



STATE OF ISRAEL
THE INTER-MINISTERIAL TENDER COMMITTEE FOR THE
CONSTRUCTION OF A FACILITY FOR TREATMENT OF
CONTAMINATED GROUNDWATER IN THE VICINITY OF
THE ISRAELI MILITARY INDUSTRY AT RAMAT HASHARON

Date: September 17, 2020

To:

All Participants

Re: Invitation for Pre-Qualification no. 1903/2020 – Addendum no. 3

1. Pursuant to the provisions of Section 2.9 (*Requests for Clarifications of this Invitation*) of the Prequalification Invitation at subject ("**Invitation**"), the Tender Committee hereby informs of the following Clarifications and Addenda.
2. The Amendments made within the framework of this Addendum will be inserted into the following Pre-Qualification Documents:
 - (a) The Invitation;
 - (b) The Pre-Qualification Forms; and
 - (c) Pre-Qualification Form 2 – Attachment A1 Section A and Section B - Information for Determining Compliance of the Experience Provider with the Technical Pre-Qualification Requirements.
3. For convenience the Amendments will be inserted into the aforementioned Pre-Qualification Documents in "*track changes*" where, in the Invitation, a footnote shall be added besides each insertion referencing the respective Addendum items.
4. The Amended Pre-Qualification Documents shall be uploaded onto the Website and are titled:
 - (a) "**PQ no. 1903/2020 - Invitation – Addendum no. 3 - Marked**".
 - (b) "**PQ no. 1903/2020 - The Pre-Qualification Forms 1 – 9 – Addendum no. 3 - Marked**".
 - (c) "**PQ no. 1903/2020 - Pre-Qualification Form 2 – Attachment A1 Section A – Addendum no. 3 - Marked**".
 - (d) "**PQ no. 1903/2020 - Pre-Qualification Form 2 – Attachment A1 Section B – Addendum no. 3 - Marked**".
5. Furthermore, the uploaded Amended Pre-Qualification Documents, without mark-up, shall be uploaded onto the Website and are titled:
 - (a) "**PQ no. 1903/2020 – Invitation – Clean - 17/09/2020**".

(b) **“PQ no. 1903/2020 – Pre-Qualification Form 2 Attachment A1 Section A – Clean - 17/09/2020”.**

(c) **PQ no. 1903/2020 – Pre-Qualification Form 2 – Attachment A1 Section B - Clean – 17/09/2020”.**

6. Pursuant to the provisions of Item no. 29 of Addendum no. 2 dated August 19, 2020 – a version of PQ no. 1903/2020 - The Pre-Qualification Forms 1 – 9, which is open for editing, shall also be uploaded to the Website and shall be titled: **"PQ no. 1903/2020 - The Pre-Qualification Forms 1 – 9 – for editing"**.
7. The Tender Committee draws the Participants' attention that the Pre-Qualification Submission Date is **October 13, 2020 as of 09:00 until 14:00** (local Israel time)
8. As set forth in Section 2.10.7 of the Invitation, you are requested to acknowledge receipt of this Addendum, no later than two (2) Working Days following receipt thereof, by a written notice to the Tender Committee, in the format attached at the bottom of this Addendum.

Sincerely,



Mr. Yitsik Marmelshtein
Chairman of the Tender Committee

CC: Members of the Tender Committee

Attachments:

- (a) Invitation – Addendum no. 3 - Marked.
- (b) The Pre-Qualification Forms 1 – 9 – Addendum no. 3 - Marked.
- (c) Pre-Qualification Form 2 – Attachment A1 Section A - Information for Determining Compliance of the Experience Provider with the Technical Pre-Qualification Requirement Section 4.1.1 – Addendum no. 3 - Marked.
- (d) Pre-Qualification Form 2 – Attachment A1 Section B - Information for Determining Compliance of the Experience Provider with the Technical Pre-Qualification Requirement Section 4.1.2 – Addendum no. 3 - Marked.

- (e) Invitation – Clean - 17/09/2020.
- (f) The Pre-Qualification Forms 1 – 9 – for editing.
- (g) Pre-Qualification Form 2 – Attachment A1 Section A – Information for Determining Compliance of the Experience Provider with the Technical Pre-Qualification Requirement Section 4.1.1 – Clean - 17/09/2020.
- (h) Pre-Qualification Form 2 – Attachment A1 Section B – Information for Determining Compliance of the Experience Provider with the Technical Pre-Qualification Requirement Section 4.1.2 – Clean - 17/09/2020.

A. CLARIFICATIONS TO THE INVITATION DOCUMENTS

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
1.	Invitation Document; Section 1.1.28 ("Interested Party" or "Interested Parties")	The Tender Committee is requested to confirm that subsidiaries of "Entity 1" are not considered "Interested Parties" under this definition.	The Tender Committee confirms that the definition does not apply to subsidiaries of Entity 1 unless any of items (a) – (d) within the definition apply to such subsidiaries.	N/A
2.	Invitation Document; Section 1.6 (Anticipated Schedule)	The Tender Committee is requested to defer the Pre-Qualification Submission Date.	The request is rejected. No additional deferments shall be approved at this time.	N/A
3.	Invitation Document Section 3.5.4	Submission of statement in place of Financial Statement for 2019.	See amended Section.	Section 3.5.4 is amended as follows: <i>"Its Financial Statements for 2019 shall not include a "going concern</i>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<p><i>notice” or a notice of similar effect.</i></p> <p><i>In the event Financial Statements for year 2019 were not yet published at the time of Pre-Qualification Submission, the respective Entity shall submit a statement by its CFO, <u>CEO</u> or <u>external auditor</u> stating the follows:</i></p> <p><i>....”</i></p>
4.	Invitation Document; Sections 3.5.7 – 3.5.8	The Tender Committee was requested to clarify whether the provisions of Section 3.5.8 regarding submission by an Entity not incorporated in the State of Israel of equivalent tax approvals issued in its own domicile, apply as well to Entities incorporated outside of	See amended sections 3.5.7 - 3.5.8	<p>Sections 3.5.7 and 3.5.8 are amended as follows:</p> <p><i>“3.5.7. To the extend required under Law, each Entity incorporated in the State of Israel, or registered in Israel as a Foreign</i></p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
		<p>the State of Israel but registered in the State of Israel as a Foreign Company as defined under the Companies Law, 5759-1999, given that Section 3.5.7 includes provisions specifically for such Entities.</p>		<p><i>Company as defined under the Companies Law, 5759 1999, shall provide all relevant approvals required in accordance with the provisions of the Public Entities Transactions Law 1976 in addition to the Entity's statement in the form of <u>Pre-Qualification Form "3"</u>.</i></p> <p><i>A Foreign Company registered in Israel which cannot provide such approvals due to its lack of activities in Israel or is not registered in the Israeli tax authorities, shall include within its Pre-Qualification Submission, under cover of Pre-Qualification Form "3" (1) a declaration by an</i></p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<p>independent <u>external</u> auditor; and (2) an affidavit of a representative of the Participating Entity's management, both testifying to such status.</p> <p>3.5.8. The Tender Committee may instruct an Entity that is not <u>neither incorporated in the State of Israel nor registered in Israel as a Foreign Company as defined under the Companies Law, 5759-1999</u> to supplement its Pre-Qualification Submission with approvals and statements equivalent to the approvals and statements in Section 3.5.7, as required by law within the</p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<i>Entity's domicile."</i>
5.	Invitation Document; Section 4.1.1.1	The Tender Committee was requested to allow Participating Entities to present multiple Experience Providers who each individually meet all the requirements of Technical Pre-Qualification Requirement no. 1 – Design of a Biological Treatment System.	The request is rejected. Only one Experience Provider may be presented for this Pre-Qualification requirement.	N/A

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
6.	Invitation Document; Sections 4.1.1.3(a)(4)(i) and 4.1.1.3(a)(4)(ii) (Technical Pre- Qualification Requirement no. 1 – Design of a Biological Treatment System); disturbance to the Facility's Operation due to an instruction by the Facility's client	The Tender Committee is requested to confirm that the duration considered as Consecutive Operation for the purpose of determining compliance with the Consecutive Operation Period requirement shall be 12 months.	The Tender Committee does not confirm this. The duration considered as Consecutive Operation for the purposes of determining compliance with the Consecutive Operation Period requirement shall be at least 24 months but not exceed 36 months.	N/A

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
7.	Invitation Document; Section 4.1.1.3(a)(4)(ii) (Technical Pre- Qualification Requirement no. 1 – Design of a Biological Treatment System)	The Tender Committee is requested to: (i) allow a disturbance of up to 40% of the required Consecutive Operation Period for any reason, without distinguishing between disturbances due to the facility's client and between other causes of disturbances; and (ii) accept projects in which the required Flow Rate with at least 15 mg/l of Perchlorate or 45 mg/l of Nitrate and the Removal Ration requirements, were met during at least 85% of the time that the facility actually operated.	Both requests are rejected.	
8.	Invitation Document; Section	Disturbances to BTS operation due to an instruction given by the Facility's	The Tender Committee hereby clarifies that the following shall be	N/A

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
	4.1.1.3(a)(4)(ii) (Technical Pre- Qualification Requirement no. 1 – Design of a Biological Treatment System)	client.	considered “an instruction given by the Facility’s client,” causing a disturbance to a BTS facility’s operation: (a) An instruction to cease operation; (b) An instruction to not recommence operation; (c) The Facility's client's refrainment from instructing the Facility's operation.	
9.	Invitation Document; Section 4.1.2. (Technical Pre- Qualification Requirement no. 2 –	The Tender Committee is requested to allow Participating Entities to present more than one Experience Provider for each of the categories of Design of a Facility, Construction of a Facility and	The request is rejected. Refer to Addendum no. 1, item 16.	N/A

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
	Design, Construction and Operation of a Facility)	Operation of a Facility, provided that each individually meets the requirements of the given category.		
10.	Invitation Document; Section 4.1.2.2	The Tender Committee was requested to amend the definition of the term “ Responsibility ” so that Experience Providers could present experience gained as part of an <i>incorporated</i> joint venture in which the joint venture was responsible toward the respective client for the demonstrated works (rather than the joint and several responsibility of its members towards the respective client).	See amended Section.	Section 4.1.2.2 (b) is amended as follows: <i>“(b) Responsibility – the respective Experience Provider was responsible towards the respective client (or in the event of a joint venture which the Experience Provider was a member of – it was jointly and severally responsible, with the other joint venture’s members, towards the respective client, <u>or in the event of an incorporated joint venture which</u></i>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<i>the Experience Provider was a member of – the joint venture was responsible towards the respective client), for the Design, Construction and Operation executed (as applicable).”</i>
11.	Invitation Document; Section 4.1.2.2	A joint venture's experience attributed to its members for the purpose of demonstrating compliance with the Pre-Qualification Requirement.	See amended Section.	The last paragraph of Section 4.1.2.2 is amended as follows: <i>“In the event the Main Contractor was (or is) comprised of a joint venture (see items 1 (Execution) and 2 (Responsibility) above, then <u>in order for the joint venture's experience to be attributed to the Experience Provider, the Experience Provider must have</u></i>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<i>held, directly, or indirectly, at least 30% of the Main Contractor's Means of Control, at least during the time the respective experience was obtained."</i>
12.	Invitation Document; Section 4.2.7(d)	Submission of Financial Statements prepared in languages other than English or Hebrew.	The Tender Committee hereby clarifies that if a Participating Entity's original Financial Statements are prepared in a language other than English or Hebrew, they shall be submitted along with a notarized translation to either English or Hebrew in accordance with the provisions of Section 7.3 of the Invitation.	N/A

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
13.	Invitation Document; Section 4.2.7(g) And Pre-Qualification Forms no. "4," "6" and "7"	<p>The Tender Committee is requested to confirm that Members which are not Financial Entities are not required to:</p> <p>i. Have their CEO or CFO complete Pre-Qualification Form "4"; or, alternatively, allow such Form to be completed by a Director thereof;</p>	<p style="text-align: center;">-</p> <p>i. A Member who is a Financial Entity shall not be required to completed Pre-Qualification Form "4".</p> <p>With respect to a Member who is not a Financial Entity –</p> <p>(a) it shall complete Pre-Qualification Form "4" if it is not relying on a Guarantor; or</p>	<p>Section 4.2.7(g) is amended as follows:</p> <p><i>"(g) In order to demonstrate compliance with the Financial Pre-Qualification Requirements, each Participant and Member, and the CEO and CFO of the member, Member who is not a Financial Entity, or its Guarantor (as applicable) shall complete, execute and submit <u>Pre-Qualification Form ["4"]</u>, duly signed by its CEO or CFO and <u>Pre-Qualification Form ["6"]</u>; in addition, to the extent applicable, each Member shall complete,</i></p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
			<p>(b) If it is relying on a Guarantor, only its Guarantor shall complete Pre-Qualification Form "4".</p>	<p><i>execute and submit <u>Pre-Qualification Form ["6"] and Pre-Qualification Form ["7"]</u>.</i></p> <p>The instructions to Pre-Qualification Form "4" are amended as follows:</p> <p><i>"(To be completed by each Member (which is not a Financial Entity) or, if relying on a Guarantor, then by the Guarantor (as applicable), on a separate Pre-Qualification Form), and signed by its CEO or CFO thereof)"</i></p> <p>The instructions to Pre-</p>
		<p>ii. Complete Pre-Qualification Form "6" as such Form is to be completed by the General Partner/Fund Manager of a Private Investment Fund which is a Financial Entity;</p>	<p>ii. The Tender Committee confirms that only Private Investment Funds are required to complete Pre-Qualification Form "6";</p>	
		<p>iii. Complete Pre-Qualification Form "7" as such Form is to be completed by an Institutional Investor or a Banking Corporation, which are each Financial Entities.</p>	<p>iii. The Tender Committee confirms that only Institutional Investors and Banking Corporations are required to complete Pre-Qualification</p>	

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
			Form "7".	<p>Qualification Form "7" are amended as follows:</p> <p><i>"(To be completed by each Institutional Investor or Banking Corporation on a separate Pre-Qualification Form, and signed by the CEO or CFO thereof)"</i></p>
14.	Invitation Document; Section 5.1.2(b) and 5.1.2(c)	The Tender Committee was requested to allow an Experience Provider who has demonstrated both the requisite Design experience under Section 5.1.2(b) and the requisite Construction experience under Section 5.1.2(c), and who shall hold at least 51% of Anticipated Holdings in the EPC Company's Means of Control, to be	The request to waive the requirement for an agreement between the relevant Experience Provider and the EPC Company is rejected.	N/A

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
		responsible for specific Design and Construction activities in the Project in its capacity as a member of the EPC Company or a subcontractor thereof, and waive the requirement to take responsibility for all the Design and Construction aspects of the Project by entering into agreements with the EPC Company.		
15.	Invitation Document; Section 5.1.2(b)	The Tender Committee clarifies that the allocation of risks between the EPC Company and the respective Experience Provider shall be on a back-to-back basis.	See amended Section.	Section 5.1.2(b) is amended as follows: <i>“Treatment Plant Design – the Experience Provider who has demonstrated the Design experience required within the frameworks of the Technical</i>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<p><i>Prequalification Requirements stipulated under Section 4.1.2 [Technical Pre-Qualification Requirement no. 2 – Design, Construction and Operation of a Facility] shall engage in an agreement with the EPC Company (irrespective of whether or not the Experience Provider holds any of the EPC's holdings per Section 5.1.1 [EPC's Holdings – Experience Provider(s) Anticipated Holdings of the EPC]) according to which the Experience Provider shall be directly responsible for the execution of the design of all aspects of the Project</i></p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<p><i>other than the BTS - and shall bear all the risks related to the design thereof, <u>on a back-to-back basis</u>, including the employment and coordination of all required contractors and employees.</i></p> <p><i>..."</i></p>
16.	Invitation Document; Section 5.1.2(c)	The Tender Committee clarifies that the allocation of risks between the EPC Company and the respective Experience Provider shall be on a back-to-back basis.	See amended Section.	<p>Section 5.1.2(c) is amended as follows:</p> <p><i>“(C) Construction – the Experience Provider who has demonstrated the Construction experience required within the framework of the Technical</i></p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<p><i>Prequalification Requirements stipulated under Section 4.1.2 [Technical Pre-Qualification Requirement no. 2 – Design, Construction and Operation of a Facility] shall engage in an agreement with the EPC Company (irrespective of whether or not the Experience Provider holds any of the EPC's holdings per Section 5.1.1 [EPC's Holdings – Experience Provider(s) Anticipated Holdings of the EPC]) according to which the Experience Provider shall be directly responsible for the execution of the Project's Construction and shall</i></p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<p><i>bear all the risks related to the construction thereof, <u>on a back-to-back basis</u>, including the employment and coordination of all the required contractors and employees.</i></p> <p>..."</p>
17.	Invitation Document; Section 5.1.4 (Initial Operation Period Execution)	(a) The Tender Committee was requested to allow the Experience Provider who demonstrated the Operation experience to undertake the responsibility for the execution of the Initial Operation Period, if such will be required, in its capacity as member of the	(a) The request is rejected.	(a) N/A

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
		O&M Company or as a subcontractor thereof.		
		(b)The Tender Committee clarifies that the allocation of risks between the O&M Company and the respective Experience Provider shall be on a back-to-back basis.	(b)See amended Section.	(b)Section 5.1.4 is amended as follows: <i>“5.1.4. Initial Operation Period Execution – in the event an Initial Operation Period will be required, the Experience Provider who has demonstrated the Operation experience required within the framework of the Technical Prequalification Requirement stipulated under Section 4.1.2 [Technical Pre-Qualification Requirement no. 2 – Design, Construction and Operation of a</i>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<p><i>Facility] shall engage in an agreement with the EPC Company (irrespective of whether or not the Experience Provider holds any of the EPC's holdings per Section 5.1.1 [EPC's Holdings – Experience Provider(s) Anticipated Holdings of the EPC]) according to which the Experience Provider shall be directly responsible for the execution of the Project's Initial Operation Period and shall bear all the risks related thereto, <u>on a back-to-back basis</u>, including the employment of all the required contractors and employees and the coordination</i></p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<i>thereof."</i>
18.	Invitation Document; Section 5.2.2 (Operation and Maintenance as of PTO)	<p>The Tender Committee was requested to allow the Experience Provider who has demonstrated the Operation experience required, to undertake responsibility for all Operation and Maintenance of the Project as a member holding at least 51% of the Means of Control in the O&M Company, and waive the requirement to enter into an agreement with the O&M Company for such.</p> <p>The Tender Committee clarifies that the allocation of risks between the O&M Company and the respective</p>	<p>The request is rejected, however see the amended Section with respect to the allocation of risks between the O&M Company and the relevant Experience Provider.</p>	<p>Section 5.2.2 is amended as follows:</p> <p><i>"5.2.2 Operation and Maintenance as of PTO – all Operation and Maintenance works shall be executed by under the responsibility of the Experience Provider who has demonstrated the Operation experience required within the framework of the Technical Prequalification Requirement stipulated under Section 4.1.2 [Technical Pre-qualification Requirement no. 2 –</i></p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
		Experience Provider shall be on a back-to-back basis.		<p><i>Design, Construction and Operation of a Facility] and shall hold at least 51% of the O&M Company's Means of Control. This Experience Provider shall – irrespective of its said holdings – engage in an agreement with the O&M Company, according to which the Experience Provider shall be directly responsible for all Operation and Maintenance and shall bear all the risks related thereto, <u>on a back-to-back basis</u>, including the employment and coordination of all the required contractors and employees...”</i></p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
19.	Invitation Document; Section 7.7.1	The Tender Committee is requested to approve the submission of an authenticated copy of the Financial Statements instead of the original of such Financial Statements.	The request is accepted. See amended Section.	Section 7.7.1 is amended as follows: <i>“7.7.1. Pre-Qualification Submissions must be submitted, and each copy must be clearly marked as either the (1) original or one of the five (5) identical copies (6 altogether). Notwithstanding the foregoing, Financial Statements which are part of the Pre-Qualification Submissions, shall be submitted in only (1) original <u>or authenticated copy of the original</u>, and (1) photocopy, which shall be attached to the original Pre-Qualification Submission.</i>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<i><u>In the event of submission of an authenticated copy of the Financial Statements in place of the original, such copy shall be authenticated by a Notary or by the external auditor of the Financial Statements.</u></i>
20.	Invitation Document; Section 7.7.1	The Tender Committee is requested to allow the submission of 6 copies of the Pre-Qualification Submissions instead of 1 original and 5 copies, as complications caused by COVID-19 have made international travel and, as a result, the obtaining of original signatures, difficult.	The Tender Committee accepts the request. Participants will be allowed to submit their Pre-Qualification Submissions per Section 7.7.1 of the Invitation or as in the manner requested and confirmed hereinabove.	N/A
21.	Pre-Qualification Forms 1-9; Pre-Qualification	The Tender Committee is requested to amend the signatory confirmation such that in all Pre-Qualification Forms and	The request is accepted. See amended Section.	All relevant signatory confirmations are amended as

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	Form 2 – Attachment A1 – Sections A and B	attachments thereto in which the signatory's I.D. number is required, there will be an option to list the signatory's passport number in case of a non-Israeli signatory.		<p>follows:</p> <p><i>“I, the undersigned, _____,</i> <input type="checkbox"/> <i>attorney-at-law</i> <input type="checkbox"/> <i>public notary</i> <i>[check applicable box], hereby confirm</i> <i>that on _____, Mr./Mrs.</i> <i>_____,</i> <input type="checkbox"/> <i>I.D.</i> <input type="checkbox"/> <i>Passport number [check applicable</i> <i>box] _____ appeared before</i> <i>me, and after being cautioned that</i> <i>he/she is required to state the truth,</i> <i>and that if he/she fails to do so</i> <i>he/she shall be liable to the</i> <i>punishments prescribed by law,</i> <i>signed this statement in my</i> <i>presence.</i></p> <p><i>In addition, I, _____, <input type="checkbox"/> attorney-</i></p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<p><i>at-law</i> <input type="checkbox"/> <i>public notary</i> [check applicable box] hereby do attest and confirm that _____ 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.</p> <p>_____</p> <p><i>Attorney-at-Law / public notary”</i></p>
22.	Pre-Qualification Form 2 (Participating Entity)	The Tender Committee is requested to confirm that Pre-Qualification Form 2 shall not be required to be completed by the Participant if it has not incorporated as of the Pre-Qualification Submission Date.	The Tender Committee confirms such. Pre-Qualification Form 2 shall be completed, on separate forms, by all Participating Entities and by the Participant if it is incorporated on the	N/A

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
			Pre-Qualification Submission Date.	
23.	Pre-Qualification Form 2; Section 4 (Legal Status)	The Tender Committee is requested to confirm that Participating Entities are to attach their articles of association, not their minutes of incorporation, to Pre-Qualification Form 2.	The Tender Committee confirms such. See amended Section.	Section 4 is amended as follows: <i>"4. Legal Status: (check applicable)</i> ... <i>Attached hereto are authenticated copies of the Participating Entity's certificate of incorporation and minutes of incorporation articles of association, or their equivalent within its domicile."</i>
24.	Pre-Qualification Form 2 – Attachment A1 – Section A	The Tender Committee is requested to allow each Experience Provider to present more than one reference	The request is accepted. In the event the Experience Provider wishes to present more than one project, each	The instructions of Pre-Qualification Form 2 – Attachment A1 – Section A is amended as

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
		project, under the condition that all such reference projects will meet all applicable requirements as set forth in the Invitation for Pre-Qualification.	project shall be submitted on a separate form.	<p>follows:</p> <p><i>"[Terms which appear in capital letters and italics are terms that are Defined within the Pre-Qualification Invitation. Accordingly, the Participant must refer in all such events to the respective definition within the Pre-Qualification Invitation.]</i></p> <p><i><u>[In the event that the Experience Provider wishes to present more than one project, then each project shall be submitted on a separate Pre-Qualification Form.]"</u></i></p>
25.	Pre-Qualification Form 2 – Attachment A1 – Section B	The Tender Committee is requested to allow each Experience Provider to present more than one reference project, under the condition that all such reference projects will meet all applicable requirements as set forth in the Invitation for Pre-Qualification.	The request is accepted. In the event the any Experience Provider wishes to present more than one project, each project shall be submitted on a separate form.	<p>The instructions of Pre-Qualification Form 2 – Attachment A1 – Section B is amended as follows:</p> <p><i>"[Terms which appear in capital letters and italics are terms that are Defined within the Pre-Qualification</i></p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<p><i>Invitation. Accordingly, the Participant must refer in all such events to the respective definition within the Pre-Qualification Invitation.]</i> <i><u>[In the event that the Experience Provider wishes to present more than one project, then each project shall be submitted on a separate Pre-Qualification Form.]"</u></i></p>
26.	Pre-Qualification Form 2 – Attachment A1 – Section B; Table 1 (Experience Provider) Section (d)(c)	The Tender Committee is requested to add the words “or the Professional Related Entity” following the words “The Experience Provider.”	See amended Section.	<p>Table 1, Section (d)(c) is amended as follows:</p> <p><i>“(c) The Experience Provider <u>or the Professional Related Entity</u> served as a Main Contractor [<input checked="" type="checkbox"/> tick as applicable]:</i></p> <p><i>(i) Single Entity serving as a Main Contractor [<input type="checkbox"/>] or</i></p> <p>or</p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]						
				<i>(ii) Member of a joint venture <u>in</u> which it held, at least, 30% of the Main Contractor's Means of Control at least during the time the respective experience was obtained – [].”</i>						
27.	Pre-Qualification Form 2 – Attachment A1 – Section B; Table 2 (Experience Demonstrated)	The Tender Committee is requested to add numbering to the sub-rows of rows 2 and 3 under the “Field(s) of Experience” column.	See amended Section.	<p>Table 2, rows 2 and 3, are amended as follows:</p> <table border="1" data-bbox="1621 887 2110 1287"> <thead> <tr> <th data-bbox="1621 887 1751 1023">“Option no.</th> <th data-bbox="1751 887 2110 1023">Field(s) of Experience</th> </tr> </thead> <tbody> <tr> <td data-bbox="1621 1023 1751 1158">2</td> <td data-bbox="1751 1023 2110 1158"><i>(i) Design and Construction in one project</i></td> </tr> <tr> <td data-bbox="1621 1158 1751 1287"></td> <td data-bbox="1751 1158 2110 1287"><i>(ii) Operation in one project</i></td> </tr> </tbody> </table>	“Option no.	Field(s) of Experience	2	<i>(i) Design and Construction in one project</i>		<i>(ii) Operation in one project</i>
“Option no.	Field(s) of Experience									
2	<i>(i) Design and Construction in one project</i>									
	<i>(ii) Operation in one project</i>									

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]										
				3	<p data-bbox="1749 376 2110 459"><i>(i) Design in one project</i></p> <p data-bbox="1749 459 2110 595"><i>(ii) Construction and Operation in one project</i></p>									
28.	Pre-Qualification Form 2 – Attachment A1 – Section B; Table 2 (Experience Demonstrated)	The Tender Committee is requested to amend rows 2 and 3, under the column “Demonstrating Entity,” such that they read "Two demonstrating entities."	See amended Section	<p data-bbox="1619 595 2110 738">Table 2, column “Demonstrating entity,” is amended as follows:</p> <table border="1" data-bbox="1619 738 2110 1251"> <thead> <tr> <th data-bbox="1619 738 1749 978"><i>“Option no.</i></th> <th colspan="2" data-bbox="1749 738 2110 978"><i>Demonstrating entity (Experience Provider/ Professional Related Entity)</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="1619 978 1749 1058">1</td> <td colspan="2" data-bbox="1749 978 2110 1058"><i>One demonstrating entity</i></td> </tr> <tr> <td data-bbox="1619 1058 1749 1251">2</td> <td data-bbox="1749 1058 1939 1251"><i>OneTwo demonstratin g entitiesy</i></td> <td data-bbox="1939 1058 2110 1251"><i>First demonstrati ng enti</i></td> </tr> </tbody> </table>		<i>“Option no.</i>	<i>Demonstrating entity (Experience Provider/ Professional Related Entity)</i>		1	<i>One demonstrating entity</i>		2	<i>OneTwo demonstratin g entitiesy</i>	<i>First demonstrati ng enti</i>
<i>“Option no.</i>	<i>Demonstrating entity (Experience Provider/ Professional Related Entity)</i>													
1	<i>One demonstrating entity</i>													
2	<i>OneTwo demonstratin g entitiesy</i>	<i>First demonstrati ng enti</i>												

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]		
						<i>Second demonstrating entity</i>
				3	One <i>Two demonstrating entities</i>	<i>First demonstrating entity</i>
						<i>Second demonstrating entity</i>
29.	Pre-Qualification Form 2 – Attachment A1 – Section B; Table 2 (Experience Demonstrated)	The Tender Committee is requested to delete the word “2 nd ” before the words “Professional Related Entity” from row 2(i), column “Confirmation”.	The request is rejected. The referent of the phrase is the 2 nd demonstrating entity who shall demonstrate the Operation experience and is defined as such under column “Demonstrating entity.”	N/A		

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]					
30.	Pre-Qualification Form 2 – Attachment A1 – Section B; Table 2 (Experience Demonstrated)	The Tender Committee is requested to amend the “Confirmation” column for Options 2 and 3 such that neither Experience Provider shall be required to give confirmation with respect to the other Experience Provider.	See amended Section.	<p>Table 2, rows 2 and 3, is amended as follows:</p> <table border="1" data-bbox="1621 639 2110 1332"> <tr> <td data-bbox="1621 639 1749 895"><i>“Fields of Experience</i></td> <td data-bbox="1749 639 2110 895"><i>Confirmation [✓ tick confirm only one of the following]</i></td> </tr> <tr> <td data-bbox="1621 895 1749 1332"><i>(i) Design and Construction in one project</i></td> <td data-bbox="1749 895 2110 1332"><i>[] meaning the experience required under option 2(ii) of this table shall be separately demonstrated by [] name of a 2nd Experience Provider/ 2nd Professional Entity, who is,</i></td> </tr> </table>		<i>“Fields of Experience</i>	<i>Confirmation [✓ tick confirm only one of the following]</i>	<i>(i) Design and Construction in one project</i>	<i>[] meaning the experience required under option 2(ii) of this table shall be separately demonstrated by [] name of a 2nd Experience Provider/ 2nd Professional Entity, who is,</i>
<i>“Fields of Experience</i>	<i>Confirmation [✓ tick confirm only one of the following]</i>								
<i>(i) Design and Construction in one project</i>	<i>[] meaning the experience required under option 2(ii) of this table shall be separately demonstrated by [] name of a 2nd Experience Provider/ 2nd Professional Entity, who is,</i>								

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]	
					<i>to the best of my knowledge, [] (complete name).</i>
				<i>(ii)</i> <i>Operati</i> <i>on in</i> <i>one</i> <i>project</i>	<i>[]</i> <i>meaning the experience required under option 2(i) of this table shall be separately demonstrated by [] name of a 1st Experience Provider/ 1st Professional Entity, who is, to the best of my knowledge, [] (complete name).</i>
				<i>(i)</i> <i>Design</i> <i>in one</i>	<i>[]</i> <i>meaning the experience</i>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]	
				<i>project</i>	<i>required under option 3(ii) of this table shall be separately demonstrated by [] name of a 2nd Experience Provider/ 2nd Professional Entity, who is, to the best of my knowledge, [] (complete name).</i>
				<i>(ii) Constru ction and Operati on in one project</i>	<i>[] meaning the experience required under option 3(i) of this table shall be separately demonstrated by [] name of a 1st Experience Provider/ 1st Professional Entity, who is, to the best of my</i>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<i>knowledge, [_____] (complete name).”</i>
31.	Pre-Qualification Form 2 – Attachment A1 – Section B; Part (C) – Operation, Section 7(3.2)(5)	The Tender Committee is requested to amend the TDS percentage from 70% to 95%.	The request is accepted. See amended Section.	Part (C), Row 7(3.2), Item 5, Column “Criteria,” is amended as follows: <i>“at least 7095%”</i>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
32.	Pre-Qualification Form 2; Attachment A (Experience Provider Undertakings)	The Tender Committee is requested to clarify whether only a single Experience Provider with at least 51% Anticipated Holdings in the EPC Company is required to check the box under Section 1, or whether all Experience Providers with any Anticipated Holdings in the EPC Company shall do so.	All Experience Providers shall check the box under Section 1, and fill out the relevant information pursuant to the amendments to Section 1.	<p>Section 1 is amended as follows:</p> <p><i>"1. <input type="checkbox"/> [to be completed by the Experience Provider(s) pursuant to the requirements stipulated in Sections 4.1.1 and 4.1.2 of the Invitation]</i></p> <p><i>The Experience Provider(s) acknowledge that, at least, 51% of holdings or any other means Means of control Control of the Project's EPC Company shall be held by part or all of the Experience Provider(s) whose experience was demonstrated for the purpose of complying with Technical Pre-Qualification Requirements set forth under Sections 4.1.1 and 4.1.2, all in accordance with Section 5.1 of the Invitation, and as will be specified under the Tender Documents.</i></p> <p><i><u>Anticipated Holdings of the Experience Provider Means of Control of the Project's EPC</u></i></p>

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
				<p><u>Company:</u></p> <p>(i) <u>The respective Experience Provider shall hold [__%].</u></p> <p>(ii) <u>None [__].”</u></p>
33.	Pre-Qualification Form 4 (Financial Robustness); Section 1.3 (Equity)	The Tender Committee is kindly requested to confirm that, in case of a Guarantor, the Total Anticipated Holdings which should be filled out in Section 1.3 of Pre-Qualification Form 4 will be deemed to include all Anticipated Holdings of the Member(s) seeking to rely on such	The Tender Committee confirms such.	N/A

No	Reference	Issue to be Clarified	Tender Committee's Clarification	Addenda [As applicable]
		Guarantor, as well as the Guarantor's Anticipated Holdings as a Member (if applicable), as stipulated in Section 4.2.4(b) of the Invitation.		
34.	Pre-Qualification Form 5 (Turnover); Section 1(c) (Participant's Weighted Turnover)	The Tender Committee is kindly requested to confirm that Participant's Weighted Turnover can be calculated by applying each Member's most recent audited Financial Statements.	The Tender Committee confirms such and clarifies that it is required to submit the Members' most recent audited Financial Statements, and reminds Participants that if the Financial Statements for the year 2019 have not yet been published, the CFO, CEO or external auditor shall submit a signed statement in accordance with Section 3.5.4 of the Invitation for Pre-Qualification.	N/A



STATE OF ISRAEL
THE INTER-MINISTERIAL TENDER COMMITTEE FOR THE
CONSTRUCTION OF A FACILITY FOR TREATMENT OF
CONTAMINATED GROUNDWATER IN THE VICINITY OF
THE ISRAELI MILITARY INDUSTRY AT RAMAT HASHARON

ACKNOWLEDGEMENT OF RECEIPT

To:

Mr. Yitsik Marmelshtein,

Chairman of the Tender Committee

E-mail: PPP-Taas@inbal.co.il

Re: Invitation to Pre-Qualification no. 1903/2020

Addendum no. 3

Pursuant to the provisions of Section 2.10.7 of the Invitation, we hereby acknowledge receipt of Addendum no. **3**.

Name of the Participant

Name and signature of the Participant's
Authorized Representative

