	2,3
Total sq.m.			4 781,3	
Total amount of the lot - EUR/month, without VAT				74 590,4

The participants are informed that the surfaces of each premise are indicative, the exact dimensions of the premises follow to be measured at the moment of their handover and will be noted in the handover-reception report.

The premises are equipped with washable wallpaper, tiled or laminate flooring, equipped with electrical installation for lighting, sockets and also connected to sewage points, ventilation and air conditioning installation in the airport.

Upon request, the planning and specific location of the premises will be provided in good faith. However, after the handover of premises and the winning participant develops their detailed project, there is a possibility that the allocated premises may vary in location and/or dimensions by up to 5% ($\pm 5\%$) compared to the current allocation. Any such variation will not result in adjustments to the financial offer or other terms and conditions outlined in the present document. Interested persons may inspect the premises in period 01 June 2024 – 24 June 2024, on basis of written request sent at least 24 hours prior to the address: cancelar@airport.md.

3. Purpose of the premises and the allowed variety of products

The rented premise will be used for public catering activities such as traditional local restaurants, canteens, cafeterias, fast food, etc. This will be done in compliance with all legal provisions in the field, the tenant not having the right to change the use of the premises throughout the entire rent period.

- **To develop a location (restaurant) in local traditional style, food, and beverages, for Food and Beverages activity (common access area).**
- **To develop a children's playground within the restricted access area, in the restaurant zone, covering an area of no less than 30 square meters. The goal is to enhance passenger facilities in this zone and bring it up to the standards expected of an international airport;**
- **To furnish premises suitable for a canteen setup and offer catering services to the company's employees at affordable rates;**

If the tenant engages in any activity not specified in the current documentation without written consent from S.E. „Chisinau International Airport”, it may result in the airport terminating the agreement legally, without the need for court intervention. This serves as a sanction for the tenant's breach of contract.

4. Arrangement of premises

Conditions of the arrangement of the rented premises:

Arrangement and improvement of the premises will be performed by the tenant, by its own care and at its own expense:

- At least 5 days prior start of premises arrangement works, in order to obtain authorization for conducting such works, the tenant will present to S.E. „Chisinau International Airport” implementation project, concept and design of the premises;
- Throughout the entire period of premises arrangement works, as well as after their termination, the tenant will take care of removing all related garbage. The residuals shall be removed daily, and the space shall be cleaned at the end of the works;

Arrangement of the premises will be performed by the tenant, by its own care and at its own expense, taking into consideration the following:

- appropriate interior decorations;
- furniture, finishing materials shall be attractive and have a pleasant colour;
- the architecture and the prevailing colours of the site area will be taken into account;
- the technical requirements of the airport and those regulated by state institutions will be taken into account;
- premises arrangement works shall be performed in strict accordance with the airport's rules regarding passenger traffic in the area and without disrupting the activities of the other tenants and the Airport's core activities;
- the tenant will keep the current concept/structure of the premise as much as possible and will ensure the completion of the works within 3 months maximum. The term may be extended if necessary with the Lessor's consent;
- public catering points within S.E "Chisinau International Airport" will be modern, innovative and tempting, offering quality services;

5. Handover of the premises and start of the activities

S.E "Chisinau International Airport" will hand over the premises within 15 working days from the date of signing the Lease Agreement.

The tenant will have maximum 90 calendar days from the date of handover by S.E. „Chisinau International Airport" for the arrangement of premises and start of the activities. At the Tenant's request this period may be extended by another 90 calendar days.

6. Contractual term and rent payment

Duration of the tenancy is 5 (five) years. The agreement may be prolonged if the parties agree accordingly, by signing an additional annex, provided all contractual obligations are respected by the Tenant.

CHAPTER III. CONDUCTING THE COMPETITIVE TENDER

1. General characteristics of the procedure

a. The organizer of the procedure

S.E. "Chisinau International Airport"

Postal address: Bvd. Dacia 80/3, Chisinau, MD - 2026,

Email: cancelar@airport.md

Stages of the organization of the procedure:

No.	Stage	Date /period
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1.	Forwarding of the informative press-release for publication in “Monitorul Oficial” of the Republic of Moldova	31 May 2024
2.	Premises visits	01 June 2024 - 24 June 2024
3.	Submission of applications for participation in the competitive tender	
4.	Examination of applications	25 June - 26 June 2024
5.	Conducting the competitive tender	27 June 2024, time 14:00
6.	Announcement of the winner	
7.	Signing the Lease Agreement	until 04 July 2024
8.	Advance rent payment for 3 months	within 10 days from the date of the signing of the Agreement
9.	Payment for guarantee in accordance with the agreement	within 10 days from the date of the signing of the Agreement
10.	Handover of the premises	within 15 days from the date of the signing of the Agreement

b. Date, time, and place for submitting applications.

The deadline for submitting applications is 24 June 2024, at 17:00. Applications must be prepared in Romanian and submitted to the chancery office of Chisinau International Airport at Bvd. Dacia 80/3, Chisinau, MD 2026, Office 210.

c. Request for clarifications

The participants may obtain information and clarifications by filing a written request to the Organizer of the procedure to the email address: cancelar@airport.md and/or Bvd. Dacia 80/3, Chisinau, MD 2026.

The procedure's organizer must respond to any clarification requests submitted at least 3 calendar days before the application submission deadline. Responses will be sent at least 2 calendar days before the competitive tender deadline to all those who have requested a copy of the Tender Specifications.

d. The initial monthly rent

The rent payment is set in accordance with Annex 9 of the State Budget Law for 2024.

Thus, the starting amount of the monthly rent for premises is EUR 74 590,4 without VAT. The amount of the rent payment is set for passenger traffic of 2.8 million passengers.

With every increase of passenger traffic with 100 thousand, annual rent will increase with 2% annually, and in case of decrease of passenger traffic, the amount of the rent payment will remain unchanged.

e. Payment of deposit and the participation fee

To participate in the tender, the participants pay a deposit payment and a participation fee.

Participation fee. Legal entities from the Republic of Moldova, foreign individuals and legal entities, stateless persons transfer participation fee in amount of MDL 10.000, individuals from the Republic of Moldova – MDL 5.000 to the bank account indicated below.

A deposit amounting to 10% of the initial monthly rent shall be transferred to the tender organizer's account (details provided in the informational press release). Payment will be made in the national currency of the Republic of Moldova, based on the exchange rate set by the NBM on the payment date.

Bank Details of S.E. “Chisinau International Airport”:

beneficiary: S.E. “Chisinau International Airport”

fiscal code: 1002600007189;

bank account: VICBMD2X802;

beneficiary bank: CB „Victoriabank”, branch No 08, Chisinau;

IBAN: MD53VI000002224708416MDL.

Deposit payment of the winner of the tender is included in the amount of the awarded rent.

The deposit will be returned to the other participants within maximum 10 business days from the date of signing the rental agreement, on basis of the written request.

The deposit will be retained in any of the following situations:

- the participant submitted all documents for participation, but did not attend the procedure;
- the participant withdrew its application after the submission time limit and before the award of the agreement;
- refuses to sign the rent agreement in due term, although was declared the winner of the tender.

2. Preselection of the participant

The participant offering **the highest rent for all premises** included in the current competitive tender will be declared the winner.

a. Eligibility conditions

At preselection procedure of the participants, can take part: legal entities, residents or non-residents, which are authorized for conducting commercial activities, which are the object of the tender.

Any participant or legal entity associate being in one of the following situations can be declared ineligible and will not be admitted to the tender if he:

- did not pay the taxes for participation in the procedure, including the deposit for participation;
- is in disputes with the tender organizer / S.E. „Chisinau International Airport”;
- is in the process of insolvency under a judicial act;
- within last 5 years, was convicted by final judgment of a court for committing and participating in the activities of a criminal organization, for corruption, fraud and/or money laundering, terrorism;

- has not fulfilled all payment obligations of taxes, duties and contributions in accordance with the legal provisions of the Republic of Moldova or the country in which he is resident;
- on the date of the procedure, has overdue debts to S.E. “Chisinau International Airport”;
- presents false information;
- has not respected previous contractual obligations with S.E. „Chisinau International Airport”;
- the same persons or persons which are spouses, relatives or kinsmen up to and including the second degree, make a part of the governing bodies of 2 or more participants, or have common interests of personal, economic, financial or any other nature;
- is in the situation of conflict of interests in the framework of and/or in connection with the present tender procedure with decision-makers within S.E. „Chisinau International Airport”;
- the legal entity or the affiliated individuals are included on the list of international sanctions in one of the EU countries, United States, Canada, Great Britain.

b. Qualification conditions

Based on the goals outlined in paragraph 1 of Chapter 2 by S.E. „Chisinau International Airport” in these Specifications, participants must provide evidence of their experience and level of activity in one or more areas of public catering, such as restaurants, canteens, cafeterias, buffets, fast food units, etc., similar to the premises intended for lease.

Thus, a participant shall comply with the following mandatory criteria:

- has at least 7 years’ experience in public catering in airports.
- in those 7 years of experience in public catering they should show proficiency in managing at least three types of catering establishments (such as restaurants, fast food outlets, cafes, themed restaurants) in the countries where they operate.
- when submitting their application for participation, they must currently be operating in the catering sector at a minimum of seven airports in European Union countries. Each of these airports must have had an average annual traffic of at least 2.5 million passengers over the past three years combined. The average traffic for each airport will be calculated by adding the total traffic for the last three years and dividing it by three.
- generated a turnover in the restaurant catering sector of at least EUR 5 million in at least 1 of the last 3 years of activity.
- commits to establish a restaurant with a traditional local character specific to the Republic of Moldova.
- confirms guaranteed high quality of customer service; in this regard, any type of confirmation either in written form or through online platforms is accepted;
- has marketing and promotion strategies and marketing policy presentation within the company;
- concept realization and proposed capital investment, conceptual presentation and business case;

- puts a significant accent on prices and quality-price relationship. Offering clients advantageous prices for stimulating conversion rate and sale.

Confirmation of experience will be provided by extracts from contracts, certificates, operating permits, all valid, as well as with recommendation and confirmation letters from the airports where participant conducted activity.

Proof of economic and financial capacity will be provided by enclosing with the application the balance sheets for the last three completed financial years.

If the participant is part of a group of affiliated companies within the meaning of Article 203 of the Civil Code, the participant can use the experience of such group of companies, provided he demonstrates relation of capital with the group of companies whose experience he invokes.

c. Qualification documents

- Participation application;
- Proof of payment of participation fee (copy);
- Proof of advance payment (copy of the bank document confirmed by signature and stamp);
- Participant information form;
- Certificate/decision of registration of the enterprise/extract from the State Register of Legal Entities and Sole Proprietors – recent copy (1 month maximum), confirmed by the participant’s signature and stamp. Non-resident participant will present documents from the country of origin confirming form of registration/attestation;
- Information regarding turnover;
- Information regarding similar minimum experience, enclosed with confirmation documents (contracts, certificates, authorizations, confirmation letters);
- Power of attorney of the participant’s representative for both the submission of the application and the participation in the tender – original, accompanied by a copy of the identity card of the authorized person confirmed by the signature and stamp of the participant;
- Declaration on their own responsibility regarding not falling under situations which determine exclusion from the participation procedure mentioned in letter a).

3. Signing the Agreement

The process of conducting the tender and signing the Lease Agreement shall be carried out in accordance with the provisions of the Regulation on the Lease of Unused Assets, approved by Government Decision No. 483 of 29.03.2008 in conjunction with the provisions of the Regulation on Competitive and Reduced Tenders, approved by Government Decision No. 136 of 10.02.2009.

CHAPTER IV. FINAL AND TRANSITIONAL PROVISIONS

1. Disputes

1.1. The competent court for the settlement of any disputes arising from the tender activity and subsequent disputes arising from the execution of the rent agreement shall be the Court of Chisinau.

2. Disclaimer of liability

2.1. This documentation does not constitute any agreement or offer from S.E. "Chisinau International Airport" to the participants in the tender or any other interested person or persons. The purpose of this material is to provide useful information to bidders/interested persons in the process of preparing their own bid. This material contains statements reflecting various assumptions and assessments reached by the S.E. "Chisinau International Airport" in relation to various aspects. These evaluations and statements do not claim to include all the information any potential bidder may need. It is important to note that this documentation may not be suitable for all interested parties, and the S.E. "Chisinau International Airport", together with its employees and the Tender Committee, cannot take into account the objectives, technical experience and specific needs of each party which consults or uses this material.

2.2. The bidder is responsible for covering all its costs associated with or related to the preparation and submission of its proposal, including but not limited to costs for preparation, copying, postal charges, delivery charges, expenses related to any demonstration or presentation that may be required by S.E. "Chisinau International Airport", or any other expenses related to its proposal. All such costs and expenses are the responsibility of the bidder, and S.E. "Chisinau International Airport" shall in no way be liable for them or for any other cost or expense incurred by any bidder in connection with the preparation or submission of the bid, regardless of the conduct or outcome of the selection process.

3. Confidentiality & conflict of interest

3.1. The bidder must avoid any situation of conflict of interest and must not have any relationship that could generate such conflicts with other bidders or other parties involved in the award of the contract.

3.2. The organizer, including the Tender Committee, must respect the confidentiality of information and documents provided by bidders, avoiding disclosure in order to protect their rights to intellectual property or trade secrets.