

Wednesday, February 12, 2014

Dear Sirs,

## Announcement No. 9

### Tender for the supply of - Fork Lift Trucks for Empty Containers (ECH-FLT) Tender No. ASH-1021-7.2013 (the: "Tender")

Further to the announcement made on August 19, 2013 (the "**Original Announcement**") and the announcements made on September 12, 2013 , October 10, 2013 , October 24, 2013 , November 4, 2013 , November 19, 2013 and on November 19, 2013 (the "**Other Announcements**"), with respect to the Tender, Ashdod Port Company ("**APC**") wishes to inform of amendments to the Original Announcement, and of the Tender documents as follows:

1. With respect to the condition specified in section 1.2 to the Invitation for Proposals form ("IFP"), regarding the receiving of proposals only from **manufacturers** of the **ECH-FLTs**, it is hereby clarified that APC will **also** receive sealed competitive proposals from authorized representative of such **manufacturer**, on behalf of the **manufacturer** (each authorized representative shall be referred to as the "Proposer" and collectively as the "Proposers"), based upon the same terms, covenants and provisions of the Proposal Documents as detailed in the IFP, and subject to the submission of Proposer's authorization certificate from the **manufacturer** of the proposed **ECH-FLTs**, to submit the Proposal to the Tender on its behalf, to represent the **manufacturer** in the Tender procedures and to act on its behalf in all matter regarding the Tender, in the form attached as **Attachment F** hereto.

Please be advised that in the event the Proposer is an authorized representative of the **manufacturer** of the proposed **ECH-FLTs**, the Proposer shall prove compliance by the **manufacturer** of all pre-requisite set forth in section 1.7 to the IFP. Moreover, such representation of **manufacturer** by its representative shall not relieve the **manufacturer** from full compliance with its Proposal and the Agreement. All requirements in the Proposal Documents apply to the **manufacturer** as named in the Proposer's Reply Form. In addition, it is hereby clarify that the Agreement to be signed with the selected Proposer shall be signed with the **manufacturer** of the **ECH-FLTs**, and not with its representative.

2. Accordingly, APC will extend the Tender procedures and allow Proposers (**manufacturers** of the **ECH-FLTs** or authorized representative of such **manufacturer**) who has not submitted Proposals to the Tender, to submit a Proposal in accordance with the Tender documents and conditions, including this Announcement no 9.

Therefore, the last date set for submission of the Proposals is set to Tuesday, March 25, 2014 at 14:00 IL time (the "**Last Date**").

3. Without derogating from the above mentioned, APC will allow Proposers (**manufacturers** of the **ECH-FLTs** or authorized representative of such **manufacturer**) that already has submitted their Proposals to the Tender box, to submit an alternative and updated proposals, no later than the Last Date, in accordance with the Tender documents and subject to the following:
  - 3.1 The alternative Proposal shall be marked by the Proposers as an alternative Proposal, **which will replace the Proposal that already submitted to the Tender box** and shall be binding and validate with respect to the Proposer (the "**Alternative Proposal**").
  - 3.2 APC will evaluate the Alternative Proposal or, to the extent such Proposers has not submitted an Alternative Proposals, APC will evaluate the Proposals which were already submitted to the Tender box.
  - 3.3 In accordance with this section 3, and as specified above in section 2, in the event the Proposer that intends to submit an Alternative Proposal is an authorized representative of the **manufacturer** of the proposed **ECH-FLTs**, Proposer shall submit within its Alternative Proposal the Proposer's authorization certificate in the form attached as Attachment F hereto. To the extent such Proposer does not intend to submit an Alternative Proposal, it shall submit Attachment F hereto together with this Announcement, as specified below.
4. All other provisions included in the Original Announcement remain the same.

**Please sign and submit this Announcement within your Technical Proposal to be submitted with respect to the Tender.**

**However, if the Proposer is a representative of the manufacturer of the proposed ECH-FLTs and does not intend to submit an Alternative Proposal as specified above, it shall sign and submit this Announcement, together with Attachment F hereto, via fax, to fax no. :+972-8-8590006**

Sincerely,

Ariel Avrahami

Secretary of the Tender Committee

Cc: Members of the Tender Committee

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature and Stamp

**Attachment F-**

**Tender for the supply of - Fork Lift Trucks for Empty Containers (ECH-FLT)**

**Tender No. ASH-1021-7.2013**

**Form of Manufacturer's Undertaking**

To: Ashdod Port Company Ltd.

We the undersigned, \_\_\_\_\_ the manufacturer  
of the equipment underlying the Tender.

Hereby certify as following:

1. \_\_\_\_\_ has submitted to Ashdod Port Company Ltd. a proposal with respect to Tender No. ASH-1021-7.2013, Tender for the supply of - Fork Lift Trucks for Empty Containers (ECH-FLT) and additional services (respectively, the: "Tender", the: "Proposal").
2. The Proposal was submitted by \_\_\_\_\_ which is our authorized representative for submitting the Proposal with respect to the Tender and for representing us and to act on our behalf in any matter concerning the Tender.
3. We hereby commit, to comply with the terms of the Proposal as well as any terms and conditions of an Agreement, if any, to be signed pursuant to such Tender between Ashdod Port Company Ltd. and us.

Name -

Title -

Signature -

Date -