



THE STATE OF ISRAEL

MINISTRY OF FINANCE

MINISTRY OF ENERGY

THE WATER AUTHORITY

**THROUGH THE SEA-WATER DESALINATION
INTER-MINISTERIAL TENDER COMMITTEE**

July 30th, 2020

The Pre-Qualification Participants

Re: Invitation for Pre-Qualification

The Desalination Facility at the Western Galilee

Addendum PQ no.6

1. Pursuant to the Invitation for Pre-Qualification published January 2020, and in accordance with the provisions thereof, the attention of all the Participants is drawn to **Appendix "I"** attached herein.
2. In accordance with the provisions of the Invitation, you are kindly requested to acknowledge receipt of this Addendum, no later than 2 days following receipt thereof, by a written notice to the Tender Committee, in the format attached as **Appendix "III"**.

Respectfully Yours,

A handwritten signature in blue ink, appearing to read 'Y. Marmelshtein', written over a light blue circular stamp.

Yitsik Marmelshtein

Chairman of the Tender Committee

CC: Members of the Tender Committee

APPENDIX "I"

ADDENDUM PQ NO.6 - July 30th, 2020

**AMENDMENTS, CLARIFICATIONS AND
MODIFICATIONS TO THE INVITATION FOR
PRE-QUALIFICATION**

		Amendments, Clarifications and Modifications	Section
1.	Q:	Due to the challenges posed by the COVID-19 pandemic in obtaining original signatures for purposes of the Pre-Qualification Submission, the Tender Committee was requested to amend Sections 6.4, 6.5 and 6.7 to clarify that the Pre-Qualification Submission may be submitted in 6 copies (as opposed to 1 original and 5 identical copies), and accordingly, that original signatures will not be required, and that scanned (copy) signatures of the Participants, their Members, Guarantor(s) and Major Subcontractors (if applicable), including related attorney confirmations, are sufficient for purposes of the Pre-Qualification Submission.	Sections 6.4, 6.5 & 6.7
	A:	Confirmed - with respect to foreign Entities. The original copy shall be submitted within 21 days following the Pre-Qualification Submission Date.	
2.	Q:	In the event that there are two Members of a Participant that satisfy the requirements listed for an EPC Expert, the Tender Committee was requested to clarify whether both Members can serve as the EPC Expert; and if the Tender Committee confirms the same, then the Tender Committee is requested: (i) to confirm that both such Members are required to complete Pre-Qualification Forms "F" and "H", separately; and (ii) to amend Form "D" for it to include two EPC Experts.	PQ Forms "F" & "H", Section 5.2
	A:	Confirmed, provided that each of them shall hold at least 30% of the EPC Contractor. The Tender Committee further reserves the right to include in the Bid Documents a requirement that these two EPC Experts shall jointly and severally bear the obligations and responsibilities of the EPC Expert, or to require that only one of them shall be identified in the Bid as the EPC Expert. Attached as Appendix "II" herein please find a revised version of PQ Form "D". Participants which do not seek to rely on this clarification may submit the former version of the Form.	

3.	<p>Q: In the event that a Member is relying on a Guarantor, the Tender Committee was requested to clarify that the said Member is not required to submit cash flow statements.</p> <p>Alternatively, to the extent that the Tender Committee indicates that, contrary to the aforementioned request, sub-section (d) applies to such a Member, the Tender Committee is requested to confirm that sub-section (d) relates only to the Financial Statements of the Member and not to separate cash flow statements.</p> <p>The reason for this is that cash flow statements may not be required in accordance with applicable accounting principles. Therefore, given that the Member would be relying on a Guarantor, the preparation of cash flow statements is not necessary.</p>	Section 5.4.9 (c), (d)
	<p>A: With respect to a Member which is relying on a Guarantor, if the Financial Statements of such Member do not include a cash flow statement, such Member shall not be required to submit a cash flow statement pursuant to Section 5.4.9(d).</p>	
4.	<p>Q: In reference to Addendum #4, Clarification #5, the Tender Committee was requested:</p> <p>(1) to permit Major Subcontractors to submit 2018 Audited Financial Statements in the event they have not yet published their 2019 Financial Statements; and</p> <p>(2) to accept Financial Statements prepared in accordance with the Singapore Financial Reporting Standards (SFRS).</p>	Sections 3.3(d)(ii), 5.4.7 Addendum #4, Clarification # 5
	<p>A: For purposes of Sections 3.3(d)(ii) and 5.4.7:</p> <p>(1) With respect to a Major Subcontractor which is neither a Member nor a Guarantor - financial statements duly prepared in accordance with Singapore Financial Reporting Standards (SFRS) are acceptable; and</p> <p>(2) If the Major Subcontractor does not have financial statements for year 2019, it should submit a "going concern" statement in the format provided in Section 5.4.7.</p>	
5.	<p>Q: The Tender Committee is requested to confirm that if a Member is (i) a publicly traded company; or (ii) a limited partnership; it does not need to complete Section 7 (Authorized Share Capital) of PQ Forms "C" and "E".</p>	PQ Form "C", Section 7 PQ Form "E", Section 8
	<p>A: Confirmed.</p>	

6.	Q:	In the event that a Participant is composed of a number of Members (i.e. a consortium of several Entities each complying with the requirements of the Invitation pertaining to Members), as regards those Pre-Qualification Forms which indicate that they are to be completed by the Participant and all Members of the Participant, in order to avoid any duplicity, the Tender Committee is requested to clarify that such Forms only need to be signed by the Members of the Participant.	PQ Forms
	A:	Confirmed - the (joint) signatures of all such Members shall be regarded as the signature of the Participant.	
7.	Q:	The Tender Committee was requested to amend this PQ Form so as to add additional signature blocks to account for a Participant that is composed of a number of Members.	PQ Form "D"
	A:	Please refer to the revised version of PQ Form "D" attached as Appendix "II" herein. Participants which do not seek to rely on this clarification may submit the former version of the Form.	
8.	Q:	Seeing as the Desalination Expert, EPC Expert, and O&M Expert are, by definition, members of the EPC Contractor and O&M Contractor, respectively, the Tender Committee is requested to confirm that for purposes of completing PQ Form "E": (1) in the event that the Desalination Expert, the EPC Expert and a member of the EPC Contractor are all the same entity, they shall be permitted to complete and sign one Form "E" in all three capacities; and (2) the O&M Expert shall be permitted to complete and sign one Form "E" both in its capacity as the O&M Expert and as a member of the O&M Contractor.	PQ Form "E"
	A:	Confirmed.	

APPENDIX "III"
PRE-QUALIFICATION FORM "D"

THE PARTICIPANT AND ITS MAJOR SUBCONTRACTORS

*(to be completed by the Participant with respect to all the Major Subcontractors participating in the Pre-
Qualification Submission)*

1. General information about the Major Subcontractors:

(a) The EPC Contractor

Name: _____

Holdings / Anticipated holdings in the EPC Contractor:

The Desalination Expert	_____ %
The EPC Expert (#1)	_____ %
<u>The EPC Expert (#2)</u>	<u>_____ %</u>
<i>[other member of the EPC Contractor - to be completed]</i>	_____ %
<i>[other member of the EPC Contractor - to be completed]</i>	_____ %

(b) The Desalination Expert

Name: _____

Business Address: _____

Phone: _____

Facsimile: _____

E-mail: _____

(c) The EPC Expert(s)

Name (#1): _____

Business Address: _____

Phone: _____

Facsimile: _____

E-mail: _____

Name (#2): _____

Business Address: _____

Phone: _____
Facsimile: _____
E-mail: _____

(d) The O&M Contractor

Name: _____

Holdings / Anticipated holdings in the O&M Contractor:

The O&M Expert	_____ %
[other member of the O&M Contractor - to be completed]	_____ %
[other member of the O&M Contractor - to be completed]	_____ %

(e) The O&M Expert

Name: _____
Business Address: _____
Phone: _____
Facsimile: _____
E-mail: _____

2. The Participant hereby warrants and represents that to the best of the Participant’s knowledge and after conducting a due investigation, each of the Major Subcontractors of the Participant complies with all applicable requirements of the Invitation pertaining to Major Subcontractors, as detailed in Pre-Qualification Form “E”.

Faithfully yours,

	<u>Stamp and Signature</u>	<u>Date</u>	<u>Confirmation of signatory rights (*)</u>	<u>Date</u>
<u>The Participant</u>	_____	_____	_____	_____
<u>Member</u>	_____	_____	_____	_____
<u>Member</u>	_____	_____	_____	_____
<u>Member</u>	_____	_____	_____	_____

() In his signature the I, _____, attorney-at-law, hereby do attest and confirms that the signatory(ies) on behalf of the Participant or the Member (as the case may be) are _____ is authorized to sign on behalf of the Participant or the Member (as the case may be) _____, and to commit such Entity #, for purposes of the above stated Pre-Qualification Form, for all purposes and intents.*

APPENDIX "III"
ACKNOWLEDGEMENT OF RECEIPT

Date: _____

To
Mr. Yitsik Marmelshtein
Chairman of the Tender Committee

Co./ Chen Vinitzky
Coordinator of the Tender Committee
E-mail: chenv@inbal.co.il

Re: Invitation for Bids

The Desalination Facility at the Western Galilee

Addendum PQ no.6

Pursuant to the Invitation and in accordance with the provisions thereof, we hereby acknowledge receipt of this Addendum.

(name of Participant and signature of the Authorized Representative)

Cc: Adv. Michal Schwartz, Lipa Meir & Co.
E-mail: Michals@lipameir.co.il