



STATE OF ISRAEL

THE INTER-MINISTERIAL TENDER COMMITTEE FOR WASTE TREATMENT BOT PROJECTS

22 March, 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. 7

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.

The Tender Committee hereby postpones the final date for submission of Requests for Clarifications to April 2, 2020 and the Pre-Qualification Submission Date to May 18, 2020.

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



STATE OF ISRAEL

THE INTER-MINISTERIAL TENDER COMMITTEE FOR WASTE TREATMENT BOT PROJECTS

No.	Pre-Qualification Document	Section	Subject	Clarification/Question	
1.	Invitation for Pre-Qualification	1.1	Definition of "Infrastructure Project"	Q:	The Tender Committee is requested to clarify that the "Ir Habaadim" Project (פרויקט עיר הבה"דים), a military base in the south of Israel, shall be deemed an "Infrastructure Project" for purposes of the Invitation.
				A:	The Tender Committee so confirms. The attention of the Participants is drawn to the amendments made to the definition of "Infrastructure Project" and to Section 4.1 of the Invitation, as shown in Attachment 1 hereto.
2.	Invitation for Pre-Qualification	1.1	Definition of "Design Availability" and "Annual Treatment Capability"	Q:	The Tender Committee is requested as follows: (a) to clarify the difference (if any) between the term "Design Availability" and the "OP" value used in the formula for calculating the "Annual Treatment Capability"; and (b) to confirm that for the purpose of calculating the "Annual Treatment Capability, the "OP" value (net yearly designed operational hours) shall not take into account any planned shutdown/outage hours for maintenance pursuant to the referenced project Design.
				A:	(a) The Tender Committee clarifies that the term "Design Availability" and the "OP" value used in the formula for calculating the "Annual Treatment Capability" bear the same meaning. (b) The Tender Committee so confirms.



STATE OF ISRAEL

THE INTER-MINISTERIAL TENDER COMMITTEE FOR WASTE TREATMENT BOT PROJECTS

No.	Pre-Qualification Document	Section	Subject	Clarification/Question
3.	Invitation for Pre-Qualification	2.13.3	Advisors to the Tender Committee	Further to Notifications received from Participating Entities, the Tender Committee confirms that the following engagements of Advisors do not prevent participation in the Pre-Qualification Process: • Engagement of Uri Yosef Consulting & Engineering Ltd. for provision of services to a subsidiary of a Member in connection with the construction of a sorting facility in Afula. • Engagement of Yanai Ltd. by a Member for provision of consultancy services with respect to two railway tracks projects, within the framework of a bid submission and/or during the design/construction phase. All such engagements are expected to be concluded within three (3) years. • Engagement of Uri Yosef Consulting & Engineering Ltd. by a Member for provision of consultancy services with respect to several real estate projects and an infrastructure (roads) project, within the framework of a bid submission and/or during the design/construction phase. All such engagements are expected to be concluded within two (2) years. • Engagement of Tadmor Levy & Co. by a Member for provision of consultancy services in connection with a specific antitrust matter. The engagement was concluded in 2017. • Engagement of Yanai Ltd by an SPC established in connection with the submission of a bid for the Fast Lanes to Tel Aviv tender, the SPC being partially owned by a Member and by a subsidiary of a Member. Under the terms of the engagement agreement, Yanai Ltd. will continue to serve as the electrical consultant for the Fast Lanes project in the event the SPC is elected



STATE OF ISRAEL

THE INTER-MINISTERIAL TENDER COMMITTEE FOR WASTE TREATMENT BOT PROJECTS

No.	Pre-Qualification Document	Section	Subject	Clarification/Question
				as a successful bidder in the Fast Lanes tender. • Engagement with Sweco Civil AB, a Sister Company of Sweco GMBH, for provision of consultancy services to an SPC partially owned by a Member with respect to a wind project in Sweden. The engagement is on-going. • Engagement of Yanai Ltd. by a Member for provision of consultancy services with respect to wind and PV farms in Israel. The engagement is on-going. • Engagement of Tadmor Levy & Co. by the financing entities in a PV project executed by a Member. • Yoav Yinon Management Engineering Technology was addressed by the financing entities of the Shafdan municipal solid waste treatment plant project for the provision of consultancy services with respect to the Shafdan project. The engagement was not consumed. • Engagement of Ms. Mala Ayala Girshtein for provision of on-going consultancy services with respect to the Project. Ms Ayala Girshtein worked in the past for 2 months as a sub-consultant of Yoav Yinon Management Engineering Technology and is not listed as an Advisor in <u>Annex 3</u> of the Invitation. • Engagement of Tadmor Levy & Co. by the financing entities in various solar energy and private power station projects executed by a Member.
4.	Invitation for Pre-Qualification	3.5.9	Certificate of Incorporation	Q: The Tender Committee is requested to confirm that for the purposes of demonstrating compliance with the provisions of Section 3.5.9 of the Invitation by a foreign Entity, the submission of an authenticated copy



STATE OF ISRAEL

THE INTER-MINISTERIAL TENDER COMMITTEE FOR WASTE TREATMENT BOT PROJECTS

No.	Pre-Qualification Document	Section	Subject	Clarification/Question	
					of its certificate of incorporation shall be sufficient.
				A:	The Tender Committee so confirms.
5.	Invitation for Pre-Qualification	4.2	Experience in Design, Installation and Testing of a WtE Segment	Q:	The Tender Committee is requested to confirm that an Entity shall be considered as "responsible for the Design" for the purpose of Section 4.2 of the Invitation if: (i) it was directly accountable towards to client for the overall Design of the referenced project; and (ii) it performed, by itself, the basic design of such referenced project (including its process design); and (iii) the detailed design of such referenced project was performed by a subcontractor engaged by such Entity (without derogating from such Entity's responsibility towards the client for the overall Design).
				A:	The Tender Committee so confirms.
6.	Invitation for Pre-Qualification	4.2 4.3 4.4	Professional Pre-Qualification Requirements -European Standards	Q:	The Tender Committee is requested to amend the Invitation so as to allow demonstration of the Professional Pre-Qualification Requirements specified in Sections 4.2, 4.3 and 4.4 of the Invitation by referenced projects which were not required to comply with European Standards.
				A:	The Tender Committee accepts the request. The attention of the Participants is drawn to the amendments made to the definition of "WtE Plant" and to the Pre-Qualification Forms, as shown in Attachment 1 hereto.
7.	Invitation for	4.2	Professional	Q:	The Tender Committee is requested



STATE OF ISRAEL

THE INTER-MINISTERIAL TENDER COMMITTEE FOR WASTE TREATMENT BOT PROJECTS

No.	Pre-Qualification Document	Section	Subject	Clarification/Question	
	Pre-Qualification	4.3 4.4	Pre-Qualification Requirements -Experience Period		to extend the referenced period for the purpose of demonstrating the Professional Pre-Qualification Requirements specified in Sections 4.2, 4.3 and 4.4 of the Invitation from fifteen (15) Years to twenty (20) Years.
				A:	The Tender Committee rejects the request.
8.	Invitation for Pre-Qualification	4.2 4.3 4.4	Professional Pre-Qualification Requirements -Experience Period	Q:	The Tender Committee is requested to confirm that for the purpose of demonstrating the Professional Pre-Qualification Requirements specified in Sections 4.2, 4.3 and 4.4 of the Invitation, the referenced period of fifteen (15) Years is counted from the date of Completion of the relevant project.
				A:	The Tender Committee so confirms.
9.	Invitation for Pre-Qualification	4.2 4.3 4.4	Professional Pre-Qualification Requirements - Design Availability	Q:	The Tender Committee is requested to reduce the minimum Design Availability requirement to 7,500 hours per year (instead of 7,800 hours per year).
				A:	The Tender Committee accepts the request. The attention of the Participants is drawn to the amendments made to the Invitation and the Pre-Qualification Forms, attached as Attachment 1 hereto.
10.	Invitation for Pre-Qualification	4.2(a) 4.3(a) 4.4(a)	Professional Pre-Qualification Requirements - Annual	Q:	The Tender Committee is requested to amend the Invitation so as to decrease the Annual Treatment Capability for the purpose of demonstrating the Professional Pre-Qualification Requirements specified



STATE OF ISRAEL

THE INTER-MINISTERIAL TENDER COMMITTEE FOR WASTE TREATMENT BOT PROJECTS

No.	Pre-Qualification Document	Section	Subject	Clarification/Question	
			Treatment Capability		in Sections 4.2(a), 4.3(a) and 4.4(a) of the Invitation from 200,000 tons of MSW/year to 180,000 tons of MSW/year.
				A:	The Tender Committee accepts the request. The attention of the Participants is drawn to the amendments made to the Invitation and the Pre-Qualification Forms, attached as Attachment 1 hereto.
11.	Invitation for Pre-Qualification	4.2(a) 4.3(a) 4.4(a)	Professional Pre-Qualification Requirements - Annual Treatment Capability	Q:	The Tender Committee is requested to amend the Invitation so as to allow an Annual Treatment Capability of not less than 130,000 tons MSW/year and Thermal capacity of 55 MW as an additional alternative for the purpose of demonstrating the Professional Pre-Qualification Requirements specified in Sections 4.2(a), 4.3(a) and 4.4(a) of the Invitation.
				A:	The Tender Committee rejects the request.
12.	Invitation for Pre-Qualification	4.2 4.3 4.4	Professional Pre-Qualification Requirements - WtE Plant	Q:	The Tender Committee is requested to confirm that for the purpose of demonstrating the Professional Pre-Qualification Requirements specified in Sections 4.2, 4.3 and 4.4 of the Invitation, an Experience Provider may present a WtE Plant revamp as a referenced project.
				A:	The Tender Committee rejects the request.
13.	Invitation for Pre-Qualification	6.1.3	Minimal Required Turnover	Q:	The Tender Committee is requested to amend Section 6.1.3 of the Invitation by way that the minimal turnover required from the



STATE OF ISRAEL

THE INTER-MINISTERIAL TENDER COMMITTEE FOR WASTE TREATMENT BOT PROJECTS

No.	Pre-Qualification Document	Section	Subject	Clarification/Question	
					Participant will be NIS 350,000,000 (instead of NIS 450,000,000).
				A:	The Tender Committee accepts the request. The attention of the Participants is drawn to the amendments made to the Invitation and the Pre-Qualification Forms, attached as Attachment 1 hereto.
14.	Invitation for Pre-Qualification	6.7	Financial Statements	Q:	The Tender Committee is requested to confirm that a Member which relies on a Guarantor may submit its Financial Statements that are prepared on a cash-basis, provided that the Financial Statements of the Guarantor, which will be submitted in addition thereto, are prepared on an accrual basis and meet all applicable requirements of the Invitation.
				A:	The Tender Committee rejects the request.
15.	Invitation for Pre-Qualification	6.7.5	Financial Statements	Q:	The Tender Committee is requested to amend Section 6.7.5 of the Invitation by way that only the following statements will be translated to English and authenticated by a Public Notary: (1) the balance sheet statement; (2) a profit and loss statement; and (3) auditor's notes with respect to the statements stipulated in sub-clauses (1) and (2) above.
				A:	The Tender Committee rejects the request.
16.	Invitation for Pre-Qualification	6.7.6	Financial Statements	Q:	The Tender Committee is requested to confirm that where a Member relies on a Guarantor for



STATE OF ISRAEL

THE INTER-MINISTERIAL TENDER COMMITTEE FOR WASTE TREATMENT BOT PROJECTS

No.	Pre-Qualification Document	Section	Subject	Clarification/Question	
					demonstrating compliance with the Financial Pre-Qualification Requirements, the submission of the Financial Statements of such Guarantor shall be sufficient, and the Member shall not be required to submit its Financial Statements.
				A:	The Tender Committee rejects the request.
17.	Invitation for Pre-Qualification	7.1.1.1(B)(i)	Relying on a Referenced Project Executed by an Entity Held by the Experience Provider, Member or Guarantor	Q:	The Tender Committee is requested to amend Section 7.1.1.1(B)(i) of the Invitation by way that a Relying Entity shall be entitled to rely on a reference project of an SPV in which the Relying Entity Effectively held, directly or indirectly, 30% or more of all Means of Control in the SPV (instead of 35%).
				A:	The Tender Committee accepts the request. The attention of the Participants is drawn to the amendments made to the Invitation and the Pre-Qualification Forms, attached as Attachment 1 hereto.
18.	Invitation for Pre-Qualification	7.1.1.1(B)(ii)	Relying on a Referenced Project Executed by an Entity Held by the Experience Provider, Member or Guarantor	Q:	The Tender Committee is requested to amend Section 7.1.1.1(B) of the Invitation by way that the joint and several responsibility requirement shall not be required in case of an SPV which is a limited liability company.
				A:	The Tender Committee rejects the request.
19.	Invitation for Pre-Qualification	9	Method of Submission	Q:	The Tender Committee is requested to allow submission of photocopies of the Pre-Qualification Submission



STATE OF ISRAEL

THE INTER-MINISTERIAL TENDER COMMITTEE FOR WASTE TREATMENT BOT PROJECTS

No.	Pre-Qualification Document	Section	Subject	Clarification/Question	
					on the Pre-Qualification Submission Date instead of the original Pre-Qualification Forms and documents, due to the Coronavirus outbreak.
				A:	The Tender Committee will consider the request towards the Pre-Qualification Submission Date in accordance with further developments connected to the Coronavirus outbreak.
20.	Pre-Qualification Forms		Amended Pre-Qualification Forms	Q:	The Tender Committee is requested to publish a clean version of the Pre-Qualification Forms, as amended to date.
				A:	The Tender Committee will issue the clean amended Pre-Qualification Forms sufficient time prior to the Pre-Qualification Submission Date.