



September 18, 2024
#2527122

To:
All Bidders

Tender No. 303/2024 for Design Consulting Services (the “Tender”)

Addendum No. 7

1. Pursuant to the Invitation to Bid issued on June 4, 2024 (the “**ITB**”) and in accordance with the provisions thereof, the attention of all Bidders is drawn to the clarifications attached as **Annex A** hereto.
2. The issuance of this Addendum does not derogate from any of NTA’s or the Tender Committee’s rights and prerogatives under the Tender Documents or Law.
3. **Acknowledgement of Receipt.** Each Bidder is kindly requested to acknowledge receipt of this Addendum no later than two (2) Business Days following receipt thereof, via email reply.
4. All capitalized terms used and not defined herein shall have the meaning ascribed to such terms in the Tender Documents.

Respectfully Yours,

NTA – Metropolitan Mass Transit System

Annex A

Tender Documents; Clarifications			
Item No.	Q/A	Questions and Answers	Reference
1.	Q	Please clarify why Egis Rail was removed as an Advisor from the List of Advisors to the Tender Committee.	- Volume 1 (Invitation to Bid), Sections 5.
	A	Firstly, The List of Advisors to the Tender Committee (the “List”) includes all advisors and consultants who provided guidance to NTA regarding the Tender, as well as other Advisors, who may be prospective Bidders in this Tender, and could potentially have a Conflict of Interest. Accordingly, the Tender Committee issued clarification #1 in Addendum 1, stating that Advisors would not be participating in this Tender. Additionally, Annex B (List of Advisors to the Tender Committee) was originally compiled to include all main Advisors involved in the Metro Lines and its management, which is why Egis was initially included. On September 2, 2024, NTA decided to remove Egis Rail (“Egis”) from the List following a request from Egis and after thoroughly reviewing the matter, inter alia, based on the following: a. Egis was initially included in the List, due to its specific role as part of the Network Manager. However, as detailed below, an examination conducted following Egis’s request revealed that	- Volume 1, Annex B (List of Advisors to the Tender Committee). - Volume 2 (Services Agreement), Appendix 8 (List of Advisors to the Tender Committee) - Addendum 1, dated July 8, 2024

Tender Documents; Clarifications			
Item No.	Q/A	Questions and Answers	Reference
		it was unnecessary to include the Network Manager or its members as Advisors to the Tender Committee. This is, inter alia, in view of the Network Manager's responsibilities that involve complementary services that do not overlap with the Consultancy Services required for this Tender, except in specific instances. Accordingly, the concern of any conflict of Interest, is limited. b. Neither Egis nor the Network Manager had any involvement in the preparation of this Tender and does not have access to any information that would provide an unfair advantage and/or superior knowledge in the Tender process.	- Addendum 6, dated September 3, 2024
2.	Q	Please explain how the Tender Committee has ensured there is no Conflict of Interest, and how it plans to prevent any future Conflicts if Egis is selected as the Successful Bidder. Additionally, please clarify how the Tender Committee will manage potential Conflicts of Interest between Egis and the Network Manager if Egis is awarded the Tender.	- Volume 1 (Invitation to Bid), Section 5.

Tender Documents; Clarifications			
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	A	The Design Consulting Scope of Services was thoroughly reviewed in relation to the Network Managers Scope of Work. Both the Tender Committee and NTA's Committee for Non-Conflict of Interest concluded that the concern of Conflict of Interest is limited and only pertains to certain and specific defined content of the Services that may be relevant during the execution of the Services. As a result, the Tender Committee has approved the recommendations of NTA's Committee for Non-Conflict of Interest and decided that there was no need to include the Network Manager or its members thereof as Advisors to the Tender Committee, and that such potential future concern may be mitigated by simple measures, as will be outlined below. Accordingly, NTA's Committee for Non-Conflict of Interest recommended, and the Tender Committee approved the participation of Egis in this Tender, subject to the implementation of the following measures: A. Metav and any of Egis employees working within Metav or in connection with the Network Manager are strictly prohibited from assisting in the preparation or submission of the Bid or providing any services related to this Tender. B. If Egis is awarded the Tender, it must maintain a strict separation between its services to NTA as part of the Network Manager role and those related to this Tender. This will involve separate teams, workspaces, and technical systems (Chinese walls).	- Volume 2 (Services Agreement), Section 10. - Volume 2 (Services Agreement), Appendix 1 (Scope of Services), Section 3.

Tender Documents; Clarifications			
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		C. Egis commits to fully complying with all NTA decisions regarding any tasks where a potential conflict of interest may arise, including implementing any compensatory measures required by NTA for services or products of the Network Manager that Egis is unable to review due to a potential conflict of interest. D. NTA may impose additional restrictions and conditions as applicable. In response to Egis's request, Egis was informed of the Tender Committee's decisions as detailed above, and accordingly, Egis's participation is subject to its fully compliance with the Tender Committee's decisions.	
3.	Q	Please describe the measures taken to ensure that Egis, as part of the appointed Network Manager, did not have access to information that would give them an unfair advantage over other Bidders.	Volume 1 (Invitation to Bid), Sections 5.
	A	As explained above (clarification #1), Egis does not possess any additional information that could provide an unfair advantage. It is clarified that all the information needed to prepare the Bids is included in the Tender Documents or can be assessed based on prior professional experience and public information available to all Bidders.	

Tender Documents; Clarifications			
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4.	Q	Please clarify the relationship between the Successful Bidder and the Network Manager during the execution of the Design Consulting Services.	Volume 2 (Services Agreement), Appendix 1 (Scope of Services), Section 3.
	A	The Consultant and the Network Manager are two entities that will operate independently as NTA's consultants. The distinction between the different roles is significant. The Network Manager is responsible, inter alia, for the management of the design process, while the actual design is carried out by the Line Managers. The Consultant, on the other hand, is expected to conduct, inter alia, the design review. The Consultant may review Deliverables that the Network Manager was involved in the management aspects of their preparation; however, it is clarified that if Egis is awarded the Tender, the aforementioned restrictions will be enforced.	