

## Notice of availability of spaces for office use at the “Business City” real estate complex



**Aeroporti di Roma S.p.A.**

**March 27<sup>th</sup> 2019**

# NOTICE OF AVAILABILITY OF SPACES FOR OFFICE USE AT THE “BUSINESS CITY” REAL ESTATE COMPLEX

## 1. INTRODUCTION

Aeroporti di Roma S.p.A., a company subject to the management and coordination of Atlantia S.p.A., with offices in Fiumicino (Rome), Via Pier Paolo Racchetti No. 1, with Tax Code 13032990155 (“**ADR**”), has launched the real estate development initiative for the construction, within the airport grounds in proximity to the Terminals of “Leonardo da Vinci” International Airport in Fiumicino, of a complex of multifunctional buildings, predominantly for use as offices and personal services (hereinafter the “**Real Estate Initiative**”).

By notice dated 6 July 2018, published in its full version on the website [www.adr.it/businesscity](http://www.adr.it/businesscity) and as an extract in national and international newspapers (*Sole 24 ore, Il corriere della Sera, La Repubblica, Il Messaggero, Il Tempo* and the Financial Times), ADR has launched a phase of dialogue and promotion to the public about the Real Estate Initiative (hereby “**Dialogue Phase**”).

By subsequent notice dated 21 February 2019, published in its full version on website [www.adr.it/businesscity](http://www.adr.it/businesscity) and as an extract in national and international newspapers (*Sole 24 ore, Il corriere della Sera, La Repubblica, Il Messaggero, Il Tempo* and Financial Times), ADR informed the market of the outcomes of the Dialogue Phase and reported its consequent intention to launch the phase of assigning the individual spaces.

With specific reference to the spaces to be allocated for **Office** use, in the aforementioned notice dated 21 February 2019, it was specified that said spaces “*regardless of their size, shall therefore be assigned according to a simplified procedure, but, in any case, suitable to ensure transparency and fairness of treatment between the potential Operators concerned. This procedure shall be defined and reported by ADR via the publication of a specific notice on the website [www.adr.it](http://www.adr.it).*”

The purpose of this Notice is to inform the market:

- of the features of the **Office** spaces available within the real estate complex;
- the procedures for sending ADR the request for availability of spaces to be allocated for **Office** use;
- of the procedures for assigning the spaces for **Office** use.

## 2. OFFICE SPACE FEATURES

Within the real estate complex, the Office Spaces shall be distributed between 6 buildings (i.e., A, B, C1, C2, E1, E2).

The total gross surface areas to be allocated for Office use amount to approximately 50,000 m<sup>2</sup>, divided as specified below:

- Building A: approximately 10,000 m<sup>2</sup>
- Building B: approximately 6,000 m<sup>2</sup>
- Building C1: approximately 10,000 m<sup>2</sup>
- Building C2: approximately 6,000 m<sup>2</sup>
- Building E1: approximately 9,000 m<sup>2</sup>
- Building E2: approximately 9,000 m<sup>2</sup>

The minimum surface area per individual *tenant* amounts to approximately 300 m<sup>2</sup>. ADR reserves the right to assess requests for smaller surface areas, subject to a technical feasibility assessment regarding the required division.

The Office Spaces shall be served by dedicated reception lobbies with vehicle accessibility, with the provision of dedicated drop-off points and pedestrian accessibility. Parking spaces will also be available in the immediate vicinities of the district buildings. The buildings will also have accessible terraces available for future *tenants*.



### 3. PROCEDURES FOR REQUESTING THE AVAILABILITY OF SPACES AND THEIR ASSIGNMENT PROCEDURES

All Operators interested in being assigned an **Office** space may express their interest and/or request further information from the following points of contact: [businesscity@adr.it](mailto:businesscity@adr.it).

Once the request for availability and/or information has been received, ADR will provide the Operator with further information regarding the Real Estate Initiative and spaces in questions, with specific reference to:

- The technical features of the spaces;
- Informative details of a technical and financial nature related to the assignment of the space.

With reference to the possible assignment of the individual space, it is specified that:

- the spaces in question shall be assigned by signing a special Agreement (possibly preceded by the signing of a non-binding Letter of Intent and/or Preliminary Agreement);
- the spaces in questions shall be assigned on a first come, first served basis. In this regard, the date of the request for space availability shall not be relevant, but reference shall be made to the actual contracting date (including the possible signing of the Letter of Intent and/or Preliminary Agreement);
- during the space negotiation/assignment phase, ADR shall ensure fair treatment between all Operators, providing them with the same information and the same documentation;

- the assignment of spaces is, in any case, subject to the verification of the possession, by the Operators, of the subjective requisites required by ADR's internal procedures and by the applicable legislation. Therefore, ADR reserves the right not to assign the spaces in question to parties that may not meet the aforementioned subjective requirements.

It should be noted that a website dedicated to the Real Estate Initiative is being released, through which it will be possible (i) to acquire information regarding the Initiative; (ii) to express their interest in the availability of Office spaces at the real estate complex; (iii) to have evidence of specific details of a technical and financial nature related to the assignment of spaces.

Once the aforementioned website becomes operations, all interested Operators may therefore express their interest and/or request further information via said website as an alternative to the points of contact specified in this paragraph 3.

The operation of the website in question may be announced via the publication of a specific notice, which will be published on the website [www.adr.it](http://www.adr.it) in the Real Estate section.

#### **4. Processing of Personal Data**

The processing of data that will be provided to ADR shall be carried out in accordance with the applicable provisions of EU Regulation no. 2016/679 ("**GDPR**"), as stated in Appendix A. to this Notice.

#### **5. Rights and Reservations Applicable Law and Jurisdiction**

The publication of this Notice does not imply any obligation for ADR towards the Operators nor third parties, nor does it give rise to any kind of rights against ADR.

The information provided has been - and shall be - mostly prepared by ADR, with the assistance of its advisers. No liability whatsoever is or shall be recognised in relation thereto and/or to its accuracy or completeness and no representation, guarantee nor assumption of obligation - expressed or implied - has been nor shall be made by ADR as regards the information, projections, opinions or data contained in this document or provided to the Operators.

ADR hereby declines all implicit or explicit liability with reference to the use of the information and data provided to the Operators.

ADR reserves the right to take, at any time, any decision concerning the assignment of Spaces subject to this Notice, as well as to change the times, terms, procedures and conditions thereof, to suspend or stop said assignment at any time and to withdraw, at any time, from one or several negotiations initiated within the context thereof – or in relation thereto – without prior notice or reason therefor. The exercise of these rights by ADR shall not entitle the Operators or third parties to make any claim or demand, for any reason, or to take any action or make any exception, for any reason (not even for fees due for brokerage or advisory), in relation to its participation in the provisions of this Notice or in relation to damages of any kind, including with reference to costs, expenses, loss of earnings, loss of chances, etc.

Any cost or expense incurred by the Operators shall, in any case, be borne by the individual Operator.

The Operators cannot and will be unable to claim any rights in relation to any future assignments and will be unable to claim any right to participate in further and/or other selections of Spaces.

ADR shall not return any document or information submitted during any selection and/or negotiation procedures. In relation to the aforementioned documents and information, each Operator guarantees the legitimate ownership thereof, as well as their completeness and accuracy, and expressly undertakes to hold ADR harmless and to indemnify the latter in relation to any claim, demand or action by third

parties in relation to the contents of the former, as well as in relation to any damage incurred by ADR from the use of the aforementioned documents or information.

BNP Paribas Real Estate Advisory S.p.A. is the only party authorised to act as ADR's technical commercial adviser for the Real Estate Initiative and for the Procedure. To date, ADR has not conferred upon any other party any assignment or mandate to act for and/or on ADR's behalf in relation to the Real Estate Initiative.

This Notice does not constitute an invitation to offer, nor a contractual proposal, nor a promise to the public, pursuant to Article 1989 of the Italian Civil Code nor an offer to the public pursuant to Article 1336 of the Italian Civil Code, nor a solicitation to invest pursuant to Legislative Decree no. 58/98.

This Notice and all directly or indirectly associated and/or resulting documents are governed by Italian law. For any dispute concerning this Notice, the Court of Rome shall have exclusive jurisdiction.

The text of this Notice is published and provided in Italian and prevails over any other text, wherever published, even if in a foreign language.

Fiumicino, March 27th 2019

Aeroporti di Roma S.p.A.  
The Real Estate Manager  
Filippo-Maria Carbonari

## **Appendix A. Processing of Personal Data**

The processing of data that will be provided to ADR shall be carried out in accordance with the applicable provisions of EU Regulation no. 2016/679 ("**GDPR**").

Pursuant to Article 13 of the GDPR), ADR informs that personal data relating to each Operator concerned (hereinafter, the "**Supplier**") and individual acting on its behalf (hereinafter, the "**Data**"), collected by the Supplier, shall be processed in accordance with the provisions of the GDPR and in compliance with the policy below.

It is understood that the Supplier is responsible for informing the individuals acting on its behalf for the processing of personal data referred to in this policy and requires their consent, where necessary.

### **Data Controller. Data Processors.**

The Data Controller is Aeroporti di Roma S.p.A., with registered office in Rome, at Via Pier Paolo Racchetti 1, 00054 Fiumicino.

### **Data Protection Officer.**

The Data Protection Officer (or data protection manager) appointed by the Data Controller, may be contact via the email address [dpo@adr.it](mailto:dpo@adr.it): . The details and procedures for contacting the Data Protection Officer are available at [www.adr.it](http://www.adr.it).

### **Purposes and Legal Basis of Processing. Legitimate interests pursued.**

Data shall be processed:

- a) to assess the Supplier's technical, economic and financial eligibility for the purposes of entry in the Data Controller's supplier database or the updating thereof;
- b) to fulfil the legal obligations to which the Data Controller is subject;
- c) to execute the contracts to which the Supplier is party or to take pre-contractual measures adopted at the request thereof;
- d) to ascertain, exercise or defend a right in court.

The processing of Data for the purposes under sections a) and d) does not require the Supplier's consent, given that it is necessary to pursue the legitimate interest of the Data Controller, pursuant to Article 6, paragraph 1, section f) of the GDPR. The processing of Data for the purpose under section b) does not require the Supplier's consent, given that it is necessary to fulfil the legal obligations to which the Data Controller is subject, pursuant to Article 6, paragraph 1, section c) of the GDPR. The processing of Data for the purpose under section c) does not require the Supplier's consent, given that said processing is necessary to execute the contracts to which the Supplier is party or to take pre-contractual measures adopted at the request thereof, pursuant to Article 6, paragraph 1, section b) of the GDPR.

### **Provision of Data and consequences in the event of non-provision.**

The provision of Data for the purposes under sections b) and c) constitutes a legal and contractual obligation, respectively. The provision of Data for the purposes under sections a) and d), however, is optional but necessary for pursuing the Data Controller's legitimate interests specified above. In all these cases, the non-provision of Data shall make it impossible for the Data Controller to establish business relations with the Supplier.

### **Recipients or categories of recipients.**

Data may be made accessible, brought to the attention of or disclosed to the following parties, which shall be appointed by the Data Controller, as applicable, as data managers or officers:

- companies of the group to which the Data Controller belongs (parent companies, subsidiaries, associated companies), employees and/or partners, in any capacity, of the Data Controller and/or companies of the group to which the Data Controller belongs;
- public or private parties, individuals or legal entities, which the Data Controller uses to perform activities that are instruments to achieving the purposes mentioned above or to which the Data Controller is required to disclose the Data, under legal or contractual obligations.

In any case, the Data shall not be disseminated.

### **Retention time.**

Data shall be kept for a maximum period of time equal to the period required by the rights that can be exercised by the Data Controller, as applicable on a case-by-case basis.

### **Rights of access, erasure, limitation and portability.**

Data subjects are recognised the rights referred to in Articles 15 to 20 of the GDPR. By way of example, each data subject may:

- a) obtain confirmation of whether or not their personal data concerning them is being processed;
- b) should processing be in progress, obtain access to the personal data and information relating to the processing, and request a copy of the personal data;
- c) obtain the rectification of incorrect personal data and the supplementation of incomplete personal data;
- d) obtain, should one of the conditions provided for by Article 17 of the GDPR exist, the erasure of the personal data concerning them;
- e) obtain, in the cases provided for by Article 18 of the GDPR, the limitation of processing;
- f) receive the personal data concerning them in a structured, commonly used format, that can be read by an automatic device and request their transmission to another data controller, if technically feasible.

### **Right of objection.**

Each data subject is entitled to object, at any time, to the processing of their personal data, carried out to pursue a legitimate interest of the Data Controller. In the event of objection, the data subject's personal data shall no longer be processed, provided that there are no legitimate reasons to proceed with the

processing that may prevail over the interests, rights and freedoms of the data subject, or to ascertain, exercise or defend a right in court.

**Right to lodge a complaint with the Italian Data Protection Authority.**

Each data subject may also lodge a complaint with the Italian Personal Data Protection Authority in the event that they believe that the rights to which they are entitled under the GDPR have been breached, in accordance with the procedures specified on the Italian Data Protection Authority's website, which can be accessed at: [www.garanteprivacy.it](http://www.garanteprivacy.it).