

APPROVED by  
Director of Municipal enterprise  
“Šiaulių Oro Uostas”  
Order No. 12 of 15 December 2020

**CONDITIONS OF THE AUCTION FOR  
LEASE OF PART D OF LAND PLOT OF  
MUNICIPAL ENTERPRISE ŠIAULIŲ ORO UOSTAS, ADDRESS  
AVIACIJOS ST. 5, ŠIAULIAI**

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The Municipal enterprise “Šiaulių Oro Uostas”, legal entity code 145907544, VAT number LT459075415, registered office at the address Lakūnų St. 4, 77103 Šiauliai (hereinafter referred to as the **Lessor**), taking into account that the Lessor, by trust law, controls 26,2460 hectares of the Land Plot owned by the state, Land Plot Cadastre No. 2901/0017:10, unique number 4400-3221-8923, at the address Aviacijos St. 5, 77103 Šiauliai (hereinafter referred to as the **Land Plot**), announces the following conditions of the auction for the lease of Part D of the Land Plot.

## **1. GENERAL PROVISIONS**

- 1.1. The Lessor shall hold an auction for the lease of parts D and E of the Land Plot controlled by the Lessor and owned by the Republic of Lithuania. The Lessor’s conditions of the lease of parts of the Land Plot (hereinafter - the **Conditions**) set out the procedure for the lease of the parts of the Land Plot controlled by trust law, located on the Land Plot, the cadastral data of which is provided in Annex No. 1 to the Conditions of the Auction (hereinafter – the **Parts of Land Plot**, and separately the **Part of Land Plot**) (hereinafter - the **Auction**).
- 1.2. The main concepts used in these Conditions are defined in the Law on Aviation of the Republic of Lithuania (hereinafter - the **Law on Aviation**), the Description of the Procedure for Land Lease at International Airports approved by the Government of the Republic of Lithuania, Resolution No. 1098 of 8 November 2006, on the Leasing of Land at International Airports (the **Auction Description**).
- 1.3. The announcement of the Auction was published on 15 December 2020 on the Lessor’s website at [www.siauliai-airport.com](http://www.siauliai-airport.com) and other sources.
- 1.4. **Place, date and time of the auction:** The Auction will be hold in the meeting room (second floor) of the Lessor’s administrative premises at the address Lakūnų St. 4, 77103 Šiauliai, Lithuania. The date and time of the Auction: 18 January 2021, at 10:00 a.m. (local time).
- 1.5. The contact person of the Lessor: Arūnas Venckus, Public Procurement and IT Projects Manager, Cell. phone: +370 65593146, email: [airport@siauliai.lt](mailto:airport@siauliai.lt).
- 1.6. The Auction is held and conducted by the Auction Commission formed by the order of the Lessor’s Director (hereinafter - the **Auction Commission**) consisting of 5 (five) members.

## **2. SUBJECT OF THE AUCTION, INITIAL ANNUAL FEE ROR LAND LEASE AND CONDITIONS FOR LESSEE’S ACTIVITIES**

- 2.1. The subject of the Auction:
  - 2.1.1. Lease of Part D of Land Plot, area 14 948 sq. m;
- 2.2. The Cadastre No and other data of the Parts of Land Plot are specified in the Conditions and Annex No. 1 to the Conditions.
- 2.3. The main purpose and use (s) of the Land Plot where the Parts of Land Plot are leased, are the territories of land for other purposes, communication and engineering communication service objects, territories of communication and engineering network corridors.
- 2.4. Parts of Land Plot are leased exclusively for the construction and operation of the following buildings:
  - 2.4.1. For the construction of the Lessee-owned building (s) (hereinafter the **Building** and/or **Buildings**),

installation and operation, as well as for the construction and operation of the engineering structures required for the Building (s) (hereinafter - the Building and engineering structures are referred to as the **Lessee's Infrastructure**), **for purposes related to airport operations only, pursuant to economic activities specified in clause 2.4.2.** The buildings may also be equipped with warehousing, administrative and utility (ancillary) premises, but the area of these premises may not exceed half of the area of the Building (s).

- 2.4.2. The Lessee shall be entitled to carry out all or one or more of the following activities related to the Lessor's activities in the Building (s) and Part (s) of Land Plot according to the classification of economic activities (NACE Rev. 2) (hereinafter - the **Activities**):
  - 2.4.2.1. Passenger air transport activities (51.10);
  - 2.4.2.2. Freight air transport activities (51.21);
  - 2.4.2.3. Warehousing and storage activities (52.10);
  - 2.4.2.4. Service activities incidental to air transportation (52.23);
  - 2.3.5.5. Cargo handling activities (52.24);
  - 2.3.5.6. Other transportation support activities (52.29);
  - 2.3.5.7. Other passenger land transport activities n.e.c. (49.39);
  - 2.3.5.8. Renting and leasing of air transport and equipment (77.35);
  - 2.3.5.9. Repair and maintenance activities of aircraft and spacecraft (33.16);
  - 2.3.5.10. Repair of electronic and optical equipment (33.13).
- 2.5. No buildings may be erected or activities carried out on the parts (s) of the Land Plot other than the Buildings or Activities, and/or the Land Plot (s) may not be used for any purpose other than those specified in these Conditions and in the prospective Lease Agreement of the Land Plot (Annex No. 5 to the Conditions).
- 2.6. Until the beginning of the Auction, the participants, by submitting a written application to the Lessor by e-mail [airport@siauliai.lt](mailto:airport@siauliai.lt), have the right to access the following documents of the Land Plot: a statement issued by the centralised database of the Real Property Register, the plan of the Land Plot with the areas of Parts of Land Plot, a drafted detailed plan of the Land Plot (hereinafter – the **Detailed Plan**), which sets out the regulations for the development of Land Plot. The Lessor will submit the documents only in the electronic form.
- 2.7. **The initial annual lease fee for Part of Land Plot** is calculated in accordance with the Description of Procedure and Rates for Calculating the Land Lease Fee for International Airports, approved by the Government of the Republic of Lithuania, Resolution No. 1088 of 31 October 2006. The initial annual lease fee is EUR 0.63 per 1 sq. m. of the area of Part of Land Plot. The initial annual lease fee for Part of Land Plot shall be equal to the amount received by multiplying the area of Part of Land Plot (sq. m) by the price of 1 sq. m. for one year (0.63 Eur), that is:
  - 2.7.1. **Part D of Land Plot: 9,417.24 Eur.** Calculation: 14,948 sq. m. x 0.63 Eur.
- 2.8. The lease fee is calculated and stated net of VAT and other taxes. If VAT and other taxes are applicable to the leased Part of Land Plot, the Lessee undertakes to pay the taxes due on the leased Part of Land Plot.

2.9. The annual lease fee for Part of Land Plot payable by the Lessee shall be determined on the basis of the winning bid of the Auction Participant who has signed the lease of Part of Land Plot. The annual lease fee for the lease of Part of Land Plot, payable by the Lessee will be recalculated according to the procedure set out in the Draft Land Lease Agreement for Part of Land Plot, provided in Annex No. 5 to the Conditions.

### 3. QUALIFICATION REQUIREMENTS FOR PARTICIPANTS OF THE AUCTION

3.1. The participants of the Auction must meet the following qualification requirements:

| No. | Qualification requirements  | List of supporting documents  |
|-----|---|---|
| 1.  | <p>The participant, each of the partners in the participant group or their responsible persons were convicted of the following offense:</p> <ol style="list-style-type: none"> <li>1) participating in, organising or directing a criminal organisation;</li> <li>2) bribery, trading in influence, bribing;</li> <li>3) fraud, misappropriation of assets, waste of property, fraudulent statement on a legal entity, misuse of credit, loan or targeted support, credit fraud, submission of false data on income, profits or assets, omissions of declarations, statements or other documents, fraudulent accounting or abusive practices which undermine the financial interests of the European Union set out in Article 1 of the Convention on the protection of the European Communities' financial interests;</li> <li>4) criminal bankruptcy;</li> <li>5) terrorist offenses and terrorist-related offenses;</li> <li>6) legalization of the assets derived from crime;</li> <li>7) trafficking in human beings, buying or selling of a child;</li> <li>8) an offense committed by a foreign supplier, partner of each group of suppliers, sub-supplier or other entity on whose capacity the supplier refers to, defined by the legal acts of other States implementing the legislation of the European Union listed in Article 57 (1) of Directive 2014/24/EU.</li> </ol> <p>A participant or his/her responsible person is deemed to have been convicted of an offense referred to in this paragraph where:</p> <ol style="list-style-type: none"> <li>1) the conviction of the participant or his/her manager was passed and became effective over the last 5 years and the person has a criminal record that has not expired or is not revoked;</li> <li>2) the participant, who is a legal person, another organisation or its division, member of other managerial or surveillance body or any other person entitled to represent the participant, or the accountant (s) or any other person (s), who has the right to draw up and sign the participant's accounting records, has been</li> </ol> | <p>The document issued by the State Enterprise Centre of Registers of in accordance with the procedure established by the Government of the Republic of Lithuania confirming the joint data processed by the competent authorities or a document issued by the relevant foreign institution not earlier than <b>30 (thirty) days before the date of registration of participants.</b></p> |

|    |  |   |
|----|--|---|
|    | convicted and the verdict has entered into force within the last 5 years and this person has a criminal record that has not expired or been revoked;   |   |
| 2. | The Participant, each of the partners in the participant group, for default on payment of taxes, including social security contributions, unless the amount owed is less than EUR 500 (five hundred).  | The document issued by the State Tax Inspectorate under the Ministry of Finance of the Republic of Lithuania or the document issued by the State Enterprise Centre of Registers in accordance with the procedure established by the Government of the Republic of Lithuania confirming the joint data processed by the competent authorities or a document issued by the relevant foreign institution not earlier than <b>30 (thirty) days before the date of registration of participants.</b> |
| 3. | The participant, each of the partners in the participant group is not subject to restructuring, bankruptcy, underwent bankruptcy, liquidation or suspension.   | The document issued by the State Tax Inspectorate under the Ministry of Finance of the Republic of Lithuania or the document issued by the State Enterprise Centre of Registers in accordance with the procedure established by the Government of the Republic of Lithuania confirming the joint data processed by the competent authorities or a document issued by the relevant foreign institution not earlier than <b>30 (thirty) days before the date of registration of participants.</b> |
| 4. | The participant, each of the partners in the participant group, are entitled to engage in such economic activities as are necessary for the performance of the contract of the lease of the parts of the Land Plot.  | Certified copies of the Articles of Association of the legal entity or other documents confirming the right of the Auction Participant to engage in the relevant activity. If the participant is registered in a foreign country - documents certified by the competent institution of the respective country, certifying the participant's right to engage in the relevant economic activity.  |
| 5. | The participant, each of the partners in the participant group is on the Untrusted suppliers list <sup>1</sup> .   | The compliance of potential participants with this requirement shall be verified by the Auction Commission.   |
| 6. | The compliance of each participant, each partner of the participant group with national security interests.<br><br>The evaluation of the compliance of the potential participant (in case of joint ventures, each partner) with the national security interests under the Law on Enterprises and Facilities of Strategic Importance to National Security of and Other Enterprises of Importance to National Security of the Republic of Lithuania. | The conclusion (s) of the Commission for the Coordination of the Protection of Objects of the National Security that the participant, each of the partners of group participants comply with the national security interests.   |

<sup>1</sup>Free access– <https://vpt.lrv.lt/nepatikimi-tiekejai-1>

- 3.2. The auction is open to a group of participating partners who must submit a joint venture agreement.
- 3.3. The joint venture agreement must include:
  - 3.3.1. the obligations of each party (partner) in the performance of the agreement on the lease of Part of Land Plot to be concluded with the Lessor;
  - 3.3.2. the agreement must provide for joint liability of all parties to the agreement for non-performance of obligations committed to the Lessor. In the absence of such provision in the joint venture agreement, the joint venture partners shall be held jointly liable for non-performance of obligations committed to the Lessor;
  - 3.3.3. it is foreseen which partner represents the group of participants.
- 3.4. A Participant who does not meet the qualification requirements of any of the partners in the participant group will not be recognised as a participant in the Auction.

#### **4. REGISTRATION OF PARTICIPANTS FOR THE AUCTION, SUBMISSION OF DOCUMENTS AND CONDUCTION OF THE AUCTION**

- 4.1. The place of registration of Auction participants: administrative premises of the Municipal enterprise “Šiaulių Oro Uostas” at Lakūnų St. 4, 77103 Šiauliai, passenger terminal, second floor, executive office.
- 4.2. The exact start and end of registration time for the Auction: Start: 18 January 2021, 08:00 a.m. (local time). End: 18 January 2021, 09:30 a.m. (local time).
- 4.3. The Auction Participant shall pay the initial deposit for lease of Part of Land Plot under the Auction as specified in clauses from 2.7.1. to 2.7.2. of the Conditions (hereinafter - Initial deposit) into the bank account of the Municipal enterprise “Šiaulių Oro Uostas”: Account No: LT41723000000345083, UAB Medicinos bankas, code 72300.
- 4.4. The Auction Commission shall register the persons or their authorised persons at the time specified in the announcement.
- 4.5. **A person wishing to register as an Auction Participant must submit to the Auction Commission:**
  - 4.5.1. a completed application to participate in the Auction (Annex No. 2 to the Conditions), which must specify the Part (s) of Land Plot and the proposed annual fee for the lease of Part (s) of Land Plot;
  - 4.5.2. a document certifying the Auction participant’s identity: a natural person’s identity document or a notarized copy of the registration document of a foreign legal person the Republic of Lithuania or of a foreign organisation or a document of identity of persons acting on a joint venture basis (natural person’s identity document or a notarized copy of an official registration document of a foreign legal entity or other foreign organisation that complies with the law). The documents issued abroad must be legalized or have an *Apostille* as specified by the Convention of 5 October 1961 on Abolishing the Requirement of Legalisation for Foreign Public Documents, and must be translated into Lithuanian and certified by the translator;
  - 4.5.3. an authorisation approved in accordance with the established procedure, if the person wishing to register as a participant in the Auction is represented by his authorised person;
  - 4.5.4. documents issued by the credit institution (division, branch) regarding payment of Initial deposit. A receipt or a copy of the order, certified by the original stamp of either the relevant bank or of the Auction

participant and the signature of the representative, shall be considered as a valid document for the purposes of this clause;

- 4.5.5. information about the credit institution (division, branch): its name, code and address; number of the account to which the Auction Commission shall transfer the refundable initial deposit;
- 4.5.6. persons wishing to register as a participant in the Auction as partners in the group of participants must submit the original or duly certified copy of the joint venture agreement. The requirements for the joint venture agreement are specified in clause 3.3. of the Conditions;
- 4.5.7. the documents and other data proving that the participant complies with the qualifying requirements specified in clause 3.1. of the Conditions.
- 4.6. The documents and particulars specified in clause 4.5 of these Conditions shall be submitted to the Auction Commission in a sealed envelope either directly or by post (by registered letter with list and paid delivery or by registered letter). The envelope shall bear the name and address of the Auction Commission, the area (s) of Part (s) of Land Plot to be leased and the cadastral number of Land Plot with Part to be leased, the date of the auction and inscription "Auction documents enclosed". The requisites (personal data) of the person or his/her authorised person wishing to register as participant for the Auction shall not be written on the envelope. Documents and other correspondence shall be submitted in Lithuanian (or in another language together with a certified translation into Lithuanian. For the purposes of this clause, a document certified by a translator shall be deemed to be a certified translation).
- 4.7. Unsealed envelopes, damaged envelopes, or envelopes containing personal data shall not be accepted by the Auction Commission. Unsealed envelopes, damaged envelopes or envelopes containing personal data sent by post shall be sent by registered mail to the person applying for the Auction no later than the next business day after the receipt.
- 4.8. Envelopes containing the Auction Documents shall be registered by the Auction Commission in the Certificate on the participants of the Auction (**Annex No. 3 to the Conditions**). The Certificate shall indicate the order numbers of the Auction participants (they are also registration numbers), the date of receipt of the envelopes, the exact time (hours and minutes) and other important information. The above indicated data shall be repeated on the received sealed envelope containing the Auction Documents.
- 4.9. Until the beginning of the Auction, the Auction Commission shall not have the right to open the envelopes and inform other persons about the data of the registered participants of the Auction.
- 4.10. Envelopes containing the Auction Documents, received by mail before the time of registration of these documents shall be registered on the first day of registration of the bids indicated in the announcement and shall be given the first registration numbers in the order of their receipt.
- 4.11. The Auction Commission shall not register the participants upon the receipt of the unsealed envelope, damaged envelope, or personal data are indicated on the envelope or, according to the inscription made on the envelope, it is impossible to identify Part (s) of Land Plot intended to be leased or mailed envelopes are received after the deadline for registration of Auction Documents specified in the announcement, unless the envelope has been delivered to the post the twenty-fourth hour zero minute before the deadline expires.
- 4.12. If no application to participate in the Auction is received after the registration deadline, the Auction shall be deemed not to have taken place.
- 4.13. Only persons registered in accordance with the procedure set forth in the Conditions are entitled to participate in the Auction. The persons wishing to attend the Auction as audience members are admitted

free of charge to the premises where the Auction is held.

- 4.14. The persons who have submitted the documents of the Auction participant shall not be considered the Auction participants if:
  - 4.14.1. not all documents specified in clause 4.5 of the Conditions were submitted, the data or application do not comply with clauses 3.1., 4.7., 4.11. of the Conditions or the documents proving the entities' non-compliance with national security requirements as provided in the Conditions were obtained;
  - 4.14.2. the person submits more than one application.
- 4.15. The reasons why persons are not recognized as participants in the Auction are specified in the Certificate on the Participants of Auction for the Lease of Part of Land Plot.
- 4.16. The Auction Protocol shall be completed during the Auction (**Annex No. 4 to the Conditions**).
- 4.17. The Lessor will conduct the Auction and approve the results in accordance with the provisions set out in Procedures of the Auction<sup>2</sup>.

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<sup>2</sup> Free access to Auction Description - <https://e-seimas.lrs.lt/portal/legalAct/en/TAD/TAIS.286277/asr>



**ANNEX NO 1 TO CONDITIONS OF THE AUCTION**

**PARTICULARS OF PART D OF LAND PLOT FOR LEASE**

Unique No.: 4400-3221-8923

Cadastral No.: 2901/0017:10

Principal purpose of use: Other

Use of the Land Plot: territories of transport and engineering communication service objects

Use of the Land Plot: Land for transport and engineering network corridors

Area of the Land Plot: 26,2460 ha

Area of Part D of Land Plot for lease: 14, 948 sq. m. Coordinates of turning points of boundaries of the leased Part D of Land Plot:

| <b>Turning angles</b> | <b>X</b>   | <b>Y</b>  |
|-----------------------|------------|-----------|
| 34                    | 6196929.16 | 461967.09 |
| 53                    | 6197108.57 | 461850.42 |
| 54                    | 6197142.02 | 461900.58 |
| 55                    | 6197045.17 | 461975.55 |
| 56                    | 6196974.32 | 462034.83 |

## ANNEX NO 2 TO CONDITIONS OF THE AUCTION

\_\_\_\_\_  
(Name and surname of the Lessee of the land, address of place of residence, contact information - telephone, e-mail; full name, full name of legal entity registered in the Republic of Lithuania or abroad, or foreign legal entity, legal entity's code, registered office address, contact information)

\_\_\_\_\_  
(To Head of the International Airport or the state authority or the state or municipal enterprise who control the international airport)

### APPLICATION TO PARTICIPATE IN THE LAND LEASE AUCTION

\_\_\_\_\_ No. \_\_\_\_\_  
(date)

1. The Part (s) of the Land Plot for lease:

\_\_\_\_\_  
(Address of the land plot, cadastral number, area)

\_\_\_\_\_  
(Title of the land plot in letters, area of the part of the land plot)

2. Date of the Auction \_\_\_\_\_

3. Participant of the Auction \_\_\_\_\_

(Name, surname, identity code of the natural person; full name and code of the legal entity registered in the Republic of Lithuania or abroad)

4. Credit institution (branch, division) \_\_\_\_\_

(Name, code, address and account number to which the initial deposit shall be refunded)

5. Proposed annual land lease fee \_\_\_\_\_

\_\_\_\_\_ Eur

(The amount in figures and in words (if the application refers to several parts of the land plot, it must clearly state which part the specific lease fee is proposed for)

ENCLOSURE (list documents enclosed with the application in a sealed envelope):

- 1.
- 2.
- 3.
- 4.

The Lessee or his authorized person: \_\_\_\_\_  
(Name, surname)

\_\_\_\_\_  
(Signature, L.S.)

## ANNEX NO 3 TO CONDITIONS OF THE AUCTION

\_\_\_\_\_  
(Title of the state authority or the state or municipal enterprise who controls the international airport)

### THE LAND LEASE AUCTION COMMISSION

\_\_\_\_\_  
(To Head of the State authority or the state or Municipal Enterprise who controls the international airport)

### REPORT ON THE PARTICIPANTS OF LAND LEASE AUCTION

\_\_\_\_\_ No. \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Place of issue)

Part D of Land Plot for lease are located at the address Aviacijos St. 5, Šiauliai, unique No. 4400-3221-8923, cadastral no. 2901/0017: 10, Land Plot area 26.2460 ha.

Area of Part D of Land Plot for lease: 14, 948 sq. m.

Start of registration of the bidders' documents: \_\_\_\_\_  
(date, exact time)

End of registration of the bidders' documents: \_\_\_\_\_  
(date, exact time)

Start of registration of the bidders' documents: \_\_\_\_\_  
(date, exact time)

Date of the Auction: \_\_\_\_\_  
(date, exact time)

| No. | Application and documents reception time (in exact hours and minutes) | The name and surname of the auction participant (full title of legal entity of the Republic of Lithuania or foreign legal entity or other foreign organization) | Short-comings in the documents submitted by the bidders | Comments | Conclusion regarding acceptance/non-acceptance of the bidders |
|-----|---|---|---|----------|---|
|     |   |   |   |          |   |

|  |  |  |  |  |  |
|--|--|--|--|--|--|
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

Chairman of the Auction Commission: \_\_\_\_\_  
(Signature, name, surname) L.S.

NB:

1. The first and second columns of the table shall be completed for the registration of applications and the Auction Documents, while other columns shall be completed in the course of the Auction.
2. If the applications and documents are received by post, the date of receipt of an envelope shall be entered in the second column of the table.

**ANNEX NO 4 TO CONDITIONS OF THE AUCTION**

\_\_\_\_\_  
(Title of the state authority or state or municipality enterprise who controls the international airport)

**THE LAND LEASE AUCTION COMMISSION**

**PROTOCOL ON THE AUCTION FOR LEASED PARTS OF LAND PLOT**

\_\_\_\_\_ No. \_\_\_\_\_  
(date)

\_\_\_\_\_  
(place of issue)

1. Place, date, exact time of the Auction: \_\_\_\_\_  
\_\_\_\_\_.

2. Parts of Land Plot for Lease:

2.1. Area of Part D of Land Plot for lease: 14, 948 sq. m.

Part D of Land Plot for lease are located at the address Aviacijos St. 5, Šiauliai, unique No. 4400-3221-8923, cadastral no. 2901/0017: 10, Land Plot area 26.2460 ha.

3. Initial annual land lease fee:

3.1. Part D of Land Plot for lease: \_\_\_\_\_ Eur.  
(the amount in numbers and words)

4. The highest annual land lease fee offered in the auction:

4.1. Part D of Land Plot for lease: \_\_\_\_\_ Eur.  
(the amount in numbers and words)

5. The highest annual land lease fee was offered by the auction participant or his authorized member:

5.1 Part D of Land Plot for lease: \_\_\_\_\_ .  
(name, surname, identity code, address of the participant or his authorized member)

6. Registration No of the auction participant or his authorized member who offered the highest annual Land Lease fee: \_\_\_\_\_

6.1. Part D of the Land Plot leased: \_\_\_\_\_ .  
(number)

The Lessee or the authorized person:

for Part D of Land Plot for lease:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name and surname)

Chairman of the Auction Commission

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name and surname)

APPROVED BY  
Director of the Municipal enterprise “Šiaulių Oro Uostas”

\_\_\_\_\_  
(Signature) L.S. (Date)

**ANNEX NO 5 TO CONDITIONS OF THE AUCTION**

**PART OF LAND PLOT LEASE AGREEMENT**

(submitted as a separate file)