

**INVITATION FOR PRE-QUALIFICATION FOR THE PARTICIPATION  
IN A TENDER FOR THE EXPRESS LANES - HIGHWAY 5**

**PRE-QUALIFICATION FORMS**

**June 2022**

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## **PRE-QUALIFICATION FORM “1”**

### **THE PRE-QUALIFICATION SUBMISSION LETTER**

*(To be completed by the Authorized Representative of the Participant (if incorporated as of the Pre-Qualification Submission Date) or by the Authorized Representative of each Member, each on a separate form (if the Participant is not incorporated as of the Pre-Qualification Submission Date) in accordance with Section 4.1.3 of the Invitation)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

To:  
The Tender Committee

**Re: Invitation for Pre-Qualification for Participation in a Tender for the Express Way - Highway 5  
(the “Invitation”)**

I, \_\_\_\_\_, the undersigned, make this affidavit on behalf of \_\_\_\_\_, the Participant (if the Participant is incorporated as of the Pre-Qualification Submission Date) / the Member of the Participant (*circle the relevant option*):

In response to the Invitation issued on June 6, 2022, extending an invitation to submit a Pre-Qualification Submission, after careful review of the Invitation, declare, warranty, and represent as follows:

1. The Pre-Qualification Submission is submitted in accordance and in agreement with the terms and provisions contained in the Invitation, after careful review thereof.
2. The Pre-Qualification Submission is accurate, complete, and up to date as of the Pre-Qualification Submission Date, in accordance with the requirements of the Invitation.
3. The provisions of Section 11.3 (*Reservation of Rights*) of the Invitation are acknowledged and accepted, and without derogating from the generality of the provisions thereof, understand that the submission of the Pre-Qualification Submission shall not be deemed in any way to create an obligation on the part of the Tender Committee to announce its compliance with the Pre-Qualification Requirements; that the Tender Committee has the right to reject, as it deems appropriate, the Pre-Qualification Submission submitted by the Participant; and that the Tender Committee has the right, as it deems appropriate, to annul the Pre-Qualification Process and to reject all Pre-Qualification Submissions at any time, all, in accordance with the provisions of the Invitation.
4. Incorporated hereto, and constituting an integral part of the Pre-Qualification Submission, are all Pre-Qualification Forms, attachments, and annexes thereto, and other annexes attached to the Pre-Qualification Submission as described herein:

- |                                     |   |
|-------------------------------------|---|
| • <u>Pre-Qualification Form “1”</u> | The Pre-Qualification Submission Letter |
| • <u>Pre-Qualification Form “2”</u> | Participation Fee Proof of Payment      |
| • <u>Pre-Qualification Form “3”</u> | The Members of the Participant          |
| • <u>Pre-Qualification Form “4”</u> | The Participating Entity                |
| • <u>Pre-Qualification Form “5”</u> | Experience Provider Undertaking         |
| • <u>Pre-Qualification Form “6”</u> | Confirmation of Merging Companies       |
| • <u>Pre-Qualification Form “7”</u> | Civil Engineering Experience            |
| • <u>Pre-Qualification Form “8”</u> | Bus Operation Experience                |

- Pre-Qualification Form “9”            Financial Pre-Qualification Requirements Compliance
- Pre-Qualification Form “10”        No Going Concern

5. Detailed herein is information which the Participant/Member considers to be of a commercially sensitive or confidential nature concerning the Pre-Qualification Submission *[to be completed in accordance with the provisions of Section 8.4 (Identification of Sensitive or Classified Information) of the Invitation]*:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. The following Addenda and Letters of Clarification to the Pre-Qualification Documents, issued before the Pre-Qualification Submission Date have been received and are integral parts of the Pre-Qualification Documents:

Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Letter of Clarification No. _____	Date Issued: _____
Letter of Clarification No. _____	Date Issued: _____
Letter of Clarification No. _____	Date Issued: _____
Letter of Clarification No. _____	Date Issued: _____
Letter of Clarification No. _____	Date Issued: _____

...

*[to be completed]*

7. Authorized Representative(\*): \_\_\_\_\_ e-mail: \_\_\_\_\_ address: \_\_\_\_\_  
 telephone number: \_\_\_\_\_ fax number: \_\_\_\_\_.

8. The Participant/Member hereby warrants and represents that, to the best of its knowledge and after conducting a due investigation, each of the Experience Providers complies with all applicable requirements of the Invitation pertaining to such Experience Provider.

*(\* All Members shall appoint one Member as Authorized Representative for the Participant, in accordance with the provisions of Section 4.7(Authorized Representative) of the Invitation.*

\_\_\_\_\_

Date

\_\_\_\_\_

Stamp and Signature

I, \_\_\_\_\_, the undersigned, hereby confirm that on \_\_\_\_\_ [date], \_\_\_\_\_ [name], Israeli I.D. number / \_\_\_\_\_ [country] Passport number \_\_\_\_\_, who is authorized to sign on behalf of \_\_\_\_\_, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: \_\_\_\_\_

Stamp and Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney

**PRE-QUALIFICATION FORM “2”**

**PARTICIPATION FEE PROOF OF PAYMENT**

*(The Participant is to attach a copy of the receipt for the payment of the participation fee, in accordance with Section 8.3(Receipt for Payment of Participation Fee) of the Invitation)*

**PRE-QUALIFICATION FORM “3”**

**THE MEMBERS OF THE PARTICIPANT**

*(To be completed by the Participant in accordance with Section 4.2.2 of the Invitation)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

I, \_\_\_\_\_, the undersigned, am making this affidavit on behalf of \_\_\_\_\_ (name of Participant, if the Participant is incorporated as of the Pre-Qualification Submission Date/ the consortium consisting of the following Members: \_\_\_\_\_):

The following entities shall form / have formed [circle the relevant option] the SPC constituting the Participant which submits this Pre-Qualification Submission:

Name	[Anticipated] Holdings in the Participant	Relying on a Guarantor <i>(If so, note the exact Guaranteed Portion)</i>	Serving as Guarantor for another Member	Financial Entity <i>(if applicable)</i>
	_____%	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Privet Investment Fund <input type="checkbox"/> Institutional Investors <input type="checkbox"/> Banking Corporation <input type="checkbox"/> Investment Entity
	_____%	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Privet Investment Fund <input type="checkbox"/> Institutional Investors <input type="checkbox"/> Banking Corporation <input type="checkbox"/> Investment Entity
	_____%	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Privet Investment Fund <input type="checkbox"/> Institutional Investors <input type="checkbox"/> Banking Corporation <input type="checkbox"/> Investment Entity
	_____%	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Privet Investment Fund <input type="checkbox"/> Institutional Investors <input type="checkbox"/> Banking Corporation <input type="checkbox"/> Investment Entity
	_____%	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Privet Investment Fund <input type="checkbox"/> Institutional Investors <input type="checkbox"/> Banking Corporation <input type="checkbox"/> Investment Entity

	_____ %	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Privat Investment Fund <input type="checkbox"/> Institutional Investors <input type="checkbox"/> Banking Corporation <input type="checkbox"/> Investment Entity
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*Please check as applicable:*

- The Members listed above have already formed a legally incorporated SPC for the Participant, whose certificate of incorporation is attached to Annex A of Pre-Qualification Form “4”.
- The Members listed above have not yet formed a legally incorporated SPC for the Participant but undertake to do so by no later than the Bid Submission Date, as shall be determined in the Tender Selection Stage Documents, should the Participant be declared an Eligible Bidder.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Stamp and Signature

I, \_\_\_\_\_, the undersigned, hereby confirm that on \_\_\_\_\_ [date], \_\_\_\_\_ [name], Israeli I.D. number / \_\_\_\_\_ [country] Passport number \_\_\_\_\_, who is authorized to sign on behalf of \_\_\_\_\_, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: \_\_\_\_\_

Stamp and Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney

**PRE-QUALIFICATION FORM “4”**

**THE PARTICIPATING ENTITY**

*(To be completed by each Participating Entity, each on a separate form, in accordance with Sections 4.1.3 (The Participant Form of Submission), 4.3.3 (Experience Provider) and 4.4.2 of the Invitation)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

I, \_\_\_\_\_, the undersigned, am making this affidavit on behalf of \_\_\_\_\_ (name of Participating Entity):

**1. Name of Participating Entity:**

**Entity:** \_\_\_\_\_  
*Business Address:* \_\_\_\_\_  
*Phone:* \_\_\_\_\_  
*Facsimile:* \_\_\_\_\_  
*E-mail:* \_\_\_\_\_

**2. Role of the Participating Entity**

*[check as applicable, including if more than one role]*

The Participant

Member of the Participant [Anticipated] Holdings in the Participant: \_\_\_\_%

Experience Provider

Relevant Pre-Qualification Requirements:

Section 5.1 (Civil Engineering Experience)

Section 5.2 (Bus Operation Experience)

Guarantor

Names of Member(s) relying on Guarantor (if applicable) (please: (1) indicate if the Guarantor holds Means of Control in the Member\*; (2) Note the exact Guaranteed Portion):

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_

*\*Please attach to Annex E hereunder, appropriate explanation, attested to by an attorney, demonstrated by applicable documentation, of such Control.*

Financial Entity (*check applicable*)

Type of Financial Entity:

- Private Investment Fund  
 Institutional Investors  
 Banking Corporation  
 Investment Entity

**3. Authorized Signatory**

Name

Title

Email & Phone

\_\_\_\_\_

**4. Legal Status** (*check applicable*)

- Limited Partnership  
 Limited Liability Company  
 General Partnership  
 Other (*explain*): \_\_\_\_\_

**5. Place of Incorporation**

*Please check as applicable:*

- The Participating Entity is an entity incorporated under the laws of the state of Israel.
- The Participating Entity is a foreign entity incorporated under the laws of its domicile, which is: \_\_\_\_\_. Attached hereunder to Annex A of this Pre-Qualification Form are authenticated copies of the Participating Entity's certificate of incorporation and articles of association, or their equivalent within its domicile.<sup>1</sup>
- The Participating Entity is a foreign entity incorporated under the laws of its domicile, which is: \_\_\_\_\_, and is registered in Israel as a Foreign Company / Foreign Partnership [*circle applicable category*]. Authenticated copies of the Participating Entity's certification of such registration is attached hereunder to Annex B of this Pre-Qualification Form in addition to its certificate of incorporation and articles of incorporation, attached hereunder to Annex A of this Pre-Qualification Form, in accordance with Section 4.5.8 of the Invitation.

In accordance with Section 4.5.6 of the Invitation:

- If the Participating Entity is incorporated in the State of Israel or registered in Israel as a Foreign Company as defined under the Companies Law 1999, it shall fill out the Affidavit required pursuant to the provisions of the Public Entities Transactions Law, 1976, attached to Annex C of this Pre-Qualification Form, and shall attach to said Annex C of this Pre-Qualification Form, an ascertainment of regular reports of revenues to the tax assessor and the director of V.A.T. in transactions that are taxable under the Value Added Tax Law 1975.

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<sup>1</sup> Except for official and authenticated certificates of Israeli corporations submitted in Hebrew, certificates of incorporation and minutes of incorporation provided by a Participating Entity in any language other than English shall be accompanied by a translation to English and a notarized statement of translation.

- If the Participating Entity is a Foreign Company registered in the State of Israel but which has not conducted any activity in Israel, or if it is a Foreign Company not registered with the Israeli Tax authorities and cannot provide such tax approvals, it shall attach to Annex D of this Pre-Qualification Form, hereunder (1) a declaration by an independent auditor; and (2) an affidavit of a representative of its management, testifying to its status as such and to its consequential inability to provide such tax approvals.

## 6. Guarantor

If the Participating Entity is a Guarantor, it hereby requests that its own financial information, which is included in the Pre-Qualification Submission submitted by the Participant, will be taken into account in determination of the Participant's compliance with the Financial Pre-Qualification Requirements set forth in Section 6.1 (*Financial Pre-Qualification Requirements applicable to Members which are not Financial Entities*) of the Invitation, instead of the financial information of the Members relying on the Guarantor as detailed in Section 2 above. The Guarantor shall attach to Annex E of this Pre-Qualification Form, its proof of Guarantor Control.

- 7. Registration Number:** \_\_\_\_\_  
 Place of Registration: \_\_\_\_\_  
 Date of Registration: \_\_\_\_\_

- 8. Interested Parties in the Participating Entity** (*as defined in the Invitation*): \_\_\_\_\_

## 9. The Participating Entity hereby declares, warrants and represents the following:

- 9.1. The Participating Entity has thoroughly and carefully read the Invitation, and agrees to all of the applicable provisions in the Invitation, and in particular to its obligations thereunder.
- 9.2. The information provided by the Participating Entity in this Pre-Qualification Submission is accurate, complete and up to date as of the Pre-Qualification Submission Date, in accordance with the requirements of the Invitation.
- 9.3. The Participating Entity acknowledges and accepts the provisions of Section 11.3 (*Reservation of Rights*) of the Invitation, and without derogating from the generality of the provisions thereof, understands that the submission of this Pre-Qualification Submission shall not be deemed in any way to create an obligation on the part of the Tender Committee to announce the Participant's compliance (or the compliance of any of its Members, Guarantors or Experience Providers) with the Pre-Qualification Requirements; that the Tender Committee has the right to reject, as it deems appropriate, the Pre-Qualification Submission submitted by the Participant; and that the Tender Committee has the right, as it deems appropriate, to annul the Pre-Qualification Process and to reject all Pre-Qualification Submissions at any time, all in accordance with the provisions of the Invitation.
- 9.4. The Participating Entity hereby warrants and represents that it complies with and satisfies all the requirements stipulated in Sections 4.5.1-4.5.5 and Section 4.5.7 of the Invitation;

9.5. Criminal Proceedings with respect to Offences (*as defined in the Invitation*) [*check applicable*]:

- The Participating Entity hereby warrants and represents that it complies with and satisfies all of the requirements stipulated in Sections 4.5.5 of the Invitation;
- The Participating Entity does **not** comply with or satisfy the requirements stipulated in Sections 4.5.5 of the Invitation; [*describe Offences in which the Participating Entity or any Interested Party thereof (including individuals) was convicted or indicted*]

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9.6. The Participating Entity has not, directly or indirectly, induced or solicited any other Participating Entity to put in a false or misleading Pre-Qualification Submission, and has not by itself, either directly or indirectly, colluded, arranged or agreed with any other Participating Entity to secure any advantage against any other Participant, or to secure any advantage against the Tender Committee or GOI or anyone interested in the Express Way - Highway 5;

9.7. The Participating Entity is participating in the Pre-Qualification Process only within the Pre-Qualification Submission to which this Pre-Qualification Form "4" is attached; and none of the Participating Entity's Affiliated Entities are participating in the Pre-Qualification Process other than within the Pre-Qualification Submission to which this Pre-Qualification Form "4" is attached;

9.8. To the best of the Participating Entity's knowledge, and with respect to those parts of the Pre-Qualification Submission concerned with the Participating Entity:

- 9.8.1. The Pre-Qualification Submission submitted by the Participant is not made in the interest of, or on behalf of, any undisclosed person, corporation, company, voluntary association, partnership, trust, or unincorporated association;
- 9.8.2. The Pre-Qualification Submission is genuine and not collusive or misleading; and
- 9.8.3. All the information contained in the Pre-Qualification Submission is true, accurate, complete and current as of the Pre-Qualification Submission Date.

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Date

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Stamp and Signature

I, \_\_\_\_\_, the undersigned, hereby confirm that on \_\_\_\_\_ [date], \_\_\_\_\_[name], Israeli I.D. number / \_\_\_\_\_ [country] Passport number \_\_\_\_\_, who is authorized to sign on behalf of \_\_\_\_\_, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: \_\_\_\_\_

Stamp and Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney

**PRE-QUALIFICATION FORM "4" - ANNEX A**

Each Participating Entity shall attach hereunder authenticated copies of its Certificate of Incorporation and of its Articles of Association hereunder.

**PRE-QUALIFICATION FORM "4" - ANNEX B**

Each Participating Entity, which is a foreign entity, registered in Israel as a Foreign Company / Foreign Partnership, shall attach hereunder authenticated copies of its certification of registration as such.

## PRE-QUALIFICATION FORM "4" - ANNEX C

*Each Participating Entity who is incorporated in the State of Israel or registered in the State of Israel as a Foreign Company, as defined under the Companies Law 1999, shall complete the following Affidavit, as required pursuant to the Public Entities Transactions Law 1976, and shall attach hereto an ascertainment of regular reports or revenues to the tax assessor and the director of V.A.T. in transactions that are taxable under the Value Added Tax Law 1975.*

### Affidavit

In accordance with the **Public Entities Transactions Law, 5736-1976** (hereinafter: "**Public Entities Transactions Law**"):

I, the undersigned \_\_\_\_\_ [*Affiant's Full Name*], bearer of \_\_\_\_\_ [*Country*] passport/Israeli I.D. no. \_\_\_\_\_, having been forewarned that I am to declare the truth and that I will be subject to the penalties imposed by law if I do not do so, hereby affirm in writing as follows:

1. I am authorized to make this Affidavit on behalf of \_\_\_\_\_ [*Name of the Participating Entity/ Affiliates\**] (hereinafter: the "**Company**") by the authorization of the Company; (*\*Affiliate for the purpose of this Affidavit, shall have the meaning ascribed thereto in the Public Entities Transactions Law*).
2. Neither the Company, nor its Affiliates, (*as applicable*) have been convicted prior to the Pre-Qualification Submission Date, of more than two (2) peremptory judgments for felonies as they are defined under the **Foreign Workers (Prohibition of Unlawful Employments and Assurance of Fair Conditions) Law, 5751-1991**; and if convicted in peremptory judgments of more than two felonies under such law - the last conviction was not within one (1) year prior to the Bid Submission Date;
3. Neither the Company, nor its affiliates, (*as applicable*) have been convicted prior to the Pre-Qualification Submission Date, of more than two (2) peremptory judgments for felonies as they are defined under the **Minimum Wage Law, 5747-1987**; and if convicted in a peremptory judgment of more than two (2) felonies under such law - the last conviction was not within one (1) year prior to the Pre-Qualification Submission Date.
4. As of the Pre-Qualification Submission Date, the Company, either:
  - a. is not subject to the stipulations of Section 9 to **the Equal Rights for People with Disabilities Law, 5758-1998**; or
  - b. (i) is subject to the stipulations of Section 9 to **the Equal Rights for People with Disabilities Law, 5758-1998** and fully complies with such Law.  
(ii) In the event the Company employs at least 100 employees, the Company undertakes to refer to the general manager of the Ministry of Labor, Welfare and Social Services for the purpose of affirming its compliance with Section 9 to **the Equal Rights for People with Disabilities Law, 5758-1998**, and obtaining any applicable instructions therefrom.  
(iii) If the Company has made the commitment under Section 4(b)(ii) with respect to previous engagements, the Company declares that it has referred to the general manager of the Ministry of Labor, Welfare and



**PRE-QUALIFICATION FORM “4” - ANNEX D**

Each Participating Entity who is a Foreign Company registered in the State of Israel but has not conducted any activity in Israel, or is not registered with the Israeli Tax authorities and thus cannot provide tax approvals, shall attach hereto:

1. A declaration by an independent auditor; and
2. An affidavit of a representative of its management, testifying to its status as a Foreign Company and to its consequential inability to provide tax approvals pursuant to Israeli Law.

**PRE-QUALIFICATION FORM “4” - ANNEX E**

**PROOF OF GUARANTOR CONTROL**

Each Guarantor shall attach appropriate explanation, attested to by an attorney, demonstrated by applicable documentation, e.g. reports issued by the Registrar of Companies, organizational charts, articles of association, etc. which prove and demonstrate its Control of the Member(s)

## **PRE-QUALIFICATION FORM “5”**

### **EXPERIENCE PROVIDER UNDERTAKING**

*(To be completed in accordance with Section 4.3.3 by the Experience Provider, for the demonstration of compliance with the Professional Pre-Qualification Requirements in Section 5 of the Invitation (to be filled out **separately** by each Experience Provider))*  
*(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

I, the undersigned, \_\_\_\_\_ hereby issue this Undertaking on behalf of \_\_\_\_\_ regarding its role as Experience Provider (the “**Experience Provider**”) in its performance of \_\_\_\_\_ (the “**Project**”) presented in demonstration of compliance with the Professional Pre-Qualification Requirements in Section 5. \_\_\_\_\_ [fill in the applicable section number] of the Invitation, as part of the Pre-Qualification Submission submitted by \_\_\_\_\_ (the “**Participant**”).

If relying on a Supporting Entity, please complete:

The Experience Provider relied on \_\_\_\_\_ (the “**Supporting Entity**”) in demonstrating experience on the following project, as listed in the relevant Pre-Qualification Form: \_\_\_\_\_.

- The Supporting Entity is an SPV that is not a limited liability company, in which:
- (i) The Experience Provider had Effective Holdings of \_\_\_\_\_% (at least 30%) of all Means of Control; and
  - (ii) All Entities which directly held the Means of Control in the SPV were responsible, jointly and severally, for the execution of the Project.
- The Supporting Entity is an SPV that is a limited liability company, in which the Experience Provider had Effective Holdings of \_\_\_\_\_% (at least 30%) of all Means of Control.
- The Supporting Entity is a Subsidiary held by the Experience Provider.

1. The Experience Provider has demonstrated compliance with the professional threshold requirements set forth in Section 5.\_\_\_\_ [fill in the applicable section number] of the Invitation. The Experience Provider hereby warrants and undertakes that it will be responsible for the execution of the respective works in the Express Lanes - Highway 5 project, should the Participant be declared the successful bidder, as shall be specified in the Tender Documents.
2. Without derogating from the provisions of Section 1, if the Experience Provider has demonstrated compliance with the Professional Threshold Requirements stipulated in Section 5.1 (Engineering, Procurement and Construction (EPC) Experience) of the Invitation, the Experience Provider undertakes to either serve as the EPC Contractor itself, or to hold 51% or more of all Means of Control in the EPC Contractor, should the Participant be deemed the Successful Bidder, all in accordance with Section 2.6.2 of the Invitation, and as will be specified in the Tender Selection Stage Documents..

3. Additional Undertakings

- 3.1. The Experience Provider shall not assign or transfer any of its obligations pursuant to this Undertaking without the prior written approval of the Tender Committee.
- 3.2. The Experience Provider shall provide the Tender Committee such information as the Tender Committee may reasonably require from time to time with respect to the performance of its obligations pursuant to this Undertaking.
- 3.3. The Experience Provider shall notify the Tender Committee of any legal or technical changes, and any unusual events which affect its ability to perform its obligations pursuant to this Undertaking.

**IN WITNESS WHEREOF**, the Experience Provider has executed this Undertaking.

\_\_\_\_\_
Date

\_\_\_\_\_
Stamp and Signature

I, \_\_\_\_\_, the undersigned, hereby confirm that on \_\_\_\_\_ [date], \_\_\_\_\_ [name], Israeli I.D. number / \_\_\_\_\_[country] Passport number \_\_\_\_\_, who is authorized to sign on behalf of \_\_\_\_\_, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: \_\_\_\_\_

Stamp and Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_
Attorney

## PRE-QUALIFICATION FORM “6”

### CONFIRMATION OF MERGING COMPANIES

*(Each Experience Provider relying on a Supporting Entity, in accordance with Section 11.4.3.4.3 of the Invitation, shall complete this form and attach the documents listed in Section 2, below.)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

I, \_\_\_\_\_, the undersigned, am making this affidavit on behalf of \_\_\_\_\_ (the Experience Provider).

1. In demonstrating compliance with the Professional Pre-Qualification Requirements of Section 5.\_\_\_\_ *[fill in the applicable section number]* of the Invitation, the Experience Provider relied on the experience of \_\_\_\_\_ (the Supporting Entity), in accordance with the provisions of Section 11.4.3.4 of the Invitation:

- Following a Merger between the Experience Provider and the Supporting Entity, as such term is defined under the Companies Law 1999, which was completed prior to the Pre-Qualification Submission Date (“**Merger**”); or following the applicable jurisdiction’s equivalent of a Merger between the foreign Experience Provider and a foreign Supporting Entity, which was completed prior to the Pre-Qualification Submission Date, as stipulated in Section 11.4.3.4.1 of the Invitation.
- Following the acquisition of 100% of all Means of Control of the Supporting Entity prior to the Pre-Qualification Submission Date (“**Acquisition**”), as stipulated in Section 11.4.3.4.2 of the Invitation.
- Following the transfer of some or all assets of a Supporting Entity, or a business or a division thereof, as part of a corporate reorganization, to the Experience Provider, provided that (i) the Supporting Entity no longer holds any of the transferred assets, business or division (as applicable), and (ii) the transfer was completed prior to the Pre-Qualification Submission Date (“**Transfer**”) as stipulated in Section 11.4.3.4.3 of the Invitation.

2. Attached to Annex A hereto are:

- i. a confirmation by an Israeli lawyer / a formal certificate of the applicable statutory authority under the laws of the applicable jurisdiction, testifying to the date and results of the Merger/Acquisition/Transfer between the Experience Provider and the Supporting Entity; and
- ii. a description of the main features of the Merger/Acquisition/Transfer, issues by the Experience Provider’s external auditor or legal advisor.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Stamp and Signature

I, \_\_\_\_\_, the undersigned, hereby confirm that on \_\_\_\_\_ [date], \_\_\_\_\_[name], Israeli I.D. number / \_\_\_\_\_ [country] Passport number \_\_\_\_\_, who is authorized to sign on behalf of \_\_\_\_\_, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: \_\_\_\_\_

Stamp and Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney

**PRE-QUALIFICATION FORM “6” - ANNEX A**

1. A confirmation by an Israeli lawyer / a formal certificate of the applicable statutory authority under the laws of the applicable jurisdiction, testifying to the date and results of the Merger/Acquisition/Transfer between the Experience Provider and the Supporting Entity; and
2. A description of the main features of the Merger/Acquisition/Transfer, issues by the Experience Provider's external auditor or legal advisor.

## **PRE-QUALIFICATION FORM “7”**

### **CIVIL ENGINEERING EXPERIENCE**

*(To be completed by each Entity demonstrating compliance with the Pre-Qualification Requirement specified in Section 5.1 (Civil Engineering Experience) of the Invitation)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

I, \_\_\_\_\_, the undersigned, am making this affidavit on behalf of \_\_\_\_\_  
(name of Experience Provider):

#### **A. Transportation Infrastructure Project Experience**

<i>Projects Details [add additional columns as necessary]</i>				
	<b>“1”</b>	<b>“2”</b>	<b>“3”</b>	<b>“4”</b>
<b>Project name</b>	_____	_____	_____	_____
<b>Experience as Lead Contractor</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Brief project Description</b>	_____	_____	_____	_____
<b>Contract Value</b>	_____	_____	_____	_____
<b>Two lane road, at least two lanes per direction</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Minimum road design speed [Kmph]</b>	_____	_____	_____	_____
<b>Type of road</b>	<input type="checkbox"/> national highway <input type="checkbox"/> intercity road <input type="checkbox"/> suburban highway	<input type="checkbox"/> national highway <input type="checkbox"/> intercity road <input type="checkbox"/> suburban highway	<input type="checkbox"/> national highway <input type="checkbox"/> intercity road <input type="checkbox"/> suburban highway	<input type="checkbox"/> national highway <input type="checkbox"/> intercity road <input type="checkbox"/> suburban highway
<b>Additional elements executed within the project</b>	<input type="checkbox"/> tunneling works <input type="checkbox"/> bridging works <input type="checkbox"/> construction of interchange/s	<input type="checkbox"/> tunneling works <input type="checkbox"/> bridging works <input type="checkbox"/> construction of interchange/s	<input type="checkbox"/> tunneling works <input type="checkbox"/> bridging works <input type="checkbox"/> construction of interchange/s	<input type="checkbox"/> tunneling works <input type="checkbox"/> bridging works <input type="checkbox"/> construction of interchange/s
<b>Date of Commencement [MM/YYYY]</b>	_____	_____	_____	_____
<b>Date of Completion</b>	_____	_____	_____	_____

<b>Projects Details</b> [add additional columns as necessary]				
[MM/YYYY]				
<b>Client Details and Contact Person Information</b>	_____	_____	_____	_____
<b>Executed by Supporting Entity</b>	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No

### B. Bridging Works Experience

<b>Bridges Details</b> [add additional columns as necessary]				
	<b>“1”</b>	<b>“2”</b>	<b>“3”</b>	<b>“4”</b>
<b>Bridge details</b>	_____	_____	_____	_____
<b>Experience as Lead Contractor</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Brief Description</b>	_____	_____	_____	_____
<b>Bridge area</b> [Square meters]	_____	_____	_____	_____
<b>Implementation of temporary traffic arrangements on or above a national highway, an intercity road or a suburban highway</b>	<input type="checkbox"/> Yes: _____ (National highway; Intercity Road or Suburban highway) <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ (National highway; Intercity Road or Suburban highway) <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ (National highway; Intercity Road or Suburban highway) <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ (National highway; Intercity Road or Suburban highway) <input type="checkbox"/> No
<b>Date of Commencement</b> [MM/YYYY]	_____	_____	_____	_____
<b>Date of Completion</b> [MM/YYYY]	_____	_____	_____	_____
<b>Client Details and Contact Person Information</b>	_____	_____	_____	_____
<b>Executed by Supporting Entity</b>	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No

### C. Construction Experience

<i>Multi-level carpark [add additional columns as necessary]</i>				
	“1”	“2”	“3”	“4”
<b>Carpark details</b>	_____	_____	_____	_____
<b>Experience as Lead Contractor</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Brief Description</b>	_____	_____	_____	_____
<b>Multi-level carpark</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Total number of parking spaces</b>	_____	_____	_____	_____
<b>Date of Commencement</b> [MM/YYYY]	_____	_____	_____	_____
<b>Date of Completion</b> [MM/YYYY]	_____	_____	_____	_____
<b>Client Details and Contact Person Information</b>	_____	_____	_____	_____
<b>Executed by Supporting Entity</b>	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No

<i>Building construction [add additional columns as necessary]</i>				
	“1”	“2”	“3”	“4”
<b>Building details</b>	_____	_____	_____	_____
<b>Experience as Lead Contractor</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Brief Description</b>	_____	_____	_____	_____
<b>Nature of use</b>	<input type="checkbox"/> industrial <input type="checkbox"/> public <input type="checkbox"/> commercial	<input type="checkbox"/> industrial <input type="checkbox"/> public <input type="checkbox"/> commercial	<input type="checkbox"/> industrial <input type="checkbox"/> public <input type="checkbox"/> commercial	<input type="checkbox"/> industrial <input type="checkbox"/> public <input type="checkbox"/> commercial

<b>Building construction</b> [add additional columns as necessary]				
<b>Building Area</b> [Square meters]	_____	_____	_____	_____
<b>Date of Commencement</b> [MM/YYYY]	_____	_____	_____	_____
<b>Date of Completion</b> [MM/YYYY]	_____	_____	_____	_____
<b>Client Details and Contact Person Information</b>	_____	_____	_____	_____
<b>Executed by Supporting Entity</b>	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No

\_\_\_\_\_

Date

\_\_\_\_\_

Stamp and Signature

I, \_\_\_\_\_, the undersigned, hereby confirm that on \_\_\_\_\_ [date], \_\_\_\_\_ [name], Israeli I.D. number / \_\_\_\_\_ [country] Passport number \_\_\_\_\_, who is authorized to sign on behalf of \_\_\_\_\_, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: \_\_\_\_\_

Stamp and Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney

**PRE-QUALIFICATION FORM “8”**

**BUS OPERATION EXPERIENCE**

*(To be completed by each Entity demonstrating compliance with the Pre-Qualification Requirement specified in Section 5.2 (Bus Operation Experience) of the Invitation)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

I, \_\_\_\_\_, the undersigned, am making this affidavit on behalf of \_\_\_\_\_  
(name of Experience Provider):

Each Experience Provider is required to complete at least one (1) of the following alternatives (as applicable):

- *In the event the Experience Provider holds a valid license for operation of public transportation bus service line issued by the Ministry of Transport, National Infrastructures and Road Safety, please tick confirm and fill up all the requested information listed in **Option A** below.*
- *In the event the Experience Provider doesn't hold a valid license for operation of public transportation bus service line issued by the Ministry of Transport, National Infrastructures and Road Safety, please tick confirm and fill up all the requested information listed in **Option B** below.*

<input type="checkbox"/> <b>Option A</b>	<i>Experience Provider who <b>holds</b> license for operation of public transportation bus service</i>
As of the Pre-Qualification Submission Date, I hold a valid license for operation of public transportation bus service lines issued by the Ministry of Transport, National Infrastructures and Road Safety. License number: _____	

<input type="checkbox"/> <b>Option B</b>	<i>Experience Provider who <b>doesn't</b> holds license for operation of public transportation bus service</i>
<b>Type of License</b>	<input type="checkbox"/> special bus services; License number _____ <input type="checkbox"/> tour bus; License number _____
<b>License Date of issue</b>	_____
<b>License expiration Date</b>	_____

<i>Daily shuttle operation services ("services") [add additional columns as necessary]</i>	
<b>Client details</b>	_____
<b>Date of award of the contract</b>	_____
<b>Consecutive years of service since award of the contract</b>	_____
<b>Total number of buses operated for this service</b>	_____
<b>Contact Person Information</b>	_____
<i>Bus fleet (owned or leased by the experience provider)</i>	
<b>Total Number of buses owned or leased as for the Pre-Qualification Submission Date</b>	_____ Buses as follows: _____ <b>owned</b> ; and _____ <b>leased</b>

\_\_\_\_\_  
Date

\_\_\_\_\_  
Stamp and Signature

I, \_\_\_\_\_, the undersigned, hereby confirm that on \_\_\_\_\_ [date], \_\_\_\_\_[name], Israeli I.D. number / \_\_\_\_\_ [country] Passport number \_\_\_\_\_, who is authorized to sign on behalf of \_\_\_\_\_, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: \_\_\_\_\_

Stamp and Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney

**PRE-QUALIFICATION FORM “10”**

**FINANCIAL PRE-QUALIFICATION REQUIREMENTS COMPLIANCE**

*(To be completed by the CEO or CFO of each Member, or by an equivalent position holder thereof, in accordance with Section 6.8.1 of the Invitation)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

I, \_\_\_\_\_, the undersigned, am making this affidavit on behalf of \_\_\_\_\_  
*(name Member) ("the Member")*

I hold the position of a CEO / CFO / Equivalent position: \_\_\_\_\_ *(circle the relevant option)* and I am authorized to make this affidavit in the Member name and on its behalf.

- 1.1. Attached as Annex A is the Member’s relevant Financial Statement(s). the Financial Statement(s) attached comply with all the provision set in section 6.9 (Submission of Financial Statements) of this invitation.
- 1.2. The Member’s most recent and updated Financial Statement(s) are for the fiscal year(s) \_\_\_\_\_ *[the year(s) of most recent financial statements to be completed; For the removal of doubt, such year shall not be earlier than 2020]*
- 1.3. In accordance with the financial information included in the Financial Statement(s), the Member complies with the relevant Financial Pre-Qualification Requirements, as follows *(check applicable)*:

For a Member which is **not** a Financial Entity according to:  Alternative A  
 Alternative B

For a Member which is a Financial Entity according to:  section 6.5.1 (applicable for Private Investment Fund)  
 section 6.5.2 (applicable for Institutional Investor or Banking Corporation)  
 section 6.5.3 (applicable for investment Entity)

\_\_\_\_\_

Date

\_\_\_\_\_

Stamp and Signature

I, \_\_\_\_\_, the undersigned, hereby confirm that on \_\_\_\_\_ [date], \_\_\_\_\_ [name], Israeli I.D. number / \_\_\_\_\_ [country] Passport number \_\_\_\_\_, who is authorized to sign on behalf of \_\_\_\_\_, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: \_\_\_\_\_

Stamp and Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney

**PRE-QUALIFICATION FORM “10” - ANNEX A**

**FINANCIAL STATEMENTS**

Each Member of the Participant who is not a Financial Entity or Guarantor (as applicable) is to attach its three (3) latest audited Financial Statements.

Each Member of the Participant who is a Financial Entity shall attach hereto their most recent audited Financial Statement.

**PRE-QUALIFICATION FORM “10”**

**NO GOING CONCERN**

*(To be completed by the CEO or CFO of each Participating Entity, or by an equivalent position holder thereof, in accordance with Section 6.8.2 of the Invitation)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

I, \_\_\_\_\_, the undersigned, am making this affidavit on behalf of \_\_\_\_\_  
(name of Participating Entity):

I hold the position of a CEO / CFO / equivalent position: \_\_\_\_\_ (circle the relevant option) and I am authorized to make this affidavit in the Participating Entity name and on its behalf.

I confirm that the Participating Entity’s most recent Financial Statement does not include any going concern notice or an equivalent thereof under the applicable accounting rules.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Stamp and Signature

I, \_\_\_\_\_, the undersigned, hereby confirm that on \_\_\_\_\_ [date], \_\_\_\_\_ [name], Israeli I.D. number / \_\_\_\_\_ [country] Passport number \_\_\_\_\_, who is authorized to sign on behalf of \_\_\_\_\_, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: \_\_\_\_\_

Stamp and Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney