

Date: July 13, 2021

Tender No. 24-2021– Supply of ELECTRIC AUTOMATIC TELESCOPIC SPREADERS for Rail Mounted Gantry Cranes (E-ATS-RMG) for Haifa Port Company Ltd.– Clarifications.

Please find questions / clarifications that HPC had received:

No.	Reference	Bidder's question	HPC 's answer
1.	Technical spec.	"The control system shall be based on relays logic"- can the spreaders be equipped with PLC instead of relays.	The control shall <u>be based on relays logic</u> as defined in the tender's technical specification
2.	Technical spec.	Position 16 of APPENDIX L "Signed specification to be submitted with note at the end of each page complies or not complies with requirement". Since in one page there are a lot of requirements and it could be that for some of them we are compliant and for some other not compliant, we will put the indication "COMP" or "NOT COMP" for each requirement in the same page. Is it OK?	Acceptable
3.	5.1	The lost height of 1300mm, has to be determined during engineering process, so we cannot give any dimension at the moment. ☐	It is a MANDATORY requirement as part of the technical Pre-requisites for participation in the tender. Therefore it must be fulfilled .
4.		The delivery of the Spreader shall be DAP Haifa. The price included for the freight in final price shall not be firm and final but it is an estimate subject to change (increase or decrease) in accordance with the	The winner will be decided according to the total sum of – 1. Price per Unit EXW in Euro currency only excluding VAT

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		actual freight cost of transportation of the Spreader. The freight estimate cost is included in the Total Contract Price, meaning that the freight estimate cost will be invoiced within the payment schedule of the Total Contract Price. Upon change in the freight cost in accordance with the actual freight cost, the Total Contract Price shall be adjusted accordingly. If the actual freight cost is higher than the estimated cost, the supplier shall invoice the Buyer the difference between the actual and the estimate. If the actual freight cost is lower than the estimated cost, the supplier shall refund the Buyer for the difference between the actual and the estimate.	<p>2. Price per all other costs DAP in Euro currency only excluding VAT</p> <p>In the last date of the bid submission.</p> <p>HPC accept that if there will be changes in the delivery prices the winner can update the DAP price one month ahead of the delivery and HPC will choose which incoterms to use – EXW/DAP</p>
5.		The parties are aware that the Coronavirus COVID-19 ("Coronavirus") was declared a global pandemic by the World Health Organization on March 11th, 2020. The Coronavirus may impact the normal execution and performance of a Contract. In the event that the Coronavirus has an impact on the performance of a Contract, the Seller shall notify the Buyer in writing without delay and be entitled to a reasonable extension of time on its performance or delivery obligations under this Contract. Factory Inspections might be subject to restrictions due to COVID.	One-month delay is acceptable.
6.		Do we need to include a list of recommended spare parts for 8 spreaders for 24 months and divide it into each spreader price?	No.
7.		Do we need to issue a statement saying that we are the manufacturer	Yes, As detailed in appendix L

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		of the spreaders?	
	Agreement		
8.	1.6	Will it be possible to visit the bidder's factory to examine the spreaders, as required, even if it is a factory that can and will be located in a country that has no diplomatic ties with Israel and / or Israeli entry problems	See "place of origin" paragraph 1.6
9.		We would like to clarify that any tax duties and levies imposed by Customs authorities are at HPC account. Import duties will not be included in our scope. HPC shall do its very best to secure a permit for "Non deduction" at source from the Israeli Tax Authority. Please confirm.	Confirmed.
10.	5.3 9.3	<u>Clarification.</u> The bidder suggests a maximum period of 7 days for issuance the acceptance certificate by HPC. In case it is not sent on that period it shall be deemed to have been accepted. QUESTION: We request HPC's confirmation	Request Denied Please find the acceptance test procedure in the technical specification.
11.	9.5	If the spreader is used for commercial use without HPC having issued an acceptance certificate then it would be deemed to have been accepted. HPC is requested to acknowledge and confirm	Please find the acceptance test procedure in the technical specification .part of the acceptance test is an Operational test conducted In actual operation conditions prior issue of acceptance.
12.	12.1	The bidder expects HPC to purchase the spare parts from him.	Denied.

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13.	13.1	Final configuration of the spreaders will be after design review. Please confirm.	See technical specification Par.6 "Design review and appraisal"
14.	13.4 & 13.5	Any additional test will have to be within the 14 days test period, and will be done to conform with the agreement. We would consider this as a base, Please acknowledge/confirm.	Denied. HPC shall make an effort to make any additional test in the quickest manner .
15.	15.2.3	Cannot be considered. Please confirm that it can be deleted.	Denied
16.	15.3	The supplier shall be entitled to receive all costs and lost profit accrued until the termination. Please acknowledge.	Denied
17.	21	The agreement for each spreader will last until warranty period for such spreader is ended. Is it possible?	Denied
18.	22.4	All intellectual property rights related to the Spreaders delivered by the Supplier including, without limitation, any and all software and/or documentation or data included in, with or comprising the Spreaders ("IPR"), and all ownership rights in and to the IPR shall remain solely and exclusively with the Supplier. The Supplier only grants HPC a license to use the IPR for the purposes of operation and maintenance of the equipment. Please acknowledge.	Supplier shall grant all data to enable operation, maintenance, repair & overhaul of the equipment.
19.	6	Our company policy is always by, 30% down payment and 70% before shipping. Will you consider to change it ?	Denied

It is hereby clarified that the Company's answers and clarifications to questions will be an integral part of the documents of the Tender and its instructions and will be submitted with the tender documents.

Merav Ben Shoa

Procurement Division