

Tender 27/2022

**INVITATION FOR PRE-QUALIFICATION FOR THE
PARTICIPATION IN A TENDER TO OWN, OPERATE AND
MAINTAIN A HAZARDOUS WASTE INCINERATION
FACILITY IN NEOT HOVAV INDUSTRIAL AREA, ISRAEL**

19 April 2023

PRE-QUALIFICATION FORMS

Table of Contents

1. Information and Undertakings

- 1.1. PQ Form 1 - The Pre-Qualification Submission Letter**
- 1.2. PQ Form 2 - Participation Fee Proof of Payment**
- 1.3. PQ Form 3 - The Members of the Participant**
- 1.4. PQ Form 4 - The Participating Entity**
 - 1.4.1. Annex A - Certification of Incorporation**
 - 1.4.2. Annex B – Foreign Company/Partnership**
 - 1.4.3. Annex C – Affidavit – Public Entities Law**
 - 1.4.4. Annex D – No Tax Activity**
- 1.5. PQ Form 5 - Experience Provider Undertaking**
- 1.6. PQ Form 6 - Confirmation of Merging Company**

2. Professional Thresholds

- 2.1. PQ Form 7 - Operation and Maintenance Experience**
 - 2.1.1. Annex A – Confirmation of Independent Engineer**

3. Financial Thresholds

- 3.14. PQ Form 8 - Financial Robustness**
- 3.15. PQ Form 8A - Financial Robustness - Investment Funds**
- 3.16. PQ Form 9 - No Going Concern**

PRE-QUALIFICATION FORM “1”

THE PRE-QUALIFICATION SUBMISSION LETTER

(To be completed by the Authorized Representative of the Participant (if incorporated as of the Pre-Qualification Submission Date) or each Member, each on a separate form (if the Participant is not incorporated as of the Pre-Qualification Submission Date)

(Capitalized terms shall have the meaning ascribed to them in the Invitation)

**Re: INVITATION FOR PRE-QUALIFICATION TO PARTICIPATE IN A
TENDER TO OWN, OPERATE AND MAINTAIN A HAZARDOUS WASTE INCINERATION
FACILITY IN NEOT HOVAV INDUSTRIAL AREA, ISRAEL
(the “Invitation”)**

I, _____, the undersigned, make this affidavit on behalf of _____, the Participant (if the Participant is incorporated as of the Pre-Qualification Submission Date)/ the Member of the Participant (circle the relevant option):

In response to the Invitation, extending an invitation to submit a Pre-Qualification Submission, after careful review of the Invitation, declare, warranty, and represent as follows:

1. The Pre-Qualification Submission is submitted in accordance and in agreement with the terms and provisions contained in the Invitation, after careful review thereof.
2. The Pre-Qualification Submission is accurate, complete, and up to date as of the Pre-Qualification Submission Date, in accordance with the requirements of the Invitation.
3. The provisions of the Invitation are acknowledged and accepted, and without derogating from the generality of the provisions thereof, the Participant / Member understands that the submission of the Pre-Qualification Submission shall not be deemed in any way to create an obligation on the part of the Tender Committee to announce its compliance with the Pre-Qualification Requirements; that the Tender Committee has the right to reject, as it deems appropriate, the Pre-Qualification Submission submitted by the Participant; and that the Tender Committee has the right, as it deems appropriate, to annul the Pre-Qualification Process and to reject all Pre-Qualification Submissions at any time, all, in accordance with the provisions of the Invitation.
4. Detailed herein is information which the Participant/Member considers to be of a commercially sensitive or confidential nature concerning the Pre-Qualification Submission [to be completed in accordance with the provisions of Section 7.4 (Identification of Sensitive or Classified Information) of the Invitation]:

5. The following Addenda and Letters of Clarification to the Pre-Qualification Documents, issued before the Pre-Qualification Submission Date have been received and are integral parts of the Pre-Qualification Documents:

Clarifications and Addendum No. 1	Date Issued:
Clarifications and Addendum No. 2	Date Issued: _____
Clarifications and Addendum No. 3	Date Issued:
Clarifications and Addendum No. ____	Date Issued: _____

6. Authorized Representative(*): _____ e-mail: _____ address: _____
telephone number: _____ fax number: _____.

7. The Participant/Member hereby warrants and represents that, to the best of its knowledge and after conducting a due investigation, each of the Experience Providers complies with all applicable requirements of the Invitation pertaining to such Experience Provider.

(All Members shall appoint one Authorized Representative for the Participant, in accordance with the provisions of Section 5.2.6 of the Invitation.*

Date

Stamp and Signature

Attorney Confirmation

I, _____, the undersigned, hereby confirm that on _____ [date], _____ [name], Israeli I.D. number / _____ [country] Passport number _____, who is authorized to sign on behalf of _____, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: _____

Stamp and Signature: _____

Date: _____

PRE-QUALIFICATION FORM “2”

PARTICIPATION FEE PROOF OF PAYMENT

(The Participant is to attach a copy of the receipt for the payment of the Participation Fee)

PRE-QUALIFICATION FORM “3”

THE MEMBERS OF THE PARTICIPANT

(To be completed by the Participant)
 (Capitalized terms shall have the meaning ascribed to them in the Invitation)

I, _____, the undersigned, am making this affidavit on behalf of _____ (name of Participant, if the Participant is incorporated as of the Pre-Qualification Submission Date/ the consortium consisting of the following Members: _____):

The following entities shall form / have formed [circle the relevant option] the SPV constituting the Participant which submits this Pre-Qualification Submission:

Name	[Anticipated] Holdings in the Participant	Relying on a Guarantor	Serving as Guarantor for another Member	Investment Fund	Demonstrating Professional Threshold Experience
_____	_____%	<input type="checkbox"/> Yes: _____	<input type="checkbox"/> Yes: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____%	<input type="checkbox"/> Yes: _____	<input type="checkbox"/> Yes: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____%	<input type="checkbox"/> Yes: _____	<input type="checkbox"/> Yes: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____%	<input type="checkbox"/> Yes: _____	<input type="checkbox"/> Yes: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____%	<input type="checkbox"/> Yes: _____	<input type="checkbox"/> Yes: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____%	<input type="checkbox"/> Yes: _____	<input type="checkbox"/> Yes: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Please check as applicable:

- The Members listed above have already formed a legally incorporated SPV as the Participant, whose certificate of incorporation is attached to Annex A of Pre-Qualification Form “4”.
- The Members listed above have not yet formed a legally incorporated SPV as the Participant but undertake to do so by no later than the Bid Submission Date, as shall be determined in the Tender Selection Stage Documents, should the Participant be declared an Eligible Bidder.
- Sole Participant holding 100% of the SPV.

Date

Stamp and Signature

Attorney Confirmation

I, _____, the undersigned, hereby confirm that on _____[date], _____[name], Israeli I.D. number / _____[country] Passport number _____, who is authorized to sign on behalf of _____, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: _____

Stamp and Signature: _____

Date: _____

PRE-QUALIFICATION FORM “4”

THE PARTICIPATING ENTITY

*(To be completed by each Participating Entity, each on a separate form)
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

I, _____, the undersigned, am making this affidavit on behalf of _____ *(name of Participating Entity)*:

1. Name of Participating

Entity:

Business Address:

Phone:

Facsimile:

E-mail:

2. Role of the Participating Entity

[check as applicable, including if more than one role]

- The Participant (an incorporated SPV or a Member holding 100% of the Participant)
- Member of the Participant [Anticipated] Holdings in the Participant: _____%
- Experience Provider
- Major Subcontractor
- Guarantor

Names of Member(s) relying on Guarantor (if applicable)
(please indicate if the Guarantor holds Means of Control in
the Member*):

- 1. _____
- 2. _____
- 3. _____

** Please attach to Annex E hereunder, appropriate explanation, attested to by an attorney, demonstrated by applicable documentation, of such Control.*

- Investment Fund

Name

Title

Email & Phone

3. Authorized Signatory

4. Legal Corporate Status of Participating Entity:

(check applicable)

Limited Partnership

Limited Liability Company

General Partnership

Other
(explain)

5. Place of Incorporation

Please check as applicable:

- The Participating Entity is an entity incorporated under the laws of the state of Israel.
- The Participating Entity is a foreign entity incorporated under the laws of its domicile, which is: _____. Attached hereunder to Annex A of this Pre-Qualification Form are authenticated copies of the Participating Entity's certificate of incorporation, or their equivalent within its domicile.
- The Participating Entity is a foreign entity incorporated under the laws of its domicile, which is: _____, and is registered in Israel as a Foreign Company / Foreign Partnership [circle applicable category]. Authenticated copies of the Participating Entity's certification of such registration is attached hereunder to Annex B of this Pre-Qualification Form in addition to its certificate of incorporation, attached hereunder to Annex A of this Pre-Qualification Form.
- If the Participating Entity is incorporated in the State of Israel or registered in Israel as a Foreign Company as defined under the Companies Law 1999, it shall fill out the Affidavit required pursuant to the provisions of the Public Entities Transactions Law, 1976, attached to Annex C of this Pre-Qualification Form, and shall attach to said Annex C of this Pre-Qualification Form, an ascertainment of regular reports of revenues to the tax assessor and the director of V.A.T. in transactions that are taxable under the Value Added Tax Law 1975.
- If the Participating Entity is a Foreign Company registered in the State of Israel but which has not conducted any activity in Israel, or if it is a Foreign Company not registered with the Israeli Tax authorities and cannot provide such tax approvals, it shall attach to Annex D of this Pre-Qualification Form, hereunder (1) a declaration by an independent auditor; and (2)

an affidavit of a representative of its management, testifying to its status as such and to its consequential inability to provide such tax approvals.

6. Guarantor

- 6.1. If the Participating Entity is a Guarantor, it hereby requests that its own financial information, which is included in the Pre-Qualification Submission submitted by the Participant, will be taken into account in determination of the Participant’s compliance with the Financial Pre-Qualification Requirements of the Invitation, instead of the financial information of the Members relying on the Guarantor. The Guarantor shall attach to Annex E to this Pre-Qualification Form, its proof of Guarantor Control.
- 6.2. If the Participant is declared as an Eligible Participant, the Guarantor hereby undertakes to submit within the Participant’s bid (if submitted) by the participant, the undertaking that shall be required of a Guarantor as part of the Tender Documents.

7. Registration Number:

Place of Registration: _____
Date of Registration: _____

8. Interested Parties in the Participating Entity (as defined in the Invitation):

9. The Participating Entity hereby declares, warrants and represents the following:

- 9.1. The Participating Entity has thoroughly and carefully read the Invitation and agrees to all of the applicable provisions in the Invitation, and in particular to its obligations thereunder.
- 9.2. The information provided by the Participating Entity in this Pre-Qualification Submission is accurate, complete and up to date as of the Pre-Qualification Submission Date, in accordance with the requirements of the Invitation.
- 9.3. The Participating Entity acknowledges and accepts the provisions of the Invitation, and without derogating from the generality of the provisions thereof, understands that the submission of this Pre-Qualification Submission shall not be deemed in any way to create an obligation on the part of the Tender Committee to announce the Participant’s compliance (or the compliance of any of its Members, Guarantors or Experience Providers) with the Pre-Qualification Requirements; that the Tender Committee has the right to reject, as it deems appropriate, the Pre-Qualification Submission submitted by the Participant; and that the Tender Committee has the right, as it deems appropriate, to annul the Pre-Qualification Process and to reject all Pre-Qualification Submissions at any time, all in accordance with the provisions of the Invitation.
- 9.4. The Participating Entity hereby warrants and represents that it complies with and satisfies all the requirements stipulated in the Invitation.
- 9.5. Criminal Proceedings with respect to Offences (as defined in the Invitation) [check applicable]:
 - The Participating Entity hereby warrants and represents that it complies with and satisfies all of the requirements stipulated in Section 5.2.5 of the Invitation;
 - The Participating Entity does not comply with or satisfy the requirements stipulated in Sections 5.2.5 of the Invitation; [describe Offences in which the Participating Entity or any

Interested Party thereof (including individuals) was convicted or indicted]

- 9.6. The Participating Entity has not, directly or indirectly, induced or solicited any other Participating Entity to put in a false or misleading Pre-Qualification Submission, and has not by itself, either directly or indirectly, colluded, arranged or agreed with any other Participating Entity to secure any advantage against any other Participant, or to secure any advantage against the Tender Committee or GoI or anyone interested in the Tender.
- 9.7. The Participating Entity is participating in the Pre-Qualification stage only within the Pre-Qualification Submission to which this Pre-Qualification Form "4" is attached; and none of the Participating Entity's Affiliated Entities are participating in the Pre-Qualification Process other than within the Pre-Qualification Submission to which this Pre-Qualification Form "4" is attached.
- 9.8. To the best of the Participating Entity's knowledge, and with respect to those parts of the Pre-Qualification Submission concerned with the Participating Entity:
- 9.8.1. The Pre-Qualification Submission submitted by the Participant is not made in the interest of, or on behalf of, any undisclosed person, corporation, company, voluntary association, partnership, trust, or unincorporated association.
- 9.8.2. The Pre-Qualification Submission is genuine and not collusive or misleading.
- 9.8.3. All the information contained in the Pre-Qualification Submission is true, accurate, complete and current as of the Pre-Qualification Submission Date.

_____ Date

_____ Stamp and Signature

Attorney Confirmation

I, _____, the undersigned, hereby confirm that on _____ [date], _____ [name], Israeli I.D. number / _____ [country] Passport number _____, who is authorized to sign on behalf of _____, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: _____

Stamp and Signature: _____

Date: _____

PRE-QUALIFICATION FORM “4” - ANNEX A

Each Participating Entity shall attach hereunder an authenticated a copy of its Certificate of Incorporation.

PRE-QUALIFICATION FORM “4” - ANNEX B

Each Participating Entity which is a foreign entity registered in Israel as a Foreign Company / Foreign Partnership, shall attach hereunder an authenticated copy of its certification of registration as such.

PRE-QUALIFICATION FORM "4" - ANNEX C

Each Participating Entity who is (i) incorporated in the State of Israel or (ii) registered in the State of Israel as a Foreign Company, as defined under the Companies Law 1999, shall complete the following Affidavit, as required pursuant to the Public Entities Transactions Law 1976, and shall attach hereto an ascertainment of regular reports or revenues to the tax assessor and the director of V.A.T. in transactions that are taxable under the Value Added Tax Law 1975.

Affidavit

In accordance with the **Public Entities Transactions Law, 5736-1976** (hereinafter: "**Public Entities Transactions Law**"):

I, the undersigned _____ [Affiant's Full Name], bearer of _____ [Country] passport/Israeli I.D. no. _____, having been forewarned that I am to declare the truth and that I will be subject to the penalties imposed by law if I do not do so, hereby affirm in writing as follows:

1. I am authorized to make this Affidavit on behalf of _____ [Name of the Participating Entity/ Affiliates*] (hereinafter: the "**Company**") by the authorization of the Company; (*Affiliate for the purpose of this Affidavit, shall have the meaning ascribed thereto in the Public Entities Transactions Law).
2. Neither the Company, nor its Affiliates, (as applicable) have been convicted prior to the Pre-Qualification Submission Date, of more than two (2) peremptory judgments for felonies as they are defined under the **Foreign Workers (Prohibition of Unlawful Employments and Assurance of Fair Conditions) Law, 5751-1991**; and if convicted in peremptory judgments of more than two felonies under such law - the last conviction was not within one (1) year prior to the Bid Submission Date;
3. Neither the Company, nor its affiliates, (as applicable) have been convicted prior to the Pre-Qualification Submission Date, of more than two (2) peremptory judgments for felonies as they are defined under the **Minimum Wage Law, 5747-1987**; and if convicted in a peremptory judgment of more than two (2) felonies under such law - the last conviction was not within one (1) year prior to the Pre-Qualification Submission Date.
4. As of the Pre-Qualification Submission Date, the Company, either:
 - a. is not subject to the stipulations of Section 9 to **the Equal Rights for People with Disabilities Law, 5758-1998**; or
 - b. (i) is subject to the stipulations of Section 9 to **the Equal Rights for People with Disabilities Law, 5758-1998** and fully complies with such Law.
(ii) In the event the Company employs at least 100 employees, the Company undertakes to refer to the general manager of the Ministry of Labor, Welfare and Social Services for the purpose of affirming its compliance with Section 9 to **the Equal Rights for People with Disabilities Law, 5758-1998**, and obtaining any applicable instructions therefrom.
(iii) If the Company has made the commitment under Section 4(b)(ii) with respect to previous engagements, the Company declares that it has referred to the general manager of the Ministry of Labor, Welfare and Social

Services as required and has complied with all instructions received accordingly therefrom, if such were given.

- (iv) The Company undertakes to deliver a copy of this affidavit to the general manager of the Ministry of Labor, Welfare and Social Services within 30 days of the Signature Date of the Agreement, should such be made.

5. This is my name, this is my signature and the content of the Affidavit above is true.

DateStamp and Signature

Attorney Confirmation

I, _____, the undersigned, hereby confirm that on _____ [date], _____[name], Israeli I.D. number / _____ [country] Passport number _____, who is authorized to sign on behalf of _____, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: _____

Stamp and Signature: _____

Date: _____

PRE-QUALIFICATION FORM “4” - ANNEX D

Each Participating Entity who is a Foreign Company registered in the State of Israel but has not conducted any activity in Israel, or is not registered with the Israeli Tax authorities and thus cannot provide tax approvals, shall attach hereto:

1. *A declaration by an independent auditor; and*
2. *An affidavit of a representative of its management,*

each testifying to its status as a Foreign Company and to its consequential inability to provide tax approvals pursuant to Israeli Law.

PRE-QUALIFICATION FORM "4" - ANNEX E
PROOF OF GUARANTOR CONTROL

Each Guarantor shall attach appropriate explanation, attested to by an attorney, demonstrated by applicable documentation, e.g. reports issued by the Registrar of Companies, organizational charts, articles of association, etc. which prove and demonstrate its Control of the applicable Member(s).

PRE-QUALIFICATION FORM “5”

EXPERIENCE PROVIDER UNDERTAKING

*(To be completed by the Experience Provider (including if a Major Subcontractor))
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

I, the undersigned, _____ hereby issue this Undertaking on behalf of _____ regarding its role as Experience Provider (the “**Experience Provider**”) in its performance of _____ (the “**Reference Facility**”) presented in demonstration of compliance with the Professional Pre-Qualification Requirements, as part of the Pre-Qualification Submission submitted by _____ (the “**Participant**”).

If relying on a Supporting Entity, please complete:

The Experience Provider relied on _____ (the “**Supporting Entity**”) in demonstrating experience of the Reference Facility.

- The Supporting Entity is an SPE that is not a limited liability company, in which:
 - (i) The Experience Provider had Effective Holdings of ____% (at least 50%) of all Means of Control; and
 - (ii) All Entities which directly held the Means of Control in the SPE were responsible, jointly and severally, for the operation and maintenance of the Project.
 - A Supporting Entity which is a subsidiary of the Experience Provider provided that the Experience Provider has Effective Holdings of 51% or more of all Means of Control in the Supporting Entity.
 - A Supporting Entity which is Controlled by the same entity which Controls the Experience Provider, provided that the Controlling entity has Effective Holdings of at least 51% in both the Supporting Entity and the Experience Provider.
1. The Experience Provider hereby warrants and undertakes that it will be responsible for the execution of the operation and maintenance in the NH Facility, should the Participant be declared the successful bidder, as shall be specified in the Tender Documents, and shall enter into an agreement with the Participant for such purpose.
 2. Additional Undertakings
 - 2.1. The Experience Provider shall not assign or transfer any of its obligations pursuant to this Undertaking without the prior written approval of ESC.
 - 2.2. The Experience Provider shall provide ESC such information as ESC may reasonably require from time to time with respect to the performance of its obligations pursuant to this Undertaking.
 - 2.3. The Experience Provider shall notify ESC of any legal or technical changes, and any unusual events which affect its ability to perform its obligations pursuant to this Undertaking.

IN WITNESS WHEREOF, the Experience Provider has executed this Undertaking.

Date

Stamp and Signature

Attorney Confirmation

I, _____, the undersigned, hereby confirm that on _____ [date], _____[name], Israeli I.D. number / _____[country] Passport number _____, who is authorized to sign on behalf of _____, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: _____

Stamp and Signature: _____

Date: _____

PRE-QUALIFICATION FORM “6”

CONFIRMATION OF MERGING COMPANIES

(Each Experience Provider relying on a Supporting Entity as a Merging Company shall complete this form and attach the documents listed in Section 2, below.)

(Capitalized terms shall have the meaning ascribed to them in the Invitation)

I, _____, the undersigned, am making this affidavit on behalf of _____ (the Experience Provider).

1. In demonstrating compliance with the Professional Pre-Qualification Requirements of the Invitation, the Experience Provider relied on the experience of _____ (the Supporting Entity), in accordance with the following:

Following a Merger between the Experience Provider and the Supporting Entity, as such term is defined under the Companies Law 1999, which was completed prior to the Pre-Qualification Submission Date (“**Merger**”); or following the applicable jurisdiction’s equivalent of a Merger between the foreign Experience Provider and a foreign Supporting Entity, which was completed prior to the Pre-Qualification Submission Date.

Following the acquisition of 100% of all Means of Control of the Supporting Entity prior to the Pre-Qualification Submission Date (“**Acquisition**”).

Following the transfer of some or all assets of a Supporting Entity, or a business or a division thereof, as part of a corporate reorganization, to the Experience Provider, provided that (i) the Supporting Entity no longer holds any of the transferred assets, business or division (as applicable), and (ii) the transfer was completed prior to the Pre-Qualification Submission Date (“**Transfer**”).

2. Attached to Annex A hereto are (1) a confirmation by an Israeli lawyer / a formal certificate of the applicable statutory authority under the laws of the applicable jurisdiction, testifying to the date and results of the Merger/Acquisition/Transfer between the Experience Provider and the Supporting Entity; and (2) a description of the main features of the Merger/Acquisition/Transfer, issues by the Experience Provider’s external auditor or legal advisor.

_____ Date

_____ Stamp and Signature

Attorney Confirmation

I, _____, the undersigned, hereby confirm that on _____ [date], _____ [name], Israeli I.D. number / _____ [country] Passport number _____, who is authorized to sign on behalf of _____, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: _____

Stamp and Signature: _____

Date: _____

PRE-QUALIFICATION FORM “6” - ANNEX A

1. A confirmation by an Israeli lawyer / a formal certificate of the applicable statutory authority under the laws of the applicable jurisdiction, testifying to the date and results of the Merger/Acquisition/Transfer between the Experience Provider and the Supporting Entity; and
2. A description of the main features of the Merger/Acquisition/Transfer, issues by the Experience Provider’s external auditor or legal advisor.

PRE-QUALIFICATION FORM “7”

OPERATION AND MAINTENANCE EXPERIENCE

*(To be completed by the Experience Provider, including if a Major Subcontractor)
(Capitalized terms shall have the meaning ascribed to them in the Invitation)*

I, _____, the undersigned, am making this affidavit on behalf of _____ (name of Experience Provider):

Details of Reference Facility and Experience	
Name of Reference Facility	
Location of facility (city and country)	_____
Description of the Reference Facility addressing the following requirements: <ol style="list-style-type: none"> 1. Direct liquid injection while using a rotary kiln 2. incineration temperature at the secondary combustion chamber of no less than 1,100 degrees Celsius 3. design capacity of not less than 40,000 ton per year 4. average thermal output of no less than 15 MW 5. governed by either of the following regulations: <ol style="list-style-type: none"> (i) Israeli Law; (ii) Best Available Techniques (BAT) Reference Document for Waste incineration (WI BREF) and Directive 2010/75/EU of the European Parliament and of the Council of Industrial Emissions dated 24 November 2010 (Integrated Prevention and Control) (IED); (iii) USA, Japan or South Korea environmental laws, directives and codes with respect to hazardous waste incineration. 	_____
Experience as Lead Operator	<input type="checkbox"/> Yes <input type="checkbox"/> No

Type of Hazardous Waste	_____
Date of commencement of operation and maintenance by the Experience Provider [as of 1 January 2008] <i>[MM/YYYY]</i>	_____
Operation and maintenance of at least five consecutive years since commencement	<input type="checkbox"/> Yes <input type="checkbox"/> No
Client Details and Contact Person Information	_____
Executed by Supporting Entity	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No

_____ Date

_____ Stamp and Signature

Attorney Confirmation

I, _____, the undersigned, hereby confirm that on _____ [date], _____ [name], Israeli I.D. number / _____ [country] Passport number _____, who is authorized to sign on behalf of _____, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name: _____

Stamp and Signature: _____

Date: _____

PRE-QUALIFICATION FORM "7" – ANNEX A
CONFIRMATION BY INDEPENDENT ENGINEER

to be completed by an independent engineer, not employed by any Participating Entity, and registered as an engineer in accordance with the legal requirements of its domicile

I, _____, the undersigned, am making this affidavit as an independent engineer.

I am not employed by any of the Participating Entities.

I am not an Interested Party in any of the Participating Entities.

I am certified and registered as an engineer, compliant with all applicable legal requirements as stipulated by the law of my domicile.

I am not aware of any legal impediment to my making this affidavit.

I have examined the Reference Facility which details are as follows: _____ including the information made available to me and can confirm the following:

The Reference Facility is a high temperature Hazardous Waste (consisting of _____ [type of Hazardous Waste]) incineration facility for solids and liquids compliant with all of the following:

1. Direct liquid injection while using a rotary kiln
2. incineration temperature at the secondary combustion chamber of no less than 1,100 degrees Celsius
3. design capacity of not less than 40,000 ton per year
4. average thermal output of no less than 15 MW
5. governed by either of the following regulations: *(please mark as applicable)*
 - (i) Israeli Law;
 - (ii) Best Available Techniques (BAT) Reference Document for Waste incineration (WI BREF)

and

Directive 2010/75/EU of the European Parliament and of the Council of Industrial Emissions dated 24 November 2010 (Integrated Prevention and Control) (IED);

- (iii) USA, Japan or South Korea environmental laws, directives and codes with respect to hazardous waste incineration.

Date

Stamp and Signature

Attorney Confirmation

I, _____, the undersigned, hereby confirm that on _____ [date],
_____ [name], Israeli I.D. number / _____ [country] Passport number
_____, appeared before me, and after being cautioned that he/she is required to state the
truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law,
signed this statement in my presence.

Name: _____

Stamp and Signature: _____

Date: _____

PRE-QUALIFICATION FORM “8”

FINANCIAL ROBUSTNESS

(for Members which are not an Investment Fund)

*(To be completed by (1) an external auditor. Or (2) the CEO or CFO (or equivalent role) of the applicable Participating Entity and **in this case, the Participating Entity shall attach an external auditor’s verification/opinion according to accepted accounting principles of the contents of the declaration in this Form. There is no prescribed form of such verification)**)*
(Capitalized terms shall have the meaning ascribed to them in the Invitation)

I, _____, the undersigned, am making this affidavit on behalf of _____ (name of Sole Participant/ Member and/or Guarantor (as applicable)) as its external auditor or as its CEO or CFO, based on the information within its audited financial statements:

Please mark and complete one of the four following options:

- this form is being completed on behalf of a Sole Participant without a Guarantor*
- this form is being completed on behalf of a Member without a Guarantor*
- this form is being completed on behalf of a Guarantor who is also a Member:*

	<u>Name</u>	<u>Anticipated Holdings</u>
Guarantor (in its capacity as a Member):	_____	___%
Member(s) relying on the Guarantor:	_____	___%
	_____	___%
	_____	___%
Total Anticipated Holdings of the Guarantor and the Member(s) relying on the Guarantor (“ Total Anticipated Holdings ”):		___%

- this form is being completed on behalf of a Guarantor who is not a Member:*

	<u>Name</u>	<u>Anticipated Holdings</u>
Guarantor (which is not a Member):	_____	
Sole Participant or Member(s) relying on the Guarantor:	_____	___%
	_____	___%
	_____	___%
Total Anticipated Holdings of the Member(s) relying on the Guarantor (“ Total Anticipated Holdings ”):		___%

To be completed by all:

Financial Data of _____ (name of Sole Participant or Member or Guarantor (as applicable)) is denoted in _____ (name of original currency) as follows:

1. Equity

Equity (on the last day of the Latest Financial Statement –	_____
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2. The Equity Ratio is _____ (not lower than 25%).

3. Average Turnover (not relevant to Investment Funds)

Year	c – 2	c – 1	c [Latest Financial Statement]
Turnover	_____	_____	_____
Average Turnover	_____		

$$\text{Average Turnover} = \frac{TO_c + TO_{c-1} + TO_{c-2}}{3}$$

4. Operating Cash Flow (not relevant to Investment Funds)

Year	c – 2	c – 1	c [Latest Financial Statement]
Operating Cash Flow	_____	_____	_____
Cumulative Operating Cash Flow	_____		

Date

Stamp and Signature

Attorney Confirmation

This confirmation is not compulsory if the above form is signed by an external auditor

I, _____, the undersigned, hereby confirm that on _____ [date], _____ [name], Israeli I.D. number / _____ [country] Passport number _____, who is authorized to sign on behalf of _____, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

Name

Stamp and Signature

Date

PRE-QUALIFICATION FORM “8A”

FINANCIAL ROBUSTNESS - INVESTMENT FUNDS

*(To be completed by (1) an external auditor. Or (2) the CEO or CFO (or equivalent role) of the applicable Participating Entity and **in this case, the Participating Entity shall attach an external auditor’s verification/opinion according to accepted accounting principles of the contents of the declaration in this Form. There is no prescribed form of such verification**))*
(Capitalized terms shall have the meaning ascribed to them in the Invitation)

I, _____, the undersigned, am making this affidavit on behalf of _____(name of investment fund)) as its external auditor or as its CEO or CFO, based on the information within its audited financial statements:

This form is being completed by an Investment Fund.

Financial Data of _____ (name of Investment Fund) is denoted in _____(name of original currency).

An Investment Fund shall demonstrate either of the following:

- 1) **Option 1** - Equity in accordance with Clause 5.4.1.1 or 5.4.2.1, as applicable; or if the Investment Fund cannot demonstrate Equity, then:
- 2) **Option 2** - Unutilized Commitments under its management Clause 5.4.1.1 or 5.4.2.2, as applicable.

Please complete accordingly either Option 1 or Option 2:

Option 1

Equity (on the last day of the Latest Financial Statement)	
--	--

Option 2

Unutilized Commitments under its management	
---	--

_____ Date

_____ Stamp and Signature

Attorney Confirmation

This confirmation is not compulsory if the above form is signed by an external auditor

I, _____, the undersigned, hereby confirm that on _____ [date], _____[name], Israeli I.D. number / _____[country] Passport number _____, who is authorized to sign on behalf of _____, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

_____ Name

_____ Stamp and Signature

_____ Date

PRE-QUALIFICATION FORM "9"

NO GOING CONCERN

(To be completed by (1) an external auditor. Or (2) the CEO or CFO (or equivalent role) of the applicable Participating Entity and in this case, the Participating Entity shall attach an external auditor's verification/opinion according to accepted accounting principles of the contents of the declaration in this Form. There is no prescribed form of such verification))

(Capitalized terms shall have the meaning ascribed to them in the Invitation)

I, _____, the undersigned, am making this affidavit on behalf of _____ (name of Participating Entity) as its external auditor or as its CEO or CFO, based on the information within its audited financial statements:

I confirm that the Participating Entity is not under any voluntary or involuntary bankruptcy process (liquidation or reorganization), or receivership or commencement of a similar insolvency proceeding, and that the Participating Entity's most recent Financial Statement does not include any going concern notice or an equivalent thereof under the applicable accounting rules.

_____ Date Stamp and Signature

Attorney Confirmation

This confirmation is not compulsory if the above form is signed by an external auditor

I, _____, the undersigned, hereby confirm that on _____ [date], _____ [name], Israeli I.D. number / _____ [country] Passport number _____, who is authorized to sign on behalf of _____, and to commit it for purposes of the above stated Pre-Qualification Form, for all purposes and intents, appeared before me, and after being cautioned that he/she is required to state the truth, and that if he/she fails to do so he/she shall be liable to the punishments prescribed by Law, signed this statement in my presence.

_____ Name Stamp and Signature Date