

ANNEX 9-A
PART 2
LIST OF COMMITMENTS OF ISRAEL

SECTION A: CENTRAL GOVERNMENT ENTITIES

Supplies¹

Threshold: 130,000 SDR

Services (as specified in section E)

Threshold: 130,000 SDR

Construction Services (as specified in section F)

Threshold: 8,500,000 SDR

Starting from the sixth year after coming into force of the revised GPA for Israel:
5,000,000 SDR

List of Entities:

1. House of Representatives (the Knesset)
2. Prime Minister's Office
3. Ministry of Agriculture and Rural Development
4. Ministry of Communications
5. Ministry of Construction and Housing
6. Ministry of Education, Culture and Sport
7. Ministry of National Infrastructures excluding Fuel Authority
8. Ministry of the Environment
9. Ministry of Finance
10. Civil Service Commission
11. Ministry of Foreign Affairs
12. Ministry of Health (1)
13. Ministry of Immigrants Absorption
14. Ministry of Economy
15. Ministry of the Interior
16. Ministry of Justice
17. Ministry of Social Affairs
18. Ministry of Science and Technology
19. Ministry of Tourism
20. Ministry of Transport
21. Office of the State Comptroller and Ombudsman

The following entities will be added to Israel's coverage under the Chapter, at the time that the results of the renegotiation of the Government Procurement Agreement (GPA) enter into force for Israel:

¹ This term shall be construed in an equivalent manner to the term "goods" as referred to in Part 1 of this Annex (List of Commitments of Colombia).

1. Central Bureau of Statistics
2. Small and Medium Business Agency
3. Geological Survey of Israel
4. The Administration for Rural Residential, Education and Youth Aliyah
5. Survey of Israel

Note to this section:

(1) Ministry of Health - Excepted Products

- Intravenous solution
- Administration sets for transfusions
- Hemi-dialysis and blood lines
- Insulin and infusion pumps ⁽¹⁾
- Audiometers ⁽¹⁾
- Medical dressings (bandages, adhesive tapes excluding gauze bandages and gauze pads) ⁽¹⁾
- Scalp vein sets ⁽¹⁾
- Blood packs ⁽¹⁾
- Syringe needles ⁽¹⁾

⁽¹⁾ These products will be removed from the scope of this Note at the time that the results of the renegotiation of the Government Procurement Agreement (GPA) enter into force for Israel.

SECTION B: SUB-CENTRAL GOVERNMENT ENTITIES

Supplies²

Threshold: 250,000 SDR

Services (as specified in section E)

Threshold: 250,000 SDR

Construction Services (as specified in section F) ⁽²⁾

Threshold: 8,500,000 SDR

List of Entities:

Municipalities of Jerusalem, Tel-Aviv and Haifa

Local Government Economic Services Ltd.

Note to this Section:

⁽²⁾ In the event that Israel agrees to lower thresholds under any future international agreement, the lowest level shall be immediately and unconditionally extended to Colombia.

² This term shall be construed in an equivalent manner to the term “goods” as referred to in Part 1 of this Annex (List of Commitments of Colombia).

SECTION C: OTHER COVERED ENTITIES

Supplies³

Threshold: 355,000 SDR

Services (as specified in section E)

Threshold: 355,000 SDR

Construction Services (as specified in section F) ⁽⁴⁾

Threshold: 8,500,000 SDR

List of Entities:

1. Israel Airports Authority
2. Israel Ports Development and Assets Company Ltd. ⁽¹⁾
3. Ashod Port Company Ltd. ⁽¹⁾
4. Haifa Port Company Ltd. ⁽¹⁾
5. Israel Railways Ltd. ⁽¹⁾
6. Israel Broadcasting Authority
7. Israel Educational Television
8. Israel Postal Company Ltd.
9. The Israel Electric Corp. Ltd. ⁽¹⁾⁽²⁾
10. Mekorot Water Co. Ltd.
11. Sports' Gambling Arrangement Board
12. The Standards Institution of Israel
13. National Insurance Institute of Israel

The following entities will be added to Israel's coverage under the Chapter, at the time that the results of the renegotiation of the Government Procurement Agreement (GPA) enter into force for Israel:

1. Environmental Services Company Ltd.
2. Arim Urban Development Ltd.
3. The Marine Trust Ltd.
4. The Dead Sea Preservation Government Company Ltd.
5. Eilat Foreshore Development Company Ltd.
6. Old Acre Development Company Ltd.
7. The Geophysical Institute Of Israel
8. Association of Better Housing
9. The Marine Education and Training Authority
10. All entities operating in the field of urban transport, except those operating in the field of bus services ⁽³⁾

³ This term shall be construed in an equivalent manner to the term "goods" as referred to in Part 1 of this Annex (List of Commitments of Colombia).

Notes to this section

- (1) Procurement of cables is excluded.
- (2) Excluded products: cables (H.S. 8544), transformers (H.S. 8504), disconnectors and switchers (H.S. 8535-8537), electric motors (H.S. 85012099, 85015299, 85015199, 85015290, 85014099, 85015390).
- (3) With regard to procurement by entities operating in the field of urban transport, except those operating in the field of bus service, such procurement is open to suppliers from Colombia under the condition of mutual reciprocity.
- (4) In the event that Israel agrees to lower thresholds under any future international agreement, the lowest level shall be immediately and unconditionally extended to Colombia.

SECTION D: GOODS

The Agreement covers procurement of all goods procured by the entities listed in Sections A through C, unless otherwise specified in the Agreement.

SECTION E: SERVICES OF THE UNIVERSAL LIST OF SERVICES, AS CONTAINED IN DOCUMENT MTN.GNS/W/120

<i>CPCprov</i>	<i>Description</i>
6112, 6122, 633, 886	Maintenance and repair services
641	Hotel and similar accommodation services
642-3	Food and beverage serving services
712	Land transport services
73	Passenger transportation services
7471	Travel agency and tour operator services
752	Telecommunications services
821	Real estate services involving own or leased property
83106	Leasing or rental services concerning machinery and equipment without operator only
to 83109	
83203	Leasing or rental services concerning personal and household goods only
to 83209	
84	Computer and related services
861	Legal services (advisory services on foreign and international law only)
862	Accounting, auditing and bookkeeping services
863	Taxation services (excluding legal services)
864	Market research and public opinion
865-6	Management consulting
867	Architectural services; engineering services and integrated engineering services, urban planning and landscape architectural services; related scientific and technical consulting services; technical testing and analysis services
871	Advertising services
874, 82201-82206	Building-cleaning services and property management services
876	Packaging services
8814	Services incidental to forestry and logging, including forest management
883	Services incidental to mining, including drilling and field services
88442	Publishing and printing services on a fee or contract basis

887	Services incidental to energy distribution
9401-5	Environmental services

The following services will be added to Israel's coverage under the Chapter, at the time that the results of the renegotiation of the Government Procurement Agreement (GPA) enter into force for Israel:

<i>CPCprov</i>	<i>Description</i>
7512	Commercial courier services (including multi-modal)
812 and 814	Financial services (insurance services, banking and investment services)
87304	Armoured car services
924	Adult education services
929	Other education services
94	Sewage and refuse disposal; sanitation and similar services

Notes to this section:

1. CPCprov refers to the United Nations Provisional Central Product Classification (hereinafter referred to "CPCprov")
2. The offer regarding services (including construction) is subject to the limitation and conditions specified in Israel's schedule of the GATS

SECTION F: CONSTRUCTION SERVICES

Definition: A construction services contract is a contract which has as its objective the realization by whatever means of civil or building works, in the sense of Division 51 of the CPCprov.

List of construction services:

<i>CPCprov</i>	<i>Description</i>
511	Pre-erection work at construction sites
512	Construction work for buildings
513	Construction work for civil engineering
514	Assembly and erection of prefabricated construction
515	Special trade construction work
516	Installation work
517	Building completion and finishing work
518	Renting services related to equipment for construction

SECTION G: GENERAL NOTES

- (1) The Agreement shall not apply to contracts awarded for purposes of re-sale or hire to third parties, provided that the contracting entity enjoys no special or exclusive right to sell or hire the subject of such contracts and other entities are free to sell or hire it under the same conditions as the contracting entity.
- (2) The Agreement shall not apply to contracts for the purchase of water and for the supply of energy and of fuels for the production of energy.
- (3) The Agreement shall not apply to the acquisition or rental of land, buildings or other immovable property, or concerning rights thereon.

NOTE

OFFSET

Having regard to paragraph 9.4.5 (offsets), Israel may operate provisions which require the limited incorporation of domestic content, offset procurement or transfer of technology, in the form of objective and clearly defined conditions for participation in procedures for the award of procurement, which do not discriminate between suppliers of the other Party and any other foreign supplier.

This shall be done under the following terms:

- (a) Israel shall ensure that its entities indicate the existence of such conditions in their tender notices and specify them clearly in the contract documents.
- (b) Suppliers will not be required to purchase goods that are not offered on competitive terms, including price and quality, or to take any action which is not justified from a commercial standpoint.
- (c) Offsets in any form may be required up to 20 per cent of the contract, for procurements above the threshold of 3 million SDR.
- (d) Starting from the sixth year after coming into force for Israel of the revised GPA, for procurements above the threshold of 3 million SDR, offsets shall no longer be applied by entities covered under Sections A, B and C of this Part excluding the following entities which will continue requiring offset up to 20 per cent of the contract, until the beginning of the ninth year, after which they will apply offset up to 18 per cent:

Section A

1. Ministry of Agriculture and Rural Development
2. Ministry of Construction and Housing
3. Ministry of National Infrastructures excluding Fuel Authority
4. Ministry of Finance
5. Ministry of Health
6. Ministry of the Interior
7. Ministry of Transport

Section B

Local Government Economic Services Ltd.

Section C

1. Israel Airports Authority
2. Israel Ports Development and Assets Company Ltd.

3. Association of Better Housing
4. Ashod Port Company Ltd.
5. Haifa Port Company Ltd.
6. Eilat Port Company Ltd.
7. Arim Urban Development Ltd.
8. Eilat Foreshore Development Company Ltd.
9. Old Acre Development Company Ltd.
10. Israel Railways Ltd.
11. Israel Postal Company Ltd.
12. The Israel Electric Corp. Ltd.
13. Mekorot Water Co. Ltd.

All entities operating in the field of urban transport, except those operating in the field of bus services

- (e) Starting from the eleventh year after coming into force for Israel of the revised GPA, for procurement above the threshold of 3 million SDR, offsets shall no longer be applied by entities covered under Sections A, B and C of this Part, excluding the following entities which will continue requiring offsets up to 18 per cent of the contract:

Section A

1. Ministry of National Infrastructures excluding Fuel Authority
2. Ministry of Finance
3. Ministry of Health
4. Ministry of Transport

Section B

Local Government Economic Services Ltd.

Section C

1. Israel Airports Authority
2. Israel Ports Development and Assets Company Ltd.
3. Ashod Port Company Ltd.
4. Haifa Port Company Ltd.
5. Eilat Port Company Ltd.
6. Israel Railways Ltd.
7. Israel Postal Company Ltd.
8. The Israel Electric Corp. Ltd.
9. Mekorot Water Co. Ltd.

- (f) Starting from the 16th year after coming into force of the revised GPA, the requirement for offsets will not be applied with regard to covered procurement.