



**THE STATE OF ISRAEL**

**INVITATION FOR PRE-QUALIFICATION NO. 1903/2020**

**DESIGN, FINANCE, CONSTRUCTION, OPERATION  
AND MAINTENANCE OF A BIOLOGICAL PLANT FOR  
TREATMENT OF CONTAMINATED GROUNDWATER  
IN THE VICINITY OF THE RAMAT HASHARON IMI**

**AN INVITATION FOR PRE-QUALIFICATION NO.**

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**PRE-QUALIFICATION FORMS [1 – 89]**

**PQ no. 1903/2020 - The Pre-Qualification Forms 1 – 9 – Addendum no. 1 - Marked**

TABLE OF CONTENTS

PQ FORMS TABLE

<b><u>Pre-Qualification Form no.</u></b>	<b><u>Description</u></b>
<b><u>1</u></b>	<b>The Pre-Qualification Submission Letter.</b>
<b><u>2</u></b>	<b>Participating Entity.</b>
<b><u>3</u></b>	<b>Form of Affidavit</b>
<b><u>4</u></b>	<b>Financial Robustness</b>
<b><u>5</u></b>	<b>Turnover</b>
<b><u>6</u></b>	<b>General Partner / Fund Manager Statement</b>
<b><u>7</u></b>	<b>Institutional Investor or Banking Corporation Financial Robustness</b>
<b><u>8</u></b>	<b>Voluntary Preliminary Tests and Analysis – Application Form</b>
<b><u>9<sup>1</sup></u></b>	<b><u>Investment entity Financial Robustness</u></b>

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<sup>1</sup> Addendum no. 1; Item no. 2(e).

# **PRE-QUALIFICATION FORM "1"**

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

*(To be completed by the Participant and all Members of the Participant [if the Participant is incorporated on the Pre-Qualification Submission Date])*

*(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

To:  
Chairman of the Tender Committee

\_\_\_\_\_  
\_\_\_\_\_

Dear Sir,

**Re: Pre-Qualification Proceeding No. [•] for Tender the design, financing, construction, operation and maintenance of a biological plant for treatment of contaminated groundwater at the vicinity of Ramat Ha'sharon IMI (the "Invitation")**

We, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, the undersigned, are making this affidavit on behalf of \_\_\_\_\_ (the Participant) and on behalf of \_\_\_\_\_; \_\_\_\_\_; \_\_\_\_\_; (the Members) (*names of the Participant and of each Entity which will compose the Participant (each Member)*):

In response to the Invitation issued on \_\_\_\_\_, extending an invitation to submit a Pre-Qualification Submission, which we have read and understood, we, the undersigned, submit this Pre-Qualification Submission;

;

1. We, the undersigned, \_\_\_\_\_ (the Participant) (*name of Participant to be completed*), and all the Members thereof, \_\_\_\_\_; \_\_\_\_\_; \_\_\_\_\_; \_\_\_\_\_; \_\_\_\_\_ (*name of Members to be completed*) have thoroughly and carefully read the Pre-Qualification Documents, and are pleased to submit our Pre-Qualification Submission.
2. We agree to all of the provisions in the Invitation and all obligations included therein, and in particular the rights, discretion, authorities and prerogatives reserved to the Tender Committee, and we submit our Pre-Qualification Submission in accordance with the terms and provisions contained therein.
3. We warrant that the Pre-Qualification Submission is accurate, complete and up to date at time of the Pre-Qualification Submission Date, in accordance with the requirements of the Invitation.

4. We acknowledge and accept the provisions of Section 8.10 [Reservation of Rights] of the Invitation, and without derogating from the generality of the provisions thereof, understand that the submission of our Pre-Qualification Submission shall not be deemed in any way to create an obligation on the part of the Tender Committee to announce our compliance with the Pre-Qualification Requirements; that the Tender Committee has the right to reject, as it deems appropriate, the Pre-Qualification Submission submitted by the Participant; and that the Tender Committee has the right, as it deems appropriate, to annul the Pre-Qualification Process and to reject all Pre-Qualification Submissions at any time, all, in accordance with the provisions of the Invitation.
5. Incorporated hereto, and made an integral part of the Pre-Qualification Submission, are all Pre-Qualification Forms, attachments and annexes thereto, and other annexes attached to the Pre-Qualification Submission as described herein:

<u>Pre-Qualification Form no.</u>	<u>Description</u>
<u>1</u>	The <b>Pre-Qualification Submission Letter.</b>
<u>2</u>	<b>Participating Entity.</b>
<u>3</u>	<b>Form of Affidavit</b>
<u>4</u>	<b>Financial Robustness</b>
<u>5</u>	<b>Turnover</b>
<u>6</u>	<b>General Partner / Fund Manager Statement</b>
<u>7</u>	<b>Institutional Investor or banking Corporation Financial Robustness</b>
<u>8</u>	<b>Voluntary Preliminary Tests and Analysis – Application Form</b>
<u>9<sup>2</sup></u>	<b><u>Investment entity Financial Robustness</u></b>

2. Attached herein is a  copy  original *[check applicable]* of the receipt payment of the Participation Fee.
3. Detailed herein is information which the Participant considers to be of a commercially sensitive or secret nature concerning the Pre-Qualification Submission *[to be completed in accordance with the provisions of Section 6.4 [Identification of Sensitive or Classified Information] of the Invitation]*:

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<sup>2</sup> Addendum no. 1; Item no. 2(e).

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4. The undersigned acknowledges receipt, understanding and full consideration of the following Addenda to the Pre-Qualification Documents, issued until the Pre-Qualification Submission Date:

Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____
Addendum No. _____	Date Issued: _____

...

*[to be completed]*

5. Authorized Representative (\*): \_\_\_\_\_ e-mail: \_\_\_\_\_
6. The Participant and each Member hereby warrants and represents that to the best of its knowledge and after conducting a due investigation, each of the Experience Providers of the Participant complies with all applicable requirements of the Invitation pertaining to such Experience Provider.
7. This Pre-Qualification Submission shall be governed and construed in accordance with the provisions of all applicable Laws of the State of Israel.
8. The applicable court in Jerusalem shall have the sole jurisdiction over all matters and all disputes arising in connection with this Pre-Qualification Submission.

*(\* All Members shall appoint one Member as Authorized Representative for the Participant, in accordance with the provisions of Section 3.7 of the Invitation.*

Faithfully yours,

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

*(\*) In his signature the attorney or the public notary (as applicable) attests and confirms that the signatory(ies) on behalf of the Participant or the Member (as the case may be) are authorized to sign on behalf of the Participant or the Member (as the case may be) and to commit such Entity for purposes of this Pre-Qualification Form, for all purposes and intents. The attorney or the public notary (as applicable) also confirms that the signatory(ies) on behalf of the Participant or the Member (as the case may be) appeared before him and after being cautioned that they are required to state the truth, and that if they fail to do so they shall be liable to the punishments prescribed by law, signed this statement in his presence.*

# PRE-QUALIFICATION FORM “2”

## PARTICIPATING ENTITY

*(To be completed by the Participant (if the Participant is incorporated on the Pre-Qualification Submission Date) and by all other Participating Entities, each on a separate form)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

1. **Role of the Participating Entity**

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

The Participant

Member of the Participant      Anticipated Holdings: \_\_\_\_%

Experience Provider      Relevant Pre-Qualification Requirements:

Section 4.1.1 [Technical Pre-Qualification Requirement no. 1 - Design of a Biological Treatment System]

Section 4.1.2 – [Technical Pre-Qualification Requirement no. 2 – Design, Construction and Operation of a Facility] -per the following demonstration possibilities<sup>3</sup>:

(**Design Construction** and **Operation** of a Facility); or

(**Design** of a Facility); or

(**Construction** and **Operation** of a Facility); or

(**Design** and **Construction** of a Facility); or

(**Operation** of a Facility).

Guarantor

Names of Member(s) relying on Guarantor:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

2. **Name of Participating Entity:**

*Business Address:*

*Phone:*

*Facsimile:*

*E-mail:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<sup>3</sup> See the provisions of Section ~~4.1.2.2 (e)~~ 4.1.2.3(iii) of the Invitation.

**Name**

**Title**

**Address & Tel**

3. **Representative:**

\_\_\_\_\_

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

Limited Partnership

Limited Liability Company

General Partnership

Other   
(explain)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Attached hereto are authenticated copies of the Participating Entity's certificate of incorporation and minutes of incorporation, or their equivalent within its domicile.<sup>4</sup>

5. **Registration Number:** \_\_\_\_\_  
Place of Registration: \_\_\_\_\_  
Date of Registration: \_\_\_\_\_

6. **Interested Parties in the Participating Entity:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. **The Participating Entity hereby warrants and represents the following:**

7.1. The Participating Entity has thoroughly and carefully read the Invitation and agrees to all of the provisions in the Invitation, and in particular to its obligations thereunder.

7.2. The Participating Entity acknowledges and accepts the provisions of Section 8.10 [(Reservation of Rights] of the Invitation, and without derogating from the generality of the provisions thereof, understand that the submission of this Pre-Qualification Submission shall not be deemed in any way to create an obligation on the part of the Tender Committee to announce the Participant's compliance (or the compliance of any of its Members, Guarantors or Experience Providers) with the Pre-Qualification Requirements; that the Tender Committee has the right to reject, as it deems appropriate, the Pre-Qualification Submission submitted by the Participant; and that the Tender Committee has the right, as it deems appropriate, to annul the Pre-Qualification Process and to reject all Pre-Qualification Submissions at any time, all, in accordance with the provisions of the Invitation.

7.3. The Participating Entity hereby warrants and represents that it complies and satisfies all of the requirements stipulated in Sections 3.5.1-3.5.5 and Section 3.5.9 of the Invitation;

7.4. Criminal Proceedings with respect to Offence<sup>5</sup> [*check applicable*]:

The Participating Entity hereby warrants and represents that it complies with and satisfies all of the requirements stipulated in Sections 3.5.6 of the Invitation;

The Participating Entity does not comply with or satisfy the requirements stipulated in Sections 3.5.6 of the Invitation; [*describe Offences in which the Participating Entity or any Interested Party thereof (including individuals) was convicted or indicted*]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 7.5. The Participating Entity has not, directly or indirectly, induced or solicited any other Participating Entity to put in a false or sham Pre-Qualification Submission, and has not by itself, or directly or indirectly, colluded, arranged or agreed with any other Participating Entity to secure any advantage against any other Participant, or to secure any advantage against the Tender Committee or GoI or anyone interested in the Project;
- 7.6. The Participating Entity participates in the Pre-Qualification Process only within this Pre-Qualification Submission.
- 7.7. Any incorporated Entity which exercises Control over the Participating Entity, any incorporated Entity under the common Control thereof, and any incorporated Entity Controlled thereby, does not participate in the Pre-Qualification Process except within this Pre-Qualification Submission;
- 7.8. The Participating Entity  does not employ or engage, directly or indirectly, any of the Advisors to the Tender Committee detailed in **Annex B** of the Invitation, for the purposes of the Pre-Qualification Process or the Project; or  employs or engages or has employed or engaged, directly or indirectly, [\_\_\_\_\_] which appears as an Advisor to the Tender Committee detailed in **Annex B** of the Invitation and has an engagement with respect to the following: \_\_\_\_\_.
- 7.9. To the best of the Participating Entity's knowledge, and with respect to those parts of the Pre-Qualification Submission concerned with the Participating Entity:
- 7.10. The Pre-Qualification Submission submitted by the Participant is not made in the interest of, or on behalf of, any undisclosed person, corporation, company, voluntary association, partnership, trust, or unincorporated association;
- 7.11. The Pre-Qualification Submission is genuine and not collusive or sham; and
- 7.12. All the information contained in the Pre-Qualification Submission is true, accurate, complete and current as of the Pre-Qualification Submission Date.
8. If the Participating Entity is an Experience Provider (whether it is also a Member or a Guarantor, or not) it shall also complete, execute and submit **Attachment "A"** to this **Pre-Qualification "2"**.
9. If the Participating Entity is a Guarantor (whether it is also a Member or an Experience Provider, or not) it shall also complete, execute and submit **Attachment "B"** to this **Pre-Qualification "2"**.
10. This Pre-Qualification Submission shall be governed and construed in accordance with the provisions of all applicable Laws of the State of Israel.
11. The applicable court in Jerusalem shall have the sole jurisdiction over all matters and all disputes arising in connection with this Pre-Qualification Submission.

Faithfully yours,

\_\_\_\_\_

Date

\_\_\_\_\_

Stamp and Signature

I, the undersigned, \_\_\_\_\_,  attorney-at-law  public notary [*check applicable box*], hereby confirm that on \_\_\_\_\_, Mr./Mrs. \_\_\_\_\_, I.D. No. \_\_\_\_\_ appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by law, signed this statement in my presence.

In addition, I, \_\_\_\_\_,  attorney-at-law  public notary [*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.

\_\_\_\_\_

Attorney-at-Law / public notary

## ATTACHMENT “A” TO PRE-QUALIFICATION FORM “2”

### EXPERIENCE PROVIDER UNDERTAKINGS

*(To be completed by each Experience Provider in a separate form)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

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

1.  [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]

*The Experience Provider(s) acknowledge that, at least, 51% of holdings or any other means of 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.*

2.  [to be completed by the Experience Provider complying with the Construction and Operation or Operation experience requirements set forth under Section 4.1.2 of the Invitation]:

*The Experience Provider acknowledges that, at least, 51% of holdings or any other means of control of the Project's O&M Company shall be held by it, all in accordance with Section 5.2.2 of the Invitation and as will be specified under the Tender Documents.*

3. Each Experience Provider shall fill, complete, sign and submit the applicable parts and fields of **Attachment A1 - Information for Determining Compliance of the Experience Provider(s) with the Technical Pre-Qualification Requirements**.
4. Undertake to fulfil all obligations applying upon the Experience Provider within the Invitation and in the event the Participant is announced as Eligible – undertake to fulfil the respective obligations which shall apply upon the Experience Provider per the Tender Process Documents.
5. The Experience Provider is a company duly incorporated, duly organized and validly existing under the laws of \_\_\_\_\_ [insert Experience Provider's applicable jurisdiction] and the execution, delivery and performance by the Experience Provider of Pre-Qualification Forms submitted by it in connection with the Pre-Qualification Submission are within its corporate powers, have been duly authorized by all necessary corporate and other actions and do not contravene: (i) the organizational documents of the Experience Provider; (ii) any law, rule or regulation having the force of law in \_\_\_\_\_ [insert applicable jurisdiction]; (iii) to the best of the undersigned's knowledge, any judgment, writ, injunction, decree or ruling of any \_\_\_\_\_ [insert applicable jurisdiction] court or other governmental body applicable to the Experience Provider; or (iv) any agreement, contract or other instrument known to the undersigned to which the Experience Provider is a party or to which it is subject.

Faithfully yours,

\_\_\_\_\_

Date

\_\_\_\_\_

Stamp and Signature

I, the undersigned, \_\_\_\_\_,  attorney-at-law  public notary [*check applicable box*], hereby confirm that on \_\_\_\_\_, Mr./Mrs. \_\_\_\_\_, I.D. No. \_\_\_\_\_ appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by law, signed this statement in my presence.

In addition, I, \_\_\_\_\_,  attorney-at-law  public notary [*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.

\_\_\_\_\_

Attorney-at-Law / public notary

ATTACHMENT “A1” TO PRE-QUALIFICATION FORM “2”

**INFORMATION FOR DETERMINING COMPLIANCE OF THE EXPERIENCE PROVIDER(S) WITH THE TECHNICAL PRE-QUALIFICATION REQUIREMENTS.**

*[ATTACHED SEPARATELY]*

*(A) SECTION A FOR TECHNICAL PRE-QUALIFICATION REQUIREMENT NO. 1 - DESIGN OF A BIOLOGICAL TREATMENT SYSTEM [SECTION 4.1.1].*

*~~(A)~~(B) SECTION B FOR TECHNICAL PRE-QUALIFICATION REQUIREMENT NO. 2 - DESIGN, CONSTRUCTION AND OPERATION OF A FACILITY [SECTION 4.1.2].*

## ATTACHMENT “B” TO PRE-QUALIFICATION FORM “2”

### GUARANTOR UNDERTAKINGS

*(To be completed by each Guarantor in a separate form. If a Guarantor acts as such with respect to more than one Members, the Guarantor will submit a separate form for each such Member)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

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

#### **1. Members relying on Guarantor:**

Name of Member relying on the Guarantor	The Guarantor Controls the Member by means of [if applicable]: (*)	The Guarantor is a Member of the Participant [if applicable]
1. _____	_____	<input type="checkbox"/>
2. _____	_____	<input type="checkbox"/>
3. _____	_____	<input type="checkbox"/>
4. _____	_____	<input type="checkbox"/>
5. _____	_____	<input type="checkbox"/>

(\*) please provide appropriate explanation, attested to by an attorney, demonstrated by applicable documentation, e.g. reports issued by the Registrar of Companies, organizational charts, articles of association, etc.

2. The Member has informed the Guarantor of the Invitation and its participation in the Pre-Qualification Process as a Member of the Participant.
3. The Guarantor hereby requests that its own financial information, which is included in the Pre-Qualification Submission submitted by the Participant, will be taken into account in determination of the Participant’s compliance with the Financial Pre-Qualification Requirements set forth in Sections 4.2.1 (Turnover), 4.2.2 (Operating Cash Flow) and 4.2.3 (Equity) of the Invitation, instead of the financial information of the Members relying on the Guarantor as detailed in Section 1 above.
4. The Guarantor confirms that all information which is included by it or on its behalf in the Pre-Qualification Submission is true, accurate, complete and correct as of the Pre-Qualification Submission Date.
5. The Guarantor shall provide the Tender Committee with any information (including any financial information), which may be required by the Tender Committee at any stage of the Pre-Qualification Process in order to carry out its evaluation of the Pre-Qualification Submission.

- 6. In the event the Tender Committee determines that the Pre-Qualification Submission submitted by the Participant complied with the requirements of the Invitation, and that the Participant, its Members and Experience Providers demonstrated compliance with the Pre-Qualification Requirements, and the Participant will be announced Eligible Participant and invited to submit a bid in accordance with the provisions of the Tender Documents, the Guarantor hereby undertakes to issue the Tender Committee, within the bid to be submitted by the Participant, with the Member's undertaking that shall be detailed under the Tender Process Documents.
- 7. The Guarantor is a company duly incorporated, duly organized and validly existing under the laws of \_\_\_\_\_ [insert Guarantor's applicable jurisdiction] and the execution, delivery and performance by the Guarantor of Pre-Qualification Forms submitted by it in connection with the Pre-Qualification Submission are within its corporate powers, have been duly authorized by all necessary corporate and other actions and do not contravene: (i) the organizational documents of the Guarantor; (ii) any law, rule or regulation having the force of law in \_\_\_\_\_ [insert applicable jurisdiction]; (iii) to the best of the undersigned's knowledge, any judgment, writ, injunction, decree or ruling of any \_\_\_\_\_ [insert applicable jurisdiction] court or other governmental body applicable to the Guarantor; or (iv) any agreement, contract or other instrument known to the undersigned to which the Guarantor is a party or to which it is subject.
- 8. Interested Parties  
in the Guarantor:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Faithfully yours,

\_\_\_\_\_  
 Date

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

I, the undersigned, \_\_\_\_\_,  attorney-at-law  public notary [check applicable box], hereby confirm that on \_\_\_\_\_, Mr./Mrs. \_\_\_\_\_, I.D. No. \_\_\_\_\_ appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by law, signed this statement in my presence.

In addition, I, \_\_\_\_\_,  attorney-at-law  public notary [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.

\_\_\_\_\_  
 Attorney-at-Law / public notary

## **PRE-QUALIFICATION FORM “3”**

### **FORM OF AFFIDAVIT**

*(To be completed, to the extent required under Law, by each Participating Entity incorporated in the State of Israel, or registered in Israel as a Foreign Company as defined under the Companies Law 1999)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

#### **Affidavit**

**Pursuant to Article 2b1(a) of the Public Entities Transactions Law (Enforcement of Bookkeeping, Payment of Tax Duties and Minimum Wages and Lawful Employment of Foreign Workers), 5736 – 1976:**

I, the undersigned, \_\_\_\_\_, bearer of ID no. \_\_\_\_\_ after having been forewarned that I am to declare the truth and that I will be subject to the penalties prescribed by law should I refrain from doing so, hereby declare in writing as follows:

1. I serve as a manager in \_\_\_\_\_ Ltd. (hereinafter: the [check the applicable]  “**Participant**” /  “**Member**” /  “**Experience Provider**” /  “**Guarantor**”) (the “**Stating Entity**”) and I am duly authorized to provide this affidavit on its behalf.
2. The terms and phrases in this affidavit are in accordance with their meaning as ascribed in the “Invitation for Pre-Qualification in Relation to the Participation in the Tender for the Design, Finance, Construction, Operation and Maintenance of a Contaminated Groundwater Biological Treatment Plant at the IMI Site in Ramat-Ha'sharon" dated \_\_\_\_\_, 2020 and the Public Entities Transactions Law (Enforcement of Bookkeeping, Payment of Tax Duties and Minimum Wages and Lawful Employment of Foreign Workers), 5736 – 1976 (the “**Public Transactions Law**”).
3. I hereby declare that the Stating Entity is in compliance with the following [check the applicable]:
  - Alternative A – The provisions of Article 9 of the Equal Rights for People with Disabilities Law, 5758-1998 (“**Equal Rights Law**”) do not apply to the Stating Entity.
  - Alternative B – The provisions of Article 9 of the Equal Rights Law apply to the Stating Entity, and it is in compliance with them, and the following applies [check the applicable]:
    - The Stating Entity does not employ over 100 employees;
    - The Stating Entity employs over 100 employees, and [check the applicable]:

- declares that it will apply to the general manager of the Ministry of Labor, Social Affairs and Social Services for the evaluation of its compliance with its obligation under Article 9 of the Equal Rights Law, and should it be deemed necessary – be provided with guidance for their compliance; or
- declares that it had previously applied to the general manager of the Ministry of Labor, Social Affairs and Social Services for the scrutiny of its compliance with its obligation under Article 9 of the Equal Rights Law, and, if it was provided with guidance for compliance with them, it had acted accordingly.

If this declaration is made pursuant to Alternative B above, the Stating Entity hereby commits, within 30 days of the Pre-Qualification Submission Date, to provide a copy of this declaration to the general manager of the Ministry of Labor, Social Affairs and Social Services.

4. This confirmation is in addition to the approvals required under Article 2(a) of the Public Entities Transactions Law, which are attached hereto.

This is my name, this is my signature and all of the above is the truth.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name and Signature

### **CERTIFICATION**

I, the undersigned, \_\_\_\_\_,  attorney-at-law  public notary [*check applicable box*], hereby confirm that on \_\_\_\_\_, Mr./Mrs. \_\_\_\_\_, I.D. No. \_\_\_\_\_ appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by law, signed this statement in my presence.

In addition, I, \_\_\_\_\_,  attorney-at-law  public notary [*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.

\_\_\_\_\_  
Attorney-at-Law / public notary

# PRE-QUALIFICATION FORM “4”

## FINANCIAL ROBUSTNESS

(To be completed by each Member (which is not a Financial Entity) or Guarantor (as applicable), on a separate Pre-Qualification Form)

(Capitalized terms shall have the meaning ascribed to them in the Invitation)

I, \_\_\_\_\_, the undersigned, am making this affidavit on behalf of \_\_\_\_\_ (name of Member and/or Guarantor (as applicable)):

(to be completed if this Pre-Qualification Form is submitted by a Member)

	<u>Name</u>	<u>Anticipated Holdings</u> (“ <b>Total Anticipated Holdings</b> ”)
Member:	_____	____%

(to be completed if this Pre-Qualification Form is submitted by a Guarantor who is also a Member)

	<u>Name</u>	<u>Anticipated Holdings</u>
Guarantor (in its capacity as a Member):	_____	____%
Member(s) relying on the Guarantor:	_____	____%
	_____	____%
	_____	____%

Total Anticipated Holdings of the Guarantor and the Member(s) relying on the Guarantor (“**Total Anticipated Holdings**”): \_\_\_\_\_%

(to be completed if this Pre-Qualification Form is submitted by a Guarantor who is not a Member)

	<u>Name</u>	<u>Anticipated Holdings</u>
Member(s) relying on the Guarantor:	_____	____%
	_____	____%
	_____	____%

Total Anticipated Holdings of the Guarantor and the Member(s) relying on the Guarantor (“**Total Anticipated Holdings**”): \_\_\_\_\_%

1. Financial Data of \_\_\_\_\_ (name of Member or Guarantor (as applicable)): (\*\*)

1.1. Turnover

Year	$c - 2$	$c - 1$	$c$
Turnover ( $TO$ )			

Member's Average Turnover, is \_\_\_\_\_, calculated as follows:

$$\text{Member's Average Turnover} = \frac{TO_c + TO_{c-1} + TO_{c-2}}{3}$$

$TO_c$  = The Member annual Turnover for year  $c$ .

$c$  = year 2019. If audited annual Financial Statements for year 2019 were not yet published - then year 2018).

## 1.2. Operating Cash Flow

Year	$c - 2$	$c - 1$	$c$
Operating Cash Flow ( $CF$ )			

Member's Average Operating Cash Flow, is \_\_\_\_\_, calculated as follows:

$$\text{Member's Average Operating Cash Flow} = \frac{CF_{(c)} + CF_{(c-1)} + CF_{(c-2)}}{3}$$

1.2.1. If the undersigned's Average Operating Cash Flow accordance with Section 1.2 above is negative, then the ratio between (A) and (B) is less than 25%

$$A = |\text{Min}(\text{Average Operating Cash Flow}, CF_c)|$$

$E_c$  = the equity of the Member on the last day of year  $c$

RE = NIS 400,000, for each one percent (1%) of Anticipated Holdings of the Member in the Participant, based on its most recent annual Financial Statements (year 2019. If audited annual Financial Statements for year 2019 were not yet published - then year 2018).

$$B = E_c - RE$$

1.3. Equity

Year	Most recent annual Financial Statement
Equity (based on the most recent annual Financial Statements (year 2019. If audited annual Financial Statements for year 2019 were not yet published - then year 2018)	

- The Total Anticipated Holdings of the undersigned are \_\_\_\_\_%, and the undersigned's equity as stated above is not less than NIS 400,000 for each one percent (1%) of the Total Anticipated Holdings.

*(\*\*) All data in this Pre-Qualification Form is to be presented in NIS, in accordance with the provisions of Section 4.2.8 (Exchange of Currency) of the Invitation.*

2. Attached to this Pre-Qualification Form "4" are the Financial Statements of \_\_\_\_\_ for the years \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ (to be completed as applicable).

Faithfully yours,

\_\_\_\_\_  
Date

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

I, the undersigned, \_\_\_\_\_,  attorney-at-law  public notary [check applicable box], hereby confirm that on \_\_\_\_\_, Mr./Mrs. \_\_\_\_\_, I.D. No. \_\_\_\_\_ appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by law, signed this statement in my presence.

In addition, I, \_\_\_\_\_,  attorney-at-law  public notary [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.

\_\_\_\_\_  
Attorney-at-Law / public notary

# PRE-QUALIFICATION FORM “5”

## TURNOVER

*(To be completed by the Participant (if the Participant is incorporated on the Pre-Qualification Submission Date)  
and by each Member)*

*(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

We, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_; the undersigned, are making this affidavit on behalf of \_\_\_\_\_ (the  
“Participant”) and on behalf of \_\_\_\_\_; \_\_\_\_\_; \_\_\_\_\_;  
\_\_\_\_\_; \_\_\_\_\_; (the Members) *(names of the Participant and of each Entity which will  
compose the Participant (each Member))*:

Based on all Pre-Qualification Forms “4” submitted by each Member or Guarantor (as applicable), the Participant’s Weighted Turnover is not lower than the Minimal Turnover Required, as demonstrated below.

### 1. Minimal Turnover Required

The minimal turnover required of the Participant is:

- (a) In the event that all Members of the Participant are not Financial Entities - not less than 60,000,000 NIS.
- (b) In the event that one or more of the Members of the Participant is a Financial Entity - the minimal turnover required of a Participant shall be equal to the sum of 60,000,000 NIS multiplied by the aggregate sum of the Anticipated Holdings of all Members who are not Financial Entities.

Member who is not a Financial Entity	Member’s Anticipated Holdings
	___%
	___%
	___%
	___%
Anticipated Holdings of all Members which are not Financial Entities	___%

(c) Participant's Weighted Turnover

The Participant's Weighted Turnover is \_\_\_\_\_, calculated as follows:

Member or Guarantor (*)	A	B	Product of A and B
	Member's Average Turnover	Total Anticipated Holdings (**)	
		___%	
		___%	
		___%	
		___%	
Participant's Weighted Turnover			

(\*) Member who is not a Financial Entity and whose Anticipated Holdings are 10% or more, or Guarantor for such Member (as applicable) as demonstrated pursuant to Pre-Qualification Form "4".

(\*\*) as demonstrated pursuant to Pre-Qualification Form "4" for the relevant Member or Guarantor.

Faithfully yours,

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

(\*) In his signature the attorney or the public notary (as applicable) attests and confirms that the signatory(ies) on behalf of the Participant or the Member or the Guarantor (as the case may be) are authorized to sign on behalf of the Participant or the Member or the Guarantor (as the case may be) and to commit such Entity for purposes of this Pre-Qualification Form, for all purposes and intents. The attorney or the public notary (as applicable) also confirms that the signatory(ies) on behalf of the Participant or the Member or the Guarantor (as the case may be) appeared before him and after being cautioned that they are required to state the truth, and that if they fail to do so they shall be liable to the punishments prescribed by law, signed this statement in his presence.

## **PRE-QUALIFICATION FORM “6”**

### **GENERAL PARTNER/FUND MANAGER STATEMENT**

*(To be completed by the CEO or CFO of the General Partner or Fund Manager of the Private Investment Fund (depending on the applicable denomination in the relevant jurisdiction), in accordance with the provisions of Section 4.2.5 (Private Investment Fund) of the Invitation)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

I, \_\_\_\_\_, the undersigned, am making this affidavit on behalf of \_\_\_\_\_ (name of the Private Investment Fund):

As of the date commencing 14 days prior to the Pre-Qualification Submission Date, the amount of Unutilized Commitments available to the undersigned, as [General Partner][Fund Manager] of the Private Investment Fund, is not less than 1,200,000 NIS, for each one percent (1%) of Anticipated Holdings in the Participant.

Attached to this Pre-Qualification Form “6” are the investment agreements and appointment agreements demonstrating the overall Commitments of the Private Investment Fund.

Faithfully yours,

\_\_\_\_\_  
Date

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

I, the undersigned, \_\_\_\_\_,  attorney-at-law  public notary [check applicable box], hereby confirm that on \_\_\_\_\_, Mr./Mrs. \_\_\_\_\_, I.D. No. \_\_\_\_\_ appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by law, signed this statement in my presence.

In addition, I, \_\_\_\_\_,  attorney-at-law  public notary [check applicable box], hereby do attest and confirm that \_\_\_\_\_ is authorized to sign on behalf of \_\_\_\_\_ (name of the General Partner or Fund Manager), and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents.

\_\_\_\_\_  
Attorney-at-Law / public notary

## PRE-QUALIFICATION FORM “7”

### INSTITUTIONAL INVESTOR OR BANKING CORPORATION FINANCIAL ROBUSTNESS

*(To be completed by each Institutional Investor or Banking Corporation on a separate Pre-Qualification Form)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

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

1. Financial Data (\*)

1.1. Equity

Year	c
Equity (excluding minimal equity required by law, to the extent relevant)	

- The Anticipated Holdings of the Member are \_\_\_\_\_%, and its equity as stated above is not less than 600,000 NIS for each one percent (1%) of Anticipated Holdings in the Participant.

**Or,**

1.2. Managed assets

Year	c
Managed assets	

- The Anticipated Holdings of the Member are \_\_\_\_\_%, and it manages assets as stated above with a net worth of not less than 10,000,000 NIS for each one percent (1%) of Anticipated Holdings in the Participant.

t = year 2019. If audited annual Financial Statements for year 2019 were not yet published - then year 2018)

*(\*) All data in this Pre-Qualification Form is to be presented in NIS, in accordance with the provisions of Section 4.2.8 (Exchange of Currency) of the Invitation.*

2. Attached to this **Pre-Qualification Form “7”** are the Financial Statements of \_\_\_\_\_ for the year \_\_\_\_\_.

Faithfully yours,

\_\_\_\_\_  
Date

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

I, the undersigned, \_\_\_\_\_,  attorney-at-law  public notary [*check applicable box*], hereby confirm that on \_\_\_\_\_, Mr./Mrs. \_\_\_\_\_, I.D. No. \_\_\_\_\_ appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by law, signed this statement in my presence.

In addition, I, \_\_\_\_\_,  attorney-at-law  public notary [*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.

\_\_\_\_\_  
Attorney-at-Law / public notary

## PRE-QUALIFICATION FORM “8”

### VOLUNTARY PRELIMINARY TESTS AND ANALYSIS – APPLICATION FORM (\*)

*[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.]*

Pursuant to the provisions of Section 8.4.5 of the Invitation, the Participant approaches the Tender Committee with the following requests -

1.	The <i>Participant</i> 's details	
	<i>Participant</i> 's Name: [ _____ ]	
	Contact Person Name & Surname: [ _____ ]	
	Mobile: [ _____ ]	
	Email: [ _____ ]	
2.	In the event the <i>Participant</i> wishes to participate in the <i>Voluntary Preliminary Tests and Analysis</i> please tick confirm and fill up <u>all</u> the requested information listed in Sub-Sections 3.a.-3.c. below.	[__] [✓tick confirm]
3.	Information regarding the planed <i>Voluntary Preliminary Tests and Analysis</i>	
	a. The requested weekly quantity of groundwater to be collected by the <i>Participant</i> (out of 42 m <sup>3</sup> )	[____m <sup>3</sup> ]
	b. The number of weeks the specified amount of water in intended to be collected on a weekly basis	[____ weeks]
	c. In the event the <i>Participant</i> wishes to collect groundwater on a different basis (not every week) please provide information on the expected frequency of groundwater collection	[_____]

**(\*)** The aforesaid provides reflects the needs envisioned by the Participant upon Pre-Qualification Submission Date and is aimed to allow preliminary coordination to be made with the IMI. As such – subject to the approval of the Tender Committee and constraints relating, *inter alia*, to schedule and IMI limitations – it is understood that the data hereinabove may be updated by the Eligible Participant.

\_\_\_\_\_ Date

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

**PRE-QUALIFICATION FORM “9”<sup>6</sup>**

**INVESTMENT ENTITY FINANCIAL ROBUSTNESS**

*(To be completed by each Investment Entity on a separate Pre-Qualification Form)  
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

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

3. Financial Data (\*)

1.3. Equity

<u>Year</u>	<u>Most recent annual Financial Statement</u>
<u>Equity (based on the most recent annual Financial Statements (not earlier than for the year 2018))</u>	_____

The Anticipated Holdings of the Member are \_\_\_\_\_ %, and its equity as stated above is not less than 1,200,000 NIS for each one percent (1%) of Anticipated Holdings in the Participant.

*(\*) All data in this Pre-Qualification Form is to be presented in NIS, in accordance with the provisions of Section 4.2.8 (Exchange of Currency) of the Invitation.*

4. Attached to this Pre-Qualification Form “9” are the Financial Statements of \_\_\_\_\_ for the year \_\_\_\_\_.

Faithfully yours,

\_\_\_\_\_  
Date

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

I, the undersigned, \_\_\_\_\_,  attorney-at-law  public notary [check applicable box], hereby confirm that on \_\_\_\_\_, Mr./Mrs. \_\_\_\_\_, I.D. No. \_\_\_\_\_ appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by law, signed this statement in my presence.

<sup>6</sup> Addendum No. 1; Item no. 2(e).

In addition, I, \_\_\_\_\_,  attorney-at-law  public notary [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.

\_\_\_\_\_  
Attorney-at-Law / public notary