

STATE OF ISRAEL



**MINISTRY OF TRANSPORT
AND ROAD SAFETY
Economics and Planning**

Tender Number 11/17

**Feasibility Study for an
Offshore Facility for an Airport
and Other Uses
In Israel**

Pre-Qualification Stage

Clarifications

July 16th, 2017



Clarifications to the Pre-Qualification Document and Forms

General clarification:

- **Forms "B", "C", "E1" and "E2" have been updated.
Participants are required to use the updated forms.**
- **Updated Pre-Qualification submission date - 10st September 2017.**

- 1. If the consultant participates to this Pre-Qualification Stage and finally realize the Feasibility Study and the planning of the Offshore Airport (eventually with associated subcontractors), will it be possible to the consultant to participate to the tender for the design and the realization of the Offshore Airport?**

Clarification: At this stage it is unclear if there will be future stages regarding the project and who will be responsible for managing the tenders accordingly and therefore the Ministry of Transport cannot take responsibility regarding any potential limitations that may restrict the feasibility study consultant in future tenders. However, based on past experience, it is expected that if in the future a tender for detail design and or construction will be published it may limit the consultant who will undertake the complete statutory planning of the project. This tender is not for full statutory planning of the project but rather for the national level planning at most, if the project is found feasible.

- 2. Please confirm that the "Consultant" selected to prepare the feasibility study will not be restricted in any manner from taking any part in the development of the actual Project.**

Clarification: See clarification 1.

- 3. Will the winner of this tender, a participant company and/or member and/or any associated subcontractor within the winning party will be prevented from participate in the future PPP and/or design & build and/or construction tender when the project goes ahead in the future?**

Clarification: See clarification 1.



- 4. If a company presents a senior team manager or a subcontractor having the requested experience, will it be possible for this company to participate in further phases of the design and construction of such an infrastructure?**

Clarification: See clarification 1.

- 5. Is it possible to postpone the pre-qualification submission date?**

Clarification: the updated schedule for the Pre-Qualification Stage is as follows:

Final date - Request for Clarification	25 th June 2017
Pre-Qualification Submission	10 th September 2017
Declaration of Eligible Participants is anticipated by the end of October 2017	

- 6. Clause 5.2.2 - Is a Statutory Planning Expert with 10 years' experience is eligible by having performed the planning of several quarries (rock, sand) in the National Outline Scheme 14b (ב'תמ"א 14)? How to evaluate the cumulative capital cost of each quarry development?**

Clarification: A Statutory Planning Expert must demonstrate proven experience of at least 10 years and statutory planning of at least 3 infrastructure projects in Israel, of which at least one is in the field of transport. The capital cost of each project must be no less than 100 million US dollars. All projects must have been accepted by the relevant planning authority.

The cost evaluation of each project must be based on actual construction costs, or design based construction costs in the case of a project that has not yet been implemented.

- 7. Clause 5.2.2 - How to evaluate the capital cost of a plan for an international offshore airport as part National Outline Scheme 15a (א'תמ"א 15) in order to be included as one of the 3 infrastructures projects required for a statutory planner?**

Clarification: See clarification 6.

- 8. Clause 5.2.2 - Does a plan for a port industrial park composed of, among others, industrial plots of land and road infrastructure and other infrastructures can**



be considered as an infrastructure project in the field of transport and how should the capital cost of such project should be calculated?

Clarification: The requirement refers to a full transport infrastructure project and not to transport elements of another type of project.

9. Can a significant offshore project of transporting natural gas or fuels with a capital cost of over 100 million dollars can be considered as a project in the field of transport?

Clarification: No.

10. We would like to know whether an interested bidder, being part of a multidisciplinary consultancy operating globally, can submit references from affiliated / sister offices as part of the Pre-Qualification stage.

Clarification: No. The participating entity which will eventually perform the services is the one that should have the experience. Thus demonstration of experience must be done only by the participant, its member or associated subcontractors and all according to the PQ document instructions.

11. Conflict of Interests - The PQ does not refer to this issue. Please clarify if companies dealing with construction of artificial islands, or are contractors for marine projects execution, will be permitted to participate in the Tender stage.

Clarification: See clarification 1.

12. Clause 5.2.1 - Please approve that the experience required is in management of statutory planning projects and not in management of execution projects.

Clarification: The requirement of project management refers to the implementation of a project.

13. Clause 5.2.1 - It is required that "all projects must have been accepted by the relevant planning authority with at least one being fully implanted". We request that projects submitted to the planning authority will be considered "accepted", and that projects already in construction will be recognized instead of "fully implemented".

Clarification: The request is rejected.



14. Please approve that the presentation of the team members will be required only in the Tender stage and not in the present PQ stage.

Clarification: At this PQ stage it is required to present only the senior team manager and the statutory planning expert. The list of required team members in the PQ document is indicative. Obligatory team member list will be stated at the tender selection stage.

15. Clause 5.1.2 - It is requested that the Participant's Subcontractors may demonstrate the experience required in this clause, also.

Clarification: According to clause 5.1.2 it is possible to demonstrate experience in the planning of one substantial element by associated subcontractor if the participant or its members demonstrate experience in the other substantial element. There is also an option of demonstrating experience in the planning of substantial elements by associated subcontractor/s according to clause 5.1.3, where the participant is a project management company and meet the terms in that clause.

16. We request the Tender Committee to kindly clarify if clause 6.2.1 is also applicable for the contractually bound associated subcontractors (as defined under clause 4.1.3).

Clarification: Demonstrating compliance with the financial requirements is required by the participant and its members regarding income and cash flow. Regarding going concern notice the requirement is also applicable for the associated subcontractors.

Accordingly, it is required to present the lack of a going concern notice by the subcontractor's financial statements or by a signed CPA affidavit.

17. In case clause 6.2.1 is applicable to the sub-contractor, we request the Tender Committee to kindly allow submission of financial statements for the associated subcontractors in accordance of the Indian Accounting Standards (Ind-AS)

Clarification: The request is approved.



18. In case Clause 6.2.1 is applicable for the contractually bound associated sub-contractor, then we request the Tender Committee to consider the request for currency conversion of INR (Indian Rupee) to NIS as below:

2013 (Average)* - 0.059

2014 (Average)* - 0.060

2015 (Average)* - 0.059

2016 (Average)* - 0.056

*** Exchange Rate Sources: OANDA (<https://www.oanda.com/currency/average>)**

Clarification: The request is approved.

19. Clause 6.2.4 (c) Conversion rates for years which do not end on December 31st: A Participant or a Member, whose financial data in the Financial Statements is provided for years which are not parallel to the above specified calendar years, is required to submit a specific request to the Tender Committee for applicable conversion rates to NIS, until the Deadline for Submission of Requests for Clarification set forth in clause 1.6 (Anticipated Schedule). Such a request shall contain all the relevant information, including exchange rate tables and a reference to the source thereof. The Tender Committee will consider each request on a case by case basis and may issue an Addendum as a result thereof. Financial year for one of our sub-contractors is April-March. In case Clause 6.2.1 is applicable for the contractually bound associated sub-contractor, then we request the Tender Committee to consider the request for currency conversion of INR (Indian Rupee) to NIS as below.

The above table is average currency conversion for the period between April-March.

2013 (Average)* - 0.059

2014 (Average)* - 0.060

2015 (Average)* - 0.059

2016 (Average)* - 0.056

*** Exchange Rate Sources: OANDA (<https://www.oanda.com/currency/average>)**

Clarification: the request is approved

20. The clauses 2.3, 2.9 and 2.10 (Project Details) of the pre-qualification forms "E1" and "E2" do not reflect the subject of the forms "E1" and "E2", i.e., Planning of a Major International Airport and Planning of a Major Offshore Facility respectively. We request the Tender Committee to reconsider the clauses in the form so that they reflect the subject of the respective forms.



Clarification: The request has been approved. Updated Forms "E1" and "E2" are now published. Participants are required to use the updated forms.

- 21. As per the indicative list of work stated in the PQ, experience in transaction advisory (for both buy-side and sell-side mandates, including techno-financial feasibility study, project due-diligence etc.) would be valuable. The professional experience criteria in the Clause 5.1.3, however, restricts the experience to only project management. We request the Tender Committee to kindly include additional areas like transaction advisory, due-diligence, etc., in the professional experience clause.**

Clarification: The request is rejected

- 22. Clauses 4.1 & 4.2 - We have received various enquiries from suppliers and civil works contractors (other than consulting engineers, architects, planners), who have shown interest in partaking in this particular Tender. Will such suppliers / civil works contractors be allowed to partake in this Tender, and what – if any – will be the implication of their participation in this Tender for their position in the subsequent implementation stage of the Project?**

Clarification: See clarification 1.

- 23. Can the Tender Committee already give any indication within how much time the Participant will have to execute the Phase I Feasibility Study?**

Clarification: Not at this stage.

- 24. Clause 2.3 - Is it possible to present a number of consultants to the same consulting field?**

Clarification: At this stage it is possible to present several nominees for the Senior Team Manager and for the statutory Planning Expert positions, each of whom meets the PQ requirements. However, at the Tender Selection stage the participant will be required to present only one of them, who will be ranked and be required to perform the actual work if the participant wins. The list of the other required team members in clause 2.3.3 is indicative only. An obligatory team member list will be stated at the tender selection stage.



25. Clause 2.3.1 - Can the Senior Team Manager have his residence abroad?

Clarification: Yes. However, it is expected that the senior team manager will be available to the Ministry of Transport for periodic meetings, presentations etc.

26. Clause 2.3.1 - Is experience in Project Management means planning or executing?

Clarification: Executing.

27. Clauses 2.3.1 & 2.3.2 - Is harbor considered to be an infrastructure project in the field of transportation?

Clarification: Yes.

28. Clauses 2.3.1 & 2.3.2 - The project of Salt Harvest in the Dead Sea included a conveyor belt in order to transport the salt for over 30 km. Can it be considered an infrastructure project in the field of transportation?

Clarification: No.

29. Clause 2.3 - Will it be possible to replace a consultant later at the tender stage and if so, in what procedure?

Clarification: The procedure of replacing consultants will be determined at the tender selection stage. As for the Senior Team Manager and the Statutory Planning Expert in this PQ stage, it will be possible to perform a replacement only subject to the tender committee approval and after demonstrating compliance with all the PQ requirements.

30. Clause 2.3 - Can one consultant serve several functions?

Clarification: The positions of the Senior Team Manager and Statutory Planning Expert are required to be manned by two different persons. Regarding the other team members, the list of required team members in the clause 2.3.3 in the PQ document is indicative only. An obligatory team member list and functions will be stated at the tender selection stage.

31. Clause 2.3.3.2 - What is the difference between Airport Master Planning and Airport Design?



Clarification: Detailed requirements will be determined in the tender selection stage.

- 32. Clause 2.3.3.6 - There is no qualification for Transport Economist. Is an economist with experience in consulting for transportation projects fit this demand?**

Clarification: Detailed requirements will be determined in the tender selection stage.

- 33. Clause 2.3.3.7 - Risk Assessment - Security Consulting and Safety Consulting are different specialties. Could we offer two separate advisors? Is the demand request a company specialized in project risk management?**

Clarification: Detailed requirements will be determined in the tender selection stage.

- 34. Clause 4.2.6 - The request is that each participant will provide an authenticated copy of its incorporation and articles of association or the equivalent in accordance with the state of origin. Can the Tender Committee please clarify whether this also must be done for the Associated Subcontractors?**

Clarification: No. The instruction refers only to the participant.

- 35. Clause 5 - Is it enough that only one of the consultants has the experience required under this section?**

Clarification: The question is unclear. If the question refers to the participant then the answer is affirmative.

- 36. Clause 5.1.2 - The PQ-document requests the Participant to have experience in planning an offshore international airport which is operational. Since the planning, construction and commissioning of such a project of at least 1 billion USD takes many years, we request the Tender Committee to extend the period of experience of the Participant from 15 years to 20 years.**

Clarification: The request is rejected. Please note that the requirements in clause 5.1.2.1 are to demonstrate experience in the planning of an international airport for at least 15 million passengers annually that was planned during the last 15 years and is operational.

- 37. Clause 4.1.2 - Can the joint venture be with a company abroad?**



Clarification: Yes

- 38. Clause 5.3.2 - We request removing the requirement of presenting the cash flow from the entire consultants leaving it only for the participant.**

Clarification: The cash flow requirements refer only to the participant and its members, according to clause 5.3.2.

- 39. Is it possible to make joint venture with a company that has expertise in one of the disciplines in which tender specialization is required?**

Clarification: The requirement regarding the members in the JV is detailed in clause 4.1.2.

- 40. Is it possible to make joint venture with a planning company with experience in planning airports?**

Clarification: The requirement regarding the members in the JV is detailed in clause 4.1.2.

- 41. Clause 4.1.2 - The PQ documents request registering partnership\company for the partners of the joint venture. We request registering partnership\company only after winning the tender. We will present the details and information of the parties that will be part of the joint venture by the PQ stage as requested in the tender.**

Clarification: The request is rejected.

- 42. In the event a team decides to include a construction contractor as part of their team as either a JV partner or a sub, would that contractor be permitted to take part in the execution of the project?**

Clarification: See clarification 1.

- 43. Clause 2.1.2 - This clause mentions up to three alternatives based on “geographical locations, technical solutions and demand and capacity levels”. However if one calculates all the potential permutations it would result in many more than three. Please advise.**



Clarification: It is expected that the consultant will be required to recommend on up to three best alternatives after taking into account all the relevant parameters.

44. If we participate in the Pre-Qualification of the Feasibility Study of the project, do we have another qualification to participate in the further EPC tender of the project?

Clarification: This pre-qualification stage of the tender for the feasibility study is in no way connected to any potential "further EPC tender" which may be published in the future and its pre-qualification requirements.

45. Section 5.1 allows pre-qualification based on meeting the requirements of paragraphs 5.1.1, 5.1.2, or 5.1.3. However, paragraph 6.1.1 states that Forms E, E1, and E2 must be completed. As 6.1.1 seems to be inconsistent with 5.1 should the text in 6.1.1 say E, E1, or E2, which is also as implied by the first part of the sentence in 6.1.1?

Clarification: The text in clause 6.1.1 refers to E E1 or E2 according to the relevant experience.

46. Assuming that a participant intends to pre-qualify per clause 4.1.1 (single entity), please confirm that it is not necessary to complete Form D.

Clarification: We confirm that in the case of single entity, it is not necessary to complete Form D.

47. What information is required to be submitted about "Team Experts" (see clause 2.3), aside from Forms F (Team Manager) and G (Statutory Planner)?

Clarification: Nothing at this stage. The list of team members in the PQ document (clause 2.3.3) is indicative only.

48. Assuming that a participant intends to pre-qualify per clause 4.1.1 (single entity), but intends to use sub-contractor(s) to fulfill the roles of some of the Team Experts identified in clause 2.3, or for any other area of expertise deemed necessary to perform the work, what information is required of these sub-contractor(s) in the pre-qualification documents, if any?



Clarification: If there is no intention of relying on associated subcontractors for the purpose of demonstrating the relevant experience of the participant, there is no need to submit any information on subcontractors. See also clarification 47.

49. Could you please confirm whether public documents issued by a public notary (attorney) duly authorized to act in a foreign country need to be legalized?

Clarification: No. The required approval is as stated in the forms. See also clarification 58.

50. We would like to confirm with the client whether, for the purpose of the project and in case of award to a foreign entity, insurance policies hired with internationally-recognized insurance companies and providing international coverage, would be valid and sufficient to provide coverage for the services?

Clarification: Insurance requirements will be published at the tender selection stage.

51. We understand that the present tender is a pre-qualification phase, which is aimed at the formation of a short list of consulting companies / groups who will be invited, in the following phase and after the Israeli MOT publishes a detailed Terms of Reference (TOR) document, to submit their technical and financial proposal based on the aforementioned TOR.

Please confirm.

Clarification: Confirmed

52. Anticipated Schedule - We are aware that the anticipated schedule had already been extended; however, considering the complexity of the project's requirement and the necessity of locating competent international members of a participating group, we ask for an additional extension of both deadline dates - presentation of clarification questions and in particular of proposal submission - for an additional month.

Clarification: See clarification 5.

53. Clause 4.1.2 - We are looking into a possibility of joining forces with another international consulting firm and an Israeli consultant. In this context we interpret the term JV as forming a group that will be formed ad hoc for the



purpose of this project; however such an entity will not be a registered partnership but will be, as mentioned above, an intended ad hoc association.

Please clarify the term Join Venture and advice how such a group should be presented.

Clarification: See clarification 41.

54. Clause 4.1 - please clarify the phrase "*...In any case, one legal entity will be signatory to the contract...*". Does it mean that the only one of several entities members of the Proponent's group will be a signatory to the contract? Which one in case that clause 4.1.2 applies?

Clarification: In case of a JV the contract will be signed by the registered partnership/company authorized representative.

55. Clause 4.1.3 - Please clarify the phrase "*... a contractually bound associated subcontractor/s (hereinafter - Associated Subcontractor/s)...*". Will a Memorandum of Understanding (MOU) between the parties be sufficient?

Please confirm / clarify.

Clarification: An MOU is insufficient. The associated subcontractor must be bound to the participant by contract.

56. We understand from the combined interpretation of clauses 4.2.5 + 4.2.6 that the Participant does not necessarily has to be registered in Israel as a foreign company at the time of responding to this tender's invitation, but only after he will be awarded with the contract.

Please confirm.

Clarification: The consultant does not have to be registered in Israel.

57. We ask for easing of the condition stated in clause 5.1.2.2 and to allow compliance with it by presenting a project that is currently in its advanced stage of design or, alternatively, its construction had been started but not completed yet.

Clarification: The request is rejected



58. Clause 7.4.3 - We understand that it will be sufficient that the translation of supporting documentation to English (if they are originally in other language) attached to the proposal will require only a notarial authentication in the Proponent's country and not further confirmation, such as apostille.

Please confirm.

Clarification: The request is confirmed.

59. Pre-Qualification FORM "B" + FORM "C" - Please clarify which forms of the two should be completed by the Participant and / or by the group's (JV) members?

Clarification: Forms B and C are updated. Form B should be filled in only by the participants (of all kind). Form C should be filled in by the members in the participant in the case of a JV (clause 4.1.2).

60. We understand that FORM "D" refers to associated subcontractors. In that case, who should sign FORM "D"? The Participant or its Subcontractor?

Clarification: Form D should be filled in and signed by the participant.

61. Clause 2.2.1- does Phase 2 mean planning the procedure of the construction of the airport, or the planning of the construction of the airport itself?

Clarification: Phase II is expected to be only a statutory plan on a national level. It is not expected to include a full statutory planning and not a detail design.

62. Clause 5.1.2.1 - We are looking into a possibility of joining forces with one or more international consulting firms that comply together with the stated threshold conditions. However, we find that it is extremely demanding to meet the conditions as presented, in particular the scale of an international airport.

Considering the stated above we ask to consider easing the threshold condition of clause 5.1.2.1 by allowing presentation of projects regarding a design of a significant part of an international airport or of a major airport terminal but which is not yet necessarily operational at present.

Clarification: The request is rejected.



63. Clause 1.3 - Offshore airports are typically planned in case of non-availability of land. We request the Tender Committee to kindly clarify:

a) Is constraint in land availability the key reason for planning an Offshore Airport in Israel?

b) If yes, would Semi-Offshore Airport (partly on land, and partly in sea) be also considered as an alternative?

Clarification: These questions might be addressed to the consultant as part of his services.

64. Clause 2.1.2 - We request the Tender Committee to provide any tentative sites that have been identified for the Offshore Airport.

Clarification: The request is rejected.

65. We request the Tender Committee to kindly clarify if the consultants involved during the feasibility study of the project would be allowed to participate during the project's construction phase.

Clarification: See clarification 1.

66. Request the ministry to provide indicative timeline for award of the feasibility study.

Clarification: See clarification 23.

67. Clause 4.1 - There are three options for legal entities eligible to participate. Can the Committee please clarify whether a joint venture with a legally bound associated subcontractor, demonstrating together compliance with the professional pre-qualifications conditions, is also eligible to participate?

Clarification: Refer to clause 5.1.2 regarding the professional experience demonstration.

68. Clause 4.1.2 - Is a FIDIC contract attached meets the JV requirements?

Clarification: The requirement for eligible participant regarding JV is to be a registered partnership or company held by a number of legal entities demonstrating



compliance with the professional pre-qualification requirements of the different relevant disciplines.

69. Clause 6.2.1 - The PQ document states that Participants or Members presenting Financial Statements based on accounting principles different from those listed should submit a specific request. We herewith like to submit a specific request to use the Dutch GAAP as the basis for the requested Financial Statements.

Clarification: The request is approved.

70. Clause 6.2.4 - our company will be presenting for this bid its financial statements for fiscal years 2014, 2015 and 2016. Since our financial data is for years that do not end on December 31st, we have extracted the following currency conversion from the Bank of Israel webpage:

	September 30 th 2013	September 30 th 2014	September 30 th 2015	September 30 th 2016
	NIS			
1 EURO	4.773	4.649	4.404	4.203

However, we see in the Invitation for Pre-Qualification that you give average exchange rates for those years. Thus: which rates would you like us to use in this case? The average ones from the tender documents or the ones we stated above for 30th September?

Clarification: The exchange rates that should be used is the average for the reported year, as follows:

	Oct 2012 – Sep 2013	Oct 2013 – Sep 2014	Oct 2014 – Sep 2015	Oct 2015 – Sep 2016
	NIS			
1 EURO	4.843	4.751	4.450	4.278

71. Clause 1.6 - Since we still didn't receive any answer to our questions, we would need an additional postpone of the prequalification submission date of at least one month.

Clarification: See clarification 5.

72. Clause 6.2.4 - We request a currency conversion rate from GBP – British Pound (£) to NIS.



	1.1.2013	1.1.2014	1.1.2015
	NIS		
1 GBP	6.0655768095	5.7450802800	6.0700699084

Source: <http://www.xe.com/>

Clarification: the exchange rates that should be used are yearly average rates as follows:

	2013 Average	2014 Average	2015 Average	2016 Average
	NIS			
1 GBP	5.650	5.888	5.941	5.206