



STATE OF ISRAEL

THE INTER-MINISTERIAL TENDER COMMITTEE FOR CONVENTIONAL POWER PLANTS

September 21, 2022

All Participants

Re: **Invitation for Pre-Qualification for a Tender for the Finance, Design, Construction, Operation, Maintenance and Transfer of a Conventional Power Plant issued on June, 2022 (the "Invitation")**

Addendum No. 2 – Requests for Clarification

Capitalized terms used and not otherwise defined herein shall have the meaning ascribed to them in the Invitation.

Pursuant to the provisions of Section 2.9 (*Requests for Clarifications*) and Section 2.10 (*Addenda*) of the Invitation, the Participants attention is drawn to the clarifications and answers to Requests for Clarification, attached as **Attachment 1** hereto, the revised Invitation, attached as **Attachment 2** hereto and a clean version of Annex C (*Pre-Qualification Forms*) of the Invitation in word format, attached as **Attachment 3** hereto.

In addition, the Tender Committee informs the Bidders that following due consideration and based on the information presented to it, it has reached a decision, pursuant to Section 3.6 of the Invitation, to allow a specific potential participant that does not comply with the provisions of Section 3.5.6 of the Invitation to participate in the Pre-Qualification Process.

It is clarified that Attachment 1 does not specify all the amendments made to the Invitation and in the event of any discrepancy between Attachment 1 and Attachment 2 the provisions of Attachment 2 shall prevail.

Please acknowledge receipt of this Addendum in writing by no later than two (2) Business Days following receipt thereof, via the following email address: PPP-Powerplant@inbal.co.il.

Respectfully Yours,

Yuyal Raz

Chairman of the Tender Committee

Cc: Members of the Tender Committee

Attachment 1

#	Clarification	Pre- Qualification Document	Section
1.	<p>Q: The Tender Committee was requested postpone the "EPC Expert Submission Date" for Eligible Participants which one of their Members is under a concession agreement in Israel, or is a license holder pursuant to the Electricity Sector Law, to a date following the declaration of the Successful Bidder, and as a condition precedent to awarding the contract to such Successful Bidder.</p> <p>A: The Tender Committee has rejected the request.</p>	Invitation	Sections 1.1.27 and 1.4.2.4
2.	<p>Q: The Tender Committee was requested to confirm that entities which are accountable for the execution of a referenced project as part of a joint venture of contractors, can also be considered as a Main Contractor.</p> <p>A: The Tender Committee so confirms, provided that such entity is responsible, jointly and severally, for the execution of the engineering, procurement and construction or operation and maintenance (as applicable) of the referenced project, and bears all the risks related to the execution thereof, including its management and administration and the engagement and coordination of all subcontractors.</p> <p>The attention of the Bidders is drawn to the amendment made to the definition of the term "Main Contractor".</p>	Invitation	Section 1.1.44
3.	<p>Q: The Tender Committee was requested to specify the minimum required Means of Control an entity is required to hold in a joint venture which executed a referenced project in order to demonstrate compliance with the EPC Expert requirements.</p> <p>A: The attention of the Bidders is drawn to the amendment made to Section 1.4.2.4 of the Invitation.</p>	Invitation	Section 1.4.2.4

4.	<p>Q:</p> <p>The Tender Committee was requested to allow Participating Entities to demonstrate compliance with Section 4.1 (<i>The Financial Pre-Qualification Requirements</i>); and Section 3.5.3 in relation to a "going concern notice" by submitting an auditor's confirmation of such compliance, instead of the submission of their Financial Statements</p> <p>A:</p> <p>The Tender Committee has rejected the request.</p>	Invitation	Sections 3.5.3, 4.1 and 4.2
5.	<p>Q:</p> <p>The Tender Committee was requested to amend the referenced Section as follows -</p> <p>"...based on its most recent three (3) Financial Statements (for the removal of doubt, the Member's most recent Financial Statements shall not be earlier than 2019 2020) ..."</p> <p>A:</p> <p>The Tender Committee has rejected the request. The Tender Committee clarifies that Participating Entities need to demonstrate compliance with the relevant requirement, based on their most recent three (3) Financial Statements and the most recent Financial Statements shall not be earlier than 2020.</p> <p>i.e.: If the Participating Entities have published their Financial Statement for 2021, then they will need to submit their Financial Statements for years 2019, 2020 and 2021. Without derogating from the above, Participating Entities who have not published their Financial Statement for 2021, may submit their Financial Statements for years 2018, 2019 and 2020.</p>	Invitation	Section 4.1.1
6.	<p>Q:</p> <p>The Tender Committee was requested to clarify that in the event that the annual Financial Statements of a Participating Entity contains comparative figures to the preceding years, the Financial Statements for the preceding years will not need to be submitted, and the Participating Entity may rely on the comparative figures presented in its most recent annual Financial Statements.</p> <p>A:</p> <p>The Tender Committee has rejected the request.</p>	Invitation	Section 4.1.1
7.	<p>Q:</p> <p>The Tender Committee was requested to clarify whether in the event the Guaranteed Portion is one hundred percent (100%), the Financial Statements of the relying Member are required to be submitted in addition to the Financial Statements of the Guarantor.</p>	Invitation	Section 4.1.4

	A:	Bidders are referred to Section 4.2.5 of the Invitation and the amendment made thereto.		
8.	Q:	The Tender Committee was requested to allow a Member who is a publicly traded Investment Entity, to demonstrate compliance with the requirements of the referenced Section, based on its most recent <u>quarterly</u> Financial Statements instead of its most recent annual Financial Statements.	Invitation	Section 4.1.7
	A:	The Tender Committee has rejected the Request.		
9.	Q:	The Tender Committee was requested to clarify which Pre-Qualification Form the Financial Statements should be attached to.	Invitation	Section 4.2.1
	A:	The Tender Committee clarifies that the Financial Statements shall not be submitted as an attachment to any Pre-Qualification Form.		
10.	Q:	The Tender Committee was requested to confirm that a digital signature is sufficient, in order to comply with the requirement in the referenced Section.	Invitation	Section 7.4.1
	A:	The Tender Committee so confirms.		
11.	Q:	The Tender Committee was requested to confirm that the six (6) USB storage devices containing digital copies of the Pre-Qualification Submission, may be submitted in one (1) envelope and not in six (6) separate envelopes.	Invitation	Sections 7.4.3 and 7.7.2
	A:	The Tender Committee so confirms. The attention of the Bidders is drawn to the amendment made to Section 7.4.3 of the Invitation.		
12.	Q:	The Tender Committee was requested to delete the referenced Section and amend Pre-Qualification Forms "1", "2", "3" and "4" accordingly.	Invitation	Section 7.6
	A:	The Tender Committee has rejected the request.		
13.	Q:	The Tender Committee was requested provide additional information regarding the Project.	Annex A (General Description of the Project)	
	A:	The Tender Committee clarifies that additional information shall be disclosed during the Tender Process.		
14.	Q:	The Tender Committee was requested to publish a clean open version of Annex C (<i>Pre-Qualification Forms</i>) of the Invitation in word format.	Annex C (Pre-Qualification Forms)	

	A:	Bidders are referred to Attachment 3 to Addendum No. 2.		
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