

20 December, 2021
#1774306

To:
All Participants

**Pre-Qualification 478/2021 to Participate in a Tender for the Management of (each of) the
Tel Aviv Metropolitan Metro Lines**

Clarifications and Addendum No. 8

1. Pursuant to the Invitation for Pre-Qualification issued on August 26, 2021 (the "**Invitation**") and in accordance with the provisions thereof, the Participants are hereby informed of the attached clarifications and Addenda to the Invitation.
2. The issuance of this Addendum does not derogate from any of NTA's or the Tender Committee's rights and prerogatives under the Invitation or Law.
3. All capitalized terms used and not defined herein shall have the meaning ascribed to such terms in the Pre-Qualification Documents.

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Volume 1 (Invitation to Bid)			
1.	Q:	The Tender Committee was requested to amend the definition of the term “Lead Designer” so that the Design related risks specified in sub paragraphs (i), (ii) and (iii) shall be commutative and not cumulative (so that a Participating Entity that was responsible in a referenced project for any one risk specified in sub paragraphs (i), (ii) or (iii) of the definition (and not all of them) shall be deemed a “Lead Designer”).	Section 1.1 (Definitions) of the Invitation – “Lead Designer”
	A:	“Lead Designer” Shall mean an entity which was directly responsible for the preparation of the Design of a referenced project, bearing all the risks related to the Design thereof, including: (i) the project detailed design and/or the design for a referenced tender, including civil, architectural, systems design; and (ii) the management, administration, supervision, integration and coordination of all sub-designers and design teams; and (iii) the administration and supervision of the implementation of the design in the execution of the applicable project works.	
2.	Q:	In light of the definition of the term “Metro Project” as requiring not less than ten (10) km of Tracks (cumulative length) and at least four (4) underground Stations, the Tender Committee was requested to clarify that a referenced project consisting of twenty (20) km of Tracks and eight (8) underground Stations shall be considered as two (2) Metro Projects for purpose of demonstrating the Professional Pre-Qualification Requirement.	Section 1.1 (Definitions) of the Invitation – “Metro Project”
	A:	The Tender Committee rejects the request.	
3.	Q:	The Tender Committee was requested to clarify whether changes in the composition of the Participants presented in the Pre-Qualification Submission will be allowed for purpose of participation in the Tender Process.	Section 1.5 (The Tender Process

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	A:	The attention of all Participants is referred to Sections 1.5.3 and 9.6.5.1 of the Invitation.	and Expected Requirements)
4.	Q:	The Tender Committee was requested to clarify if each of the Local Design Experience Provider and Metro Management Experience Provider may be engaged by any Member of the Participant or if such shall be engaged by all Members comprising the Participant.	Section 3.3 (Local Design Member or Local Design Experience Provider on behalf of the Participant) and 3.4 (Metro Management Member or Metro Management Experience Provider) of the Invitation
	A:	All applicable questions and instructions regarding the incorporation of the Bidder (including its engagements with Experience Providers and key personnel) shall be addressed in the Tender Documents.	
5.		The Tender Committee hereby informs all Participants that on 30.11.2021, Metav- Egis Rail SA; Gadish Engineering Co. Ltd. was declared as the Successful Bidder in the NM Tender. The Successful Bidder intends to cooperate with HDR Inc. The Tender Committee refers the attention of all Participating Entities to the provisions of Section 3.9 (Successful Bidder in the NM Tender) of the Invitation. The Tender Committee further informs all Participants that DBI – DB Engineering & Consulting GmbH; Baran Israel Ltd. and Ineco was declared as the Second Ranked Bidder. In accordance with the provision of Section 3.9 (Successful Bidder in the NM Tender), at this juncture, such declaration does not affect the group's participation in the Pre-Qualification Process.	Section 3.9 (Successful Bidder in the NM Tender) of the Invitation
6.	Q:	The Tender Committee was requested to clarify that there is no required Contract Value in connection with the referenced projects presented for purpose of demonstrating the required experience under Section 4.2 (Experience in Construction Management of Metro Projects) and 4.3 (Design Experience in LRT/Metro and Rail Projects) of the Invitation.	Section 4.2 (Experience in Construction Management of Metro Projects) and 4.3 (Design Experience in LRT/Metro and Rail Projects) of the Invitation
	A:	The Tender Committee so confirms and clarifies.	
7.	Q:	Further to the reduction of the Weighted Average Turnover required from each of the International Designer and Metro Management Experience Provider in	Section 5.1.1 (Company's

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		the framework of Addendum No. 4, the Tender Committee was requested as follows: (a) to further reduce the Weighted Average Turnover required from each of the International Designer and Metro Management Experience Provider to one hundred million Israeli New Shekels (NIS 100,000,000); (b) to allow the International Designer and the Metro Management Experience Provider to present a combined Weighted Average Turnover in a total amount of four hundred million New Israeli Shekels (NIS 400,000,000), regardless of the Weighted Average Turnover of each of the International Designer and the Metro Management Experience Provider; and (c) to reduce the required Weighted Average Turnover required from a Local Company.	Weighted Average Turnover) of the Invitation and 5.2.1 (Local Company's Weighted Average Turnover) of the Invitation
	A:	The Tender Committee rejects the request.	
8.	Q:	The Tender Committee was requested to reconsider the clarification in Addendum No. 4 according to which the Financial Pre-Qualification Requirements will be demonstrated only on the basis of annual Financial Statements and to allow reliance on surveyed data for the purpose of demonstrating the Weighted Average Turnover for the year 2021.	Sections 5.1.1 (Company's Weighted Average Turnover) and 5.2.1 (Local Company's Weighted Average Turnover) of the Invitation
	A:	The Tender Committee rejects the request.	
9.	Q:	The Tender Committee was requested to clarify the full calculation of "Operating Cash Flow" referred to in Sections 5.1.2 and 5.2.2 of the Invitation.	Section 5.1.2 (Company's Weighted Average Operating Cash Flow) and 5.2.2 (Local Company's Weighted Average Operating Cash Flow) of the Invitation
	A:	The "Operating Cash Flow" refers to a Participating Entity's operating cash flow from operation in accordance with the cash flow statement included in its Financial Statement, which will be evaluated based on the formula in Sections 5.1.2 and 5.2.2 of the Invitation.	

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10.	Q:	In light of the long expected duration of the Programme Development Phase and Delivery Phase, the Tender Committee was requested to consider splitting the Agreement to be entered into with the Line Manager(s) to two (2) separate consecutive Agreements, one with respect to the Programme Development Phase and one with respect to the Programme Delivery Phase.	Annex 1 (General Description of the Programme) of the Invitation-Section 3 (The Line Manager's Scope of Work)
	A:	The Tender Committee rejects the request.	
11.	Q:	The Tender Committee was requested to clarify how and when the Development Phase of the Programme will commence vis-à-vis the Line Manager(s).	Annex 1 (General Description of the Programme) of the Invitation-Section 3 (The Line Manager's Scope of Work)
	A:	The Development Phase of each Metro Line Project will commence upon the execution of the Agreement with the nominated Metro Line Manager for such Metro Line Project.	
12.	Q:	The Tender Committee was requested to clarify the nature of the "early works", "advanced works" and "enabling works" referred to in the description of the Development Phase of the Programme.	Annex 1 (General Description of the Programme) of the Invitation-Section 3 (The Line Manager's Scope of Work)
	A:	The phases of the Metro Line Projects, as well as the scope of services required by the Line Manager in each such phase, shall be detailed in the Tender Documents.	
13.	Q:	The Tender Committee was requested to clarify the required functions and staff to be employed by the Line Manager and their required qualifications (in addition to the key personnel).	Annex 1 (General Description of the Programme) of the Invitation-Section 3 (The Line Manager's Scope of Work)
	A:	The requirements pertaining to the Line Manager's staff shall be detailed in the Tender Documents.	
14.	Q:	The Tender Committee was requested to clarify if the term "GOA4" which appears in the second bullet of Section 1 refers to Unattended Train Operation (UTO) with: starting and stopping, operation of doors which are all fully automated and without any on-train staff.	Annex 2 (Expected Requirements) of the Invitation – Section 1 (Scoring the Experience of the Members and Experience Providers beyond the Professional Pre-Qualification Requirements)
	A:	The Tender Committee so confirms and clarifies.	

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15.	Q:	The Tender Committee was requested to clarify that registration of the SPV is not required for purposes of the Pre-Qualification Process and that instructions regarding the form of the SPV and the registration thereof will be included in the Tender Documents.	Annex 2 (Expected Requirements) of the Invitation – Section 2 (Requiring the Presentation of Key personnel and the Experience thereof) and Section 3 (Formation of an SPV and Holdings in the Bidder
	A:	The Tender Committee so confirms and clarifies.	
16.	Q:	In light of difficulties to state project commencement/completion dates with a resolution or precision of a particular day, the Tender Committee was requested to amend the dates' format in Pre-Qualification Forms "3" – "6" from DD/MM/YYYY to MM/YYYY.	Pre-Qualification Forms "3" – "6" – Commencement and Completion Dates
	A:	The Tender Committee accepts the request. Amended Pre-Qualification Forms will be issued shortly.	