

December 22, 2020

**Invitation for Pre-Qualification for the Participation in a Tender for  
the Light Railway Project between Haifa and Nazareth**  
**Clarification Letter no. 12**

The following comprises TRI's responses to Candidates' Requests for Clarification ("RFC"). TRI's responses herein are binding as of the date of this Letter.

1. **RFC 159**

(PQ Form 17)

Pre-Qualification Form 17 should be completed by the CEO or CFO of the Participating Entity and certified by an Attorney. The CEO and CFO of our Participating Entity are present in France and therefore Pre-Qualification Form 17 shall be signed in France in accordance to the French law.

According to the French law: (i) certification will be done by a Notary (ii) certification that includes a statement that the signee "appeared before me" the document must be in French language.

Therefore, we kindly ask the Tender Committee to confirm that: (i) the signature of the CEO or CFO and the certification of the Notary with respect to Pre-Qualification Form 17 will be on notarized translation to French; or alternatively that (ii) the CEO or CFO can empower other person to sign on their behalf on Pre-Qualification Form 17.

**TRI's Response**

In such a situation, the Participating Entity may confirm the signatures by a Notary in French in accordance with French Law and submit Pre-Qualification Form "17" along with a notarized translation to English of the confirmation.

2. **RFC 160**

In reply to RFC 139, the Tender Committee clarified that efforts are being made to publish the Tender by the 3rd or 4th Quarter **2020**. It is clarified that this is a typographical error and the intention was to indicate the 3<sup>rd</sup> or 4<sup>th</sup> Quarter of **2021** as the target date. Again, such intention is not a binding commitment.

3. **RFC 161**

**(3.5.8; 8.3)**

**According to the Invitation, documents which are not in the English or Hebrew language should be translated to English and authenticated by a public notary. However, according to the Polish law, the translation, checking and certification of documents into and from a foreign language to English is done by a sworn translator and not by a public notary (unless it is by itself also a sworn translator). The Tender Committee is kindly noted that a sworn translator under the Polish law is a person who complies with certain qualifications and is recognized as such by the authorities. For the convenience of the Tender Committee please find attached a legal opinion on confirming the stipulations of the Polish law on this issue.**

**In light of the foregoing, the Tender Committee is kindly requested to approve and confirm submission of Polish documents translated to English which are authenticated by a Polish sworn translator.**

**TRI's Response**

Based on the above, which is supported by a legal opinion, the Tender Committee shall accept translations of documents from Polish to English which have been certified by a sworn translator.