

21 February, 2022
#1809192

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. 15

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.

Item No.		Addenda/Clarifications	Section(s)
Volume 1 (Invitation to Bid)			
1.	Q:	The Tender Committee was requested to reconsider clarification no. 4 in Clarifications and Addendum No. 9 and clarification no. 3 in Clarifications and Addendum No. 11, according to which, the experience of a non-Israeli governmental company which was appointed (by its government) to promote and carry out a referenced project on its behalf may not be presented for purpose of demonstrating the required experience in Construction Management and Design of Metro Projects.	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 reviewed the request and having discussed the issue decided to reject it. As previously explained, the duties and responsibilities (and therefore the experience), of a governmental or municipal company tasked with the management of a project on behalf of the entity which owns it (“on behalf of itself”), are different from those of a governmental or municipal company appointed to manage or design a project on behalf of an unrelated third party, public or private (in other words, appointed by an entity which does not own it). Amongst other factors, the ability to adapt to, implement and manage the design or the execution of a project (as applicable) in accordance with requirements, corporate governance and regulatory regime of the unrelated third party, is of significance. As clarified in the above-mentioned Clarifications and Addenda, for purpose of demonstrating the Professional Pre-Qualification Requirements, non Israeli governmental or municipal companies are required to present projects designed or managed (as applicable) on behalf of a third-party client (public or private) who is not the owner of the governmental or municipal company. Without derogating from the above and/or from the provisions of the Invitation (including, <i>inter alia</i>, the provisions of Section 9.8 (Reservation of Rights) and Section 9.9 (Prerogatives of NTA and the Tender Committee), thereof), it is hereby clarified, that the above shall not be construed as applying with respect to referenced projects to be presented as part of the bids during the Tender Process and scored in accordance with the provisions thereof. All of the foregoing shall be determined by the Tender Committee, at its sole discretion, and detailed in the Tender Documents.	