

3 December 2020

Invitation for Pre-Qualification for the Participation in a Tender for the Light Railway
Project between Haifa and Nazareth
Addendum No. 9

Pursuant to Section 2.9 (*Addenda*) of the Invitation, Candidates are hereby informed of the following amendments to the Invitation.

This Addendum shall constitute an integral part of the Invitation and the Tender Documents.

All capitalized terms used and not defined herein shall have the meaning ascribed to such terms in the Invitation.

- **Please note that Item 1 includes a postponement to the PQ Submission Date.**
- **Please note that Item 4 includes an amendment to the Professional Threshold Requirement in Section 4.5 (Project Execution, Management and Organization Experience).**
- **Please note that Items 5 and 6 include an amendment to Section 6.1 in relation to the reliance on a Supporting Entity.**

Amendments to the Invitation		Section in the Invitation
1.	Please amend the dates under Section 1.3 as follows: “1.3. Anticipated Schedule The anticipated schedule for the Pre-Qualification Process is as follows: 1. Publication of the Invitation and Pre-Qualification Documents: April 7, 2020. 2. Final date for the submission of Requests for Clarification: November 15, 2020.	1.3

	<p>3. Final date for the payment of the Participation Fee: December 8 <u>January 4, 2021</u>.</p> <p>4. Pre-Qualification Submission Date: December 15 <u>January 12, 2021</u> by 14:00 Israeli time.</p> <p>5. Tender Selection Stage – Issuance of Tender Documents: 4th Quarter 2021.”</p>	
<p>2.</p>	<p>Please amend Section 2.13.8 as follows:</p> <p>“Requests for Approval or Notification (which was timely submitted by the deadline for submitting Requests for Clarification) will be answered within thirty (30) days following its submission <u>by no later than 31 December 2020</u>. The Tender Committee reserves its right to decide whether or not to publish its response as a Clarification.”</p>	<p>2.13.8</p>
<p>3.</p>	<p>Please amend Section 3.5.8 as follows:</p> <p>“Each Entity shall provide an authenticated copy of its certificate of incorporation and articles of association. If an Entity is not incorporated in the State of Israel, it shall provide the equivalent approvals and statements regarding its corporate registration in accordance with the laws of its domicile.</p> <p>In the event that such foreign Entity is registered in Israel as a Foreign Company under the Israel Corporation Law 5759-1999, or as a foreign partnership under the Israeli Partnership Ordinance, 1975, such Entity shall also attach the appropriate certification of registration accordingly. A Member which is a Private Investment Fund shall also attach to its submission the Private Investment Fund’s partnership agreement. All such documents of incorporation shall be submitted under the relevant Pre-Qualification Forms, as indicated therein and, where applicable, accompanied by a notarized translation to English in accordance with the requirements of this Invitation.</p> <p><u>In the event an Entity is unable to provide the original authenticated copies of the documents required under this Section 3.5.8 by the Pre-Qualification Submission Date, it may submit scanned copies</u></p>	<p>3.5.8</p>

	<p><u>thereof as part of the Pre-Qualification Submission, provided that the original authenticated copies are provided by no later than 45 calendar days after the Pre-Qualification Submission Date. In such a case, the Participant shall designate one of the scanned copies as “Original” until the true Original is received.”</u></p>	
4.	<p>Please amend the first paragraph of Section 4.5 as follows:</p> <p>"Completion, as a Lead Contractor, during the period commencing on 1 January 2007 and ending on the Pre-Qualification Submission Date, of at least two (2) Infrastructure Projects with individual Contract Values of at least NIS 750 <u>650</u> million and an aggregate Contract Value of at least NIS 2,000 million."</p>	Section 4.5
5.	<p>Please amend Section 6.1.1.1(i) as follows:</p> <p>"the Experience Provider must have had Effective Holdings of twenty four percent (24% <u>20%</u>) or more of all Means of Control in the SPV; and"</p>	Section 6.1.1.1.(i)
6.	<p>Please amend Section 6.1.1.4 as follows:</p> <p>"The Supporting Entity is held by the Experience Provider so that:</p> <p>(i) the Experience Provider has Effective Holdings of one hundred percent (100%) of all Means of Control in an intermediate Entity(ies) (in this Section “Entity₁”); and</p> <p>(ii) Entity₁ directly holds 75% <u>65%</u> or more of all Means of Control in the Supporting Entity."</p>	Section 6.1.1.4

<p>7.</p>	<p>Please amend Section 8.4 as follows:</p> <p>“8.4.1. Each page of the Pre-Qualification Submission, including all Pre-Qualification Forms and appendices, shall be duly signed by the Participant (if the Participant is a single Entity already incorporated on the Pre-Qualification Submission Date) or by each of the Members of the Participant (if the Participant is not a single Entity). <u>Alternatively, each page may be signed by the Authorized Representative.</u></p> <p>8.4.2. Without derogating from the foregoing, if a document or a set of documents comprising part of the Pre-Qualification Submission are set in binders, the Participant (if the Participant is a single Entity already incorporated on the Pre-Qualification Submission Date) or each of the Members of the Participant (if the Participant is not a single Entity) are only <u>required to sign</u> the first and last pages of each of the binders and are to be signed, clearly <u>indicating</u> the number of pages therein.</p> <p><u>8.4.3. In the event a Participant is unable to provide an original copy of the Pre-Qualification Forms by the Pre-Qualification Submission Date, it may submit a scanned copy thereof as part of the Pre-Qualification Submission, provided that the Original copy of the Pre-Qualification Forms is provided by no later than 45 calendar days after the Pre-Qualification Submission Date. In such a case, the Participant shall designate one of the scanned copies as “Original” until the true Original is received.</u></p>	<p>8.4 Signing of the Pre-Qualification Submission</p>
<p>Amendments to the Annexes</p>		<p>Annex</p>
<p>8.</p>	<p>Please amend the definition of “EPC Contractor” as follows:</p> <p>“EPC Contractor’ shall mean <u>an entity</u> a single Entity responsible for the overall design, engineering, procurement of equipment and materials, construction, execution, management, coordination and</p>	<p>Annex 2, Section 2</p>

	<p>organization of the HN LRT Project, as shall further be detailed in the Tender Selection Stage.”</p>	
<p>Amendments to the PQ Forms</p>		<p>PQ Form</p>
<p>9.</p>	<p>The signature section of the Attorney Confirmation at the end of each Pre-Qualification Form shall be amended as follows:</p> <p>“ _____ Attorney-at-Law”</p> <p>All Pre-Qualification Forms will be re-published incorporating all addenda in due course.</p>	<p>PQ Forms “1” – “20”</p>
<p>10.</p>	<p>Please amend the first paragraph of Pre-Qualification Form “3” as follows:</p> <p>“I, _____, the undersigned, am making this affidavit on behalf of _____ (<i>name of Participant, if the Participant is incorporated as of the Pre-Qualification Submission Date/ the consortium consisting of the following Members:</i> _____);”</p>	<p>Pre-Qualification Form “3”</p>
<p>11.</p>	<p>Please amend the first paragraph of Pre-Qualification Form “15” as follows:</p> <p>“I, _____, the undersigned, am making this affidavit on behalf of _____ (<i>the “Participant”, if the Participant is incorporated as of the Pre-Qualification Submission Date/ the consortium consisting of the following Members:</i> _____);”</p>	<p>Pre-Qualification Form “15”</p>

12.	Please amend the instructions of Pre-Qualification Form “17” as follows: <i>“(To be completed by the CEO or CFO of each Participating Entity, <u>or by an equivalent position holder thereof</u>, in accordance with Section 5.5 (No Going Concern) of the Invitation)</i> <i>(Capitalized terms shall have the meaning ascribed to them in the Invitation)”</i>	Pre-Qualification Form “17”
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