

20th May, 2020

To:

Participants of the Tenderer's Conference & Site Visit [October 31, 2019 & January 29, 2020]

Subject: Hayarkon River Water Treatment Plant Technological Tender no R-42/2019 – Clarification Notice no. 10

Pursuant to the provisions of Section 11.1 (Clarification to Tender Documents) and 11.2 (Amendments of Tender Documents), MWC issues this Clarification Notice no. **10**.

1. Clarification Items –



חטיבת משאבי אנוש ומינהל
יחידת רישולוגיסטיקה

(i) Clarifications & Amendments			
<u>Item no.</u>	<u>Tender Document / Tender Form / Annex / Appendix</u>	<u>Section</u>	<u>MWC's Clarification / Amendment</u>
1.	Volume 1 (Request for Proposals)	Definitions	The referral in the definition “ Member ” shall be amended as follows: “As referred to under in Section 4 (b) of Volume 1 (RFP).”
2.	Volume 1 (Request for Proposals)	8.5.1(b)	The Section shall be amended as follows: “(b) For the purpose of Section 7.5.2 (Joint Venture – Past Experience Requirement) – the Tenderer Member shall complete and submit Tender Form E(2).
3.	Volume 1 (Request for Proposals)	12.3.5	<p>The Section shall be amended as follows:</p> <p>“12.3.5 Tenderers shall submit <u>one</u> (1) original and five (5) identical copies of the documents comprising each Proposal which shall be submitted by courier together with two <u>three</u> (23) electronic copies, as follows:</p> <p>(a) USB no. 1 – a copy of part 1, as provided in section 12.3.3(a); (b) USB no. 2 – a copy of part 2, as provided in section 12.3.3(b); (c) USB no. 3 – a copy of part 3, as provided in section 12.3.3(c).</p> <p>one (1) in <u>Each part shall be submitted in both</u> Microsoft Word on USB and the second in PDF format <u>on the USB.</u></p> <p>Notwithstanding the foregoing,</p> <p>(a) The Commercial Proposal as set out in Section 9 (Commercial Proposal) to be included in Part 2, shall be submitted in one (1) original and one (1) identical copy which shall be attached to Proposal Copy No. 1.</p> <p>The Tender Bond as set out in Section 9 שגיאה! מקור ההפניה לא נמצא. (<i>Tender Bond</i>), shall be submitted within Part 1 in one (1) original only and shall be attached to the original copy of the Proposal.</p> <p>Notice the aforesaid sub-section 12.3.5(a) was omitted to accord with the provisions of section 12.3.5.</p>



4.	Volume 1 (Request for Proposals)	15	<p>(1) The Section shall be amended as follows: “15. Proposals shall be reviewed in two<u>three</u> stages: ...”</p> <p>(2) At the end of the Section, after sub-section 15.3, shall be added: “MWC may change the stages of the evaluation and examination process and/or execute them simultaneously, at its sole discretion”.</p>
5.	Volume 1 (Request for Proposals)	15.1	<p>The Section shall be amended as follows: “15.1 Within the framework of this Stage 1 – MWC shall also document whether Part 34 of the Proposal which is intended to include Tender Form F (Undertaking for Industrial Cooperation) was submitted. Within this framework MWC shall only verify whether Part 34 Envelope was submitted the actual submission of its undertaking (per Section שגיאה! מקור ההפניה לא נמצא). MWC will not check the contents thereof. The approval of the undertaking shall be done by the ICA only with respect to the Preferred Tenderer and constitutes one of the preconditions for Signature Date provided under Section שגיאה! מקור ההפניה לא נמצא).</p>
6.	Volume 1 (Tender Forms)	Annex G (Contents of Proposal – Checklist)	Annex G (Contents of Proposal – Checklist) to Volume 1 (Tender Forms) is attached hereto as Annex B .

2. For the sake of good order please note that **Volume 1** (request for Proposals) which was uploaded to MWC's Website per Clarification Notice no. 10, is replaced to reflect the foregoing amendments.
3. Per the provisions of Section 12.2.4 of **Volume 1** (Request for Proposals), this Clarification Notice shall be attached by the Tenderer to its Proposal.
4. This Clarification Notice shall be uploaded to MWC's Website. Note it's the Participant's full and sole responsibility to ongoingly review MWC's Website for notifications regarding the Tender.
5. In accordance with the provisions of Section 11.2.4 (regarding approval of acceptance thereof by Participants) of **Volume 1** (Request for Proposals), the Participant is kindly request to complete and submit the attached **Annex A**.
6. None of the above shall be construed to derogate from MWC's rights and privileges under the Tender Documents and all Laws and Regulations.

Sincerely,

Lihl Cohen – MWC's POC

Annexes:

A – Acknowledgement of Receipt.

B – **Annex G** (Contents of Proposal – Checklist) to **Volume 1** (Tender Forms)



Annex A

ACKNOWLEDGEMENT OF RECEIPT

To:

MWC's POC - Mrs. Lihi Cohen

E-mail: Lcohen@Mekorot.co.il

**Hayarkon River Water Treatment Plant Technological Tender no R-42/2019 –
Clarification Notice no. 10**

Pursuant to the provisions of Section 11.2.4 of **Volume 1**, the Participant hereby acknowledge receipt of **Clarification Notice No. 10**.

Name of the Participant

Name and signature of the Participant's
Authorized Representative

Annex B of Clarification Notice no. 10

Tender Annex G Contents of Proposal – Checklist

Documents' name	Notes	Submitted
Part 1 (section 12.3.3(a) of Volume 1) All documents included within Part 1 shall be set together in one or more binders which shall all be marked as " Tender no. R-42/2019 - Proposal Part 1 ".		
Tender Form B Tenderer's – General Information & Confirmation of Terms <i>(Per Sections 7.1, 8.1 and 13 of Volume 1)</i>		
Tender Form C(1) Threshold Requirement - Public Entities Law Approvals <i>(Per Sections 7.3(a) and 8.3 of Volume 1)</i>	<ul style="list-style-type: none"> - To be submitted by a local Tenderer or Member (as applicable). - The Tenderer shall attach to the form the approvals identified under Article 2 of the Public Entities Transactions Law 	
Tender Form C(2) Threshold Requirement - Public Entities Law Affidavit <i>(Per Sections 7.3(a) and 8.3 of Volume 1)</i>	<ul style="list-style-type: none"> - To be submitted by a local Tenderer or Member (as applicable). - The Tenderer shall complete and sign the Affidavit, and have it authorized by an attorney. 	
Tender Form D Financial Threshold Requirements <i>(Per Sections 7.4.1, 7.4.2, 7.4.3 & 8.4 of Volume 1)</i>	<ul style="list-style-type: none"> - Notice the provisions of section 8.4 and the notes with respect to section 7.4 of Volume 1. - The Tenderer or Members of the JV (as applicable) shall attach to the form their three latest Financial Statements or a confirmation signed by the external auditor (who has audited the Financial Statements) confirming compliance with each of the Financial Threshold Requirements (as applicable according to the the provisions of section 8.4 of Volume 1). 	

<p>Tender Form E(1) Technical Threshold Requirement <i>(Per Sections 7.5.1 & 8.5.1(a) of Volume 1)</i></p>	<ul style="list-style-type: none"> - applies in the event the Tenderer is a Joint Venture: The Member of which experience is demonstrated for the purpose of complying with this requirement shall hold, at least, fifty one percent (51%) of the Tenderer's (JV's) holdings - Notice the provisions of sections 5.3 and 8.5.2- 8.5.3 of Volume 1. - The Tenderers or Members shall complete the form and attach with supportive documentation as requested in the form. 	
<p>Tender Form E(2) Technical Threshold Requirement <i>(Per Sections 7.5.2 & 8.5.1(b) of Volume 1)</i></p>	<ul style="list-style-type: none"> - This requirement only applies in the event the Tenderer is a Joint Venture. - The Member of which experience is demonstrated for the purpose of complying with this requirement shall hold, at the most, forty nine percent (49%) of the Tenderer's (JV's) holdings. - Notice the provisions of sections 5.3 and 8.5.2-8.5.3 of Volume 1. - The Member shall complete the form and attach with supportive documentation as requested in the form 	
<p>Tender Form E(3) Technical Threshold Requirement <i>(Per Sections 7.5.3 & 8.5.1(c) of Volume 1)</i></p>	<ul style="list-style-type: none"> - Notice the provisions of section 8.5.2-8.5.3 of Volume 1. - The Threshold Requirement set forth under Section 7.5.3 (Membrane Manufacturer) may be demonstrated by either the Tenderer or Member (in the event of a JV) or a Membrane Manufacturer on its behalf. 	
<p>Tender Form H Mandatory Tender Bond <i>(Per Sections 7.1, 8.1 and 13 of Volume 1)</i></p>	<ul style="list-style-type: none"> - Tenderers shall submit the original Tender Bond within the Proposal. - Notice the provisions of section 13.1 of Volume 1, regarding the Tender Bond issuer. - Notice the provisions of section 13 of Volume 1. - To be submitted as part of part 1 in a separate sealed envelope which will read "Tender no. R-42/2019 Part 1 - Tender - Bond" 	

<p>Tender Form I Technical Threshold Requirement <i>(Per Sections 7.5.1, 7.5.2, 7.5.3 & 8.5.1(c) of Volume 1)</i></p>	<ul style="list-style-type: none"> - Notice the provisions of section 8.5.3 of Volume 1. - To be submitted in the event of reliance upon the professional experience of an Absorbed Company to demonstrate compliance with the Professional Threshold Requirements. 	
<p>Clarification Notices issued by MWC until Submission Date <i>(Per Sections 12.2.4, of Volume 1)</i></p>	<ul style="list-style-type: none"> - The Tenderers or Members shall submit all Clarification Notices (there is no need to submit the Clarification Notice's Annexes). 	
<p>Part 2 (section 12.3.3(b) and Annex C of Volume 1)</p> <p>Notice the provisions of Annex C (Proposal's Engineering Package - List of Submittals), regarding the content of part 2.</p> <p>The Engineering Package shall be inserted into a sealed envelope which shall be marked as "Tender no. R-42/2019 - Proposal Part 2 – Engineering Package".</p>		
<p>Process description</p>		
<p>Process flow diagram (PFD) including all equipment and instrumentation</p>		
<p>Mass balance for all process streams, including waste, chemicals and air.</p>		
<p>2D or 3D main equipment layout including piping greater than 80 mm</p>		
<p>Proposed Equipment List</p>		
<p>Instrumentation list</p>		
<p>Single line diagram</p>		

<p>Part 3 (section 12.3.3(c) and Tender Form G of Volume 1)</p> <p>Notice the provisions of section 9 and Tender Annex B of Volume 1, regarding the content of part 3.</p> <p>The Commercial Proposal shall be inserted into a sealed envelope which shall be marked as "Tender no. R-42/2019 - Proposal Part 3 – Commercial Proposal".</p>		
Tender Form G(1) – Capex		
Tender Form G(2) – Guaranteed Membrane Replacement Rates	- Including Membrane Manufacturer’s Undertaking.	
Tender Form G(3) - Guaranteed Energy Consumption		
Tender Form G(4) - Guaranteed Chemicals Consumption		
Tender Form G(5) - Guaranteed Feedwater Flow		
<p>Part 4 (section 12.3.3(d) of Volume 1)</p> <p>The undertaking shall be inserted into a sealed envelope which shall be marked as "Tender no. R-42/2019 - Proposal Part 4 – ICA Undertaking".</p>		
Tender Form F Undertaking for Business Cooperation	- Notice the provisions of Section 6 of Volume 1 .	

Notes:

- (a) The aforesaid items are not exhaustive. Please ensure all information required in **Volume 1** is included in the Proposal including the specific deliverables identified under the Tender Forms and Tender Annexes.

- (b) Please note the provisions of section 12.3.5 regarding the number of Proposal's copies and digital copies (USB) the Tenderers are required to submit.