

Project Administration Manual

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Socialist Republic of Viet Nam: Second Lower
Secondary Education for the Most Disadvantaged
Areas Project

Contents

ABBREVIATION

I.	PROJECT DESCRIPTION	1
II.	IMPLEMENTATION PLANS	8
	A. Project Readiness Activities	8
	B. Overall Project Implementation Plan	11
III.	PROJECT MANAGEMENT ARRANGEMENTS	13
	A. Project Implementation Organizations – Roles and Responsibilities	13
	B. Key Persons Involved in Implementation	14
	C. Project Organization Structure	15
IV.	COSTS AND FINANCING	15
	A. Detailed Cost Estimates by Expenditure Category	19
	B. Allocation and Withdrawal of Loan Proceeds	20
	C. Detailed Cost Estimates by Financier	21
	D. Detailed Cost Estimates by Outputs/Components	22
	E. Detailed Cost Estimates by Year	23
	F. Contract and Disbursement S-curve	24
	G. Funds Flow Diagrams	24
V.	FINANCIAL MANAGEMENT	27
	A. Financial Management Assessment	27
	B. Disbursement	32
	C. Accounting	33
	D. Auditing and Public Disclosure	34
VI.	PROCUREMENT AND CONSULTING SERVICES	35
	A. Advance Contracting and Retroactive Financing	35
	B. Procurement of Goods, Works, and Consulting Services	36
	C. Procurement Plan	37
	D. Summary Consulting Services	54
VII.	SAFEGUARDS	58
VIII.	GENDER AND SOCIAL DIMENSIONS	60
IX.	PERFORMANCE MONITORING, EVALUATION, REPORTING, AND COMMUNICATION	66
	A. Project Design and Monitoring Framework	667
	B. Monitoring	70
	C. Evaluation	71
	D. Reporting	71
	E. Stakeholder Communication Strategy	72
X.	ANTICORRUPTION POLICY	72
XI.	ACCOUNTABILITY MECHANISM	72
XII.	RECORD OF PAM CHANGES	72
	APPENDIXES	73
	APPENDIX 1: IN-COUNTRY STAFF DEVELOPMENT PLAN	74
	APPENDIX 2: DETAILED PROJECT ACTIVITIES AND BUDGET ALLOCATION (12 May 2014)	76
	APPENDIX 3: PROCUREMENT CAPACITY ASSESSMENT REPORT	95

Project Administration Manual Purpose and Process

The project administration manual (PAM) describes the essential administrative and management requirements to implement the project on time, within budget, and in accordance with Government and Asian Development Bank (ADB) policies and procedures. The PAM should include references to all available templates and instructions either through linkages to relevant URLs or directly incorporated in the PAM.

The Ministry of Education and Training (MOET) and the Central Project Management Unit (CPMU) are wholly responsible for the implementation of ADB financed projects, as agreed jointly between the borrower and ADB, and in accordance with Government and ADB's policies and procedures. ADB staff is responsible to support implementation including compliance by MOET and CPMU of their obligations and responsibilities for project implementation in accordance with ADB's policies and procedures.

At Loan Negotiations the borrower and ADB shall agree to the PAM and ensure consistency with the Loan Agreement. Such agreement shall be reflected in the minutes of the Loan Negotiations. In the event of any discrepancy or contradiction between the PAM and the Loan Agreement, the provisions of the Loan Agreement shall prevail.

After ADB Board approval of the project's report and recommendations of the President (RRP) changes in implementation arrangements are subject to agreement and approval pursuant to relevant Government and ADB administrative procedures (including the Project Administration Instructions) and upon such approval, they will be subsequently incorporated in the PAM.

ABBREVIATIONS

ADB	–	Asian Development Bank
ADF	–	Asian Development Fund
AFS	–	audited financial statement
BCC	–	behavior change communication
BOET	–	bureau of education and training (district)
CPMU	–	central project management unit
CEC	–	continuing education center
DOET	–	department of education and training (province)
DPF	–	Department of Planning and Finance
DSE	–	Department of Secondary Education
DMF	–	design and monitoring framework
EA	–	executing agency
EMIS	–	education management information system
EOI	–	expression of interest
FMA	–	financial management assessment
FRA	–	financial risk assessment
FBS	–	fixed budget selection
FTP	–	full technical proposal
GAP	–	gender action plan
GDFE	–	General Department of School Facilities, Equipment, and Children's Toys
ICS	–	individual consultant selection
ICT	–	information and communication technology
INSETT	–	in-service teacher training
ICB	–	international competitive bidding
LCS	–	least cost selection
LSE	–	lower secondary education
LSEMDAP II	–	Second Lower Secondary Education for the Most Disadvantaged Areas Project
LSEMDRP	–	Lower Secondary Education for the Most Disadvantaged Regions Project
LSS	–	lower secondary school
MOET	–	Ministry of Education and Training
MOF	–	Ministry of Finance
MPI	–	Ministry of Planning and Investment
M&E	–	monitoring and evaluation
NCB	–	national competitive bidding
NER	–	net enrolment rate
OST	–	overseas staff training
PCA	–	Procurement Capacity Assessment
PAM	–	project administration manual
PCR	–	project completion report
PPC	–	Provincial People's Committee
PPMU	–	provincial project management unit
PPMS	–	project performance management system
PPTA	–	project preparatory technical assistance
QCBS	–	quality- and cost-based selection
RRP	–	Report and Recommendation of the President to the Board
SDAP	–	social development action plan

SPS	–	Safeguard Policy Statement
SBV	–	State Bank of Viet Nam
SESMP	–	Secondary Education Sector Master Plan, 2011–2015 up to 2020
SOE	–	Statement of expenditure
SPS	–	Safeguard Policy Statement
ST	–	State Treasury
SPRSS	–	summary poverty reduction and social strategy
TOR	–	terms of reference
VAS	–	Vietnamese accounting standards
VND	–	Viet Nam Dong
WB	–	World Bank

I. PROJECT DESCRIPTION

A. Rationale

1. The Second Lower Secondary Education for the Most Disadvantaged Areas Project (LSEMDAP II/the Project) is a continuation of the first Lower Secondary Education for the Most Disadvantaged Regions Project (LSEMDRP), which has successfully been implemented and will be completed by the end of 2014. The LSEMDAP II will help the Government of Viet Nam (the Government) promote its ongoing initiative of helping the poor and near-poor through enhancement of lower secondary education (LSE), which directly contributes to the expansion of opportunities. As more than 50% of the poor population in Viet Nam belong to ethnic minority groups, the project will target areas in the northern midlands and mountains, central highlands, typhoon-affected, and the Mekong river delta, which have large ethnic minority populations.

2. **Socioeconomic context.** Viet Nam has exhibited remarkable economic growth since the early 2000s, associated with significant achievements in the Millennium Development Goals. Consistently strong economic growth together with limited population increase, have resulted in an increased per capita income, from \$390 in 2000 to \$1,596 in 2012. A survey commissioned by the Ministry of Labor, Invalids, and Social Affairs (MOLISA) in 2013 found that over the period, 2000–2013, poverty incidence in Viet Nam has dropped from 20% to less than 8%. However, the decline in poverty index has not been uniform across the different regions of the country, and the incidence of poverty varies significantly across regions and among ethnic groups. The socioeconomic conditions of the rural areas and disaster-hit regions are still poor.

3. **Ethnic minorities in Viet Nam.** Viet Nam has 54 ethnic groups, including the majority Kinh (Vietnamese), and EMs account for 13% of the total population. The ethnic minority groups mainly inhabit mountainous, coastal, and remote areas, which have a complex topography, difficult transportation and communication, and harsh climate. The majority of ethnic minorities still depend mainly on subsistence agriculture for their livelihood. Off-farm employment or paid employment opportunities in both rural and urban areas are still limited due to a number of factors, such as low level of education, less mobility and productive lands, limited Vietnamese language capacity, lower market access, stereotyping, and the cultural barrier. The World Bank (WB)'s Viet Nam Poverty Assessment, 2012 reported that as of 2010, about 66.3% of ethnic minorities still lived below the poverty line, and 37.4% lived below the extreme poverty line, on the average. In comparison, only 12.9% of the Kinh majority population was still poor, and only 2.9% lived below the extreme poverty line in 2010.

4. **Education for ethnic minorities.** In the education sector, Viet Nam has shown a notable achievement, both in terms of expansion of access to schooling and improvement of quality of education. As indicated in the Education Development Strategic Plan, 2011–2020, one of the priority subsectors in Viet Nam is LSE, which is important as a basic need of good quality life and labor competitiveness. The Government's Socioeconomic Development Strategy, 2011–2020 also requests that the Constitution, the Party, and the Government should affirm the rights of minorities to education by creating opportunities and providing support for their children to obtain education relevant to their needs. However, the gaps in access to, and completion of, good quality and relevant LSE among different regions and ethnic groups still remain. Among ethnic groups, girls lag behind boys

5. **Achievements of the Lower Secondary Education for the Most Disadvantaged Regions Project.** The first phase project, LSEMDRP, primarily aimed to improve access to, and retention in, LSE in the most disadvantaged 103 districts of the poorest 17 provinces. The

project has produced a positive impact in terms of improvements in access, enrolment, promotion, completion, and reduction in dropout rate, especially among girls and ethnic minority children. The achievements of the LSEMDRP from school year (SY) 2008 to SY2011 is summarized as follows: (i) net enrolment rate (NER) among the project schools rose from 73.9% to 75.4%; (ii) dropout rate declined from 3.81% to 2.71%; (iii) completion rate improved from 96.17% to 96.96%; and (iv) promotion rate improved from 92.28% to 93.62%.

6. **Remaining and new challenges.** While the LSEMDRP was successfully implemented and achieved its expected project outcome, several issues remain, and new challenges have emerged, that need to be addressed. These include the following: (i) the access of ethnic minorities to LSE is still limited due to the lack of classrooms and semi-boarding facilities as well as the lack of parents' awareness of the need for education, particularly for girls; (ii) the LSE curriculum is irrelevant to the local needs of ethnic groups, and the low quality of teaching and learning results in less motivation for ethnic minority students to complete LSE; and (iii) majority of the small LSSs in remote areas have scarce financial and human resources, which make it difficult for the schools to provide capacity development opportunities for teachers and school principals by themselves and education facilities such as libraries and science laboratories.

7. **Limited access and retention.** The national LSE NER, while having improved significantly, is still below the Government's target, due in part to the lower rates among the disadvantaged areas. The NER among the target LSSs from LSEMDRP was 75.4% in SY2011, while the national average was 81.4% in 2012. Female shared only 45.3% among the enrolled ethnic group students in project area regions in SY2012-2013, indicating a significant gender gap. Dropout rates among LSE students in disadvantaged areas are still high, and the rates are often higher in areas with large numbers of ethnic minority students. In the disadvantaged provinces served by LSEMDRP, the dropout rate in SY2010 among ethnic minority students was 4.5%, compared to the overall rate of 2.7% in these areas. Difficulty of commuting, demand on children to support their families, early marriages, and nomadic farming, all adversely affect the ability of children in ethnic minority areas to attend schools. In a large number of disadvantaged areas, the percentage of temporary schools is still high compared to the national norm. Boarding facilities for students, kitchens, and sanitation facilities in remote areas either do not exist or do not meet standards. Access to LSE needs to be expanded, and educational opportunities provided to disadvantaged students.

8. **Poor quality and relevance of learning and teaching.** While the performance of 15-year-old students in Viet Nam is high relative to many developing and developed countries, the achievement of disadvantaged students, particularly the ethnic minorities, is very much lower. In SY2008, only 38.5% of Grade 9 ethnic minority students achieved the acceptable standard in mathematics, and only 44.4% in physics compared to the majority Kinh student population, where 62.2% and 60.6%, respectively, achieved the standard. Only 31.0% of Grade 9 students in the central highlands area achieved the standard in mathematics. To continue to have strong international performance while better addressing the needs of disadvantaged students, the Ministry of Education and Training (MOET) is undertaking several reforms, including improving the quality of teachers and teaching methods, curriculum upgrading, and targeted population initiatives. MOET will adopt a new curriculum after 2015 in accordance with anticipated economic and social needs. This new curriculum framework will provide flexibility for various regions of the country to develop courses and programs that are relevant and suitable to regional conditions.

9. **Limited financial and human resources in remote schools.** School managers and teachers in remote areas have fewer opportunities to exchange and share professional

experience and lack opportunities to receive regular in-service training or engage in self-development activities to improve their skills, in particular selected areas such as science and math education, language training, and extracurricular activities offered at school libraries which can function as resource centers for ethnic minority teachers and students. Currently, there is a shortage of LSE teachers in several remote areas. One of the reasons cited by teachers for not staying in remote areas is the lack of opportunities to improve their knowledge and professional qualifications. School-based planning and management capacity also tend to be weak in disadvantaged areas. Moreover, the Government's regular budgets and human resources to target support for improving the quality of LSE are insufficient to sustain and invest in the LSE subsector in disadvantaged areas.

10. Government development plan and ADB's country partnership strategy. The Government's Socio-Economic Development Plan (SEDP) 2011–2015 focuses on the needs for restructuring and reforming education. The Government's Secondary Education Sector Master Plan (SESMP) 2011–2015 up to 2020, provides more details about how education will be reformed. Some specific initiatives supported by the project related to SEDP include decentralizing the system, improving teaching methods, revising the curriculum to make it more relevant and practical, and improving the poor physical condition of school infrastructure. In addition to these initiatives, SESMP supports education in disadvantaged areas, prioritizes services for ethnic minority children, provides semi-boarding facilities, supports environmental education, expands vocational consulting, and develops minority courses in LSSs. ADB's Country Strategy Program supports the Government's initiatives, specifically with regard to ensuring inclusive growth by helping integrate the poor and other vulnerable groups and segments of society in the development process and by enhancing environmental sustainability through well-planned and timely responses to environment and climate change challenges.

11. Lessons from the first project. Lessons from the LSEMDRP have been taken into consideration in the design and implementation arrangements of LSEMDAP II, including the following: (i) the first LSEMDRP showed that target identification at the district and school level, instead of the province level, can help alleviate intra-provincial poverty; (ii) the definition of 'disadvantaged' area needs to be expanded from three ethnic minority regions with high income-poverty rate to include the typhoon-affected areas, which are equally poor and vulnerable; (iii) the cascading teacher training system through core trainers, which was adopted under LSEMDRP, often 'diluted' the impact of the new teaching method, and local LSS teachers want to receive training directly; and (iv) the school feeding and scholarship program implemented in the LSEMDRP has been successful and that the government adopted this as a national policy and continues to implement with their own annual budget. Implementation progress and gender impact of the policy will be monitored during the Program. Lesson from other ADB projects were also considered during the design of this project.

12. Features and Innovations of the project. The project includes a number of new initiatives and innovations, namely (i) new regional competency-based textbooks will be developed to better meet the needs of ethnic minority students; (ii) the continuing education centers (CECs) will be restructured from conventional informal education centers to serve as platforms for in-service teacher training (INSETT); (iii) more attention will be paid to life skills education and the preservation and promotion of ethnic minority cultures to attract more minority students to attend LSE; (iv) a system of school clusters and teachers' network will be developed to encourage cooperation and exchange of expertise and experiences among teachers and managers; (v) e-learning through information and communication technology (ICT) will be used to deliver teacher and educational management training to remote schools; (vi) model libraries will provide venues for extracurricular academic support and recreation to ethnic minority

students as a positive alternative to drug and alcohol use and help reduce teenage pregnancy; and (vii) typhoon-resilient facilities and disaster management education will be provided to help reduce school dropouts due to loss of school buildings and reduce the cost of maintenance/reconstruction of damaged LSSs borne by the poor local governments every year.

B. Impact and Outcome

13. The impact of the project will be reduced disparities in socioeconomic development between regions and ethnic groups. The project outcome will be more equitable access and retention of ethnic minority, girls and disadvantaged children in lower secondary schools in the Northern Midland and Mountainous Areas, Central Highlands, Mekong River Delta, and the North Central and Central Coastal Areas which are frequently affected by typhoons.

C. Outputs

14. The project will have four main outputs: (i) increased access to LSE and LSE equivalency program; (ii) decentralization of teaching and learning tool developed; (iii) new school clustering established; and (iv) project implementation and monitoring and evaluation (M & E) capacity enhanced.

D. Output 1- Increased Access to LSE and LSE Equivalency Program

15. **Construction of LSS classrooms.** Government data and survey results confirm that the shortage of education facilities for students is a major factor that limits opportunities for children living in disadvantaged areas to attend schools. Also, many schools in the disadvantaged coastal areas do not meet the requirements for natural disaster prevention and protection. About 660 new classrooms will be constructed and provided with furniture to expand opportunities and increase access to LSE for ethnic minority and disadvantaged children, including the replacement of temporary and dilapidated classrooms and facilities in the typhoon-affected central coastal areas.

16. **Construction of semi-boarding facilities.** To increase access to LSE and reduce dropouts from schools due to the need for children to travel long distances from home to the nearest school without adequate transport, about 350 new semi-boarding facilities will be built and provided with furniture, and approximately 37 kitchens will be constructed to provide accommodation for students, especially ethnic minority children and females, in disadvantaged areas.

17. **Construction of sanitation facilities.** Many sanitation facilities for students in remote areas are temporary structures that do not meet minimum standards. The project will construct approximately 29 common toilets for LSSs and about 57 toilets for semi-boarding facilities. There will be separate toilet facilities for boys and girls, as per a standard design, to ensure hygienic conditions, safety, and convenience, especially for girls.

18. **Behavior Change Communication (BCC) campaign.** Many parents in the target disadvantaged areas do not realize or appreciate the value of education for their children. The project will support an BCC campaign to encourage parents to enroll and keep their children, especially girls, in school. Project-supported activities will include the (i) production and provision of materials to support the BCC campaign targeting parents, community leaders, local and community organizations, teachers, and students in lower secondary schools; and (ii)

provision of training programs for teachers and members of local community organizations, who will implement the program in the schools and communities.

19. **Construction of teacher housing.** To attract and retain qualified teachers to teach in disadvantaged areas, the project will construct around 250 teacher housing units following the standard prototype approved by the Ministry of Construction (MOC) and provide furniture for those housing units. Priority for staying in the teacher housing will be given to female teachers.

E. Output 2. Decentralization of Teaching and Learning Tools Developed

20. **Development of regional and competency-based textbooks for ethnic minority areas.** In disadvantaged areas, the family's livelihood most often depends on subsistence farming or fishing, and majority of the youth surveyed preferred to stay in their villages to look for work in the future. Since the current school curriculum focuses mainly on academic studies, both parents and children may feel that they will not get what is needed to improve their lives in terms of relevance and quality of education. The national curriculum framework and textbooks for schools will be comprehensively renovated after 2015, and the new curriculum and textbooks for LSE will be implemented in SY2016 starting with Grade 6. This new competency-based curriculum framework will provide flexibility for various regions of the country to develop courses and programs that are relevant and suitable to regional conditions. To support government initiatives, the project will develop regional and competency-based textbooks in five key areas suitable to the needs and conditions of disadvantaged and ethnic minority areas, and print and provide these textbooks for the LSSs selected by the project according to MOET's schedules for the implementation of the new curriculum framework and textbooks. A consulting firm will be recruited to develop the regional and competency-based textbooks.

21. **Development of district CECs as the new platform for INSETT.** LSE teachers in disadvantaged areas are often not fully aware of the psychological and social needs of disadvantaged students or of suitable teaching methodologies to meet their learning needs. To meet the professional development needs of teachers, MOET has designated district CECs to serve as the new platform for providing in-service training for LSE teachers. Some 86 district CECs will be selected and supported in the delivery of in-service teacher training. In-service training for around 24,000 LSS teachers will be conducted to improve education quality in the project area and support Government's policy on the renovation of LSE curriculum including the use of new project-developed regional textbooks. A counselling committee including international and national ethnic minority education development consultants, textbook developers, and CPMU staff will be set up to ensure the quality of implementation of the new textbooks. To encourage the application of ICT in the effective management and delivery of good quality in-service training, the designated CECs will each be provided with a package of ICT equipment. Instructional materials on how to implement the new curriculum and how to teach students will also be produced.

22. **Development of life skills and preservation and promotion of ethnic minority cultures and values.** Escalating social problems among young people, such as drug and alcohol abuse, sex abuse, premarital pregnancy, early marriage, and HIV/AIDS reduce the chances of children attending school. The existing curriculum and textbooks for learning about ethnic minority cultures apply to all schools nationwide and are not specific enough for any minority group to develop the competencies to preserve and promote their culture or to show respect and appreciation for the culture of other ethnic groups. The life skill education will be integrated into the new regional competency based textbooks and the instructional materials on the preservation and promotion of ethnic minority cultures will be developed by the project.

Other support cultural, artistic, and sport activities that are suitable for ethnic minority students will also be organized. The project will also organize in-service training for at least 2,000 LSE teachers who are responsible for development of ethnic minority student competencies to preserve and promote ethnic minority cultures and values to enable them to use the materials effectively to promote learning.

23. Development of disaster management education. LSSs in coastal areas are increasingly affected by typhoons, floods, and landslides, which cause damage to school facilities and pose threats to the safety of students and teachers alike. To help mitigate the effects of these natural disasters on schools and local communities, and to help prepare students and teachers to effectively deal with disasters, the project will, in addition to the proposed civil works, produce and provide instructional materials on disaster preparedness and disaster management education for students and teachers in LSSs in coastal areas and will organize in-service training for at least 1,500 LSS teachers.

24. Provision of vocational counseling and guidance suitable for ethnic minority students. The project will provide vocational counseling and guidance services so that students are aware of the importance of education and of alternative career paths, both within and outside their local area, so that they can make informed decisions about continuing to remain in school and about their careers. The project will produce and provide instructional materials for career guidance and counselling services for teachers and students in LSSs. The materials will cover a wide variety of subjects and topics related to employment opportunities, types of jobs available in the labor market, training requirements for different types of jobs, and local business enterprises or self-employment opportunities in the communities. The project will provide in-service training for about 2,500 LSS teachers who will either teach the career orientation course or provide vocational counselling and guidance services to students in LSSs.

F. Output 3. New School Clustering Established

25. Establishment of teacher networking among cluster group schools in ethnic minority areas. School managers and teachers in remote areas have fewer opportunities to exchange and share professional experience and lack opportunities to receive regular in-service training or engage in self-development activities to improve their skills. As part of the systematic approach to strengthening school-level planning and management capacity and encouraging closer cooperation and support among LSSs in disadvantaged areas, the project will provide support to establish school clusters (approximately 344 clusters of 5–6 schools each) and teachers' networks. Training, seminars, and workshops will be conducted for principals and teachers of the cluster schools. The project will develop operations manuals and guidelines for the school clusters, which will be distributed to all schools in the clusters. The project will also procure ICT equipment for all school clusters and will also be disseminated the use of the equipment for teachers and principals of the cluster schools.

26. Improving science education through school clusters. One of the school subjects that should be most relevant to the improvement of ethnic minority communities is the application of practical science competencies. However, the current science curriculum is theoretical, and teachers do not know how to use the local environment and community expertise to make it applicable to the students' daily lives. International experience has shown that the use of the local environment and community expertise allows ethnic minority students to use the concepts and processes of science to make sense of their everyday lives which results in significant improvements in their acquisition of practical science competencies. Although some commercial equipment is key to the teaching of fundamental science concepts, much of

what has been purchased in the past has been shown to be of little value in the teaching of applied science curricula. The project will support the Government's policy of improving science education in selected schools within the school clusters that support the learning of integrated and practical science competencies. The project will build and provide appropriate furniture and equipment for 100 science subject rooms and provide appropriate equipment for an additional 80 existing science laboratories.

27. **Improving effectiveness and performance of school libraries.** To encourage the increased participation of ethnic minority students, the project will improve the learning environment in selected ethnic minority LSSs through the provision of libraries and a wide range of materials that are of interest to LSE students. An attractive library space and materials will encourage students to study and conduct research and provide a positive alternative for recreation. The project will construct and equip about 70 new model libraries, provide resources for approximately 1,450 libraries, provide materials on organization of education activities in libraries, and provide in-service training for around 1,450 librarians on the operation of new model libraries.

28. **Piloting of school block grants to address local needs of cluster schools.** In order to strengthen school-based planning and management capacity and reinforce cooperation among the schools in the clusters, the project will pilot block grants by providing funds to about 100 clusters (or approximately 500 schools) based on proposals from clusters. The project will also provide manuals and guidelines for the establishment, management, and operation of a school block grants program as well as conduct workshops for principals of the school clusters. The school clusters will implement the activities according to approved proposals and will submit progress and financial reports after completion of the activities. Close supervision and monitoring of the utilization of the block grants for the intended purposes will be carried out under the project.

G. Output 4. Project Implementation and Monitoring and Evaluation (M&E) Capacity Enhanced

29. **Capacity development of education managers in the implementation of project activities.** To ensure the effectiveness and sustainability of project activities, including the implementation of the new regional competency-based curriculum and textbooks in ethnic minority areas, which will require the development of understanding, cooperation, and support of a large number of people, particularly local education managers who will be directly involved in this initiative. The project will support the organization of in-country training for about 1,500 education managers from Departments and Bureaus of Education and Training (DOETs/BOETs) and LSSs on the implementation of project activities to support the achievement of the project outputs. The project will also support short-term overseas training for around 45 central and local education managers to acquire knowledge and experiences from other countries related to the implementation of project activities, especially the regional and competency-based textbooks and other innovative approaches to improve the quality of education for EMs and disadvantaged areas.

30. **Capacity development of CPMU and PPMU staff and support for project implementation.** The project will support the capacity strengthening of the central project management unit (CPMU) and provincial project management units (PPMUs). The project will support the following activities: (i) at least nine workshops on planning and project implementation, M&E and reporting, procurement, financial management, and civil works; (ii) provision of office equipment, furniture, and facilities for the CPMU; (iii) provision of equipment

to PPMUs for project implementation; (iv) cars for CPMU monitoring of project sites; (v) organization of three workshops (inception, midterm, and final); (vi) provision of consulting services of a firm and of individual consultants to carry out the required advance actions at project start-up (e.g., start-up specialists and resettlement specialists); (vii) engagement of a consulting firm for project implementation to be selected through the quality and cost-based selection (QCBS) method; (viii) engagement of an individual consultant for project completion report (PCR) preparation; and (ix) conduct of annual financial audits (six years). Pre and post training assessments will be conducted to determine the effectiveness of training. Besides, Output 4 will support the salaries of some of CPMU staff who are qualified enough to implement the project timely with good quality.

II. IMPLEMENTATION PLANS

31. Implementation plans have been prepared and agreed to cover (i) project readiness activities and advanced actions, ensuring that loan effectiveness is activated in a timely manner; and (ii) overall implementation plan. The overall plan will be adjusted at the time of loan effectiveness, then be reviewed and updated on an annual basis during the project implementation period. These plans are set out below.

A. Project Readiness Activities

Indicative Activities	Months											Responsible Parties
	2014						2015					
	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar		
Establish project implementation arrangements	✓											MOET
Loan negotiations				✓								Government, ADB
ADB Board approval						✓						ADB
Loan signing							✓					Government, ADB
Government legal opinion provided									✓			MOJ
Loan effectiveness										✓		Government, ADB

Advance Actions

	Proposed Advance Actions	Timeline	Responsible Parties
1	Establishment of Central Project Management Unit (CPMU)		
1.1	- Appointment of loan CPMU Director - Appointment of Chief Accountant (To be acceptable to ADB) (as specified in Circular No. 01/20144/TT-BKHDT, Article 15, Item 1, Item 3 b)		MOET
1.2	Loan CPMU Director recruits and appoints the unit heads of the relevant divisions which require staff for immediate implementation: <ul style="list-style-type: none"> • Unit Head of Civil Works Division • Unit Head of Procurement Division • Unit Head of Staff Development and Material Division • Unit Head of Administration Division 	(As specified in Circular No.01/20144/TT-BKHDT, Article 15, Item 3b)	CPMU Director/ (MOET)

	Proposed Advance Actions	Timeline	Responsible Parties
	used as sample of bidding.		
10	Recruitment of all remaining unit heads for loan CPMU (to be acceptable to ADB; submission of CVs to ADB)	By end 2014	CPMU Director/ MOET
11	Opening of the imprest account of counterpart funds	Upon establishment of loan CPMU	CPMU

III. PROJECT MANAGEMENT ARRANGEMENTS

A. Project Implementation Organizations – Roles and Responsibilities

Project Implementation Organization	Management Role and Responsibilities
Executing agency	MOET is the executing agency (EA) as well as project owner. MOET will be responsible for oversight supervision, monitoring, and ensuring cooperation among other Government agencies and agencies under MOET during project implementation. MOET shall ensure that relevant staff involved in implementation are fully aware of, and comply with, relevant Government and ADB procedures including, but not limited to, those for implementation, procurement, use of consultants, disbursement, reporting, monitoring, and prevention of fraud and corruption.
Implementing agency 1	The CPMU is the prime implementing agency. The staff of the CPMU will be appointed by MOET prior to loan negotiations. Other staff will be appointed prior to loan effectiveness. The CPMU shall be headed by a project director and shall be supported by a deputy director (if any), six unit heads, and other unit staff responsible for (i) administration, (ii) finance, (iii) civil works, (iv) procurement, (v) staff development and training materials, (vi) monitoring and evaluation, and social development. The CPMU will be responsible for the following: (i) overall management of the proposed project; (ii) coordination and liaison with ADB; (iii) preparation of an annual implementation plan and other activities, including annual financial and accounting plan and schedules; (iv) review of the economic, environmental, and social assessment of the programs and projects; (v) management of training programs; (vi) selection of consulting services at the central level; (vii) cost estimation, monitoring, and reporting; and (viii) coordination with the PPMUs.
Implementing agency 2	A PPMU shall be established inside Department of Education and Training by the Provincial People's Committee (PPC) Chairman and headed by a DOET representative in each of the 28 project provinces. Each PPMU will comprise a project manager, deputy project manager, and specialized and basic administrative staff designated from existing DOET personnel, with support provided by various specialist staff from provincial government departments, as required. The PPMUs shall be responsible for implementing and monitoring project activities at the provincial level in a timely manner, high effectiveness and good quality. In terms of civil works, PPMUs will support DOETs as the Employer to implement all activities from the preparation stage to liquidation of payments when the activities are completed. PPMUs shall be responsible for submitting reports and necessary data to CPMU as well as close liaison with DOET in implementing the project.
ADB	The ADB project team shall (i) oversee project implementation; (ii) ensure compliance with the Loan Agreement and PAM; (iii) ensure that the project achieves the expected outputs and outcomes, safeguards, and anti-corruption measures; (iv) approve procurement activities and withdrawal applications; (v) disburse funds for allowable expenditures; and (vi) conduct inception mission, regular review missions, mid-term review mission, and final review mission.

CPMU = Central Project Management Unit, DOET = Department of Education and Training, MOET = Ministry of Education and Training, PAM = Project Administration Manual, PPMU = Provincial Project Management Unit.

30. MOET is the executing agency as well as the project owner. The Minister will establish the CPMU to support project management and implementation. The tasks and duties of the CPMU are indicated in Decree No. 38/2013/ND-CP dated 23 April 2013 of the Government and Circular No. 01/2014/TT-BKHDT dated 09 January 2014 issued by the Minister of Planning and Investment guiding the tasks, duties, and organization mechanism of official development assistance programs and project management units.

31. The CPMU shall be responsible for project implementation including, but not limited to, procurement, planning, budgeting, monitoring, coordination, retaining supporting documents, establishing and maintaining the imprest account, and submitting to ADB required documents including withdrawal applications, quarterly progress reports, Audited Project Financial Statements, and financial statements.

32. To ensure smooth project implementation, PPMUs shall be established by the PPCs in the 28 project DOETs. PPMUs will implement and monitor project activities in their provinces and liaise closely with the DOET under the instruction of CPMU. In terms of civil works, PPMUs will support DOETs as the Employer to implement all activities from the preparation stage to liquidation of payments when the activities are completed.

33. The DOET in each project province will liaise closely with CPMU and PPMU for the smooth implementation of the project. In addition, each DOET will support the PPMUs in implementing project activities. The LSSs are managed locally at the district or commune level by the BOETs. The DOET will facilitate cooperation between the PPMU and the BOETs, and the BOETs will support the PPMUs in implementing project activities in the target LSSs. District CECs have been designated by MOET to serve as the new platforms for providing in-service training for teachers of LSSs in each district and will play an important role in providing in-service training for teachers and education managers under the project.

34. ADB, the Project donor, together with MOET, will be responsible for instructions, monitoring of organization, management, project implementation and assistance, and strengthening of project management capacity for the CPMU.

B. Key Persons Involved in Implementation

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ADB

Human and Social Development Division
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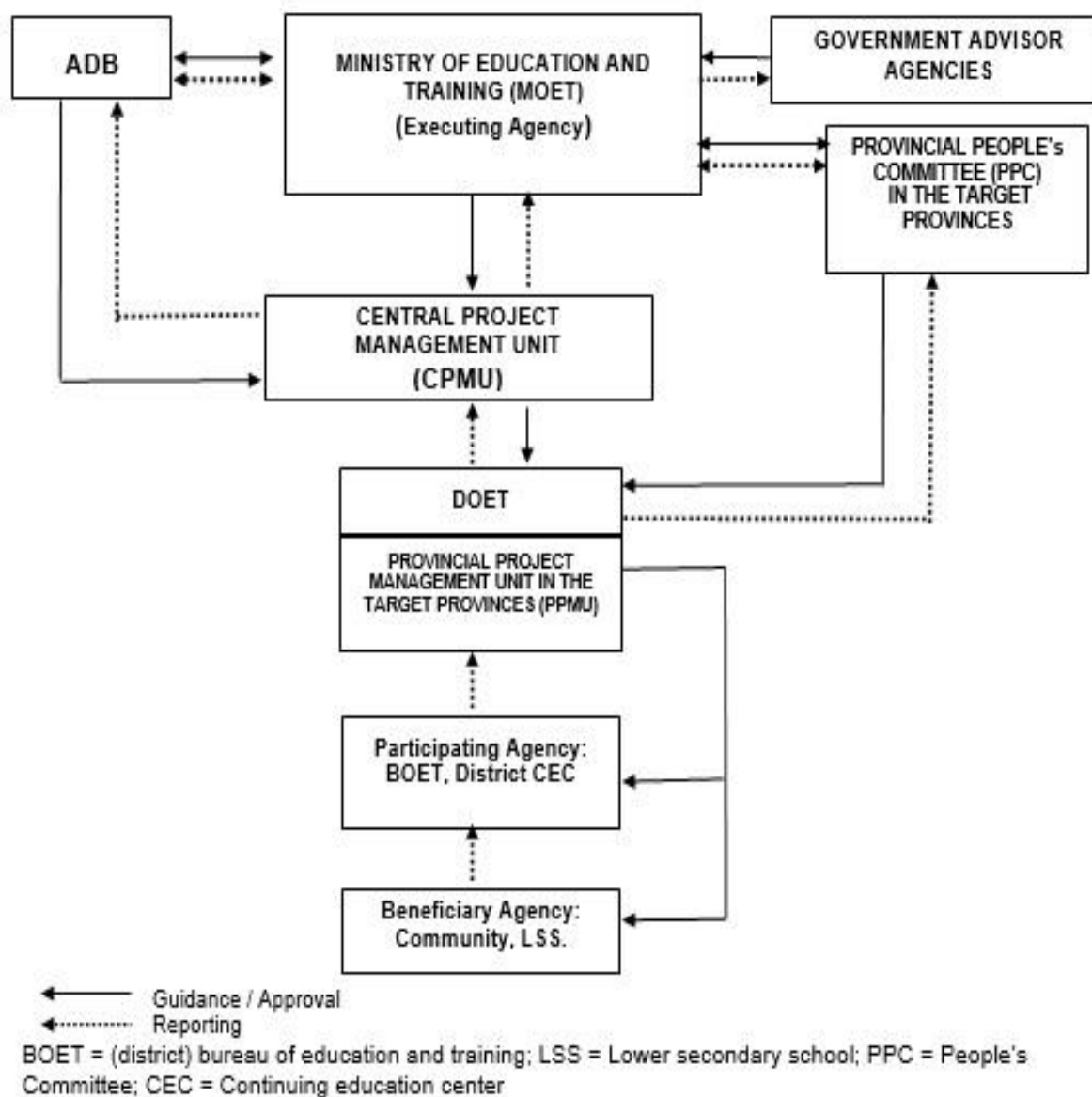
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C. Project Organization Structure

Figure 1: Project Organization Structure



IV. COSTS AND FINANCING

35. The project is estimated to cost a total of \$93.0 million equivalent, including taxes and duties of \$6.9 million and physical and price contingencies and financial charges during implementation. This is shown in Table 1 below:

Table 1: Cost Categories and Amount

Item	Total Cost (\$ million)
A. Base Costs	
1 Civil Works	
1A Construction	39.7
1B Other Services	4.7
2 Equipment and Furniture	12.1
3 Cars	0.1
4 Textbooks and Instruction Materials	5.4
5 Staff Development	
5A In-country	8.6
5B Overseas	0.5
6 Workshops	0.6
7 Consulting Services	4.4
8 Pilot Initiatives	
8A Block Grants	1.5
8B Awareness Raising	0.4
9 Project Implementation Support (PIS)	
9A Salary of CPMU contractual staff	1.2
9B Office rental	0.5
9C PIS activities funded by counterpart fund	0.8
Subtotal (A)	80.5
B. Contingencies	8.5
C. Financial charges during implementation	4.0
Total Project Cost (A+B+C)	93.0

Source: Asian Development Bank estimates.

36. The summary project investment plan, based on the funding requirements for each project output, is presented in Table 2.

Table 2: Summary Project Investment Plan (\$ millions)

Item	Amount ^a
A. Base Cost^b	
1. Increased access to LSE/LSE equivalency program	36.2
2. Decentralization of teaching and learning tools developed	16.5
3. New school clustering established	20.6
4. Project implementation, monitoring and evaluation (M&E) capacity enhanced	7.2
Subtotal (A)	80.5
B. Contingencies^c	8.5
C. Financing Charges During Implementation^d	4.0
Total (A+B+C)	93.0

LSE = lower secondary education.

^a Includes taxes and duties of \$5.2 million to be financed by the Government and \$1.7 million to be financed by the ADB loan. All Government counterpart fund, including taxes and duties, will be in the form of cash contribution by the Government. The amount of taxes and duties to be financed under the project has been determined based on the principles that: (i) the amount is within the reasonable threshold identified during the country partnership strategy preparation process; (ii) the amount does not represent an excessive share of the project; (iii) the taxes and duties apply only to ADB-financed expenditures; and (iv) the financing of taxes and duties is material and relevant to the success of the project.

^b In early 2014 prices.

^c Physical contingencies are computed at 7% of total cost of civil works and 5% of cost of equipment and furniture, textbooks and instructional materials, and in-country training. Price contingencies are based on the domestic and international cost escalation rates estimated for Viet Nam. The domestic cost escalation rates are as follows: 6.6% for 2015 and 6.0% for each year from 2016–2020. The international cost escalation rates are as follows: 1.1% for 2015 and 1.4% for each year from 2016–2020.

^d Includes interest during implementation for ADB loan computed at 2% per annum to be capitalized in the loan amount.

Source: Asian Development Bank estimates.

37. The Government of Viet Nam has requested a loan of SDR52,688,000 from ADB's Asian Development Fund (ADF) to help finance the project (Table 3).¹ The loan will have a term of 25 years, including a grace period of five years, an interest rate of 2.0% during the grace period and 2.0% after that, and other terms and conditions set forth in the Loan Agreement.

Table 3: Financing Plan

Source	Amount (\$million)	Share of Total (%)
Asian Development Bank	80.00	86.0
Government	13.00	14.0
Total	93.00	100.0

Source: Asian Development Bank estimates.

38. Based on the nature of project expenditure categories and activities, the total project cost is divided into (i) civil works; and (ii) non-civil works or administration (according to Government's current regulations). The civil works fund will be spent on construction of LSS facilities including about 660 classrooms, 100 laboratories, 70 libraries, 350 semi-boarding facilities, 250 teachers' housing, 37 kitchen facilities, and 86 sanitation facilities. The non-civil works or administration fund will be spent on provision of teaching aids, textbooks, and instructional materials, laboratory equipment, furniture, various in-country and overseas training for teachers and education managers, support for targeted disadvantaged groups, operations research, and consulting services.

39. Project expenditure categories are all in line with those defined by the regulations on State budget spending for LSE development. The ADB loan will be used for: (i) contract value of construction; (ii) cost of equipment and furniture, textbooks, and instructional materials; (iii) cost of in-country teacher/education managers' training; and (iv) cost of short-term overseas training, international and national consultants, and pilot initiatives such as block grants and BCC.

40. The ADB loan will be integrated into the State budget for the education sector and will be allocated to MOET-CPMU for use in project implementation activities. The central government counterpart fund will be allocated for project activities that will be implemented by CPMU. The provincial government counterpart fund will be allocated for civil works activities including design, survey, supervision of school construction, all other services costs relevant to civil works, and taxes for construction contracts carried out by the PPMUs and other implementation support activities (office repair, office operation).

41. The cost of activities, goods, and services under each category for each project output is calculated based on the specific objectives of each sub-output and demand for new or supplementation of civil works and equipment provision categories given the number of participants/beneficiaries. The cost of each activity or category of project sub-output is calculated based on two methods: (i) calculation based on regulation and cost norms; and (ii) calculation based on current market price where cost norm is not regulated.

42. Unit prices applied in calculating the cost of each project activity or category are general unit prices, e.g., unit cost for one person per day per training course and unit cost for new construction of a classroom based on the selected design. Percentages are also applied for estimating certain costs, such as the other services cost relevant to civil works for classrooms, which is 12% of the construction cost (including tax) or equipment for furniture, which is 8% of the tax-included construction cost. In order to achieve the maximum effectiveness of the project, the calculation of project costs and applied unit prices have been reviewed as follows: (i)

¹ In line with ADB's Operations Manual H3/OP, para. 10, the ADB loan will finance recurrent costs and interest charges during construction. The ADB loan may also finance transportation and insurance costs.

application of market price in the calculation of civil works components to avoid incomplete or poor quality of construction; (ii) provision of flexibility to allow for minor changes in procurement and project implementation arrangements in accordance with changes in LSE in the future; and (iii) preparation of project cost estimates based on recent cost information from past and ongoing education projects in Viet Nam and taking into account future price fluctuations particularly to avoid cost overruns.

43. Detailed cost estimates (i) by expenditure category; (ii) based on allocation and withdrawal of loan proceeds; (iii) by financier; (iv) by outputs/components; and (v) by year are presented in sections A–E in the following pages.

A. Detailed Cost Estimates by Expenditure Category

Item	(\$ million)			% of Total Base Cost
	Foreign Exchange	Local Currency	Total Cost ^a	
A. Investment Costs^b				
1 Civil Works				
1A Construction	4.0	35.7	39.7	49.3
1B Other Services ^c	-	4.7	4.7	5.8
2 Equipment and Furniture	3.4	8.6	12.1	15.0
3 Cars	0.1	0.0	0.1	0.2
4 Textbooks and Instruction Materials	-	5.4	5.4	6.7
5 Staff Development				
5A In-country	-	8.6	8.6	10.7
5B Overseas	0.5	-	0.5	0.7
6 Workshops	-	0.6	0.6	0.8
7 Consulting Services	4.4	-	4.4	5.5
8 Pilot Initiatives				
8A Block Grants	-	1.5	1.5	1.9
8B Awareness Raising	-	0.4	0.4	0.5
9 Project Implementation Support (PIS)				
9A Salary of CPMU contractual staff	-	1.2	1.2	1.5
9B Office Rental	-	0.5	0.5	0.6
9C PIS activities funded by counterpart fund	-	0.8	0.8	0.9
Subtotal (A)	12.5	68.0	80.5	100.0
B. Contingencies				
1 Physical ^d	0.5	3.7	4.2	5.3
2 Price ^e	0.7	3.6	4.3	5.3
Subtotal (B)	1.2	7.3	8.5	10.6
C. Financial Charges During Implementation (C)^f	4.0	-	4.0	5.0
Total Project Cost (A+B+C)	17.7	75.3	93.0	115.5

NOTE: Numbers may not sum precisely due to rounding.

^a Investment costs include taxes and duties amounting to about \$1.6 million which will be financed by the Central Government, \$3.6 million which will be financed by Provincial Governments, and \$1.7 million which will be financed by the ADB loan. All Government counterpart fund, including taxes and duties, will be in the form of cash contribution by the Government.

^b In early-2014 prices.

^c Engineering supervision, management fees, surveys, etc. to be borne by the government. This is estimated at 12% of total civil works cost of classrooms and 11% for other types of civil works such as housing for teachers, semi-boardings facilities, kitchens and toilet facilities.

^d Physical contingencies were computed at 7% of total cost of civil works and 5% of cost of equipment and furniture, textbooks/instructional materials, and in-country training.

^e Price contingencies are based on escalation rates for domestic and international costs estimated for Viet Nam. Annual escalation rates for domestic costs are as follows: 6.6% for 2015 and 6.0% for each year from 2016 - 2020. Annual escalation rates for international costs are as follows: 1.1% for 2015 and 1.4% for each year from 2016 - 2020.

^f ADF loan terms include: (i) 25-year maturity period, including a 5-year grace period; (ii) interest rate of 2% per annum during the 5-year grace period; (iii) interest rate of 2% during the amortization period; (iv) equal amortization for 20 years; and (v) no commitment fee.

Source: Asian Development Bank estimates.

B. Allocation and Withdrawal of Loan Proceeds

ALLOCATION AND WITHDRAWAL OF LOAN PROCEEDS (Second Lower Secondary Education for the Most Disadvantaged Areas Project)				
Number	Item	1. Total Amount Allocated for ADB Financing (SDR)		Basis for Withdrawal from the Loan Account
		2. Category	3. Subcategory	
1	Civil Works	23,742,000		100% of total expenditure claimed*
2	Equipment and Furniture	7,234,000		100% of total expenditure claimed*
3	Cars	84,000		100% of total expenditure claimed*
4	Textbooks and Instruction Materials	3,211,000		100% of total expenditure claimed*
5	Staff Development	6,048,000		
5A	In-Country		5,692,000	100% of total expenditure claimed
5B	Overseas		356,000	100% of total expenditure claimed
6	Workshops	415,000		100% of total expenditure claimed
7	Consulting Services	2,914,000		100% of total expenditure claimed
8	Pilot Initiatives	1,270,000		
8A	Block Grants		988,000	100% of total expenditure claimed
8B	Awareness Raising		282,000	100% of total expenditure claimed
9	Project Implementation Support (PIS)	810,000		100% of total expenditure claimed
10	Interest During Construction	2,634,000		100% of total amount due
11	Unallocated	4,326,000		
	Total	52,688,000		

* Exclusive of taxes and duties imposed within the territory of the Borrower.

C. Detailed Cost Estimates by Financier

Item	Asian Development Bank				Central Government				Provincial Governments				Total	
	Amount (\$ million)	Amount (Taxes and Duties) (\$ million)	Amount (Total) (\$ million)	% of Cost Category	Amount (Costs) (\$ million)	Amount (Taxes and Duties) (\$ million)	Amount (Total) (\$ million)	% of Cost Category	Amount (Costs) (\$ million)	Amount (Taxes and Duties) (\$ million)	Amount (Total) (\$ million)	% of Cost Category	Amount ^a (\$ million)	% Financed
A. Investment Costs^b														
1 Civil Works														
1A Construction	36.1	-	36.1	90.9	-	-	-	-	-	3.6	3.6	9.1	39.7	100.0
1B Other Services ^c	-	-	-	-	-	-	-	-	4.7	-	4.7	100.0	4.7	100.0
2 Equipment and Furniture	11.0	-	11.0	90.9	-	1.1	1.1	9.1	-	-	-	-	12.1	100.0
3 Cars	0.1	-	0.1	90.9	-	0.0	0.0	9.1	-	-	-	-	0.1	100.0
4 Textbooks and Instruction Materials	4.9	-	4.9	90.9	-	0.5	0.5	9.1	-	-	-	-	5.4	100.0
5 Staff Development														
5A In-country	7.8	0.9	8.6	100.0	-	-	-	-	-	-	-	-	8.6	100.0
5B Overseas	0.5	0.1	0.5	100.0	-	-	-	-	-	-	-	-	0.5	100.0
6 Workshops	0.6	0.1	0.6	100.0	-	-	-	-	-	-	-	-	0.6	100.0
7 Consulting Services ^d	4.0	0.4	4.4	100.0	-	-	-	-	-	-	-	-	4.4	100.0
8 Pilot Initiatives														
8A Block Grants	1.4	0.2	1.5	100.0	-	-	-	-	-	-	-	-	1.5	100.0
8B Awareness Raising	0.4	0.0	0.4	100.0	-	-	-	-	-	-	-	-	0.4	100.0
9 Project Implementation Support (PIS)														
9A Salary of CPMU contractual staff ^e	1.1	0.1	1.2	100.0	-	-	-	-	-	-	-	-	1.2	100.0
9B Office Rental	-	-	-	-	0.5	-	0.5	100.0	-	-	-	-	0.5	100.0
9C PIS activities funded by counterpart fund	-	-	-	-	0.8	-	0.8	100.0	-	-	-	-	0.8	100.0
Subtotal (A)	67.7	1.7	69.4	84.1	1.2	1.6	2.8	3.5	4.7	3.6	8.3	10.3	80.5	100.0
B. Contingencies														
1 Physical ^f	3.6	-	3.6	85.3	0.1	-	0.1	1.9	0.5	-	0.5	12.8	4.2	100.0
2 Price ^g	2.9	-	2.9	69.3	0.5	-	0.5	11.4	0.8	-	0.8	19.3	4.3	100.0
Subtotal (B)	6.6	-	6.6	77.3	0.6	-	0.6	6.6	1.3	-	1.4	16.1	8.5	100.0
C. Financial Charges During Implementation (C)^h	4.0	-	4.0	100.0	-	-	-	-	-	-	-	-	4.0	100.0
Total Project Cost (A+B+C)	78.3	1.7	80.0	84.2	1.8	1.6	3.4	3.6	6.0	3.6	9.6	10.4	93.0	100.0

NOTE: Numbers may not sum precisely due to rounding.

^a Investment costs include taxes and duties amounting to about \$1.6 million which will be financed by the Central Government, \$3.6 million which will be financed by Provincial Governments, and \$1.7 million which will be financed by the ADB loan. All Government counterpart fund, including taxes and duties, will be in the form of cash contribution by the Government.

^b In early-2014 prices.

^c Engineering supervision, management fees, surveys, etc. to be borne by the government. This is estimated at 12% of total civil works cost of classrooms and 11% for other types of civil works such as housing for teachers, semi-boarding facilities, kitchens, and toilet facilities.

^d Annual audit services, amounting to \$420,000 for the duration of project implementation, will be contracted under consultant services and financed under the ADB loan.

^e In line with ADB's Operations Manual H3/OP, para. 10, the ADB loan will finance recurrent costs

^f Physical contingencies were computed at 7% of total cost of civil works and 5% of cost of equipment and furniture, textbooks and instructional materials, and in-country training.

^g Price contingencies are based on escalation rates for domestic and international costs estimated for Viet Nam. Annual escalation rates for domestic costs are as follows: 6.6% for 2015 and 6.0% for each year from 2016 - 2020. Annual escalation rates for international costs are as follows: 1.1% for 2015 and 1.4% for each year from 2016 - 2020.

^h ADF loan terms include: (i) 25-year maturity period, including a 5-year grace period; (ii) interest rate of 2% per annum during the 5-year grace period; (iii) interest rate of 2% during the amortization period; (iv) equal amortization for 20 years; and (v) no commitment fee.

Source: Asian Development Bank estimates.

D. Detailed Cost Estimates by Outputs/Components

Item	Increased access to LSE/LSE equivalency program		Decentralization of teaching and learning tools developed		New school clustering established		Project implementation and monitoring and evaluation capacity enhanced		Total Cost ^a (\$ million)
	(\$ million)	% of Cost Category	(\$ million)	% of Cost Category	(\$ million)	% of Cost Category	(\$ million)	% of Cost Category	
A. Investment Costs^b									
1 Civil Works									
1A Construction	29.6	74.7	-	-	10.1	25.3	-	-	39.7
1B Other Services ^c	3.4	74.1	-	-	1.2	25.9	-	-	4.7
2 Equipment and Furniture	2.2	18.4	2.6	21.9	6.7	55.7	0.5	4.0	12.1
3 Cars	-	-	-	-	-	-	0.1	100.0	0.1
4 Textbooks and Instruction Materials	0.1	2.2	4.5	84.0	0.7	13.7	0.0	0.1	5.4
5 Staff Development									
5A In-country	0.4	4.7	7.6	87.9	0.4	4.7	0.2	2.7	8.6
5B Overseas	-	-	-	-	-	-	0.5	100.0	0.5
6 Workshops	-	-	-	-	-	-	0.6	100.0	0.6
7 Consulting Services	-	-	1.7	38.9	-	-	2.7	61.1	4.4
8 Pilot Initiatives									
8A Block Grants	-	-	-	-	1.5	100.0	-	-	1.5
8B Awareness Raising	0.4	100.0	-	-	-	-	-	-	0.4
9 Project Implementation Support (PIS)									
9A Salary of CPMU contractual staff	-	-	-	-	-	-	1.2	100.0	1.2
9B Office Rental	-	-	-	-	-	-	0.5	100.0	0.5
9C PIS activities funded by counterpart fund	-	-	-	-	-	-	0.8	100.0	0.8
Subtotal (A)	36.2	45.0	16.5	20.5	20.6	25.6	7.2	8.9	80.5
B. Contingencies									
1 Physical ^d	2.3	54.5	0.7	17.4	1.1	26.7	0.1	1.5	4.2
2 Price ^e	1.9	45.0	0.9	20.5	1.1	25.6	0.4	8.9	4.3
Subtotal (B)	4.2	49.7	1.6	18.9	2.2	26.2	0.4	5.2	8.5
C. Financial Charges During Implementation (C)^f	1.8	45.0	0.8	20.5	1.0	25.6	0.4	8.9	4.0
Total Project Cost (A+B+C)	42.3	45.4	18.9	20.3	23.9	25.7	8.0	8.6	93.0

NOTE: Numbers may not sum precisely due to rounding.

^a Investment costs include taxes and duties amounting to about \$1.6 million which will be financed by the Central Government, \$3.6 million which will be financed by Provincial Governments, and \$1.7 million which will be financed by the ADB loan. All Government counterpart fund, including taxes and duties, will be in the form of cash contribution by the Government.

^b In early-2014 prices.

^c Engineering supervision, management fees, surveys, etc. to be borne by the government. This is estimated at 12% of total civil works cost of classrooms and 11% for other types of civil works such as housing for teachers, semi-boarding facilities, kitchens, and toilet facilities.

^d Physical contingencies were computed at 7% of total cost of civil works and 5% of cost of equipment and furniture, textbooks and instructional materials, and in-country training.

^e Price contingencies are based on escalation rates for domestic and international costs estimated for Viet Nam. Annual escalation rates for domestic costs are as follows: 6.6% for 2015 and 6.0% for each year from 2016 - 2020. Annual escalation rates for international costs are as follows: 1.1% for 2015 and 1.4% for each year from 2016 - 2020.

^f ADF loan terms include: (i) 25-year maturity period, including a 5-year grace period; (ii) interest rate of 2% per annum during the 5-year grace period; (iii) interest rate of 2% during the amortization period; (iv) equal amortization for 20 years; and (v) no commitment fee.

Source: Asian Development Bank estimates.

E. Detailed Cost Estimates by Year

Item	2015 (\$ million)	2016 (\$ million)	2017 (\$ million)	2018 (\$ million)	2019 (\$ million)	2020 (\$ million)	Total Cost ^a (\$ million)
A. Investment Costs^b							
1 Civil Works							
1A Construction	-	1.6	11.6	11.3	9.4	5.7	39.7
1B Other Services ^c	-	0.2	1.4	1.3	1.1	0.7	4.7
2 Equipment and Furniture	-	0.5	5.1	3.9	2.6	-	12.1
3 Cars	-	0.1	-	-	-	-	0.1
4 Textbooks and Instruction Materials	-	0.1	-	2.1	2.2	1.0	5.4
5 Staff Development							
5A In-country	-	0.1	0.9	1.7	4.4	1.5	8.6
5B Overseas	-	-	0.5	-	-	-	0.5
6 Workshops	0.1	0.1	0.1	0.2	0.1	0.1	0.6
7 Consulting Services	0.2	0.8	0.9	0.9	1.0	0.7	4.4
8 Pilot Initiatives							
8A Block Grants	-	-	0.2	0.8	0.6	-	1.5
8B Awareness Raising	-	-	-	0.1	0.3	-	0.4
9 Project Implementation Support (PIS)							
9A Salary of CPMU contractual staff	0.2	0.2	0.2	0.2	0.2	0.2	1.2
9B Office Rental	0.1	0.1	0.1	0.1	0.1	0.1	0.5
9C PIS activities funded by counterpart fund	0.1	0.1	0.1	0.1	0.1	0.1	0.8
Subtotal (A)	0.6	3.9	21.1	22.7	22.0	10.2	80.5
B. Contingencies							
1 Physical ^d	-	0.2	1.2	1.2	1.1	0.5	4.2
2 Price ^e	0.0	0.2	1.1	1.2	1.2	0.6	4.3
Subtotal (B)	0.0	0.3	2.3	2.4	2.3	1.1	8.5
C. Financial Charges During Implementation (C)^f	-	0.1	0.2	0.7	1.3	1.6	4.0
Total Project Cost (A+B+C)	0.7	4.3	23.6	25.8	25.6	12.9	93.0
Annual cost as a percentage of total project cost	0.71%	4.65%	25.35%	27.78%	27.58%	13.92%	100.00%

NOTE: Numbers may not sum precisely due to rounding.

^a Investment costs include taxes and duties amounting to about \$1.6 million which will be financed by the Central Government, \$3.6 million which will be financed by Provincial Governments, and \$1.7 million which will be financed by the ADB loan. All Government counterpart fund, including taxes and duties, will be in the form of cash contribution by the Government.

^b In early-2014 prices.

^c Engineering supervision, management fees, surveys, etc. to be borne by the government. This is estimated at 12% of total civil works cost of classrooms and 11% for other types of civil works such as housing for teachers, semi-boarded facilities, kitchens, and toilet facilities.

^d Physical contingencies were computed at 7% of total cost of civil works and 5% of cost of equipment and furniture, textbooks and instructional materials, and in-country training.

^e Price contingencies are based on escalation rates for domestic and international costs estimated for Viet Nam. Annual escalation rates for domestic costs are as follows: 6.6% for 2015 and 6.0% for each year from 2016 - 2020. Annual escalation rates for international costs are as follows: 1.1% for 2015 and 1.4% for each year from 2016 - 2020.

^f ADF loan terms include: (i) 25-year maturity period, including a 5-year grace period; (ii) interest rate of 2% per annum during the 5-year grace period; (iii) interest rate of 2% during the amortization period; (iv) equal amortization for 20 years; and (v) no commitment fee.

Source: Asian Development Bank estimates.

F. Contract and Disbursement S-curve

Figure 1: Contract Award and Disbursement Schedule S-curves

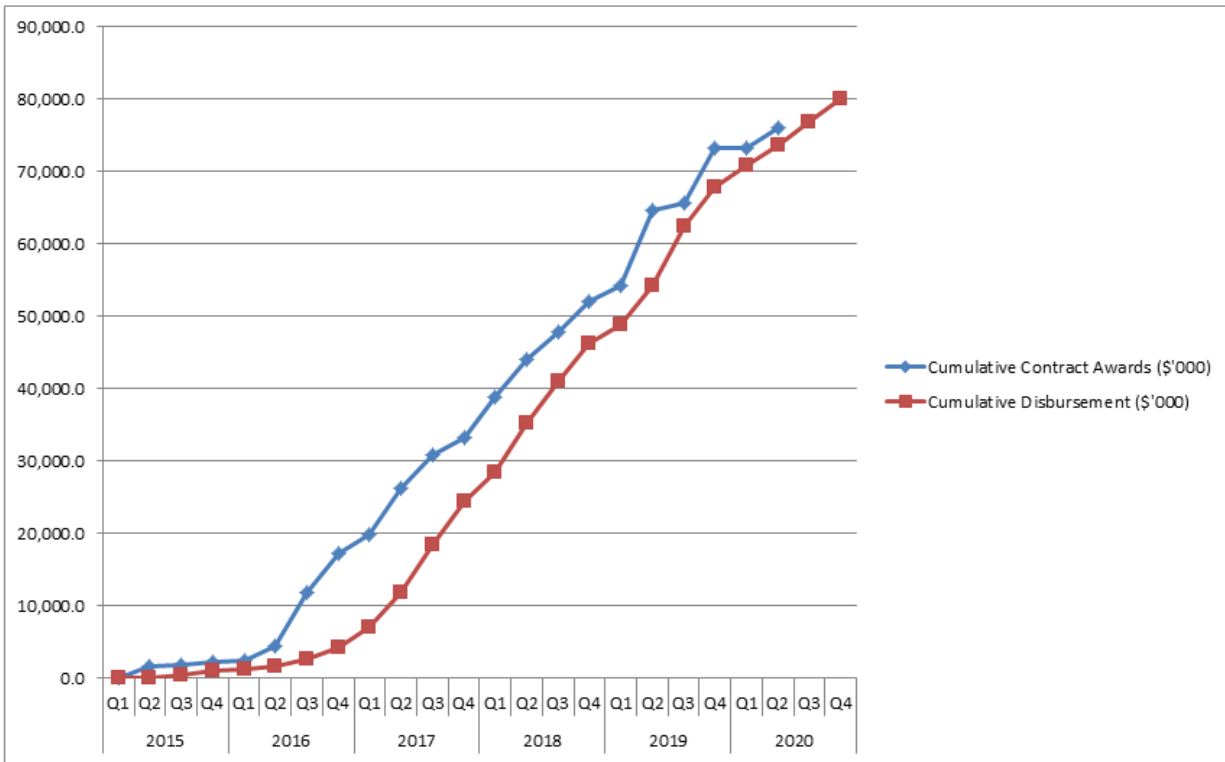


Table 4: Contract Award and Disbursement Schedules

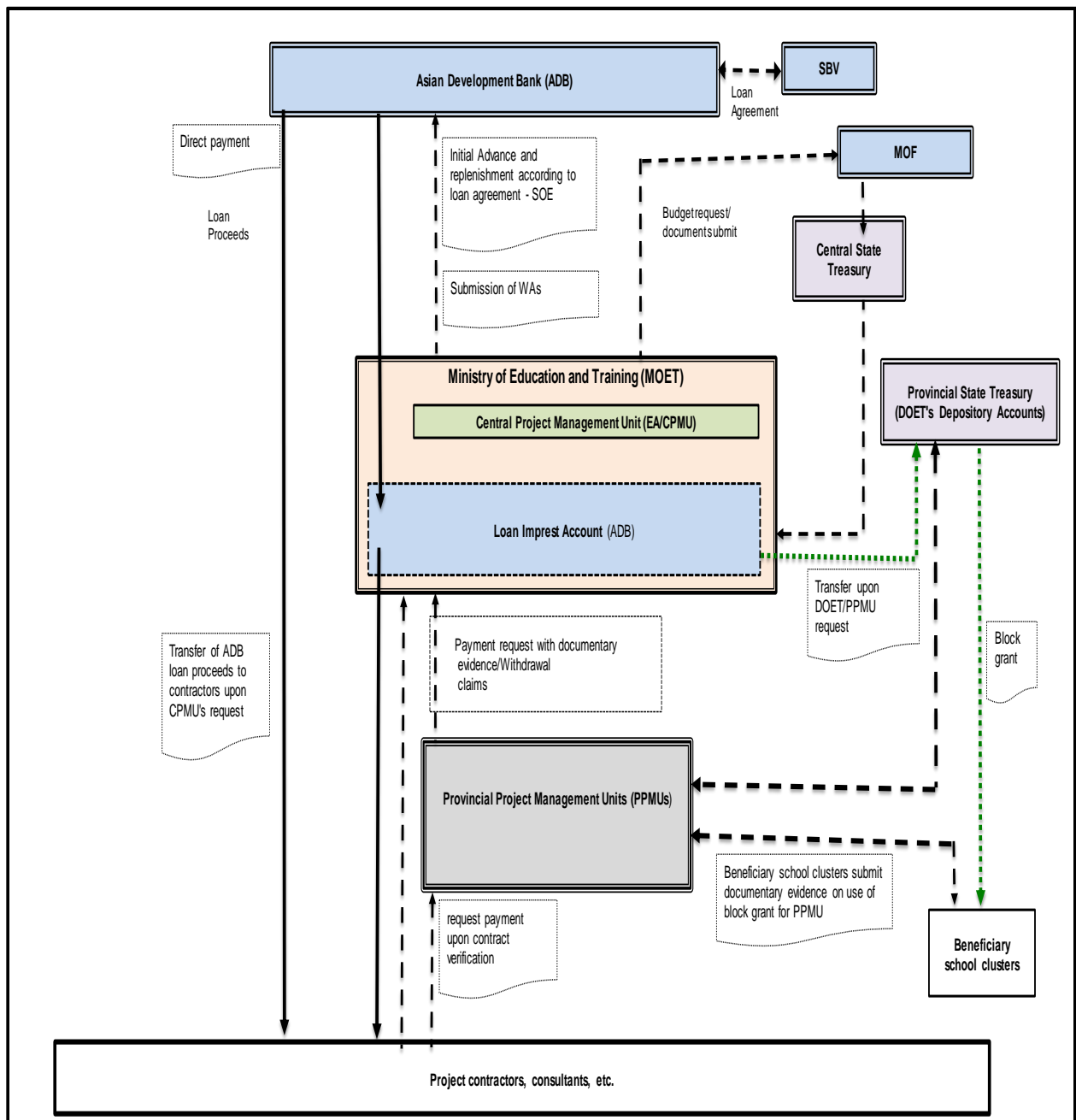
Years	Contract Awards (\$'000)					Disbursement (\$'000)				
	Q1	Q2	Q3	Q4	Total	Q1	Q2	Q3	Q4	Total
2015	-	1,740	170	460	2,370	-	60	480	510	1,050
2016	200	1,900	7,350	5,490	14,940	220	390	1,030	1,570	3,210
2017	2,510	6,440	4,550	2,410	15,910	2,850	4,700	6,620	5,970	20,140
2018	5,690	5,140	3,900	4,155	18,885	4,060	6,730	5,780	5,360	21,930
2019	2,070	10,475	1,020	7,540	21,105	2,480	5,540	8,110	5,480	21,610
2020	70	2,720	-	-	2,790	2,880	2,910	3,050	3,220	12,060
Total					76,000					80,000

Note: IDC amounting to \$4 million is not included in the contract awards schedule.

G. Funds Flow Diagrams

44. The funds flow arrangements for the ADB loan and Government counterpart funds are presented in Figures 2 and 3, respectively.

Figure 2: ADB Loan Fund Flow

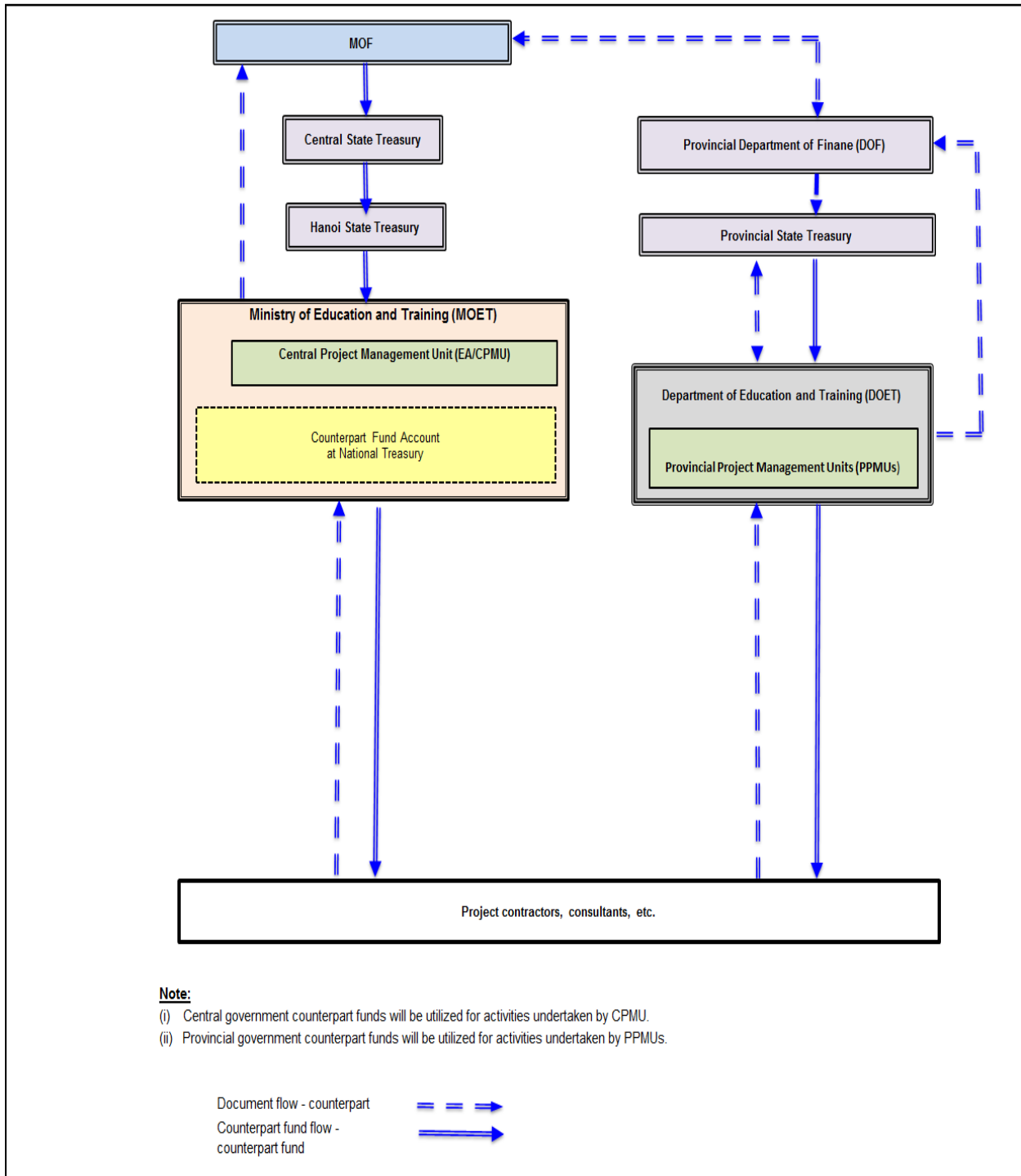


Note:

- (i) Central government counterpart funds will be utilized for activities undertaken by CPMU.
- (ii) Provincial government counterpart funds will be utilized for activities undertaken by PPMUs.



Figure 3: Counterpart Fund Flow



V. FINANCIAL MANAGEMENT

A. Financial Management Assessment

45. A financial management assessment (FMA) to review MOET's systems for financial and management accounting, reporting, auditing, and internal controls, as well as its disbursement and cash flow management arrangements, was undertaken during the PPTA. The FMA is a review designed to determine whether or not MOET and its subsidiary bodies (i.e. related departments under MOET and provincial DOETs), as well as other relevant Government authorities, including the Ministry of Finance (MOF) and State Treasuries (STs) at central and provincial levels are considered capable of and adequate for recording all transactions and balances, supporting the preparation of regular and reliable financial statements, and safeguarding the entity's assets. Issues or weaknesses identified during the FMA were taken into consideration during project design to ensure effective implementation arrangements throughout project implementation. The FMA was carried out in accordance with ADB's guidelines.²

46. MOET, as well as the Department of Secondary Education (DSE), Department of Planning and Finance (DPF) and General Department of School Facilities, Equipment, and Children's Toys (GDFE), have been involved in all ADB-funded secondary education projects and, as a result, have good experience with ADB's procedures on consultant recruitment and procurement of goods and works. This experience is seen as very helpful and an advantage for ensuring effective project implementation. DSE has 25 permanent, full-time staff including 5 leaders and 20 staff. All DSE staff hold at least university qualifications, and 20 of its staff hold doctorate or masters degrees and have a fair command of the English language. Almost all staff have participated in at least one training course on project management, financial management, and procurement, which were provided through ADB- or WB-funded projects and implemented by MOET. Given its functions and mandate for managing LSE, as well as its satisfactory track record in implementing eight ADB-funded secondary education projects and projects funded by other development partners, MOET is assessed as the appropriate agency to manage LSEMDAP II and has the capacity to effectively manage the financial resources of the project.

47. DPF has 28 permanent, full-time staff including 5 department leaders and 23 staff. DPF comprises four units (i.e., official development assistance [ODA], finance, planning and investment, and statistics), and each unit has two unit heads (i.e., a chief and a deputy). All DPF staff hold university degrees, with 18 staff possessing doctorate or masters degrees. Staff in the DPF, especially those in the ODA unit, have fair to good command of the English language and have participated (either as trainee or trainer) in at least one of the training courses on procurement and financial management, which were organized and conducted in at least one of these courses recently; some even participated as trainers of ADB- and WB-funded projects.

48. GDFE has 25 permanent, full-time staff including 4 department heads and 21 staff. The GDFE comprises three units (i.e., department office, equipment, and facilities), with each unit headed by a chief and a deputy. All GDFE staff hold university degrees, and 10 staff possess a doctorate or master's degree. Staff in this department have English level ranging from fair to good. Staff are also involved in projects funded by ADB, WB, and other donors. As these projects have civil works and equipment components, GDFE staff have good experience in procurement and related financial management.

² ADB. 2005. *Financial Management and Analysis of Projects*. Manila.

49. The CPMU for the LSEMDAP II is to be headed by a Project Director, who will be responsible for overall project management. Other CPMU staff will include a full-time Deputy Director and unit heads for administration, finance, civil works, procurement, staff development and training, monitoring and evaluation, and social development. In addition, support and clerical staff will be recruited, especially for the Finance Unit, which will need at least four full-time qualified accountants to assist the Chief Accountant.³

50. A PPMU shall be established by the PPC Chairman and headed by a DOET representative in each of the 28 project DOETs. Each PPMU will comprise a project manager, deputy project manager, and specialized and basic administrative staff designated from existing DOET personnel, with support provided by various specialist staff from provincial government departments, as required. The PPMUs shall be responsible for implementing and monitoring project activities at the provincial level and shall be responsible for submitting reports and necessary data to CPMU, as well as for close liaison with DOET in implementing the project.

51. The assessment of the 28 provincial DOETs covered under the project shows that the staff have adequate financial management capacity as well as extensive experience in ADB- and WB-funded projects and in managing projects at the provincial level. The financial management capacity of assessed provincial DOETs was found to be generally satisfactory. Therefore, it is expected that the project will have moderate risk as far as financial management is concerned. Each DOET has assigned 1–3 accountants to serve as full-time staff for the project PPMUs. All have experience with ADB-funded projects and are familiar with ADB financial management procedures. The summary of findings of the financial management assessment of the 28 DOETs is summarized in Table 5.

³ During LSEMDRP, CPMU prepared all financial reports with guidance from the Ministry of Finance and in accordance with ADB's requirements for financial reporting. No problems were encountered in the preparation of financial reports. The procurement of project auditor was carried out effectively and annually following ADB procurement guidelines.

Table 5: Summary of Findings of the Financial Management Assessment

No.	CPMU/PPMU	Assessment	Participation in ADB-funded Projects						Participation in World Bank			Number of Accountants	Experience in Operating and Managing Provincial Normal Account	
			L1537 ^a	L1979 ^b	L2115 ^c	L2298 ^d	L2384 ^e	L7697 ^f	P044803 ^g	P091747 ^h	P120867 ⁱ			
Provincial Project Management Units														
Northern Midland and Mountainous Area:														
1.	Cao Bằng	Moderate Risk		x	x			x	x	x			1	Yes (ADB/WB)
2.	Điện Biên	Moderate Risk		x	x			x	x	x			6	Yes (ADB/WB)
3.	Hà Giang	Moderate Risk			x			x	x				3	Yes (ADB)
4.	Hà Tĩnh	Moderate Risk			x				x				3	Yes (ADB)
5.	Hòa Bình	Moderate Risk		x	x	x			x		x	x	2	Yes (ADB/WB)
6.	Lạng Sơn	Moderate Risk		x	x					x			1	Yes (ADB/WB)
7.	Lào Cai	Moderate Risk		x	x			x	x			x	1	Yes (ADB/WB)
8.	Phù Thọ	Moderate Risk			x								2	Yes (ADB)
9.	Sơn La	Moderate Risk	x	x	x			x	x	x			1	Yes (ADB/WB)
10.	Thái Nguyên	Moderate Risk	x			x							3	Yes (ADB)
11.	Yên Bái	Moderate Risk			x			x	x				2	Yes (ADB)
Central Highland Area:														
1.	Đắk Lắk	Moderate Risk		x	x			x	x	x	x	x	2	Yes (ADB/WB)
2.	Gia Lai	Moderate Risk		x	x			x	x				3	Yes (ADB)
Mekong River Delta Area:														
1.	Bạc Liêu	Moderate Risk	x	x					x	x			2	Yes (ADB/WB)
2.	Kiên Giang	Moderate Risk	x	x				x	x	x			2	Yes (ADB/WB)
3.	Sóc Trăng	Moderate Risk		x				x	x				3	Yes (ADB)
4.	Trà Vinh	Moderate Risk			x			x	x	x			2	Yes (ADB/WB)
North Central and Central Coastal Area:														
1.	Bình Định	Moderate Risk	x		x				x				3	Yes (ADB)
2.	Bình Thuận	Moderate Risk			x				x	x	x		3	Yes (ADB/WB)
3.	Ninh Thuận	Moderate Risk			x			x	x				4	Yes (ADB)
4.	Nghệ An	Moderate Risk			x				x				3	Yes (ADB)
5.	Quảng Bình	Moderate Risk	x	x									3	Yes (ADB)
6.	Quảng Nam	Moderate Risk	x		x				x				1	Yes (ADB)
7.	Quảng Ngãi	Moderate Risk	x	x									3	Yes (ADB)
8.	Quảng Trị	Moderate Risk	x						x		x	x	2	Yes (ADB/WB)
9.	Thừa Thiên Huế	Moderate Risk	x						x	x			2	Yes (ADB/WB)
10.	Thanh Hóa	Moderate Risk							x	x			3	Yes (ADB/WB)
11.	Phú Yên	Moderate Risk			x				x				3	Yes (ADB)

Asian Development Bank (ADB) projects:^a Lower Secondary Education Development Project, Loan 1537.^b Upper Secondary Education Development Project, Loan 1979.^c Second Lower Secondary Education Development Project, Loan 2115.^d Upper Secondary and Professional Teacher Development Project, Loan 2298.^e Lower Secondary Education for the Most Disadvantaged Regions Project, Loan 2384.^f Second Upper Secondary Education Development Project, Loan 7697.**World Bank (WB) projects:**^g Primary Education for Disadvantaged Children Project (PEDC), P044803^h School Education Quality Assurance Program (SEQAP) P091747ⁱ Vietnam - Global Partnership for Education - Vietnam Escuela Nueva (GPE-VNEN) Project P120867

52. Financial risk assessment (FRA) was also carried out for the project. The FRA focused on the financial risks which are part of the compliance/fiduciary risk. The impact of risks under the project are ranked as low, moderate, substantial, and high. A number of risks at several levels are presented in Table 6 along with mitigation measures. With the proposed risk mitigation measures, it is expected that, overall, the project's financial risk assessment will be moderate.

Table 6: Financial Risk Assessment and Proposed Mitigation Measures

	Risk	Level of Risk Impact	Probability of Risk	Brief Description of Risk	Proposed Mitigation Solution	Time Period
1	Low quality of accounting staff at both central and provincial levels	Moderate	Moderate	Non-competitive salary and allowance cost norms make it difficult to attract qualified accountants with good English competence for CPMU especially for the post of Chief Accountant.	<ul style="list-style-type: none"> • MOET should assign from its ranks a competent, full-time, Chief Accountant with experience in implementation of ADB-funded projects in social sectors. CPMU should also recruit qualified accountants to support the Chief Accountant. • Training on financial management, disbursement, and on the maintenance and monitoring of project accounts should be conducted for relevant staff. 	<ul style="list-style-type: none"> • 6 months prior to loan effectivity • 6 months prior to loan effectivity
2	Envisaged severe delay in implementation	High	Low	Many PPMUs may experience difficulties in managing project funds and their subsequent allocation during the first two years of project implementation.	<ul style="list-style-type: none"> • A detailed, user-friendly Financial Management Manual should be prepared, and training conducted for accountants of PPMUs in charge of provincial-level project activities before the loan becomes effective. This should also be included as one of the Loan Covenants. • CPMU should recruit a qualified Procurement Officer with ADB or WB experience in procurement. • Training on procurement disbursement should be conducted for relevant staff. 	<ul style="list-style-type: none"> • 3 months prior to loan effectivity • 6 months prior to loan effectivity • 3 months prior to loan effectivity
3	Not sufficient and late counterpart fund in cash or in kind contribution from central and local governments.	Moderate	Low	MOET and PPCs are not in a strong financial position to ensure that counterpart fund for the project is provided in time and in full.	<ul style="list-style-type: none"> • Written commitments should be obtained from central and local governments at the time of Loan Agreement to secure counterpart funding for the whole project. • CPMU/PPMUs should prepare timely and realistic annual projections for counterpart funding and obtain support from MOET and ADB in requesting for the timely release of sufficient counterpart funds with MOF/MPI/PPCs. 	<ul style="list-style-type: none"> • 6 months prior to loan effectivity • 6 months before the end of each fiscal year
4	Slow disbursements	Moderate	Moderate	Lack of qualified staff and	<ul style="list-style-type: none"> • CPMU and PPMUs should prepare 	<ul style="list-style-type: none"> • As required

	Risk	Level of Risk Impact	Probability of Risk	Brief Description of Risk	Proposed Mitigation Solution	Time Period
	caused by slow payments which are controlled by State Treasuries (STs) at central and provincial levels			poor understanding of policies, guidelines, and procedures donor-funded projects may cause delays in application and withdrawal of funds as well as payments to contractors, especially at the provincial level.	realistic payment documents to be submitted to STs. Closely follow-up with STs and provide clarification when needed.	
5	Late and poor quality annual audited financial statements submitted	Moderate	Moderate	CPMU may not prepare and complete procedures to recruit competent annual auditors in time. This may, in turn, cause delays in the submission of annual audit reports, thereby delaying the release of findings necessary to aid CPMU in improving its financial management.	<ul style="list-style-type: none"> • Recruitment of auditors should be done timely and on a competitive basis using the consultant qualification selection (CQS) method. • CPMU should start the process of recruiting auditors well in advance to provide ample time to conduct the audit and avoid delay. 	<ul style="list-style-type: none"> • Within first 18 months for the first package; and by end 2018 for the second package. • Within first 18 months for the first package; and by end 2018 for the second package.
6	School clusters may not implement the approved activities after receiving fund for the projects intended for block grants”	Moderate	Low	DOETs may not implement the approved activities after receiving fund for the projects intended for block grants.	<ul style="list-style-type: none"> • CPMU/DOETs should provide clear and detailed guidelines and closely monitor the implementation and spending by school clusters for the approved activities • A complaint mechanism should be established and operational over the duration of the project. 	<ul style="list-style-type: none"> • Regularly throughout project implementation • Upon loan effectivity

B. Disbursement

53. The Loan proceeds will be disbursed in accordance with ADB's *Loan Disbursement Handbook* (July 2012, as amended from time to time),⁴ and detailed arrangements agreed upon between the Government and ADB.

54. By the end of January of each year, the CPMU will prepare procurement and disbursement plans for that particular year on a quarterly basis. This plan will be discussed and agreed with the ADB project supervisor prior to official submission to ADB. The content of the plans will be used by ADB and CPMU as basis for project monitoring and evaluation. Four major types of disbursement procedures will be applied: (i) direct payment procedure; (ii) commitment procedure; (iii) reimbursement procedure; and (iv) imprest fund procedure. Selection of capital withdrawal method for each specified expenditure or activity will be done based on the project's requirements.

55. CPMU will open an imprest account at a commercial bank (service bank) to receive advances and project loan proceeds.⁵ The selection of the service bank is stipulated under the Government's regulations. The service bank selected should be included in the list of eligible commercial banks declared by State Bank of Viet Nam and will be selected by the State Bank of Viet Nam and ADB.

56. The ceiling of the initial amount to be allocated to the imprest account will not exceed \$2 million. The currency of the imprest account(s) is the U.S. dollar. The imprest account is to be used exclusively for ADB's share of eligible expenditures. The CPMU who established the imprest account in its name is accountable and responsible for proper use of advances to the imprest account.

57. The CPMU may request for initial and additional advances to the imprest account based on an Estimate of Expenditure Sheet⁶ setting out the estimated expenditures to be financed through the account for the forthcoming six (6) months. Supporting documents should be submitted to ADB or retained by the CPMU in accordance with ADB's *Loan Disbursement Handbook* when liquidating or replenishing the imprest account.

58. The SOE procedure⁷ may be used for reimbursement of eligible expenditures or liquidation of advances to the imprest account. The ceiling of the SOE procedure is the equivalent of \$100,000 per individual payment. Supporting documents and records for the expenditures claimed under the SOE should be maintained and made readily available for review by ADB's disbursement and review missions, upon ADB's request for submission of supporting documents on a sampling basis, and for independent audit. Reimbursement and liquidation of individual payments in excess of the SOE ceiling should be supported by full documentation when submitting the withdrawal application to ADB

59. The school clusters that are eligible to receive block grants will be selected by the working group whose members will be from CPMU and PPMU/DOET. Funds for block grant will be transferred from CPMU's imprest account to DOET deposit account in the Provincial Treasury upon request by the PPMUs. Block grant fund will then be transferred from DOETs' deposit account to the beneficiary schools' account upon disbursement decision made by

⁴ Available at: <http://www.adb.org/sites/default/files/loan-disbursement-handbook.pdf>

⁵ Bank charges may be financed from the ADB loan.

⁶ Form available in Appendix 10B of the *Loan Disbursement Handbook*.

⁷ The SOE form may be found in Appendix 9B of the *Loan Disbursement Handbook*.

PPMU/DOET. Transfers from the imprest account to the DOET deposit account and further to the beneficiary school account will be based on approved school plans. The beneficiary schools are responsible to report to PPMU/DOET on the use of block grant.

60. Before the submission of the first withdrawal application, the State Bank of Viet Nam should submit to ADB sufficient evidence of the authority of the person(s) who will sign the withdrawal applications on behalf of the borrower, together with the authenticated specimen signature of each authorized person. The minimum value per withdrawal application is \$100,000, unless otherwise approved by ADB. Individual payments below this amount should generally be paid from the imprest account, or by the EA/IA and subsequently claimed to ADB through reimbursement. ADB reserves the right not to accept WAs below the minimum amount.

61. MOET and the PPCs will be responsible for the allocation of counterpart funds on a timely basis and in accordance with the loan agreement. In case counterpart funds are not arranged on time and allocated in the annual budget of MOET (the project owner), the Ministry of Planning and Investment (MPI) and MOF will apply for an advance, which will use the counterpart fund earmarked for the following year. The project executing agency will cooperate with relevant parties for the reimbursement of the advance. The Government's regulations regulating the budget approval and disbursement process of program and projects using ODA will apply to this project.

62. The central government counterpart fund will consist of the following: (i) budget for administrative activities (such as value added tax [VAT]) of procured goods, equipment, project management, etc.); (ii) cars, and textbooks and instruction materials and (iii) some project implementation support such as appointment/ hiring some of PMU staff, regular annual expenditure for office operation, and office repair. CPMU will prepare a disbursement plan for the project and summarize cost requirements (both counterpart fund and loan fund), which will be included in the annual budget plan for education and submitted to MOET for approval. The summary of annual MOET budget will then be submitted to the Government and the National Assembly for approval.

63. The local counterpart fund will be used under the civil works budget, a portion of non-civil works expenditures, such as PPMU project management, budget for civil works (tax, preparation costs, other services of civil works) of classrooms, libraries, laboratories, semi-boarded facilities, teachers' housing, etc. In target provinces receiving civil works support, the DOETs will prepare implementation plans and submit these to the PPCs. This will, in turn, be included in the annual civil works investment financial plan, which will be included in the province's annual budget plan for education.

C. Accounting

64. The MOET will maintain separate project accounts and records, by funding source, for all expenditures incurred by the project. Project accounts will follow international accounting principles and practices and the following two accounting systems: (i) the Investment owner accounting system (IOAS) issued by MOF in 2000 for civil works activities (under Decision 214/200/QD-BTC and the latest instruction included in Circular 195/2012/TT-BTC); and (ii) Accounting system for Administrative and Service Units (this is an accounting system designed by Government for administrative and service units and issued in conjunction with Decision No 19/2006/QD-BTC dated 31 March 2006 of MOF) for remaining activities.

65. MOET's CPMU is required by Government to comply with Vietnamese Accounting Standards (VAS). CPMU will implement Government accounting policies and procedures to

ensure that cost allocations to the various funding sources can be readily identified. This system allows for the proper recording of project financial transactions, including the allocation of expenditures to the respective cost components, disbursement categories, and sources of funds. Controls are in place concerning the preparation and approval of transactions. The systems used are adequate to properly account for, and report on, the project's activities and disbursement categories. No concern is identified in terms of possible erroneous transactions to be provided under the LSEMDAP II.

66. The Project Director has full authority to execute the project transactions under the project subject to ADB's approval. The Chief Accountant will delegate authority to his/her finance accounting staff to record transactions, including the custody of assets involved in the transactions. Project management staff, as authorized by the Project Director, will order and monitor all goods, works and services, and all payments will be prepared by the accounting staff. Bank reconciliation will be prepared by the accounting staff and approved first by the Chief Accountant and secondly by the Project Director. Projects in MOET normally use a computerized accounting system, which means that it should be easy to reconcile the general ledger at CPMU and subsidiary ledgers at PPMUs, if designed to do so. All the accounting and supporting documents will be retained by the project at both central and local levels on a permanent basis.

67. The ADB loan will be managed in accordance with ADB policies and government regulations. Payments will be made through (i) direct payment for procurement of goods through international competitive bidding (ICB) and consulting services; and (ii) an imprest account for payments for the remaining activities.

68. A central counterpart fund from the State budget will be allocated to the CPMU's account with the State Treasury.

69. MOET will represent the Government of Viet Nam in maintaining project accounts and accounting books based on allocations for all project expenditures in accordance with the principles and standards of international accounting and government regulations as well as the articles provided in the loan agreement. CPMU will be responsible for the preparation of project quarterly financial reports.

D. Auditing and Public Disclosure

70. MOET will cause the detailed consolidated project financial statements to be audited in accordance with International Standards on Auditing and with the Government's audit regulations, by an independent auditor acceptable to ADB. The audited project financial statements will be submitted in the English language to ADB within six months of the end of the fiscal year by the executing agency.

71. The annual audit report will include an audit management letter and audit opinions which cover (i) whether the project financial statements present a true and fair view or are presented fairly, in all material respects, in accordance with the applicable financial reporting framework; (ii) whether loan and grant proceeds were used only for the purposes of the project or not; (iii) the level of compliance for each financial covenant contained in the legal agreements for the project; (iv) compliance with the imprest fund procedure; and (v) compliance with use of the SOE procedure certifying (a) to the eligibility of those expenditures claimed under SOE procedures, and (b) proper use of the procedure in accordance with ADB's Loan Disbursement Handbook and the project documents.

72. Compliance with financial reporting and auditing requirements will be monitored by review missions and during normal program supervision, and followed up regularly with all concerned, including the external auditor.

73. The Government of Viet Nam and MOET have been made aware of ADB's approach to delayed submission, and the requirements for satisfactory and acceptable quality of the audited project financial statements. ADB reserves the right to require a change in the auditor (in a manner consistent with the constitution of the borrower, or for additional support to be provided to the auditor, if the audits required are not conducted in a manner satisfactory to ADB, or if the audits are substantially delayed. ADB reserves the right to verify the project's financial accounts to confirm that the share of ADB's financing is used in accordance with ADB's policies and procedures.

74. Public disclosure of the project financial statements, including the audit report on the project financial statements, will be guided by ADB's Public Communications Policy (2011).⁸ After review, ADB will disclose the project financial statements for the project and the opinion of the auditors on the financial statements within 30 days of the date of their receipt by posting them on ADB's website. The Audit Management Letter will not be disclosed.

VI. PROCUREMENT AND CONSULTING SERVICES

A. Advance Contracting and Retroactive Financing

75. All advance contracting and retroactive financing will be undertaken in conformity with ADB's Procurement Guidelines (2013, as amended from time to time)⁹ and ADB's Guidelines on the Use of Consultants (2013, as amended from time to time).¹⁰ The issuance of invitations to bid under advance contracting and retroactive financing will be subject to ADB approval. The borrower, the executing agency, and implementing agencies have been advised that approval of advance contracting and retroactive financing does not commit ADB to finance the project.

76. Retroactive financing shall be allowed for eligible disbursements made no earlier than 12 months before loan signing, and not later than date of loan effectiveness. Retroactive financing is permitted only if (i) it is specifically agreed by ADB and the Borrower in the loan agreement; (ii) the goods, works, services, and consultants for which it is requested are procured in accordance with ADB's Procurement Guidelines and Guidelines on the Use of Consultants by ADB and its Borrowers (2013, as amended from time to time)¹¹ under arrangements acceptable to ADB; and (iii) the amount to be retroactively financed does not exceed 5% of the loan amount.

77. Under the project, two consultant packages: (i) project start-up consultants (2 person-months for international and 3 person-months for national consultants); and (ii) resettlement specialist (2 person-months for international and 16 person-months for national consultants) with a total budget of \$148,000 will be applied for retroactive financing. The recruitment of the consulting firm for the Project Implementation contract and preparation of the draft bid documents for civil works will be also started before the project effectiveness as an advance action.

⁸ Available from <http://www.adb.org/documents/pcp-2011?ref=site/disclosure/publications>

⁹ Available at <http://www.adb.org/Documents/Guidelines/Procurement/Guidelines-Procurement.pdf>

¹⁰ Available at <http://www.adb.org/Documents/Guidelines/Consulting/Guidelines-Consultants.pdf>

¹¹ Available at <http://www.adb.org/Documents/Guidelines/Consulting/Guidelines-Consultants.pdf>

B. Procurement of Goods, Works, and Consulting Services

78. All procurement of goods and works will be undertaken in accordance with ADB's Procurement Guidelines (2013, as amended from time to time)¹² and the procurement plan prepared and agreed between the Government and ADB.

79. For goods, ICB procedures will be used for goods valued at \$500,000 or above; national competitive bidding (NCB) procedures will be used for goods valued below \$500,000; and shopping procedures may be used for goods valued below \$100,000. For works, ICB procedures will be used for works valued at \$5,000,000 or above; NCB procedures will be used for works valued below \$5,000,000; and shopping procedures may be used for works valued below \$100,000.

80. Project civil works will consist of construction of new classrooms and other facilities (semi-boarding, sanitation, teacher housing, science laboratory room, kitchen, and library). Local government resources will finance design and construction supervision and other relevant costs, and the selection and engagement of these services will follow government procedures. The civil works are spread over LSSs in 28 disadvantaged provinces, and procurement for civil works contracts will follow NCB procedures. The PPMUs and CPMU will ensure appropriate implementation of the civil works.

81. An 18-month procurement plan indicating threshold and review procedures, goods, works, and consulting service contract packages and national competitive bidding guidelines is in Section C. The indicative procurement packages and plan are in Table 6 of Section C. All consultants will be recruited according to ADB's Guidelines on the Use of Consultants.¹³ Project implementation will require the services of international and national project start-up consultant to help set up a financial management system, manage procurement, train staff, coordinate consultants' inputs and project performance monitoring and evaluation. The project implementation consultants will be selected and engaged by the Government through a firm, using quality- and cost- based selection (QCBS) (80:20 ratio). The terms of reference (TORs) for all consulting services are detailed in Section D. All consulting packages must be advertised in the Consulting Services Recruitment Notice on ADB's website.¹⁴ The minimum advertising period is 30 days. The government is advised to select electronic submission of Expression of Interest (EOI) to be able to cross-check companies' performance records in ADB's Consultant Management System (CMS).

82. In order to further improve control and monitoring of project procurement activities by each PPMU, it is important that they clearly identify responsibilities to be performed by units/persons. Although the appointed DOET/PPMU staff have experience in implementing ADB-funded projects, a training course should be conducted to refresh DOET and PPMU staff on ADB project management policies and procedures and procurement guidelines, disbursement procedures, reporting requirements, and governance. Participation of staff from related provincial agencies such as provincial State Treasury, Department of Finance, and Department of Construction, among others, should be encouraged and highly recommended. Moreover, the assignment and dedication of DOET/PPMU staff, who have prior experience in the procurement under ADB-funded projects, should be a main criterion for selecting/appointing staff to the PPMU. These recommendations are envisioned to help mitigate procurement.

¹² Available at <http://www.adb.org/Documents/Guidelines/Procurement/Guidelines-Procurement.pdf>

¹³ Available at <http://www.adb.org/Documents/Guidelines/Consulting/Guidelines-Consultants.pdf>

¹⁴ [www.adb.org \(https://uxdmz06.adb.org/OA_HTML/OA.jsp?OAFunc=XXCRS_CSRN_HOME_PAGE\)](https://uxdmz06.adb.org/OA_HTML/OA.jsp?OAFunc=XXCRS_CSRN_HOME_PAGE)

83. The in-country staff development plan is shown in Appendix 1. Detailed project activities and budget allocation is shown in Appendix 2. The procurement capacity assessment is in Appendix 3.

C. Procurement Plan

Basic Data

Project Name: Second Lower Secondary Education for the Most Disadvantaged Areas (LSEMDAP II)	
Project Number: 46066	Approval Number: TBD
Country: Viet Nam	Executing Agency: Ministry of Education and Training
Project Financing Amount: \$93.000 million ADB Financing: \$80.000 million Non-ADB Financing: \$13.000 million	Implementing Agency: Central Project Management Unit (CPMU)
Date of First Procurement Plan TBD	Date of this Procurement Plan: 4 September 2014

A. Methods, Thresholds, Review, and 18-Month Procurement Plan (10/2014–03/2016)

1. Procurement and Consulting Methods and Thresholds

84. Except as ADB may otherwise agree, the following process thresholds shall apply to procurement of goods and works.

Procurement of Goods and Works		
Method	Threshold	Comments
International Competitive Bidding (ICB) for Works	>=\$5,000,000	
International Competitive Bidding for Goods	>=\$500,000	Prior review
National Competitive Bidding (NCB) for Works ²	Beneath that stated for ICB, Works (>=\$100,000 and <\$5,000,000)	Prior review first package of the project of first package of Phu Yen, Quang Nam, Binh Thuan, Quang Ngai, Son La, Dien Bien, Ha Giang, Gia Lai and Kien Giang provinces.
National Competitive Bidding for Goods ²	Beneath that stated for ICB, Goods (>=\$100,000 and <\$500,000)	Prior review first package Post review for the rest
Shopping for Works	Below \$100,000	Post review
Shopping for Goods	Below \$100,000	Post review
Consulting Services		
Method	Comments	
Quality and Cost Based Selection (QCBS)	80:20 ratio	
Least-Cost Selection ⁴ (LCS)	Audit Services	
Fixed Budget Selection (FBS)	Overseas staff training and Textbook Development	
Individual Consultant Selection (ICS)	Consultant contracts including international and national consultants on (i) Project Start-up Support, (ii) Resettlement, and (iii) Project Completion Report.	

2. Goods and Works Contracts Estimated to Cost \$1 Million or More

85. The following table lists goods and works contracts for which the procurement activity is either ongoing or expected to commence within the next 18 months.

Package No	General Description	Estimated Value (\$ m)	Procurement Method	Review (Prior/ Post)	Bidding Procedure	Advertisement Date (quarter/year)	Procuring Agency	Comments
1	Civil Works, Phase 1 (30% of overall civil works program)	\$13.292 (about 20-25 packages with about 60 lots and multiple contracts)	NCB	Prior for the first packages of Phu Yen, Quang Nam, Binh Thuan Quang Ngai Son La Dien Bien Ha Giang Gia Lai and Kien Giang provinces Otherwise Post review	1S1E	Q/1 2016	PPMUs (PPMUs will be determined after the site survey)	Pre-qualification not required. SBD Works

3. Consulting Services Contracts Estimated to Cost \$100,000 or More

86. The following table lists consulting services contracts for which the recruitment activity is either ongoing or expected to commence within the next 18 months.

Consulting Services								
General Description	Estimated Value \$million	Number of Contracts	Recruitment Method	Review (Prior / Post)	Advertisement Date (quarter/year)	Type of Proposal	Procuring Agency	Comments
Consulting firm for Project implementation	2,081	1	QCBS	Prior	Q4/2014	FTP	CPMU	Total 50 person-months for the international consultants and 142 person-months for the national consultants

4. Goods and Works Contracts Estimated to Cost Less than \$1 Million and Consulting Services Contracts Less than \$100,000 (Smaller Value Contracts)

87. The following table groups smaller-value goods, works, and consulting services contracts, for which the activity is either ongoing or expected to commence within the next 18 months.

Goods and Works									
Package No	General Description	Estimated Value (\$ m)	No. of Contracts	Procurement Method	Review (Prior / Post)	Bidding Procedure	Advertisement Date (quarter /year)	Procuring Agency	Comments
2	CPMU: Furniture & Equipment; E-learning equipment; Project Management Software and Server; PPMUs: Furniture & Equipment	0.483 (Lot1-Furniture for CPMU and 28 PPMUs \$0.069mil + Lot2- Project Management Software and Server \$0.090mil + Lot3- e-learning equipment for CPMU \$0.035mil + Lot4- Office equipment for CPMU and PPMUs \$0.289mi)	4 (4 lots)	NCB	Prior review for the first NCB goods package, post review for the rest	1S1E	Q3/2015	CPMU	Prequalification not required. SBD Goods
3	Cars (one 7-seat car and one 4-seat car)	0.140	1	NCB	Prior review for the first NCB goods package, post review for the rest	1S1E	Q3/2015	CPMU	Prequalification not required. SBD Goods

Consulting Services									
Package No	General Description	Estimated Value (\$m)	No of Contracts	Recruitment Method	Review (Prior / Post)	Advertisement Date (quarter/ year)	Type of Proposal	Procuring Agency	Comments
4	Project Start-up Support consultants	0.056	2	ICS	Prior	Q4/2014 (Advance Action)	CV	CPMU	1 international and 1 national consultant
5	Resettlement consultants	0.092	4	ICS	Prior	Q4/2014 (Advance Action)	CV	CPMU	1 international consultant and 3 national consultants

B. Indicative List of Packages Required Under the Project

88. The following table provides an indicative list of goods, works, and consulting services contracts over the life of the project, other than those mentioned in previous sections (i.e., those expected beyond the current period).

Goods and Works								
Package No	General Description	Estimated Value (cumulative) (\$ m)	Estimated No of Contracts	Procurement Method	Review (Prior / Post)	Bidding Procedure	Procuring Agency	Comments
7	Civil Works-phases 2 and 3	26.363	About 30 packages with 80 lots	NCB	Prior for the first packages of Phu Yen, Quang Nam, Binh Thuan Quang Ngai Son La Dien Bien Ha Giang Gia Lai and Kien Giang provinces Otherwise Post review	1S1E	PPMUs (PPMUs will be determined after the site survey)	Prequalification not required. SBD Works
8	Furniture-phases 1, 2, and 3 of civil works	3.143	3	ICB	Prior	1S1E	CPMU	Prequalification not required. SBD Goods Deliveries to be coordinated with completion of each civil works phase
9	Equipment: 86 District CECs	2.649 (Lot1 – Equipment for 50 district CECs in the Northern Mountainous Area \$1.540mil + Lot2 - Equipment for 36 remaining district CECs in the Central Highland and Mekong Delta \$1.109mil)	2 (2 lots)	ICB	Prior	1S1E	CPMU	SBD for Goods
10	Equipment: 344 School clusters	2.408 (Lot1 – Equipment for school clusters in the Northern Mountainous Area + Lot2 –	2 (2 lots)	ICB	Prior	1S1E	CPMU	SBD for Goods

Goods and Works								
Package No	General Description	Estimated Value (cumulative) (\$ m)	Estimated No of Contracts	Procurement Method	Review (Prior / Post)	Bidding Procedure	Procuring Agency	Comments
		Equipment for school clusters in Central Highland and Mekong Delta Areas)						
11	Equipment: Subject Rooms Equipment for Libraries	3.400	3	ICB	Prior	1S1E	CPMU	SBD for Goods
12	Printing Instructional Materials for Awareness Raising Campaign	0.116	1	NCB	Post	1S1E	CPMU	Prequalification not required. SBD Goods
13	Printing Textbooks for the development of Regional- and Competency in Ethnic Minority areas	4.140	4	ICB	Prior	1S1E	CPMU	Prequalification not required. SBD Goods
14	Printing and production of instructional materials (DVDs) for development of Life Skills and preservation and promotion of Ethnic Minority Cultures and Values	0.117	1	NCB	Post	1S1E	CPMU	Prequalification not required. SBD Small Goods
15	Printing of instructional materials for Disaster Management Education	0.073	1	Shopping	Post	RFQ	CPMU	-
16	Development of instructional materials for vocational counseling and guidance for Ethnic Minority Areas	0.060	1	Shopping	Post	RFQ	CPMU	-
17	Printing of instructional materials for	0.117	1	NCB	Post	1S1E	CPMU	Prequalification not required.

Goods and Works								
Package No	General Description	Estimated Value (cumulative) (\$s m)	Estimated No of Contracts	Procurement Method	Review (Prior / Post)	Bidding Procedure	Procuring Agency	Comments
	vocational counseling and guidance for Ethnic Minority areas							SBD Goods
18	Printing Manuals on organization and management of cluster schools	0.009	1	Shopping	Post	RFQ	CPMU	-
19	Provision of books facilitating students' study in the classrooms and encouraging students' interest in reading	0.725	1	ICB	Prior	1S1E	CPMU	SBD for Goods
20	Printing of project implementation support manuals	0.007	1	Shopping	Post	RFQ	CPMU	-

Consulting Services								
Package No	General Description	Estimated Value (cumulative) (\$s m)	Estimated No of Contracts	Recruitment Method	Review (Prior / Post)	Type of Proposal	Procuring Agency	Comments
21	Textbook development	1.720 (Literature and Vietnamese Language \$353,500 + Mathematics \$353,500 + Civil Education \$231,000 + Natural Science \$418,000 + Social Science \$364,000)	5	FBS	Prior	STP	CPMU	Nat'l firm Lump sum contract
22	Audit services	0.420	2	LCS	Prior	BTP	CPMU	Nat'l firm
23	Overseas Staff Training	0.540	3	FBS	Prior	STP	CPMU	International
24	Project	0.056	2	ICS	Prior	CV	CPMU	1 International

	Completion Report							Consultant 1 National Consultant
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C. List of Awarded, Ongoing, and Completed Contracts

89. The following tables list the awarded and on-going contracts, and completed contracts.

1. Awarded and Ongoing Contracts

Not applicable

2. Completed Contracts

Not applicable

D. Non-ADB Financing

90. The following table lists goods, works, and consulting services contracts over the life of the project, financed by non-ADB sources.

Not Applicable

E. National Competitive Bidding

1. General

91. The laws to be followed for NCB are set forth in (i) the Law on Procurement No. 61/2005/QH11 of 29 November 2005, (ii) the Construction Law No. 16/2003/QH11 of 26 November 2003, (iii) the Amendment Law No. 38/2009/QH12 of 19 June 2009 amending and supplementing key articles of the above-mentioned two laws, and (iv) the processes described in Decree No. 85/2009/ND-CP of 15 October 2009 on "Guiding Implementation of Procurement Law and Selection of Construction Contractors under the Construction Law." Whenever any procedure in the national procurement laws is inconsistent with the ADB Procurement Guidelines (March 2013, and as amended from time to time), the ADB Guidelines shall prevail, among others, on the following.

2. Registration

- (i) Bidding shall not be restricted to pre-registered firms and such registration shall not be a condition for participation in the bidding process.
- (ii) Where registration is required prior to award of contract, bidders: (i) shall be allowed a reasonable time to complete the registration process; and (ii) shall not be denied registration for reasons unrelated to their capability and resources to successfully perform the contract, which shall be verified through post-qualification.
- (iii) Foreign bidders shall not be required to register as a condition for submitting bids.
- (iv) Bidder's qualification shall be verified through pre- or post-qualification process.

3. Eligibility

- (i) National sanction lists may only be applied with approval of ADB.¹⁵
- (ii) A firm declared ineligible by ADB cannot participate in bidding for an ADB financed contract during the period of time determined by ADB.
- (iii) A firm which has been engaged by the borrower to provide consulting services for the preparation or implementation of a project, and any of its affiliates, shall be disqualified from subsequently providing goods, works, or services, resulting from or directly related to the firm's consulting services for such preparation or implementation.

4. Prequalification and Post qualification

- (i) Post qualification shall be used unless prequalification is explicitly provided in the loan agreement/procurement plan. Irrespective of whether post-qualification or prequalification is used, eligible bidders (both national and foreign) shall be allowed to participate.
- (ii) In the event where prequalification is used, interested firms shall be given no less than 42 days to prepare their prequalification submission.
- (iii) When prequalification is required, the evaluation methodology shall be based on pass/fail criteria relating to the firm's experience, technical and financial capacities.
- (iv) Qualification criteria shall be clearly specified in the bidding documents, and all criteria so specified, and only criteria so specified, shall be used to determine whether a bidder is qualified. The evaluation of the bidder's qualifications should be conducted separately from the technical and commercial evaluation of the bid.
- (v) In carrying out the post-qualification assessment, the Employer/Purchaser shall exercise reasonable judgment in requesting, in writing, from a bidder missing factual or historical supporting information related to the bidder's qualifications and shall provide reasonable time period (a minimum of 7 days) to the bidder to provide response.

5. Preferences

- (i) No preference of any kind shall be given to domestic bidders or for domestically manufactured goods.
- (ii) Regulations issued by a sectorial ministry, provincial regulations and local regulations which restrict national competitive bidding procedures to a class of contractors or a class of suppliers shall not be applicable.
- (iii) Foreign bidders shall be eligible to participate in bidding under the same conditions as local bidders, and local bidders shall be given no preference (either in bidding process or in bid evaluation) over foreign bidders, nor shall bidders located in the same province or city as the procuring entity be given any such preference over bidders located outside that city or province

6. Advertising

¹⁵ Section 52 of the Integrity Principles and Guidelines allows ADB to sanction parties who fail to meet ADB's high ethical standards based on the decisions of third parties, such a decision can only be made by the Integrity Oversight Committee on the basis of ADB's own independent examination of the evidence. As such, the process should follow the normal assessment and investigative processes prescribed by the Integrity Principles and Guidelines. <http://www.adb.org/Documents/Guidelines/Integrity-Guidelines-Procedures/integrity-guidelines-procedures-2006.pdf>

- (i) Invitations to bid (or prequalify, where prequalification is used) shall be advertised in Government Public Procurement Bulletin. In addition, the procuring agency should publish the advertisement in at least one widely circulated national daily newspaper or freely accessible, nationally-known website allowing a minimum of twenty-eight (28) days for the preparation and submission of bids and allowing potential bidders to purchase bidding documents up to at least twenty-four (24) hours prior the deadline for the submission of bids. Bidding of NCB contracts estimated at \$500,000 or more for goods and related services or \$5,000,000 or more for civil works shall be advertised on ADB's website via the posting of the Procurement Plan.
- (ii) Bidding documents shall be made available by mail, or in person, to all who are willing to pay the required fee, if any.
- (iii) The fee for the bidding documents should be reasonable and consist only of the cost of printing (or photocopying) the documents and their delivery to the bidder (currently set at 1 million VND, increase subject to approval of ADB).

7. Standard Bidding Documents

- (i) The Borrower's standard bidding documents, acceptable to ADB, shall be used. The bidding documents shall provide clear instructions on how bids should be submitted, how prices should be offered, and the place and time for submission and opening of bids.
- (ii) Bidders shall be allowed to submit bids by hand or by mail/courier.

8. Bid Opening

- (i) All bids received after the deadline for submission indicated in the bidding documents will be rejected.
- (ii) All bids received before the bid submission deadline shall be opened except those with proper notice of withdrawal.
- (iii) A copy of the bid opening record shall be promptly provided to all bidders who submitted bids.

9. Bid Evaluation

- (i) Merit points shall not be used in bid evaluation.
- (ii) Bidders shall not be eliminated from detailed evaluation on the basis of minor, non-substantial deviations.¹⁶
- (iii) Except with the prior approval of ADB, no negotiations shall take place with any bidder prior to the award, even when all bids exceed the cost estimates.
- (iv) A bidder shall not be required, as a condition for award of contract, to undertake obligations not specified in the bidding documents or otherwise to modify the bid as originally submitted.
- (v) Bids shall not be rejected on account of arithmetic corrections of any amount. However, if the Bidder that submitted the lowest evaluated bid does not accept the arithmetical corrections made by the evaluating

¹⁶ Minor, non-substantial deviation is one that, if accepted, would not affect in any substantial way the scope, quality, or performance specified in the contract; or limit in any substantial way, the Contracting entity rights or the Bidder's obligations under the proposed contract or if rectified, would not unfairly affect the competitive position of other bidders presenting substantially responsive bids.

committee during the evaluation stage, its bid shall be disqualified and its bid security shall be forfeited.

10. Rejection of All Bids and Rebidding

- (i) No bid shall be rejected on the basis of a comparison with the owner's estimate or budget ceiling without the ADB's prior concurrence.
- (ii) Bids shall not be rejected and new bids solicited without the ADB's prior concurrence.

11. Participation by Government-owned enterprises

92. Government-owned enterprises shall be eligible to participate as bidders only if they can establish that they are legally and financially autonomous, operate under Enterprise law and are not a dependent agency the contracting entity. Furthermore, they will be subject to the same bid and performance security requirements as other bidders.

12. Participation by Foreign contractors and suppliers. Joint Ventures and Associations

- (i) Foreign suppliers and contractors from eligible countries shall, if they are interested, be allowed to participate without being required to associate or form joint ventures with local suppliers or contractors, or to subcontract part of their contract to a local bidder.
- (ii) A bidder declared the lowest evaluated responsive bidder shall not be required to form a joint venture or to sub-contract part of the supply of goods as a condition of award of the contract.
- (iii) License for foreign contractors operation in Viet Nam would be provided in a timely manner and will not be arbitrarily withheld.

13. Publication of the Award of Contract. Debriefing.

- (i) For contracts subject to prior review, within 2 weeks of receiving ADB's "No-objection" to the recommendation of contract award, the borrower shall publish in the Government Public Procurement Bulletin, or well-known and freely-accessible website the results of the bid evaluation, identifying the bid and lot numbers, and providing information on: i) name of each bidder who submitted a bid; ii) bid prices as read out at bid opening; iii) name and evaluated prices of each bid that was evaluated; iv) name of bidders whose bids were rejected and the reasons for their rejection; and v) name of the winning bidder, and the price it offered, as well as the duration and summary scope of the contract awarded.
- (ii) For contracts subject to post review, the procuring entity shall publish the bid evaluation results no later than the date of contract award.
- (iii) In the publication of the bid evaluation results, the borrower shall specify that any bidder who wishes to ascertain the grounds on which its bid was not selected, should request an explanation from the procuring entity. The procuring entity shall promptly provide an explanation of why such bid was not selected, either in writing and / or in a debriefing meeting, at the option of the borrower. The requesting bidder shall bear all the costs of attending such as debriefing. In this discussion, only the bidder's bid can be discussed and not the bids of competitors.

14. Handling of Complaints

93. The NCB documents shall contain provisions acceptable to ADB describing the handling of complaints in accordance with Chapter X of Decree No. 85/2009/ND-CP, read with Articles 72 and 73 of the Law on Procurement No. 61/2005/QH11 or any amendment.

15. ADB Member Country Restrictions

94. Bidders must be nationals of member countries of ADB, and offered goods, works, and services must be produced in and supplied from member countries of ADB.

16. Fraud and Corruption

95. ADB will sanction a party or its successor, including declaring ineligible, either indefinitely or for a stated period of time, to participate in ADB-financed activities if it at any time determines that the firm has, directly or through an agent, engaged in corrupt, fraudulent, collusive, or coercive practices in competing for, or in executing, an ADB-financed contract.

17. Right to Inspect/Audit

92. Each bidding document and contract financed from by ADB shall include a provision requiring bidders, suppliers, contractors to permit ADB or its representative to inspect their accounts and records relating to the bid submission and contract performance of the contract and to have them audited by auditors appointed by ADB.

Table 7: Procurement Packages

Expenditure Category	Sub-outputs and Summary Activities	Estimated Amount \$ million (ADB + Counter-part fund)	Mode of Procurement and Packages	Remarks	Contract Awards	Disbursements	Procuring Agency
1. Civil Works	1-a: Construction of about LSS 660 classrooms	18.829	NCB (over 3 phases consisting of about 80 packages with approximately 200 lots)	Prior for the first packages of Phu Yen, Quang Nam, Binh Thuan Quang Ngai Son La Dien Bien Ha Giang Gia Lai and Kien Giang provinces Otherwise Post review	Phase 1: 30% of civil works Phase 2: 40% of civil works Phase 3: 30% of civil works	Payment 1: 20% Payment 2: 20% Payment 3: 40% Payment 4: 15% Payment 5: 5%	28 PPMUs under supervision of CPMU
	1-b Construction of about 350 Semi-boarding rooms	5.121					
	1-b: Construction of about 37 kitchens	0.531					
	1-c: Construction of about 29 LSSs sanitation facilities	0.507					
	1-c: Construction of about 57 sanitary facilities for semi-boarding facilities	0.818					
	1-e: Construction of about 250 teacher housings	3.800					
	3-b: Construction of about 100 subject rooms (laboratories)	5.947					
	3-c: Construction of about 70 libraries	4.103					
2. Equipment and Furniture	2-b: Equipment for 86 District CECs	2.649	ICB (1 package – 2 lots)	Prior Review		Payment 1: 10% Payment 2: 70% Payment 3: 20%	CPMU
	3-a: Equipment for 344 School clusters	2.408	ICB (1 package – 2 lots)	Prior Review		Payment 1: 10% Payment 2: 70% Payment 3: 20%	CPMU
			ICB	Prior Review	30% of equipment	Payment 1: 10%	CPMU

Expenditure Category	Sub-outputs and Summary Activities	Estimated Amount \$ million (ADB + Counter-part fund)	Mode of Procurement and Packages	Remarks	Contract Awards	Disbursements	Procuring Agency
	3-b: Equipment for 180 Subject rooms	2.700	(3 packages in line with 3-phased civil works)		40% of equipment 30% of equipment	Payment 2: 70% Payment 3: 20%	
	3-c: Equipment for 70 Libraries	0.700					
	1-a: Furniture: 660 LSS classrooms	1.506	ICB (3 packages in line with 3-phased civil works)	Prior Review	30% of furniture 40% of furniture 30% of furniture	Payment 1: 10% Payment 2: 70% Payment 3: 20%	CPMU
	1-b Furniture: 350 Semi-boarding facilities	0.410					
	1-e Furniture: 250 Teacher Housing	0.304					
	3-b: Furniture: 100 Subject Rooms (Laboratories)	0.595					
	3-c: Furniture: 70 Libraries	0.328					
	4-b: Project Implementation Support (Equipment and furniture for CPMU and PPMUs)	0.483	NCB (1 package, 4 lots)	Prior Review for the first NCB good packages, post review for the rest		Payment 1: 10% Payment 2: 70% Payment 3: 20%	CPMU
3. Cars	4-b: Project Implementation Support (Cars: one 7-seat car and one 4-seat car)	0.140	NCB	Prior Review for the first NCB good packages, post review for the rest		Payment: 100%	CPMU
4. Textbooks and Instructional Materials	1-d: Behavior Change Communication Campaign (BCC) (Printing Material)	0.116	NCB (8 sets x 1,450 schools x \$10/set)	Post Review		Payment 1: 30% Payment 2: 70%	CPMU

Expenditure Category	Sub-outputs and Summary Activities	Estimated Amount \$ million (ADB + Counter-part fund)	Mode of Procurement and Packages	Remarks	Contract Awards	Disbursements	Procuring Agency
	2-a: Development of Regional and Competency-based textbooks and instructional materials for ethnic minority areas (Printing textbooks of 5 subjects for 1 cohort of students of grade 6, 7, 8 and 9)	4,140 (Average 115,000 students per grade x 5 subjects x 4 grades x \$1.8/book)	ICB (4 packages – 1 package for 1 grade over 4 years)	Prior Review Domestic Preference	1 package/ 1 year	All 4 packages: Payment 1: 20% Payment 2: 50% Payment 3: 30%	CPMU
	2-c: Development of Life Skills and Preservation of Ethnic Minority Culture and Values (Printing and production of materials including books, and DVDs)	0.117 (8 sets/1 school x 1,450 schools + 86 DOETs + 86 BOETs) x \$10/set	NCB (1 package)	Post Review		Payment 1: 30% Payment 2: 70%	CPMU
	2d: Development of Disaster Management Education (Printing and production of materials)	0.073 (7232 sets for 904 schools + 58 sets for BOETs and DOETs) x \$10/set	Shopping	Post review		Payment 1: 30% Payment 2: 70%	CPMU
	2e: Vocational Counseling and Guidance Suitable for Ethnic Minority Areas (Develop materials, information materials, teachers' guide and videos clips)	0.060	Shopping	Post review		Payment 1: 30% Payment 2: 70%	CPMU
	2e: Vocational Counseling and Guidance Suitable for Ethnic Minority Areas	0.117 (8 sets/1 school x 1,450 schools+ 86 DOETs+17BOETs) x \$ 10 per set	NCB	Post review		Payment 1: 30% Payment 2: 70%	CPMU

Expenditure Category	Sub-outputs and Summary Activities	Estimated Amount \$ million (ADB + Counter-part fund)	Mode of Procurement and Packages	Remarks	Contract Awards	Disbursements	Procuring Agency
	(Production of material: (including books and DVDs))						
	3-a: Establishment of School Clusters and Teacher Networking Among Cluster Group Schools in Ethnic Minority Areas (Printing manual on organization and management of cluster schools for 1,450 LSSs)	0.009 (1,500 LSSs x 2 sets for each LSS x \$3 per set)	Shopping	Post review		Payment 1: 100%	CPMU
	3-c: Improving Effectiveness and Performance of School Libraries (Provision of books facilitating students' study in the classrooms and encouraging students' interest in reading)	0.725 (1,450 LSSs x \$500/ LSS)	ICB (one package)	Prior review		Payment 1: 20% Payment 2: 50% Payment 3: 30%	CPMU
	4-a. Capacity Development of the Central and Local Project Implementing Agencies (Printing of project implementation support manuals)	0.007	Shopping	Post review		Payment 1: 100%	CPMU
5. Staff Development							
5b. Overseas	4-a. Capacity Development of the Central and Local Project Implementing Agencies (OST for national, local and school education planners and managers,	0.540 (3 groups x 15 persons x 15days = 675 persons day)	FBS (1 package 3 lots)	Prior review		Payment 1: 50% Payment 2: 50%	CPMU

Expenditure Category	Sub-outputs and Summary Activities	Estimated Amount \$ million (ADB + Counter-part fund)	Mode of Procurement and Packages	Remarks	Contract Awards	Disbursements	Procuring Agency
	national institutions and Education Management in EM Areas)						
7. Consulting Services	2-a: Development of Regional-and Competency based Textbooks and Instructional Materials for Ethnic Minority Areas (Textbook development)	1.720 (Literature and Vietnamese Language \$353,500 + Mathematics \$353,500 + Civil Education \$231,000 + Natural Science \$418,000 + Social Science \$364,000)	FSB (5 contracts by subjects including Literatures and Vietnamese Languages, Mathematics, Civil Education, Natural Science, and Social Science)	Prior review	Lump sum contract	All Five Packages Payment 1: 20% Payment 2: 20% Payment 3: 20% Payment 4: 20% Payment 5: 20%	CPMU
	4b - Support for timely and quality project implementation and monitoring (Project Implementation)	2.081 (50 pm for ICs and 142pm for NCs and relevant costs and contingency)	QCBS (80:20)	Prior review	Time based	Payment 1: 15% Following payments will be made by monthly expenses	CPMU
	4b - Support for timely and quality project implementation and monitoring (Annual Audits)	0.420 (\$0.07million x 6 years)	LCS (2 packages for 3 year implementation period)	Prior review	Lump sum contracts	Payments for 2 contracts covering 3 year services	CPMU
	4b - Support for timely and quality project implementation and monitoring (Individual Consultants on Project Start-up)	0.056 (1 International x 2 pm and 1 National x 3 pm)	ICS	Prior review	Advance Action	Payments by monthly expenses	CPMU

Expenditure Category	Sub-outputs and Summary Activities	Estimated Amount \$ million (ADB + Counter-part fund)	Mode of Procurement and Packages	Remarks	Contract Awards	Disbursements	Procuring Agency
	4b - Support for timely and quality project implementation and monitoring (Individual Consultants on Resettlement)	0.092 (1 International x 2 pm and 3 nationals with total 16 pm)	ICS	Prior review	Advance Action	Payments by monthly expenses	CPMU
	4b - Support for timely and quality project implementation and monitoring (Individual Consultants on Project Completion Report)	0.056 1International x 2 person months and 1 national x 3 person months	ICS	Prior review		Payments by monthly expenses	CPMU

Summary Consulting Services (for QCBS, FSB and ICS)

Position Titles	Intl/ Ntl	No.	P/M	Key Requirements/ Outputs
A. Individual consultants				
A. Project Start-up	Intl	1	2	Assist CPMU in the procurement of vehicles, equipment and furniture; update procurement plan, implementation schedule and financial management documents; develop M&E indicators and baseline survey; conduct workshops; finalized terms of reference for recruitment of the consulting firm; develop materials for inception seminar; and produce a report status of the start-up activities.
	Ntl	1	3	Assist the international project start-up consultant; help CPMU establish a framework for effective reporting and communicating
B. Resettlement	Intl	1	2	Assist assessing resettlement issues and need, updating the resettlement framework; making recommendations for reducing the likelihood of involuntary resettlement; and developing an operations manual on the prevention of involuntary resettlement;
	Ntl	3	16	Visit all the planned construction sites and report to CPMU/ADB any involuntary resettlement and/or other safeguard issues, assist CPMU in conducting workshops on resettlement prior to the commencement of civil, assist CPMU in monitoring resettlement plans, and assist in the develop the Project's resettlement manual.
C. Project Completion Report	Intl	1	2	Assist CPMU in the writing of the national project completion report
	Ntl	1	3	Support the International Project Completion Report Specialist to prepare the project completion report.
Subtotal (A)	Intl	3	6	
	Ntl	5	22	
B. Consultants through Firms				
I. Project implementation				
D. Ethnic Minority Education Development Consultant/ Team Leader	Intl	1	16	Overseeing the team to report on current policies, practices, and the new curriculum; make recommendations for appropriate approaches and methodologies to develop textbooks suitable for EM students; develop workshops on textbook development; report on evaluation of quality of the new textbooks; contribute to the M&E framework; develop plan for dissemination of the new textbooks; and develop TOR for OST course.
	Ntl	1	30	Assist the international ethnic minority education development consultant to undertake all the tasks.
E. Behavioral Change communication	Ntl	1	12	Develop report on BCC programs; a report on issues leading to drop outs; propose activities and materials for BCC program; evaluate the pilot BCC program; revised materials; and assist with M&E framework to assess the impact of BCC program.

Position Titles	Intl/ Ntl	No.	P/M	Key Requirements/ Outputs
F. Ethnic Minority	Intl	1	4	Develop a report on current policies ethnic minorities; report on current status of lower secondary education for ethnic minorities; make recommendations for BCC consultant; develop a report on programs on preservation of ethnic minority cultures; deliver workshops; and contribute to indicators for training programs.
	Ntl	1	12	Assist the international ethnic minority consultant, provide advice to meet the local requirement; develop the materials for the preservation and promotion of ethnic minority cultures, and train trainers.
G. Life skills Education	Intl	1	5	Develop a report on review of life skills education at LSE level; recommend approaches to integrate life skills into the new textbooks; develop life skills education framework/ curriculum for the new textbooks; provided a workshops for textbooks developers; and contribute to M&E indicators.
	Ntl	1	10	Assist the international life skills education consultant support CPMU to monitor and evaluate the training program life skills education; and provide a training course.
H. Disaster Management Education	Intl	1	4	Produce a report on review of disaster management education programs internationally and in Viet Nam; make recommendations on training approaches for disaster management education; develop curriculum and training materials; and contribute to M&E indicators for disaster management education program.
	Ntl	1	9	Assist international disaster management education consultant, support CPMU to monitor and evaluate the training program on disaster management education; and provide a training course.
I. Vocational Counseling and Guidance	Intl	1	3	Develop a report on current policies and practices, of vocational counseling and guidance; make recommendations for appropriate approaches, provide workshops for materials developers; develop a report on evaluation of quality of the training materials; implementation plan; and contribute to M&E framework.
	Ntl	1	8	Assist the international vocational counseling and guidance consultant, providing guidance to meet local requirements; assist monitoring, and assist CPMU to monitor and evaluate the quality of the training courses.
J. School Development Cluster	Intl	1	4	Develop a report on school cluster models in the world and in Viet Nam; proposed methods to establish school clusters appropriate for Viet Nam; suggest selection criteria for cluster center schools; detailed outline of the manual; develop implementation plan; develop method to establish teacher network; and contribute to M&E framework.
	Ntl	1	9	Assist the international school development cluster development consultant; provide advice to ensure materials meet local requirement; develop manual on organization and management of cluster schools.
K. Library Development	Intl	1	4	Develop a report on operation models of LSS libraries in the world and in Viet Nam; provide recommendations for effective library models; develop detailed outline of the manual; develop outline of the manual; contribute to M&E framework and indicators to monitor and evaluate; and develop implementation plan for the project activities.

Position Titles	Intl/ Ntl	No.	P/M	Key Requirements/ Outputs
	Ntl	1	9	Assist the international library development consultant; provide advice to ensure the materials developed meet local requirements; develop materials; train trainers; assist CPMU to monitor and evaluate the effectiveness of the libraries.
L. Block Grant	Intl	1	3	Develop report on block grants models in the world and in Viet Nam; recommend financing mechanism and selection criteria for school clusters; develop a manual; implementation plan; contribute to M&E framework; develop training workshop.
	Ntl	1	8	Assist international block grant consultant; provide advice to meet the local requirements; assist CPMU to monitor block grant program.
M. Project Monitoring and Evaluation (M&E)	Intl	1	3	Develop M&E framework; provide workshops; provide documents to improve the capacity of education administrators in monitoring and evaluating project activities.
	Ntl	1	3	Assist the international M&E consultant, provide advice to ensure the materials meet the local requirements.
N. Procurement	Ntl	1	6	Develop CPMU to regularly update the Procurement Plans; provide advice to develop the draft bid documents for goods and services, organize the workshops for CPMU/PPMUs for capacity development on procurement, and develop maintenance manuals for facilities and equipment procured under the project.
O. Project Capacity Development	Ntl	1	8	Develop project implementation support manual; train trainers on project implementation; develop M&E indicators.
P. Gender and Social Development	Intl	1	4	Lead and co-deliver of gender sensitization and GAP orientation workshops; provide gender inputs to text books and learning materials; review and provide gender inputs to various training programs, BCC programs; work with library's specialists; support cluster network; to assist in develop of sex- and ethnicity disaggregated monitoring indicators; provide inputs to various surveys; advise the national gender specialists
	Ntl	1	18	Assist international gender and social development consultant to deliver required outputs.
Subtotal (B)	Intl	10	50	
	Ntl	13	142	
II. Textbook development				
Q. Textbook developers for Literatures and Vietnamese language	Ntl	5	96	Produce textbooks for grades 6, 7, 8 and 9 for Vietnamese Languages and Literatures, appropriate for students in disadvantaged areas approved by MOET.
R. Textbook developers for Mathematics	Ntl	5	96	Produce textbooks for grades 6, 7, 8 and 9 for Mathematics appropriate for students in disadvantaged areas approved by MOET.

Position Titles	Intl/ Ntl	No.	P/M	Key Requirements/ Outputs
S. Textbook developers for Civil Education	Ntl	4	60	Produce textbooks for grades 6, 7, 8 and 9 for Civil Education appropriate for students in disadvantaged areas approved by MOET.
T. Textbook developers for Natural Science	Ntl	6	120	Produce textbooks for grades 6, 7, 8 and 9 for Natural Science appropriate for students in disadvantaged areas approved by MOET.
U. Textbook developers for Social Science	Ntl	5	100	Produce textbooks for grades 6, 7, 8 and 9 for Social Science appropriate for students in disadvantaged areas approved by MOET.
V. Technical Editor	Ntl	1	40	Ensuring the consistency of the display of the content, pictures;ensuring the textbooks meeting the requirements in terms of fine arts and textbook developers' intentions.
W. Content Editor	Ntl	1	40	Ensuring the accuracy of content and appropriateness of the newly-developed textbooks.
X. Data Analyst	Ntl	1	30	Cooperating with the team of textbook developers and CPMU consultants to develop tools for data collecting; analyzing collected data; and organizing a workshop to report the results of the surveys, including current circumstances of disadvantaged areas, problems of current textbooks, proposal for renovations or adjustment as necessary.
Subtotal (C)	Intl	-	-	
	Ntl	28	582	
Grand Total (A+B+C)	Intl	13	50	
	Ntl	43	724	

VII. SAFEGUARDS

A. Environment

96. The project is classified as Environment Category C. The construction of additional school facilities will have few and very limited adverse impacts in the form of noise, dust, vegetation removal and clearance, localized erosion and sedimentation, and waste disposal. The impacts on the biological environment due to the implementation of the proposed development are projected to be minimal as the works will be undertaken in existing schools and already disturbed areas.

97. Prior to the mobilization of the civil works contractor, the CPMU shall instruct the contractor to ensure that impacts from the construction works are kept to a minimum, undertake proper disposal of waste/debris, and restore areas that are temporarily used during construction. PPMUs will conduct regular site inspection and monitoring to ensure contractor's compliance.

B. Involuntary Resettlement

98. The project is classified as B for involuntary resettlement. Civil works and construction activities will be done inside the compounds of existing LSSs. Land acquisition will be unlikely. In case some facilities would require land, such would be minimal considering the nature of the civil works. A Resettlement and Ethnic Minority Development Framework (REMDF) was prepared to guide screening of each of the proposed facility and LSS and measures to address potential land acquisition and resettlement impacts and adverse impacts on ethnic minorities. CPMU will ensure that all PPMUs and participating LSSs are fully aware of the provisions of the REMDF.

99. Each site will be screened by the CPMU for potential land acquisition/resettlement impacts and adverse impacts on ethnic minorities. Results of the screening in each batch/phase will be summarized into a due diligence report (DDR) to be submitted to MOET for approval. The DDR will (a) indicate which proposed works have no land acquisition or resettlement impacts, (b) provide the number of affected persons (APs) and types of losses/ impacts for specific sites, (c) verify if any of the APs are ethnic minorities or vulnerable, and (d) clarify if there are adverse effects on ethnic minorities' access/use of land and livelihood.

100. CPMU will ensure that the following REMDF policy provisions are observed:

- (i) Involuntary resettlement and impacts on land, structures, and other fixed assets will be avoided or minimized, where possible, by exploring all alternative options.
- (ii) All proposed civil works will be screened in terms of land acquisition and resettlement (LAR) and adverse impacts on ethnic minorities. LSSs, where the proposed civil works will not have LAR impacts/adverse impacts on ethnic minorities, will be prioritized. Civil works that have significant LAR or adverse impacts on ethnic minorities will not be considered. Safeguards due diligence for existing facilities and previous resettlement activities conducted in anticipation of the project will also be conducted, and corrective action will be prepared in case of non-compliance.
- (iii) Compensation and assistance will be based on the principle of replacement cost at the time of acquisition, following the entitlement matrix in the REMDF. Provisions in the entitlement matrix may be updated based on the situation at the time of

- resettlement plan/resettlement and ethnic minority development plan (RP/REMDP) preparation, but may not be lowered.
- (iv) Households losing 10% or more of their productive land or other assets (generating income) or are physically displaced from housing will be considered as severely affected.
 - (v) APs without title or any recognizable legal rights to land are eligible for resettlement assistances and compensation for non-land assets at replacement cost.
 - (vi) Residential and agricultural land for replacement should be close to the previous places, as much as possible, and be suitable to APs.
 - (vii) Meaningful consultations will be carried out with the APs and concerned groups and ensure participation from planning up to implementation. Comments and suggestions of APs and communities will be taken into account.
 - (viii) The RP/REMDP will be disclosed to APs in a form and language(s) understandable to them through a public information brochure (PIB). RPs/REMDPs will be disclosed on the ADB website.
 - (ix) Resettlement identification, planning, and management will ensure that gender concerns are incorporated.
 - (x) Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups and people living below the generally accepted poverty line.
 - (xi) Existing cultural and religious practices will be respected in the preparation and implementation of RP/REMDP.
 - (xii) Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out in various stages of the project.
 - (xiii) Resettlement transition stage should be minimized. Restoration measures will be provided to APs before the expected starting date of construction in a specific site.
 - (xiv) Budget for payment of compensation, assistance, resettlement, and support will be prepared sufficiently and made available during project implementation and by the project provinces.
 - (xv) The CPMU will not issue notice of possession to contractors until the District Compensation and Resettlement Committee (DCRC) officially confirms that (i) payment has been fully disbursed to the APs and rehabilitation measures are in place (ii) already-compensated, assisted APs have cleared the area in a timely manner; and (iii) the area is free from any encumbrance.
 - (xvi) Cut-off date is the date of notification on land recovery by the concerned People's Committee (PC) following the procedures described in Article 69 of the Land Law (2013).
 - (xvii) Local patriarchs (*zia lang*) will be consulted in the preparation of the proposed civil works and other project activities. In case there are potential adverse impacts (including minor land acquisition), an REMDP will be prepared. For civil works with only positive impacts on ethnic minorities, the civil works preparation and implementation will include measures for ensuring participation and inclusion of ethnic minorities in subproject benefits.
 - (xviii) Reporting and internal monitoring will be defined clearly as part of the project management information system (MIS). Internal monitoring of implementation of the REMDP will be carried out by PPMUs and CPMU. Monitoring reports will be submitted regularly and disclosed on the ADB website.

- (xix) Pursuant to ADB's Safeguard Policy Statement (SPS) 2009,¹⁷ ADB funds may not be applied to the activities described on the ADB Prohibited Investment Activities List set forth in Appendix 5 of the SPS.

C. Indigenous People (Ethnic Minority Groups)

101. The project is classified as 'B' for indigenous people (IP) safeguards. Measures to benefit the poor and ethnic minorities in the project areas include: (i) constructing additional educational facilities (classrooms, semi-boarding houses, teacher housing, laboratories, school library, etc.) in ethnic minority areas; (ii) encouraging ethnic minority parents to enroll their children; (iii) developing regional textbooks suitable to the needs of ethnic minorities and students; (iii) producing instructional materials on life skills education as well as the preservation and promotion of ethnic minority cultures; (iv) providing vocational counseling and guidance suitable for ethnic minority areas; and (v) establishing teacher networking among cluster group schools in ethnic minority areas.

102. Adverse impact on ethnic minorities is not anticipated. Minor impacts, if any, will be limited to loss of land in the unlikely case that a facility will be constructed beyond the existing LSS compounds. The REMDF guides the screening of any site-specific adverse impact of the facilities to EMs and describes the project elements that provide benefit to ethnic minorities.

103. Elements of the EMDP are integrated into the overall project design. CPMU, with assistance from its project implementation consultant (PIC), will ensure that consideration for regional nuances in ethnic minority situation and needs will be integrated in the design of the training on BCC, competency-based teaching/ instructional materials, preservation of ethnic minority culture and values, disaster management, and vocational counseling for LSS staff.

104. CPMU and PPMUs will identify and seek the opinions from *zia lang* on the design of the new school facilities, awareness campaign for ethnic minority households, and design/content of the textbooks and modules. PPMUs will also coordinate with the provincial committee on ethnic minorities on various project activities.

105. CPMU will monitor participation in consultation, training, and other project activities (including enrollment and access to the semi-boarding schools and other facilities constructed under the project) by gender and ethnicity to assess to what extent ethnic minorities participate and benefit from the project.

VIII. GENDER AND SOCIAL DIMENSIONS

106. During project preparation, a poverty and social assessment, including gender analysis, was undertaken in accordance with ADB guidelines, and consultations with project beneficiaries were conducted in selected project sites. A summary poverty reduction and social strategy (SPRSS) has been prepared to present project benefits and mitigation measures to address social impacts and enhance the distribution of project benefits.

A. Poverty and Social Benefits

107. **Key poverty and social issues.** The government of Viet Nam has made strides in education for its population in the past few decades together with its poverty reduction

¹⁷ Available at <http://www.adb.org/Documents/Policies/Safeguards/Safeguard Policy Statement June2009.pdf>

achievements. However, there are still some challenges that the Government needs to address, especially in terms of equality, quality, and relevance of programs across the educational spectrum. The specific issues include the following: (i) limited access to education for students from poor and EM families; (ii) low attendance and achievement rates; (iii) low completion rates; (iv) disparities between urban and rural areas; and (v) disparities between advantaged and disadvantaged regions. The same challenges are faced by the country's LSE subsector, and the outcomes are reflected in the performance of schools at the LSE level.

108. Achievements of the Lower Secondary Education for the Most Disadvantaged Regions Project. The first phase project, LSEMDRP, primarily aimed to improve access to, and retention in, LSE in the most disadvantaged 103 districts of the poorest 17 provinces.. The achievements of the LSEMDRP from school year (SY) 2008 to SY2011 is summarized as follows: (i) net enrolment rate (NER) among the project schools rose from 73.9% to 75.4%; (ii) dropout rate declined from 3.81% to 2.71%; (iii) completion rate improved from 96.17% to 96.96%; and (iv) promotion rate improved from 92.28% to 93.62%. However, the evident of the success of Phase 1 in narrowing the gender gaps and the gap between Kinh and EM students need to be assessed and documented toward project's conclusion.

109. The proposed LSEMDAP II will cover 135 districts in 28 provinces located in four disadvantaged areas of the country, namely (i) Northern Midland and Mountainous Area, (ii) Central Highland Area, (iii) Mekong River Delta Area, and (iv) North Central and Central Coastal Area. In these areas, the specific issues are the following: (i) the four disadvantaged regions have a higher poverty rate compared to the national average rate—the poverty rate ranges from 12.6% in the North Central and Central Coastal Areas to as high as 29.4% in Northern Midland and Mountainous Areas; (ii) the net enrolment rate (NER) of the project-targeted areas is 84.6% in SY2011/2012, lower than the national NER of 98%; (iii) there are gender gaps between boys' and girls' enrolment and between EM boys' and EM girls' enrolment in the project's target areas, i.e., girls account for 48% of the total enrolment and EM girls account for 45.3% of the total EM students in SY2012/2013; and (iv) the promotion rate of girls in the project areas (96.7%) is lower than the average national promotion rate (97.1%), and the promotion of EM girls (95%) is lower than the average EM promotion rate (97%) and the average national promotion rate (97.1%).

110. The lower enrolment, poorer performance, and higher dropout and repetition rates of students, especially female students and female EM students, are attributed to factors linked to poverty, language barrier, difficult geographical areas (long and/or difficult/flooded roads to schools), poor school conditions, irrelevant textbooks/curricula, and limited teachers' capacity.

111. Beneficiaries. The project is expected to generate numerous social benefits through (i) increasing the number of lower secondary school (LSS) student enrolments in the project provinces and (ii) improving the quality of teaching and learning in LSE schools, especially among the poor and most disadvantaged populations, including ethnic minority groups in particular. The project will benefit some 841,000 students who live in the disadvantaged regions and central coastal areas of Viet Nam, who are in need of improved school and semi-boarding facilities, laboratories and equipment, libraries and relevant textbooks and curriculum, and improved quality of teaching. LSEMDAP II will contribute to addressing the lower enrolment rates and higher dropout and repetition rates among students in the project areas. It will make LSE more accessible to poor and EM students in disadvantaged regions through improvements in classroom and semi-boarding facilities, introduction of new curriculum, and development of new textbooks that will preserve the languages, cultures, and values of EMs.

112. Another group of beneficiaries is composed of the teachers and school managers, who are critical to the attainment of project objectives. The project will contribute to (i) developing capacity for some 24,000 teachers (over 50% of whom are female and some 16% of them are from EMs) in teaching new subject textbooks and curriculum; and (ii) continuing professional development of teachers, including EM teachers, in poor and disadvantaged areas. It will introduce a new approach to the professional development of teachers and education managers through a clustering of LSSs, which will enable teachers in LSSs in disadvantaged regions to continue developing their professional capacity. It will establish networking among teachers and capacitate education managers, teachers, and others involved in project implementation. Lastly, the parents and people in the communities will also benefit from the project.

B. Gender and Development

113. The project will cover 135 districts in 28 provinces in four disadvantaged regions with a total population of about 14 million in a total of 3.3 million households. Of this total, some 0.7 million households, equivalent to 21.5% of the total number of households in the selected districts, are poor, and about 1.0 million households belong to the ethnic minorities. Based on SY2012–2013 data, a total of 0.841 million students were enrolled in LSE in the project area, of whom some 0.4 million (or 48.8%) are female, 0.120 million of whom are ethnic minorities. Promotion rate was 97.1% for all students and 96.7% for females. Of the students who were not promoted to the next level, there were more dropouts than repeaters. The average dropout rate in all project areas was recorded at 1.8%, with females at 1.6%.

114. The project is categorized as gender equity. The key gender issues identified during the gender analysis conducted during project preparation helped determine the specific gender actions for the project. These issues in the project area include the following: (i) limited access of girls to LSSs; (ii) lack of gender-sensitive and locally relevant curricula and teaching methods; and (iii) lack of qualified female teachers and role models at the lower secondary level. Thus, the project will construct schools and boarding facilities closer to remote communities, which will enable girls' increased participation in LSE, may lead to changing attitudes towards girls' schooling. It will also introduce revisions to curriculum and textbooks from the gender and women's rights perspectives, provide gender equality materials to teachers and distribute gender equality handbooks to school girls, and provide vocational and career advice to girls and boys, particularly if there is gender stereotyping. Through the construction of separate toilets and safe boarding facilities for girls, the project will send an important message to families regarding the importance of equal access to education for girls, particularly those from ethnic minorities.

115. The project will likewise improve the knowledge and skills of teachers, including female teachers, through the provision of facilities and resources and school block grants, and establish a system of school clusters and teachers' network within and among the school clusters to encourage cooperation and exchange of expertise and experiences among the cluster schools and teachers, which will contribute to the improvement in the quality and standard of education of lower secondary schools and the school clusters.

116. **Gender Action Plan (GAP).** The GAP will focus on ensuring gender equity in all the project outputs. GAP actions include the following, among others: (i) prioritization of disadvantaged areas with classroom shortages and with female and ethnic minority enrolments; (ii) construction of separate latrines for male and female students in all new schools to be constructed under the project; (iii) allocation of 50% of semi-boarding facilities to female

students, with separate quarters, bathrooms, and latrines with adequate water supply, lighting, and privacy; (iv) allocation of at least 50% of teacher housing units to female teachers; (v) ensuring that all new regional textbooks and instructional materials are gender-sensitive and include positive images and role models of females; (vi) ensuring that 50% of all teachers trained in various subjects are female; and (vii) provision of training to all female education managers (see **Table 8**).

Table 8: Gender Action Plan

Project Outputs	Actions
<p>Output 1: Increased access to LSE/LSE equivalency program</p>	<ul style="list-style-type: none"> (i) Ensure that identification of school sites for the 300 LSS classroom construction prioritizes disadvantaged areas with classroom shortages and with female and ethnic minority enrolments. (ii) Ensure that all civil works to increase LSS classrooms includes the construction of separate latrines with adequate male and female student ratio per toilet for school without toilet or with only temporary facilities. Most up-to-date construction standards (2011 or more recently approved MOET) to be applied. (iii) Ensure that 50% of the 300 semi-boarding facilities' spaces are allocated for female students. (iv) All boarding facilities will include separate quarters, bathroom and latrines with water connection for females and males with adequate lighting, security and privacy. Most up-to-date construction standards (2011 or more recently approved by MOET) to be applied. (v) Ensure that at least 50% of 250 teacher housing units are provided for female teachers. (vi) Adopt safety and protection measures against sexual harassment in the project schools including setting up of adequate reporting and monitoring mechanisms, and include provisions related to such measures in the Code of Conduct and management of boarding facilities. (vii) Provide briefing on safety and protection and reporting mechanisms (including on confidence person to report to on sexual harassment issue and other safety issues) to all students in project supported schools, including those residing in boarding facilities. (viii) Ensure that all boarding facilities comply with Code of Conduct and management of boarding facilities issued by MOET. Ensure that a session on Code of Conduct is included in the training program for Principals/school managers, teachers and boarding facility staff. (ix) Effort will be made to ensure that civil works contractors will prioritize 20% women employment as unskilled laborers. Men and women will receive equal pay for equal work. (x) Ensure that BCC activities and materials target girls, their parents and women and men in the communities to (a) increase understanding of the positive benefits of LSE, especially for female students; (b) publicize semi-boarding facilities, life skills curriculum, vocational counselling and guidance and other localized school initiatives for access, drop-out-prevention and to promote student achievement and completion and (c) prevent early marriage and teenage pregnancy. Develop (improve existing) adequate BCC materials in this respect. (xi) Assessment of the scholarship program piloted under the LSEMDP I and recommendations to be fed into the national scholarship program being implemented by the government.

Project Outputs	Actions
<p>Output 2: Decentralization of teaching and learning tools developed</p>	<p>(xii) 50% of the 4,500 staff trained to carry out BCC activities are females.</p> <p>(i) Ensure that all new regional textbooks and instructional materials developed for 5 key subjects are gender sensitive and include positive images and role models of females</p> <p>(ii) All training teaching and learning materials on disaster management education are gender sensitive and showcase women's agency and contribution in disaster preparedness, management and response.</p> <p>(iii) Ensure that the vocational counseling and guidance materials are specific and tailored to the needs of girls and boys, highlight the importance of LSS in relation to future advancement and employment prospects; encourage girls/ boys to break gender stereotypes in education and take on studies/ training aligned to labor market needs.</p> <p>(iv) Ensure 100% of female and male subject teachers (24,000 teachers) are trained on implementing the new curriculum and textbooks in the 3 disadvantaged areas targeted by the the project</p> <p>(v) Ensure that the curriculum on life skills, EM culture preservation and promotion and vocational counseling in new text books includes messages to prevent early marriage and teenage pregnancy.</p> <p>(vi) At least 50% of the 2000 teachers trained on the curriculum on preservation and promotion of EM culture are female, of which 16% are female EM teachers (160).</p> <p>(vii) At least 50% of 1500 LSS teachers trained on disaster management education are female, of which 16% are female EM teachers (120).</p> <p>(viii) At least 50% of 2500 LSS teachers trained on vocational counselling and guidance for EM students are female, of which 16% are female EM teachers (200).</p>
<p>Output 3: New school clustering established</p>	<p>(i) The quarterly teacher network meetings include a topic on gender issues related to EM teachers, female teachers and students and strategies for increasing the number of female and ethnic group students and teaching staff as well as enhancing the capacities of EM and female teachers.</p> <p>(ii) 100% female education managers are trained on managing education clusters in project supported schools.</p> <p>(iii) At least 60% of all teachers (62% of these are females) in beneficiary schools indicate that they have participated in professional development provided through the cluster system</p> <p>(iv) 100% of 1500 librarians are trained on effective operation of the new libraries with</p>

Project Outputs	Actions
	<p>100% of female librarians trained in the project targeted areas.</p> <p>(v) About 70 new libraries are established in the LSE schools (Baseline SY 2014–0) with a venue in libraries to promote gender equity activities in education.</p>
<p>Output 4:</p> <p>Project implementation, monitoring and evaluation (M&E) capacity enhanced</p>	<p>(i) Appoint one gender focal point in CPMU and in each PPMU.</p> <p>(ii) 30% of the CPMU, PPMU staff and DOET management trained on project management, education management are female.</p> <p>(iii) 100% of the female managers of the targeted LSS in school clusters are trained on cluster management and operation.</p> <p>(iv) All CPMU and PPMUs staff are trained on gender issues in education in Vietnam and orientation on on the project GAP and its implementation. CPMU and PPMUs key staff, including all gender focal points, get advanced training on gender and education, and on implementation, M&E of the GAP, collection, analysis and use of disaggregated data (by sex, ethnicity, age, etc.).</p> <p>(v) The project performance monitoring framework will include M&E for GAP and provide progress reports to ADB on a bi-annual basis as well as using these data for improving planning and implementation of GAP.</p> <p>(vi) The school performance monitoring systems will report sex disaggregated data on access, reduction of drop-outs, , completion of LSS and teachers' capacity building in project targetted areas as an the integral part of the education management information system.</p> <p>(vii) All 3 key workshops at - inception, mid-term and final – will include discussions and action points on implementing and reporting progress on gender aspects related to all the 4 outputs.</p>

ADB = Asian Development Bank, BCC = behaviour change communication (CPMU = central project management unit, DOET = Department of Education and Training, GAP = gender action plan, EM = ethnic minority, LSE = lower secondary education, LSS = lower secondary school, M&E = monitoring and evaluation, PPMU = provincial project management unit, SY = school year.

117. **Implementation Arrangement and budget.** CPMU and PPMUs will be responsible for implementation of GAP and will appoint gender focal point(s) in each unit for ensuring annual planning, implementation and M&E of GAP as part of project activities. The CPMU will recruit gender consultants (4 person -month international and 18 person-month national consultants) to provide technical assistance to CPMU and PPMUs in implementation and M&E and reporting of GAP and related DMF targets. CPMU and PPMUs and consultants will collaborate with parents Associations, Women Union and active NGOs in project sites in BCC activities, and mobilizing women working in civil works where there is a need. All gender indicators will be included in the Project M&E framework. The project will report sex-disaggregated data on access, reduction of drop-outs, and completion of LSS in project targetted areas. Budget for GAP implementation will be included in the main project budgets. All quarterly/ bi-annual project reports to ADB will include sex-disaggregated data on the above indicators as well as progress update on project GAP.

C. Social Development Action Plan (SDAP)

118. An SDAP has been prepared in order to facilitate continued consultation and participation of communities in the project, as well as ensure that labor rights and entitlements are observed and the needs of poor households are considered. Measures in the SDAP place a particular emphasis on the design and implementation of BCC campaigns to encourage parents in the poor, disadvantaged areas to appreciate the value of education for their children, especially for their daughters, and to send them to LSSs and keep them there until they complete their secondary education. To ensure that the awareness campaign appeal to the target groups, parents and local community members should be involved in the design of the campaign and, if possible, in its implementation.

119. The project will create employment in all project regions, where skilled and semi-skilled laborers are required. During construction, men and women will be hired for their services, except for persons below 15 years old. Civil works contracts will stipulate that (i) local people will be given priority in employment during construction; (ii) equal wages will be paid for work of equal value and that women's wages will be paid directly to them; (iii) no child or forced labor will be employed; and (iv) all employees will be provided with a written contract in accordance with Vietnamese law.

120. The communicable disease and social risks are low as the civil works are of a small scale and will not potentially bring in a large number of workers from outside, as in transport projects. Likewise, it will not trigger human trafficking or the emergence of HIV/AIDS cases as all workers will be hired locally.

D. Implementation and Monitoring

121. CPMU and PPMUs, with assistance from project implementation consultants (4 person-months of international and 18 person-months of national social development and gender specialists), will be responsible for the implementation of the GAP and SDAP as well as for reporting on progress and achievements of the project. Key indicators from both plans will be included in the project M&E framework and reported bi-annually. The project will report sex-disaggregated data on access, reduction of dropouts, and completion of lower secondary education in the project areas. All quarterly/bi-annual project reports to ADB will include sex-disaggregated data on the above indicators as well as progress updates on the project GAP.

IX. PERFORMANCE MONITORING, EVALUATION, REPORTING, AND COMMUNICATION

A. Project Design and Monitoring Framework

122. The design and monitoring framework (DMF) for the project has been agreed between the ADB and the Government. The DMF forms the foundation against which project success will be evaluated. While the high-level project design (impact and outcome) are unlikely to change during the course of project implementation, changes are likely to occur at the output and inputs levels of the DMF. The continued relevance of the DMF and specific targets will be monitored as part of the project supervision and the DMF will be updated accordingly when necessary.

Design and Monitoring Framework

Design Summary	Performance Targets and Indicators with Baselines	Data Sources and Reporting Mechanisms	Assumptions and Risks
<p>Impact Reduced disparities in socioeconomic development between regions and ethnic groups</p>	<p>By SY2023, the gap in the NER between the national average and that in the four disadvantaged project areas decreased to less than 10% (SY2011/12 baseline: national average NER of 98.0%; NER in the four areas of 84.6%), and they are benefitting from new or improved facilities with data disaggregated by gender (SY2013/14 baseline: 0).</p> <p>By SY2023, the results for the grade 9 NAM program show a statistically significant improvement in the percentage of students achieving satisfactory standards for each area and subject tested (SY2012/13 baseline: 44.7%) after the students have been educated and trained under improved quality assurance system data disaggregated by gender (SY2013/14: 0) by teachers trained with quality and competency standards (SY2013/14: 0).</p>	<p>Annual statistical yearbook of Viet Nam (Government Statistics Office)</p> <p>Results from grade 9 NAM (Data Center of Education Quality Assurance, MOET)</p>	<p>Assumption Equitable social service delivery continues to be the government's priority policy</p> <p>Risk Economic growth is not sustained and support for disadvantaged areas diminishes</p>
<p>Outcome More equitable access and retention of ethnic minorities, girls, and disadvantaged children in LSSs in northern midland and mountainous areas, central highlands, Mekong River Delta, and north central and central coastal areas, which are frequently affected by typhoons</p>	<p>By SY2020 (for all indicators):</p> <p>NER increased by 5 percentage point for each area (SY2012/13 baseline: northern midland and mountainous areas 77.1%, central highlands 77.7%, Mekong River Delta 73.3%, and north central and central coastal areas 84.7%) for male and female (SY2012/13 baseline: female NER northern midland and mountainous areas 81.8%, central highlands area 80.8%, Mekong River Delta 72.9%, and north central and central coastal areas 93.5%).</p> <p>NER for ethnic minority students in the target provinces increased by 8 percentage points (SY2012/13 baseline: 48%).</p> <p>Gender gaps among enrolled ethnic minority students in the target provinces decreased to 4.0% (SY2012/13 baseline: 9.4% with male 54.7% and female 45.3%).</p> <p>The student dropout rate in target provinces lowered to less than 1.0% in the target provinces (for male and female students) (SY2012/13 baseline: total 1.8% and female 1.6%).</p> <p>At least 29,700 more students accommodated (14,850 female and 14,850 male), and 3,780 accommodated in semi-boarded facilities (1,890 female and 1,890 male)</p> <p>33,000 teacher and managers trained (16,500 female and 16,500 male)</p> <p>At least 640,000 students educated under the improved quality assurance system (320,000 female and 320,000 male)</p>	<p>Viet Nam household living standard survey</p> <p>Project progress reports</p> <p>Project progress reports</p> <p>Survey by central PMU</p> <p>Survey by central PMU</p> <p>Survey by central PMU</p> <p>Survey by central PMU</p>	<p>Assumptions MOET continues to allocate sufficient budget to LSE subsector, especially in the disadvantaged areas</p> <p>The government continues to implement the national policy of providing school feeding and scholarships during the project period</p>
<p>Outputs</p> <p>1. Increased access to LSE and LSE equivalency program</p>	<p>By SY2020 (for all indicators) in the target areas:</p> <p>About 660 classrooms constructed to provide full-day schooling (SY2014/15 baseline: 0).</p> <p>About 350 semi-boarded facilities constructed in the northern midland and mountainous areas and central highlands (SY2014/15 baseline: 0 as per 2014 construction standards and construction guidelines with separate sanitation facilities for male and female) with 50% of boarding facilities allocated to female students.</p>	<p>Project progress reports</p> <p>Project progress reports</p>	<p>Assumption Central PMU and provincial PMUs have enough technical and coordination capabilities</p> <p>Risks MOET will not</p>

Design Summary	Performance Targets and Indicators with Baselines	Data Sources and Reporting Mechanisms	Assumptions and Risks
	<p>About 250 teachers housing units constructed, 50% of which are for female teachers (SY2013/14 baseline: 45%).</p> <p>At least 20% more of community leaders, parents, and students report an awareness of the importance of education particularly for girls (SY2014/15 baseline: 0).</p>	<p>Survey by central PMU</p> <p>Project progress report</p>	<p>issue the guiding principle for development of decentralized curriculum and textbooks on time</p>
2. Decentralization of teaching and learning tools	<p>By SY2020 (for all indicators) in the target areas:</p> <p>New gender-sensitive textbooks and instructional materials developed for key subjects (SY2014/15 baseline: 0).</p> <p>80% of teachers indicate that the new textbooks and materials are more relevant to their students (SY2014/15 baseline: 0).</p> <p>About 24,000 LSS teachers in three disadvantaged areas, both male and female, receive training on the new textbooks (SY2014/15 baseline: 0).</p> <p>Curriculum on life skills integrated in the new textbooks, and preservation of ethnic minority culture and values upgraded and at least 2,000 LSS teachers receive the training (SY2014/15 baseline: 0), of which 50% of the participants are female.</p> <p>Disaster management education provided to at least 1,500 teachers in LSSs in typhoon-affected areas, of which 50% are female (SY2014/15 baseline: 0).</p> <p>Training on vocational counseling and guidance for ethnic minority students provided to about 2,500 LSS teachers (SY2014/15 baseline: 0), of which 50% are female.</p> <p>Results for the grade 9 NAM program show a statistically significant improvement in the percentage of the students achieving satisfactory standards in the core subjects in the target areas (SY2012/13 baseline: 44.7%).</p> <p>At least 75% of LSS teachers in the target areas receive the in-service teacher training on active teaching and learning (SY2013/14 baseline: 56%) to narrow the gap with the national average participation rate (SY2013/14 baseline: 82%).</p>	<p>Review on Viet Nam's ESDP 2011–2020</p> <p>Survey conducted by central PMU</p> <p>MOET's education management information system</p> <p>Project progress reports</p> <p>Project progress reports</p> <p>Project progress reports</p> <p>Survey conducted by central PMU</p> <p>Survey conducted by central PMU</p>	<p>High turnover of central and provincial PMUs and provincial PMU staff</p> <p>Price escalation for civil works contracts because of high inflation</p>
3. New school clusters established	<p>By SY2020 (for all indicators) in the target areas:</p> <p>At least 344 new school clusters established and equipped in the target areas (SY2014/15 baseline: 0).</p> <p>At least 60% of teachers (62% of which are female) in beneficiary schools indicate that they have participated in professional development provided through the cluster system. Of these, 75% report a satisfactory experience (SY2014/15 baseline: 0).</p> <p>About 70 new libraries constructed and equipped for selected schools (in all four areas) that do not have libraries (SY2014/15 baseline: 0).</p>	<p>Project progress reports</p> <p>Survey conducted by central PMU</p> <p>Project progress report</p>	

Design Summary	Performance Targets and Indicators with Baselines	Data Sources and Reporting Mechanisms	Assumptions and Risks
4. Project implementation and monitoring and evaluation capacity enhanced	<p>By SY2020 (for all indicators):</p> <p>Central PMU and provincial PMUs established and implementation and monitoring framework developed.</p> <p>Central PMU, provincial PMUs, and target provincial departments of education and training and LSS principals trained, and 100% female education managers in the project schools trained on managing school clusters.</p> <p>Quarterly progress reports and annual audit reports submitted on time.</p> <p>Three key workshops organized with 20% of participants female.</p> <p>All central PMU and provincial PMU staff trained on gender issues and implementation of the orientation on the project gender action plan and provide gender action plan progress updates on a biannual basis.</p>	<p>Project progress reports</p> <p>Project progress reports</p> <p>Project progress reports and annual audit reports</p> <p>Project progress report</p> <p>Project progress report</p>	

<p>Activities with Milestones</p> <p>1. Increased access to LSE and LSE equivalency programs</p> <p>1.1 Construct about 660 LSS classrooms by 2020.</p> <p>1.2 Construct about 350 semi-boarding facilities by 2020.</p> <p>1.3 Construct about 250 teachers housing units by 2010.</p> <p>1.4 Report at least 20% more of community leaders, parents, and students on awareness of the importance of education, particularly for girls, by 2020.</p> <p>2. Decentralization of teaching and learning tools developed</p> <p>2.1 Develop regional and competency-based textbooks and instruction materials in five key subjects under the new curriculum framework by 2020.</p> <p>2.2 Provide equipment to about 80 district continuing education centers by 2016.</p> <p>2.3 Train subject teachers in the target districts on implementation of new textbooks by 2020.</p> <p>2.4 Train more than 2,000 LSE teachers on preservation and promotion of ethnic minority cultures and values by 2018.</p> <p>2.5 Train more than 1,500 LSS teachers on disaster management education by 2018.</p> <p>2.6 Train more than 2,500 LSS teachers on vocational counseling and guidance by 2018.</p> <p>3. New school clustering established</p> <p>3.1 Establish more than 344 school clusters by 2017.</p> <p>3.2 Establish more than 344 teachers' networks by 2017.</p> <p>3.3 Train more than 1,000 education managers on activities in school clusters by 2018.</p> <p>3.4 Construct and provide science teaching equipment to about 100 science laboratories by 2020.</p> <p>3.5 Construct and equip more than 50 libraries by 2020.</p> <p>3.6 Provide reference books to about 1,000 libraries by 2020.</p> <p>3.7 Train more than 1,000 librarians by 2019.</p> <p>3.8 Provide about 100 block grants by 2020.</p> <p>4. Project implementation and monitoring and evaluation capacity enhanced</p> <p>4.1 Establish central PMU and provincial PMUs by 2015.</p> <p>4.2 Provide equipment for central PMU and provincial PMUs by 2016.</p> <p>4.3 Recruit consultants by 2016.</p> <p>4.4 Provide training on project management by 2017.</p> <p>4.5 Provide overseas training for about 40 education managers by 2016.</p> <p>4.6 Conduct key workshops (inception, midterm, and final).</p>	<p>Inputs</p> <p>ADB: \$80.0 million (current)</p> <p>Government: \$13.0 million</p>
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ADB = Asian Development Bank, ESDP = Education Strategic Development Plan, LSE = lower secondary education, LSS = lower secondary school, MOET = Ministry of Education and Training, NAM = national achievement monitoring, NER = net enrollment rate, PMU = project management unit, SY = school year.
Source: Asian Development Bank.

B. Monitoring

123. **Project performance monitoring.** Project progress, inputs, outputs, outcomes, and impacts are monitored according to the DMF. The DMF identifies the principal performance targets for the impact, outcome, and outputs of the project. CPMU will prepare quarterly progress reports (QPRs) describing (i) project implementation progress, (ii) problems and constraints, and (iii) proposed actions and solutions, then submit to the Government and ADB.

124. The CPMU, supported by the PPMUs, will be responsible for monitoring and reporting on the performance of the project. The basis for performance monitoring will be the DMF. At the commencement of project implementation, CPMU, with the assistance of the project start-up consultant, will use baseline information from MOET's existing education information management system (EMIS) will develop a comprehensive project performance management system (PPMS) to generate data systematically on the inputs and outputs of the components, as well as the indicators to be used to measure project impact, taking into account the scope of the components. The PPMS can be modeled on the system that was used successfully in LSEMDRP I. The CPMU will (i) refine the PPMS; (ii) confirm achievable targets; (iii) finalize monitoring, recording, and reporting arrangements; and (iv) establish systems and procedures, no later than six months after loan effectiveness. Data from EMIS will be supplemented by three surveys to obtain data and information for baseline, mid-term, and final review. PPMUs will also be responsible for organizing field visits and surveys to project target locations based on the schedule agreed with CPMU and prepare reports to submit to CPMU.

125. The M&E consultant will organize training courses for staff at provincial and district levels on M&E skills. Project reviews on performance progress, problems and constraints faced and proposed solutions, will be jointly made by ADB and the Government every six months. CPMU and PPMUs will be responsible for providing information and data for these semi-annual reviews.

126. ADB and the Government will conduct the mid-term review in the middle of the project in order to: (i) review project scope, design, and implementation mechanism; (ii) review the performance progress as compared with design targets and milestones; (iii) review the compliance with loan covenants; and (iv) propose necessary adjustments. Results of the mid-term review will be presented and discussed at the Mid-term Workshop participated by representatives of stakeholders, consultants, and ADB. Necessary actions will be decided at the workshop.

127. **Compliance monitoring.** Compliance with policy, legal, financial, economic, environmental, social, and other covenants contained in the loan and project agreements will be monitored by CPMU, and the PPMUs will be required to advise CPMU of any circumstances that result or will likely result in non-compliance. CPMU will report the latest situation in respect of covenant compliance in each of its semi-annual progress reports to ADB. ADB will monitor compliance through a review of the CPMU progress reports and through selective follow-up discussions or more detailed reviews during supervisory missions.

128. **Environmental safeguards monitoring.** The environmental categorization is C. As the proposed developments will be undertaken within the existing land area/footprint of the identified schools and will not require additional land area for the proposed infrastructure facilities, no adverse environmental impact on the schools and communities is anticipated. However, the CPMU will monitor construction through periodic inspections of sites and review of reports from PPMUs to ensure that there is no unanticipated environmental impacts.

129. **Involuntary resettlement monitoring.** While the ADB involuntary resettlement category is B, land acquisition and resettlement is unlikely. Initial screening of the 200 shortlisted LSSs for the construction of additional facilities did not identify any land acquisition and resettlement impacts. A Resettlement and Ethnic Minority Development Framework (REMDF) was prepared to guide field-based screening of each of the proposed facilities and LSSs, and measures to address potential land acquisition and resettlement impacts have been identified and included in the framework. The CPMU will use the REMDF to monitor involuntary resettlement.

130. **Indigenous peoples safeguards.** Although the indigenous peoples' categorization is B, adverse impacts on ethnic minorities are not anticipated. Minor impacts, if any, will be limited to the loss of land in the unlikely case that a facility will have to be constructed beyond the existing LSS compounds. The REMDF will guide the screening of any site-specific adverse impacts of facilities on ethnic minorities and describes the project elements that benefit ethnic minorities.

131. **Gender and social dimensions monitoring.** Gender and social dimensions not covered by resettlement documents will be monitored internally through the PPMS and using ADB's GAP monitoring framework. Specific indicators and targets from the gender action plan have been included in the DMF. At the beginning of the project, the CPMU, with assistance from the consultants, will develop the PPMS and associated forms to generate data systematically for each output, including selected indicators requiring sex-disaggregated data in the DMF and the GAP. The PPMUs will be responsible for preparing and submitting bi-annual reports on GAP activities to the CPMU for consolidation and subsequent submission to ADB.

C. Evaluation

132. ADB will conduct an inception mission within two months of project start, and a review mission every 6 months, which include assessing progress how much outputs and outcome are attained. The mid-term review mission will indicatively be scheduled in mid-2018. Within six months after the physical completion of the project, the Project Director will submit to ADB a project completion report, analyzing implementation, project performance and achievements against the targets, and expected project impact.¹⁸

D. Reporting

133. The CPMU Project Director will provide ADB with (i) quarterly progress reports in a format consistent with ADB's project performance reporting system; (ii) consolidated annual reports, including (a) progress achieved by output as measured through the indicator's performance targets, (b) key implementation issues and solutions, (c) updated procurement plan, and (d) updated implementation plan for the next 12 months; and (iii) a project completion report within six months of physical completion of the project. To ensure that the project

¹⁸ Project completion report format is available at: <http://www.adb.org/Consulting/consultants-toolkits/PCR-Public-Sector-Landscape.rar>

continues to be both viable and sustainable, project accounts and the executing agency AFSs, together with the associated auditor's report, should be adequately reviewed.

E. Stakeholder Communication Strategy

134. CPMU will liaise with MOET and other related agencies in order to outline project implementation. CPMU will coordinate with PPMUs in the 28 selected provinces and project group for providing directions, monitoring and feedback for smooth implementation of the project. Each PPMU will be established by the PPC, which will authorize and manage project activities at the local level. The DOET and BOETs in each province will support the PPMUs in the implementation of project activities. BOETs will ensure that LSS teachers understand the project outline, purpose, and meaning.

X. ANTICORRUPTION POLICY

135. ADB reserves the right to investigate, directly or through its agents, any violations of the Anticorruption Policy relating to the project.¹⁹ All contracts financed by ADB shall include provisions specifying the right of ADB to audit and examine the records and accounts of the executing agency and all project contractors, suppliers, consultants and other service providers. Individuals/entities on ADB's anticorruption debarment list are ineligible to participate in ADB-financed activity and may not be awarded any contracts under the project.²⁰

136. To support these efforts, relevant provisions are included in the loan agreement and the bidding documents for the project. ADB's Anticorruption Action Plan²¹ was also explained to, and discussed with, the project Executing Agency and the implementing agencies. Consistent with its commitment to good governance, accountability and transparency, ADB reserves the right to investigate any alleged corrupt, fraudulent, collusive, or coercive practices relating to the project.

XI. ACCOUNTABILITY MECHANISM

137. People who are, or may in the future be, adversely affected by the project may submit complaints to ADB's Accountability Mechanism. The Accountability Mechanism provides an independent forum and process whereby people adversely affected by ADB-assisted projects can voice, and seek a resolution of their problems, as well as report alleged violations of ADB's operational policies and procedures. Before submitting a complaint to the Accountability Mechanism, affected people should make a good faith effort to solve their problems by working with the concerned ADB operations department. Only after doing that, and if they are still dissatisfied, should they approach the Accountability Mechanism.²²

XII. RECORD OF PAM CHANGES

138. All revisions/updates during course of implementation should be retained in this section to provide a chronological history of changes to implementation arrangements recorded in the PAM.

¹⁹ Available at: <http://www.adb.org/Documents/Policies/Anticorruption-Integrity/Policies-Strategies.pdf>

²⁰ ADB's Integrity Office web site is available at: <http://www.adb.org/integrity/unit.asp>

²¹ GACAP II Guidelines available at: <http://www.adb.org/Documents/Guidelines/GACAP-II-Guidelines.pdf>. See also Sourcebook: Diagnostics to Assist Preparation of Governance Risk Assessments: <http://www.adb.org/documents/books/Diagnostics-to-Assist-Preparation-of-GRAs/default.asp>.

²² For further information see: <http://www.adb.org/Accountability-Mechanism/default.asp>.

APPENDIXES

APPENDIX 1: In-country Staff Development Plan

APPENDIX 2: Detailed Project Activities and Budget Allocation

APPENDIX 3: Draft Procurement Capacity Assessment

APPENDIX 1: IN-COUNTRY STAFF DEVELOPMENT PLAN

Packages	Sub-output Activities	Details	Responsible Party	Cost, \$million
1	1-d BCC Campaign E-training for LSS staff who will organise the BCC activities at schools and provide training for other staff in the school	112 classes x 1 day x \$60 per day	CPMU	0.007
2	1-d BCC Campaign Face-to-face training for LSS staff who will organise the BCC activities at schools and provide training for other staff in the school	(1,450 LSSs x 3 staffs + 86 BOET staffs + 17 DOET staffs) x 3 days x \$30 per day	CPMU	0.401
3	2-b: Development of the District CECs as the New Platform for INSETT based on Regional- and Competency-based Textbooks and Instructional Materials E-training for teachers Year 1	612 classes x 1 day x \$60 per day	CPMU	0.037
4	2-b: Development of the District CECs as the New Platform for INSETT based on Regional- and Competency-based Textbooks and Instructional Materials Face-to-face training for teachers Year 1	73,742 person days x \$30 per day	CPMU	2.212
5	2-b: Development of the District CECs as the New Platform for INSETT based on Regional- and Competency-based Textbooks and Instructional Materials E-training for teachers Year 2, 3 & 4	612 classes x 1 day x \$60 per day x 3 years	CPMU	0.110
6	2-b: Development of the District CECs as the New Platform for INSETT based on Regional- and Competency-based Textbooks and Instructional Materials Face-to-face training for teachers Year 2, 3 & 4	50,194 person day per year x \$30 per day x 3 years	CPMU	4.517
7	2-c: Development of Life Skills and Preservation and Promotion of Ethnic Minority Culture and Values E-training for teachers on preservation and promotion of EM cultures and values	75 classes x 1 day x \$60 per day	CPMU	0.005
8	2-c: Development of Life Skills and Preservation and Promotion of Ethnic Minority Culture and Values Face-to-face training for teachers on preservation and promotion of EM cultures and values	(2 persons/1 school x 1,450 schools + 86 BOET staffs + 17 DOET staffs) x 3 days x \$30 per day	CPMU	0.270
9	2-d: Development of Disaster Management Education E-training for teachers on disaster management education	48 classes x 1 day x \$60 per day	CPMU	0.003
10	2-d: Development of Disaster Management Education Face-to-face training for teachers on disaster management education	(2 persons/school x 904 schools + 47 BOET staffs + 11 DOET staffs) x 3 days x \$30 per day	CPMU	0.168
11	2-e: Vocational Counseling and Guidance Suitable for Ethnic Minority Areas E-training for teachers on vocational counselling and guidance	80 classes x 1 day x \$60 per day	CPMU	0.005

Packages	Sub-output Activities	Details	Responsible Party	Cost, \$million
12	2-e: Vocational Counseling and Guidance Suitable for Ethnic Minority Areas Face-to-face training for teachers on vocational counselling and guidance	(2 persons/1 school x 1,450 schools + 86 BOET staffs + 17 DOET staffs) x 3 days x \$30 per day	CPMU	0.270
13	3-a: Establishment of School Clusters and Teacher Networking Among Cluster group Schools in Ethnic Minority Areas E-training for principals	43 classes x 1 day x \$60 per day	CPMU	0.003
14	3-a: Establishment of School Clusters and Teacher Networking Among Cluster group Schools in Ethnic Minority Areas Face-to-face training for principals	344 clusters x 5 principals per cluster x 4 days x \$30 per day	CPMU	0.206
15	3-c: Development of new Model Library in School Cluster Schools/More effective use of Libraries E-training for librarians	40 classes x 1 day x \$60 per day	CPMU	0.002
16	3-c: Development of new Model Library in School Cluster Schools/More effective use of Libraries Face-to-face training for librarians	(1 person/school x 1,450 schools + 86 BOET staffs + 17 DOET staffs) x 3 days x \$30 per day	CPMU	0.140
17	3-d: Piloting School Block Grants to Address Local Needs of Cluster Schools E-Training for principals on block grants	20 classes x 1 day x \$60 per day	CPMU	0.001
18	3-d: Piloting School Block Grants to Address Local Needs of Cluster Schools Face-to-face training for principals on block grants	(500 principals + 38 BOET staffs + 17 DOET staffs) x 3 days x \$30 per day	CPMU	0.050
19	4-a. Capacity Development of the Central and Local Project Implementing Agencies E-training for school principals on project implementation	40 classes x 1 day x \$60 per day	CPMU	0.002
20	4-a. Capacity Development of the Central and Local Project Implementing Agencies Face-to-face training for school principals	(1450 LSS principals + 17 DOET staffs + 86 BOET staffs) x 5 days x \$30 per day	CPMU	0.233

APPENDIX 2: DETAILED PROJECT ACTIVITIES AND BUDGET ALLOCATION (12 May 2014)

Output	Output 1: Increased Access to LSE/LSE Equivalency Program							
Sub-output Title	Sub-output 1-a: Construction of LSS classrooms							
Expected Outputs	The project will help the disadvantaged groups to access LSE/LSE equivalency programs through targeted support including construction of LSS classrooms, contributing to increased enrollment rates to LSE, a decrease in drop-out rates and an improvement of LSE quality in disadvantaged and remote areas.							
Implementation Period	2016–2018							
Implementing Agency	CPMU and PPMUs							
Summary of Activities Initial Estimates and Cost	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Civil Works: Civil works construction classrooms	Room	28,529	660	18,829,140	NCB Multiple Contracts	1a
	2	Equipment and Furniture: Provision of furniture for newly constructed facilities (8% of construction cost)				1,506,331	ICB	2
	3	Other services cost for civil works (12% of construction cost)				2,259,497	NA	1b
		Total Amount				22,594,968		

Output	Output 1: Increased Access to LSE/LSE Equivalency Program							
Sub-output Title	Sub-output 1-b: Construction of Semi-boarding facilities							
Expected Outputs	The project will help the disadvantaged groups to access LSE/LSE equivalency programs through targeted support including construction of semi-boarding facilities, contributing to increased enrolment rates to LSE, a decrease in drop-out rates and an improvement of LSE quality in disadvantaged and remote areas. Increased capacity to absorb students who now cannot attend LSSs because of lack of physical access in the target districts. Improvements in the academic performance of students, by allowing students to remain on campus, eliminating daily travel, and participating in distracting family matters, resulting in increased focus on students' studies. Provision of secure rooms that maintain privacy.							
Implementation Period	2016–2018							
Implementing Agency	CPMU and PPMUs							
Summary of Activities Initial Estimates of and Cost	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Civil Works: Construction of <u>Semi-boarding rooms</u>	Room	14,630	350	5,120,500	NCB Multiple Contracts	1a
	2	Equipment and Furniture: Provision of furniture for newly constructed facilities (8% of construction cost)				409,640	ICB	2
	3	Civil Works: Construction of kitchen	Room	14,345	37	530,765	NCB Multiple Contracts	1a
	4	Other services cost for civil works (11% of construction cost)				621,639	NA	1b
		Total Amount				6,682,544		

Output	Output 1: Increased Access to LSE/LSE Equivalency Program							
Sub-output Title	Sub-output 1-c: Construction of sanitation facilities							
Expected Outputs	The project will help the disadvantaged groups to access LSE/LSE equivalency programs through targeted support including construction of sanitation facilities. All project facilities will be “girl-friendly” and will include sanitation facilities separated for girls and boys. Good hygiene practices, as well as providing protection from water borne diseases.							
Implementation Period	2016–2018							

Implementing Agency	CPMU and PPMUs							
Summary Activities of and Initial Cost Estimates	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Civil Works: Construction of <u>toilets for LSSs</u>	Room	17,480	29	506,920	NCB Multiple Contracts	1a
	2	Civil Works: Construction of <u>toilets</u> for semi- boarding students	Room	14,345	57	817,665	NCB Multiple Contracts	1a
	3	Other services cost for civil works (11% of construction cost)		14,345	37	145,704		1b
		Total Amount				1,470,289		

Output	Output 1: Increased Access to LSE/LSE Equivalency Program							
Sub-output Title	Sub-output 1-d: Behavior Change Communication (BCC) Campaign							
Expected Outputs	Student parents', students' and communities' awareness of the value and importance of LSE will be raised through BCC activities organized by LSS teachers in the classrooms and organize in a club by LSS teacher unions for village leaders, student parents, local people, members of women unions, youth unions, ect.							
Implementation Period	2015–2020							
Implementing Agency	CPMU and PPMUs							
Summary Activities of and Initial Cost Estimates	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Textbook and Instruction Material: Production of and printing Instructional Materials for BCC campaign (1,450 LSSs * 8 sets)	Set	10	11,600	116,000	NCB	4
	2	Staff Development, In-country Training: to build the capacity of LSS staff who will organize the BCC activities at schools and provide training	Class	60	12	6,720	NA	5a

		for other staff in the school through e-training (112 classes x 1 day x \$60 per class)						
	3	Staff Development, In-country Training, In-country Training: to build the capacity of LSS staff who will organize the BCC activities at schools and provide training for other staff in the school ((1,450 LSS x 3 staff + 86 BOET staff + 17 DOET staff) x 3 days x \$30 per day)	Person day	30	13,359	400,770	NA	5a
	4	Other pilot activities: Fee for organization BCC activities (1,450-500 LSS receiving block grants)=950 LSS*18 months*USD25 per month per activity		450	950	427,500	NA	8b
	Total Amount					950,990		

Output	Output 1: Increased Access to LSE/LSE Equivalency Program							
Sub-output Title	Sub-output 1-e: Construction of Teacher Housing							
Expected Outputs	The project will help the disadvantaged groups to access LSE/LSE equivalency programs through targeted support including construction of teacher housing. Improvement of LSE quality in disadvantaged and remote areas. Reduction of high attrition rates among teachers in minority areas.							
Implementation Period	2016–2018							
Implementing Agency	CPMU and PPMUs							
Summary of Activities Initial Estimates	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category

	1	Civil Works: Civil works construction Teacher Housing	Room	15,200	250	3,800,000	NCB Multiple Contracts	1a
	2	Equipment and Furniture: Provision of furniture for newly constructed facilities (8% of construction cost)				304,000	ICB	2
	3	Other services cost for civil works (11% of construction cost)				418,000	NA	1b
	Total Amount					4,522,000		

Output	Output 2: Decentralization of Teaching and Learning Tools Developed							
Sub-output Title	Sub-output 2-a: Development of regional and competency-based textbooks for ethnic minority areas							
Expected Outputs	Textbooks will be developed based on the new competency-based curriculum, suitable for EM students and students in disadvantaged socio-economic areas.							
Implementation Period	2015–2018							
Implementing Agency	CPMU							
Summary Activities of and Initial Cost Estimates	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Consulting services: development of textbooks for 5 subjects, and in each subject textbooks are	5 subjects	(Literature and Vietnamese Language \$353,500 + Mathematics \$353,500 + Civil Education \$231,000 +	5	1,720,000	FBS	7

		developed for 4 grades (grade 6, 7, 8 & 9)		Natural Science \$418,000 + Social Science \$364,000)				
	2	Textbook and Instruction Materials: Printing textbooks of 5 subjects for 1 cohort of students of grades 6, 7, 8 & 9 (450,000 students/4=112,500 students; rounded up 115.000 students x 5 subjects x 4 books)	Textbook	1.8	2,300,000	4,140,000	ICB (Domestic Preference)	4
		Total Amount				5,860,000		

Output	Output 2: Decentralization of Teaching and Learning Tools Developed							
Sub-output Title	Sub-output 2-b: Development of district CECs as the new platform for INSETT							
Expected Outputs	Improved teachers' capacity to use the competency-based curriculum and new textbooks for EM students.							
Implementation Period	2015–2018							
Implementing Agency	CPMU							
Summary Activities of and Initial Cost Estimates	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Equipment and furniture: Provision of equipment for CECs	set	30,800	86	2,648,800	ICB	2
	2	Staff Development, In-country Training: E-training for teachers Year 1 (612 classes*1 day)	class	60	612	36,720	NA	5a

	3	Staff Development, In-country Training: Face-to-face training for teachers Year 1	person day	30	73,742	2,212,260	NA	5a
	4	Staff Development, In-country Training: E-training for teachers Year 2, 3 & 4 (612 classes*1 day*3 years)	class	60	1,836	110,160	NA	5a
	5	Staff Development, In-country Training: Face-to-face training for teachers Year 2, 3 & 4	person day	30	150,582	4,517,460	NA	5a
		Total Amount				9,525,400		

Output	Output 2: Decentralization of Teaching and Learning Tools Developed							
Sub-output Title	Sub-output 2-c: Development of life skills and preservation and promotion of ethnic minority cultures and values							
Expected Outputs	EM students' and students in disadvantaged areas life skills and their awareness of the value their own cultures and cultures of other groups are improved by LSS teachers. A key teacher will be selected from each LSS. After a course of 3-day intensive training, the key teacher will disseminate the training to other teachers of their schools.							
Implementation Period	2015–2017							
Implementing Agency	CPMU, PPMUs, LSSs							
Summary Activities of Initial Estimates and Cost	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Textbook and Instruction Materials: Production of materials (including books, and DVDs): 8 sets/1 school x 1,450 schools + 17 DOETs + 86 BOETs	Set	10	11,703	117,030	NCB	4

	2	Staff Development, In-country Training: E-training for teachers in preservation and promotion of EM cultures and values (75 classes x 1 day)	Class	60	75	4,500	NA	5a
	3	Staff Development, In-country Training: Training for teachers in preservation and promotion of EM cultures and values (2 persons/1 school x 1,450 schools + 86 BOET staff + 17 DOET staff) x 3 days	Person day	30	9,009	270,270	NA	5a
		Total Amount				391,800		

Output	Output 2: Decentralization of Teaching and Learning Tools Developed							
Sub-output Title	Sub-output 2-d: Development of disaster management education							
Expected Outputs	Students in coastal areas frequently affected by storms and floods will be equipped with necessary knowledge and skills to stay safe when the natural disasters hit their areas. Training materials and materials for students will be developed. LSS teachers who will improve students' knowledge and skills will be trained by a key teacher selected from each LSS. The key teachers are directly trained by materials developers before disseminating the training to other teachers of their school.							
Implementation Period	2016–2018							
Implementing Agency	CPMU and PPMUs							
Summary of Activities Initial Estimates of and Cost	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Develop instruction materials for students, teachers' guide (consulting services)	Set	25000	1			7

	1	Textbook and Instruction Materials: Material production: 8 sets/school x 904 schools + 11 DOETs + 47 BOETs	Set	10	7,290	72,900	Shopping	4
	2	Staff development, In-country Training: In-service training for teachers through e-training (48 classes * 1 day)	Class	60	48	2,880	NA	5a
	3	Staff development, In-country Training: In-service training for teachers (2 persons/school x 904 schools + 47 BOET staff + 11 DOET staff) * 3 days	Person Day	30	5,598	167,940	NA	5a
	Total Amount					243,720		

Output	Output 2: Decentralization of Teaching and Learning Tools Developed							
Sub-output Title	Sub-output 2-e: Provision of vocational counseling and guidance suitable for ethnic minority areas							
Expected Outputs	Students' awareness of local and national work opportunities and their capacity in making career plans will be developed through VC&G. LSS teachers' capacity in vocational counselling will be developed through project's training program on VC&G for EM students. Key teachers will be selected from each LSS for the 3-day intensive training. They will disseminate the training to other LSS teachers when they are back to school.							
Implementation Period	2016–2018							
Implementing Agency	CPMU and PPMUs							
Summary of Activities and Initial Cost Estimates	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category

	1	Textbook and Instruction Materials: develop materials, information materials, teachers' guide and videos clips	Material	60,000	1	60,000	Shopping	4
	2	Textbook and Instruction Materials: production of materials (including books, and DVDs): 8 sets/1 school x 1,450 schools+ 86 DOETs+17BOETs	Set	10	11,703	11,030	NCB	4
	3	Staff Development, In-country Training: E-training for teachers on vocational counseling and guidance through e-training (80 classes x 1 day)	Class	60	80	4,800	NA	5a
	4	Staff Development, In-country Training: Training for teachers on vocational counseling and guidance (2 persons/1 school x 1,450 schools + 86 BOET staff + 17 DOET staff) x 3 days	Person day	30	9,009	270,270	NA	5a
		Total Amount				452,100		

Output	Output 3: New School Clustering Established
Sub-output Title	Sub-output 3-a: Establishment of School Clusters and Teacher Networking Among Cluster Group Schools in Ethnic Minority Areas
Expected Outputs	- Establishment of school clusters. A total of 344 cluster schools will be established in the project districts. One school cluster consists of 4-6 lower secondary schools located in the same area. One school in the school cluster will be chosen as a cluster center school. The cluster center school will be provided with facilities, equipment, and materials including

	<p>science laboratory, library, and teleconference and ICT equipment to facilitate communications among the schools in the cluster and between the clusters. The cluster schools will serve as a platform to support professional development of teachers of the member schools and promote cooperation and exchange of expertise, experiences, and resources among them. Manuals on organization and management of cluster schools including guidelines on how to organize programs and activities among the member schools will be provided.</p> <p>- Establishment of Teachers' Network in the School Clusters. A teachers' network will be established in each school cluster. The teachers' network will enable teachers from the member schools of the cluster to share expertise, experiences, and to engage in professional development activities within their own cluster and with teachers' networks in the other school clusters.</p>							
Implementation Period	2016–2018							
Implementing Agency	CPMU							
Summary of Activities and Initial Estimates	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Equipment and Furniture: Provision of equipment for 344 school clusters.	Set	7,000	344	2,408,000	ICB	2
	2	Textbook and Instruction materials: printing manual on organization and management of cluster schools for 1,450 LSSs (2 pieces for each LSS)	piece	3	3,000	9,000	Shopping	4
	3	Staff Development, In-country Training: E-training for principals and teachers (43 classes x 1 day)	Class	60	43	2,580	NA	5a
	4	Staff Development, In-country Training: Training for principals and teachers (344 clusters x 5 teachers/ principals per cluster x 4 days)	Person/day	30	6,880	206,400	NA	5a
		Total Amount				2,625,980		

Output	Output 3: New School Clustering Established
Sub-output Title	Sub-output 3-b: Improving Science Education through School Cluster Schools

Expected Outputs	Education quality, in particular students' capability in practice will be improved through the construction and provision of furniture and equipment for subject rooms.							
Implementation Period	2016–2018							
Implementing Agency	CPMU and PPMUs							
Summary of Activities and Initial Cost Estimates	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Civil Works: Construction of subject rooms (Laboratories)	Room	59,470	100	5,947,000	NCB Multiple Contracts	1a
	2	Equipment and Furniture: Provision of furniture for newly constructed facilities (10% of construction cost)				594,700	ICB	2
	3	Equipment and Furniture: Provision of equipment for 100 newly constructed rooms and 80 existing rooms	Room	15,000	180	2,700,000	ICB	2
	4	Other services cost for civil works (12% of construction cost)				713,640	NA	1b
		Total Amount				9,955,340		

Output	Output 3: New School Clustering Established
Sub-output Title	Sub-output 3-c: Improving Effectiveness and Performance of School Libraries
Expected Outputs	The effectiveness of the use of libraries of LSSs will be improved, addressing the problem of improper use of libraries and contributing to the development of libraries as a resource center for teaching and learning by construction of new libraries,

	provision of furniture and equipment for newly constructed facilities, training for librarians to enhance the use of libraries.								
Implementation Period	2016–2019								
Implementing Agency	CPMU and PPMUs								
Summary Activities Initial Estimates	of and Cost	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
		1	Civil Works: Construction of libraries	Room	58,615	70	4,103,050	NCB Multiple Contracts	1a
		2	Equipment and Furniture: Provision of furniture for newly constructed facilities (8% of construction cost)				328,244	ICB	2
		3	Equipment and Furniture: Provision of equipment for newly constructed facilities	Room	10,000	70	700,000	ICB	2
		4	Textbook and Instruction Materials: Provision of books facilitating students' study in the classrooms and encouraging students' interest in reading	Book	500	1,450	725,000	ICB	4
		5	Staff Development, In-country training: E-training for librarians: (40 classes x 1 day)	Class	60	40	2,400	NA	5a
		6	Staff Development, In-country training: Training for librarians: (1 person/school x 1,450)	Person day	30	4,659	139,770	NA	5a

		schools + 86 BOET staff + 17 DOET staff) x 3 days						
	7	Other services cost (for construction) 12%				492,366	NA	1b
		Total Amount				6,490,830		

Output	Output 3: New School Clustering Established							
Sub-output Title	Sub-output 3-d: Piloting of school block grants to address local needs of cluster schools							
Expected Outputs	Approximately 100 school clusters (500 schools) will receive a block grant of \$3,000 on a competitive basis based on the quality and scope of their proposal. The objectives of the block grants are to: (i) help improve planning and management capacity of principals and teachers of the school clusters, (ii) enable the school clusters to implement activities to strengthen cooperation among the member schools which will lead to the improvement of education quality and standard of the schools in the cluster, and (iii) serve as an experiment in providing direct block grants to school clusters so that MOET can assess the benefits and impact of the program for possible replication of the program in the future.							
Implementation Period	2016–2018							
Implementing Agency	CPMU, PMU, DOET, BOET							
Summary Activities of Initial Estimates and Cost	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Block Grant: Provision of block grants to school clusters.	Cluster	15,000	100	1,500,000	NA	8a
	2	Staff Development, In-country Training: E-Training for principals on block grant activities (20 classes x 1 day)	Class	60	20	1,200	NA	5a
	3	Staff Development, In-country Training:	Person day	30	1,665	49,950	NS	5a

		Training for principals on block grant activities ((500 principals + 38 BOET + 17 DOET staff) x 3 days)						
		Total Amount				1,551,150		

Output	Output 4: Project Implementation and Monitoring and Evaluation (M&E) Capacity Enhanced							
Sub-output Title	Sub-output 4-a: Capacity development of education managers in the implementation of project activities							
Expected Outputs	<p>LSS Principals' capacity on management of educational activities under competency-based curriculum and localized textbooks and other project activities such as block grants, more effective use of libraries, etc., will be developed through in-country training.</p> <p>Education administrators' capacity on management of LSSs in application of the new competency-based curriculum and localized textbooks and vocational counseling and guidance will be developed through an overseas short-term training course.</p>							
Implementation Period	2015–2019							
Implementing Agency	CPMU							
Summary of Activities Initial Estimates	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Project implementation support: Printing project implementation support manuals	Manual	3	2,200	6,600	Shopping	4
	2	Staff Development, In-country training: E-training for principals (40 classes x 1 day)	Class	60	40	2,400	NA	5a
	3	Staff Development, In-country training: Training for local education managers	Person Day	30	7,765	232,950	NA	5a

		for all schools, provinces, district (1450 LSS principals + 17 DOET staff + 86 BOET staff) x 5 days						
	4	Staff Development, Overseas training: OST for national, local and school education planners and managers in EM Areas' (3 groups x 15persons x 15days = 675 persons day)	Person Day	800	675	540,000	FBS	5b
		Total Amount				781,950		

Output	Output 4: Project Implementation and Monitoring and Evaluation (M&E) Capacity Enhanced
Sub-output Title	Sub-output 4-b: Capacity development of CPMU and PPMU staff and support for project implementation
Expected Outputs	<p>Strengthened project implementation and timely delivery of expected outcomes and outputs within the allotted budgets as well as monitored project progress and results within the agreed M&E framework.</p> <p>(i) Established project management units, both at the central (CPMU) and provincial levels (PPMUs), provided with equipment and funds for the daily operation of these management units. Two vehicles purchased, i.e., one 7-seater and one 5-seater vehicles.</p> <p>(ii) Hired consultant services:</p> <p>(a) Project start-up consultants under an advanced procurement mode to assist CPMU in the project start-up process, e.g., procurement and selection of contractors for civil works.</p> <p>(b) Consulting firm to provide project management and technical assistance support.</p> <p>(c) Individual resettlement consultants for civil works site inspections.</p> <p>(d) Individual consultants for project completion report.</p> <p>(e) Annual external audit services to determine how project funds (particularly loan funds) have been utilized as well as whether these were utilized as planned and as scheduled.</p> <p>(iii) Project review workshops (i.e., inception, interim, and final) to assess project progress and achievements as well as identify issues that need to be addressed/resolved to facilitate implementation and meeting planned targets.</p> <p>(iv) Established and operational project benefit monitoring system that will closely monitor the project's progress and recommend improvements where and if required.</p>
Implementation Period	2015–2020

Implementing Agency	MOET/CPMU, DOET/PPMU, DCUs								
Summary Activities Initial Estimates	of and Cost	No	Activity	Unit	Unit price (\$)	Q'ty	Amount(\$)	Procurement mode	Cost category
	1	Establishment of CPMU, PPMUs					3,067,000		
	1A	Salary of CPMU permanent staffs (for 6 years of project implementation)	Annual cost	60,000	6	360,000		9c	
	1B	Salary of CPMU contractual staffs	Annual cost	205,000	6	1,230,000		9a	
	1C	Office rental	Annual cost	77,000	6	462,000		9b	
	1D	Regular annual expenditure for office operations	Annual cost	62,000	6	372,000		9c	
	1E	Office repair	Amount	20,000	1	20,000		9c	
	1F	Equipment and Furniture: Provision of office furniture and facilities for CPMU (\$23,000), office equipment for CPMU (\$95,000), e-learning equipment (\$35,000), project management software and server for CPMU (\$90,000), and office equipment, furniture and facilities for PPMUs (\$240,000)	Amount	483,000	1	483,000	NCB	2	
	1G	Provision of cars	car	90,000	1	90,000	NCB	3	
	(i)	7-seater car	car	50,000	1	50,000	NCB	3	

	(ii)	4-seater car						
	2	Recruitment of consultants						
	2A	Individual consultant selection for project start-up					ICS	7
	(i)	Project implementation start-up consultant - Int'l	Person month	25,000	2	50,000		7
	(ii)	Project implementation start-up consultant - Nt'l	Person month	2,000	3	6,000		7
	2B	Consultant services through a firm to provide technical assistance support					QCBS	7
	(i)	International	Person month	25,000	50	1,250,000		7
	(ii)	National	Person month	2,000	142	284,000		7
	2C	Individual consultant selection for resettlement					ICS	7
	(i)	Resettlement specialist - Int'l	Person month	25,000	2	50,000		7
	(ii)	Resettlement specialist - National	Person month	2,000	16	32,000		7
	(iii)	Relevant costs for national resettlement consultants				10,000		7
	2D	Individually hired consultants for project completion					ICS	7
	(i)	International	Person month	25,000	2	50,000		
	(ii)	National	Person month	2,000	3	6,000		
	2E	Consulting firm to provide auditing services	Audit	70,000	6	420,000	LCS	7

		Other relevant costs (22% of remuneration)				375,760		
		Contingencies (10% of remuneration)				170,800		
	3	Organize 3 review workshops (i.e., inception, midterm, and final)	Workshop	50,000	3	150,000	NA	6
	4	Organize 9 annual workshops among CPMU and PPMUs to discuss project implementation progress, issues/problems, and measures (26 PPMUs @ 2 persons/PPMU = 52 persons; CPMU = 10 persons; officials from MOET, DOETs, ad BOETs = 38) total of 100 persons @ \$400/person all-in.	Workshop	40,000	9	360,000	NA	6
	5	Project benefit monitoring and evaluation	Annual cost	20,000	6	120,000	NA	6
		Total Amount				6,401,560		

APPENDIX 3: PROCUREMENT CAPACITY ASSESSMENT REPORT

A. Agencies responsible for procurement

The Central Project Management Unit (CPMU) will be responsible for procuring Goods and recruiting consultants for the whole Project and overseeing procurement of civil works conducted by the 28 Provincial Project Management Units (PPMUs). PPMUs under DOETs of the 28 project provinces will be responsible for procuring civil works contracts at provincial level.

B. Procurement capacity assessment

a. Methodology: The assessment of procurement capacity of CPMU and 28 PPMUs is based on the completed questionnaires and attached hereto as Annex 1. Due to limited resources, the interviews with CPMU and PPMUs could not be conducted.

b. Key Findings:

a) Capacity in recruitment of consultants: Under LSEMDRP, CPMU was responsible for recruiting 20 consulting packages (2 QCBS, 3 FBS, 6 LCS, 5 CQS and 4 ICS). The consultant selection team included 2 staff (01 full-time and 01 part-time) who are fluent in English and familiar with ADB's recruitment procedure. One staff of this team will work for LSEMDAP II, therefore, the risk on procurement capacity is considered average.

b) Capacity in procurement of goods: Under LSEMDRP, CPMU procured 31 goods packages, including 3 ICB, 7 NCB and 21 shopping packages. The goods procurement team includes 2 staff (01 full-time and 01 part-time) with good English capacity. One staff of this team will work for LSEMDAP II, therefore, the risk on procurement capacity is considered average.

c) Capacity in procurement of civil works:

Among 28 PPMUs, 12 PPMUs (i.e: Cao Bang, Son La, Dien Bien, Lao Cai, Yen Bai, Ha Giang, Ninh Thuan, Gia Lai, Dak Lak, Tra Vinh, Soc Trang and Kien Giang) were involved in LSEMDRP while 14 PPMUs had experience implementing ODA projects (i.e Bac Lieu, Binh Dinh, Binh Thuan, Ha Tinh, Hoa Binh, Lang Son, Nghe An, Phu Tho, Quang Binh, Quang Ngai, Quang Tri, Thai Nguyen, Thanh Hoa and Hue). Only Phu Yen and Quang Nam provinces have not implemented any ODA funded works contract for the last 3 years. Given the differences between the government and ADB procurement system, risk related to capacity of these 2 PPMUs is rated as "High".

Most of the PPMUs do not have full-time procurement staff. Some provinces hired consultants to help with procurement activities. However, through the responses to the questionnaires, most of them showed knowledge of generally-accepted principles of public procurement. Responses from Binh Thuan and Quang Ngai PPMUs indicate significant deficiencies because they refer to: (i) verbal responses to bidders' inquiries, (ii) rejection at bid opening and (iii) sale of bid opening record. In light of the above, risk related to procurement capacity of these two provinces is also rated as "High". Capacity of all other PPMUs is rated "Average".

With respect to procurement of works, CPMU played an important role in providing instruction/training and monitoring. In LSEMDRP, CPMU had a team of 3 full time staff who were strong in procurement of works, familiar with ADB procedures and fluent in English. Since

2 out of those 3 staff will continue to work for LSEMDAP II, risk relating to procurement capacity is rated “Average”.

C. Procurement Performance Assessment

a. Methodology: a review was made on historical procurement performance data on civil works contracts in 12 PPMUs that were involved in LSEMDRP in connection with 124 NCB contracts, 43 Shopping contracts and 1 direct contracting contract. Key indicators of competitive intensity were analyzed such as number of bidding documents was purchased, number of bids was submitted, number of responsive bids, reasons why lowest price bidder was rejected, contract award price vs engineers’ estimates, value/reasons behind variations and unusual bidding patterns.

b. Key Findings:

Limited competition was observed in most of the 12 provinces. Limited number of bidding documents was purchased and limited number of bids was submitted. In most cases, only 3 bids were submitted (3 bids is the minimum requirement in the national system).

Risk of collusion was present in all 12 provinces but particularly pronounced in Son La, Dien Bien, Ha Giang, Gia Lai and Kien Giang. In such provinces, the following unusual bidding patterns were observed with high degree of frequency: (i) certain contractors bid against one another most of the time and each contractor seemed to take turns to be the winning bidder; (ii) winning bid was the only responsive bid, even in shopping; and (iii) the contract award prices were very close to the engineer’s estimates (0 to 1% lower than the engineer’s estimates). See detailed findings in Annex 2.

D. Summary of Risk Assessment and Recommendations

- Summary of Risk Assessment

Below is the summary of risk assessment based on the above analysis.

No	EA/IA	Risk relating to Capacity	Risk of Collusion	Overall Risk Assessment
1	Cao Bang	Average	Average	Average
2	Son La	Average	High	High
3	Dien Bien	Average	High	High
4	Lao Cai	Average	Average	Average
5	Yen Bai	Average	Average	Average
6	Ha Giang	Average	High	High
7	Ninh Thuan	Average	Average	Average
8	Gia Lai	Average	High	High
9	Dak Lak	Average	Average	Average
10	Tra Vinh	Average	Average	Average
11	Soc Trang	Average	Average	Average
12	Kien Giang	Average	High	High
13	Bac Lieu	Average	NA ²³	Average
14	Binh Dinh	Average	NA ¹	Average
15	Binh Thuan	High	NA ¹	High

²³ Since PPMU did not participate in LSEMDRP, its historical performance could not be analyzed.

No	EA/IA	Risk relating to Capacity	Risk of Collusion	Overall Risk Assessment
16	Ha Tinh	Average	NA ¹	Average
17	Hoa Binh	Average	NA ¹	Average
18	Lang Son	Average	NA ¹	Average
19	Nghe An	Average	NA ¹	Average
20	Phu Tho	Average	NA ¹	Average
21	Phu Yen	High	NA ¹	High
22	Quang Binh	Average	NA ¹	Average
23	Quang Nam	High	NA ¹	High
24	Quang Ngai	High	NA ¹	High
25	Quang Tri	Average	NA ¹	Average
26	Thai Nguyen	Average	NA ¹	Average
27	Thanh Hoa	Average	NA ¹	Average
28	Thua Thien Hue	Average	NA ¹	Average
29	CPMU (EA)	Average	NA	Average

- **Recommendations:**

Risk	Mitigation Measures	Action taken by
Capacity Constraint	1. Tailored training program to be designed based in part on deficiencies identified in LSEMDRP and to be delivered by CPMU/Loan funded consultants.	CPMU/ Loan funded consultants.
	2. MOET/DOET confirmation that qualified and experienced staff will be involved in procurement of civil works in PPMUs	MOET/DOET
	3. Selective post-review to be conducted by ADB and CPMU based on pre-identified risk factors	ADB/CPMU
	4. ADB prior review of first packages of Phu Yen, Quang Nam, Binh Thuan and Quang Ngai	ADB
Collusion	1. Business outreach events should be organized for project provinces to educate bidders about pipeline of contracts and mistakes to avoid when bidding.	CPMU
	2. In addition to Procurement Gazette, IFB and procurement plan should also be advertised in popular local media.	CPMU/PPMUs
	3. ADB prior review of first packages of Son La, Dien Bien, Ha Giang, Gia Lai, Kien Giang	ADB
	4. Bidding documents and project website prominently display dedicated complaint hotline/email information.	CPMU/PPMUs
	5. Results of bidder complaint investigations posted on project web sites.	CPMU/PPMUs
	6. ADB staff consultant to conduct independent construction quality audits.	ADB
	7. Mechanism to allocate additional funds to PPMUs that demonstrate healthy competition and good construction quality.	MOET/CPMU

Annex 1: Procurement Capacity Assessment
Section A - General Procurement Environment Assessment

Criteria	Risk Assessment	Comment
1. Is there a procurement law?	Yes, Low	However, multiple laws cover public procurement - e.g. Law on Procurement (2005), Amending Law No.38 (2009), Law on Construction (2003), and other laws, <u>all taking precedence</u> over Procurement Law
2. Are the laws and regulations clear and concise?	Average	Detailed laws and regulations, but under multiple laws (1 above) and complex network of Decrees and Circulars
3. What does the law (or regulations applicable to procurement) cover?	Low	Covers all aspects of procedures with related templates Procurement Law (Art.3,para.3) explicitly states that where funding agreement states so, donor procurement rules prevail.
4. Does the law cover the procurement of consulting services?	Yes, Low	
5. Does the law differentiate between processes for consulting services and Goods/Works?	Yes, Low	
6. Does the law require advertisement of all procurement opportunities?	Yes, Average	Advertisement required also under Shopping, however limited information posted on ITBs/IFBs
7. Are contract awards advertised?	Yes, Low	No information posted on grounds for rejected bids
8. Are there restrictions on goods works and services on the basis of origin?	Yes, Average ***	NCB as defined under Procurement Law allows participation of only national bidders (Art.4, para.5)
9. Does the law or relevant legislation and regulations provide acceptable provision for the participation of state owned enterprises?	No, High	Procurement Law has provisions on SOE but limits eligibility criteria to state-ownership of shares. Independence of Management and Directors insufficiently accounted for. Law also does not include provisions on Conflict of Interest, essentially limited to family relationships between Purchaser and Bidders (Proc. Law, Art.12)
10. Are there restrictions on the nationality of bidders and consulting firms invited?	Yes, Average ***	Only National Bidders allowed under NCB
11. Are foreign bidders and consultants forced to offer through or with local partners?	No, Low ***	
12. Is there a domestic preference scheme?	Yes, Average ***	Domestic preference scheme is applied under ICB, including to Consulting Services (Proc. Law, Art.14)
13. Is there a national standard mandated for use for quality control purposes?	Yes, Low	

14. Are any agencies exempt from the law?	No, Low	Procurement Law applies to <u>projects</u> funded by State for at least 30% of the budget (Art.1, para.1)
15. Is the default method for procurement open competition?	Yes, Low	Procurement Law, Article 18
16. Is open procurement easily avoided?	Yes, Average ***	DC/SSS for packages below a certain value, very liberally applied by many EAs (Procurement Law, Art.20; Amending Law, Art 2 (4), Dec.85, Art.40)
17. Do the rules and regulations require pre-qualification?	Low	Only for complex contracts
18. Do the rules and regulations require registration?	No, Low	
19. Are there systematic procurement process audits?	Yes, Average	Circular on Procurement Audits, No.01/2011/TT-BKHDT
20. Is there a national procurement manual or guide?	Yes, Low	Not a single Manual, in multiple circulars
21. Do the laws and regulations mandate the use of standard documents?	Yes, Low	
22. Have these standard bidding document's been approved for use on ADB projects?	No, Average	The legal framework for SBDs is however sound
23. Do the regulations require the collection of nationwide statistics on procurement?	Yes, Low	Yes, under responsibility of PPA, Annual Report to PM
24. Is consolidated historical procurement data available to the public?	No, High	
25. Do the procurement laws and regulations contain provisions for dealing with misconduct?	Yes, Average	Weak enforcement
26. Is fraud and corruption in procurement regarded as a criminal act?	Yes, Low	Procurement Law, Article 75
27. Have there been prosecutions for fraud and corruption?	Yes, High	Few, high level-high visibility cases
28. Is there an alternative disputes resolution process independent of government and courts?	No, High	Through Viet Nam International Center of Arbitration, or Economic Court
29. Does the law allow for sovereign immunity to the EA for claims against it?	No, Low	

30. Do the regulations allow for black listing (disbarment) of firms and individuals and if they do?	Yes, Low	EAs draw list of firms to be disbarred and submit to PPA/MPI to monitor (Proc. Law, Art 75, Amending Law, Art 2(21), Dec. 85, Art.65)
31. Which body oversees procurement?	Average	Public Procurement Agency of MPI at central level, DPI at provincial level
32. What powers does the oversight body have?		PPA reports to Minister of Planning and Investment. Refers also to Government Inspectorate. No enforcement authority.
33. Is there a nationwide procurement training plan?	Yes, Average	Administered, by PPA, but no "professionalization" of procurement functions within GoV
34. Is there a procurement accreditation or professionalization program?	Yes, Average	Certification in national laws and procedures only
35. Are major projects identified within an agencies appropriation or budget?	Yes, Low	Funds are appropriated and accounted for separately
36. Is the procurement cycle tied to an annual budgeting cycle? i.e. can procurement activity only commence once a budget is approved?	Yes, Average	High risk as expenditures have to be within FY budget
37. Once an appropriation or budget is approved will funds be placed with the EA or can the EA draw them down at will?	Yes, Low	Once funds are appropriated, EA has immediate and direct access
38. Can an EA draw directly from a loan or imprest account or will it spend budgeted funds with the borrower claiming reimbursement?	Yes, Low	
39. When an EA is implementing a project using funds from the national budget has a delay in funding significantly delayed procurement?	Yes, High	Counterpart funds are often delayed - though some line Ministries and sub-national administrations are better than others in releasing own funds

Note * :** Common among Vietnamese Government agencies to apply practices which, while not "preventing" the participation of international bidders, act as a disincentive for open competition, for example through split-packaging or bundling (whereby international bidders will not be interested to participate in packages below a certain value), the use of state/provincial cost-norms, various administrative requirements which makes it more difficult for international firms to penetrate local industries.

**SECTION B - PROCUREMENT CAPACITY ASSESSMENT OF 28 DOETs/PPMUs
and CPMU**

1. Bac Lieu DOET

**PROCUREMENT CAPACITY ASSESSMENT
AGENCY QUESTIONNAIRE**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	5	Low
A.2. How many staff in the procurement department/unit are:	5	Low
i. Full Time?		
ii. Part Time?	5	
iii. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No	Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	Yes. DOET has established a Bid Committee managed by Head of Bid Committee	High
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Yes	Low
A.9. If yes, what type of procurement does it undertake?	NCB, Shopping, SSS	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	- Evaluation report of bid documents/proposal;	Low

Question	Answer/Finding	Risk
	- Appraisal report on bid results.	
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes	Low
A.12. Is there a procurement process manual for goods and works?	Yes. In the primary education project, Upper secondary project, LSEMDRP There is also guidelines for procurement available in ADB's website which pointed out by NPIU to PPIUs in the LSEMDRP.	Average
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	ADB guidelines on procurement (2007, 2010)	
A.14. Is there a procurement process manual for consulting services?	No	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	No	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes. In the primary education project, Upper secondary project, LSEMDRP	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	Bid Committee	
A.19. Who approves the procurement specifications?	Legal representative of procuring entity(DOET Director)	
A.20. Who drafts the bidding documents?	Bid Committee	
A.21. Who manages the sale of the bidding documents?	Bid Committee	
A.22. Who identifies the need for consulting services requirements?	Bid Committee	Average
A.23. Who drafts the terms of reference (TOR)?	Bid Committee	
A.24. Who prepares the request for proposals (RFPs)?	Bid Committee	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	Long time, limit of time is not specified	Average
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-	Yes	Low

Question	Answer/Finding	Risk
contract papers?		
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	Yes	Yes
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes Second Lower Secondary Education Development project. Lower Secondary Education for the most disadvantaged regions project.	Low
C.2. If the above answer is yes, what were the major challenges?	Small scale, location is hard for construction and not attractive to the bidders	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Projects under category C (small contracts)	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	15 days for NCB and 30 days for ICB for projects funded from national budget and 28 days for ADB's loan project	
C.5. Are all queries from bidders replied to in writing?	Yes	Low
C.6. Does the bidding document state the date and time of bid opening?	Yes	Low
C.7. Is the opening of bids done in public?	Yes	
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No	Low
C.10. Are minutes of the bid opening taken?	Yes	
C.11. Who may have a copy of the minutes?	- Minutes of bid opening is signed by representatives of bidders, employer, invited agencies, therefore any one attending bid opening may have a copy of this Minutes. - In ADB funded project, a copy of Minutes of bid opening shall be delivered to all Bidders whose bids are opened at bid opening.	Low
C.12. Are the minutes free of charge?	Yes.	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee (established by the procuring entity).	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Ref. to Article 9/ Procurement Law	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Yes (no amendment or addition).	Low

Question	Answer/Finding	Risk
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	45–60 days.	Average
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	Average
C.18. Are there established goods receiving procedures?	Yes	Average
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes	Low
C.20. Is the agency/procurement department familiar with letters of credit?	No	High
C.21. Does the procurement department register and track warranty and latent defects liability periods?	No (belong to the responsibility of project owner)	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes, stipulated in Decree 85, Article 15	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?		
C.26. What criteria are used to evaluate EOIs?	- Profile. - Professional capacity.	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	- Quality (Technical and Financial proposals). - Service cost is not higher than regulation.	Low
C.28. Do firms have to pay for the RFP document?	No.	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes, Ref. Item 2, Article 18, Decree No.85.	Low
C.30. Are pre-proposal visits and meetings arranged?	Yes, if necessary	
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes, stipulated in Item 2, Article 34 of Procurement Law.	Low
C.32. To whom are the minutes distributed?	Specialized division of the Employer.	

Question	Answer/Finding	Risk
C.33. Are all queries from consultants answered/addressed in writing?	Yes	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes, stipulated in Article 26 of Procurement Law.	Low
C.35. Are proposal securities required?	Yes, Item 2, Article 33 of Procurement Law.	Low
C.36. Are technical proposals opened in public?	Yes. In point a, Item 5 of Article 17, Decree No.85	Low
C.37. Are minutes of the technical opening distributed?	Yes. In point b, Item 5 of Article 17, Decree No.85	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes	Low
C.39. Who determines the final technical ranking and how?	The consultant submits ranking list, the procuring entity approves	
C.40. Are the technical scores sent to all firms?	No	
C.41. Are the financial proposal opened in public?	Yes	Low
C.42. Are minutes of the financial opening distributed?	No	
C.43. How is the financial evaluation completed?	- Without errors. - Not higher than the regulated cost.	Low
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	30 days, after bidding results are approved.	
C.46. What is the usual basis for negotiation?	All related contents: scale of work, technical quality, price and method of payment	
C.47. Are minutes of negotiation taken and signed?	Yes	Average
C.48. How long after negotiation is the contract signed?	Within the validity of bid documents	
C.49. Is there an evaluation system for measuring the outputs of consultants?	No (mainly small scaled projects)	
Payments		
C.50. Are advance payments made?	Yes, depend on the contract, stipulated in Article 17, Decree No.48.	Low
C.51. What is the standard period for payment included in contracts?	Based on the completion amount, specified and agreed in the contract	Low
C.52. On average, how long is it between receiving a firm's invoice and making	07 days	

Question	Answer/Finding	Risk
payment?		
C.53. When late payment is made, are the beneficiaries paid interest?	No (depend on terms of payment)	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes, stipulated in Article 7, Decree No.48.	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes, stipulated in Article 23/24, Decree No.48.	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes, stipulated in Article 60,61, 62, Decree No.48 and Article 73, 73 of Procurement Law	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes, stipulated in Article 60,61, 62, Decree No.48 and Article 73, 73 of Procurement Law	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes, Ref. Article 63, Procurement Law	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Provincial people committee, through specialized division of Department of Planning and Investment	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?	Provincial People Committee approved (or delegation for approval):	
a) Bidding document, invitation to pre-qualify or RFP	Procuring entity.	Low
b) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Procuring entity.	
c) Evaluation reports	Procuring entity.	
d) Notice of award	Procuring entity.	
e) Invitation to consultants to negotiate	Procuring entity.	
f) Contracts	Project owner/Employer.	

Question	Answer/Finding	Risk
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes, Ref. Article 1, State Audit Law NO.37/2005/QH11	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Medium
E. Accountability Measures	Low
OVERALL RISK RATING	Low

2. Binh Dinh DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years' experience does the head of the procurement department/unit have in a direct procurement role?	Director: 15 years Deputy Director: 10 years	Low
A.2. How many staff in the procurement department/unit are:	9	Low
iv. Full Time?	8	
v. Part Time?	1	
vi. Seconded?	0	
A.3. Does the procurement staff have English language proficiency?	Yes	Low
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	09 staffs have university qualification certificates	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	Yes. DOET has established a Bid Committee managed by Head of Bid Committee	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Yes, only Bid Committee	Low
A.9. If yes, what type of procurement does it undertake?	NCB	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Appraisal report on bidding documents, bidding results	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes	Low
A.12. Is there a procurement process manual for goods and works?	Yes, In the primary education project, Upper secondary project, LSEMDRP There is also guidelines for procurement	Low

Question	Answer/Finding	Risk
	available in ADB's website which pointed out by NPIU to PPIUs in the LSEMDRP.	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes	
A.14. Is there a procurement process manual for consulting services?	Yes	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes, regularly updated	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes, bidding documents, sample contracts for projects	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes	
A.18. Who drafts the procurement specifications?	Consultant will draft the procurement specification and PMU will appraise	Low
A.19. Who approves the procurement specifications?	Project owner (Director of DOET)	
A.20. Who drafts the bidding documents?	Individual consultant	
A.21. Who manages the sale of the bidding documents?	Member of the consultant selection committee	
A.22. Who identifies the need for consulting services requirements?	Project owner	Low
A.23. Who drafts the terms of reference (TOR)?	The supporting staffs of the project owner draft based on Regulations or ADB templates	
A.24. Who prepares the request for proposals (RFPs)?	Individual consultant	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes, recording and filing in the keeping system as per regulations	
B.3. For what period are records kept?	5 years	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	Yes	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-	Yes: Lower Secondary Education	Low

Question	Answer/Finding	Risk
assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Development (1 st and 2 nd) (ADB-funded); Secondary Education Program (ADB-funded)	
C.2. If the above answer is yes, what were the major challenges?	Must follow the implementation procedures and follow the conditions in the sample issued documents	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Projects under category C (small contracts)	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	15 days for NCB and 30 days for ICB for projects funded from national budget and 28 days for ADB's loan project	Low
C.5. Are all queries from bidders replied to in writing?	Yes, all queries are replied in writing within the time mentioned in the bidding documents	
C.6. Does the bidding document state the date and time of bid opening?	Yes, date and time are specified in the bidding documents	Low
C.7. Is the opening of bids done in public?	Yes, done in public and invite representatives from relating Departments, agencies to participate	Low
C.8. Can late bids be accepted?	No, bids must be submitted prior to bid closing.	
C.9. Can bids be rejected at bid opening?	No, bid documents must be evaluated	
C.10. Are minutes of the bid opening taken?	Yes, minutes of bid opening must be signed by all participating agencies	Low
C.11. Who may have a copy of the minutes?	Minutes of bid opening will be distributed to all participating agencies	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Evaluators must have appropriate qualifications with respect to procurement and the goods and have certificate of training on procurement	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	The decision of the evaluators is not the final and shall be subject to appraisal prior to approval of the project owner	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	The Secondary Education Development Project (ADB fund): CEC- HN An Lao; CEC-HN Vinh Thanh (date of advertisement for bids is September 10 th , 2012 until the contract effectiveness is 25 Feb 2013 – totally it took 165 days	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	Low
C.18. Are there established goods receiving procedures?	Not yet	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Recorded as assets or inventory	Low

Question	Answer/Finding	Risk
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	No	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	Low
C.23. If the above answer is yes, what were the major challenges?	-	
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	PMU Managers, Civil work Unit Head, Finance Unit Head	Low
C.26. What criteria are used to evaluate EOIs?	Pass or Fail criteria	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS	Low
C.28. Do firms have to pay for the RFP document?	Yes (competitive bidding)	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	Low
C.30. Are pre-proposal visits and meetings arranged?	No	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	
C.32. To whom are the minutes distributed?	Procurement specialist team	
C.33. Are all queries from consultants answered/addressed in writing?	Yes	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes	Low
C.35. Are proposal securities required?	Yes	Low
C.36. Are technical proposals opened in public?	Yes	Low
C.37. Are minutes of the technical opening distributed?	Yes	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes	Low
C.39. Who determines the final technical ranking and how?	The Employer	
C.40. Are the technical scores sent to all firms?	No	
C.41. Are the financial proposal opened in public?	1 ranked bidder will be invited to open the financial proposal and contract negotiation	Low

Question	Answer/Finding	Risk
C.42. Are minutes of the financial opening distributed?	No	
C.43. How is the financial evaluation completed?	Revision of mistakes and Adjustment of deviation According to the bidding docs developed by MPI attached to Circular No. 06 /2010/TT-BKH	Low
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	According to the bidding docs developed by MPI attached to Circular No. 06 /2010/TT-BKH – maximum of 30 days	
C.46. What is the usual basis for negotiation?	Bidding documents, bid documents; Bid evaluation report	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and have the validity period of bids	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Depending on the type of contracts for works, contract management may consist of: a) Management of contract progressing; b) Quality management; c) Quality management and price management d) Management on labor safety, environment protection and avoidance of fire and explosion đ) Management of adjustment and other points of the contract	
Payments		
C.50. Are advance payments made?	Yes	Low
C.51. What is the standard period for payment included in contracts?	Depend on the type of contract	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	Within 14 days from the receipt of payment request and acceptable invoice	
C.53. When late payment is made, are the beneficiaries paid interest?	Yes	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	No	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of	Yes	Low

Question	Answer/Finding	Risk
negotiation, notices of default/withheld payment?		
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	-Procurement Plan: PPC approves -The employer approves	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
g) Bidding document, invitation to pre-qualify or RFP	Must be approved by Project owner	
h) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Implemented by procurement unit	
i) Evaluation reports	Implemented by consultant selection committee	
j) Notice of award	Noticed by project owner	
k) Invitation to consultants to negotiate	Invited by project owner	
l) Contracts	Signed by project owner	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	-Specialized division or authorized unit in charge of procurement in DOET	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Article 1. of State Audit Law No. 37/2005/QH11	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

3. Binh Thuan DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	08 years	None.
A.2. How many staff in the procurement department/unit are:	02 teams/06 people	None.
vii. Full Time?	Hiring consulting firm on procurement	
viii. Part Time?	Working part time as necessary	
ix. Seconded?		
A.3. Does the procurement staff have English language proficiency?	Not proficient	None.
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Sufficient to undertake	None.
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	None.
A.6. Does the agency have a procurement-training program?	Yes. DOET has established a Bid Committee managed by Head of Bid Committee	None.
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No, only Bid Committee	None.
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Bid Committee is formed to appraise bidding documents and bid results to give advice for final decision.	None.
A.9. If yes, what type of procurement does it undertake?	In case, if it is applicable as per regulation, Single source selection will be used	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Bid Committee is formed to appraise bidding documents and bid results.	None.
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes.	None.
A.12. Is there a procurement process manual for goods and works?	Yes. In the primary education project, Upper secondary project, LSEMDRP There is also guidelines for procurement available in ADB's website which pointed	None. None.

Question	Answer/Finding	Risk
	out by NPIU to PPIUs in the LSEMDRP	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Regularly implemented	
A.14. Is there a procurement process manual for consulting services?	Yes.	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Regularly implemented	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes. In the primary education project, Upper secondary project, LSEMDRP	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	Bid Committee	None.
A.19. Who approves the procurement specifications?	DOET Leader (Authorized by competent person to be the Employer)	
A.20. Who drafts the bidding documents?	Bid Committee	
A.21. Who manages the sale of the bidding documents?	Employer	None.
A.22. Who identifies the need for consulting services requirements?	Employer	
A.23. Who drafts the terms of reference (TOR)?	Employer	
A.24. Who prepares the request for proposals (RFPs)?	Employer	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes.	None.
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes.	None. (May be low in force majeure such as fire)
B.3. For what period are records kept?	Permanently as per regulations	None.
B.4. Are copies of bids or proposals retained with the evaluation?	Yes.	None.
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes.	None.
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes.	None.
B.7. Are copies of invoices included with the contract papers?	Yes.	None.
C. Procurement Practices		
Goods and Works		

Question	Answer/Finding	Risk
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	In 2008, 04 packages of construction of classrooms in the Second Lower Secondary Education Development Project – Partners are domestic contractors (mainly local contractors)	None.
C.2. If the above answer is yes, what were the major challenges?	Conditions of guarantee for performance of contract as per ADB's guidelines	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Projects under category C (small contracts)	None.
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes. Within 30 days from decision on approving the procurement plan	None.
C.5. Are all queries from bidders replied to in writing?	No.	
C.6. Does the bidding document state the date and time of bid opening?	Must clearly be indicated	None.
C.7. Is the opening of bids done in public?	Must be opened publically	None.
C.8. Can late bids be accepted?	No. Late bids cannot be accepted.	
C.9. Can bids be rejected at bid opening?	Yes. (If does not follow the sealing regulation)	
C.10. Are minutes of the bid opening taken?	Yes.	None.
C.11. Who may have a copy of the minutes?	- Minutes of bid opening is signed by representatives of bidders, employer, invited agencies, therefore any one attending bid opening may have a copy of this Minutes. - In ADB funded project, a copy of Minutes of bid opening shall be delivered to all Bidders whose bids are opened at bid opening.	
C.12. Are the minutes free of charge?	No.	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Procurement Team	None.
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Certificate of being trained on procurement	None.
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	No. It's not the final because the evaluation is subject to additional approvals by Procurement Team formed by the Employer	None.
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	1. Procurement of works for construction of 21 classrooms – it takes 35 days from advertisement of bidding documents (package value of over 10 billion VND) 2. Procurement of equipment for 50 Computer rooms- it takes 30 days (Package value of under 10 billion VND). 3. Procurement of equipment and construction of works/ Classrooms – it	None.

Question	Answer/Finding	Risk
	takes 20 days (Package value of under 5 billion VND).	
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes.	None.
C.18. Are there established goods receiving procedures?	Yes.	None.
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes.	None.
C.20. Is the agency/procurement department familiar with letters of credit?	Yes.	None.
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes.	None.
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	None.	
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	No.	
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	- Yes. Consisting of: 06 people divided into 02 groups (Appraisal team of bidding documents + Appraisal team of bid results)	None.
C.26. What criteria are used to evaluate EOIs?	As per regulations in Procurement Law and ADB's Guidelines	None.
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS	None.
C.28. Do firms have to pay for the RFP document?	No.	None.
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes.	None.
C.30. Are pre-proposal visits and meetings arranged?	Yes. (Or No in case the bidder has participated into previous bids.)	None.
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes.	
C.32. To whom are the minutes distributed?	Employer (DOET Director)	
C.33. Are all queries from consultants answered/addressed in writing?	Upon necessary cases	None.
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes. Must be kept in separate envelopes for implementation	None.
C.35. Are proposal securities required?	Yes.	None.
C.36. Are technical proposals opened in public?	Must be opened publically	None.
C.37. Are minutes of the technical opening	Yes.	

Question	Answer/Finding	Risk
distributed?		
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	the financial proposals remain sealed until technical evaluation is completed	None.
C.39. Who determines the final technical ranking and how?	Project Employer	
C.40. Are the technical scores sent to all firms?	In the notice for bid winner	
C.41. Are the financial proposal opened in public?	Must be opened publically	None.
C.42. Are minutes of the financial opening distributed?	Consultant and Employer	
C.43. How is the financial evaluation completed?	Revision of mistakes and Adjustment of deviation	None.
C.44. Are face-to-face contract negotiations held?	Yes.	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Within 6 working days as the latest	
C.46. What is the usual basis for negotiation?	Bidding documents, report on bid award, bid documents of the winner and notice on winning of bid and other documents (If available)	
C.47. Are minutes of negotiation taken and signed?	Yes. Signed by related parties	
C.48. How long after negotiation is the contract signed?	After 3 days as the latest	None.
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes.	None.
Payments		
C.50. Are advance payments made?	Yes.	
C.51. What is the standard period for payment included in contracts?	Based on progress	None.
C.52. On average, how long is it between receiving a firm's invoice and making payment?	After 6 days, invoices must be submitted to State Treasury for payment	
C.53. When late payment is made, are the beneficiaries paid interest?	There is not any regulation on this matter	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes.	None.
D.2. Does the agency monitor and track its contractual payment obligations?	Yes.	None.
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes.	None.
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes.	None.
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes.	None.
E. Accountability measures		

Question	Answer/Finding	Risk
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes.	None.
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes.	None.
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes.	None.
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Employer use the procurement team with expertise and experience in procurement for advisory	None.
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		None.
m) Bidding document, invitation to pre-qualify or RFP	Yes.	
n) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Yes.	
o) Evaluation reports	No.	
p) Notice of award	Yes.	
q) Invitation to consultants to negotiate	Yes.	
r) Contracts	Yes.	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	Shall be same official	None.
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	None. For individuals but does not have for specialized agencies	None.

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	No.
B. Information Management	Yes.
C. Procurement Practices	Yes.
D. Effectiveness	Yes.
E. Accountability Measures	No.
OVERALL RISK RATING	Yes, if management is not good.

4. Cao Bang DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years' experience does the head of the procurement department/unit have in a direct procurement role?	9 years	Low
A.2. How many staff in the procurement department/unit are:	8 people	Low
x. Full Time?		
xi. Part Time?	8 people	
xii. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No	High
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No, only Bid Committee	Low
A.9. If yes, what type of procurement does it undertake?		
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Appraising report	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?		High
A.12. Is there a procurement process manual for goods and works?	Yes. In the primary education project, Upper secondary project, LSEMDRP There is also guidelines for procurement available in ADB's website which pointed out by NPIU to PPIUs in the LSEMDRP.	Low

Question	Answer/Finding	Risk
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes	
A.14. Is there a procurement process manual for consulting services?	Yes	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes. In the primary education project, Upper secondary project, LSEMDRP	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	The Consulting Firm	Low
A.19. Who approves the procurement specifications?	DOET	
A.20. Who drafts the bidding documents?	The Consulting Firm	
A.21. Who manages the sale of the bidding documents?	DOET	
A.22. Who identifies the need for consulting services requirements?	Employer. Ref. Decree 85/2009/ND-CP	Low
A.23. Who drafts the terms of reference (TOR)?	Employer - DOET	
A.24. Who prepares the request for proposals (RFPs)?	Employer - DOET	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	Long term	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	Yes	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36	Yes Lower Secondary Education for the Most Disadvantaged Regions Project	Low

Question	Answer/Finding	Risk
months)? (If yes, please indicate the names of the development partner/s and the Project/s.)		
C.2. If the above answer is yes, what were the major challenges?	Assessment Procedures	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes: 15 days for NCB and 30 days for ICB	Low
C.5. Are all queries from bidders replied to in writing?	Yes	
C.6. Does the bidding document state the date and time of bid opening?	Yes	Low
C.7. Is the opening of bids done in public?	Yes	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No	
C.10. Are minutes of the bid opening taken?	Yes	Low
C.11. Who may have a copy of the minutes?	Investor, Bidder	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee	
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Procurement certificate	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Approved additional	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contract effectiveness?	- For example 1: 37 days - For example 2: 40 days - For example 3: 50 days	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	High
C.18. Are there established goods receiving procedures?	Yes	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Property/ Assets	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	High
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the	No	High

Question	Answer/Finding	Risk
names of the development partner/s and the Project/s.)		
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes, stipulated in Article No. 15/NĐ 85/2009/NĐ-CP	High
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?		High
C.26. What criteria are used to evaluate EOIs?	<p>Item 1, article 15:</p> <ul style="list-style-type: none"> - Investor approves EOIs including: request for qualifications, number of consultants, experience - Criteria to evaluate EOIs based on 'pass', 'fail' system and these must be written down in Request for EOIs including criteria for qualifications, number of consultants, and experience. - Notification for submission of EOI (in English language as it may require) shall be posted on procurement bulletin 3 times consecutively and on procurement website and other mass media; - The investor shall deliver TORs free-of-charge for those who express their interest from the first day posting notification for submission of EOI to the deadline. - 	High
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	<p>Article 16, Decree 85/2009/ND-CP:</p> <p>For consulting services including consulting service for construction as provided in construction law, which does not require high tech:</p> <ul style="list-style-type: none"> - Evaluation criteria for tech spec; - Evaluation criteria for finance; - General evaluation criteria. 	High
C.28. Do firms have to pay for the RFP document?	Yes	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes, Ref. Article 18, Decree 85/2009/ND-CP	Low
C.30. Are pre-proposal visits and meetings arranged?	Yes, Ref. Article 34, Decree 85/2009/ND-CP	High
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes, Ref. Article 34, Decree 85/2009/ND-CP	
C.32. To whom are the minutes		

Question	Answer/Finding	Risk
distributed?		
C.33. Are all queries from consultants answered/addressed in writing?	Yes, Ref. Article 34, Decree 85/2009/ND-CP	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	No, Ref. Circular No. 01/2010/TT-BKH	High
C.35. Are proposal securities required?	Yes, Ref. Item 9, Article 12, Procurement Law	Low
C.36. Are technical proposals opened in public?	Yes, Ref. Item 5, Article 17, Decree 85/2009/ND-CP	Low
C.37. Are minutes of the technical opening distributed?	Yes	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes	Low
C.39. Who determines the final technical ranking and how?	Bid Committee, Ref. Circular 09/2010/TT-BKH	
C.40. Are the technical scores sent to all firms?	No	
C.41. Are the financial proposal opened in public?	Yes	Low
C.42. Are minutes of the financial opening distributed?	Yes	
C.43. How is the financial evaluation completed?	Circular 06 /2010/TT-BKH provides details on preparation for consulting service document, item 24 regulating that financial evaluation including: error correction and adjustment and summary evaluation. Therefore, financial evaluation is completed after the ending of summary evaluation and is also the completion of evaluation of consulting service selection.	Low
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Maximum 30 days	
C.46. What is the usual basis for negotiation?	a. Article 19. Decree No. 85/2009/ND-CP: Contract negotiation - Contents for negotiation + Duties and scope of detail assignments of consulting service firm; + Technology transfer and training; + Working schedule and personnel plan; + Progress; + Replacement of consultant (if any); + Working conditions; + Cost for consulting services; + Other contents (if necessary)	
C.47. Are minutes of negotiation taken and signed?	Yes	

Question	Answer/Finding	Risk
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and have the validity period of bids: About 2-5 days	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes	Low
Payments		
C.50. Are advance payments made?	Yes	
C.51. What is the standard period for payment included in contracts?	Depend on types of contract: construction and installation (works), Goods, consulting service, normally after the contractor completes a part of works or main items in the contract.	
C.52. On average, how long is it between receiving a firm's invoice and making payment?	Payment period depends on the negotiation between investor and contractor but not over 14 working days after the investor receives full and valid invoice/document as regulated in the contract.	
C.53. When late payment is made, are the beneficiaries paid interest?	No	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	No	
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?		
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	No	
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	No	
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Provincial People's Committee approves procurement plan; Investor approves bidding document, procurement evaluation result.	
E.5. Which of the following actions require		

Question	Answer/Finding	Risk
approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		
s) Bidding document, invitation to pre-qualify or RFP	Employer	
t) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Bidding Newspaper	
u) Evaluation reports	Bid evaluation committee	
v) Notice of award	Employer	
w) Invitation to consultants to negotiate	Employer	
x) Contracts	Employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	Employer	
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes	

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

5. Dak Lak DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years' experience does the head of the procurement department/unit have in a direct procurement role?	Over 10 years	Low
A.2. How many staff in the procurement department/unit are:	5 people	Low
xiii. Full Time?	5 people	
xiv. Part Time?	0	
xv. Seconded?	0	
A.3. Does the procurement staff have English language proficiency?	No	High
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No (establishment of Biding evaluation committee for each specific bidding package)	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No	Low
A.9. If yes, what type of procurement does it undertake?	Procurement department undertake all methods of procurement. However, MOET's procurement department has not undertook any ICB yet.	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Bid evaluation report, appraisal report on bidding documents	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes	Low
A.12. Is there a procurement process	No	Average

Question	Answer/Finding	Risk
manual for goods and works?		
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Normally, each project has their own manual/guidelines on procurement. MOET shall apply these manual/guidelines for specific projects	
A.14. Is there a procurement process manual for consulting services?	Yes	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	As similar as manual on procurement of goods, installation and construction, applied for specific projects, no updated regularly	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	Bid Committee Procurement Consulting Team	Low
A.19. Who approves the procurement specifications?	Director of DOET	
A.20. Who drafts the bidding documents?	Bid Committee	
A.21. Who manages the sale of the bidding documents?	Bid Committee	
A.22. Who identifies the need for consulting services requirements?	Procurement officer's DOET	Low
A.23. Who drafts the terms of reference (TOR)?	Procurement officer's DOET	
A.24. Who prepares the request for proposals (RFPs)?	Procurement officer's DOE,T	
B. Information Management		
B.1. Is there a referencing system for procurement files?	No	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes, Money collected from sell of bidding document and state budget	Low
B.3. For what period are records kept?	Long term	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	Yes	
C. Procurement Practices		
Goods and Works		

Question	Answer/Finding	Risk
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes (The Education Projects are funded ADB and WB)	Low
C.2. If the above answer is yes, what were the major challenges?	Bidders mainly participate in state budget packages. Therefore, many bidders do not meet requirements of bidding document	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes, Projects under category C (small contracts)	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes: 15 days for NCB and 30 days for ICB	Low
C.5. Are all queries from bidders replied to in writing?	Correct	
C.6. Does the bidding document state the date and time of bid opening?	Correct	Low
C.7. Is the opening of bids done in public?	Yes	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No	
C.10. Are minutes of the bid opening taken?	Yes	Low
C.11. Who may have a copy of the minutes?	The bidders and members who attend the bid opening	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Procurement training certificate; qualifications relating to bidding package; experience in specific content of bidding package; minimum working experience in the related economic and technical fields of the package.	Average
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	The Assessments content is not approve the additional	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	- 40 days for NCB package used state budget, 30 days for small packages. - 75 days for ODA funded packages	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	Low
C.18. Are there established goods receiving procedures?	Yes	Average
C.19. Are all goods that are received recorded as assets or inventory in a register?	To be included in the list of assets and inventory	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	Low
C.21. Does the procurement department	Yes	Low

Question	Answer/Finding	Risk
register and track warranty and latent defects liability periods?		
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	High
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Stipulated in Decree 85, Article 15	
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?		
C.26. What criteria are used to evaluate EOIs?		
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS	Average
C.28. Do firms have to pay for the RFP document?	Yes or No	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	Low
C.30. Are pre-proposal visits and meetings arranged?	Yes	High
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	
C.32. To whom are the minutes distributed?	Bid committee	
C.33. Are all queries from consultants answered/addressed in writing?	Yes or No	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes	Low
C.35. Are proposal securities required?	Yes	Low
C.36. Are technical proposals opened in public?	Correct	Low
C.37. Are minutes of the technical opening distributed?	Yes	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Correct	Low
C.39. Who determines the final technical ranking and how?	Bid Committee	
C.40. Are the technical scores sent to all firms?	Correct	
C.41. Are the financial proposal opened in public?	Correct	Low
C.42. Are minutes of the financial opening distributed?	Correct	
C.43. How is the financial evaluation	The financial requirements of the procuring	Low

Question	Answer/Finding	Risk
completed?	entity	
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	30 days	
C.46. What is the usual basis for negotiation?	Request for proposals, the technical proposals, the financial proposals	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and have the validity period of bids: 3-5 days	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes	Average
Payments		
C.50. Are advance payments made?	Yes	
C.51. What is the standard period for payment included in contracts?	Depend on types of contract: construction and installation (works), Goods, consulting service, normally after the contractor completes a part of works or main items in the contract.	High
C.52. On average, how long is it between receiving a firm's invoice and making payment?	10 days for state budget project and 30 days for ODA project	
C.53. When late payment is made, are the beneficiaries paid interest?	No	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes (mechanisms for dealing with complaints)	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes	
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	No	High
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Correct	Average
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	Low
E.4. Who approves procurement	Those who decide the investment or	Average

Question	Answer/Finding	Risk
transactions, and do they have procurement experience and qualifications?	authorized agency (mainly Provincial People's Committee)	
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
y) Bidding document, invitation to pre-qualify or RFP	Decisions by Director of DOET	
z) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Decisions by Director of DOET	
aa) Evaluation reports		
bb) Notice of award	Decisions by Director of DOET	
cc) Invitation to consultants to negotiate	Decisions by Director of DOET	
dd) Contracts	Decisions by Director of DOET	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

6. Dien Bien DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	More than 20 years	Low
A.2. How many staff in the procurement department/unit are:		Low
xvi. Full Time?	01	
xvii. Part Time?	09	
xviii. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No	Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No	Average
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No	Average
A.9. If yes, what type of procurement does it undertake?	No	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Bid evaluation report, Request for proposal, Bidding assessment report	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	No	Low
A.12. Is there a procurement process manual for goods and works?	Yes	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes	

Question	Answer/Finding	Risk
A.14. Is there a procurement process manual for consulting services?	Yes	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes	
A.18. Who drafts the procurement specifications?	The advisory agency	Low
A.19. Who approves the procurement specifications?	DPF apprising, Director of DOET approves	
A.20. Who drafts the bidding documents?	The advisory agency	
A.21. Who manages the sale of the bidding documents?	DPF of DOET	
A.22. Who identifies the need for consulting services requirements?	DPF of DOET	Low
A.23. Who drafts the terms of reference (TOR)?	DPF of DOET	
A.24. Who prepares the request for proposals (RFPs)?	DPF of DOET	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	According hosting regulations	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	Yes	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes: ADB, WB (THCS II, THCS VKK, THPT)	Low

Question	Answer/Finding	Risk
C.2. If the above answer is yes, what were the major challenges?	Approved by ADB and WB has a long times	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes, 28 days	Low
C.5. Are all queries from bidders replied to in writing?	Yes	
C.6. Does the bidding document state the date and time of bid opening?	Yes	Low
C.7. Is the opening of bids done in public?	Yes	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No	
C.10. Are minutes of the bid opening taken?	Yes	Low
C.11. Who may have a copy of the minutes?	The bidder who attend in bid opening	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid evaluation committee	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Certificate of procurement and knowledgeable about packages	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	No	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	Shopping, NCB, ICB (20, 45, 60)	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	
C.18. Are there established goods receiving procedures?	Yes	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Recorded as assets	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	Low
C.23. If the above answer is yes, what		

Question	Answer/Finding	Risk
were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	Yes	Low
C.26. What criteria are used to evaluate EOIs?		Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS	Low
C.28. Do firms have to pay for the RFP document?	No	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	Low
C.30. Are pre-proposal visits and meetings arranged?	No	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	No	
C.32. To whom are the minutes distributed?	No	
C.33. Are all queries from consultants answered/addressed in writing?	Yes	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes	Low
C.35. Are proposal securities required?	Yes	Low
C.36. Are technical proposals opened in public?	Yes	Low
C.37. Are minutes of the technical opening distributed?	Yes	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes	Low
C.39. Who determines the final technical ranking and how?	The Employer	
C.40. Are the technical scores sent to all firms?	No	
C.41. Are the financial proposal opened in public?	Yes	Low
C.42. Are minutes of the financial opening distributed?	Yes	
C.43. How is the financial evaluation completed?	List of bidder's ranking is approved	Low
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	When the evaluation financing is done	
C.46. What is the usual basis for negotiation?	- Term of reference for advisory ; Transfer technology and training; working plan and personnel arrangement (if yes); personnel changes; disposition working conditions; Consulting services costs;	

Question	Answer/Finding	Risk
	Other contents (If necessary)	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Right after finishing the negotiation	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes	Low
Payments		
C.50. Are advance payments made?	Yes	Low
C.51. What is the standard period for payment included in contracts?	30 days after receiving payment file	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	30 days	
C.53. When late payment is made, are the beneficiaries paid interest?	Yes	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	No	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	No	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	The Employer	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
ee) Bidding document, invitation to pre-qualify or RFP	The Employer	

Question	Answer/Finding	Risk
ff) Advertisement of an invitation for bids, pre-qualification or call for EOIs	The Employer	
gg) Evaluation reports	The Employer	
hh) Notice of award	The Employer	
ii) Invitation to consultants to negotiate	The Employer	
jj) Contracts	The Employer and winning contractor	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

7. Gia Lai DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years' experience does the head of the procurement department/unit have in a direct procurement role?	10	Low
A.2. How many staff in the procurement department/unit are:	10	Low
xix. Full Time?	10	
xx. Part Time?		
xxi. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No.	AVERAGE
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes.	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes.	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	Yes.	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Yes.	Low
A.9. If yes, what type of procurement does it undertake?	All types	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Bid Evaluation Report	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes.	Low
A.12. Is there a procurement process manual for goods and works?	No. (Follow current Procurement Law and Government's Decrees)	Low
A.13. If there is a manual, is it up to date	There is not	Low

Question	Answer/Finding	Risk
and does it cover foreign-assisted projects?		
A.14. Is there a procurement process manual for consulting services?	Follow current regulations	Low
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	There is not.	Low
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	- Yes. Using current standard documents	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes.	
A.18. Who drafts the procurement specifications?	Consultant agency	Low
A.19. Who approves the procurement specifications?	PPMU	Low
A.20. Who drafts the bidding documents?	Consultant agency	Low
A.21. Who manages the sale of the bidding documents?	PPMU	Low
A.22. Who identifies the need for consulting services requirements?	PPMU	Low
A.23. Who drafts the terms of reference (TOR)?	PPMU	Low
A.24. Who prepares the request for proposals (RFPs)?	PPMU	Low
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes.	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes.	Low
B.3. For what period are records kept?	- Follow recording law No. 01/2011/QH13 valid from 01/07/2012	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes.	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes.	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes.	Low
B.7. Are copies of invoices included with the contract papers?	Yes.	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the	No.	Low
		Low

Question	Answer/Finding	Risk
Project/s.)		
C.2. If the above answer is yes, what were the major challenges?		
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	No.	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes.: ≥15 days	Low
C.5. Are all queries from bidders replied to in writing?	Yes.	Low
C.6. Does the bidding document state the date and time of bid opening?	Yes.	Low
C.7. Is the opening of bids done in public?	Yes.	Low
C.8. Can late bids be accepted?	No.	Low
C.9. Can bids be rejected at bid opening?	Depending on the bid documents of bidder	
C.10. Are minutes of the bid opening taken?	Yes.	Low
C.11. Who may have a copy of the minutes?	Procurement Team	Low
C.12. Are the minutes free of charge?	Yes.: If really necessary	Low
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Procurement Team	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Certificated of being trained on procurement, appraisal of price	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Yes it is.	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	About 75 days <ul style="list-style-type: none"> - Procurement of teaching and learning equipment for English subject. - Procurement of PC, Photocopier, furniture and projectors. - Package of works: Construction of Huynh Thuc Khang USS, Ia Grai district. - Package of works: provision, installation of equipment for fire prevention; transformer station. - Construction of US boarding school in Eastern Districts at An Khe Town. 	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes.	Low
C.18. Are there established goods receiving procedures?	Yes.	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes.	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes.	Low

Question	Answer/Finding	Risk
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes.	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No.	Low Low
C.23. If the above answer is yes, what were the major challenges?	Have never participated any procurement of consulting services	
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Follow current Law and regulations	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	No.	Low
C.26. What criteria are used to evaluate EOIs?	Follow current Law and regulations	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	Have never participated any procurement of consulting services	Low
C.28. Do firms have to pay for the RFP document?	No.	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	- Follow current standards and regulations	Low
C.30. Are pre-proposal visits and meetings arranged?	No.	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	No.	Low
C.32. To whom are the minutes distributed?	No.	Low
C.33. Are all queries from consultants answered/addressed in writing?	Yes.	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Not required	Low
C.35. Are proposal securities required?	Yes.	Low
C.36. Are technical proposals opened in public?	Yes. (May request for clarification if necessary)	Low Low
C.37. Are minutes of the technical opening distributed?	Yes.	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes.	Low Low Low
C.39. Who determines the final technical ranking and how?	Leader of procurement team, in writing	
C.40. Are the technical scores sent to all firms?	If required by bidders	
C.41. Are the financial proposal opened in public?	Yes.	Low
C.42. Are minutes of the financial opening distributed?	No. (Proposed value on finance is read and recorded in minutes of the financial	Low

Question	Answer/Finding	Risk
	opening)	
C.43. How is the financial evaluation completed?	When full evaluation is made to criteria on finance which was required in bidding document	Low Low
C.44. Are face-to-face contract negotiations held?	Yes.	Low
C.45. How long after financial evaluation is negotiation held with the selected firm?	From 10-15 days	Low Low
C.46. What is the usual basis for negotiation?	Requirement on quality, techniques, progress and finance	
C.47. Are minutes of negotiation taken and signed?	Yes. Recorded and filed	
C.48. How long after negotiation is the contract signed?	About 5 working days	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes.	Low
Payments		
C.50. Are advance payments made?	Yes.	Low
C.51. What is the standard period for payment included in contracts?	Is the time for conduction of payment for all signed amount of work in the contract	Low Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	7 working days	Low
C.53. When late payment is made, are the beneficiaries paid interest?	Yes.	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes.	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes.	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes.	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	No.	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes.	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes.	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes.	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	Low

Question	Answer/Finding	Risk
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Representative of the Employer	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?	Representative of the Employer	Low
kk) Bidding document, invitation to pre-qualify or RFP		
ll) Advertisement of an invitation for bids, pre-qualification or call for EOIs		
mm) Evaluation reports		
nn) Notice of award		
oo) Invitation to consultants to negotiate		
pp) Contracts		
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	Yes	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	- Follow the regulations and current guidelines.	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

8. Ha Giang DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	Over 5 years	Low
A.2. How many staff in the procurement department/unit are:		Low
xxii. Full Time?		
xxiii. Part Time?	10 people	
xxiv. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No	Low
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No. DOET has not established a Bid Committee managed by Head of Bid Committee	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No, only Bid Committee	Low
A.9. If yes, what type of procurement does it undertake?	Procurement unit has undertaken methods of procurement such as: NCB, LIB, Shopping, appointment of contractor	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Director of DOET	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes	Low
A.12. Is there a procurement process manual for goods and works?	Yes. In the primary education project, Upper	Low

Question	Answer/Finding	Risk
	secondary project, LSEMDRP: ADB guidelines on procurement published on ADB website.	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	For ADB's guidelines/manual of procurement applied for ADB funded projects: we have ADB's procurement guidelines version 2007, 2010	
A.14. Is there a procurement process manual for consulting services?	Guidelines/manual of procurement on implementation of procurement for consulting services	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	For ADB funded projects, ADB's procurement guidelines shall be applied	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Applied in accordance with standard forms on consulting services issued by MPI in circular 06/2010/TT-BKH	
A.18. Who drafts the procurement specifications?	Specialized staff	Low
A.19. Who approves the procurement specifications?	DOET leaders	
A.20. Who drafts the bidding documents?	Procurement team	
A.21. Who manages the sale of the bidding documents?	Procurement team	
A.22. Who identifies the need for consulting services requirements?	Procurement team	Low
A.23. Who drafts the terms of reference (TOR)?	Procurement team	
A.24. Who prepares the request for proposals (RFPs)?	Procurement team	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	Project life	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low

Question	Answer/Finding	Risk
B.7. Are copies of invoices included with the contract papers?	Yes	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes. First Lower Secondary Education funded by ADB. SEQAP Project funded by WB	Low
C.2. If the above answer is yes, what were the major challenges?		
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes (depending on the value of contract but minimum of 10 days). In the primary education project, Upper secondary project, LSEMDRP, for procurement of works, minimum period is not earlier than 28 days from date of issuance of bidding documents.	Low
C.5. Are all queries from bidders replied to in writing?	Yes, as stipulated in Procurement law	
C.6. Does the bidding document state the date and time of bid opening?	Yes as stipulated in Procurement law	Low
C.7. Is the opening of bids done in public?	Yes as stipulated in Procurement law	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	as stipulated in Procurement law	
C.10. Are minutes of the bid opening taken?	as stipulated in Procurement law	Low
C.11. Who may have a copy of the minutes?	Participating bidders. According to ADB's guidelines, a copy of bid opening record shall be sent to all bidders whose bid documents are opened at bid opening.	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Training certificate on procurement	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Evaluation team appraises the evaluation results	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	Competitive bidding: about 40 days. Shopping: about 20 days. Single source selection: about 10 days	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	Low
C.18. Are there established goods		Low

Question	Answer/Finding	Risk
receiving procedures?		
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	No	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	Low
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes, stipulated in Article 15 of Decree No.85/2009/ND-CP dated 15 October 2009.	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	Management staff and specialized expert	Low
C.26. What criteria are used to evaluate EOIs?	Article 15 of Decree No.85/2009/ND-CP dated 15 October 2009: preparation for bidding.	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QBS	Low
C.28. Do firms have to pay for the RFP document?	No	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	Low
C.30. Are pre-proposal visits and meetings arranged?	In case bidding documents need to be clarified, follow Article 34 of Procurement Law.	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	
C.32. To whom are the minutes distributed?	Procuring entity	
C.33. Are all queries from consultants answered/addressed in writing?	Procuring entity	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Follow Procurement law	Low
C.35. Are proposal securities required?	Yes. Ref. Item 2, Article 33 of Procurement law.	Low
C.36. Are technical proposals opened in public?	Yes, Ref. Item 5, Article 17 of Decree No.85/2009/ND-CP dated 15/10/2009.	Low
C.37. Are minutes of the technical opening distributed?	Yes, Ref. Item 3, Article 33. Procurement Law.	
C.38. Do the financial proposals remain	Yes	Low

Question	Answer/Finding	Risk
sealed until technical evaluation is completed?		
C.39. Who determines the final technical ranking and how?	Bid Committee will decide based on the agreement among the team. Otherwise, the Chief of Bid Committee will decide.	
C.40. Are the technical scores sent to all firms?	No. Article 18 of Decree No.85/2009/ND-CP dated 15/10/2009	
C.41. Are the financial proposal opened in public?	Yes. Ref. Item 2, Article 18 dated 85/2009/ND-CP.	Low
C.42. Are minutes of the financial opening distributed?	No. Ref. Item 2, Article 18 dated 85/2009/ND-CP.	
C.43. How is the financial evaluation completed?	Ref. Circular 06/2010/TT-BKH on preparation of bidding documents.	Low
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Maximum 30 days.	
C.46. What is the usual basis for negotiation?	Ref. Article 19 of Decree.85/2009/ND-CP dated 15/10/2009 on Contract Negotiation.	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and have the validity period of bids	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Article 7 Decree No.48/2010/ND-CP dated 07/05/2010 stipulates the contract management in CW.	Low
Payments		
C.50. Are advance payments made?	Yes	Low
C.51. What is the standard period for payment included in contracts?	Depend on types of contracts	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	Payment for construction must be in accordance with type of contract, terms and conditions in the contract. Parties shall make agreement on phase and period of payment, document and conditions necessary for payment	
C.53. When late payment is made, are the beneficiaries paid interest?	No	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes, Ref. Article 7, Decree No. 48/2010/ND-CP dated 07/05/2010.	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes, Ref. Article 24-33, Decree No. 48/2010/ND-CP dated 07/05/2010.	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes, Article 73, 74 of Procurement Law; Article 60, 61, 62 of Decree 85/2009/ND-CP dated 15/10/2009.	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes, Article 73, 74 of Procurement Law; Article 60, 61, 62 of Decree 85/2009/ND-CP dated 15/10/2009.	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of	Yes	Low

Question	Answer/Finding	Risk
negotiation, notices of default/withheld payment?		
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes.	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes.	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Procurement activities shall be implement right after budget allocation is approved	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	In accordance with circular 68/2012/TT-BTC, dated 26/4/2012	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		
qq) Bidding document, invitation to pre-qualify or RFP	Procurement Team/ Bid Committee	
rr) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Procurement Team/ Bid Committee	
ss) Evaluation reports	Procurement Team/ Bid Committee	
tt) Notice of award	Bid appraisal team	
uu) Invitation to consultants to negotiate	Employer	
vv) Contracts	Employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No, as per regulation.	
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes, as stipulated in Article 1 of State Auditing law No. 37/2005/QH11.	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

9. Ha Tinh DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	From 5 to 10 years	
A.2. How many staff in the procurement department/unit are:	05 people	
xxv. Full Time?		
xxvi. Part Time?	05 people	
xxvii. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No	
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No	
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Formation of Bid Committee	
A.9. If yes, what type of procurement does it undertake?	Open bidding; limited bidding; SSS; Shopping; Direct Contracting; Force Account	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Draft Procurement plan, bidding docs, evaluation report (or appraisal) of bidding documents or bid evaluation results, draft contract negotiation, draft contract, submission for payment and contract liquidation	
A.11. Do the procurement positions in the	Follow Procurement Law	

Question	Answer/Finding	Risk
agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?		
A.12. Is there a procurement process manual for goods and works?	Follow the rules of the state	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?		
A.14. Is there a procurement process manual for consulting services?	Follow the rules of the state	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?		
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Follow the rules of the state	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	Bid Committee with qualified specialists	Low
A.19. Who approves the procurement specifications?	Employer, after appraised by competent agencies	
A.20. Who drafts the bidding documents?	Bid Committee	
A.21. Who manages the sale of the bidding documents?	DOET's department of Planning and finance	
A.22. Who identifies the need for consulting services requirements?	Ref. Decree 85, Chapter IV.	Low
A.23. Who drafts the terms of reference (TOR)?	Bid Committee	
A.24. Who prepares the request for proposals (RFPs)?	Bid Committee	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Filing in the administration division, Bid Committee, and financial management division.	Low
B.3. For what period are records kept?	Depending on nature/ characteristics of the documents to keep as per Vietnamese Law.	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	Yes	Low
C. Procurement Practices		

Question	Answer/Finding	Risk
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	<p style="text-align: center;">Yes</p> <ul style="list-style-type: none"> - Projects belong to National Target Program: partners are joint businesses, limited companies who provide educational equipment. - Upper Secondary Education Development Project: partners are joint businesses, limited companies who provide educational equipment. - Investment projects for construction: partners are joint businesses, limited companies in investment and construction. 	Low
C.2. If the above answer is yes, what were the major challenges?	Disbursement progress	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	There's no systematic process to identify procurement requirements. However, based on the content of the bid, actual situation to identify the implementation period.	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	No, Ref. Item 3, Article 31, Procurement Law	Low
C.5. Are all queries from bidders replied to in writing?	Yes	
C.6. Does the bidding document state the date and time of bid opening?	Yes	Low
C.7. Is the opening of bids done in public?	Yes	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	Yes (in case the bid documents are not mentioned in the list of purchaser for bidding documents)	
C.10. Are minutes of the bid opening taken?	Yes	Low
C.11. Who may have a copy of the minutes?	Bid Committee and the delegated agency for appraisal of bid evaluation results	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee (or hire external consultants)	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Certificate of being trained on procurement issued by competent agency	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Yes it is.	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	<ul style="list-style-type: none"> - Procurement of equipment for specialized school: 6.477 million VND: 62 days - Procurement of foreign language equipment: 2.904 million VND: 34 days 	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	Low
C.18. Are there established goods receiving procedures?	Yes	Low

Question	Answer/Finding	Risk
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	Low
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes, Ref. Article 15/ Decree No.85	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	No	Low
C.26. What criteria are used to evaluate EOIs?	- Profile; number of consultants - Professional capacity.	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	Depending on the nature of the bid: QCBS/ QBS	Low
C.28. Do firms have to pay for the RFP document?	Depending on the type of selection, but normally the bidders have to purchase the FRP.	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes, Details mentioned in bidding documents and RFP.	Low
C.30. Are pre-proposal visits and meetings arranged?	No (Except the case that bidder request to clarify the requirements of bidding documents)	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes, as a part of bidding documents.	
C.32. To whom are the minutes distributed?	Bid Committee/ Employer	
C.33. Are all queries from consultants answered/addressed in writing?	Yes.	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Depending on the package	Low
C.35. Are proposal securities required?	Yes. Ref. Item 9, Article 12/ Procurement Law	Low
C.36. Are technical proposals opened in public?	Yes. Point a, Item 5, Article 17/ Decree No.85; Point a, Item 3 Article 28/ Decree No.85;	Low
C.37. Are minutes of the technical opening distributed?	Yes. All participating agencies will sign on the minutes. Will be distributed if required.	
C.38. Do the financial proposals remain	Yes. Bid documents pass the evaluation of	Low

Question	Answer/Finding	Risk
sealed until technical evaluation is completed?	technical proposal, then goes for next evaluation of financial proposal.	
C.39. Who determines the final technical ranking and how?	- Bid Committee - Ranking by point	
C.40. Are the technical scores sent to all firms?	No	
C.41. Are the financial proposal opened in public?	Yes. Ref. Item 2, Article 18, Decree NO. 85	Low
C.42. Are minutes of the financial opening distributed?	Yes. If required.	
C.43. How is the financial evaluation completed?	Evaluation results after revision of error and balancing of deviation	Low
C.44. Are face-to-face contract negotiations held?	Not necessary, could be through discussion, negotiation by email.	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Normally no more 30 days	
C.46. What is the usual basis for negotiation?	Bidding documents, bid documents; Bid evaluation report (including evaluation reports on technical and financial proposals)	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and within the validity period of bids	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes	Low
Payments		
C.50. Are advance payments made?	Yes, Ref. Article 17/ Decree 48.	Low
C.51. What is the standard period for payment included in contracts?	Completed amount of work, acceptance of hand-over	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	No more 14 days	
C.53. When late payment is made, are the beneficiaries paid interest?	Should be. But never yet happened	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes, Ref. Decree 48/2010, Article 24–33.	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes. Ref. Article 73/74- Procurement Law Ref. 60, 61, 62 – Decree. 85	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes. Ref. Article 73/74- Procurement Law Ref. 60, 61, 62 – Decree. 85	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes. Only relating to arising fee due to disputes.	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics	Yes. Follow Procurement Law	Low

Question	Answer/Finding	Risk
and are those involved in procurement required to formally commit to it?		
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes. Follow Procurement Law	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes.	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Employer with expertise and experience in procurement	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
ww) Bidding document, invitation to pre-qualify or RFP	Department of Planning and Investment Department of Finance Employer (If delegated)	
xx) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Employer	
yy) Evaluation reports	Employer	
zz) Notice of award	Employer	
aaa) Invitation to consultants to negotiate	Employer	
bbb) Contracts	Employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No. Employer and other agencies will together implement.	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes. Ref. Article 1- State Auditing law.	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

10. Hoa Binh DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	15-year	Low
A.2. How many staff in the procurement department/unit are:	05 people	Low
xxviii. Full Time?		
xxix. Part Time?	05 people	
xxx. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No	Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	Average
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No	Average
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No DOET will sign a contract with consulting agency who is specialized in procurement	Low
A.9. If yes, what type of procurement does it undertake?		
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Periodical report, emergency report prepared by responsible agency.	Average
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes	Low
A.12. Is there a procurement process manual for goods and works?	Yes	Low
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?		

Question	Answer/Finding	Risk
A.14. Is there a procurement process manual for consulting services?	No	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Regularly updated and implemented based on each project as per donor's regulations	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes	
A.18. Who drafts the procurement specifications?	Specialized experts	Low
A.19. Who approves the procurement specifications?	DOET's Director	
A.20. Who drafts the bidding documents?	Consulting agency in procurement	
A.21. Who manages the sale of the bidding documents?	Specialized staff	
A.22. Who identifies the need for consulting services requirements?	DOET's Director	Average
A.23. Who drafts the terms of reference (TOR)?	Staff in charge	
A.24. Who prepares the request for proposals (RFPs)?	Staff in charge	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	Minimum of 10 years	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	Yes	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and	Yes (Second Upper Secondary Education Development Project; SEQAP Project; VNEN project)	Low

Question	Answer/Finding	Risk
the Project/s.)		
C.2. If the above answer is yes, what were the major challenges?	Demands for investment, fluctuation on price of material, transportation costs, cost for labor force, machine relocation which may lead to cost overrun but without price amendment as mentioned in the contract	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	No	Average
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes Procurement law: 15 days for NCB, 30 days for ICB from issuance of bidding documents to bid closing.	Low
C.5. Are all queries from bidders replied to in writing?	Yes	
C.6. Does the bidding document state the date and time of bid opening?	Yes	Low
C.7. Is the opening of bids done in public?	Yes	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No	
C.10. Are minutes of the bid opening taken?	Yes	Low
C.11. Who may have a copy of the minutes?	Bid Committee and bidders (if required)	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Consulting Service Agency in procurement	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Professional qualifications, certificate of being trained on procurement	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	No. Subject to additional approvals	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	- Distribution of bidding documents within 30 days for NCB; Bid evaluation: 7- 15 days. - Notice on awarding of the bid: within 5 days	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	No	Average
C.18. Are there established goods receiving procedures?	No	Average
C.19. Are all goods that are received recorded as assets or inventory in a register?	Recorded as assets	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	Low
C.21. Does the procurement department	Yes	Low

Question	Answer/Finding	Risk
register and track warranty and latent defects liability periods?		
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	Average
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	No	Average
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	No	Average
C.26. What criteria are used to evaluate EOIs?		Average
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	Single source selection (Quality based)	Low
C.28. Do firms have to pay for the RFP document?	No	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	Low
C.30. Are pre-proposal visits and meetings arranged?	Yes	low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	
C.32. To whom are the minutes distributed?	Procurement consultant	
C.33. Are all queries from consultants answered/addressed in writing?	Yes	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes	Low
C.35. Are proposal securities required?	Yes	Low
C.36. Are technical proposals opened in public?		Low
C.37. Are minutes of the technical opening distributed?	Yes	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes	Low
C.39. Who determines the final technical ranking and how?	Employer decides approval of technical ranking	
C.40. Are the technical scores sent to all firms?	No	
C.41. Are the financial proposal opened in public?	Yes	Low
C.42. Are minutes of the financial opening distributed?	Employer, Bid committee	

Question	Answer/Finding	Risk
C.43. How is the financial evaluation completed?	Bid Committee completes the bid evaluation report. All the costs shall be grouped into one ceiling level to identify evaluated price.	Low
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	5-days	
C.46. What is the usual basis for negotiation?	Selection results of bidder	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	From 1 day	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	No	Average
Payments		
C.50. Are advance payments made?	Yes	Low
C.51. What is the standard period for payment included in contracts?	Implementation period	Average
C.52. On average, how long is it between receiving a firm's invoice and making payment?	1 day	
C.53. When late payment is made, are the beneficiaries paid interest?	No	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	No	Average
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	yes	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	No	Average
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	Low

Question	Answer/Finding	Risk
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Employer	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
ccc) Bidding document, invitation to pre-qualify or RFP	Representative of the Employer	
ddd) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Representative of the Employer	
eee) Evaluation reports	Representative of the Employer	
fff) Notice of award	Representative of the Employer	
ggg) Invitation to consultants to negotiate	Representative of the Employer	
hhh) Contracts	Representative of the Employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	No	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

11. Kien Giang DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	15	Low
A.2. How many staff in the procurement department/unit are:	20	Low
xxx. Full Time?		
xxxii. Part Time?	20	
xxxiii. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No	Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No.	High
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Yes	Low
A.9. If yes, what type of procurement does it undertake?	<ul style="list-style-type: none"> - NCB - Limited bidding - Shopping - SSS 	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Director of DOET	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	No	High
A.12. Is there a procurement process	Following the circular of guidance	Average

Question	Answer/Finding	Risk
manual for goods and works?		
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	No (For ODA projects, using the manual/handbook developed by the Project)	
A.14. Is there a procurement process manual for consulting services?	Following the circular of guidance	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Following the circular of guidance	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	No (For ODA projects, using the manual/handbook developed by the Project)	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes	
A.18. Who drafts the procurement specifications?	Procurement consultant drafts the procurement specifications and specialized division will review and submit to the Employer	Low
A.19. Who approves the procurement specifications?	Legal entity of the Procuring entity (DOET Director)	
A.20. Who drafts the bidding documents?	Procurement consultant	
A.21. Who manages the sale of the bidding documents?	Procurement consultant	
A.22. Who identifies the need for consulting services requirements?	Procurement consultant and specialized division of the Employer	Low
A.23. Who drafts the terms of reference (TOR)?	Procurement consultant drafts the procurement specifications and specialized division will review and submit to the Employer	
A.24. Who prepares the request for proposals (RFPs)?	Procurement consultant drafts the procurement specifications and specialized division will review and submit to the Employer	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	Life time of the products.	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low

Question	Answer/Finding	Risk
B.7. Are copies of invoices included with the contract papers?	Yes	
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes - Second Lower Secondary Education Development Project - LSEMDAP - USE project - Primary Education for the disadvantaged children	Low
C.2. If the above answer is yes, what were the major challenges?	Small size, difficult position of building works are not attractive to contractors	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Identify by actual capacity of the bidder on average in the province: Eg: The bidder implements approximately 1,5 billion for the completed amount of work, then, based on the value of the bid/works, the implementation period will be identified.	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes For ODA projects:30-day (or depending on project) For budget: regulations	Low
C.5. Are all queries from bidders replied to in writing?	Yes	
C.6. Does the bidding document state the date and time of bid opening?	Yes	Low
C.7. Is the opening of bids done in public?	Yes	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No	
C.10. Are minutes of the bid opening taken?	Yes	Low
C.11. Who may have a copy of the minutes?	Procurement consultant and bidders who participate in the bid opening	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee (Established by the procuring entity)	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Training on Procurement Operations Ref. to Article 9/ Procurement Law	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Yes (no additional or changed)	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	45 days 60 days 80 days	Low
C.17. Are there processes in place for the collection and clearance of cargo through	Yes (because Viet Nam have export and import sector)	Low

Question	Answer/Finding	Risk
ports of entry?		
C.18. Are there established goods receiving procedures?	Yes	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Property/ Assets	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	High
C.21. Does the procurement department register and track warranty and latent defects liability periods?	No (responsibility of the project owner)	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	No	Low
C.26. What criteria are used to evaluate EOIs?	- Profile. - Professional capacity.	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	- QBS	Low
C.28. Do firms have to pay for the RFP document?	Yes	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	Low
C.30. Are pre-proposal visits and meetings arranged?	Yes	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	
C.32. To whom are the minutes distributed?	Procurement consultant and procuring entity	
C.33. Are all queries from consultants answered/addressed in writing?	Yes	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes Ref. to Item 2, Article 26/ Procurement Law	Low
C.35. Are proposal securities required?	Yes Ref. to Item 2, Article 26/ Procurement Law	Low
C.36. Are technical proposals opened in public?	Yes	Low
C.37. Are minutes of the technical opening distributed?	Yes, if required by participating agencies	
C.38. Do the financial proposals remain	Yes	Low

Question	Answer/Finding	Risk
sealed until technical evaluation is completed?		
C.39. Who determines the final technical ranking and how?	The consultants submit ranking list, The procurement entity approves	
C.40. Are the technical scores sent to all firms?	No	
C.41. Are the financial proposal opened in public?	Yes Open the financial proposals of the bidders whose technical proposals passed.	Low
C.42. Are minutes of the financial opening distributed?	Yes, if required.	
C.43. How is the financial evaluation completed?	Ref. to Circular No. 06/2010/TT-BKH Revision of mistakes and Adjustment of deviation	Low
C.44. Are face-to-face contract negotiations held?	Yes.	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Maximum 30 days	
C.46. What is the usual basis for negotiation?	Bidding documents, report on bid award, bid documents of the winner and notice on winning of bid and other documents (If available)	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and within the period of bids' validity	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes Management on Contract implementation; quality management; Management on amount of work and contract price; management on contract variation and other contents of the contract.	
Payments		
C.50. Are advance payments made?	Yes. At least 25% contract value, however, bidder have to make advance performance – Ref. to Item 3 with Amendment and supplementation in Item 7, Article 16 Decree No. 48/CP of Decree No.207/ CP dated 11/12/2013.	Low
C.51. What is the standard period for payment included in contracts?	On negotiation but within 14 working days from receipt of request for payment and relevant documents	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	As agreed in the contract – normally 5 working days once receive of full set application	
C.53. When late payment is made, are the beneficiaries paid interest?	No There's no mentioning in the contract and actually it hardly happens	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes Management on Contract implementation; quality management; Management on amount of work and contract price; management on contract variation and	Low

Question	Answer/Finding	Risk
	other contents of the contract.	
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Do not understand the question.	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes. Insurance of regulations as “competition in procurement” and “prohibited acts” in procurement, or other ways of answering.	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	- Department of Planning and Investment approves procurement plan - Employer approves the bidding documents, BER and result of bidding.	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
iii) Bidding document, invitation to pre-qualify or RFP	Employer	
jjj) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Procuring entity	
kkk) Evaluation reports	Procuring entity	
lll) Notice of award	Procuring entity	
mmm) Invitation to consultants to negotiate	Employer	
nnn) Contracts	Employer and Procuring entity	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes	

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

12. Lang Son DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	Over 10 years	
A.2. How many staff in the procurement department/unit are:	7	
xxxiv. Full Time?	0	
xxxv. Part Time?	7	
xxxvi. Seconded?	0	
A.3. Does the procurement staff have English language proficiency?	Not proficient	
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes.	
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes.	
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	Specialized division has not been formed except the Bid Committee who is working part-time.	
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No, only Bid Committee	
A.9. If yes, what type of procurement does it undertake?	NCB; limited bidding, shopping; single source selection	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Director of DOET	
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes.	
A.12. Is there a procurement process manual for goods and works?	ADB guidelines on procurement on ADB website.	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	ADB guidelines on procurement on ADB website (Version of 2007, 2010)	

Question	Answer/Finding	Risk
A.14. Is there a procurement process manual for consulting services?	Yes.	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes.	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes.	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	Bid Committee	
A.19. Who approves the procurement specifications?	Employer	
A.20. Who drafts the bidding documents?	Bid Committee	
A.21. Who manages the sale of the bidding documents?	Bid Committee	
A.22. Who identifies the need for consulting services requirements?	Bid Committee proposes and the Employer approves	
A.23. Who drafts the terms of reference (TOR)?	Bid Committee	
A.24. Who prepares the request for proposals (RFPs)?	Bid Committee	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes.	
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes.	
B.3. For what period are records kept?	Permanently	
B.4. Are copies of bids or proposals retained with the evaluation?	Yes.	
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes.	
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes.	
B.7. Are copies of invoices included with the contract papers?	Yes.	
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	PEDC Project – funded by WB; Upper Secondary Education Development Project and Lower Secondary Education Project - all are funded by ADB	
C.2. If the above answer is yes, what were	There is not any significant challenge,	

Question	Answer/Finding	Risk
the major challenges?	however, must be strictly follow the donor's regulations.	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes. There is.	
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes; 15 days for NCB and 30 days for ICB For small scale contract, time for preparation of bid documents is 10 days since distribution of bidding documents.	
C.5. Are all queries from bidders replied to in writing?	Yes.	
C.6. Does the bidding document state the date and time of bid opening?	Yes.	
C.7. Is the opening of bids done in public?	Yes.	
C.8. Can late bids be accepted?	No.	
C.9. Can bids be rejected at bid opening?	No.	
C.10. Are minutes of the bid opening taken?	Yes.	
C.11. Who may have a copy of the minutes?	- Minutes of bid opening is signed by representatives of bidders, employer, invited agencies, therefore any one attending bid opening may have a copy of this Minutes. - In ADB funded project, a copy of Minutes of bid opening shall be delivered to all Bidders whose bids are opened at bid opening.	
C.12. Are the minutes free of charge?	Yes.	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee	
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Qualification in procurement; qualifications of technology and finance	
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Bid evaluation report appraised subject to final approval	
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	NCB – small scaled package: 60 days Medium scaled package: 80 days	
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	
C.18. Are there established goods receiving procedures?	Yes. Proof of receipt at beneficiary and DOET issues the Hand-over Decision to the recipients	
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes. Received and recorded as assets and in a register.	
C.20. Is the agency/procurement department familiar with letters of credit?	Know the letter of credits however have never met before when implementing the procurement.	
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes.	

Question	Answer/Finding	Risk
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes	
C.23. If the above answer is yes, what were the major challenges?	There is not any significant challenge, however, must be strictly follow the donor's regulations.	
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes. Ref. to Article 15/ Decree No.85	
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	Yes. Bid committee was formed with capable staff.	
C.26. What criteria are used to evaluate EOIs?	Item 1, article 15: <ul style="list-style-type: none"> - Employer approves EOIs including: request for qualifications, number of consultants, experience - Criteria to evaluate EOIs based on 'pass', 'fail' system and these must be written down in Request for EOIs including criteria for qualifications, number of consultants, and experience. - Notification for submission of EOI (in English language as it may require) shall be posted on procurement bulletin 3 times consecutively and on procurement website and other mass media; - The investor shall deliver TORs free-of-charge for those who express their interest from the first day posting notification for submission of EOI to the deadline. 	
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	- QBS	
C.28. Do firms have to pay for the RFP document?	Yes	
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes. Ref. Article 18, Decree 85/2009/ND-CP	
C.30. Are pre-proposal visits and meetings arranged?	Yes. If necessary, pre-proposal meeting shall be organized to discuss for further clarification. Content of discussion shall be noted and written into minutes of meetings and to be sent to bidders.	
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes. However, DOET has never had any bid applying this action.	
C.32. To whom are the minutes distributed?	Have not done before	
C.33. Are all queries from consultants	Have not done before	

Question	Answer/Finding	Risk
answered/addressed in writing?		
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes. Item 15C- Chapter 1 attached to Circular 10/2010/TT-BKH dated 09/03/2010	
C.35. Are proposal securities required?	Yes. Ref. To Article 33/ Procurement Law	
C.36. Are technical proposals opened in public?	Yes. Article 17/ Decree No. 85/2009/ ND-CP	
C.37. Are minutes of the technical opening distributed?	Not mandatory, however, will be distributed if required.	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes. 1 st ranked bidders for technical proposal will be invited for opening of financial proposal and contract negotiation.	
C.39. Who determines the final technical ranking and how?	Bid Committee, Ref. Circular 09/2010/TT-BKH	
C.40. Are the technical scores sent to all firms?	Yes. Employer approves lists of bidders who pass the technical proposal evaluation and will participate into the evaluation of financial proposals.	
C.41. Are the financial proposal opened in public?	Yes	
C.42. Are minutes of the financial opening distributed?	Not mandatory, will distributed if required.	
C.43. How is the financial evaluation completed?	According to the bidding docs issued by MPI in the Circular No. 06/2010/TT-BKH	
C.44. Are face-to-face contract negotiations held?	Yes.	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Maximum 30 days	
C.46. What is the usual basis for negotiation?	Bidding documents, bid documents; Bid evaluation report	
C.47. Are minutes of negotiation taken and signed?	Yes.	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and within the validity period of bid documents	
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes.	
Payments		
C.50. Are advance payments made?	Yes.. Normally 25% of contract value ; amount of advance, time for advance payment and withdrawal of advance shall be agreed and mentioned in the contract.	
C.51. What is the standard period for payment included in contracts?	Depend on type of contract: works, goods, consulting services	
C.52. On average, how long is it between receiving a firm's invoice and making payment?	Ref. Decree No. 48/2010/ND-CP \ Item 10, Article 8	
C.53. When late payment is made, are the beneficiaries paid interest?	Late payment has not happened before.	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes Management on Contract implementation; quality management; Management on	

Question	Answer/Finding	Risk
	amount of work and contract price; management on contract variation and other contents of the contract.	
D.2. Does the agency monitor and track its contractual payment obligations?	Yes.	
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes. Ref. Article 73, Procurement Law Ref. Article 60/ Decree 85; Article 61/ Decree 85; Article 62	
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes. Ref. to Article 73, 74- Procurement Law Ref. To Article 60, 61, 62- Decree NO. 85.	
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes.	
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes.	
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes.	
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes.	
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	The Employer.	
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		
ooo) Bidding document, invitation to pre-qualify or RFP	Employer	
ppp) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Employer	
qqq) Evaluation reports	Employer	
rrr) Notice of award	Employer	
sss) Invitation to consultants to negotiate	Employer	
ttt) Contracts	Employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes. Ref. Article 1/ State Auditing Law No. 37/2005/ QH11.	

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

13. Lao Cai DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	10 years	
A.2. How many staff in the procurement department/unit are:	08 people	
xxvii. Full Time?		
xxviii. Part Time?	08 people	
xxxix. Seconded?		
A.3. Does the procurement staff have English language proficiency?	Normally	
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	Yes. DOET has established a Bid Committee managed by Head of Bid Committee	
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No, only Bid Committee	
A.9. If yes, what type of procurement does it undertake?	NCB, Shopping, SSS	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Director of DOET	
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes	
A.12. Is there a procurement process manual for goods and works?	Yes. In the primary education project, Upper secondary project, LSEMDRP There is also guidelines for procurement available in ADB's website which pointed	

Question	Answer/Finding	Risk
	out by NPIU to PPIUs in the LSEMDRP.	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	ADB guidelines on procurement (2007, 2010)	
A.14. Is there a procurement process manual for consulting services?	No	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?		
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes. In the primary education project, Upper secondary project, LSEMDRP	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	Bid Committee	
A.19. Who approves the procurement specifications?	Director of DOET	
A.20. Who drafts the bidding documents?	Bid Committee	
A.21. Who manages the sale of the bidding documents?	Bid Committee	
A.22. Who identifies the need for consulting services requirements?		
A.23. Who drafts the terms of reference (TOR)?	Bid Committee	
A.24. Who prepares the request for proposals (RFPs)?	Bid Committee	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Money collected from sell to bidding document and state budget	
B.3. For what period are records kept?	Long time, limit of time is not specified	
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	
B.7. Are copies of invoices included with the contract papers?	Yes	
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names	No	

Question	Answer/Finding	Risk
of the development partner/s and the Project/s.)		
C.2. If the above answer is yes, what were the major challenges?		
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Projects under category C (small contracts)	
C.4. Is there a minimum period for preparation of bids and if yes how long?	15 days for NCB and 30 days for ICB for projects funded from national budget and 28 days for ADB's loan project	
C.5. Are all queries from bidders replied to in writing?	No, yes only for queries from bidders in writing received	
C.6. Does the bidding document state the date and time of bid opening?	Yes	
C.7. Is the opening of bids done in public?	Yes	
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No	
C.10. Are minutes of the bid opening taken?	Yes	
C.11. Who may have a copy of the minutes?	- Minutes of bid opening is signed by representatives of bidders, employer, invited agencies, therefore any one attending bid opening may have a copy of this Minutes. - In ADB funded project, a copy of Minutes of bid opening shall be delivered to all Bidders whose bids are opened at bid opening.	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee	
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Ref. to Article 9/ Procurement Law	
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Bid evaluation report should be assessed and approved	
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	60 days	
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	
C.18. Are there established goods receiving procedures?	Yes	
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes, according to regulation of management of assets	
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes	
Consulting Services		

Question	Answer/Finding	Risk
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes, stipulated in Decree 85, Article 15	
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	No	
C.26. What criteria are used to evaluate EOIs?	No	
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS	
C.28. Do firms have to pay for the RFP document?	No	
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	
C.30. Are pre-proposal visits and meetings arranged?	No	
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	
C.32. To whom are the minutes distributed?	Director of DOET	
C.33. Are all queries from consultants answered/addressed in writing?	Yes	
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes	
C.35. Are proposal securities required?	Yes	
C.36. Are technical proposals opened in public?	Yes	
C.37. Are minutes of the technical opening distributed?	Decree No.85\ Article 17\item 5, Procurement law \Article 33\item 3	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes	
C.39. Who determines the final technical ranking and how?	Procurement Team	
C.40. Are the technical scores sent to all firms?	No	
C.41. Are the financial proposal opened in public?	Yes	
C.42. Are minutes of the financial opening distributed?	Decree No.85\ Article 18\item 2, Procurement law	
C.43. How is the financial evaluation completed?	Revision of mistakes and Adjustment of deviation	
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is	Maximum 30 days	

Question	Answer/Finding	Risk
negotiation held with the selected firm?		
C.46. What is the usual basis for negotiation?	Bidding documents, report on bid award, bid documents of the winner and notice on winning of bid and other documents (If available)	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and within the validity period of bid documents	
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes	
Payments		
C.50. Are advance payments made?	Yes	
C.51. What is the standard period for payment included in contracts?	Depend on types of contracts	
C.52. On average, how long is it between receiving a firm's invoice and making payment?		
C.53. When late payment is made, are the beneficiaries paid interest?	No	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes	
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Unknown	
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Unknown	
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	No	
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?		
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	- Director	
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		

Question	Answer/Finding	Risk
uuu) Bidding document, invitation to pre-qualify or RFP	Director	
vvv) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Procuring entity	
www) Evaluation reports		
xxx) Notice of award	Director	
yyy) Invitation to consultants to negotiate	Director	
zzz) Contracts	PMU Director	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes	

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	
B. Information Management	
C. Procurement Practices	
D. Effectiveness	
E. Accountability Measures	
OVERALL RISK RATING	

14. Nghe An DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	8 years	Low
A.2. How many staff in the procurement department/unit are:	4	Low
xl. Full Time?		
xli. Part Time?	4	
xlii. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No.	Low
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes.	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes.	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	Yes. Depending on each project, DOET will form the PMUs. Currently, the PMU for Secondary Education Project; PMU for the 2 nd Secondary Education Development Project...	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Yes. – Civil work unit and education development projects	Low
A.9. If yes, what type of procurement does it undertake?	NCB/ ICB/ limited bidding/ Shopping/ SSS	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Reports to DOET director/ Deputy Director	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes. A division in charge of technical matter; other in charge of financial matter...	Low
A.12. Is there a procurement process manual for goods and works?	Yes. In the primary education project, Upper secondary project, LSEMGRP There is also guidelines for procurement available in ADB's website which pointed out by NPIU to PPIUs in the LSEMGRP.	Low
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	ADB guidelines on procurement (2007, 2010)	
A.14. Is there a procurement process manual	Yes. Following the Procurement law and	

Question	Answer/Finding	Risk
for consulting services?	guiding documents.	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes. Following the Procurement law and guiding documents.	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes. In the primary education project, Upper secondary project, LSEMDRP	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	Specialized division	Low
A.19. Who approves the procurement specifications?	DOET leaders	
A.20. Who drafts the bidding documents?	PPMU	
A.21. Who manages the sale of the bidding documents?	PPMU	
A.22. Who identifies the need for consulting services requirements?	PPMU	Low
A.23. Who drafts the terms of reference (TOR)?	PPMU	
A.24. Who prepares the request for proposals (RFPs)?	PPMU	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes.	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes.	Low
B.3. For what period are records kept?	20 years	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes.	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes.	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes.	Low
B.7. Are copies of invoices included with the contract papers?	Yes.	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes. Secondary Education Development Project	Low
C.2. If the above answer is yes, what were the major challenges?	Foreign Language capability	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes. It's possible to identify based on the major tasks which need to implement: from preparation and approval of the project (3- 4 months); organization of bidding (3-4 months) and contract implementation.	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes. Minimum of 15days for national bidding and 30 days for international bidding	Low

Question	Answer/Finding	Risk
C.5. Are all queries from bidders replied to in writing?	Yes. Ref. Article 60/ Decree 85.	
C.6. Does the bidding document state the date and time of bid opening?	Yes. In the statistics table of procurement data	Low
C.7. Is the opening of bids done in public?	Yes.	Low
C.8. Can late bids be accepted?	No.	
C.9. Can bids be rejected at bid opening?	No.	
C.10. Are minutes of the bid opening taken?	Yes.	Low
C.11. Who may have a copy of the minutes?	Bidders	
C.12. Are the minutes free of charge?	Yes.	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	PPMU	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Certificate on procurement	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Approved by DOET director	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	1. Example 1: Prequalification 30 days + advertisement 10 days + preparation of bid documents 15 days + bid evaluation 45 days = totally 100 days. 2. Example 2: Small scale package: Sale of bidding docs 10 days + evaluation 20 days = totally 30 days. 3. Example 3: Shopping: sale of bidding documents 5 days + evaluation 5 days = 10 days.	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes.	Low
C.18. Are there established goods receiving procedures?	Yes. Hand-over directly to beneficiaries under PPMU's control.	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes.	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes.	Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes.	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes. VNEN Project	Low
C.23. If the above answer is yes, what were the major challenges?	Limited experience of consultant	
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes.	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	Yes. Leader + Specialized staffs + Finance Unit	Low
C.26. What criteria are used to evaluate EOIs?	Qualifications + experience + format + skills	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	Quality + price	Low
C.28. Do firms have to pay for the RFP document?	No.	Low

Question	Answer/Finding	Risk
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes.	Low
C.30. Are pre-proposal visits and meetings arranged?	Yes.	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes.	Low
C.32. To whom are the minutes distributed?	PPMU	
C.33. Are all queries from consultants answered/addressed in writing?	Yes. In writing.	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes.	Low
C.35. Are proposal securities required?	Yes.	Low
C.36. Are technical proposals opened in public?	Yes.	Low
C.37. Are minutes of the technical opening distributed?	Yes.	Low
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes.	
C.39. Who determines the final technical ranking and how?	Bid Committee evaluate the bid proposals and DOET leader will approve	Low
C.40. Are the technical scores sent to all firms?	Yes.	
C.41. Are the financial proposal opened in public?	Yes.	Low
C.42. Are minutes of the financial opening distributed?	No.	Low
C.43. How is the financial evaluation completed?	Lowest cost and meet the requirements on profession	
C.44. Are face-to-face contract negotiations held?	Yes.	Low
C.45. How long after financial evaluation is negotiation held with the selected firm?	7 days – Maximum 30 days	
C.46. What is the usual basis for negotiation?	RFP + Proposal + Draft Contract	
C.47. Are minutes of negotiation taken and signed?	Yes.	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and within the validity period of bid documents Normally within 5 days	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes.	Low
Payments		
C.50. Are advance payments made?	Yes. Depending on the contract, accordingly to the regulations (Decree. 48/2010/ND-CP/ Article 17.	Low
C.51. What is the standard period for payment included in contracts?	As submission of completed amount of work and acceptable invoices for payments	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	10 days after receipt full application of request for payment as agreed in the contract.	
C.53. When late payment is made, are the beneficiaries paid interest?	No.	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes. Ref. Article 7/ Decree 48/2010	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes. Ref. Article 24-33/ Decree 48/2010	Low
D.3. Is a complaints resolution mechanism	Yes. Ref. Article 73, 74- Procurement law,	Low

Question	Answer/Finding	Risk
described in national procurement documents?	Article 60, 61, 62- Decree 85.	
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes. Ref. Article 73, 74- Procurement law, Article 60, 61, 62- Decree 85.	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes.	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes. As stipulated in Procurement law	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes. As stipulated in Procurement law	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes.	
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	PPC approves the Procurement Plan; DOET Director approves the bidding documents, bid evaluation reports, bid results.	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
aaaa) Bidding document, invitation to pre-qualify or RFP	Yes.	
bbbb) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Yes.	
cccc) Evaluation reports	Yes.	
dddd) Notice of award	Yes.	
eeee) Invitation to consultants to negotiate	Yes.	
ffff) Contracts	Yes.	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No.	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Using procurement law and guiding documents of higher administrative levels	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

15. Ninh Thuan DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	Over 10 years	Low
A.2. How many staff in the procurement department/unit are:		Low
xliii. Full Time?	01	
xliv. Part Time?	09	
xlv. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No.	Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes.	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes.	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No.	Average
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No.	Average
A.9. If yes, what type of procurement does it undertake?	No.	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Appraisal reports of bidding documents, RFP and Report on selection of bidder for works, equipment provision normally are submitted to DOET Deputy Director.	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical	No.	Low

Question	Answer/Finding	Risk
requirements and career routes?		
A.12. Is there a procurement process manual for goods and works?	Yes. In the primary education project, Upper secondary project, LSEMDRP There is also guidelines for procurement available in ADB's website which pointed out by NPIU to PPIUs in the LSEMDRP.	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	ADB guidelines on procurement (2007, 2010)	
A.14. Is there a procurement process manual for consulting services?	Yes.	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes.	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes.	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes.	
A.18. Who drafts the procurement specifications?	Consulting agency will prepare bidding documents, request for proposal	Low
A.19. Who approves the procurement specifications?	DPF-DOET appraise and DOET Director will approve	
A.20. Who drafts the bidding documents?	Consulting agency	
A.21. Who manages the sale of the bidding documents?	PPMU	
A.22. Who identifies the need for consulting services requirements?	DPF - DOET	Low
A.23. Who drafts the terms of reference (TOR)?	DPF - DOET	
A.24. Who prepares the request for proposals (RFPs)?	DPF - DOET	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	According to filing regulation.	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low

Question	Answer/Finding	Risk
B.7. Are copies of invoices included with the contract papers?	Yes	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes.: ADB, (Second Lower Secondary Education Project, Lower Secondary Education for the Most disadvantaged regions project, Upper Secondary Education Development project)	Low
C.2. If the above answer is yes, what were the major challenges?	Long time for approval	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes. Ref. to Decree No. 12/2009/ND-CP dated 10/02/2009.	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes, 28 days	Low
C.5. Are all queries from bidders replied to in writing?	Yes.	
C.6. Does the bidding document state the date and time of bid opening?	Yes.	Low
C.7. Is the opening of bids done in public?	Yes.	
C.8. Can late bids be accepted?	No.	Low
C.9. Can bids be rejected at bid opening?	No.	
C.10. Are minutes of the bid opening taken?	Yes.	
C.11. Who may have a copy of the minutes?	Bidders who participate in the bid opening; According to ADB guidelines: copies of the minutes shall be distributed to all the bidders whose bids are opened at the bid opening.	Low
C.12. Are the minutes free of charge?	Yes.	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Qualification on procurement and good understanding on procurement	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	No.	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	Shopping, NCB, ICB: 20, 45 and 60 days respectively	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes.	
C.18. Are there established goods receiving procedures?	Yes.	Low
C.19. Are all goods that are received recorded as assets or inventory in a	Recorded as assets	Low

Question	Answer/Finding	Risk
register?		
C.20. Is the agency/procurement department familiar with letters of credit?	No.	Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes.	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No.	Low
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes. Ref. Article 15/ Decree No.85	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	Yes.	Low
C.26. What criteria are used to evaluate EOIs?	No.	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS/ QBS	Low
C.28. Do firms have to pay for the RFP document?	No.	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes. Ref. Decree. 85/ Article 18	Low
C.30. Are pre-proposal visits and meetings arranged?	No.	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	No.	
C.32. To whom are the minutes distributed?	No.	
C.33. Are all queries from consultants answered/addressed in writing?	Yes.	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	No.	Low
C.35. Are proposal securities required?	No.	Low
C.36. Are technical proposals opened in public?	No.	Low
C.37. Are minutes of the technical opening distributed?	No.	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes.	Low
C.39. Who determines the final technical ranking and how?	Chief of the consultant selection committee	
C.40. Are the technical scores sent to all firms?	No.	
C.41. Are the financial proposal opened in	Yes.	Low

Question	Answer/Finding	Risk
public?		
C.42. Are minutes of the financial opening distributed?	Yes.	
C.43. How is the financial evaluation completed?	Revision of mistakes and Adjustment of deviation	Low
C.44. Are face-to-face contract negotiations held?	No.	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Maximum of 30 days	
C.46. What is the usual basis for negotiation?	Bidding documents, bid documents, BER, and Decision on approval of bid documents from the Employer	
C.47. Are minutes of negotiation taken and signed?	Yes.	
C.48. How long after negotiation is the contract signed?	Shall be signed as soon as possible and must be within validity of bid documents.	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes.	Low
Payments		
C.50. Are advance payments made?	Yes. Maximum value of advance is 30%.	Low
C.51. What is the standard period for payment included in contracts?	Depend on types of contract: construction and installation (works), Goods, consulting service... normally after the contractor completes a part of works or main items in the contract.	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	30 days	
C.53. When late payment is made, are the beneficiaries paid interest?	No.	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes. Depend on type of CW contracts.	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes.	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes.	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes.	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes.	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	No.	Low
E.2. Are those involved with procurement	Yes.	Low

Question	Answer/Finding	Risk
required to declare any potential conflict of interest and remove themselves from the procurement process?		
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes.	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Employer	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
a) Bidding document, invitation to pre-qualify or RFP	Employer	
b) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Employer	
c) Evaluation reports	Employer	
d) Notice of award	Employer	
e) Invitation to consultants to negotiate	Employer	
f) Contracts	Employer and winner of the bid	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No.	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes.	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

16. Phu Tho DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	16 years	Low
A.2. How many staff in the procurement department/unit are:	10 staffs	Low
xlvi. Full Time?	No	
xlvii. Part Time?	10 staffs	
xlviii. Seconded?	No	
A.3. Does the procurement staff have English language proficiency?	Yes, but not well	Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	Average
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No	Average
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No, only Bid Committee	Low
A.9. If yes, what type of procurement does it undertake?	NCB; limited bidding, shopping; single source selection	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Bid evaluation report, appraisal report on bidding documents	Average
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Bid Committee: preparation of procurement plan, bidding documents; BER Appraisal team: Appraise the bidding documents, selection results of bidders.	Low
A.12. Is there a procurement process	ADB's Guideline and detail guidelines for	Low

Question	Answer/Finding	Risk
manual for goods and works?	each project	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Updated by CPMU and instructions are given to PPMU or implementing agencies.	
A.14. Is there a procurement process manual for consulting services?	No	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Upon each projects of the donors.	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	<ul style="list-style-type: none"> - Development of bidding document - Notice of invitation for bid - BER - Notice of bid award and contract signing. 	
A.18. Who drafts the procurement specifications?	Bid committee, Appraisal Team	Low
A.19. Who approves the procurement specifications?	Director of DOET	
A.20. Who drafts the bidding documents?	Bid committee, Appraisal Team	
A.21. Who manages the sale of the bidding documents?	Procurement section	
A.22. Who identifies the need for consulting services requirements?	Specialized staff	Average
A.23. Who drafts the terms of reference (TOR)?	Specialized staff	
A.24. Who prepares the request for proposals (RFPs)?	Specialized staff	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	State's rules	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	Yes	Low
C. Procurement Practices		
Goods and Works		

Question	Answer/Finding	Risk
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes (Secondary Education Development Program (ADB loan, VENN))	Low
C.2. If the above answer is yes, what were the major challenges?	Fluctuations in the price of materials, freight, employees cost but it is not adjusted the contract price.	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	No, but could identify approximately regarding of the implementation duration.	Average
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes. According to Procurement law: 15 days – NCB/ 30 days – ICB.	Low
C.5. Are all queries from bidders replied to in writing?	Yes, but should be within specified time.	
C.6. Does the bidding document state the date and time of bid opening?	Correct	Low
C.7. Is the opening of bids done in public?	Correct	
C.8. Can late bids be accepted?	No	Low
C.9. Can bids be rejected at bid opening?	No	
C.10. Are minutes of the bid opening taken?	Yes	
C.11. Who may have a copy of the minutes?	Employer, Procuring entity, related agencies and bidders (if required)	Low
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Procurement certificate	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Yes	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	1. Distribution of bidding docs: 30 days for NCB 2. 7- 15 days: bid evaluation. 3. 05 days: inform the winner.	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	Average
C.18. Are there established goods receiving procedures?	Yes. Guidance on how to hand-over and to accept equipment to the agencies	Average
C.19. Are all goods that are received recorded as assets or inventory in a register?	Recorded into the inventory	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Procurement division and users	Low

Question	Answer/Finding	Risk
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	Average
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes. Ref. Article 15, Decree. 85/2009/ ND-CP	Average
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	No	Average
C.26. What criteria are used to evaluate EOIs?	<ul style="list-style-type: none"> - Professional capacity and number of consultants; experience; - Evaluation criteria is developed under two categories: "Pass" and "Fail". 	Average
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS	Low
C.28. Do firms have to pay for the RFP document?	No	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes, Ref. Article 18, Decree 85/2009/ND-CP	Low
C.30. Are pre-proposal visits and meetings arranged?	Yes (if required)	
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	Low
C.32. To whom are the minutes distributed?	Secretary	
C.33. Are all queries from consultants answered/addressed in writing?	Correct	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Correct	Low
C.35. Are proposal securities required?	Yes	Low
C.36. Are technical proposals opened in public?		Low
C.37. Are minutes of the technical opening distributed?	Correct	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Correct	
C.39. Who determines the final technical ranking and how?	The employer	Low
C.40. Are the technical scores sent to all firms?	No	
C.41. Are the financial proposal opened in public?	Correct	Low

Question	Answer/Finding	Risk
C.42. Are minutes of the financial opening distributed?	The employer, Bid committee	
C.43. How is the financial evaluation completed?	The Bid committee complete the bid evaluation report, group the costs into a ceiling to identify evaluated price.	Low
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	5 days	
C.46. What is the usual basis for negotiation?	Result of bidder selection	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	From a day	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	No	Average
Payments		
C.50. Are advance payments made?	Yes. Ref. Article 17, Decree. 48/2010/ ND-CP	Low
C.51. What is the standard period for payment included in contracts?	Implementation period	Average
C.52. On average, how long is it between receiving a firm's invoice and making payment?	A day	
C.53. When late payment is made, are the beneficiaries paid interest?	No	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	No	Average
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	No	Average
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the	Correct	Low

Question	Answer/Finding	Risk
budgeting process?		
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	The employer	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		
gggg) Bidding document, invitation to pre-qualify or RFP	The representative's employer	Low
hhhh) Advertisement of an invitation for bids, pre-qualification or call for EOIs	The representative's employer	
iiii) Evaluation reports	The representative's employer	
jjjj) Notice of award	The representative's employer	
kkkk) Invitation to consultants to negotiate	The representative's employer	
llll) Contracts	The representative's employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	No	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

17. Phu Yen DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	Over 5 years	Low
A.2. How many staff in the procurement department/unit are:	13	Low
xlix. Full Time?	0	
l. Part Time?	13	
li. Seconded?	0	
A.3. Does the procurement staff have English language proficiency?	0	High
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes.	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes.	Low
A.6. Does the agency have a procurement-training program?	Yes.	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No.	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Yes	
A.9. If yes, what type of procurement does it undertake?	NCB; restricted bidding, shopping; single source selection	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Director and Deputy of DOET	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes.	Low
A.12. Is there a procurement process manual for goods and works?	- Available but only for specific projects.	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted	ADB guidelines on procurement (version 2007, 2010)	

Question	Answer/Finding	Risk
projects?		
A.14. Is there a procurement process manual for consulting services?	No.	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?		
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes.	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes.	
A.18. Who drafts the procurement specifications?	Bid Evaluation Committee	Low
A.19. Who approves the procurement specifications?	DOET leader	
A.20. Who drafts the bidding documents?	Bid Evaluation Committee+ Consulting agency	
A.21. Who manages the sale of the bidding documents?	DOET Accountant	
A.22. Who identifies the need for consulting services requirements?	DOET leader	Low
A.23. Who drafts the terms of reference (TOR)?	Bid Evaluation Committee	
A.24. Who prepares the request for proposals (RFPs)?	Bid Evaluation Committee	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes.	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	No.	Low
B.3. For what period are records kept?	Long term	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes.	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes.	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes.	Low
B.7. Are copies of invoices included with the contract papers?	Yes.	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the	- No	Low

Question	Answer/Finding	Risk
names of the development partner/s and the Project/s.)		
C.2. If the above answer is yes, what were the major challenges?		
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	It's difficult to identify the systematic process.	
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes. Minimum of 10 days	Low
C.5. Are all queries from bidders replied to in writing?	Yes.	
C.6. Does the bidding document state the date and time of bid opening?	Yes.	Low
C.7. Is the opening of bids done in public?	Yes	Low
C.8. Can late bids be accepted?	No.	
C.9. Can bids be rejected at bid opening?	No.	
C.10. Are minutes of the bid opening taken?	Yes.	
C.11. Who may have a copy of the minutes?	Anyone participate in the bid opening can have.	
C.12. Are the minutes free of charge?	Yes.	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Committee in charge	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Certificate on procurement	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Yes.	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contract effectiveness?	Minimum of 30 days	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes.	Low
C.18. Are there established goods receiving procedures?	Yes.	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes.	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes.	Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes.	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the	No.	

Question	Answer/Finding	Risk
names of the development partner/s and the Project/s.)		
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes	
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	Yes	
C.26. What criteria are used to evaluate EOIs?	- Profile. - Professional capacity	
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS and QBS	
C.28. Do firms have to pay for the RFP document?	Depending on bidding package, firms have to pay or distribute freely.	
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	
C.30. Are pre-proposal visits and meetings arranged?	Yes	
C.31. Are minutes prepared and circulated after pre-proposal meetings?		
C.32. To whom are the minutes distributed?		
C.33. Are all queries from consultants answered/addressed in writing?	Yes	
C.34. Are the technical and financial proposals required to be in separate envelopes?	No	
C.35. Are proposal securities required?	Yes	
C.36. Are technical proposals opened in public?	Yes	
C.37. Are minutes of the technical opening distributed?	Yes	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes	
C.39. Who determines the final technical ranking and how?	Leader team	
C.40. Are the technical scores sent to all firms?		
C.41. Are the financial proposal opened in public?	Yes	
C.42. Are minutes of the financial opening distributed?		
C.43. How is the financial evaluation completed?	According to the bidding docs issued by MPI in the Circular No. 06/2010/TT-BKH	
C.44. Are face-to-face contract negotiations held?	Depend on nature of activities	
C.45. How long after financial evaluation is	Maximum 30 days	

Question	Answer/Finding	Risk
negotiation held with the selected firm?		
C.46. What is the usual basis for negotiation?	Bidding documents, bid documents; Bid evaluation report	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and have the validity period of bids	
C.49. Is there an evaluation system for measuring the outputs of consultants?		
Payments		
C.50. Are advance payments made?	Yes	
C.51. What is the standard period for payment included in contracts?	Depend on type of contract: works, goods, consulting services	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	Yes	
C.53. When late payment is made, are the beneficiaries paid interest?	Yes	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes.	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	No.	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	No.	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Employer	Low
E.5. Which of the following actions require approvals outside the procurement unit or		Low

Question	Answer/Finding	Risk
the evaluation committee, as the case may be, and who grants the approval?		
mmmm) Bidding document, invitation to pre-qualify or RFP	Employer	
nnnn) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Employer	
oooo) Evaluation reports	Consulting Unit	
pppp) Notice of award	Employer	
qqqq) Invitation to consultants to negotiate	Employer	
rrrr) Contracts	Employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	No	High

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

18. Quang Binh DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	10–25 years	Low
A.2. How many staff in the procurement department/unit are:		Low
iii. Full Time?	2	
liii. Part Time?	30	
liv. Seconded?	None	
A.3. Does the procurement staff have English language proficiency?	Not proficient	Low
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes.	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes.	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Department of Planning and Finance – DOET is regarded as the standing agency who supports the procurement activities and bid evaluation.	Low
A.9. If yes, what type of procurement does it undertake?	1 envelope bidding procedure: NCB/ Restricted bidding/ Shopping/ SSS	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Related reports to procurements	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes.	Low

Question	Answer/Finding	Risk
A.12. Is there a procurement process manual for goods and works?	Yes. Yes. In the primary education project, Upper secondary project, LSEMDRP There is also guidelines for procurement available in ADB's website which pointed out by NPIU to PPIUs in the LSEMDRP.	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes. ABD guidelines on procurement (version 2007, 2010)	
A.14. Is there a procurement process manual for consulting services?	Not yet.	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Not yet.	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes.	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	Senior specialist of Specialized depts. Under DOET	Low
A.19. Who approves the procurement specifications?	Authorized agencies or individuals: DPI, DOF, Director of DOET, PPC and other related individuals	
A.20. Who drafts the bidding documents?	Specialist in DPF under DOET and specialists in specialized depts. Under DOET draft the bidding documents; recruitment of consultants	
A.21. Who manages the sale of the bidding documents?	The supporting team for procurement activities	
A.22. Who identifies the need for consulting services requirements?	Employer. Ref. Decree 85/2009/ND-CP	Low
A.23. Who drafts the terms of reference (TOR)?	Bid Committee	
A.24. Who prepares the request for proposals (RFPs)?	Bid Committee	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	As per current regulations	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low

Question	Answer/Finding	Risk
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	No.	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes. Primary education for Disadvantaged Children Project Upper Secondary Education Development Project; Second Lower Secondary Education; SREM; VNEN.	Low
C.2. If the above answer is yes, what were the major challenges?	Procurement contents shall be implemented as per contents in the international treaty signed by Viet Nam as a member.	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes.	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes (Ref. Article 31 – Procurement Law)	Low
C.5. Are all queries from bidders replied to in writing?	Yes. Ref. Article 64- Procurement law	
C.6. Does the bidding document state the date and time of bid opening?	Yes. Ref Article 33/ Procurement Law	Low
C.7. Is the opening of bids done in public?	Yes. Ref Article 33/ Procurement Law	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No Ref Article 45/ Procurement Law	
C.10. Are minutes of the bid opening taken?	Yes Yes. Ref Article 33/ Procurement Law	Low
C.11. Who may have a copy of the minutes?	Any participants in the bid opening	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee (Ref. Article 61 – Procurement Law)	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Certificate on procurement; Professional Certificates relating to the technical specifications of goods, works	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Yes. Ref. Article 40, Procurement law	Low

Question	Answer/Finding	Risk
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	1. Example 1: Procurement package of equipment for pre-school in 2013 (shopping): 13 days 2. Example 2: Procurement package of Equipment for Foreign language room in 2013 (shopping): 15 days. 3. Example 3: Procurement package of equipment for pre-school in 2013 (competitive bidding): 25 days.	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	
C.18. Are there established goods receiving procedures?	Yes	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes – As per MOF regulation.	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Not yet	
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	Low
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?		Low
C.26. What criteria are used to evaluate EOIs?	Ref. Article 15 / Procurement Law	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS and QBS	Low
C.28. Do firms have to pay for the RFP document?	Refer to Decree No. 85/ Article 16:	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Ref. Article 15 Decree No.85	Low
C.30. Are pre-proposal visits and meetings arranged?	Yes. Ref. Article 34/ Procurement Law	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	
C.32. To whom are the minutes	Procuring entity	

Question	Answer/Finding	Risk
distributed?		
C.33. Are all queries from consultants answered/addressed in writing?	Yes	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes	Low
C.35. Are proposal securities required?	Yes. Ref. Decree 85.	Low
C.36. Are technical proposals opened in public?	Yes. Ref. Decree 85.	Low
C.37. Are minutes of the technical opening distributed?	Yes. Ref. Decree 85.	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes Ref. Decree 85.	Low
C.39. Who determines the final technical ranking and how?	Consultant selection committee	
C.40. Are the technical scores sent to all firms?	Yes. Ref. Decree 85.	
C.41. Are the financial proposal opened in public?	Yes. Ref. Decree 85.	Low
C.42. Are minutes of the financial opening distributed?	Yes. Ref. Decree 85.	
C.43. How is the financial evaluation completed?	Reference to Circular 06/2010/TT-BKH	Low
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Maximum of 30 days	
C.46. What is the usual basis for negotiation?	Article 19 Decree No.85	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and within the validity period of bid documents	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes. Ref. Article 32/ Procurement Law	Low
Payments		
C.50. Are advance payments made?	Yes. Ref. Decree. 48/2010/ Article 17.	Low
C.51. What is the standard period for payment included in contracts?	Depend on type of contract: works, goods, consulting services	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	7–14 days Ref. Decree. 48/2010/NĐ-CP \ article 18, item 10	
C.53. When late payment is made, are the beneficiaries paid interest?	Yes Ref. Decree. 48/2010/NĐ-CP \ article 27,	

Question	Answer/Finding	Risk
	item 1, point c.	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes. Ref. article 59./ Article 7 – Procurement Law	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes. Ref. Decree 48/2010/ article 24 - 33	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes. Ref Article 73 and Article 74 – Procurement Law Ref. Article 60, article 61. Article 62- Decree 85.	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes. Ref Article 73, 74 – Procurement Law Article 60m 61, 62 – Decree 85	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	No	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes (involved in restricted acts in procurement – Article 12- Procurement Law)	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Legal/ authorized person as per Procurement Law with competent capability, qualification, experience and expertise in procurement Ref. Article 60-63/ Procurement Law	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
ssss) Bidding document, invitation to pre-qualify or RFP	Authorized person (Article 61 – Procurement Law)	
tttt) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Procuring entity (Article 62 – Procurement Law)	
uuuu) Evaluation reports	Procurement Specialist Team (Article 63 – Procurement Law)	

Question	Answer/Finding	Risk
vvvv) Notice of award	Employer (Article 61 – Procurement Law)	
wwwv) Invitation to consultants to negotiate	Procuring entity (Article 62 – Procurement Law)	
xxxx) Contracts	Employer (Article 61 – Procurement Law)	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No. Ref. Article 60 – 65/ Procurement Law	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes. Ref. Article 1 – State Auditing law	

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

19. Quang Nam DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	Over 10 years	Low
A.2. How many staff in the procurement department/unit are:	10 people	Low
iv. Full Time?	4 people	
vi. Part Time?	6 people	
lvii. Seconded?	0	
A.3. Does the procurement staff have English language proficiency?	No.	Low
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes.	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes.	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No.	
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No.	
A.9. If yes, what type of procurement does it undertake?	NCB, Open bidding and SSS	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Director's DOET	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	State's rules	Low
A.12. Is there a procurement process manual for goods and works?	- Yes. There is.	Low
A.13. If there is a manual, is it up to date	ADB Guidelines on procurement (version	

Question	Answer/Finding	Risk
and does it cover foreign-assisted projects?	of 2007, 2010)	
A.14. Is there a procurement process manual for consulting services?	No	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	No	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes.	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	Bid Committee	Low
A.19. Who approves the procurement specifications?	DOET leaders	
A.20. Who drafts the bidding documents?	Bid Committee	
A.21. Who manages the sale of the bidding documents?	Director of PPMU	
A.22. Who identifies the need for consulting services requirements?	Employer	Low
A.23. Who drafts the terms of reference (TOR)?	Employer	
A.24. Who prepares the request for proposals (RFPs)?	Bid Committee	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes.	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes.	Low
B.3. For what period are records kept?	Over 5 years	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes.	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes.	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes.	Low
B.7. Are copies of invoices included with the contract papers?	Yes.	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36	No.	

Question	Answer/Finding	Risk
months)? (If yes, please indicate the names of the development partner/s and the Project/s.)		
C.2. If the above answer is yes, what were the major challenges?		
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes.	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes. Small packages: 10 days Big package: 15 days	Low
C.5. Are all queries from bidders replied to in writing?	Yes.	
C.6. Does the bidding document state the date and time of bid opening?	Yes.	Low
C.7. Is the opening of bids done in public?	Yes.	Low
C.8. Can late bids be accepted?	No.	
C.9. Can bids be rejected at bid opening?	Yes.	
C.10. Are minutes of the bid opening taken?	Yes.	Low
C.11. Who may have a copy of the minutes?	The Employer, consulting agency, appraisal agency to the bid results	
C.12. Are the minutes free of charge?	Yes.	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Consulting agency and the Employer	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Certificate of procurement	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	No. It is subject to additional approvals	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	50–60 days	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes.	Low
C.18. Are there established goods receiving procedures?	Yes.	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes	Low
C.20. Is the agency/procurement department familiar with letters of credit?	No comments	Low
C.21. Does the procurement department	Yes	

Question	Answer/Finding	Risk
register and track warranty and latent defects liability periods?		
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No.	
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes Article 5 / Decree No.85	
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	No comments	
C.26. What criteria are used to evaluate EOIs?	No comments	
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS	
C.28. Do firms have to pay for the RFP document?	Free distribution	
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?		
C.30. Are pre-proposal visits and meetings arranged?	No	
C.31. Are minutes prepared and circulated after pre-proposal meetings?	No	
C.32. To whom are the minutes distributed?	No	
C.33. Are all queries from consultants answered/addressed in writing?	No	
C.34. Are the technical and financial proposals required to be in separate envelopes?	No comments	
C.35. Are proposal securities required?	No comments	
C.36. Are technical proposals opened in public?	No comments	
C.37. Are minutes of the technical opening distributed?	No comments	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes	
C.39. Who determines the final technical ranking and how?	Team leader Bid committee will decide, in case the agreement could not be identified.	
C.40. Are the technical scores sent to all firms?	No comments	
C.41. Are the financial proposal opened in public?	Yes	
C.42. Are minutes of the financial opening	Yes	

Question	Answer/Finding	Risk
distributed?		
C.43. How is the financial evaluation completed?	No comments	
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Maximum of 30 days	
C.46. What is the usual basis for negotiation?	Bidding documents Bid evaluation report: including evaluation of technical and financial proposals.	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and have the validity period of bids	
C.49. Is there an evaluation system for measuring the outputs of consultants?	Article 7 Decree No. 48/2010/NĐ-CP	
Payments		
C.50. Are advance payments made?	Decree No. 48/2010/NĐ-CP	Low
C.51. What is the standard period for payment included in contracts?	Specifically mentioned in the contract; could be split into several payment	
C.52. On average, how long is it between receiving a firm's invoice and making payment?	- State budget: 07- 10 days: - Loan project: depend on each project's regulations.	
C.53. When late payment is made, are the beneficiaries paid interest?	No. Article 7 Decree No. 48/2010/NĐ-CP	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes. Article 7 Decree No. 48/2010/NĐ-CP	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes. Article 24 to Article 33 Decree No. 48/2010/NĐ-CP	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes. Article 73, 74 Procurement Law Article 60, 61, 62 Decree No. 85	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes. Article 73, 74 Procurement Law Article 60, 61, 62 Decree No. 85	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes.	
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	No. Decree No. 85- Procurement Law	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	No. Article 12/ Procurement Law	Low
E.3. Is the commencement of procurement	No.	Low

Question	Answer/Finding	Risk
dependent on external approvals (formal or de-facto) that are outside of the budgeting process?		
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	- PPC approves the procurement plan. - Employer approves the bidding docs. - Procurement consultant reports on evaluation of the bid documents. The Employer approve the result of bid. (Procurement Law and Law No. 39/2009/QH12)	
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
yyyy) Bidding document, invitation to pre-qualify or RFP	Employer	
zzzz) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Employer or Bid solicitors	
aaaaa) Evaluation reports	consultants bidding	
bbbbbb) Notice of award	Employer	
ccccc) Invitation to consultants to negotiate	Employer	
dddddd) Contracts	Employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No.	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes. Article 1 / Law on State Audit No.37/2005/QH11	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

20. Quang Ngai DOET**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	15-year	
A.2. How many staff in the procurement department/unit are:	Seven	
lviii. Full Time?	One	
lix. Part Time?	Six	
lx. Seconded?		
A.3. Does the procurement staff have English language proficiency?	Not very well	
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	
A.6. Does the agency have a procurement-training program?	Yes	
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	Yes	
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Yes	
A.9. If yes, what type of procurement does it undertake?		
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Invitation letter for bid, technical proposal, draft contract; contract negotiation	
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes	
A.12. Is there a procurement process manual for goods and works?	Yes	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes	

Question	Answer/Finding	Risk
A.14. Is there a procurement process manual for consulting services?		
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?		
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes	
A.18. Who drafts the procurement specifications?	Assigned team members	Low
A.19. Who approves the procurement specifications?	DOET leader	
A.20. Who drafts the bidding documents?	Department of Planning and Finance, DOET	
A.21. Who manages the sale of the bidding documents?	Department of Planning and Finance, DOET	
A.22. Who identifies the need for consulting services requirements?	Procurement Team, Leader Department of Planning and Finance, DOET	Low
A.23. Who drafts the terms of reference (TOR)?	Department of Planning and Finance, DOET	
A.24. Who prepares the request for proposals (RFPs)?	Bid Committee	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?		
B.3. For what period are records kept?	Keeping based on the accounting reports	
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	
B.7. Are copies of invoices included with the contract papers?	Yes	
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36	Yes	Low

Question	Answer/Finding	Risk
months)? (If yes, please indicate the names of the development partner/s and the Project/s.)		
C.2. If the above answer is yes, what were the major challenges?	Identification of a competent bidder	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)		Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes Bidding documents as per budget allocation plan Bids: 15-day (International: 30-day)	Low
C.5. Are all queries from bidders replied to in writing?	No	
C.6. Does the bidding document state the date and time of bid opening?	Yes	Low
C.7. Is the opening of bids done in public?	Yes	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	Yes	
C.10. Are minutes of the bid opening taken?	Yes	
C.11. Who may have a copy of the minutes?	Investors	
C.12. Are the minutes free of charge?	No	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	As per assignment of the chairman of bid evaluation committee.	
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Procurement Certification	
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	No. Not final decision	
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	Depending on the case to have or not have prequalification - No Prequalification: 100-days + time of contract negotiation - Prequalification: 95-days + time of contract negotiation	
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	No idea.	
C.18. Are there established goods receiving procedures?	Yes	
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes	
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes	
Consulting Services		

Question	Answer/Finding	Risk
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes	
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	Yes	
C.26. What criteria are used to evaluate EOIs?	- Quality, efficiency and economy - Fair competition, transparency	
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS	
C.28. Do firms have to pay for the RFP document?	Yes	
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	
C.30. Are pre-proposal visits and meetings arranged?	Yes	
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	
C.32. To whom are the minutes distributed?	Borrower	
C.33. Are all queries from consultants answered/addressed in writing?	Yes	
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes	
C.35. Are proposal securities required?	Yes	
C.36. Are technical proposals opened in public?	Yes	
C.37. Are minutes of the technical opening distributed?	Yes	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes	
C.39. Who determines the final technical ranking and how?	Bid evaluation committee	
C.40. Are the technical scores sent to all firms?	Yes	
C.41. Are the financial proposal opened in public?	Yes	
C.42. Are minutes of the financial opening distributed?	Yes	
C.43. How is the financial evaluation completed?	After the bid evaluation committee check for numerical errors and adjustment of deviation between technical proposal and financial proposal.	

Question	Answer/Finding	Risk
C.44. Are face-to-face contract negotiations held?	Yes.	
C.45. How long after financial evaluation is negotiation held with the selected firm?	3 months	
C.46. What is the usual basis for negotiation?	Term of reference	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	1 month	
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes	
Payments		
C.50. Are advance payments made?	Yes	
C.51. What is the standard period for payment included in contracts?	Day	
C.52. On average, how long is it between receiving a firm's invoice and making payment?	Within 30 days	
C.53. When late payment is made, are the beneficiaries paid interest?	Yes	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	No idea.	
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes	
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes	
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes	
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Employer/Consultant	

Question	Answer/Finding	Risk
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		
eeee) Bidding document, invitation to pre-qualify or RFP	Employer	
ffff) Advertisement of an invitation for bids, pre-qualification or call for EOs	Employer	
ggggg) Evaluation reports	Bid evaluation committee	
hhhhh) Notice of award	Employer	
iiii) Invitation to consultants to negotiate	Employer	
jjjj) Contracts	Employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	No	

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

21. Quang Tri DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	Over 10 years	Low
A.2. How many staff in the procurement department/unit are:	08 people	Low
Ixi. Full Time?	04 people	
Ixii. Part Time?	04 people	
Ixiii. Seconded?	0	
A.3. Does the procurement staff have English language proficiency?		Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	20%.	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes.	Low
A.6. Does the agency have a procurement-training program?	- Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No.	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Yes	Low
A.9. If yes, what type of procurement does it undertake?	NCB, ICB, Shopping, SSS, Limited bidding	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	DOET Director or delegated Deputy Director	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	No.	Low
A.12. Is there a procurement process manual for goods and works?	Yes. In the primary education project, Upper secondary project, LSEMDRP - There is also guidelines for	Low

Question	Answer/Finding	Risk
	procurement available in ADB's website which pointed out by NPIU to PPIUs in the LSEMDRP.	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes. ADB guidelines on procurement (2007, 2010)	
A.14. Is there a procurement process manual for consulting services?	Yes.	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes.	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes.	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	Consulting agency	Low
A.19. Who approves the procurement specifications?	DOET Director	
A.20. Who drafts the bidding documents?	Consulting agency	
A.21. Who manages the sale of the bidding documents?	PPMU	
A.22. Who identifies the need for consulting services requirements?	Employer, PPMU	Low
A.23. Who drafts the terms of reference (TOR)?	Consulting agency	
A.24. Who prepares the request for proposals (RFPs)?	Consulting agency who prepares bidding documents	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	Project Life	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes.	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes.	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes.	Low
B.7. Are copies of invoices included with the contract papers?	Yes.	Low
C. Procurement Practices		
Goods and Works		

Question	Answer/Finding	Risk
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes. Secondary Education Development Program funded by ADB	Low
C.2. If the above answer is yes, what were the major challenges?	Implementation progress	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes.	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes. 15 days for NCB and 30 days for ICB for projects funded from national budget and 28 days for ADB's loan project	Low
C.5. Are all queries from bidders replied to in writing?	Yes.	
C.6. Does the bidding document state the date and time of bid opening?	Yes.	Low
C.7. Is the opening of bids done in public?	Yes	Low
C.8. Can late bids be accepted?	No.	
C.9. Can bids be rejected at bid opening?	Yes.	
C.10. Are minutes of the bid opening taken?	Yes.	Low
C.11. Who may have a copy of the minutes?	- Minutes of bid opening is signed by representatives of bidders, employer, invited agencies, therefore any one attending bid opening may have a copy of this Minutes. - In ADB funded project, a copy of Minutes of bid opening shall be delivered to all Bidders whose bids are opened at bid opening.	
C.12. Are the minutes free of charge?	Yes.	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Evaluation Team	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Ref. to Article 9/ Procurement Law	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	No. It's subject to additional approvals	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	- Bid for Dakrong CEC- ADB loan: 45 days. - Bid using Gov. Budget 35 days..	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes.	Low
C.18. Are there established goods receiving procedures?	Yes.	Low
C.19. Are all goods that are received	Yes.	Low

Question	Answer/Finding	Risk
recorded as assets or inventory in a register?		
C.20. Is the agency/procurement department familiar with letters of credit?	Yes.	Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes.	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes Facilities in Le Quy Don USS.	Low
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes. Ref. Article 15/ Decree No.85	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	Yes.	Low
C.26. What criteria are used to evaluate EOIs?	Item a / Paragraph 1/ Article 15 Decree No.85	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	Article 16 Decree No.85	Low
C.28. Do firms have to pay for the RFP document?	Yes.	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Ref. Article 18 Decree No.85	Low
C.30. Are pre-proposal visits and meetings arranged?	Never before.	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes.	
C.32. To whom are the minutes distributed?		
C.33. Are all queries from consultants answered/addressed in writing?	Yes.	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes. Ref. Article 26 – Procurement Law	Low
C.35. Are proposal securities required?	Yes.	Low
C.36. Are technical proposals opened in public?	Yes.	Low
C.37. Are minutes of the technical opening distributed?	Ref. Decree No.85\ Article 17\item 5, Procurement law \Article 33\item 3	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes. Item 2/ Article 18/ Decree No.85	Low
C.39. Who determines the final technical ranking and how?	Bid Committee will decide based on agreement. In case, it's difficult to get concurrence, chief of the Bid Committee will be the one to decide.	

Question	Answer/Finding	Risk
C.40. Are the technical scores sent to all firms?	No.	
C.41. Are the financial proposal opened in public?	Yes. Ref. Item 2/ Article 18/ Decree No.85	Low
C.42. Are minutes of the financial opening distributed?	Yes. If required.	
C.43. How is the financial evaluation completed?	Ref. Circular 06/2010/TT-BKH	Low
C.44. Are face-to-face contract negotiations held?	Yes. Upon the actual situation.	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Ref. Circular 06/2010/TT-BKH. Maximum of 30 days	
C.46. What is the usual basis for negotiation?	Bidding documents, report on bid award, bid documents of the winner and notice on winning of bid and other documents (If available)	
C.47. Are minutes of negotiation taken and signed?	Yes.	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and within the validity period of bid documents	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Article 7 / Decree No.48/2010/NĐ-CP	Low
Payments		
C.50. Are advance payments made?	Yes.	Low
C.51. What is the standard period for payment included in contracts?	Depend on types of contracts	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	Item 10, Article 18 / Decree No.48/2010/NĐ-CP	
C.53. When late payment is made, are the beneficiaries paid interest?	Ref. Decree 48/2010/NĐ-CP\ Article 27\ Item 1 \ Point c.	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Article 7 / Decree No.48/2010/NĐ-CP	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Article 24 to 33 / Decree No.48/2010/NĐ-CP	
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes.	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes.	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes.	Low

Question	Answer/Finding	Risk
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes.	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes.	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Procurement plan shall be approved by the Executing agency; Bidding documents, BER and results of bid shall be approved by the Employer	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
kkkkk) Bidding document, invitation to pre-qualify or RFP	Employer	
lllll) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Employer	
mmmmm) Evaluation reports	Bid Evaluation Committee	
nnnnn) Notice of award	PPMU	
ooooo) Invitation to consultants to negotiate	PPMU	
ppppp) Contracts	PPMU	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No.	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes. Ref. Article 1 / Law on State Audit No.37/2005/QH11.	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

22. Soc Trang DOET**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	More than ten years; even 20 years	Low
A.2. How many staff in the procurement department/unit are:	6	Low
lxiv. Full Time?	6	
lxv. Part Time?	0	
lxvi. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No	High
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	Yes	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No	Low
A.9. If yes, what type of procurement does it undertake?	No	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	PPMU	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	No	Low
A.12. Is there a procurement process manual for goods and works?	No	Low
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	No	

Question	Answer/Finding	Risk
A.14. Is there a procurement process manual for consulting services?	No	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?		
A.18. Who drafts the procurement specifications?	PPMU Director	Low
A.19. Who approves the procurement specifications?	DOET Director	
A.20. Who drafts the bidding documents?	Consultants	
A.21. Who manages the sale of the bidding documents?	Administrator	
A.22. Who identifies the need for consulting services requirements?	PPMU Director	Low
A.23. Who drafts the terms of reference (TOR)?	Consultants	
A.24. Who prepares the request for proposals (RFPs)?	PPMU Director	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	From 15 years to 45 years	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	Yes	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes	Low

Question	Answer/Finding	Risk
C.2. If the above answer is yes, what were the major challenges?	Long duration due to bank's regulation	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes (15 days)	Low
C.5. Are all queries from bidders replied to in writing?	Yes	
C.6. Does the bidding document state the date and time of bid opening?	Yes	Low
C.7. Is the opening of bids done in public?	Yes	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No	
C.10. Are minutes of the bid opening taken?	Yes	Low
C.11. Who may have a copy of the minutes?	Consultant Team and participating bidders Consultant Team and participating bidders	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Consultant Team	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Training Certificate on procurement is required.	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Yes it is.	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	- Tran De High School: 37 days - Khanh Hoa High School: 43 days - Long Tan High School: 45 days	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	Low
C.18. Are there established goods receiving procedures?	No	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	High
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Not yet	High

Question	Answer/Finding	Risk
C.23. If the above answer is yes, what were the major challenges?	NO	
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes	High
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	No	High
C.26. What criteria are used to evaluate EOIs?	Evaluation criteria	High
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS	Low
C.28. Do firms have to pay for the RFP document?	Yes	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	Low
C.30. Are pre-proposal visits and meetings arranged?	Yes	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	
C.32. To whom are the minutes distributed?	Secretary	
C.33. Are all queries from consultants answered/addressed in writing?	Yes	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes	Low
C.35. Are proposal securities required?	Yes	Low
C.36. Are technical proposals opened in public?	Yes	Low
C.37. Are minutes of the technical opening distributed?	No	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes	Low
C.39. Who determines the final technical ranking and how?	Head of consultant's selection committee	
C.40. Are the technical scores sent to all firms?	Yes	
C.41. Are the financial proposal opened in public?	Yes	Low
C.42. Are minutes of the financial opening distributed?	Yes	
C.43. How is the financial evaluation completed?	Lowest cost/ LCS	Low
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Within 7 days	
C.46. What is the usual basis for negotiation?	Decision and bid documents Evaluation report of the committee	

Question	Answer/Finding	Risk
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Within 3 days from contract negotiation	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes	Low
Payments		
C.50. Are advance payments made?	Depending on the bidding documents	
C.51. What is the standard period for payment included in contracts?	Included in bidding documents	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	Right after	
C.53. When late payment is made, are the beneficiaries paid interest?	No	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes	High
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	No	High
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	No	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	- Director - Competent person	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
qqqq) Bidding document, invitation to pre-qualify or RFP	Employer	
rrrr) Advertisement of an	Employer	

Question	Answer/Finding	Risk
invitation for bids, pre-qualification or call for EOIs		
sssss) Evaluation reports	Consultant's selection committee	
ttttt) Notice of award	Employer	
uuuuu) Invitation to consultants to negotiate	Employer	
vvvvv) Contracts	Employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	(i) one person (ii) Another (iii) Another	Average
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	No	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low (High to procurement of consulting services)
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

23. Son La DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	10 years	Low
A.2. How many staff in the procurement department/unit are:	5 staffs	Low
lxvii. Full Time?	0	
lxviii. Part Time?	5 staffs	
lxix. Seconded?	0	
A.3. Does the procurement staff have English language proficiency?	No	Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	Average
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No	Average
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No	Low
A.9. If yes, what type of procurement does it undertake?		
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Relevant reports such as: quarterly, annual or progress reports.	Average
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes	Low
A.12. Is there a procurement process manual for goods and works?	No	Low
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?		

Question	Answer/Finding	Risk
A.14. Is there a procurement process manual for consulting services?	No	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Regular updates and follow each project under the provisions of Sponsors	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes	
A.18. Who drafts the procurement specifications?	Specialist in charge of procurement	Average
A.19. Who approves the procurement specifications?	DOET Director	
A.20. Who drafts the bidding documents?	Procurement Consulting Unit	
A.21. Who manages the sale of the bidding documents?	Specialist in charge of procurement	
A.22. Who identifies the need for consulting services requirements?	DOET Director	Average
A.23. Who drafts the terms of reference (TOR)?	Specialist in charge of procurement	
A.24. Who prepares the request for proposals (RFPs)?	Specialist in charge of procurement	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	Minimum of 10 years	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	Yes	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes Second Lower Secondary Education Development Project; Upper Secondary Education Development Project; Lower Secondary Education for the Most	Low

Question	Answer/Finding	Risk
	disadvantaged regions; Children in the most disadvantaged regions Project	
C.2. If the above answer is yes, what were the major challenges?	Price escalation, cost of transportation, materials, cost for labor force result in cost overrun, however, price in the contract is not amendable.	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	No	Average
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes (15 days for NCB, 30 days for ICB)	Low
C.5. Are all queries from bidders replied to in writing?	Yes.	
C.6. Does the bidding document state the date and time of bid opening?	Yes.	Low
C.7. Is the opening of bids done in public?	Yes.	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No	
C.10. Are minutes of the bid opening taken?	Yes	Low
C.11. Who may have a copy of the minutes?	Procurement team and bidder	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Procurement Consulting Unit	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Evaluators must have the qualification with respect to procurement and the goods and/ or works under evaluation.	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Evaluation is still subject to additional approvals	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	1. Distribute the bidding documents is 30 days for NCB 2. Bidding evaluation: 15 days. 3. Advertise of winners: 5 days	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	No	Average
C.18. Are there established goods receiving procedures?	Not yet	Average
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes	Low
Consulting Services		

Question	Answer/Finding	Risk
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	Average
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	No	Average
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	No	Average
C.26. What criteria are used to evaluate EOIs?		Average
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	Single source selection (Quality based)	Low
C.28. Do firms have to pay for the RFP document?	No	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	Low
C.30. Are pre-proposal visits and meetings arranged?	Yes	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	
C.32. To whom are the minutes distributed?	Specialized specialist in charge of procurement	
C.33. Are all queries from consultants answered/addressed in writing?	Yes.	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes.	Low
C.35. Are proposal securities required?	Yes	Low
C.36. Are technical proposals opened in public?		Low
C.37. Are minutes of the technical opening distributed?	Yes.	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes.	Low
C.39. Who determines the final technical ranking and how?	Employer	
C.40. Are the technical scores sent to all firms?	No	
C.41. Are the financial proposal opened in public?	Yes.	Low
C.42. Are minutes of the financial opening distributed?	Employer; Procurement Team.	
C.43. How is the financial evaluation completed?	The Procurement team completes the bid evaluation report, then to group all the costs in a ceiling level to identify the cost for evaluation.	Low

Question	Answer/Finding	Risk
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	5 days	
C.46. What is the usual basis for negotiation?	Selection results of bidders	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	01 day	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	No	Average
Payments		
C.50. Are advance payments made?	Yes	Low
C.51. What is the standard period for payment included in contracts?	Implementation period	Average
C.52. On average, how long is it between receiving a firm's invoice and making payment?	1 day	
C.53. When late payment is made, are the beneficiaries paid interest?	No	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	No	Average
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	No	Average
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Representative of the Employer.	Low
E.5. Which of the following actions require		Low

Question	Answer/Finding	Risk
approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		
wwwww) Bidding document, invitation to pre-qualify or RFP	Representative of the Employer.	
xxxxx) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Representative of the Employer.	
yyyyy) Evaluation reports	Representative of the Employer.	
zzzzz) Notice of award	Representative of the Employer.	
aaaaa) Invitation to consultants to negotiate	Representative of the Employer.	
bbbbbb) Contracts	Representative of the Employer.	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	No	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

24. Thai Nguyen DOET**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	5 years	Low
A.2. How many staff in the procurement department/unit are:	5	Low
lxx. Full Time?	x	
lxxi. Part Time?		
lxxii. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No.	High
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes.	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes.	Low
A.6. Does the agency have a procurement-training program?	Yes.	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No.	Average
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No.	Average
A.9. If yes, what type of procurement does it undertake?	Single Source Selection	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	All	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	No.	
A.12. Is there a procurement process manual for goods and works?	Yes.	Low
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes.	
A.14. Is there a procurement process manual for consulting services?	No.	

Question	Answer/Finding	Risk
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?		
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes.	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?		
A.18. Who drafts the procurement specifications?	Consultant	Low
A.19. Who approves the procurement specifications?	DOET leader	
A.20. Who drafts the bidding documents?	Consultant	
A.21. Who manages the sale of the bidding documents?	PPMU	
A.22. Who identifies the need for consulting services requirements?	PPMU	Low
A.23. Who drafts the terms of reference (TOR)?	Consultant	
A.24. Who prepares the request for proposals (RFPs)?	Consultant	
B. Information Management		
B.1. Is there a referencing system for procurement files?	No.	Average
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	No.	Average
B.3. For what period are records kept?	Life of works	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes.	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes.	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	No.	Average
B.7. Are copies of invoices included with the contract papers?	Yes.	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	Yes.	Low
C.2. If the above answer is yes, what were the major challenges?	Local Counterpart fund	
C.3. Is there a systematic process to identify	PPC stipulates the implementation period of	Average

Question	Answer/Finding	Risk
procurement requirements (for a period of one year or more)	the investment project from appraisal, approval, construction and payment.	
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes. (as per Procurement Law)	Low
C.5. Are all queries from bidders replied to in writing?	Yes.	
C.6. Does the bidding document state the date and time of bid opening?	Yes.	Low
C.7. Is the opening of bids done in public?	Yes.	Low
C.8. Can late bids be accepted?	No.	
C.9. Can bids be rejected at bid opening?	No.	
C.10. Are minutes of the bid opening taken?	Yes.	Low
C.11. Who may have a copy of the minutes?	Bidders, procurement consultant, Employer	
C.12. Are the minutes free of charge?	Yes.	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Group	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Qualifications on technical, financial and procurement capacity	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Based on the BER	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	30 days for NCB	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes.	Low
C.18. Are there established goods receiving procedures?	Yes.	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes.	Low
C.20. Is the agency/procurement department familiar with letters of credit?	No.	Average
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes.	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No.	
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	No.	
C.25. Is a consultants' selection committee formed with appropriate individuals, and		

Question	Answer/Finding	Risk
what is its composition (if any)?		
C.26. What criteria are used to evaluate EOIs?		
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	Ref. Decree No.85/NĐ-CP	
C.28. Do firms have to pay for the RFP document?	No	
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Ref. Decree No.85/NĐ-CP	
C.30. Are pre-proposal visits and meetings arranged?	No	
C.31. Are minutes prepared and circulated after pre-proposal meetings?		
C.32. To whom are the minutes distributed?		
C.33. Are all queries from consultants answered/addressed in writing?	Yes	
C.34. Are the technical and financial proposals required to be in separate envelopes?	Ref. Decree No.85/NĐ-CP	
C.35. Are proposal securities required?	Ref. Decree No.85/NĐ-CP	
C.36. Are technical proposals opened in public?	Ref. Decree No.85/NĐ-CP	
C.37. Are minutes of the technical opening distributed?	Ref. Decree No.85/NĐ-CP	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Ref. Decree No.85/NĐ-CP	
C.39. Who determines the final technical ranking and how?	Procurement Consulting Team	
C.40. Are the technical scores sent to all firms?	Ref. Decree No.85/ND-CP	
C.41. Are the financial proposal opened in public?	Ref. Decree No.85/ND-CP	
C.42. Are minutes of the financial opening distributed?	Ref. Decree No.85/ND-CP	
C.43. How is the financial evaluation completed?	Ref. Decree No.85/ND-CP	
C.44. Are face-to-face contract negotiations held?	Ref. Decree No.85/ND-CP	
C.45. How long after financial evaluation is negotiation held with the selected firm?	After the bidding results is approved officially	
C.46. What is the usual basis for negotiation?		
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Right after contract negotiation and bidder prepares the performance security as per regulations	
C.49. Is there an evaluation system for measuring the outputs of consultants?	No	

Question	Answer/Finding	Risk
Payments		
C.50. Are advance payments made?	Yes.	Low
C.51. What is the standard period for payment included in contracts?	Payment by completed amount of work	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	7 days	
C.53. When late payment is made, are the beneficiaries paid interest?	No.	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes.	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes.	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes.	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	No.	Average
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes.	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes.	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes.	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes.	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?		Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		
ccccc) Bidding document, invitation to pre-qualify or RFP	Yes.	
ddddd) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Yes.	
eeeeee) Evaluation reports		
ffffff) Notice of award	Yes.	
gggggg) Invitation to consultants to negotiate	Yes.	
hhhhh) Contracts	Yes.	
E.6. Is the same official responsible for: (i)	No.	Average

Question	Answer/Finding	Risk
authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?		
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	No.	Average

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Average
OVERALL RISK RATING	Low

25. Thanh Hoa DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	has experienced from 5 years to 20 years	Low
A.2. How many staff in the procurement department/unit are:	12	Low
lxxiii. Full Time?	06	
lxxiv. Part Time?	06	
lxxv. Seconded?	0	
A.3. Does the procurement staff have English language proficiency?	No	Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	Yes. DOET has established a Bid Committee managed by Head of Bid Committee	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Yes	Low
A.9. If yes, what type of procurement does it undertake?	NCB, SSS, Shopping	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Bid/proposal evaluation report DOET Director.	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes (Engineering Department and Finance Department)	Low
A.12. Is there a procurement process manual for goods and works?	Currently not. PPMU follow the Procurement Law, and donor's guidelines	Low

Question	Answer/Finding	Risk
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Currently not. PPMU follow the Procurement Law, and donor's guidelines	
A.14. Is there a procurement process manual for consulting services?		
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Currently not. PPMU follow the Procurement Law, and donor's guidelines	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	Bid Committee	
A.19. Who approves the procurement specifications?	DOET Director	
A.20. Who drafts the bidding documents?	Bid Committee	
A.21. Who manages the sale of the bidding documents?	PPMU	
A.22. Who identifies the need for consulting services requirements?	Ref. Chapter IV Decree No.85	Low
A.23. Who drafts the terms of reference (TOR)?	PPMU	
A.24. Who prepares the request for proposals (RFPs)?		
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	As long as specified by the Gov. regulations.	
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	Yes	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names	Yes (Upper Secondary Education Development Project – ADB fund) (In 2009, 2011, 2012, 2013 there are two	Low

Question	Answer/Finding	Risk
of the development partner/s and the Project/s.)	LSE projects: 2 Lower Secondary Education Projects; 3 CEC Projects)	
C.2. If the above answer is yes, what were the major challenges?	- The understanding between parties	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	- Firstly, size of the works shall be identified, how long it will take for construction. Then, development of implementation plan for each stage	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes Minimum of 28 days	Low
C.5. Are all queries from bidders replied to in writing?	Yes	
C.6. Does the bidding document state the date and time of bid opening?	Yes	Low
C.7. Is the opening of bids done in public?	Yes	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No	
C.10. Are minutes of the bid opening taken?	Yes	Low
C.11. Who may have a copy of the minutes?	Bidders	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Individual	
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Yes	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Yes it is.	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?		
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	
C.18. Are there established goods receiving procedures?		
C.19. Are all goods that are received recorded as assets or inventory in a register?		
C.20. Is the agency/procurement department familiar with letters of credit?		Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Not specified	
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)		

Question	Answer/Finding	Risk
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes	
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?		
C.26. What criteria are used to evaluate EOIs?	Item a, paragraph 1 Article 15 Decree No.85	
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS and QBS	Low
C.28. Do firms have to pay for the RFP document?		Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Ref. Article 18 Decree No.85	Low
C.30. Are pre-proposal visits and meetings arranged?	Ref. Article 34 Decree No.85	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Ref. Article 34 Decree No.85	
C.32. To whom are the minutes distributed?	Ref. Article 34 Decree No.85	
C.33. Are all queries from consultants answered/addressed in writing?	Ref. Article 34 Decree No.85	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?		Low
C.35. Are proposal securities required?		Low
C.36. Are technical proposals opened in public?	Ref. Item 5 Article 17 Decree No.85	Low
C.37. Are minutes of the technical opening distributed?	Ref. Item 5 Article 17 Decree No.85 Item 3 Article 33 Procurement Law	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes Ref. Item 2 Article 18 Decree No.85	Low
C.39. Who determines the final technical ranking and how?	Bid Committee	
C.40. Are the technical scores sent to all firms?	No	
C.41. Are the financial proposal opened in public?	Yes	Low
C.42. Are minutes of the financial opening distributed?	Yes	
C.43. How is the financial evaluation completed?	Reference to Standard Bidding documents issued by MPI attached to Circular No. 06/2010/TT-BKH: The financial evaluation is completed once the revision of errors and adjustment of deviation is made.	Low
C.44. Are face-to-face contract negotiations held?	Yes	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Maximum of 30 days	
C.46. What is the usual basis for	Bidding documents, report on bid award, bid	

Question	Answer/Finding	Risk
negotiation?	documents of the winner and notice on winning of bid and other documents (If available)	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and within the validity period of bid documents	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	Ref. Article 7 Decree No.48/2010/NĐ-CP	Low
Payments		
C.50. Are advance payments made?	Depend on types of contract, but maximum of 20% bid value (Ref. Decree No. 48/2010/NĐ-CP \ article 17	Low
C.51. What is the standard period for payment included in contracts?		Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	Item 10 Article 18 Decree No.48/2010/NĐ-CP	
C.53. When late payment is made, are the beneficiaries paid interest?	Item 1 Article 27 Decree No.48/2010/NĐ-CP	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	- Yes there is.	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?		
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?		Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Employer	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		

Question	Answer/Finding	Risk
iiiiii) Bidding document, invitation to pre-qualify or RFP	DOET Director	
jjjjjj) Advertisement of an invitation for bids, pre-qualification or call for EOs		
kkkkkk) Evaluation reports		
llllll) Notice of award	DOET Director	
mmmmmm) Invitation to consultants to negotiate		
nnnnnn) Contracts		
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?		
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes	

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	
B. Information Management	
C. Procurement Practices	
D. Effectiveness	
E. Accountability Measures	
OVERALL RISK RATING	

26. Tra Vinh DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	3	Low
A.2. How many staff in the procurement department/unit are:	3	Low
lxxvi. Full Time?	0	
xxvii. Part Time?	3	
xxviii. Seconded?	0	
A.3. Does the procurement staff have English language proficiency?	No	Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes.	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes.	Low
A.6. Does the agency have a procurement-training program?	Yes.	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No	Average
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No.	Average
A.9. If yes, what type of procurement does it undertake?	NCB, ICB, Shopping, SSS	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	DOET Director	Average
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	All procurement positions in the agency have capability in procurement but not the specific job descriptions, which outline specific roles, minimum technical requirements and career routes.	Average
A.12. Is there a procurement process manual for goods and works?	Yes. In the primary education project, Upper secondary project, LSEMDRP - There is also guidelines for procurement available in ADB's website which pointed out by NPIU to PPIUs in the LSEMDRP.	Average

Question	Answer/Finding	Risk
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	ADB guidelines on procurement (2007, 2010)	
A.14. Is there a procurement process manual for consulting services?		
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?		
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes.	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI.	
A.18. Who drafts the procurement specifications?	Procurement consultant.	Low
A.19. Who approves the procurement specifications?	Legal representative of the procuring entity (DOET Director)	
A.20. Who drafts the bidding documents?	Procurement consultant.	
A.21. Who manages the sale of the bidding documents?	Specialized division of the procuring entity.	
A.22. Who identifies the need for consulting services requirements?	Procurement consultant and Specialized division of the procuring entity.	Low
A.23. Who drafts the terms of reference (TOR)?	Procurement consultant.	
A.24. Who prepares the request for proposals (RFPs)?	Procurement consultant.	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes.	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes.	Low
B.3. For what period are records kept?	Life of works.	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes.	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes.	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Currently not yet. Only do once there is a requirement from the Project.	Average
B.7. Are copies of invoices included with the contract papers?	Yes.	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names	Yes. Second Lower Secondary Education Development Project. Lower Secondary Education for the most	Low

Question	Answer/Finding	Risk
of the development partner/s and the Project/s.)	Disadvantaged Regions.	
C.2. If the above answer is yes, what were the major challenges?	Ability to meet the demand of bidding documents (ODA project) of local bidders is low.	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)		Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes. Maximum 28 days	Low
C.5. Are all queries from bidders replied to in writing?	Yes.	
C.6. Does the bidding document state the date and time of bid opening?	Yes.	Low
C.7. Is the opening of bids done in public?	Yes.	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No	
C.10. Are minutes of the bid opening taken?	Yes.	Low
C.11. Who may have a copy of the minutes?	- Minutes of bid opening is signed by representatives of bidders, employer, invited agencies, therefore any one attending bid opening may have a copy of this Minutes. - In ADB funded project, a copy of Minutes of bid opening shall be delivered to all Bidders whose bids are opened at bid opening	
C.12. Are the minutes free of charge?	Yes.	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Consultants' selection committee (formed by procuring entity)	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Certificate of being trained on procurement	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Yes. (With adjustments or amendments).	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	- <i>Tra Vinh Specialized USS: 90 days.</i> - <i>Tập Ngãi USS – Tra Vinh province: 85 days.</i> - <i>Dai Phuoc USS - Trà Vinh province 105 days.</i>	Average
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	Low
C.18. Are there established goods receiving procedures?	Yes.	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes.	Low
C.20. Is the agency/procurement department familiar with letters of credit?	No	High
C.21. Does the procurement department register and track warranty and latent	No (Belong to the employer's responsibility)	Average

Question	Answer/Finding	Risk
defects liability periods?		
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	Low
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes.	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	DOET Director and <i>Assistants</i>	
C.26. What criteria are used to evaluate EOIs?	- Legal entity. - Professional capability.	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	<i>No experience before.</i>	Low
C.28. Do firms have to pay for the RFP document?	Free	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Ref. Article 18 Decree No.85	Low
C.30. Are pre-proposal visits and meetings arranged?	Not yet	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes.	
C.32. To whom are the minutes distributed?	Bid Solicitor	
C.33. Are all queries from consultants answered/addressed in writing?	Yes.	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes. Circular 06/2010/TT-BKH dated 9/3/2010	Low
C.35. Are proposal securities required?	No.	Low
C.36. Are technical proposals opened in public?	Item 5 Article 17 Decree No.85.	Low
C.37. Are minutes of the technical opening distributed?	Item 3 Article 33 Procurement Law Item 5 Article 17 Decree No.85.	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes.	Low
C.39. Who determines the final technical ranking and how?	Team leader	
C.40. Are the technical scores sent to all firms?	Article 18 Decree No.85	
C.41. Are the financial proposal opened in public?	Yes.	Low
C.42. Are minutes of the financial opening distributed?	Item 2 Article 18 Decree No.85	
C.43. How is the financial evaluation completed?	Reference to Standard Bidding documents issued by MPI attached to Circular No.	Low

Question	Answer/Finding	Risk
	06/2010/TT-BKH: The financial evaluation is completed once the revision of errors and adjustment of deviation is made.	
C.44. Are face-to-face contract negotiations held?	Yes.	
C.45. How long after financial evaluation is negotiation held with the selected firm?	30 days, after bid evaluation is approved.	
C.46. What is the usual basis for negotiation?	All relating documents: scope, technical quality, price and method of payments.	
C.47. Are minutes of negotiation taken and signed?	Yes.	
C.48. How long after negotiation is the contract signed?	Maximum of 7 days.	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	No (Mainly for small project)	Low
Payments		
C.50. Are advance payments made?	Yes.	Low
C.51. What is the standard period for payment included in contracts?	Based on milestone of work completion, agreed in the contract.	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	30 to 60 days	
C.53. When late payment is made, are the beneficiaries paid interest?	No (Depending on the terms in the contract)	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes.	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes.	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes.	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes.	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Not understand.	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	No.	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	No.	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes.	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Provincial People Committee, through specialized division of DPI.	Low

Question	Answer/Finding	Risk
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
ooooo) Bidding document, invitation to pre-qualify or RFP	Employer	
ppppp) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Employer	
qqqqq) Evaluation reports	Employer	
rrrrr) Notice of award	Employer	
sssss) Invitation to consultants to negotiate	Employer	
ttttt) Contracts	Employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Average
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

27. Thua Thien Hue DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	5 years	Low
A.2. How many staff in the procurement department/unit are:	7 people	Low
lxxix. Full Time?	1 people	
lxxx. Part Time?	6 people	
lxxxi. Seconded?		
A.3. Does the procurement staff have English language proficiency?	No.	Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes.	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes.	Low
A.6. Does the agency have a procurement-training program?	Yes, DOET invites the trainer to provide training DOET's office to staff, and DOET sends staff to training courses organized outside DOET	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	Yes.	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No.	Average
A.9. If yes, what type of procurement does it undertake?	NCB, limited bidding, shopping, SSS	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Decision approving the winning of the bid shall be submitted to DOET director.	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes.	Low
A.12. Is there a procurement process manual for goods and works?	Manual guiding on procurement of goods and guidelines on procurement of works which are applicable to all projects.	Low

Question	Answer/Finding	Risk
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Each project has their own manual/guidelines on procurement. MOET shall apply these manual/guidelines for specific projects	
A.14. Is there a procurement process manual for consulting services?	Yes.	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	No.	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes.	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes.	
A.18. Who drafts the procurement specifications?	Procurement specialist	Low
A.19. Who approves the procurement specifications?	DOET director	
A.20. Who drafts the bidding documents?	Specialist in charge of bidding documents.	
A.21. Who manages the sale of the bidding documents?	Employer	
A.22. Who identifies the need for consulting services requirements?	Employer	Low
A.23. Who drafts the terms of reference (TOR)?	Consultant	
A.24. Who prepares the request for proposals (RFPs)?	Consultant	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes.	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes.	Low
B.3. For what period are records kept?	Permanently	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes.	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes.	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes.	Low
B.7. Are copies of invoices included with the contract papers?	Yes.	Low
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works	Yes. PEDC Project for Primary Education	Low

Question	Answer/Finding	Risk
recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)		
C.2. If the above answer is yes, what were the major challenges?	Duration as per Government procedure is too long.	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)		Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes. As stipulated in the Procurement Law	Low
C.5. Are all queries from bidders replied to in writing?	Yes.	
C.6. Does the bidding document state the date and time of bid opening?	Yes.	Low
C.7. Is the opening of bids done in public?	Yes.	Low
C.8. Can late bids be accepted?	Yes.	
C.9. Can bids be rejected at bid opening?	Yes.	
C.10. Are minutes of the bid opening taken?	Yes.	Low
C.11. Who may have a copy of the minutes?	Participating bidders, procuring entity and other relating agencies	
C.12. Are the minutes free of charge?	Yes.	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid committee	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Yes. Certificate of being trained on procurement	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	No.	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	Shopping: 7 days Competitive bidding: prequalification: 60 days Competitive bidding: 30 days	Low
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?		Low
C.18. Are there established goods receiving procedures?	Yes.	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes.	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Yes.	Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes.	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting	PEDC Project	Low

Question	Answer/Finding	Risk
services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)		
C.23. If the above answer is yes, what were the major challenges?	Time constraint.	
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes, as stipulated in Article 15/Decree NO.85	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	The Employer and procurement consultants	Low
C.26. What criteria are used to evaluate EOIs?	Item 1, article 15: <ul style="list-style-type: none"> - Investor approves EOIs including: request for qualifications, number of consultants, experience - Criteria to evaluate EOIs based on 'pass', 'fail' system and these must be written down in Request for EOIs including criteria for qualifications, number of consultants, and experience. - Notification for submission of EOI (in English language as it may require) shall be posted on procurement bulletin 3 times consecutively and on procurement website and other mass media; - The investor shall deliver TORs free-of-charge for those who express their interest from the first day posting notification for submission of EOI to the deadline. 	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	Two envelope bidding procedure	Low
C.28. Do firms have to pay for the RFP document?	No.	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes.	Low
C.30. Are pre-proposal visits and meetings arranged?	Ref. Article 34/ Procurement Law	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes.	
C.32. To whom are the minutes distributed?	Procuring entity	
C.33. Are all queries from consultants answered/addressed in writing?	Yes.	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes. Ref. Article 26, Item 2- Procurement Law	Low
C.35. Are proposal securities required?	Yes.	Low

Question	Answer/Finding	Risk
C.36. Are technical proposals opened in public?	Yes. Decree 85/ Article 17/ Item 5	Low
C.37. Are minutes of the technical opening distributed?	Yes.	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes. Ref. Decree 85/ Article 18/ Item 2.	Low
C.39. Who determines the final technical ranking and how?	Employer	
C.40. Are the technical scores sent to all firms?	Yes.	
C.41. Are the financial proposal opened in public?	Yes. Ref. Decree. 85/ Article 18/ Item 2.	
C.42. Are minutes of the financial opening distributed?	Yes. Ref. Decree. 85/ Article 18/ Item 2.	Low
C.43. How is the financial evaluation completed?	The completion of financial evaluation means the accordance in evaluation criteria as specified in the bidding documents.	
C.44. Are face-to-face contract negotiations held?	Yes.	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Maximum of 30 days	
C.46. What is the usual basis for negotiation?	Bidding documents, report on bid award, bid documents of the winner and notice on winning of bid and other documents (If available)	
C.47. Are minutes of negotiation taken and signed?	Yes.	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and shall be within the validity period of bids	
C.49. Is there an evaluation system for measuring the outputs of consultants?		Low
Payments		
C.50. Are advance payments made?	Yes. Depend on the characteristics and nature of the package	Low
C.51. What is the standard period for payment included in contracts?	Parties shall agree on number of payments	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	10 days	
C.53. When late payment is made, are the beneficiaries paid interest?	No.	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes.	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes.	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes.	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes.	Low

Question	Answer/Finding	Risk
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes.	Low
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes.	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	No.	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	No.	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	The Employer	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
uuuuuu) Bidding document, invitation to pre-qualify or RFP	The Employer	
vvvvvv) Advertisement of an invitation for bids, pre-qualification or call for EOIs	The Employer	
wwwwww) Evaluation reports	The Employer	
xxxxxx) Notice of award	The Employer	
yyyyyy) Invitation to consultants to negotiate	The Employer	
zzzzzz) Contracts	The Employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No.	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes. Ref. Article 1/ State Auditing Law No. 37/2005/QH11.	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low

E. Accountability Measures	Low
OVERALL RISK RATING	Low

28. Yen Bai DOET

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	10–15 years	Low
A.2. How many staff in the procurement department/unit are:	10 people	Low
i. Full Time?	0	
ii. Part Time?	10	
iii. Seconded?	0	
A.3. Does the procurement staff have English language proficiency?	50% not yet	Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes	Low
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes	Low
A.6. Does the agency have a procurement-training program?	Yes	Low
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	No (establishment of Biding evaluation committee for each specific bidding package)	Low
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No	Low
A.9. If yes, what type of procurement does it undertake?	NCB, Shopping, SSS, and limited bidding	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	DOET Director, Deputy	Low
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes.	Low
A.12. Is there a procurement process manual for goods and works?	Yes	Low
A.13. If there is a manual, is it up to date and does it cover foreign-assisted	ADB guidelines on procurement (2007, 2010)	

Question	Answer/Finding	Risk
projects?		
A.14. Is there a procurement process manual for consulting services?	Yes	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	No	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes. Using Standard bidding document attached to Circular No. 06 /2010/TT-BKH issued by MPI	
A.18. Who drafts the procurement specifications?	Procurement Team Procurement Consulting Team	Low
A.19. Who approves the procurement specifications?	Director of DOET	
A.20. Who drafts the bidding documents?	Procurement Team	
A.21. Who manages the sale of the bidding documents?	Procuring entity	
A.22. Who identifies the need for consulting services requirements?	Ref. Chapter IV Decree No.85	Low
A.23. Who drafts the terms of reference (TOR)?	Procurement officer's DOET	
A.24. Who prepares the request for proposals (RFPs)?	Procurement officer's DOET	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes	Low
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes	Low
B.3. For what period are records kept?	20 years	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Low
B.7. Are copies of invoices included with the contract papers?	Yes	
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and	Yes (The Education Projects are funded ADB and WB)	Average

Question	Answer/Finding	Risk
the Project/s.)		
C.2. If the above answer is yes, what were the major challenges?	Bidders mainly participate in state budget packages. Therefore, many bidders do not meet requirements of bidding document	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes there is.	Low
C.4. Is there a minimum period for preparation of bids and if yes how long?	Yes: 15 days for NCB and 30 days for ICB For ADB-funded project: LSEMDR I: for procurement of CWs not earlier than 28 days.	Low
C.5. Are all queries from bidders replied to in writing?	Yes. Ref. Article 34 – Procurement Law	
C.6. Does the bidding document state the date and time of bid opening?	Correct	Low
C.7. Is the opening of bids done in public?	Yes	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	Yes	
C.10. Are minutes of the bid opening taken?	Yes	Low
C.11. Who may have a copy of the minutes?	- Bidders and members who attend the bid opening shall have a copy of the minutes.	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid evaluation committee	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Procurement training certificate; qualifications relating to bidding package; experience in specific content of bidding package; minimum working experience in the related economic and technical fields of the package. Ref. Article 9/ Procurement Law.	Low
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	No. It's subject to additional approvals.	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contact effectiveness?	- Package No. 04- Construction of facilities for Nguyen Tat Thanh Specialized USS – Yen Bai Province: 27 days. - Package No. 06- Construction of fence, guarding house for Nguyen Tat Thanh Specialized USS – Yen Bai Province: 29 days. - Package No. 07- Construction of garden, ground, pumping station, underground reservoir, internal access road, water discharge system, outdoor power supply (1 st phase) for Nguyen Tat Thanh Specialized USS – Yen Bai Province: 30 days.	Low

Question	Answer/Finding	Risk
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	Low
C.18. Are there established goods receiving procedures?	Yes	Low
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes. Recorded as assets or inventory in a register.	Low
C.20. Is the agency/procurement department familiar with letters of credit?	Not yet	Low
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes	Low
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No	Low
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?		Low
C.26. What criteria are used to evaluate EOIs?	Item a Paragraph 1 Article 15 Decree No.85	
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QBS	Low
C.28. Do firms have to pay for the RFP document?	Yes or No	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	<i>Ref. Article 18/ Decree No. 85</i>	Low
C.30. Are pre-proposal visits and meetings arranged?	<i>Ref. Article 34/ Procurement Law</i>	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	
C.32. To whom are the minutes distributed?	Bid evaluation committee	
C.33. Are all queries from consultants answered/addressed in writing?	Yes	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes	Low
C.35. Are proposal securities required?	Yes	Low
C.36. Are technical proposals opened in public?	Correct	Low
C.37. Are minutes of the technical opening distributed?	Yes	

Question	Answer/Finding	Risk
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Correct	Low
C.39. Who determines the final technical ranking and how?	Bid Committee	
C.40. Are the technical scores sent to all firms?	Correct	
C.41. Are the financial proposal opened in public?	Correct	Low
C.42. Are minutes of the financial opening distributed?	Correct	
C.43. How is the financial evaluation completed?	Revision of mistakes and Adjustment of deviation	Low
C.44. Are face-to-face contract negotiations held?	Not so necessary. Up to agreement between two parties.	
C.45. How long after financial evaluation is negotiation held with the selected firm?	Maximum of 30 days	
C.46. What is the usual basis for negotiation?	Bidding documents, report on bid award, bid documents of the winner and notice on winning of bid and other documents (If available)	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	Signing a contract as soon as possible and within the validity period of bid documents	Low
C.49. Is there an evaluation system for measuring the outputs of consultants?	<i>Refer to Decree No. 48/3010/ ND-CP / Article 7</i>	Average
Payments		
C.50. Are advance payments made?	Depend on type of contracts. Ref to Decree No. 48/2010/NĐ-CP \ Article 17	Low
C.51. What is the standard period for payment included in contracts?	Depend on contracts and types of contracts.	Low
C.52. On average, how long is it between receiving a firm's invoice and making payment?	- Ref. Decree No. 48/2010/ND-CP/ Article 18, Item 10.	
C.53. When late payment is made, are the beneficiaries paid interest?	Yes per Decree No.48/2010/NĐ-CP \ Article 27\Item 1\point c)	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes. Ref. Decree No48/2010 \Article 7	Low
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	Low
D.3. Is a complaints resolution mechanism described in national procurement documents?	Yes	Low
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes (mechanisms for dealing with complaints)	Low
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes	

Question	Answer/Finding	Risk
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	No	Low
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	No	Low
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	Low
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	- Procurement plan: PPC - Bidding documents, BER, bid results: Employer – DOET	Low
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		Low
a) Bidding document, invitation to pre-qualify or RFP	DOET	
b) Advertisement of an invitation for bids, pre-qualification or call for EOIs		
c) Evaluation reports	DOET - Employer	
d) Notice of award		
e) Invitation to consultants to negotiate		
f) Contracts	DOET - Employer	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	Low
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes	Low

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Low
B. Information Management	Low
C. Procurement Practices	Low
D. Effectiveness	Low
E. Accountability Measures	Low
OVERALL RISK RATING	Low

29. CPMU

**Procurement Capacity Assessment
Agency Questionnaire**

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. Organizational and Staff Capacity		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	7 years	
A.2. How many staff in the procurement department/unit are:	03 staffs including 1 Unit Head and 2 staffs	
iv. Full Time?	3 staffs	
v. Part Time?	none	
vi. Seconded?	In addition to these 3 Procurement Unit (full) time staff, some other Unit Heads and staff including Civil Works and Instructional Material and Staff Development will involve in the procurement of goods and services in their respective areas. s	
A.3. Does the procurement staff have English language proficiency?	Yes	
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	Yes. The CPMU undertakes all types of procurement in the project except civil work which will be undertaken by PPMUs. CPMU will closely monitor and provide guidance in PPMU's overall CW procurement activities from preparation to the payment.	
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Yes. All necessary office facilities including equipment and services will be provided to all CPMU staff.	
A.6. Does the agency have a procurement-training program?	CPMU will facilitate procurement staff to attend regular courses organized by intensive professional procurement training centers attached to the Ministry of Construction or the the Foreign trade University, etc. The staff will also participate in procurement training courses organized by MOET and ADB.	
A.7. Does the agency have a Procurement Committee that is independent from the head of the agency?	For Consulting services and goods subjected to NCB and ICB, a Consultant Selection Committee (CSC) or Bid evaluation committee (BEC) will be set up by MOET which usually comprise some relevant staff of CPMU and MOET's professional staff, whose composition are approved by ADB in advance.	
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	No, only as mentioned in item A.7 above	
A.9. If yes, what type of procurement does it undertake?		
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	Procurement Unit Head reports to the Project Director of CPMU for day to day operations. In case of education projects, Procurement Units of each CPMU are encouraged to get the advice	

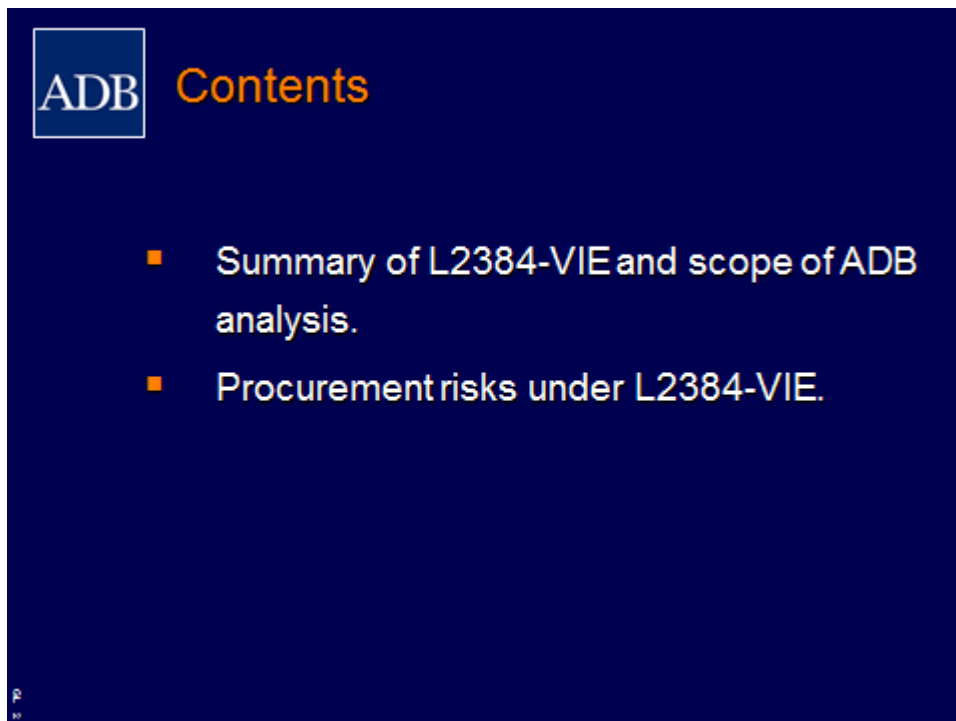
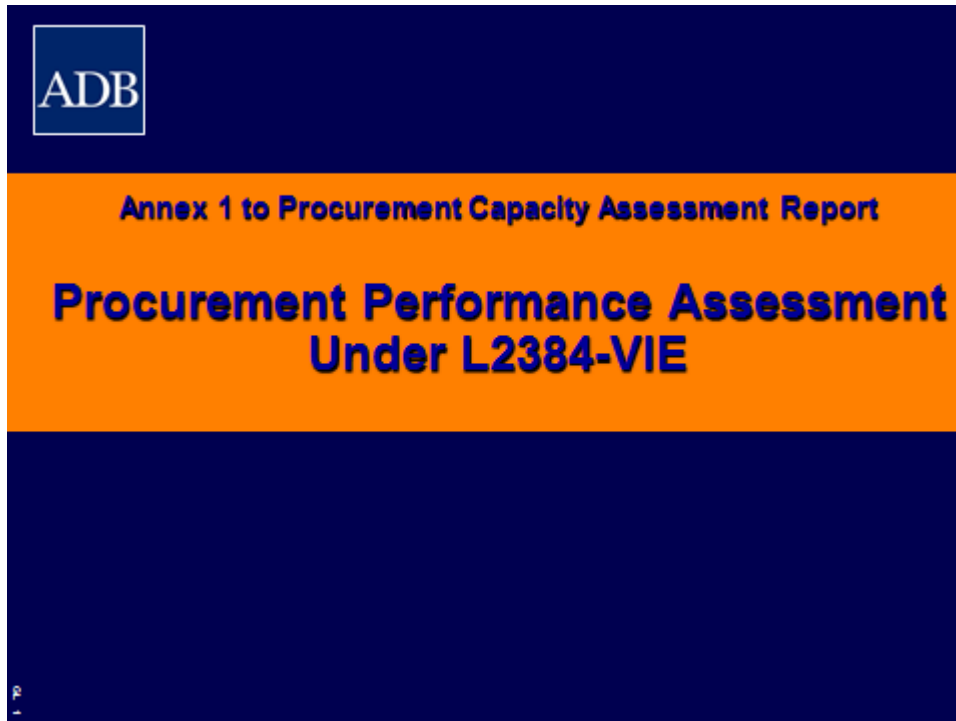
Question	Answer/Finding	Risk
	from ADB project officer and analysts if the supports are needed.	
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	Yes	
A.12. Is there a procurement process manual for goods and works?	Yes. ADB's guidelines and local procurement legal documents including Law, Decrees, Circulars, etc. According to the MPI's policy on the management of the ODA projects and the local procurement law, if there is a discrepancy between local law and Donor's regulations, the Donor's guidelines shall prevail. Therefore, we mainly refer to ADB's Procurement Guidelines..	
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	ADB guidelines on procurement amended from time to time. Some updated documents includes: Procurement guideline, March 2013; Guide on Bid evaluation, October 2010, etc. As for local procurement legal document, The new Law No. 43/2013/QH13 shall be effective from 1 st July, 2014 but still remain a series of articles of which details shall be stipulated by the Government.	
A.14. Is there a procurement process manual for consulting services?	Yes, ADB's Guidelines on the use of consultants, March 2013	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Yes. As mentioned above.	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	Yes. In the Lower Secondary Education for the Most Disadvantaged Regions Project (phase 1), for civil works, Standard Bidding Documents and Bid evaluation report subjected to NCB; standard request for quotation and quotation report subjected to shopping prepared by NPIU based on the templates provided on ADB's website and, approved by ADB have been used. But for a new project, new standard document should be developed with approval by ADB for use.	
A.17. Does the TOR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes.	
A.18. Who drafts the procurement specifications?	Procurement Unit of CPMU	
A.19. Who approves the procurement specifications?	ADB, MOET	
A.20. Who drafts the bidding documents?	Procurement unit with support of the consultants in the respective technical areas	
A.21. Who manages the sale of the bidding documents?	Procurement Unit of CPMU	
A.22. Who identifies the need for consulting services requirements?	ADB and PPTA PMU.	
A.23. Who drafts the terms of reference (TOR)?	ADB and PPTA PMU.	
A.24. Who prepares the request for proposals (RFPs)?	Procurement Unit of CPMU in support of the individual Project Start-up Consultants and ADB	
B. Information Management		
B.1. Is there a referencing system for procurement files?	Yes, both hard and soft copy.	
B.2. Are there adequate resources allocated to	Yes, during project implementation period, the	

Question	Answer/Finding	Risk
record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	specific documents are kept in CPMU's office by relevant units. Administrative documents are kept also at administration unit. Upon completion of the projects, documents will be achieved at MOET's office.	
B.3. For what period are records kept?	Time period for keeping record is depending on the nature and importance of the documents.. Project documents are usually kept at CPMU office under the centralized documentation system until the Project completion. Before closing office, all documents will be moved to MOET. The standard period of keeping the documents is 10 years, except the design drawings of civil works which should be kept for the whole life of the constructed facilities for the maintenance purpose. In the case of this project, a copy of drawings is kept at DOET and one set at MOET.	
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	
B.7. Are copies of invoices included with the contract papers?	Yes	
C. Procurement Practices		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No, Loan CPMU has just been established However, many of CPMU staff have continued to work for ADB projects since the phase I LSEMDRP.	
C.2. If the above answer is yes, what were the major challenges?		
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes, it is assumed from all the sequences of procurement and required time for each step of work and allowance of time to be taken into account.	
C.4. Is there a minimum period for preparation of bids and if yes how long?	Period specified by ADB is generally similar or longer than local regulation so hereunder we mention about ADB's requirements. (i) for Goods or Works (ICB): generally not less than 6 weeks (ii) for Goods or Works (NCB): not less than 28 days.	
C.5. Are all queries from bidders replied to in writing?	Yes, but only queries from bidders in writing will be replied in writing. To ensure the transparency of the communication and provide the same information with all bidders, any queries raised by one bidder shall be replied to all bidders who have purchased the bidding documents for the same package.	
C.6. Does the bidding document state the date and time of bid opening?	Yes	
C.7. Is the opening of bids done in public?	Yes	
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No. (Late received bids are not accepted and will be	

Question	Answer/Finding	Risk
	returned unopened)	
C.10. Are minutes of the bid opening taken?	Yes	
C.11. Who may have a copy of the minutes?	- Anyone attending bid opening may have a copy of the minutes. - In ADB funded project, a copy of Minutes of bid opening shall be delivered to all Bidders whose bids are opened at bid opening.	
C.12. Are the minutes free of charge?	Yes	
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Bid Committee described in item A-7 above. In case of Shopping, Procurement unit and some staff from other relevant units might be requested for participation in the evaluation.	
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Must have qualifications, capabilities, experience, knowledge and foreign language appropriate with certain bids and a certificate of completion of procurement training course.	
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Bid evaluation report must be reviewed and approved by ADB and MOET	
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contract effectiveness?	For goods: - ICB: 3.5 months; - NCB: 2.5 months; - Shopping: about 1 month	
C.17. Are there processes in place for the collection and clearance of cargo through ports of entry?	Yes	
C.18. Are there established goods receiving procedures?	Yes	
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes	
C.20. Is the agency/procurement department familiar with letters of credit?	Only basic understanding about LC, actually it did not happen in procurement under phase 1 project or other education projects before.	
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes	
Consulting Services		
C.22. Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	As item C-1 above	
C.23. If the above answer is yes, what were the major challenges?		
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes, on Viet Nam Procurement Review, Viet Nam News, and ADB's website	
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	Yes, as item A-7 above	
C.26. What criteria are used to evaluate EOIs?	- Eligibility: appropriate signature(s) in the Declaration as requested in the sample EOI - Technical Evaluation: (i) management competence, (ii) technical competence, (iii) geographic competence - Geographical spread	
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS	
C.28. Do firms have to pay for the RFP document?	No	

Question	Answer/Finding	Risk
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	
C.30. Are pre-proposal visits and meetings arranged?	Not mandatory	
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes (if any)	
C.32. To whom are the minutes distributed?	All short-listed consulting firms	
C.33. Are all queries from consultants answered/addressed in writing?	As in C.5	
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes	
C.35. Are proposal securities required?	Yes	
C.36. Are technical proposals opened in public?	No	
C.37. Are minutes of the technical opening distributed?	No	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes	
C.39. Who determines the final technical ranking and how?	Consultant Selection Committee. Each member of CSC evaluates technical proposals individually, then the CSC meets and agrees on final ranking. In case failure of agreement on final ranking, chairman of CSC makes the final decision.	
C.40. Are the technical scores sent to all firms?	Yes	
C.41. Are the financial proposal opened in public?	Yes	
C.42. Are minutes of the financial opening distributed?	Yes	
C.43. How is the financial evaluation completed?	CSC checks each part of financial proposal, both competitive and non-competitive components. Arithmetical errors and adjustment of deviation will be made. Other items such as signature of authorized person, validity period of the proposals, etc. are also checked.	
C.44. Are face-to-face contract negotiations held?	It depends on the nature of each package.	
C.45. How long after financial evaluation is negotiation held with the selected firm?	For QCBS, from submission of financial evaluation and overall ranking to ADB to commencement of contract negotiation: 31 days	
C.46. What is the usual basis for negotiation?	Request for proposal (RFP), evaluation on technical and financial proposals	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	It depends on the nature of each package. E.g., for QCBS: 40 days. However, contract must be signed within the validity period of Proposal.	
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes	
Payments		
C.50. Are advance payments made?	Yes	
C.51. What is the standard period for payment included in contracts?	It depends on the nature of each contract. E.g., time-based contract of consulting services for project implementation, monthly payment shall be made.	
C.52. On average, how long is it between receiving a firm's invoice and making payment?	60 days	
C.53. When late payment is made, are the beneficiaries paid interest?	Yes	

Question	Answer/Finding	Risk
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	
D.3. Is a complaint resolution mechanism described in national procurement documents?	Yes	
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	Yes	
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes	
E. Accountability measures		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes	
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes	
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	Yes	
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Project Director - Yes	
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval?		
a) Bidding document, invitation to pre-qualify or RFP	Project Director, ADB, MOET	
b) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Project Director, ADB	
c) Evaluation reports	Project Director, ADB, MOET	
d) Notice of award	Project Director	
e) Invitation to consultants to negotiate	Project Director	
f) Contracts	ADB grants the approval for negotiated contract.	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes	

PROCUREMENT PERFORMANCE ASSESSMENT UNDER L2384-VIE



L2384-VIE Summary and Scope of ADB Analysis

- **ADB Loan Amount:** \$ 50 million
- **Loan Effectiveness:** 10 January 2008
- **17 Provinces Covered:** Lai Chau, Dien Bien, Son La, Lao Cai, Ha Giang, Yen Bai, Cao Bang, Bac Kan, Kon Tum, Gia Lai, Dak Lak, Dak Nong, Ninh Thuan, Kien Giang, Tra Vinh, Soc Trang, Ca Mau.
- **Implementation Arrangements:** MOET is Executing Agency and is implementing through CPMU and 17 PPMUs
- **Key Elements of Procurement Plan:**
 - 3 International Bidding contracts
 - 163 NCB works contracts (1S-1E), 9 NCB Goods (1S-1E)
 - 58 Shopping works contracts; 21 shopping goods contracts
 - 1 Direct contracting
- **Scope of ADB analysis in preparation of additional loan:**
 - Review of historical procurement performance data on civil works contracts in 12 PPMUs (124 NCB contracts, 43 Shopping contracts and 1 direct contracting contract)
 - Provinces Covered: Cao Bang, Son La, Dien Bien, Yen Bai, Ha Giang, Ninh Thuan, Gia Lai, Dak Lak, Tra Vinh, Soc Trang, Kien Giang, Lao Cai.

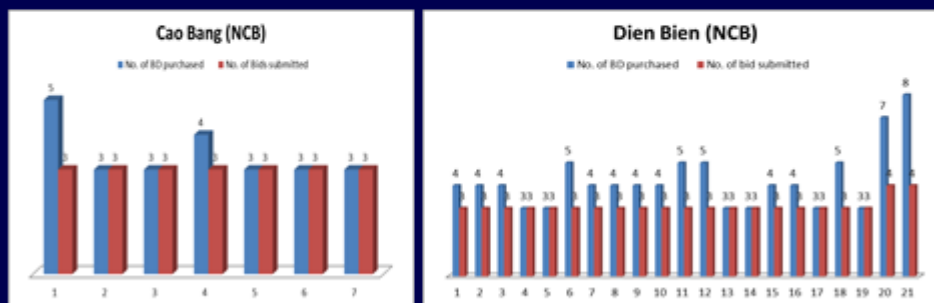
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Procurement risks under L2384-VIE

Risk #1: Limited competition

Limited number of bidding documents purchased, and limited number of bids submitted – most of the case only 3 bids are submitted (3 bids is the minimum requirement in the national system)

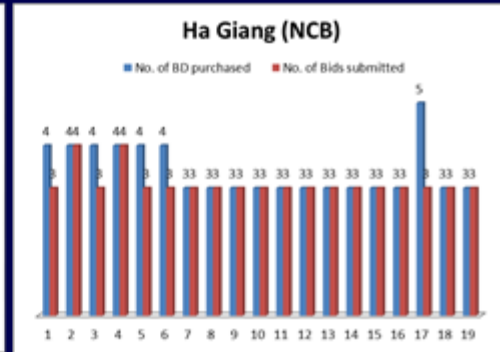
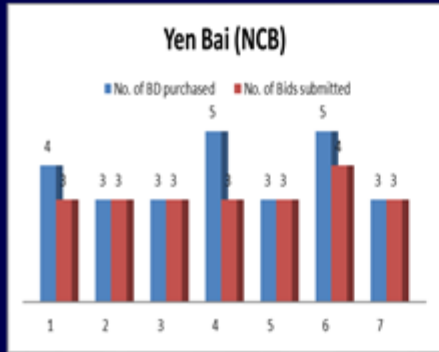


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Procurement risks under L2384-VIE

Risk #1: Limited competition

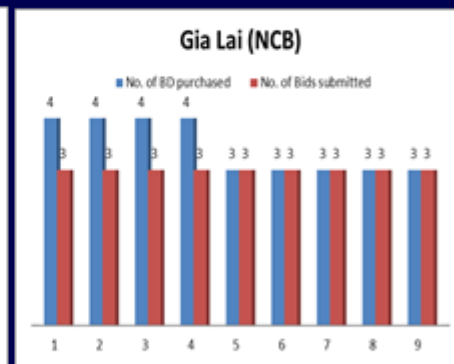
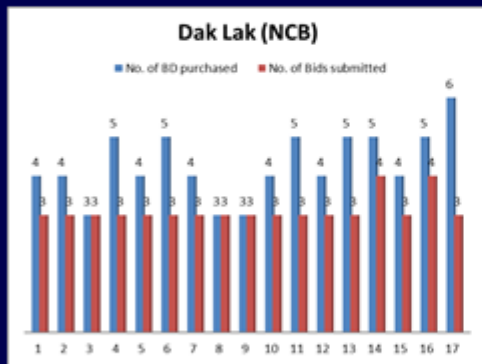


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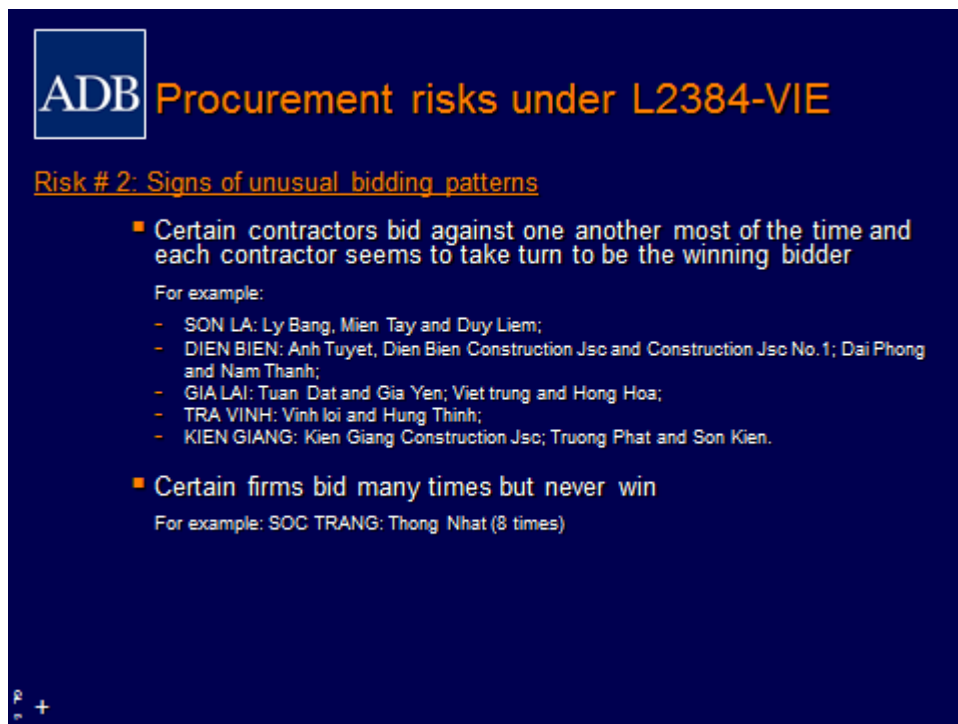
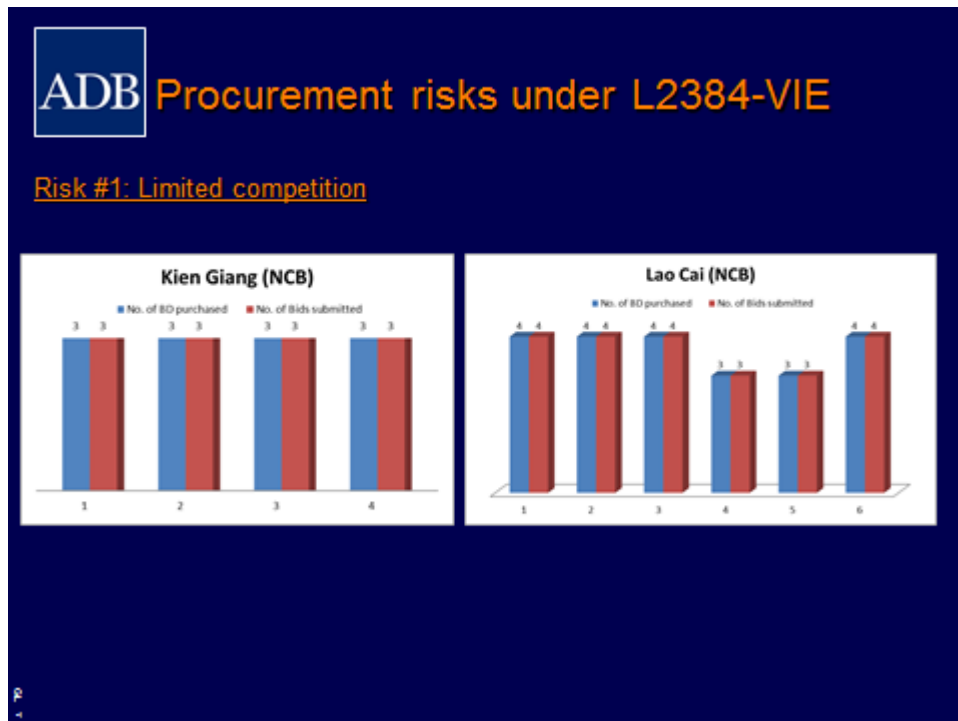


Procurement risks under L2384-VIE

Risk #1: Limited competition



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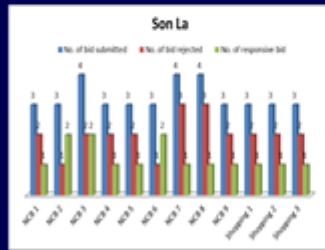


Procurement risks under L2384-VIE

Risk # 2: Signs of unusual bidding patterns

- Winning bid is the only responsive bid (bids were rejected due to incomplete bids or failure to satisfy equipment/personnel. For shopping, 3 quotes were submitted but 2 were rejected for failure to meet qualification criteria)

For Example: Son La, Ha Giang, Dien Bien, Tra Vinh, Kien Giang



- The award prices are very close to the engineer's estimates (approximately 80% of the packages have contract award prices that are just 0-1% lower than the engineer's estimates)