

To: Participants of the Tender

Re: **Tender No. 36/17 for the Design, Acquisition, Installation, Integration, Training, Support and Maintenance of an Automated Vehicle Occupancy Detection System**

**Response No.4 to Questions and Requests for Clarifications of the Tender Documents**

Ayalon Highways Co. Ltd. (the "Company") is hereby publishing a response to questions and requests for clarifications of the Tender Documents submitted by the participating Bidders.

No.	Section	Question/Answer
<b>Questions regarding Volume A - TENDER CONDITIONS AND INSTRUCTIONS</b>		
1.	3.5	<p><b>Question:</b> Will the Company allow for multiple Bidders to bring a solution based on the same technology?</p> <p><b>Answer:</b> It is permissible for multiple Bidders to propose a solution based on the same technology.</p> <p>The words "Major Subcontractor" in Section 3.5 will be deleted.</p> <p>The following provision will be added under new Section 12.4:</p> <p>"In the event that multiple Bidders proposed a solution substantially based on the same technology, and such Bidders have received the highest total scores (weighted score of the quality factor and price factor), then the Company shall be entitled, at its sole discretion, to declare a Bidder which proposed a solution based on another technology and received the highest total score (except for the Bidders who proposed a solution based on the same technology), as the "Second POC Bidder", and such Bidder will also advance to the POC stage (instead of the Bidders who proposed a solution based on the same technology as proposed by the "Qualified Bidder").</p> <p>It is hereby clarified that the determination whether multiple Bidders proposed a solution substantially based on the same technology shall be at the sole and absolute discretion of the Company."</p>
2.	4	<p><b>Question:</b> The Tender requires the Bidder's System has been "supplied, installed and integrated at least one (1) System, in another project in the world, and that System is currently operating." It is further stated the System performs automated detection of vehicle occupants with at least 92% accuracy. How does the Company intend to confirm that the 92% accuracy is enforceable?</p> <p><b>Answer:</b> In order to demonstrate compliance with the requirements of Clause 4.2 of the Tender, the Bidder (or the Major Subcontractor, if relevant) shall provide as part of the Bid a signed affidavit in the form attached to the Tender as</p>

		<p><b>Appendix 8.</b></p> <p><b>The Company shall have the right, during any stage of the Tender process, to verify any or all of the information provided in any of the Bids and to request any clarifications to such information, from the Bidder and/or from any other third party.</b></p>
<b>Questions regarding Volume B – AGREEMENT</b>		
3.	4.4	<p><b>Question:</b> As it is common in Israel to adopt European and/or American standards as “generally accepted international standards”, please clarify if the Company requires compliance with General Data Protection Regulation (GDPR).</p> <p><b>Answer:</b> The AVOD System has to comply with all of the Israeli Law requirements.</p> <p>In this regard, please see answer to question 52 in Response No .1 to Questions and Requests for Clarifications that was published by the Company on the 31.10.2017, regarding the change in Law mechanism.</p>
<b>Questions regarding Volume C – SOW</b>		
4.	2.2	<p><b>Question:</b> Please confirm that the Performance Criteria defined in the Tender is sufficient for enforcement and possible challenge in court. Else, please provide Bidders with examples of the quality of “image” that can be accepted by the enforcement authorities.</p> <p><b>Answer:</b> Enforcement aspects are not part of the services that need to be provided by the Contractor. At this stage, the Tender requirements include only a reliable electronic record or an image.</p> <p>Moreover, the Enforcement aspects and criteria are to be set on a parallel process by the relevant authorities taking into consideration the Tender's results.</p> <p>Please note, that according to the Tender Documents the Contractor is obligated to provide the Company with Professional Services and such services may relate also to cooperation regarding the implementation of enforcement aspects.</p>
5.	3.3	<p><b>Question:</b> Please confirm that the Bidder is not at risk nor held responsible for privacy violations in accordance with the Law.</p> <p><b>Answer:</b> The request is unacceptable. The Contractor shall insure that the AVOD System and its Installation comply with any and all information security, cyber security and privacy requirements and restrictions set forth in the Agreement, under the SOW and/or under any applicable Laws.</p>
6.	3.4	<p><b>Question:</b> “any other valid approach”:          - will the Company consider a vehicle “opt-in” solution for on-site enforcement by Police as a valid approach?          - please clarify if the proposed solution requires fixed location such as on-board unit or roadside equipment?</p> <p><b>Answer:</b> The Company reserves the right to examine any solution that it deems appropriate for its needs, other than those specified in the SOW.          The Company is unable to consider solutions without detailed information regarding the proposed solution.</p>
7.	3	<p><b>Question:</b> Does the Company have any forecast estimates for the following:</p>

		a) annual number of HOV transactions (total qualifying trips on these lanes). b) forecast of unique vehicles expected to use HOV lanes (unique number of cars - not all the trips they take).
		<b><u>Answer:</u> The roads in which the AVOD Systems will be installed are not yet determined. Therefore, such estimation is impossible at this stage.</b>

\* \* \*

**This clarifications document, constitutes an integral part of the Tender Documents, and the Bidder is requested to attach a signed copy thereof to its Bid.**

**Name of Bidder:** \_\_\_\_\_ **Bidder's Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_