

**THE BIOMETRIC DATABASE MANAGEMENT AUTHORITY (BDMA) OF
ISRAEL**

**INVITATION FOR
PREQUALIFICATION FOR
PARTICIPATION IN A TENDER
FOR
AUTOMATED BIOMETRIC IDENTIFICATION
SYSTEMS FOR THE STATE OF ISRAEL**

NUMBER: 15/22

DECEMBER 2022

Invitation for Prequalification

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A. Invitation for Pre-Qualification

Introduction

The Biometric Database Management Authority of the Ministry of the Interior (hereinafter referred to as "**Authority**" or "**BDMA**") invites Respondents who comply with all the requirements stipulated in this Invitation, to participate in a Pre-Qualification Process for participation in a tender for the supply of an automated biometric identification system suitable for use in a national scale biometric database. All, as stipulated in the Invitation Documents.

Background

Israel's Inclusion of Biometric Means of Identification within Identification Documentation and Database Law, 5769 - 2009 (this law and the regulations and order issued pursuant to it shall be hereinafter referred to as the "Law") regulates the integration of biometric data in Identification Documents in order to ensure the authenticity of these documents and to prevent the use of forged documents or false identities.

The Law established the BDMA in order to regulate and manage a central biometric database ("Database" or "Biometric Database"). In compliance to the current Law, the Database includes biometric records of Israeli residents or citizens, consisting of two flat fingerprints and a face image. However, the Law is expected to change, so it will allow facial recognition as the sole biometric identification and repository.

At present, the Database is managed using an ABIS system provided by Gemalto / Thales (Cogent technology). The BDMA wishes to enter into a contract with a Supplier that will build, supply and maintain a new ABIS system. The purpose of this Pre-Qualification and the following Tender is to select the Supplier.

Definitions

All capitalized terms in the Invitation Documents shall have the meanings set forth in Appendix A.

The Selection Process

The Authority, via the Ministry of Interior Tender Committee, intends to select the Supplier in the following stages:

- A Pre-Qualification Process – which will be conducted according to this Invitation; and
- A Tender Process.

The Pre-Qualification Process

The purpose of this Pre-Qualification Process is to identify Eligible Respondents, who will be invited to participate in the Tender Process.

During the Pre-Qualification Process, the Tender Committee will evaluate the compliance of each Respondent with Pre-Qualification Requirements. The Tender Committee will announce Respondents which demonstrated compliance with all Pre-Qualification Requirements and all other applicable requirements and provisions of this Invitation, and were not otherwise disqualified thereby, as Eligible Respondents.



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The Eligible Respondents will be allowed (but not required) to participate in the Tender Process and submit their Proposals to the Tender, in accordance with the Tender Documents.

The Tender Process

Following the completion of the Pre-Qualification Process, the Tender Committee intends to invite all Eligible Respondents to participate in the tender process and submit Proposals to build, supply and maintain a new ABIS system for the State of Israel.

The Tenders Documents may stipulate additional Threshold Conditions and requirements to the Pre-Qualification Requirements, as well as to define a minimum quality score. The Respondents are hereby notified that failure to comply with the additional requirements stipulated in the Tender will result in rejection of the Proposal.

Please note that the Tender Committee intends to include the following conditions in the Tender Document:

An Eligible Respondent that is not incorporated in Israel, will be required to present an Israeli subcontractor which will provide the Authority with local maintenance and support.

The Eligible Respondent shall be required to demonstrate experience in projects that include civil ABIS for at least 10 million identities.

The Eligible Respondent shall be required, as part of the Tender Process, to demonstrate their proposal in Israel. In case that negotiations will be required, they will be held in Israel as well.

The information set forth in section 0 above may change, according to the sole discretion of the Tender Committee.

Pre-Qualification Schedule

Below is the schedule for the Pre-Qualification process:

Pre-Qualification publication date: 15/12/2022

Final date for submission of requests for clarifications: 22/12/2022

Final date for receipt of Authority's answers to Respondents' questions 27/12/2022

Final date for submission of PQ Submissions: 05/01/2023 at 17:00.

The Tender Committee may change or adjust the dates stipulated in the Invitation or derived from the Invitation and may also extend the date for submission of PQ Submission insofar as the final submission date specified, has not yet passed. Notice of such extensions shall be published on Authority's Site.

Pre-Qualification Documents

The Pre-Qualification Documents include:

This Invitation;

Appendix A – Definitions;

Appendix B – Submission Form;

Appendix B1 – General Submission Form;



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Appendix B2 – Reference Project Form;

Appendix B3 - Confidentiality Undertaking Form;

Appendix C – Affidavit as required by section 0 of the Tender;

Appendix D – List of Consultants;

The appendices to the Invitation constitute an integral part thereof.



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B. Threshold Conditions

General

The Respondent is required to comply, at the time of submission of the PQ Submissions, with the preconditions set forth in sections 0 -0.

A PQ Submission should be submitted by a single entity. A submission by several corporations together shall be disqualified. However, please note that the Tender Committee intends to allow use of subcontractors as part of the Proposal – this issue will be addressed in the Tender Documents.

A Respondent may not attribute data from another corporation to itself, except in cases where it has expressly been permitted to do so.

Form of Incorporation of Respondent

As a precondition to participation in the Pre-Qualification Process, Respondent must be duly incorporated in Israel or in a country that maintains diplomatic relations with the State of Israel.

Entities residing or incorporated in a country which has no diplomatic relations with the State of Israel, or the Control of which is held by a resident or corporation of such a country, are not entitled to participate in the Pre-Qualification Process.

It is hereto agreed that the Israeli Security Agency (ISA) shall be the sole determining authority to decide if the controlling interest of a Respondent derives from a country without diplomatic relations with Israel. A decision made by the ISA in this regard shall be considered final and cannot be appealed.

Respondent must attach to the Submission Form:

Certification of registration of the corporation from the relevant registry.

Attorney certification attesting that the PQ Submission was signed by the Respondent's authorized signatories.

Compliance with the Provisions of the Public Entities Transactions Law and General Requirements

As a precondition to participation in the Pre-Qualification Process, an Israeli Respondent is required to comply with the provisions of the Public Entities Transactions Law.

As a precondition to participation in the Tender, Respondent must comply with all of the following:

The Respondent is not aware of any restriction whatsoever that could prevent the award of the Tender to Respondent;

The Respondent is not aware of any held positions or matters (such as providing counsel to certain entities, membership on boards, ownership of assets and businesses etc.), of the Respondent or its authorized signatories, that might place them in a situation of a possible conflict of interest while providing or maintaining a biometric matching system to the State of Israel.



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If the Respondent is incorporated in Israel, it must also comply, as a precondition to participation in the Pre-Qualification Process, with requirements regarding protection of employee's rights, lawful employment of foreign workers and equal opportunities for persons with disabilities as stipulated in section **1.26** of Appendix C.

Respondent must attach to the Submission Form an affidavit certified by an attorney, in the format set forth in Appendix C of the Tender.

Reference Projects

For the purposes of this Invitation, the following terms shall have the meanings set forth below:

"Maintenance Revenue" is the main contractor annual revenue arising from providing support, warranty and maintenance services to a system.

"Reference Project" is an outsourcing or delivery project in which a main contractor builds a computerized information system for a customer, and all the following conditions are met:

As part of the project, the main contractor provided the customer with integration services.

The human effort devoted to building the system was at least 180 person-months.

As part of the project, the main contractor provided the customer with maintenance and support services to the system, for at least three consecutive years following the transaction to production environment.

The Maintenance Revenue is 350,000 USD per year (VAT included), for at least three years.

A precondition to participation in the Pre-Qualification Process is that the Respondent was, between 1.1.2017 to 15.12.2022 the main contractor in at least three Reference Projects, for at least three different customers.

The Respondent may demonstrate its compliance with the abovementioned condition using projects that transitioned to production environment before 1.1.2017.

Respondent must fill all the data required in the Reference Project Form, Appendix B2 of the Invitation, regarding each of the Reference Projects that are relevant to this section.

Financial strength

As a precondition to participation in the Pre-Qualification Process, Respondent must demonstrate an annual turnover of at least twenty-five million USD, arising of integration and development services in the IT industry based on audited financial statements for each of the years 2018 to 2021.

The Respondent must attach to the Submission Form a certificate by Respondent's auditor, attesting to Respondent's turnover, arising of integration and development services in the IT industry, in each of the foregoing years. This certificate must state that it is based on audited financial statements.



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Undertaking to Maintain Confidentiality

As a precondition to participation, in the Pre-qualification process, the Respondent must include in its PQ Submission a signed undertaking to maintain confidentiality, in accordance with Attachment B3.

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C. The Pre-Qualification Process

Reviewing Pre-Qualification Documents

The Pre-Qualification Documents are posted on the Website.

All the forms will be posted as a MS-Word file, pursuant to the publication of the Tender Committee response to the clarification requests.

Clarifications

From the date the Pre-Qualification Documents are published until the date listed in section 0, any person may contact the Authority only in writing (in English) by email to magentest@moin.gov.il and may raise any matter for clarification or ask any question relating to the Pre-Qualification Process; the Authority will confirm receipt via electronic mail.

The applicant should specify in its request its company name and address and the name, email and telephone number of a contact person for the response.

The request should be submitted using an MS Word file in the following format (the order should be compatible with the order of Pre-Qualification sections):

No.	Tender, or No. of Appendix	No. of section in the Tender / Appendix	The Question or Request

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The Tender Committee does not commit to respond to all the requests.

The Tender Committee does not commit to respond to a request received after the date listed in section 0, but may do so, according to its sole discretion.

The Tender Committee will respond to requests until the date listed in section 0.

Responses shall be provided without revealing the name of the applicant.

The responses will be published on the Website. The responsibility to be informed of responses to the requests for clarification lies on the Respondents themselves.

The responses to the requests for clarification will be considered as an integral part of the Pre-Qualification Documents.

The Tender Committee may modify the terms and conditions of the Pre-Qualification Process prior to the date for submitting Pre-Qualification Submissions. Notification of such change will be published on the website.

Structure of the PQ Submission

The PQ Submission must be submitted through the Submission Form; the Respondent will provide complete and accurate information on the forms.

In case of any discrepancy between the Submission Form submitted by Respondent and the version published on the Website, the latter shall prevail.

The Submission Form comprises several forms, relating to different sections of the Invitation:

General Form, Appendix B1;

Reference Project Form, Appendix B2;

Confidentiality Undertaking Form, Appendix B3.

The pages of the PQ Submission will be numbered sequentially. Each binder will include a table of contents.

Respondent will attach to the Submission Form all of the documents required according to the Invitation and the Submission Form, marked with the section of the Invitation or the Submission Form to which it pertains.

Please note that the Tender Committee is not obliged to consider any documents, booklets, brochures, discs, presentations, etc. that were not expressly requested or that their submission was not expressly permitted.

The Submission Forms are integral parts of the Pre-Qualification Documents, and supplement the permanent sections of the Invitation. Nonetheless, in the event of a contradiction between them and the Invitation, the Invitation shall prevail.

The PQ Submission shall contain:

One original copy of the PQ Submission.

This copy will be marked "Original Copy".

Every page in the original copy of the PQ Submission must be stamped and signed by the Respondent.

One identical copy of the PQ Submission (including the various attendant documents and appendices).

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The first page of the copy must be stamped with an original stamp (not a photocopy) of the Respondent with an original signature (not a photocopy).

One Disk on Key (or CD) - containing:

- a copy of the PQ Submission for competitors review – this file will be named: "Copy for Competitors Review" and will contain the PQ Submission without the information that the Respondent wishes to keep confidential, as detailed in section 0 of the Invitation.
- a copy of the PQ Submission (the Submission Form, including the various attendant documents and appendices) in a searchable PDF format, and which also allows adding comments and highlighting.
- a copy of the PQ Submission (the Submission Form) in MS-Word format.

- 1.1.1.1. The Respondent must verify that the contents of the files on the DOC are identical to the printed submission.

In the event of a contradiction between the original copy and other copies submitted by Respondent, the original copy shall prevail.

Language of the PQ Submission

The PQ Submission must be submitted in English.

Documents that are not in English must be translated into English, and the original documents must be appended to the translations; only documents in English will be reviewed. Nevertheless, documents issued by Israeli authorities should not be translated and Respondent may attach the Hebrew version of the document.

In the event of a contradiction between an original document and its English translation, the latter shall prevail.

Submission of the PQ Submission

The PQ Submission must be submitted in a signed and sealed envelope with no external identification, following the clarification process, and no later than the date and time listed in section 0, in the tender box located on the entrance floor of the Ministry of Interior, 2 Kaplan Street, Jerusalem.

Please verify prior to the placement of the envelope in the tender box that the envelope is stamped at the guard station with the date and time accepted.

The envelope should state "Prequalification For Participation In A Tender For Automated Biometric Identification Systems For The State Of Israel No. 15/22".

The submission of the PQ Submission by the date and time specified in section 0 above is the sole responsibility of the Respondent. A PQ Submission that will be submitted past the date and time specified in section 0 will not be examined by the Tender Committee.

The PQ Submission may not be submitted by electronic mail or facsimile.

The submission of a signed PQ Submission constitutes conclusive evidence that the Respondent has read all the provisions of the Pre-Qualification Documents, understood them and has given its unconditional consent to them. The Respondents must raise any questions or objections to the Pre-Qualification Documents, during the time period set forth in section 0.

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One Submission

A Respondent may submit one PQ Submission.

Respondent that submits more than one PQ Submission will be disqualified.

Validity of the PQ Submission

The PQ Submission will be valid until the final date for submission of the Proposals to the Tender.

if the Respondent has submitted a proposal to the Tender, the PQ Submission shall be valid as long as its proposal is.

Reviewing the Tender Documents and the Winning Proposal

The Tender Committee shall allow a Respondent who is not awarded the Tender to review the minutes of the Tender Committee and the PQ Submission of the winning proposal in accordance with Regulation 21(e) of the Mandatory Tenders Regulations, 5753 - 1993, Freedom of information Act, 5758 - 1998 and in accordance with all relevant laws.

A Respondent who believes that sections of its PQ Submission contain trade or business secrets (in this section - "Classified Sections") and should not be reviewed by the other Respondents following the completion of the Tender, should explicitly make note of the classified sections on the Submission Forms.

Respondent shall submit one digital copy (PDF file) of its PQ Submission in which the Classified Sections are blackened out or deleted and shall mark this copy as a "copy for competitors review", all, as stipulated in section 0 above).

A Respondent failing to mark sections on the Submission Form as classified or failing to submit a copy for competitor review, will be deemed as having consented to delivery of its entire proposal to be read by other Respondents should said Respondent be awarded the Tender.

The designation of certain sections of the proposal as classified or their deletion from the copy for competitor review will be considered an admission that these Classified Sections in the proposal are also classified in the proposals of other Respondents, and therefore Respondent waives in advance all rights to view these sections in the competitors' proposals as well.

Please note that sole discretion with regard to the right of review of the Respondents belongs to the Tender Committee alone, which will act in this matter in accordance with law.

Should the Tender Committee decide to permit the review of the sections of the winning Proposal that the Respondent designated as classified, notification of this permission will be sent to the winning Respondent that will be permitted to submit an objection to this decision within a reasonable period of time under such circumstances.

The Tender Committee will notify the Respondent of its decision to deny said objection, if so denied, prior to the delivery of the material to the applicant wishing to review it.

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D. General

Governing law

This Pre-Qualification Process is governed by the laws of the State of Israel, including the Law, the Mandatory Tenders Law, 5752 – 1992 and Mandatory Tenders Regulations, 5753 – 1993.

Without derogation from the generalization of the above, the Tender is subject to the Law. In any case of discrepancy between the Tender and the Law, the last shall prevail.

The Respondents will be deemed as having received appropriate legal counsel prior to their participation in this Tender.

Interpretation

Words and expressions that are not defined in Appendix A, shall be ascribed their meanings as found in the Law, the Mandatory Tenders Law, 5752 – 1992 or in the Interpretation Ordinance or the Interpretation Law, 5741 – 1981, unless another interpretation is mandated from the context or text.

A revocation or a determination regarding the revocation of terms of the Invitation shall not invalidate the Invitation or any other term therein.

Index, Currency and Time

A sum of money or value of an asset quoted by Respondent, shall be quoted in US Dollars, and written both in its numerical and written form.

In the event of a contradiction between the sum stated in numerical form and the sum as written, the latter shall prevail.

If the type of currency is not specified, the presumption will be that the currency is proposed in US Dollars.

Dates and hours are all local time, Jerusalem, Israel.

Website

All information and notifications regarding the Tender will be published on the Website. The Website address is: www.gov.il

It is the responsibility of the Respondents to continuously update themselves with regard to the progress of the Pre-Qualification Process from this site.

Affidavits

Affidavits will be approved by notaries or by attorneys that are authorized to approve such documents according to the laws of the state in which the Respondent is incorporated.

Intellectual Property rights to Documents

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Any and all intellectual property rights in the Pre-Qualification Documents are exclusively owned by the Authority and are supplied to the Respondents solely for the purpose of participation in the Pre-Qualification Process.

Pre-Qualification Documents may not be used for any other purpose other than for the submission of PQ Submission.

Tender Committee Consultants

Any entity or person, which has provided in the past year, or is expected to provide, services to the Biometric Authority or any relevant authority in relation to the Tender and the Biometric Database, including the advisors listed in Appendix D, shall not be permitted to render services or participate in any other manner in the preparation of a PQ Submission or a proposal for the Tender, or advising a Respondent on any other issue, whether directly or through an affiliated body, unless prior written permission to do so is obtained from the Tender Committee.

The Tender Committee shall be entitled to disqualify a submission or a Proposal prepared in violation of this section.

Changes in a Respondent

The Tender Committee will be entitled, until the deadline that will be determined by it within the Tender Documents, and provided that the Respondent has asked for such change, to allow changes with respect to a Respondent or an Eligible Respondent, as applicable, including their replacement with affiliated entity.

For the avoidance of doubt, the Tender Committee will be entitled to accept or to reject such a request, at its absolute and exclusive discretion.

Request for Additional Information and Clarifications

The Tender Committee may request written or oral clarifications from any Respondent regarding its PQ Submission, in whole or in part. Such a request shall not be construed as permission for a respondent to change its submission or to grant such Respondent an unfair advantage over the other Respondents. The clarifications will serve as an integral part of the PQ Submission.

The Tender Committee has the discretion to request a Respondent to provide missing information, recommendations or certifications that relate to the requirements stipulated in the Tender, in order to evaluate the Respondent's compliance with the terms of the Tender. The Committee may, for reasons to be listed, invite a Respondent to appear before it, in order to verify details of the PQ Submission or for other details that it requires in order to make a decision.

The Tender Committee may perform any act that may be necessary to evaluate the PQ Submission, including visiting the Respondent's facilities (coordinated in advanced).

Nonresponsive Submission

The Tender Committee may, for reasons that will be listed, instruct that an irregularity or error in a PQ Submission be rectified, if it finds that this will not harm the equality between the Respondents or if it finds that this decision benefits the public welfare and the aim of the Tender.



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The Tender Committee may, inter alia, disqualify a PQ Submission that is partial, lacking, conditional, defective, incorrect or based on an incorrect understanding of the Invitation.

A Conditional or Limited PQ Submission

A Respondent may not limit its PQ Submission or condition it in a manner that is inconsistent with the requirements of the Invitation.

A Respondent who believes that the requirements of the Invitation should be conditioned or disqualified may raise such comments or reservations as part of the clarification process; the Tender Committee will consider the request and will respond in accordance with the provisions of section 0 above.

Revocation and Rejection

The Tender Committee is permitted, at any stage of the Pre-Qualification Process or the Tender (including after the announcement of the Eligible Respondent), to cancel the Pre-Qualification Process and the Respondents will have no rights to enforce its execution.

Without derogating from the generality of the above, the Tender Committee is entitled to cancel the Tender for budgetary reasons at any stage of the Tender or the Pre-Qualification Process.

Jurisdiction

Local jurisdiction with regard to this Pre-Qualification Process and the Invitation belongs to the competent court in Jerusalem, Israel, and shall be conducted under Israeli laws.

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Appendix A: Definitions

1. "Authority", "BDMA" have the meaning ascribed thereto in section 0 of the Invitation.
1. "Biometric Database" or "Database" shall have the meaning ascribed thereto in section 0 of the Invitation.
1. "Control" means the ability to direct the activity of a corporation – whether alone or with others or through others, directly or indirectly – arising from holding the Means of Control in that corporation or in any other corporation; including a capability that derives from the corporation's articles of association, from a written, oral or any other kind of agreement; or which derives from any other source, other than during the routine fulfillment of an employee's duties in the corporation;

Without derogating from the generality of the above, one will be perceived as having substantial influence in a corporation if one holds fifty percent or more of any Means of Control in the corporation; or if one has the ability to prevent or impose the adoption of business decisions in the corporation, other than resolutions relating to the Means of Control in the corporation or decisions regarding the sale or liquidation of the majority of the corporation's business or the institution of material changes therein; the presumption is that one has control in a corporation if one holds the majority of Means of Control of any kind.

1. "Database" or "Biometric Database" shall have the meaning ascribed thereto in section 0 of the Invitation.
1. "Eligible Respondent" is a Respondent that is qualified as compliant with the mandatory criteria stipulated in the Pre-Qualification Process and was announced by the Tender Committee as such.
1. "Invitation" – the invitation to participate in the Pre-Qualification Process.
1. "Israeli Respondent" means a Respondent that is a "resident of Israel," as this term is defined in the Income Tax Ordinance [New Version].
1. "Law" shall mean the Inclusion of Biometric Means of Identification within Identification Documentation and Database Law, 5769 – 2009, the Inclusion of Biometric Means of Identification within Identification Documentation and Database Regulations, 5771 – 2011, and the Inclusion of Biometric Means of Identification within Identification Documentation and Database Order (Trial Period), 5771 – 2011.

"Means of Control" means, in a corporation, any of the following:

The right to vote at the general meeting of a company or at an equivalent meeting of another entity;

The right to appoint a director or General Manager in an entity.

1. "Tender" – means the request for Proposals that will follow the Pre-Qualification Process.
1. "Tender Committee" means the tender committee of the Ministry of Interior.

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1. "Pre-Qualification Documents" means the Invitation including all its appendices and all clarifications published by Tender Committee according to section 0 of the Invitation, if any.
1. "Pre-Qualification Process" – means all the stages of the Pre-Qualification, from publishing the Pre-Qualification Documents to the announcement of the Eligible Respondents, which will be conducted according to this Invitation.
1. "Proposal" – means an Eligible Respondent's proposal to the Tender.
1. "PQ Submission" means the Respondent's submission to the Pre-Qualification.

"Website" is the website with the internet address: www.gov.il, under the link "Publications" (direct link:

www.gov.il).



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Appendix B: Submission Form

General

These forms must be filled out completely and legibly and must be submitted as part of the Pre-Qualification Submission.

Do not leave blank spaces empty. If the question is not pertinent to particular circumstance, please answer "N/A".

Respondents may add additional tables or rows.

Each form must be signed by the authorized signatory of Respondent.

All references on the Submission Form to information about a contact person must contain such person's name, title and personal contact information (address, telephone and email).

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Appendix B1: General Submission Form

1. Respondent information

Name of Respondent		Address of Respondent	
Telephone	Fax	Email	
Details of Contact Person for Respondent			
Name of Contact	Title	Email	
Telephone	Fax	Mobile	

Incorporation (section 0 of the Invitation)

Incorporation details of Respondent (corporation / association / partnership / other)

Identifying number (in the relevant register) _____

Country of incorporation of Respondent _____

Authorized signatories of Respondent and offices held with Respondent:

No.	Name	I.D number	Position in company
2.4.1.			
2.4.2.			
2.4.3.			

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2.4.4.			
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Reference Projects (section 0 of the Invitation)

The following are the Reference Projects presented within the PQ Submission, via the Reference Project Form:

No.	Name of Reference Project	No. of page in the Submission
1.		
2.		
3.		

Documents and Affidavits

The following documents are appended to the Submission Form:

Document	Section of the Invitation	Attached / not attached (mark ✓ if attached)
Certification of registration of the corporation from the relevant registry.	0	☐
Attorney certification attesting that the Submission was signed by the Respondent's authorized signatories.	0	☐
Affidavit – Appendix C of the Tender.	0	☐
A certificate by Respondent's auditor, attesting to Respondent's turnover, arising of integration and development services in the IT industry	0	☐



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Respondent / Corporation: _____

Authorized Signatories: _____

Signature and stamp: _____

Date: _____



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Appendix B2: Reference Project Form

Section 0 of the Invitation

Reference Project No.: _____ (**"Project"**)

The Project - General

Name of the costumer to which the system was supplied: _____

The state in which the project was performed: _____

Name and contacts of customer's representative: _____

The project is _____ (an outsourcing project / a delivery project / other [please elaborate])

Kindly provide a detailed overview of the Project and the system which is provided within it (mainly highlighting purpose and additional issues which are of relevance):

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The Respondent's role within the Project

Was the Respondent the main contractor in the Project? (yes / no) _____

Did the Respondent build a computerized information system for the customer? (yes / no)

The human effort devoted to building the system was at least 18 person-months? (yes / no)

Did the Respondent provide the customer with integration services in regard to the system? (yes / no) _____

If the integration services were provided by a sub-contractor, please state the name of the sub-contractor: _____

Did the Respondent provide the customer with maintenance and support services to the system, for at least three consecutive years following the transaction to production environment? (yes / no) _____

1.1.1. If the support and maintenance services were provided by a sub-contractor, please state the name of the sub-contractor: _____

Please state three years in which the Maintenance Revenue was at least 350,000 USD per year (VAT included) (please state year and month for the beginning of each year):

2. Project Timeline

The date in which the project was initiated (month and year): _____

The date in which the system transitioned to active production environment (month and year):

The date in which the Respondent started providing support and maintenance services to the customer in regard with the system (month and year): _____

2.1. The date in which the Respondent ended support and maintenance services to the customer in regard with the system (month and year): _____

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Appendix B3: Confidentiality Undertakings

Definitions

"Confidential Information" - any information set forth in the Tender Documents, including its appendixes.

"Respondent" - _____

"Tender" – a tender for automated biometric identification systems for the state of Israel, that the tender committee in the ministry of Interior intends to issue following the Pre-Qualification Process in which this statement is submitted.

- 1.1. "Tender Documents" – all the documents that the tender committee of the Ministry of Interior will issue as part of the Tender for automated biometric identification systems for the state of Israel.

2. Confidentiality undertakings

1.0. By its signature below, the Respondent represents and undertakes:

1.1. Not to disclose, show, distribute, disseminate or transmit, for a duration of five years, to any person or body, in any way or form, any Confidential Information.

1.2. To perform all reasonable actions and take all reasonable measures in order to prevent any leak of Confidential Information to non-authorized parties. The aforesaid actions and measures will be no less than the actions and measures the Respondent takes to avoid unauthorized disclosure of its own confidential information.

1.3. To use the Confidential Information for the sole purpose of participating in the Tender.

1.4. To sign every employee, subcontractor or Respondent's representatives on a non-disclosure agreement that follows the terms of this statement.

1.5. Exceptions

1.6. Notwithstanding the provisions set forth in section 2, the Respondent may disclose confidential Information to its employees, who have a reasonable need to know such Confidential Information and who are under binding obligation to keep such information confidential. Such binding obligation shall provide at least the same level of confidentiality as is required by this statement.

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- 1.7. Respondent's obligations as per section 2 shall not apply to any information which the Respondent can prove is:
- 1.8. Publicly known at the time of disclosure;
- 1.9. Confidential Information shall not be deemed to be public merely because any part of the Confidential Information is embodied in general disclosures or because individual features, components or combinations thereof are now or become known to the public;
- 1.10. Subsequently becomes publicly known through no fault of the Respondent.
- 1.11. Discovered or created by the Respondent before disclosure by Authority;
- 1.12. Is independently developed by the Respondent without the benefit of any of the Confidential Information as evidenced by written documentation;
- 1.13. Learned by the Respondent through legitimate means other than from the Authority or its representatives;
- 1.14. Disclosed by Respondent with Authority's prior written approval.
- 1.15. Required to be disclosed in order to comply with legal mandatory regulations, a judicial or official order or decree, provided that written advance notice of such judicial action was timely given to the Authority.
- 1.16. The duty to hold Confidential Information in confidence shall remain in effect for five years or until the Authority will send the Respondent a written notice releasing the Respondent from its undertaking set forth in section 2.

Date Signature of the Respondent

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Appendix C: Affidavit Pursuant to Section 0 of the Tender

- 1.17. I _____ the undersigned, bearer of identity / passport number _____, am making this affidavit with respect to Tender No. 82/2013 for the Supply of a Biometric Matching System ("Tender").
- 1.18. I am submitting this affidavit on behalf of _____ corporation ("Respondent"). The Respondent is a company duly incorporated, duly organized and is validly existing under the laws of _____, and whose identifying number is _____.
- 1.19. I work for Respondent in the position of _____.
- 1.20. I am an authorized signatory for the Respondent and my signature when given, binds the Respondent. [if the signature of more than one signatory is required, the Respondent may change the wording accordingly]
- 1.21. I have read the Pre-Qualification Documents and understood them. The Respondent unconditionally accepts the terms of the Invitation.
- 1.22. The Respondent is residing in a country which has diplomatic relations with the State of Israel. To the best of Respondent's knowledge, the corporations and people that hold the control in the Respondent are incorporated in and residents of a country that maintain diplomatic relations with the State of Israel.
- 1.23. I hereby declare that I am not aware of any held positions or matters (such as providing counsel to certain entities, membership on boards, ownership of assets and businesses etc.), of the Respondent or its authorized signatories, that might place them in a situation of a possible conflict of interest while providing and maintaining a biometric matching system to the State of Israel.
- 1.24. As of the submission of this PQ Submission I am not aware of any impediment (including conflict of interest), which would prevent Respondent from being awarded the Tender.
- 1.25. I declare that the Respondent only uses only genuine licensed software.
- 1.26. Lawful employment and equal opportunities for persons with disabilities [include this section in the affidavit only if the Respondent is incorporated in Israel]

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- 1.27. The Respondent meets one of the following criteria:
- 1.28. The provisions of Section 9 of the Law on Equal Rights for Persons with Disabilities, 1998 (hereinafter: the Equal Rights Law) do not apply to it;
- 1.29. The provisions of Section 9 of the Equal Rights Law apply to the Respondent and it complies with them;
- 1.30. If the Respondent employs at least 100 employees, it hereby declares his commitment to contact the Director General of the Ministry of Labor, Welfare and Social Services to review the implementation of his obligations according to Section 9 of the Equal Rights Law, and if necessary - to receive instructions regarding their implementation; Insofar as the Respondent was previously required to contact the Director General of the Ministry of Labor, Welfare and Social Services as mentioned above, the Respondent declares that it complied with such requirement, and if it received instructions to implement his duties according to Section 9 of the Equal Rights Law, it implemented them;
- 1.31. In the case the Respondent wins the Tender, it will deliver a copy of this affidavit to the Director General of the Ministry of Labor, Welfare and Social Services, within 30 days from the commencement of the contract.
- 1.32. The Respondent meets one of the following criteria:
- 1.33. The Respondent and its affiliate were not incriminated by means of a decisive sentence for an offence under the Foreign Workers Law in the year preceding the date of signing this declaration.
- 1.34. If the Respondent or its affiliate were convicted by means of a decisive sentence in two offences more under the Foreign Workers Law, at least three years have passed since the last conviction until the date of signing this declaration.
- 1.35. I hereby declare that the Respondent operates in accordance with the Minimum Wage Law, 5747 - 1987 ("Minimum Wage Law"), and pays wages to its employees regularly and on time, as required by labor laws, extension orders, collective agreements and individual agreements applicable to it.
- 1.36. The Respondent meets one of the following criteria:

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- 1.37. The Respondent and its affiliates were not incriminated by means of a decisive sentence for an offence under the Minimum Wage Law in the year preceding the date of signing this declaration.
- 1.38. If the Respondent or its affiliate were convicted by means of a decisive sentence in two offences or more under the Minimum Wage Law, at least three years have passed since the last conviction until the date of signing this declaration.
- 1.39. For the purpose of this section 1.26:
- 1.40. "Means of control", "retention" and "control" shall have the meaning ascribed thereto in Banking Law (licensing), 5741 – 1981.
- 1.41. "Affiliate" - any of the following:
- 1.42. A corporation controlled by the Respondent;
- 1.43. The person who holds the control in the Respondent;
- 1.44. A corporation whose composition of shareholders or partners, as applicable, is in essence similar to the Respondent's, provided that the fields of activity of both corporations are similar in essence;
- 1.45. Whoever is responsible on behalf of the Respondent for the payment of the work wage;
- 1.46. A corporation which is substantially controlled by one who substantially controls the Respondent, whereas "substantially controlled" means possession of three quarters or more of a certain means of control.
- 1.47. I declare that all of the information set forth in the PQ Submission was examined by me and is true and accurate.
- 1.48. This is my name, my signature, and the content of this affidavit is true.
- 1.49. Unless otherwise defined herein, all terms shall have the same meaning ascribed to them in the Pre-Qualification Documents.
- 1.50.



STATE OF ISRAEL
MINISTRY OF THE INTERIOR
THE BIOMETRIC DATABASE MANAGEMENT AUTHORITY (BDMA) OF ISRAEL



Invitation for Prequalification

1.51.

1.52. _____

1.53. _____

1.54. Date

1.55. Stamp and
signature

1.56.

1.57.

Certification

I, the undersigned, hereby certify that on the date of _____, Mr./Ms. _____ bearer of identity number _____, appeared before me _____, Attorney-at-Law, and after having been cautioned to state the truth or otherwise be subject to penalties prescribed by law if he/she fails to do so, affirmed the accuracy of his/her declaration above and signed upon it in my presence.

I hereby confirm that Mr./Ms. _____ is authorized to sign on behalf of _____, and to commit it for purposes of the Pre-Qualification Process, for all purposes and intents.

Attorney-at-Law

Invitation for Prequalification

Appendix D: List of Consultants

Mr. David Oren – Ronin Consulting Services;

Sarit Yakuti, Adv. – Kaplan Alon Gur Law Office;

Mr. Mickey Cohen – Shanit Ltd.