



STATE OF ISRAEL

THE INTER-MINISTERIAL TENDER COMMITTEE FOR WASTE TREATMENT BOT PROJECTS

26 May, 2020

To:
All Participants

Re: **Invitation for Pre-Qualification in Relation to the Participation in a Tender
for a Municipal Solid Waste to Energy Facility (the "Invitation")
Clarifications and Addendum No. 13**

Pursuant to the provisions of Section 2.8 (Requests for Clarification of this Invitation) and Section 2.9 (Addenda) of the Invitation, Participants are hereby informed of the attached clarifications and Addenda to the Invitation.

All capitalized terms used and not defined herein shall have the meaning ascribed to them in the Invitation.

Respectfully Yours,

A handwritten signature in blue ink, appearing to be 'Nechemya Kind'.

Nechemya Kind
Deputy Accountant General
Chairman of the Tender Committee



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No.	Pre-Qualification Document	Section	Subject	Clarification/Question	
1.	Invitation for Pre-Qualification	1.7.3	Pre-Qualification Submission Date	A:	The Tender Committee is requested to postpone the Pre-Qualification Submission Date.
				Q:	The Tender Committee rejects the request.
2.	Invitation for Pre-Qualification	3.5.5	Diplomatic Relations with the State of Israel	Q:	Further to Section 3.5.5 of the Invitation, the Tender Committee is requested to confirm that an Interested Party with the following residency shall be allowed to participate in the Pre-Qualification Process: (i) a director of a Participating Entity which is a citizen of India and currently resides in the UAE. (ii) An Entity holding 51% of the Means of Control of a Participating Entity, whose registered offices is in the UAE.
				A:	Following review of the identity of the director and Entity mentioned in the request, the Tender Committee so confirms.
3.	Invitation for Pre-Qualification	3.5.7	Public Entities Transactions Law 1976	Q:	Further to Section 3.5.7 of the Invitation, the Tender Committee is requested to confirm that an Entity that was recently incorporated and therefore does not have an approval required under Article 2(a) of the Public Entities Transactions Law, is not required to submit such approval in its Pre-Qualification Submission.
				A:	The Tender Committee so confirms. Such Entities shall submit the approval required under Article 2(a) of the Public Entities Transactions Law in the framework of their bids in the Tender Process.



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4.	Invitation for Pre-Qualification	6	Financial Statements	Q:	Further to Section 6 of the Invitation, the Tender Committee is requested to confirm that a Financial Entity that was recently incorporated and therefore does not have any annual Financial Statements, shall not be required to submit Financial Statements in its Pre-Qualification Submission.
				A:	The Tender Committee clarifies as follows: (a) A Private Investment Fund that was recently incorporated and therefore does not have any applicable Financial Statements, <u>will be permitted</u> to participate in the Pre-Qualification Process as a Member or a Guarantor. The foregoing does not derogate from such Private Investment Fund's obligation to demonstrate its compliance with the Financial Pre-Qualification Requirements set out in Section 6.4 of the Invitation by completing Pre-Qualification Form 9; (b) An Institutional Investor or an Investment Entity that was recently incorporated and therefore does not have any applicable Financial Statements <u>will not be permitted</u> to participate in the Pre-Qualification Process as a Member or a Guarantor.
5.	Invitation for Pre-Qualification	6	Financial Statements	Q:	In the framework of a reorganization process in a Parent Company of a Member (the " Transferring Company "), which was approved by the Israel Tax Authority retroactively from December 31, 2018, a newly incorporated company (the



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				"Assuming Company") assumed all the financial data of the Transferring Company, together with its holdings in the Member. Further to the above, and whereas the Assuming Company will act as Guarantor of the Member, the Tender Committee is requested to clarify what Financial Statements should be submitted in the Pre-Qualification Submission.
				A: The Tender Committee clarifies that in the circumstances described above, the Pre-Qualification Submission should include the following: (i) The Financial Statements of the Assuming Company for the Year 2019; (ii) The consolidated Pro-Forma Financial Statements of the Assuming Company for the Years 2017 and 2018; (iii) The Financial Statements of Transferring Company for the Years 2017 and 2018. The Tender Committee further clarifies that Pre-Qualification Form 7 (Financial Robustness) shall be completed on the basis of the following Financial Statements: (i) With respect to the Year 2019 – on the basis of the Financial Statements of the Assuming Company; (ii) With respect to the Years 2017 and 2018 – the Pro-Forma Financial Statement of the Assuming Company, provided such are audited; where such Pro-Forma Financial Statements are not audited - on the basis of the Financial Statements of Transferring Company.



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6.	Pre-Qualification Forms	General	Signatories on behalf of Participating Entities	Q:	The Tender Committee is requested to amend the Pre-Qualification Forms in order to enable two (2) signatories on behalf of each Participating Entity to sign the Pre-Qualification Forms.
				A:	The request is unclear and is therefore rejected by the Tender Committee.