

Updated Appendix 7

To:

Tenders Committee

Ayalon Highways Co. Ltd.

Dear Sir/Madam,

RE: **An Affidavit Concerning the Bidder's Status and Experience**¹

I, the Undersigned, Mr./Mrs. _____, bearer of the ID No. _____, after having been warned that I must declare the truth and that I shall be liable for the penalties prescribed by law if I do not do so, I hereby declare in writing as follows:

1. I have been lawfully authorized by _____ (hereinafter: "**The Bidder**") to sign this affidavit in support of its Proposal to Framework E-Tender (online) No. 15/21 for the Supply, Integration, Operation and Maintenance for a MTMS (Metropolitan Traffic Management System) and its Module(s) (hereinafter: "**The Tender**").
2. I hereby declare that the Bidder is not in receivership, suspension of proceedings, bankruptcy or liquidation and not facing any pending applications of this kind, or insolvency, nor have foreclosures been imposed on the Bidder's assets at a rate higher than its shareholders equity.
3. The Bidder wishes to submit a Proposal for (mark the suitable box):
 - Category A- A MTMS that consists of at least the MTMS Core Modules**
 - Category B - Individual Module(s)**
4. The Bidder meets the threshold condition specified in section 8.4/8.5 of Document A by (mark the suitable box):
 - The Bidder itself. If so, the Bidder will fill out only section 5 below.**
 - The proposed subcontractor** in the Tender, whose details are as follows:

Name: _____, Company No.: _____, Address:
_____ (hereinafter: "**The Subcontractor**").

¹The meaning and definition of the terms in this affidavit are as per their definition in Document A of the Tender Documents

If this box is checked, **the Bidder and the Subcontractor will submit Appendix 7a, detailing the experience of the Subcontractor (instead of the Bidder filling out section 5 below).**

In addition, the Bidder hereby declares the following:

The Bidder developed and implemented a command and control system priced at least at USD 1 million (excluding VAT and field equipment costs) in at least 2 different projects in the five years preceding the Deadline for Submission of Proposals.

Name of project	Project description	Description and name of command and control system developed and implemented in the project	Operation starting date MM/YY Operation end date MM/YY (if applicable)	Price of system (excluding VAT and field equipment costs)	References (should be numbered/titled and attached)

5. The Bidder hereby declares the following (mark the suitable box):

Category A

The Bidder has developed a MTMS which includes at a minimum, all the MTMS Core Modules, and such MTMS has been in operation in at least 2 Metropolitan Traffic Control Projects for at least 2 of the 3 years preceding the Deadline for Submission of Proposals.

Category B

The Bidder has developed the Individual Module(s) described below and each such Individual Module has been in operation in at least one Metropolitan Traffic Control Project for at least 2 of the 3 years preceding the Deadline for Submission of Proposals.

The Individual Module(s) being proposed:

1. _____
2. _____
3. _____

Below are details of each relevant Metropolitan Traffic Control Project that complies with the threshold conditions of the Tender (for Category A or B):

*Bidder must describe past experience, inter alia the scope of activity in operating a similar array, including at least references to the subjects contained in the table below. Bidder must attach to this affidavit **a separate table** (in this format only) **for each Metropolitan Traffic Control Project**, which the Bidder wishes to demonstrate.*

Title	Description	References (should be numbered/titled and attached)
The name of the Project	The system or systems with which the Bidder wishes to demonstrate its capabilities	
The metropolis where the Project was implemented	Name of the metropolis and number of residents	
Operation starting date MM/YY Operation end date MM/YY (if applicable)		
The operational and managerial entity	The name of the client including a contact person and his contact details (phone, email)	

<ul style="list-style-type: none"> - Main module(s) and capabilities developed by the Bidder - Description of the system into which the module(s) was integrated 	Detailed scope of main modules and capabilities implemented in the system	
Project scale	The length of the main highways controlled and managed by the system	
	The number of interchanges controlled and managed by the system	
	Number of traffic light intersections controlled and managed by the system	

6. This is my name, and this is my signature, and all I have stated is the truth.

Signature of the declarant

Attorney Affirmation

I the Undersigned _____, Attorney at Law, from _____ Street, hereby affirm that on the date _____ appeared before me in my office Mr./Mrs. _____, authorized to sign on behalf of the Bidder, and identified by means of an identity card No. _____, and after warning him/her to declare the truth and of the penalties prescribed law if he/she does not do so, affirmed the veracity of the affidavit above and signed before me.

The Attorney's Signature & Stamp

Appendix 7a

To:

Tenders Committee

Ayalon Highways Co. Ltd.

Dear Sir/Madam,

RE: **An Affidavit Concerning the Subcontractor's Experience**

The Bidder: _____, **Company No.** _____

The Subcontractor: _____, **Company No.** _____

We, the undersigned, lawfully authorized by the Bidder /Subcontractor to sign this affidavit in support of the Proposal to Framework E-Tender (online) No. 15/21 for the Supply, Integration, Operation and Maintenance for a MTMS (Metropolitan Traffic Management System) and its Module(s) (hereinafter: "**The Tender**"), after having been warned that we must declare the truth and that we shall be liable for the penalties prescribed by law if we do not do so, hereby declare in writing as follows:

1. The Subcontractor is a corporation incorporated in the State of Israel or a licensed dealer ("Osek Murshe") in the State of Israel or is an entity duly organized and validly existing under the laws of an Authorized State.
 - **Attached to this affidavit** is a an authorized dealer certificate and/or documents of incorporation as well as the current extract from the Corporate Registry or the Partnership Registry, as applicable.
2. The Subcontractor is not in receivership, suspension of proceedings, bankruptcy or liquidation and not facing any pending applications of this kind, or insolvency, nor have foreclosures been imposed on the Subcontractor's assets at a rate higher than its shareholders equity.
3. The Subcontractor (mark X in the suitable box):
 - Category A** - hereby declares the following:

The Subcontractor has developed a MTMS which includes at a minimum, all the MTMS Core Modules, and such MTMS has been in operation in at least 2 Metropolitan Traffic Control Projects for at least 2 of the 3 years preceding the Deadline for Submission of Proposals.

Category B – hereby declares the following:

The Subcontractor has developed the Individual Module(s) described below and each such Individual Module has been in operation in at least one Metropolitan Traffic Control Project for at least 2 of the 3 years preceding the Deadline for Submission of Proposals.

The Individual Module(s) being proposed:

3. _____

4. _____

3. _____

4. Below are details of each relevant Metropolitan Traffic Control Project that complies with the threshold conditions of the Tender (for Category A or B):

*Subcontractor must describe past experience, inter alia the scope of activity in operating a similar array, including at least references to the subjects contained in the table below. Subcontractor must attach to this affidavit **a separate table** (in this format only) for each **Metropolitan Traffic Control Project**, which the Subcontractor wishes to demonstrate.*

Title	Description	References (should be numbered/titled and attached)
The name of the Project	The system or systems with which the Subcontractor wishes to demonstrate its capabilities	
The metropolis where the Project was implemented	Name of the metropolis and number of residents	
Operation starting date MM/YY Operation end date MM/YY (if applicable)		

<p>The operational and managerial entity</p>	<p>The name of the client including a contact person and his contact details (phone, email)</p>	
<p>- Main module(s) and capabilities developed by the Subcontractor</p> <p>- Description of the system into which the module(s) was integrated</p>	<p>Detailed scope of main modules and capabilities implemented in the system</p>	
<p>Project scale</p>	<p>The length of the main highways controlled and managed by the system</p>	
	<p>The number of interchanges controlled and managed by the system</p>	
	<p>Number of traffic light intersections controlled and managed by the system</p>	

5. Insofar as the Bidder is declared as one of the winning Bidders in this Tender, we hereby undertake, jointly and severally, as follows:

5.1 To perform the services contractually agreed between the Bidder and the Subcontractor that the Subcontractor will perform (hereinafter: "**The Services**"), in a professional, and dedicated manner, in accordance with the Company's requirements, instructions and obligations and in accordance with the Tender Documents, the Specific Invitation, the proposal, the design reviews and all their appendices. Should the Bidder's proposal for a Specific Invitation be accepted by the Company, the Subcontractor shall provide the Services throughout the Period of Engagement for the Specific Task.

5.2 We hereby declare that we have carefully read and reviewed the provisions of the Framework Agreement and all other Tender Documents, including by a legal adviser on our behalf.

- 5.3 We acknowledge that the execution of the Services by the Subcontractor is subject to the Subcontractor signing this document, and its full compliance with the Tender requirements.
- 5.4 Without derogating from the Bidder's obligations, we acknowledge that all requirements, instructions and obligations in accordance with the Tender Documents, will apply to the Subcontractor. We confirm that the Company has no obligation towards the Subcontractor, and the Bidder will indemnify the Company upon its first demand for any expense and/or payment that the Company may incur due to an act or omission performed by the Subcontractor and/or anyone on its behalf.
- 5.5 The Bidder and Subcontractor will be jointly and severally liable towards the Company. The contract between the Bidder and the Subcontractor shall be a contract for the benefit of a third party – the Company.
- 5.6 A copy of the NDA attached as Appendix B of the Framework Agreement, signed by the Subcontractor, **is attached** as an appendix to this affidavit. Should the Bidder be awarded a Specific Task, the Subcontractor undertakes procure the signature on such NDA, of anyone on its behalf involved in rendering the Services, as well as on any information security and privacy guidelines the Company shall convey to the Framework Suppliers as part of the Specific Invitation.
- 5.7 The Bidder and Subcontractor hereby acknowledge and agree that if the Company terminates the Framework or Specific Agreement with the Bidder, for any reason, the Company may request the Bidder to assign its contract with the Subcontractor to the Company. Alternatively, the Company may directly engage with the Subcontractor or request its engagement with an alternative supplier selected by the Company. The terms of such agreement shall not be detrimental to the Company in comparison to the contract signed between the Bidder and the Subcontractor.
- 5.8 This affidavit will be valid throughout the entire Period of Engagement.

Signature of the Subcontractor

Signature of the Bidder

Attorney Affirmation

I the Undersigned _____, Attorney at Law, from _____ Street, hereby affirm that on the date _____ appeared before me in my office Mr./Mrs. _____, authorized to sign on behalf of the **Bidder**, and identified by means

of an identity card no. _____, and after warning him/her to declare the truth and of the penalties prescribed law if he/she does not do so, affirmed the veracity of the affidavit above and signed before me.

The Attorney's Signature & Stamp

Attorney Affirmation

I the Undersigned _____, Attorney at Law, from _____ Street, hereby affirm that on the date _____ appeared before me in my office Mr./Mrs. _____, authorized to sign on behalf of the **Subcontractor**, and identified by means of an identity card no. _____, and after warning him/her to declare the truth and of the penalties prescribed law if he/she does not do so, affirmed the veracity of the affidavit above and signed before me.

The Attorney's Signature & Stamp