

Project Administration Manual

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Socialist Republic of Viet Nam: Second Greater
Mekong Subregion Corridor Towns Development
Project

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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 of Viet Nam and the Asian Development Bank (ADB) policies and procedures. The PAM includes references to all available templates and instructions either through linkages to relevant URLs or directly incorporated in the PAM.

The executing and implementing agencies of the Government, through the Provincial People's Committees (PPCs) of Bac Giang, Lao Cai and Quang Ninh (executing agencies) and the City Peoples Committees (CPCs) in Bac Giang and Mong Cai and the Department of Planning and Investment (DPI) in Lao Cai province (implementing agencies) are wholly responsible for the implementation of this ADB financed project, as agreed jointly between the Government (borrower) and ADB (lender), and in accordance with Government and ADB's policies and procedures. ADB staff are responsible to support implementation including compliance by the executing and implementing agencies of their obligations and responsibilities for project implementation in accordance with ADB's policies and procedures.

At loan negotiations, the borrower and the 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
AFS	-	Audited Financial Statements
BER	-	Bids Evaluation Report
CPC	-	City Peoples Committee
CQS	-	Consultant Qualification Selection
CS	-	Contract Supervision
DED	-	detailed engineering designs
DMF	-	design and monitoring framework
DOLISA	-	Department of Labor, Invalids and Social Affairs
DONRE	-	Department of Natural Resources and Environment
DPI	-	Department of Planning and Investment
EA	-	executing agency
EARF	-	environmental assessment and review framework
EIA	-	environmental impact assessment
EMP	-	environmental management plan
ESMS	-	Environmental and Social Management System
GAP	-	gender action plan
GACAP	-	Governance and Anticorruption Action Plan
GCAP	-	Green City Action Plan
GDP	-	gross domestic product
GMS	-	Greater Mekong Subregion
IA	-	implementing agency
ICB	-	International Competitive Bidding
IEE	-	initial environmental examination
IPP	-	indigenous people plan
IPPF	-	indigenous people planning framework
LAR	-	land acquisition resettlement
LIBOR	-	London Interbank Offered Rate
LFDC	-	Land Fund Development Center
MEZ	-	Mong Cai Economic Zone
MPI	-	Ministry of Planning And Investment
MoF	-	Ministry of Finance
NCB	-	National Competitive Bidding
NGOs	-	nongovernment organizations
O&M	-	operation and maintenance
PAI	-	Project Administration Instructions
PAM	-	Project Administration Manual
PCU	-	project coordination unit
PIA	-	Project Implementing Agencies
PISC	-	project implementation support consultants
PMU	-	project management units
PPC	-	Provincial People's Committees

- PPMS - Project Performance Management System
- PSC - Project Steering Committees
- QBS - Quality Based Selection
- QCBS - Quality-and-Cost Based Selection
- REMDP - resettlement and ethnic minority development plan
- RP - resettlement plan
- RRP - Report And Recommendations of The President
- SBD - Standard Bidding Documents
- SEDP - Socio-Economic Development Plan
- SEDS - Socio-Economic Development Strategy
- SLEDP - Strategic Local Economic Development Plan
- SOE - statement of expenditure
- SPRSS - Summary Poverty Reduction and Social Strategy
- SPS - Safeguard Policy Statement
- TOR - terms of reference
- WWTP - wastewater treatment plant

I. PROJECT DESCRIPTION

1. The Second Greater Mekong Subregion (GMS) Corridor Towns Development Project (the project) represents the second phase of the ongoing GMS Corridor Towns Development Project in Cambodia, Lao People's Democratic Republic (PDR) and Viet Nam.¹ It supports the first four strategic thrusts of the GMS Strategic Framework 2012–2022² namely (i) strengthening infrastructure linkages; (ii) facilitating cross-border trade, investment, and tourism; (iii) enhancing private sector participation and competitiveness; and (iv) developing human resources. The focus on corridor town development follows an approach that will maximize the economic benefits of increased trade and traffic flows along the major transport corridors in the GMS with the expected positive impacts resulting from accelerated investments in strategically located towns and cities, and added value on economic growth through development oriented on green growth and climate resilience. The objective is to strengthen competitiveness of the GMS economic corridors through environmental infrastructure.

2. The towns of Bac Giang, Mong Cai and Sa Pa are located along the GMS North-South Economic Corridor, on the eastern branch that links Lao PDR with the People's Republic of China (PRC), Thailand and Myanmar, and another which links Hanoi to the cities of Kunming and Nanning in PRC.

3. Bac Giang is the administrative capital of Bac Giang province, and is located about 50 km northeast of Hanoi. The city has a number of development and investment fundamentals in its favor; primarily its strategic location in key transport corridors linking centers of population and ports together and providing access to larger markets, principally into PRC and within the Hanoi capital region. Mong Cai is a cross border town opposite of Dongxing town, Guangxi Province, PRC. The economic base of Mong Cai is characterized by a typical border town economy comprising of trade and services and shows a rapidly expanding economy and significant levels of urbanization. Sa Pa is a small town located about 35 km from Lao Cai City. Sa Pa is an international tourist center and highland agricultural area, where strategic corridor investments in transport infrastructure are placing increasing development pressures on the high quality mountain landscapes and cultural diversity of the predominantly ethnic minority populations.

4. **Impact and Outcome.** The project's impact for Bac Giang, Mong Cai and Sa Pa Towns is aligned with the Government's Socio-Economic Development Strategy (2011-2020), i.e. economic, socio-cultural and environmental development in the three towns of Bac Giang, Mong Cai and Sa Pa improved, contributing to making Viet Nam a modern-oriented, industrial country by 2020.³ The project outcome will be improved urban services in the three participating towns.

5. **Outputs.** Outputs of the project are: (i) Strategic Local Economic Development Plans (SLEDPs) and Sa Pa Green City Action Plan (GCAP) developed; (ii) priority urban infrastructure investments implemented; (iii) institutional capacities for managing public investments strengthened; and (iv) community awareness on project activities and environmental sustainability improved.

¹ ADB. 2012. Loan 2983-CAM: Greater Mekong Subregion Southern Economic Corridor Towns Development Project, Loan 2931-LAO: Greater Mekong Subregion East-West Economic Corridor Towns Development Project, and Loan 2969-VIE: Greater Mekong Subregion Corridor Towns Development Project. Manila.

² ADB. 2011. *The Greater Mekong Subregion Economic Cooperation Program Strategic Framework: 2012–2022*. Manila.

³ Ministry of Planning and Investment, Government of Viet Nam. 2011. *Socio-Economic Development Strategy (2011-2020)*. Ha Noi

II. IMPLEMENTATION PLANS

A. Project Readiness Activities

Figure 1: Project Readiness Activities

Indicative Activities	2015						2016					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Advance contracting actions Consultant Selection	■											
-Detailed Design -Project Imp. Support							■ ■					
Land Acquisition Activities							■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■					
ADB Board approval							△					
Loan signing							△					
Government legal opinion provided	■											
Government budget inclusion	■											
Loan effectiveness							△					

Table 1: Project Readiness Filters

Filters	Fact-Finding (4-10 June 2015)	Time Between Fact-Finding & Negotiations	Negotiations	Approval	Effectiveness
Core Advance Actions					
Advance actions reflected in the ADB project documents	Included in MOU and PAM		Included		
National consultant hired to help the EA drafting the PO	Not required; EAs drafted their POs				
Final draft PO and FS agreed between ADB and Government	Draft PO to be re-submitted to PM; FS for ADB and Government review		POs approved		
Preparation of REOI and first year bidding documents by the EA	Recruitment of international Start-up Consultant ongoing; with support from a national procurement consultant		Start-up consultant recruited to assist with selection of implementation consultant		
Line Ministry/PPC officially approves PMU establishment	Will be completed once POs are approved		PO and FS approved		
Procurement plan, master bidding documents, TORs, and RFPs are ready in a final draft	Initial stages; to be further developed and finalized by start-up Consultants		Procurement plan ready. Start-up consultant recruited.		
Line Ministry/PPC approves the procurement plan. PMU issues bidding documents and REOIs	Procurement plan drafted; bidding documents and REOI to be developed and finalized by start-up consultants				

Filters	Fact-Finding (4-10 June 2015)	Time Between Fact-Finding & Negotiations	Negotiations	Approval	Effectiveness
Procurement/Consulting Services					
PPTA procurement consultant TOR includes preparation of procurement plan, potential SOE issues and advance actions	Completed				
Procurement assessment ready	Completed				
NCB Annex is explained to PMU	Procurement plan (with NCB Annex) is attached to the MOU				
Small consulting packages to be funded by counterpart funding (to avoid time-consuming ADB reviews)	Completed; incorporated in the procurement plan				
Consulting services and procurement are packaged into few and large packages (to avoid splitting)	Completed; incorporated in the procurement plan				
Single-stage single-envelop bidding procedure applied for small works contract	Not required; no package for small works contracts				
Project Management					
Project start-up consultant TORs funded by PPTA to help advertising loan	Recruitment of international Start-up Consultant ongoing; with		Start-up consultant recruited.		

Filters	Fact-Finding (4-10 June 2015)	Time Between Fact-Finding & Negotiations	Negotiations	Approval	Effectiveness
implementation consulting firm and first year bidding documents	support from a national procurement consultant				
PPTA period must cover the period until at least loan effectiveness	Completed; PPTA closing date is June 2016				
Maximum 5 participating provinces in the project unless the project is a national target program	Project has 3 participating provinces				
Competitive mechanisms are developed to allow IAs to compete for unallocated funds and loan savings	To be reviewed; due to on-lending requirement potential savings will likely have to stay in respective province.				
ADB will approve CVs of key PMU staff before loan effectiveness or as a loan condition	EAs/IAs are made aware of this requirement				
Selection of permanent PMU with staff who have prior exposure to ADB and have a permanent structure	EAs/IAs are made aware of this requirement				
Project director must be young enough to complete the project before his/her retirement	EAs/IAs are made aware of this requirement				
Evidence of provision of first	EAs/IAs are made aware of				

Filters	Fact-Finding (4-10 June 2015)	Time Between Fact-Finding & Negotiations	Negotiations	Approval	Effectiveness
year counterpart funding is shown to ADB	this requirement				
Prepare memo to VP for early approval of advance actions	Memo will be prepared after Mission	Advance action approved.			
Engineering					
PPTA TOR include preparation of detailed engineering design	Government will finance and recruit detailed engineering design consultants				
Determine if detailed engineering design will be completed before loan approval	EA/IAs to commit timelines; detailed design ready post loan approval.				
Designs and cost estimates are agreed with EAs	Preliminary design and cost estimates part of the feasibility study				
Financial Management					
Financial management assessment ready	Under review; to be shared with VRM disbursement unit/SEOD financial management unit				
Project specific financial management manual developed	Will be developed as part of FMA outputs; to be shared with VRM disbursement unit/SEOD financial management unit				

Filters	Fact-Finding (4-10 June 2015)	Time Between Fact-Finding & Negotiations	Negotiations	Approval	Effectiveness
Standard audit TORs for ADB-funded projects in Viet Nam is used to engage only eligible audit firms	Under preparation				
Resettlement					
PPCs/District PCs are aware of the project	Completed				
Land acquisition and resettlement issues identified	Assessed and discussed with PPCs				
Preparation of Resettlement Policy Framework and subproject resettlement plans by the PPTA	Included in PPTA Report; Resettlement Policy Frameworks drafted				

ADB = Asian Development Bank, CP = concept paper, CV = curriculum vitae, EA = executing agency, FS = feasibility study, HQ = headquarters, IA = implementing agency, MOU = memorandum of understanding, NCB = national competitive bidding, OSP2 = Procurement Division 2, PAM = project administration manual, PM = Prime Minister, PMU = project management unit, PO = project outline, PPC = provincial people's committee, PPTA = project preparatory technical assistance, REOI = request for expression of interest, SEOD = Southeast Regional Department/Office of the Director General, SOE = state-owned enterprise, TORs = terms of reference, VP = Vice President, VRM = Viet Nam Resident Mission.

B. Overall Project Implementation Plan

Project Component	2015				2016				2017				2018				2019				2020						
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3
	Key Milestones				Loan Effective				Midterm Review				Project Close														
Project Start-Up																											
1. Recruit Project Implementation Support Consultants																											
A. Bac Giang – All Subproject Components																											
1. Detailed Engineering Design																											
2. Bidding and Award																											
3. Construction and Implementation																											
4. Land Acquisition/Resettlement																											
B. Mong Cai – All Subproject Components																											
1. Detailed Engineering Design																											
2. Bidding and Award																											
3. Construction and Implementation																											
4. Land Acquisition/Resettlement																											
C. Sa Pa – All Subproject Components – Infrastructure and Enhancement																											
1. Detailed Engineering Design																											
2. Bidding and Award																											
3. Construction and Implementation																											
4. Land Acquisition/Resettlement																											
D. Sa Pa - Green City Action Plan																											
5. Detailed Design (ToR)																											
6. Bidding and Award																											
7. Implementation																											
E. Project Management, Implementation and Institutional Strengthening (All Cities)																											
1. Training and Capacity Building																											
2. Institutional Strengthening																											

Note:

- Defects/Liability Periods for Civil Works Contract
- - - - - Intermittent Inputs of Various Consultancies

III. PROJECT MANAGEMENT ARRANGEMENTS

6. The Provincial People's Committees (PPCs) of Bac Giang, Lao Cai and Quang Ninh are the executing agencies (EAs)⁴ for the project in Viet Nam. In Bac Giang and Mong Cai the City People's Committees (CPCs) are the Implementing Agencies and in Sa Pa this responsibility lies with Lao Cai province's Department of Planning and Investment (DPI). The PPC in Bac Giang Province will be the lead EA to coordinate among all PPCs on project implementation and reporting. The CPCs in Bac Giang and Mong Cai, and Lao Cai DPI in Sa Pa will be the implementing agencies (IAs).⁵ The implementation structure of the project is summarized in C – Project Organization Structure.

7. Project Steering Committees (PSCs) will be established in each province and chaired by a PPC Vice Chairman. The PSCs will include representatives of the key provincial and city government agencies and including the Women's Unions and other agencies or entities that may be recommended by the PPCs. Central government agencies and the ADB may be invited to join the meetings from time to time. The PSCs will assist the PPCs by: (i) overseeing subproject components implementation progress and validate key reports, including procurement plans, bidding and contract documents delivered by the Project Management Units (PMU); (ii) identify and make propositions to settle major difficulties encountered; (iii) coordinate the relevant agencies in the project implementation process; and (iv) provide policy direction as appropriate.

8. Project Management Units (PMUs) have been established within the existing institutional structures in each IA and will manage the implementation of the project. They are primarily responsible for the day-to-day implementation and management of the subprojects, including: (i) promoting the subproject components to the targeted beneficiaries; (ii) evaluating the technical, financial, economic and social, resettlement, and environmental viability/monitoring of the proposed subprojects; (iii) supervising and monitoring the project at the provincial level; (iv) establishing and implementing the Project Performance Management System (PPMS); (v) preparing community action plans; (vi) preparing bidding arrangements/documents and evaluating bids; (vii) awarding, signing and supervising construction contracts; (viii) preparing periodic project progress reports and annual reports for submission to the PPCs; and (ix) exercising quality control.

9. The structure and resources of the PMUs will reflect the needs of the subprojects in each town and will be built around the existing professional and administrative and technical support staff and supplemented as appropriate. The professional disciplines should include (i) municipal engineers - drainage/flood protection and wastewater collection/treatment; (ii) civil engineers - roads/highways and structures; (iv) environment professional(s); (v) resettlement specialist; (vi) social development/gender professional(s); (vii) urban planner/landscape architect; and (viii) procurement/ contracts/construction professional(s). There will also be a need for a range of other administrative and technical support staff, including: financial management, accounting, administration, translation and for bid evaluation. Further details, including roles and responsibilities are shown in the table below (Key Staff of the PMUs - Roles and Responsibilities).

10. The PMUs' respective procurement unit will conduct all procurement, and recruitment activities and recommendations for the award of contracts for consultants to undertake detailed engineering design and construction supervision (DED/CS) and for the procurement of civil

⁴ The executing agencies are referred to as "project line agencies" in the Government of Viet Nam terminology

⁵ The implementing agencies are referred to as "project owners" in the Government of Viet Nam terminology

works and goods (equipment) and will be the contracting agency for all project-financed contracts in accordance with the provisions of the agreed and approved PAMs.

11. As lead EA, the PMU in Bac Giang will be responsible for consultant selection for project implementation and management support, and act as coordinator between the project cities and the concerned government agencies for project implementation. For an efficient and cost effective coordination among the PMUs, a small Project Coordination Unit within Bac Giang PMU will be established to be responsible for the following: (i) monitoring overall project implementation progress; and (ii) making decisions on issues such as the scope of investment, project policies, and procedures. The project coordination unit will be staffed by dedicated members of the lead PMU and if necessary additional staff will be appointed. Each of the three EAs will be responsible for hiring consultants for detailed design, construction supervision and capacity development; and carry out procurement for their respective civil works and goods contracts. The EA in Lao Cai (Sa Pa town) will be responsible for consultant selection for preparing the Green City Action Plan.

12. Further details are shown below. An outline of Institutional Arrangements for Environmental Safeguards is presented in Appendix 6.

A. Project Implementation Organizations – Roles and Responsibilities

Table 2: Project Implementation Organizations – Roles and Responsibilities

Project Organization	Implementation	Management Roles and Responsibilities
Executing Agencies (EA) <ul style="list-style-type: none"> • Bac Giang PPC • Lao Cai PPC • Quang Ninh PPC 		Executing Agencies (EA) – All <ul style="list-style-type: none"> ▪ Overall responsibility for the execution and review of progress of the project ▪ As lead EA, overall coordination and monitoring responsibility is with the Bac Giang PPC ▪ Approve rolling plans/program for implementation ▪ Ensure compliance with loan covenants ▪ Submit disbursement projections and ensure counterpart fund allocation ▪ Overall financial management responsibility ▪ Approve procurement plans ▪ Ensure that project implementation complies with ADBs safeguard policy and provisions in the EMPs and RPs ▪ Review and approve design of overall project and sub-projects, as well as any proposed changes to project design, scope or implementation arrangements, and updated resettlement plan. ▪ Resolve grievance and complaint of affected people
Lead Executing Agency (Bac Giang PPC)		<ul style="list-style-type: none"> • Act as coordinator between the project cities and the concerned government agencies for project implementation. •
<ul style="list-style-type: none"> • Project Management Units (PMUs): <ul style="list-style-type: none"> • Bac Giang CPC • Lao Cai DPI • Mong Cai CPC 	Project Management Units	Project Management Units – All under the respective Implementing Agencies <ul style="list-style-type: none"> ▪ Overall coordination and management of the project ▪ Undertake day to day management of the project activities ▪ Recruit consultants for detailed design, construction supervision and capacity development; ▪ Procurement of civil works, equipment, and consulting contracts (including detailed design, construction supervision, capacity building, etc.) ▪ Organizing verification and appraisal of design, cost estimate and bidding documents

Project Organization	Implementation Management Roles and Responsibilities
	<ul style="list-style-type: none"> ▪ Prepare bidding arrangements / documents and evaluating bids ▪ Supervise civil works contractors ▪ Update the resettlement plans and submit to ADB for clearance prior to implementation ▪ Update EMPs and submit to ADB for clearance prior to awarding civil works contracts ▪ Monitor implementation of resettlement plans and submit monitoring reports to the EAs and ADB ▪ Ensure environmental protection and mitigation measures (in the EMPs) are incorporated in detailed designs and contract awards ▪ Ensure implementation of the EMPs and submit regular monitoring reports through the IAs to the EAs and ADB. ▪ Submit regular (quarterly and annual) project reports to ADB ▪ Implement GAP, Poverty Reduction and Social Strategy, Stakeholder Participation Plan and WU capacity building program ▪ Set up and maintain project financial system and be responsible for project payments through imprest account. ▪ Project Coordination Unit (Bac Giang) ▪ Coordinate and liaise with line agencies and other agencies as appropriate on common policy, regulatory context, implementation procedures and financial issues ▪ responsible for consultant selection of the project implementation and support consultants ▪ Day to day coordination and liaison between the three PMUs and communications to the Project Steering Committee and other relevant agencies
<ul style="list-style-type: none"> • Implementing Agencies (IAs) <ul style="list-style-type: none"> • Bac Giang CPC • Lao Cai DPI • Mong Cai CPC 	<ul style="list-style-type: none"> • Implementing Agencies (IAs) <ul style="list-style-type: none"> ▪ Oversee and support project activities of the PMUs ▪ Assist in obtaining necessary environmental approvals from the respective departments of natural resources and environment prior to awarding civil works contracts ▪ Undertake quality control inspections of the project facilities and completion ▪ Manage project facilities handover O/M related agencies ▪ Approve (i) bidding documents, (ii) detailed design (after appraisal from relevant departments and agencies) and (iii) contract award.
<p>ADB</p>	<p>Funding Agency</p> <ul style="list-style-type: none"> ▪ Review and approve procurement and disbursement requests. ▪ Conduct six monthly reviews to assess: (i) overall project implementation; (ii) land acquisition and resettlement; (iii) environmental management; (iv) project expenditure, disbursements and counterpart funding, (v) procurement and contract awards; (vi) compliance with loan covenants; (vii) achievement of project outputs and outcomes ▪ Update the project performance review reports in conjunction with the EAs ▪ Ensure compliance of financial audits and recommendations ▪ Post project documents requiring public disclosure on ADB web-site (e.g., ADB safeguards compliance) ▪ Conduct mid-term project review to: (i) assess need to restructure or reformulate the project; (ii) update the project DMF; (iii) assess need to keep to the project completion deadline.

B. Project Management Units (Key Staff–Roles and Responsibilities)

Table 3: Key Staff of the PMUs – Roles and Responsibilities

Key Position	Roles and Responsibilities
Director PMU/Engineer	<ul style="list-style-type: none"> • Coordination and liaison with PPC, wards, communes, NGOs/CSOs and other stakeholders and central government agencies as appropriate. • Management of the PMU staff and the consultants. • Oversight of contract management, construction, works, monitoring and operations and maintenance; • Oversight and monitoring of safeguard compliance and grievance redress mechanism; • Ensuring design and implementation of the sub-projects in a timely manner and to a high quality; • Advising on relevant government policies and guidelines relevant to the design and implementation of the subprojects; • Providing overall support to the consultant selection process; and • Establishing the consultant services office and facilities.
Civil/Municipal Engineers (2)	<ul style="list-style-type: none"> • Coordination and liaison with consultant team counterparts; • Coordination with engineering consultants on all aspects of construction, works, monitoring and operations and maintenance; • Ensuring design and implementation of the subprojects in a timely manner and to a high quality; • Providing technical inputs to the design and implementation of the: (i) urban drainage and flood protection components in Bac Giang and Mong Cai; (ii) the wastewater collection and treatment components in all three towns; and (ii) the urban roads and public realm enhancement in Bac Giang and Sa Pa; • Advising on relevant government policies and guidelines relevant to the design and implementation of the urban drainage and flood protection, and the wastewater collection and treatment components; • Coordination and liaison with key stakeholders, including government agencies, private sector companies, and project affected communities; and • Attending training seminars and workshops as part of the capacity building program.
Environment Professional	<ul style="list-style-type: none"> • Coordination and liaison with counterparts in the consultants' team; • Coordination with the environment consultants and construction contractors on the implementation of the EMP and the application of environment safeguards in all three towns; • Coordination on the updates of the EMP and all environmental safeguard compliance; • Assisting the environment consultants in the design and conduct of environmental monitoring, including water quality testing and air pollution; • Advising on relevant government policies and guidelines relevant to the environment sector; • Coordination and liaison with key stakeholders, including government agencies, private sector companies and project affected communities; and • Attending training seminars and workshops as part of the capacity building program.
Resettlement Professional	<ul style="list-style-type: none"> • Coordination and liaison with consultant team counterparts; • Coordination with the resettlement and safeguards consultants on the design and implementation of the resettlement plans and the application of resettlement safeguards in all three cities; • Assisting the resettlement and safeguards consultants in coordination and liaison with key stakeholders, including the project affected communities; • Assisting in resettlement plan implementation and monitoring; • Advising on relevant government policies and guidelines relevant to resettlement; • Attending training seminars and workshops as part of the capacity building program; and • Coordination and liaison with consultant team counterparts and the Women's

Key Position	Roles and Responsibilities
Social Development and Gender Specialist	<p>Unions.</p> <ul style="list-style-type: none"> • Coordination with the social, gender and livelihood consultants on the design and implementation of the social development initiatives and in particular the Gender Action Plan (GAP); • Assisting the social, gender and livelihood consultants in coordination and liaison with key stakeholders, including the project affected communities. • Assisting the social, gender and livelihood consultants in working closely with the Women's Unions on environmental awareness and livelihood initiatives proposed in all three cities; • Advising on relevant government policies and guidelines relevant to the social development and gender sectors; and • Attending training seminars and workshops as part of the capacity building program.
Architect/Urban Designer (Lao Cai PMU only)	<ul style="list-style-type: none"> • Coordination and liaison with counterparts in the consultants' team; • Advice and coordination with the other consultants on all aspects of the town center enhancement component in Sa Pa, with particular reference to master planning, traffic management, urban services, and landscape design/tree planting. • Ensuring design and implementation of the components in a timely manner and to a high quality; • Advising on relevant government policies and guidelines relevant to the upgrading of Sa Pa town center; • Coordination and liaison with key stakeholders, including government agencies, private sector companies, and project affected communities; and • Attending training seminars and workshops as part of the capacity building program.
Urban Planner	<ul style="list-style-type: none"> • Coordination and liaison with counterparts in the consultants' team; • Coordination with the other consultants on "Enabling the Implementation of SLEDPs); • Advice and coordination with the other consultants on all aspects of the Green City Action Plan (GCAP) preparation for Sa Pa District. • Helping to ensure the design and implementation of the component in a timely manner and to a high quality; • Coordination and liaison with key stakeholders, including government agencies, private sector companies, and project affected communities; and • Attending training seminars and workshops as part of the capacity building program.
Finance and Accounting Professional	<ul style="list-style-type: none"> • Coordination and liaison with counterparts in the consultants' team; • Coordination with the financial and administration specialists on all the financial, accounting and auditing aspects of the project in all three towns; • Assisting in the implementation and operation of the financial management systems and for financial accounting, reporting and loan disbursements, financial projections and budgeting; • Advising on government policies and guidelines relevant to the project's financial management and accounting; and • Attending training seminars and workshops for capacity development.

Summary Implementation Arrangements

Aspects	Arrangements		
Implementation period	January 2016 – December 2020		
Estimated completion date	31 December 2020		
Estimated loan closing date	30 June 2021		
Management			
▪ Project Steering Committee	PPC Vice-Chairman (Chair), with representatives from key provincial and city government agencies		
▪ Executing Agency	Bac Giang Provincial People's Committee, Quang Ninh Provincial People's Committee and Lao Cai Provincial People's Committee		
▪ Lead Executing Agency	Bac Giang Provincial People's Committee		
▪ Implementing Agency	Bac Giang City People's Committee, Mong Cai City People's Committee, and Lao Cai Department of Planning and Investment		
▪ Project Management Unit (within Implementing Agency)	Project Director, Deputy Project Director, municipal engineer, civil engineer, environment specialist, resettlement specialist, social development specialist, architect/urban designer, urban planner, procurement specialist, finance/accountant and secretary		
▪ Project Coordination Unit (within Lead EA)	Additional staff, as required, e.g., office administrator, cashier, translation, driver		
	International competitive bidding	2 contracts	\$23.24 million
	National competitive bidding	9 contracts	\$62.84 million
	All procurement under the ADB loan in accordance with ADBs <i>Procurement Guidelines</i> (2015, as amended from time to time).		
Consulting services	Project Implementation Support Consultants (quality- cost based selection, 90:10, full technical proposal) ^a	119 person months	\$1.11 million
	Sa Pa Green City Action Plan (quality- cost based selection, 90:10, full technical proposal) ^a	68 person months	\$1.00 million
	Other consulting firms and individual consultants, using Government procedures ^b	934 person months	\$5.11 million
Advance contracting	The EAs have asked for advance contracting of project implementation support consultants (PISC). Advance action does not commit the ADB to subsequent project approval.		
Disbursement	The loan proceeds will be disbursed in accordance with ADB's <i>Loan Disbursement Handbook</i> (2015, as amended from time to time) and detailed arrangements agreed upon between the Government and the ADB.		

^a ADB-funded consultants will be recruited in accordance with ADB's Guidelines on The Use of Consultants by Asian Development Bank and Its Borrowers (2013, as amended from time to time).

^b These consultancies will be financed through counterpart financing and include the detailed design and construction supervision (3 contracts, 640 person-months, \$3.57) and capacity building (3 contracts, 294 person-months, \$1.54m)
Source: Asian Development Bank.

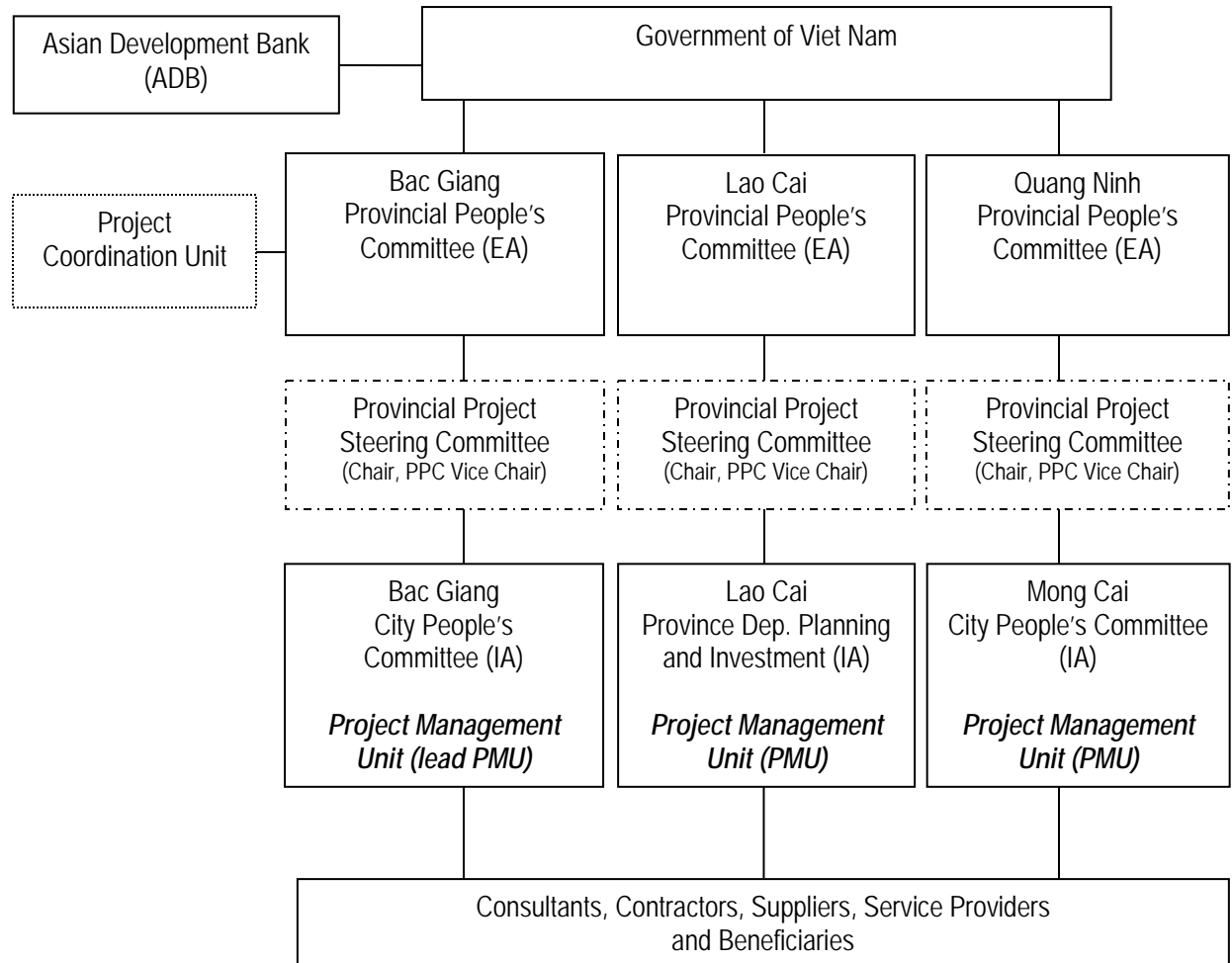
Key Persons Involved in Implementation

Executing Agency/Project Organization	
Government of Viet Nam	
Bac Giang Province – Provincial Peoples Committee (PPC)	<p>Executing Agency - Bac Giang PPC Mr. Duong Van Thai Position: Vice Chairman Address: Bac Giang PPC, No.82 Hung Vuong street, Bac Giang city, Viet Nam Tel: +84.913.257.269 Email: thaidvtpbg@gmail.com or thaidv@bacgiang.gov.vn</p>
Bac Giang City - City Peoples Committee (CPC)	<p>Implementing Agency - Bac Giang CPC Mr. Do Xuan Huan Position: Chairman Address: Bac Giang CPC, No.41 Ngo Gia Tu Street, Bac Giang city, Vietnam Phone: +84.913.053.269 Email: Doxuanhuan.tpbg@gmail.com</p> <p>Project Management Unit (PMU): Mr. Nguyen Tien Tung Position: Director Address: No.02 Nghia Long Street, Bac Giang city, Vietnam Phone: +84.913. 257.888 Email: nttungbg@gmail.com</p>
Lao Cai Province – Provincial Peoples Committee (PPC)	<p>Executing Agency - Lao Cai PPC Mr. Nguyen Thanh Duong Position: Vice Chairman Address: Tran Hung Dao Avenue, Nam Cuong Ward, Lao Cai City, Lao Cai Province Tel: +84 203 840 424 Email: contact-ubnd@laocai.gov.vn</p>
Lao Cai Province - Department of Planning and Investment (DPI)	<p>Implementing Agency – Lao Cai DPI Mr. Hoang Quoc Khanh Position: Director Address: Tran Hung Dao Avenue, Nam Cuong Ward, Lao Cai City, Lao Cai Province Phone: +84 203 840 034 Email: contact-skhdt@laocai.gov.vn</p> <p>Project Management Unit (PMU): Mr. Phan Trung Ba Position: Director Address: Tran Hung Dao Avenue, Nam Cuong Ward, Lao Cai City, Lao Cai Province Phone: +84 203 841 567 Email: adbgms2lc@gmail.com</p>

Quang Ninh Province – Provincial Peoples Committee (PPC)	Executing Agency - Quang Ninh PPC Mr. Lê Quang Tùng Position: Vice Chairman Address: Quang Ninh PPC, No 8, Hông Hà ward, Nguyen Van Cu Street, Ha Long city, Quang Ninh. Tel: 033.3835145 Email: lequangtung@quangninh.gov.vn								
Mong Cai - City Peoples Committee (CPC)	Implementing Agency – Mon Cai CPC Mr. Luu Hoang Linh Position: Vice Chairman Address: Mong Cai CPC, Phone: 0333.881.073 Email: luuhoanglinh@quangninh.gov.vn Project Management Unit (PMU): Mr. Nguyễn Hoàng Hải Position: Director Address: Chu Van An street, Hoa Lac Ward, Mong Cai city Phone: 03330881314 Email: banmongcai@gmail.com								
ADB									
Southeast Asia Urban Development and Water Division	<table border="0"> <tr> <td>Staff Name</td> <td>Tatiana Gallego-Lizon</td> </tr> <tr> <td>Position</td> <td>Director, SEUW</td> </tr> <tr> <td>Telephone No</td> <td>(632) 632-6208</td> </tr> <tr> <td>Email address</td> <td>tgallego-lizon@adb.org</td> </tr> </table>	Staff Name	Tatiana Gallego-Lizon	Position	Director, SEUW	Telephone No	(632) 632-6208	Email address	tgallego-lizon@adb.org
Staff Name	Tatiana Gallego-Lizon								
Position	Director, SEUW								
Telephone No	(632) 632-6208								
Email address	tgallego-lizon@adb.org								
Mission Leader	<table border="0"> <tr> <td>Staff Name</td> <td>Rudolf Frauendorfer</td> </tr> <tr> <td>Position</td> <td>Lead Urban Development Specialist</td> </tr> <tr> <td>Telephone No</td> <td>(632) 632-5987</td> </tr> <tr> <td>Email address</td> <td>rfrauendorfer@adb.org</td> </tr> </table>	Staff Name	Rudolf Frauendorfer	Position	Lead Urban Development Specialist	Telephone No	(632) 632-5987	Email address	rfrauendorfer@adb.org
Staff Name	Rudolf Frauendorfer								
Position	Lead Urban Development Specialist								
Telephone No	(632) 632-5987								
Email address	rfrauendorfer@adb.org								

C. Project Organization Structure

Figure 2: Implementation Structure



EA = executing agency, IA = implementing agency, PMU = Project Management Unit, PPC = Provincial People's Committee

Note: In the government of Viet Nam terminology, the "Project line agency" is the same as the "executing agency", while the "project owner" is the same as the "implementing agency".

IV. COST AND FINANCING

13. The proposed project is estimated to cost \$121.67 million. The government has requested a loan of \$100.00 million to finance the project. The loan will have a 25-year term, including a grace period of 5 years, an interest rate of 2.0% per annum during the grace period and thereafter, and such other terms and conditions set forth in the draft loan agreement. The borrower shall ensure that the proceeds of the loan are relent to each executing agency (EA), up to 20% to Bac Giang People's Provincial Committee (PPC), up to 20% to Lao Cai PPC, and up to 50% to Quang Ninh PPC.

14. The ADB will finance infrastructure cost, project management cost, and finance charges during implementation. The government will finance detailed design and construction supervision, capacity building, incremental administration cost, land acquisition and resettlement, taxes and duties. Taxes and duties are to be financed through exemptions. The financing plan is shown in the table below.

Table 4: Financing Plan

(\$ million)		
Source	Amount	Share of Total (%)
Asian Development Bank (Asian Development Fund)	100.00	82.2%
Government of Viet Nam	21.67	17.8%
Total	121.67	100.0%

Source: Asian Development Bank estimates.

A. Detailed Cost Estimates by Expenditure Category

Table 5: Detailed Cost Estimates by Expenditure Category

Item		VND billion			\$ million			% of Total Base Cost
		Local	Foreign	Total	Local	Foreign	Total	
A.	Base Cost							
1	Civil Works	1,243.2	544.4	1,787.6	54.06	23.67	77.74	78.7%
2	Equipment and Materials	133.1	57.0	190.1	5.84	2.50	8.35	8.4%
3	Land Acquisition and Resettlement	54.7	-	54.7	2.54	-	2.54	2.4%
4	Consulting Services	97.5	64.8	162.3	4.34	2.88	7.22	7.1%
5	Incremental Administration Cost	61.5	15.4	76.9	2.70	0.67	3.37	3.4%
	Subtotal (A)	1,589.9	681.6	2,271.5	69.48	29.74	99.22	100.0%
B.	Contingencies							
1	Physical contingencies	88.3	37.0	125.3	3.86	1.62	5.47	5.5%
2	Price contingencies	244.7	30.1	274.8	10.69	1.31	12.00	12.1%
	Subtotal (B)	333.1	67.1	400.2	14.55	2.93	17.48	17.6%
C.	Financial Charges During Implementation							
		-	113.7	113.7	-	4.97	4.97	5.0%
	Total (A+B+C)	1,923.0	862.4	2,785.4	84.03	37.64	121.67	122.6%

Base cost in April 2015 prices. Includes taxes and duties of \$10.27 million (financed by government through exemptions); and land acquisition and resettlement (LAR) costs of \$2.54 million (financed by government).

Physical contingency is 6.2% for civil works, equipment and materials, land acquisition, and 0% for other costs.

Price contingency is based on foreign inflation rates of 0.3% in 2015, 1.5% in 2016, 1.4% in 2017 and 1.5% from 2018 and onwards; and local inflation rates of 2.5% in 2015, 4% in 2016 and 5% from 2017 and onwards.

ADB loan interest at 2% per year.

Source: ADB estimates

B. Allocation and Withdrawal of Loan Proceeds

Table 6: Allocation and Withdrawal of Loan Proceeds

Allocation and Withdrawal of Loan Proceeds					
No.	Item	Amount Allocated for ADB Financing (\$ million)		Percentage and Basis for Withdrawal from Loan Account	
		Category	Subcategory		
1	Civil Works**	70.67		100%	of total amount claimed*
2	Equipment and Materials**	7.59		100%	of total amount claimed*
3	Consulting Services	1.92			
3A	Project Management**		1.01	100%	of total amount claimed*
3B	Sa Pa Green City Action Plan**		0.91	100%	of total amount claimed*
4	Financial Charges During Implementation	4.97		100%	percent of amounts due
5	Unallocated	14.85			
	Total	100.00			

Source: ADB estimates

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

**Subject to the condition for withdrawal described in the loan agreement

C. Detailed Cost Estimates by Financier

Table 7: Detailed Cost Estimates by Financier

(\$ million)								
Item		ADB		Government				Total Cost
		Amount	%	Amount	Amount (Taxes and Duties)	Amount (Total)	%	
A.	Base Cost							
1	Civil Works	70.67	90.9%	-	7.07	7.07	9.1%	77.74
2	Equipment and Materials	7.59	90.9%	-	0.76	0.76	9.1%	8.35
3	Land Acquisition and Resettlement	-	0.0%	2.54	-	2.54	100.0%	2.54
4	Consulting Services							
4.1	Detailed Design and Construction Supervision	-	0.0%	3.24	0.32	3.57	100.0%	3.57
4.2	Project Management	1.01	90.9%	-	0.10	0.10	9.1%	1.11
4.3	Capacity Building	-	0.0%	1.40	0.14	1.54	100.0%	1.54
4.4	Sa Pa Green City Action Plan	0.91	90.9%	-	0.09	0.09	9.1%	1.00
5	Incremental Administration Cost	-	0.0%	3.07	0.31	3.37	100.0%	3.37
	Subtotal (A)	80.18	80.8%	10.25	8.79	19.04	19.2%	99.22
B.	Contingencies							
1	Physical contingencies	4.83	88.3%	0.16	0.48	0.64	11.7%	5.47
2	Price contingencies	10.02	83.5%	0.98	1.00	1.98	16.5%	12.00
	Subtotal (B)	14.85	85.0%	1.14	1.49	2.62	15.0%	17.48
C.	Financial Charges During Implementation	4.97	100.0%	-	-	-	0.0%	4.97
	Total (A+B+C)	100.00	82.2%	11.39	10.27	21.67	17.8%	121.67

Base cost in April 2015 prices. Includes taxes and duties of \$10.27 million (financed by government through exemptions); and land acquisition and resettlement (LAR) costs of \$2.54 million (financed by government).

Physical contingency is 6.2% for civil works, equipment and materials, land acquisition, and 0% for other costs.

Price contingency is based on foreign inflation rates of 0.3% in 2015, 1.5% in 2016, 1.4% in 2017 and 1.5% from 2018 and onwards; and local inflation rates of 2.5% in 2015, 4% in 2016 and 5% from 2017 and onwards.

Incremental administration costs include annual project audit cost of \$20,000 per year, financed by government.

ADB loan interest at 2% per year.

Source: ADB estimates

D. Detailed Cost Estimates by Outputs

Table 8: Detailed Cost Estimates by Outputs

Project Cost (\$ million)				Financing Plan						
Item	Amounts	% of Total	ADB		Government					
			Amount	%	Amount (Costs)	Amount (LAR)	Amount (Taxes & Duties)	Subtotal	%	
A. Base Cost										
Bac Giang										
1	Bac Giang Wastewater improvements	8.51	7.0%	7.74	91%	-	-	0.77	0.77	9%
2	Bac Giang Stormwater improvements	7.38	6.1%	6.71	91%	-	-	0.67	0.67	9%
3	Bac Giang Urban roads									
3.1	Urban Roads-Tran Quang Khai Road	10.00	8.2%	8.53	85%	-	0.62	0.85	1.47	15%
3.2	Urban Roads-North Eastern Ring Road	4.13	3.4%	3.16	76%	-	0.66	0.32	0.98	24%
	Subtotal Bac Giang	30.03	24.7%	26.13	87%	-	1.28	2.61	3.89	13%
Mong Cai										
4	Mong Cai Wastewater & stormwater improvements	17.23	14.2%	15.34	89%	0.00	0.35	1.53	1.89	11%
5	Mong Cai Riverbank protection									
5.1	Riverbank protection-East bank	7.89	6.5%	7.17	91%	-	-	0.72	0.72	9%
5.2	Riverbank protection-West bank	4.45	3.7%	3.53	79%	-	0.56	0.35	0.92	21%
	Subtotal Mong Cai	29.56	24.3%	26.04	88%	0.00	0.92	2.60	3.52	12%
Sa Pa										
6	Sa Pa Urban roads	9.60	7.9%	8.46	88%	-	0.29	0.85	1.14	12%
7	Sa Pa Wastewater & drainage	11.52	9.5%	10.42	91%	-	0.05	1.04	1.09	9%
8	Sa Pa Town center enhancement									
8.1	Town center enhancement-Center	5.89	4.8%	5.35	91%	-	-	0.54	0.54	9%
8.2	Town center enhancement-Linked area	2.02	1.7%	1.84	91%	-	-	0.18	0.18	9%
9	Sa Pa Green city action plan	1.00	0.8%	0.91	91%	-	-	0.09	0.09	9%
	Subtotal Sa Pa	30.03	24.7%	26.99	90%	-	0.34	2.70	3.04	10%
10 Consultancy Services										
10.1	Detailed Design and Construction Supervision	3.57	2.9%	-	0%	3.24	-	0.32	3.57	100%
10.2	Project Management	1.11	0.9%	1.01	91%	-	-	0.10	0.10	9%
10.3	Capacity Building	1.54	1.3%	-	0%	1.40	-	0.14	1.54	100%
11 Incremental Administration Cost		3.37	2.8%	-	0%	3.07	-	0.31	3.37	100%
	Subtotal (A)	99.22	81.6%	80.18	81%	7.71	2.54	8.79	19.04	19%
B. Contingencies										
1	Physical contingencies	5.47	4.5%	4.83	88%	-	0.16	0.48	0.64	12%
2	Price contingencies	12.00	9.9%	10.02	83%	0.84	0.15	1.00	1.98	17%
	Subtotal (B)	17.48	14.4%	14.85	85%	0.84	0.30	1.49	2.62	15%
C. Finance Charges During Implementation		4.97	4.1%	4.97	100%					
	Total (A+B+C)	121.67	100.0%	100.00	82.2%	8.55	2.84	10.27	21.67	17.8%

Base cost in April 2015 prices. Includes taxes and duties of \$10.27 million (financed by government through exemptions); and land acquisition and resettlement (LAR) costs of \$2.54 million (financed by government).

Physical contingency is 6.2% for civil works, equipment and materials, land acquisition, and 0% for other costs.

Price contingency is based on foreign inflation rates of 0.3% in 2015, 1.5% in 2016, 1.4% in 2017 and 1.5% from 2018 and onwards; and local inflation rates of 2.5% in 2015, 4% in 2016 and 5% from 2017 and onwards.

Incremental administration costs include annual project audit cost of \$20,000 per year, financed by government.

ADB loan interest at 2% per year.

LAR = Land Acquisition and Resettlement

Source: ADB estimates

E. Detailed Cost Estimates by Year

Table 9: Expenditure Category by Year

(\$ million)

Item		2016	2017	2018	2019	2020	Total
A.	Base Cost						
1	Civil Works	-	23.32	38.04	15.55	0.83	77.74
2	Equipment and Materials	-	3.23	4.87	0.22	0.03	8.35
3	Land Acquisition and Resettlement	2.54	-	-	-	-	2.54
4	Consulting Services	2.33	1.99	2.00	0.68	0.22	7.22
5	Incremental Administration Cost	0.51	1.01	1.18	0.51	0.17	3.37
	Subtotal (A)	5.37	29.55	46.09	16.96	1.24	99.22
B.	Contingencies						-
1	Physical contingencies	0.30	1.63	2.54	0.94	0.07	5.47
2	Price contingencies	0.65	3.58	5.58	2.05	0.15	12.00
	Subtotal (B)	0.95	5.21	8.12	2.99	0.22	17.48
C.	Financial Charges During Implementation	0.27	1.48	2.31	0.85	0.06	4.97
	Total (A+B+C)	6.59	36.24	56.52	20.79	1.52	121.67

Base cost in April 2015 prices. Includes taxes and duties of \$10.27 million (financed by government through exemptions); and land acquisition and resettlement (LAR) costs of \$2.54 million (financed by government).

Physical contingency is 6.2% for civil works, equipment and materials, land acquisition, and 0% for other costs.

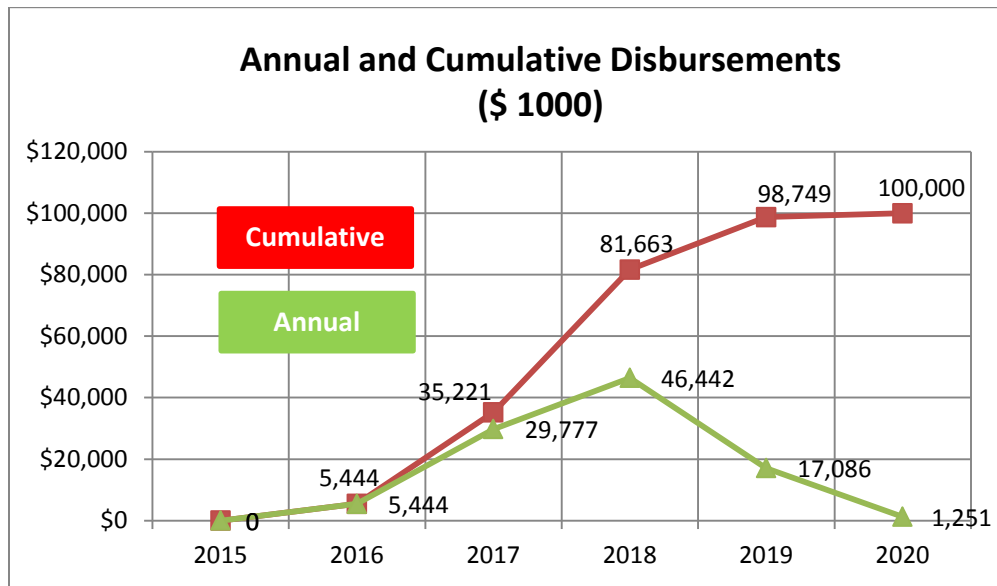
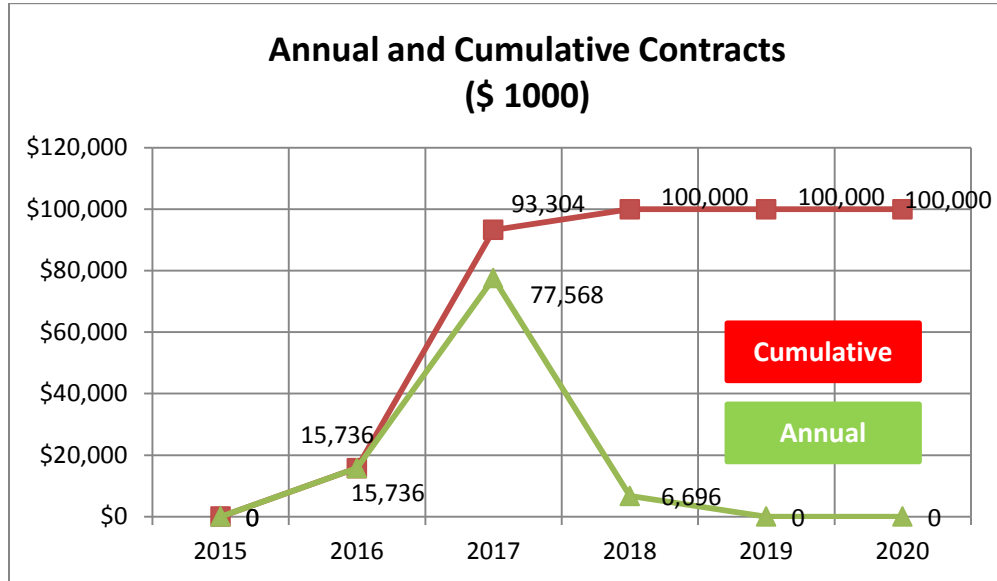
Price contingency is based on foreign inflation rates of 0.3% in 2015, 1.5% in 2016, 1.4% in 2017 and 1.5% from 2018 and onwards; and local inflation rates of 2.5% in 2015, 4% in 2016 and 5% from 2017 and onwards.

ADB loan interest at 2% per year.

Source: ADB estimates

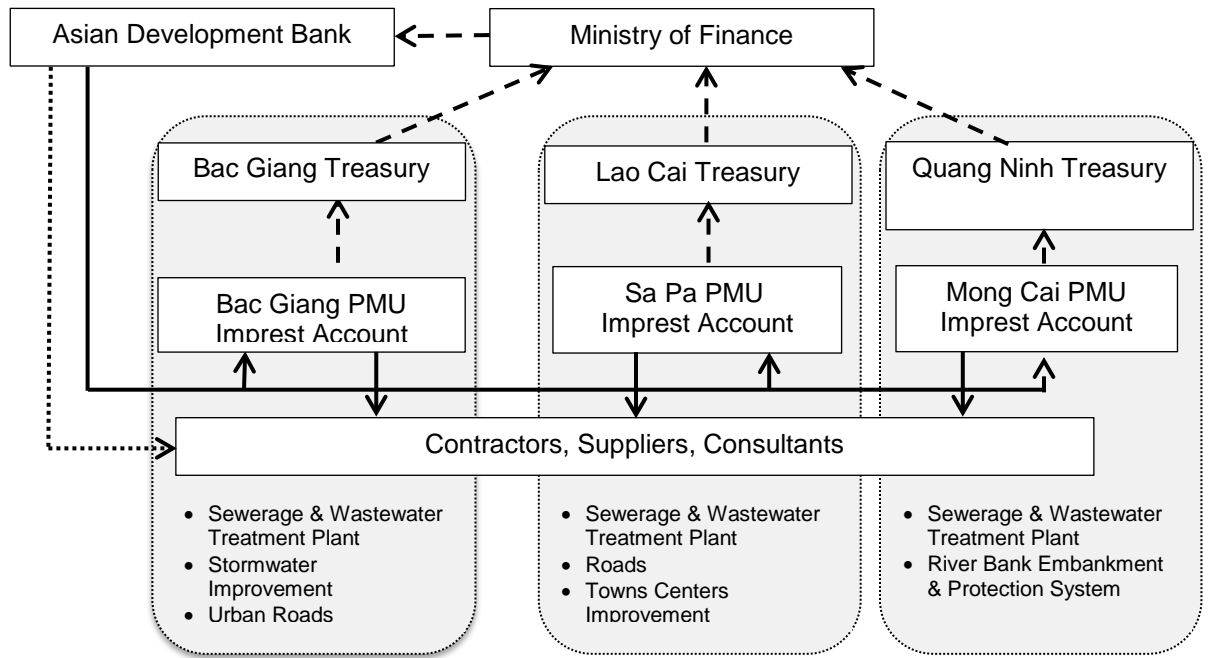
F. Contract and Disbursement S-curve

Figure 3: Cumulative Contract and Disbursement



G. Fund Flow Program

Figure 4: ADB Fund Flow Arrangement



--> = withdrawal application, —> = flow of funds > = direct payment

Notes:
 ADB = Asian Development Bank
 MOF = Ministry of Finance
 PPC = Provincial People's Committee
 PMU = Project Management Unit

Source: Asian Development Bank.

V. FINANCIAL MANAGEMENT

A. Financial Management Assessment

15. Overall assessment of project financial management risk is high. The risks identified include: un-insured assets and weak asset monitoring which could lead to loss of asset; levels of tariff, which are not linked to O&M requirements and can result in: (i) under maintenance of assets; (ii) tendency to split procurement packages thus reducing cost-effectiveness of the procurement process; and (iii) lack of knowledge/training in ADB procurement and disbursement procedures which can result in unnecessary delays in project start up. This raises concerns about the capacity to administer the project in accordance with the financial management procedures.

16. The risks identified will be minimized through a capacity building assistance that will include providing training to EAs and IAs on fixed asset management. Also, the implementation of the required tariff to attain financial sustainability will be monitored as one of the financial covenants.

17. The financial management assessment (FMA) was conducted in accordance with the ADB Financial Management Technical Guidance Note (May 2015). Data was gathered from a completed FMA questionnaire (FMAQ) by the EAs and IAs and interviews with the relevant government officials. The FMA covered the following aspects: (i) project funds flow arrangement; (ii) organization and staffing; (iii) accounting policies and procedures; (iv) safeguard of assets; (v) audit; (vi) project financial reporting; and (vi) information systems. The FMA was conducted in October 2014.

18. The proposed project is designed to support economic, socio-cultural and environmental development in Bac Giang city, Mong Cai city and Sa Pa town, to contribute to making Vietnam an industrialized country by 2020 (Socio-Economic Development Strategy, 2011-2020). The intended project outcomes are to improve and upgrade urban infrastructure in the three participating centers and to enhance their climate resilience and achieve inclusive green growth. The outputs are: (i) Strategic Local Economic Development Plans (SLEDPs) and Sa Pa Green City Action Plan (GCAP) developed; (ii) priority urban infrastructure investments implemented; (iii) institutional capacities for managing public investments strengthened; and (iv) community awareness on project activities and environmental sustainability improved. The EAs are the PPC of Bac Giang, the PPC of Quang Ninh, and the PPC of Lao Cai. The IAs are the CPC of Bac Giang, the CPC of Mong Cai, and the Department of Planning and Investment (DPI) of Lao Cai province.

19. Several financial management issues were identified in the Country Partnership Strategy for Vietnam for 2012 to 2015 prepared in July 2012.⁶ In public financial management, the issues include: (i) lack of a performance-based budgeting system; (ii) lack of budget comprehensiveness; and (iii) State Audit of Vietnam lacking sufficient capacity.

20. In the procurement aspect, the following issues were identified: (i) conflict of interest provisions insufficiently detailed; (ii) no independent complaint or review mechanism; (iii) decentralization widening the procurement capacity gap between national norms and international standards; (iv) implementing agencies breaking down investments into multiple packages, reducing cost-effectiveness and creating unnecessary multiplication of transactions; and (v) deliberate split packaging and procurement malpractice still rife.

⁶ Source: Country Partnership Strategy: Vietnam 2012-2015. July 2012.

21. All three PMUs have adequate finance and accounting permanent staff who can be nominated for the project although their professional experiences vary. The EAs and IAs staff are adept in using various financial management software and can apply it for this project. Whereas the PPCs assets are managed based on existing government regulations the assets are recorded in the Fixed Asset Book of the receiving entity, and all assets, except the motor vehicles, are not insured.

22. All three (3) EAs have already implemented international donor financed projects successfully, some including projects funded by ADB. However, the project related revenue-generating components of the three local governments are currently not financially sustainable without subsidy from the provincial/central government budgets. The EAs and the IAs have no internal audit section, as the State Inspectorate only conducts the external audit to check and inspect when fraud or corruption is suspected while the State Audit of Vietnam focuses only on financial audit.

Project Financial Reporting System.

23. In 2013, Public Administration Performance Index (PAPI), the largest time-series national governance and public administration performance monitoring tool in Viet Nam, out of 63 provinces, ranked the PPCs as follows Bac Giang was ranked 63rd, Quang Ninh was ranked 56th, and Lao Cai was ranked 55th while in 2014, Quang Ninh was ranked 52nd and Lao Cai was ranked 26th.⁷ There was no data for Bac Giang for 2014.

Table 10: Risk Assessment and Management Plan

Risk Description	Impact	Likelihood	Risk Assessment	Mitigation Measures / Risk Management Plan
Inherent Risk				
Entity Specific - While assets, after procurement / completion of construction, are turned over officially to user government entity and recorded in the Fixed Asset Book of the receiving entity, these assets are not insured, monitored/ inventoried regularly. There is a risk of loss of asset not insured and maintained properly.	High	Likely	High	Update Fixed Asset Book every year during and after project implementation. Train government staff in fixed asset management including linkage to asset preventive maintenance activities.
Entity specific - Level of tariffs is not linked to O&M fund requirement of the facilities, resulting to higher subsidy from the government's regular budget. With limited budget, proper operation and maintenance of facilities cannot be implemented.	High	Likely	High	Update tariff computation after project completion. Monitor implementation of proposed tariff as stipulated in the feasibility study report. Require annual budget commitment from provincial government to cover funding gap.
Overall Inherent Risk			High	

⁷ CECODES, VFF-CRT, UNDP Viet Nam. 2014. PAPI: Viet Nam Provincial Governance and Public Administration Performance Index. <http://papi.vn/en/about-papi.html>

Risk Description	Impact	Likelihood	Risk Assessment	Mitigation Measures / Risk Management Plan
Controlled Risk				
Implementing entity - Lack of knowledge /training in ADB procurement, disbursement and reporting standards ⁸ may result to delays in project start up.	High	Unlikely	Substantial	Key EA and PMU staff will attend ADB training, before loan effectiveness, on procurement, disbursement and financial reporting.
Requirements of government and ADB procurement processes may result in delays in the recruitment of consultants and the procurement of civil works	Low	Likely	Moderate	ADB will provide an individual start-up procurement advisor to help in the selection of the PISC and to provide training on ADB's processes for project administration and implementation. Consulting packages for Detailed Design, Construction Supervision and Capacity Building will be procured using government procedures, which will be more familiar to EA staff
Decentralization widening the procurement capacity gap between the national norms and international standards	High	Likely	Moderate	Aside from ADB trainings, capacity building on procurement, disbursement and financial management will be extended to EAs and PMUs.
Overall Control Risk			Substantial	
Overall Risk - High				

Proposed Time-Bound Action Plan

24. The proposed time-bound action plan is as follows (Table 10).

Table 11: Time-Bound Action Plan

Weakness	Mitigation Action	Responsibility	Timeframe
Inherent Risk			
Entity Specific - While assets, after procurement / completion of construction, are turned over officially to user government	Update Fixed Asset Book every year during and after project implementation. Provide capacity building to	Department of Finance / Implementing Agency (IA)	Within 3 months after the end of each fiscal year.

⁸ All EAs and IAs, except PPC of Quang Ninh.

Weakness	Mitigation Action	Responsibility	Timeframe
Inherent Risk			
entity and recorded in the Fixed Asset Book of the receiving entity, these assets are not insured, monitored/ inventoried regularly.	government staff on fixed asset management including linkage to asset preventive maintenance activities.		
Entity specific - level of tariffs is not linked to O&M fund requirement of the facilities, resulting to higher subsidy from the government's regular budget. With limited budget, proper operation and maintenance of facilities cannot be implemented.	Update tariff computation on annual basis. Require annual budget commitment from local government to cover funding gap.	IA / Project Implementation Consultants (PIC); PPCs and CPCs	Within 3 months after project completion.
Controlled Risk			
Staffing - Lack of knowledge /training in ADB procurement, disbursement and reporting standards may result to delays in project start up.	Key EA and PMU staff will attend ADB training, before loan effectiveness, on procurement, disbursement and financial reporting.	PMU / ADB	Before loan effectiveness
Decentralization widening the procurement capacity gap between the national norms and international standards	Aside from ADB trainings, capacity building on procurement, disbursement and financial management will be extended to EAs and PMUs.	PMU / ADB	During project implementation
Requirements of government and ADB procurement processes may result in delays in the recruitment of consultants and the procurement of civil works	ADB will provide an individual start-up procurement advisor to help in the selection of the PISC and to provide training on ADB's processes for project administration and implementation. Consulting packages for Detailed Design, Construction Supervision and Capacity Building will be procured using government procedures, which will be more familiar to EA staff	ADB	Before loan effectiveness

25. The identified risks will be minimized through capacity development measures including, for example: (i) local government to update the Fixed Assets Book annually to reflect information on the physical count and condition of each asset and the data linked to asset preventive maintenance activities; and (ii) updating of financial projections on annual basis including the required tariff to ensure financial sustainability of completed infrastructure. The loan agreement will contain covenants obligating the Borrower to ensure provincial governments to implement the proposed tariff and allocate in annual budget any funding gap resulting from tariffs not covering operation and maintenance cost.

B. Disbursement

26. The loan proceeds will be disbursed in accordance with ADB's Loan Disbursement Handbook (2015, as amended from time to time), and detailed arrangements agreed upon between the government and ADB.⁹ Online training for project staff on disbursement policies and procedures is available at: http://wpqr4.adb.org/disbursement_elearning. Project staff are encouraged to avail of this training to help ensure efficient disbursement and fiduciary control.

27. Each PMU will open and maintain an imprest account in US dollars in commercial banks acceptable to State Bank of Vietnam to expedite project implementation through the timely release of loan proceeds. Each PMU will collate and submit their withdrawal applications directly to ADB through the Ministry of Finance. The Ministry of Finance will sign or co-sign the withdrawal applications and PMUs will then send their applications to the ADB. The imprest accounts are to be used exclusively for ADB's share of eligible expenditures. The government PMU who established the imprest account in its name is accountable and responsible for proper use of advances to the imprest account. The total outstanding advance to the imprest account should not exceed the estimate of ADB's share of expenditures to be paid through the imprest account for the forthcoming 6 months. The request for initial and additional advances to the imprest account should be accompanied by an Estimate of Expenditure Sheet setting out the estimated expenditures for the forthcoming six (6) months of project implementation. Supporting documents should be submitted to ADB or retained by the borrower in accordance with ADB's Loan Disbursement Handbook (2015, as amended from time to time) when liquidating or replenishing the imprest accounts.

28. Statement of expenditure (SOE) procedures may be used to reimburse eligible expenditures for any individual payment not exceeding \$100,000. 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. SOE records should be maintained and made readily available for review by ADB's disbursement and review mission or upon ADB's request for submission of supporting documents on a sampling basis and for independent audit.

29. Before the submission of the first withdrawal application, the EA, through the State Bank of Vietnam, 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 signatures of each authorized person. The minimum value per withdrawal application is \$100,000 equivalent. Individual payments below this amount should be paid by the EA/IA and subsequently claimed from ADB (i) through reimbursement; or (ii) from the imprest account, unless otherwise accepted by ADB. Sample forms for withdrawal of loan proceeds, replenishment of imprest account and SOE can be downloaded from the ADB website.

⁹ ADB. 2015. *Loan Disbursement Handbook*. Manila.

30. Prior to a disbursement of the Loan, the Borrower shall cause the relevant Project Executing Agency to employ the necessary financial management and accounting staff to administer, implement, coordinate and undertake all finance and accounting activities required under the PAM or as otherwise required by or agreed to with ADB.

C. Accounting

31. The PPCs of Bac Giang, Quang Ninh and Lao Cai will maintain, or cause to be maintained, separate books and records by funding source for all expenditures incurred on the project following the Governments's financial regulations on cash-based accounting. The PPCs of Bac Giang, Quang Ninh and Lao Cai will prepare consolidated project financial statements in accordance with the government's accounting laws and regulations which are consistent with international accounting principles and practices.

Auditing and Public Disclosure

32. The three PPCs will cause the detailed consolidated project financial statements to be audited in accordance with International Standards on Auditing or equivalent national standards adopted by Viet Nam, by an independent auditor acceptable to ADB. The audited project financial statements together with the auditors' opinion will be submitted in the English language to ADB within six months of the end of the fiscal year by the EA.

33. The annual audit report for the project accounts 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) use of the imprest fund procedure; and (v) the use of the statement of expenditure procedure certifying to the eligibility of those expenditures claimed under SOE procedures, and proper use of the SOE and imprest procedures in accordance with ADB's Loan Disbursement Handbook and the project documents. 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.

34. The Government, PPCs and CPCs 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.¹⁰ 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

¹⁰ ADB approach and procedures regarding delayed submission of audited project financial statements:

- When audited project financial statements are not received by the due date, ADB will write to the executing agency advising that (i) the audit documents are overdue; and (ii) if they are not received within the next six months, requests for new contract awards and disbursement such as new replenishment of imprest accounts, processing of new reimbursement, and issuance of new commitment letters will not be processed.
- When audited project financial statements have not been received within 6 months after the due date, ADB will withhold processing of requests for new contract awards and disbursement such as new replenishment of imprest accounts, processing of new reimbursement, and issuance of new commitment letters. ADB will (i) inform the executing agency of ADB's actions; and (ii) advise that the loan may be suspended if the audit documents are not received within the next six months.
- When audited project financial statements have not been received within 12 months after the due date, ADB may suspend the loan.

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.

35. 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).¹¹ 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. Advanced Contracting

36. All advance contracting will be undertaken in conformity with ADB's Procurement Guidelines (2015, as amended from time to time) and ADB's Guidelines on the Use of Consultants (2013, as amended from time to time). The issuance of invitations to bid under advance contracting will be subject to ADB approval. The borrower, the EA and the IAs have been advised that approval of advance contracting does not commit ADB to finance the project.

37. To accelerate project implementation, advance actions for consulting services will be used. ADB will recruit a technical assistance individual start-up consultant to assist the EA in recruiting the Project Implementation Support Consultant. The procurement plan will be approved following loan negotiations. Prior to loan approval, the EA will launch the recruitment process for the Project Implementation Support Consultant.

B. Procurement of Goods, Works and Consulting Services

38. All procurement of goods and works will be in accordance with ADB's *Procurement Guidelines*.¹² Civil works will be procured through international competitive bidding (ICB) procedures for packages exceeding from \$10,000,000 equivalent and above, and through national competitive bidding (NCB) procedures acceptable to ADB for packages below \$10,000,000 equivalent. Goods will be procured through ICB procedures for packages from \$2 million equivalent and above, and through NCB procedures acceptable to ADB for packages below \$2 million. For packages of \$100,000 equivalent or less, shopping may be used. It is noted, though, that no goods will be procured under this Project.

39. The procedures to be followed for the procurement of goods, non-consulting services, and works under contracts awarded on the basis of National Competitive Bidding shall be those set forth in: (a) Law on Procurement No. 43/2013/QH13 dated November 26, 2013 ("Law on Procurement") and (b) Decree No. 63/2014/ND-CP dated June 26, 2014 (collectively, "National Procurement Laws"). Whenever any procedure in the National Procurement Laws is inconsistent with the ADB Procurement Guidelines (May 2015, as amended from time to time), the ADB Procurement Guidelines shall prevail. The total consulting service requirements are estimated at 1,121 person-months (45 international and 1,076 national) and include (i) Project Implementation Support Consultants; (ii) Sa Pa Green City Action Plan Consultants; (iii) detailed

¹¹ ADB. 2011. *2011 Public Communications Policy (PCP) of the Asian Development Bank: Disclosure and Exchange of Information*. Manila.

¹² ADB. 2015. *Procurement Guidelines*. Manila.

engineering and construction supervision consultants; and (iv) capacity building consultants. All consultants will be recruited according to ADB's *Guidelines on the Use of Consultants* (2013, as amended from time to time), except those consultants funded by the Government, in which case Government procedures will be followed.¹³

40. Project Implementation Support Consultants. These consulting services will include an estimated 119 person months of consulting services (20 person-months international consulting and 99 person-months national) to (i) provide project implementation and coordination support to the PMUs, and (ii) assist with compliance with ADB's policies and operational requirements, including social and environmental safeguards monitoring and compliance. The consultants will be recruited using the quality-and-cost-based selection (QCBS) method with a quality-cost ratio of 90:10.

41. Green City Action Plan Consultants. These consulting services will include an estimated 68 person months of consulting services (25 person-months international consulting and 43 person-months national) to prepare the Sa Pa Master Plan. The consultants will be recruited using the quality-and-cost-based selection (QCBS) method with a quality-cost ratio of 90:10.

42. Detailed Engineering Design and Construction Supervision. These consulting services will include an estimated 640 person-months of consulting services (all national) to assist the PMUs in detailed engineering design of the subprojects. The consultants will be recruited using the Government procedures and financed under counterpart financing.

43. Capacity Building. These consulting services will include an estimated 294 person-months of consulting services (all national) to design and conduct capacity strengthening and training programs in the areas of public infrastructure planning and implementation, financial management, and environmental management. The consultants will be recruited using the Government procedures and financed under counterpart financing.

C. Procurement Plan

44. A procurement plan indicating threshold and review procedures, goods, works and consulting service contract packages and National Competitive Bidding Annex is in Appendix 1. The procurement plan covers the first 18 months of procurement. The procurement plan shall be updated annually. It may be revised, as required following a project review mission. In case, procurement arrangements need to be changed during project implementation, the EA and IAs shall prepare a letter justifying the change with the updated procurement plan and submit the documents for ADB's approval. The change in procurement arrangements shall be done in consultation with ADB. ADB will be responsible for posting the initial procurement plan and subsequent updates on ADB website.

45. A procurement capacity assessment has been completed of the EAs and IAs. Based on the results, there is limited capacity to review bidding documents (BDs)/Request for Proposals (RFPs), recommendation for award of contract. ADB will include PPC/CPCs officials in the procurement training to enhance capacity to review BDs, and contracts. The capacity building component of the Loan will also include this activity for the PPCs/CPCs. The results of the procurement capacity assessment is summarized in Appendix 5.

¹³ Checklists for actions required to contract consultants by method available in e-Handbook on Project Implementation at: <http://www.adb.org/documents/handbooks/project-implementation/>

D. Consultant's Terms of Reference

46. The detailed Terms of Reference for the Project Implementation Support Consultants is contained in Appendix 2.

VI. SAFEGUARDS

47. The relevant safeguard plans include the: (i) Environmental Management Plan (EMP); (ii) Resettlement Plans (RP) and Resettlement and Ethnic Minorities Development Plan (REMDP).

A. Environmental Safeguards

48. The project is classified as Category B for environment in accordance with the ADB's Safeguard Policy Statement (2009). One (1) Initial Environmental Examination (IEE) report and three (3) Environmental Management Plans (EMPs) have been prepared, one each for Bac Giang, Mong Cai and Sa Pa.

49. The proposed subprojects are not expected to cause irreversible adverse environment impacts. Mitigation measures for identified impacts related to siting, design, construction, and operation have been incorporated in the environment management plans (EMPs). In addition, potential impacts of climate change and natural hazards (e.g., flooding, earthquake) on the project are recommended for integration into the design/engineering stage as part of the IEE assessment whenever feasible/practical and appropriate. An initial estimate of the costs associated with climate change measures is presented in Appendix 7.

50. At the detailed design stage, the IEEs/EMPs will be updated, and finalized to confirm that the proposed mitigating measures are adequate to ensure that environmental receptors are not adversely affected. The final estimated costs for implementing the EMPs will be integrated into the project costs. Likewise, further consultation is required to address the concerns raised during previous consultations to ensure that all public concerns are updated and publicly acknowledged and incorporated into detailed designs and updated EMP.

51. The final EMPs, cleared by ADB, will form part of the contract bidding documents and be incorporated in the civil works contracts to ensure mitigation of identified environment impacts during construction. Proof of compliance with applicable national (government) environmental requirements/clearances/approval (e.g., Environmental Compliance Certificate) shall be submitted by EA/IA before award of contract. The successful contractor shall be required to prepare and implement a Construction Environmental Management Plan (CEMP) based the EMP, and include this in his bid. The project cost shall include the budget necessary for implementation of the CEMP. This shall be included in the works contract as competitive cost items.

52. Effective EMP implementation monitoring and public consultation with all stakeholders and affected people at all stage of subproject implementation will be ensured. In compliance with ADB's information disclosure, the semi-annual environment safeguard monitoring will be posted on ADB's website. Finally, the grievance redress mechanism (to cover all safeguards) shall be established and disclosed prior to any field activities that may be conducted.

B. Social Safeguards (Involuntary Resettlement and Ethnic Minorities)

53. The project is classified as Category B for both Involuntary Resettlement and Indigenous Peoples in accordance with the requirements outlined in OM/F1 and ADB's SPS 2009.

54. For the three cities a total of 16.46 ha of land will need to be acquired affecting a total of 659 affected households (AHs), approximately 2,788 affected persons (APs).

55. In Bac Giang, 8.54 ha of agricultural land will be acquired, affecting to 499 households (2,027 APs) and 3 CPCs. There are 18 AHs (59 APs) will experience loss of more than 10% of their income generating assets, mainly agriculture which is the primary source of household incomes; and 28 AHs (115 APs) will have their remaining area rendered unviable for cultivation. Agriculture is the primary source of household income for these households. 76 AHs will be affected by loss of graves.

56. In Mong Cai, 4.83 ha of land will be acquired, affecting 13 HHs (60 APs), 3 CPCs, and 1 enterprise, of which 1 AH (4APs) will lose their entire production land.

57. In Sa Pa, 3.10 ha of land will be acquired, affecting to 148 HHs (701 APs), and 2 CPCs. 3 AHs (15 APs) will be physically relocated, and 3 AHs will lose more than 10% of their income-generating assets.

58. Two (2) resettlement plans (RPs), one for Bac Giang and one for Mong Cai, are prepared for those components which will trigger land acquisition and resettlement (LAR) impacts. One (1) resettlement and ethnic minority development plan (REMDP) is prepared for Sa Pa, as Indigenous People safeguards are triggered (Category B) but limited to LAR. Costs for the RPs and REMDP have been integrated into the project costs. The draft RPs at the appraisal stage and the updated RPs at the detailed design stage will be cleared by ADB. The RPs include a review of local laws and regulations, gap analysis and proposed gap-filling measures. The resettlement policy proposed in the project is consistent with the provisions of the ADB's SPS 2009 and takes into consideration relevant provisions of local laws and ADB's SPS.

59. The cost is estimated to be USD 2.87 million, which includes base costs, allowances, contingencies, administrative costs and income restoration program. Project information has been disclosed to affected persons through the project preparation during consultations and surveys and a project information booklet will distributed to all the affected people in by project approval. It will be updated and distributed during DMS (Detailed Measurement Survey). All LAR costs will be financed from the counterpart funds.

60. Effective monitoring and public consultation with all stakeholders and affected people at all stages of subprojects implementation will be ensured. In compliance with ADB's information disclosure and consultation requirements, the safeguard documents will be posted on ADB's website. Stakeholder consultations will continue through formal and informal focus group discussions. A grievance redress mechanism will help to facilitate resolution of complaints regarding project performance. The resettlement plan will be updated and disclosed after detailed design and cleared by ADB prior to contract awards.

61. For Sa Pa subproject, IP safeguards are triggered and is categorized B. However, impacts are limited to land acquisition and hence an REMDP is prepared in accordance with the requirements outlined in OM/F1 and ADB's SPS 2009.

62. Pursuant to ADB's Safeguard Policy Statement (2009) (SPS)¹⁴, 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.

VII. GENDER AND SOCIAL DIMENSIONS

A. Overall Objective and Strategy

63. A social, poverty and gender analysis was undertaken in accordance with the Asian Development Bank guidelines. Information collected contributed to the project design, ensuring social inclusion of the poor and economically vulnerable as well as supporting the need for measures to mitigate the impacts of climate change on the urban and peri-urban population. A Gender Action Plan (GAP), Participation Plan, and Stakeholder Communication Strategy (SCS) were prepared, and input was provided into the Summary Poverty Reduction and Social Strategy (SPRSS).

64. From the analysis conducted, the project is classified as General Intervention (GI). The poverty and social assessment identified the following key issues: poor environmental sanitation, physical access and connectivity, road safety, unstable employment and limited availability of sustainable livelihoods, limited skills to capture economic opportunities, and risk of human trafficking (in Sa Pa). The project will result in improved climate resilient infrastructure and urban environmental services in Bac Giang, Mong Cai, and Sa Pa to benefit the combined population of 290,859 total (of which 130,675 are urban center residents), including 304 poor households (urban centers) and 22,192 female headed households (urban centers).

65. The majority of the built up urban areas in Bac Giang, Mong Cai and Sa Pa will be served by improved/new wastewater collection and treatment infrastructure that will benefit 19,700 people including 100% of the poor and female headed households improving their health/hygiene and living conditions and environment.. New and improved roads will improve access (17.6kms) to the existing and planned urban populations in Bac Giang and to peri-urban populations in Sa Pa district, opening up better farm-to-market access and eco-tourism potential and reducing travel distance and time travelled.

66. The key poverty reduction and socially inclusive design features of the project include (i) free household connections for wastewater collection at affordable monthly tariffs; (ii) access to employment in project construction for unskilled laborers and ethnic minorities; (iii) vocational training opportunities for poor and vulnerable households to enhance their employment and livelihoods; (iv) enhanced awareness on environmental sanitation and hygiene; and (v) traffic safety measures including regulation and signs.

67. This project is categorized as Effective Gender Mainstreaming (EGM). The gender assessment identified the following issues: (i) high proportion of female-headed households (in Bac Giang/68%, Mong Cai/65%); (ii) low perception of value of women's contribution; (iii) poor environmental sanitation with women receiving brunt of the impact due to gender-defined responsibilities; (iv) relatively low levels of female representation in institutions and decision-making limited qualifications/skills and jobs for women; (v) domestic violence; and (vi) risks and lack of awareness of human trafficking. In response to these issues, the key GAP measures/targets includes targeted vocational training and livelihood development, increasing

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women's representation and participation in decision making at all levels, employment through civil works construction and enhanced effectiveness of Women's Union (WU) as project delivery agent through capacity development training. Specific targets to enhance women's participation and increase capture of project benefits include: (i) in the three cities 19,700 people provided with free household connections for wastewater collection system at affordable monthly rates that will benefit poor and female headed households; (ii) at least 20 persons (30% female) trained in key project management areas; (iii) at least 100 persons (50% female) provided gender sensitization training for community leaders, government officers, and consultants involved in project implementation and delivery; (iv) 30% of unskilled laborers employed in construction are women and 30% of staff employed in O&M are women; (v) skills training/value chain market; and (vi) in Sa Pa a campaign for protection of young ethnic minority women and youths against human trafficking. Collection and monitoring of sex disaggregated data and gender sensitive indicators for regular GAP monitoring and reporting will be established in the Project's Performance Monitoring and Information System (PPMIS).

B. Budget and Implementation Arrangements

68. The GAP budget is the greater part of an integrated budget allocation for the implementation of social development initiatives. These initiatives will be financed by the Government of Viet Nam as part of their counterpart funding commitment under consultancy services and the incremental administration cost. A social development and gender specialist will also be part of the Project Implementation Support Consultant (PISC) team.

69. PMUs have been established in Bac Giang under the CPC, in Mong Cai under the CPC and in Sa Pa under Lao Cai DPI. The PMUs, with guidance from the PPCs and the PISC will be responsible for implementing and monitoring the GAP activities. The PCU with assistance from the national social development and gender specialist will be responsible for overseeing GAP implementation and monitoring. A national community development specialist will provide 14 months of professional inputs for each town through the proposed Capacity Building Program, who together with other consultants, will support: and provide for: (i) technical guidance to livelihood support and vocational training activities; (ii) coordination of WU's project implementation activities; (iii) the establishment of sex-disaggregated indicators for (PPMIS); and (iv) ensure institutional gender targets are met through support of targeted capacity development training to female EA/IA/PMU employees. The Capacity Building Program will be financed from government counterpart funds. The PMUs will incorporate GAP monitoring in their quarterly progress reports, (using the ADB GAP Progress Report template) to government and the ADB.

Gender Action Plan

Action	Indicators and Targets	Responsible
Outcome Improved urban services in the three participating towns		
Adequate resources are allocated to ensure the GAP is implemented in accordance with its terms for each subproject	The GAP has been prepared to ensure that 71,490 total women (38,166 urban women) in Bac Giang; 43,840 total women (25,741 urban women) in Mong Cai, and 26,336 total women (3,773 urban women) in Sa Pa will benefit from the improved infrastructure investments.	
Output 1. Strategic Local Economic Development Plans (SLEDPs) and Sa Pa Green City Action Plan (GCAP)		

Social and Gender specialist inputs to the development of each of the three SLEDPs, and GCAP for Sa Pa	The SLEDPs for the three towns, and the GCAP for Sa Pa, include consideration of poverty, social and gender issues with provision of specific strategic measures.	Steering Committees PCU
Output 2. Priority urban infrastructure investments and urban upgrading projects implemented		
New and improved wastewater management and treatment services	In the three cities 19,700 people (Bac Giang: 8,585 people, in Mong Cai 6,855 people, in Sa Pa 4,260 people) provided with free household connections for wastewater collection system at affordable monthly rates which includes 100% poor and female headed households. URENCO in collaboration with WU will coordinate city sanitation groups (Bac Giang, Mong Cai) with municipal waste collection services, sanitation groups provided protective gear, garbage trolleys, centralized collection areas and bins.	PCU, PMUs URENCO Bac Giang Waste Water and Pumping Center
Strengthened flood management and drainage improvements	In Bac Giang and Mong Cai flood risk is reduced for vulnerable urban areas and meeting MoNRE standards. Mong Cai: riverbank protection includes 980 m walkway with lighting, seating, and landscaped park (20-90 m wide) for recreation.	PCU, PMUs
New and improved roads and transport services	Bac Giang: Urban roads improve linkage between peri-urban, rural area and city center, with shorter travel time to markets in the town for selling agricultural products, to work places, schools and health services reducing women's time poverty. Road safety measures: proposed to limit heavy traffic and full size buses from using this road; footpath along first section of road leaving Sa Pa; ~100 traffic signs will be installed.	PCU, PMU
Improving the public realm	In Sa Pa: Street lighting and extension and improvement of pedestrian area, improved access for those with mobility problems. Traffic management measures (one-way street et al) will enable pedestrians to move more freely and safely.	PCU, PMU
Output 3. Institutional capacities for managing public investments strengthened.		
Targets for female representation in sector/decision making/training	At least 20 persons (30% female) trained in key project management areas. At least 100 persons (50% female) provided gender sensitization training for community leaders, government officers, and consultants involved in project implementation and delivery. PMUs shall target recruitment of 50% female staff, including 30% in decision making positions.	PISC, PMUs
Social Development and Gender Specialist. Designated PMU counterpart Social and Gender staff.	The National Social Development and Gender Specialist (10 person-months) will be part of the PISC team and assist the PCU/PMUs, working with 12 designated local gender focals (16 person-months). They will provide technical leadership in preparation of community awareness campaigns, GAP implementation and monitoring. They will assist the PMU in programs and projects to develop livelihoods, social development and vocational needs, targeted at participation of poor self-identified unskilled laborers (75% female) in sub project towns for formal skills upgrading and vocational training related to corridor town competitive advantage (e.g.	PISC, PCU, PMUs

	hospitality/foreign language/tourism services, formal construction skills). In addition to the specialist under the PICS Team, additional specialists focusing on community development, social development / gender and capacity building will be recruited as part of the consulting teams under counterpart financing.	
Employment creation	30% of unskilled laborers employed in construction are women. 30% of staffs employed in O&M are women. In Sa Pa: Road 152 upgrading include construction of 2-3 traditional style houses located at the road junctions with tracks that provide access to the valley walks, where ethnic minority women can sell handicrafts (included in project cost). In all towns: 75% of all unskilled laborers are of local origin. Skills training/value chain market support for poor women to ensure local capture of city's "economic competitiveness" features.	PCUs, PMUs
Gender monitoring	PPMIS will include sex-disaggregated data and gender-sensitive monitoring indicators and the PMU will provide quarterly GAP progress reports to the Government and ADB using the ADB GAP progress report template.	PCU, PMUs PISC
Output 4. Community awareness on project activities and environmental sustainability improved		
At least 15 community awareness and dissemination campaigns covering environmental sustainability and social risk themes conducted.	At least 5 campaigns in each project town over the project implementation period, covering environmental sanitation and 'clean city-green city' themes supporting increased access to services with equal men and women's participation. In Sa Pa, this would include a campaign for protection of young ethnic minority women and youths against human trafficking.	PMUs, WU

EGM = Effective Gender Mainstreaming; GAP = Gender Action Plan; GCAP = Green City Action Plan; MoNRE = Ministry of Natural Resources and Environment; O&M = Operations and Maintenance; PCU = Project Coordination Unit; PISC = Project Implementation Support Consultants; PMU = Project Management Unit; PP = Participation Plan; SCS = Stakeholder Communication Strategy; PPMIS = Project Performance Monitoring and Information System; SLEDP = Strategic Local Economic Development Strategy;; SPRSS = Summary Poverty Reduction and Social Strategy; URENCO = Urban Environment Company; WU = Women's Union.

VIII. PERFORMANCE MONITORING, EVALUATION, REPORTING AND COMMUNICATION

A. Project Design and Monitoring Framework

DESIGN AND MONITORING FRAMEWORK

Impact the Project is Aligned with			
Economic, sociocultural, and environmental development in the three towns of Bac Giang, Mong Cai, and Sa Pa, improved, contributing to making Viet Nam a modern, industrial country. (Socioeconomic Development Strategy, 2011–2020. ^a)			
Results Chain	Performance Indicators with Targets and Baselines	Data Sources and Reporting	Risks
Outcome Improved urban services in the three participating towns	By 2021: a. 19,700 people served by new and improved wastewater collection and treatment facilities in three towns b. 19,900 households with reduced flood risk through improved flood management in 4,220 hectares in Bac Giang and Mong Cai c. 17.6 km of roads improved for better mobility and reduced travel times in Sa Pa and Bac Giang towns (2015 baselines for a–c: 0)	a–c. Construction records, project progress reports, end of project survey	Lack of capacity for project management. Lack of financial sustainability due to non-cost recovery tariffs.
Outputs 1. SLEDPs and Sa Pa GCAP developed	By 2016: 1a. SLEDPs endorsed by the participating provinces and towns (2015 baseline: Final draft SLEDPs completed) By 2020: 1b. GCAP for Sa Pa completed and endorsed by Sa Pa town and Lao Cai Province (2015 baseline: N/A)	1a. Letter of endorsement from executing agency 1b. Letter of endorsement from executing agency	Potential irregularities in procurement and financial management. Delay in project start-up and implementation. Potential presence of unexploded ordnance (UXO) causes safety issues and delays.
2. Priority urban infrastructure investments implemented	By 2020: 2a. At least 30% of unskilled laborers employed in subproject construction are women. At least 30% of staff employed in O&M are women. At least 75% of all unskilled laborers/staff are of local origin. (Baseline: N/A) 2b. Wastewater treatment capacity of 10,000 m ³ /day added in Bac Giang through construction of one new WWTP; improvements to four ponds.	2a. Contractor's records and progress monitoring reports 2b–2k. Construction records, subproject completion reports	Potential archeological finds could cause delays.

Results Chain	Performance Indicators with Targets and Baselines	Data Sources and Reporting	Risks
	<p>2c. Wastewater treatment capacity of 12,000 m³/day added in Mong Cai through construction of two new WWTPs (8,000m³/day and 4,000m³/day)</p> <p>2d. Wastewater treatment capacity of 7,500 m³/day added in Sa Pa town through construction of two new WWTPs (5,000 m³/day in North East and 2,500 m³/day in South West)</p> <p>2e. 8,585 people in Bac Giang, 6,855 people in Mong Cai and 4,260 people in Sa Pa serviced by new and improved wastewater services</p> <p>2f. Stormwater pumping capacity increased by 153,000 m³/day in Bac Giang (135,000 m³/day) and Mong Cai (18,000 m³/day)</p> <p>2g. 5.2 km of improved drainage and 2.5 km of enhanced riverbank protection in Mong Cai</p> <p>2h. 3.2 km of roads sections built or upgraded in Bac Giang</p> <p>2i. 14.4 km of roads upgraded in Sa Pa</p> <p>2j. 10,250 m² of pedestrian area paved or repaved in Sa Pa</p> <p>2k. 2.1 km of street and alleys upgraded with improved urban facilities in Sa Pa (2015 baselines: 0)</p>		
<p>3. Institutional capacities for managing public investments strengthened.</p>	<p>By 2020: 3a. At least 20 persons (30% female) trained in project management (Baseline: N/A) 3b. At least 100 persons (50% female) trained on gender aspects (Baseline: N/A)</p>	<p>3a. Project progress and completion reports, training manuals</p> <p>3b. Project progress and completion reports, training manuals</p>	

Results Chain	Performance Indicators with Targets and Baselines	Data Sources and Reporting	Risks
	3c. PMUs recruit at least 50% female staff, including at least 30% in decision-making positions (Baseline: N/A)	3c. Government employment records	
4. Community awareness on project activities and environmental sustainability improved	By 2020: 4a. At least 5 community awareness and dissemination campaigns in each project town covering environmental sustainability and conservation themes conducted, with equal participation by men and women. (2015 baseline: 0). In Sa Pa, to include a campaign for protection of young ethnic minority women and youths against human trafficking.	4a. Attendance records, project progress and completion reports	

Key Activities with Milestones

Output 1. Strategic local economic development plans and Sa Pa Green City Action Plan developed

- 1.1 Endorsement of SLEDPs by participating provinces and towns (Q2 2016)
- 1.2 Completion of GCAP for Sa Pa and endorsement by Sa Pa town and Lao Cai Province (Q4 2020)

Output 2. Priority urban infrastructure investments implemented

- 2.1 Completion of detailed engineering designs (Q4 2016)
- 2.2 Completion of land acquisition and resettlement (Q4 2016)
- 2.3 Bidding of civil works contracts (Q4 2017)
- 2.4 Signing of civil works contracts (Q4 2017)
- 2.5 Completion of civil works (Q4 2020)
- 2.6 Conduct safeguards monitoring and reporting (Q1 2016 to Q4 2020)

Output 3. Institutional capacities for managing public investments strengthened

- 3.1. Formulate capacity building program (Q4 2016)
- 3.2. Complete key trainings and capacity building activities (Q4 2018)

Output 4. Community awareness on project activities and environmental sustainability improved

- 4.1 Conclusion of community awareness and dissemination campaigns (Q4 2020)

Inputs

ADB: \$100,000,000 (loan)

Government: \$ 21,670,000

Assumptions for Partner Financing

Not Applicable

ADB = Asian Development Bank, CBP = capacity building plan, GCAP = green city action plan, km = kilometer, m² = square meter, m³/day = cubic meter per day, Q = quarter, SLEDP = strategic local economic development plan, WWTP = wastewater treatment plant

^a Government of Viet Nam, Ministry of Planning and Investment. 2011. *Socioeconomic Development Strategy, 2011–2020*. Hanoi.

Source: Asian Development Bank.

B. Monitoring

70. **Project performance monitoring.** The PMUs will be responsible for all aspects of monitoring and evaluation, including performance against project milestones; (ii) safeguards monitoring; and (iii) financial commitments. Reports on project achievements will be provided quarterly and summarized annually.

71. Within three months of loan effectiveness the consultants will have presented and the PPCs approved a Project Performance Monitoring Information System (PPMIS) using targets, indicators, assumptions and risks from the DMF. The PMUs will conduct regular monitoring,

using the same indicators and submit reports on their findings to the EAs and the ADB. Results of a comprehensive completion survey will be included in the project completion report.

72. **Compliance Monitoring** - The status of compliance with loan covenants, covering policy, legal, financial/economic, environmental and social safeguards and others will be reviewed at each ADB review mission. Any non-compliance issues will be specified in the quarterly progress reports together with remedial actions.

73. Status of the implementation of the IEE/EMP and RP/REMDP will be discussed at each ADB review mission and integrated into semi-annual reports for IEE/EMP and RP implementation using the *integrated safeguards monitoring format*. These will be prepared by the respective EAs with assistance from safeguard specialists of project consultants and safeguards officer in PCU, based on the information provided by IAs, contractors and community mobilizers, where relevant. The EAs will submit semi-annual reports to ADB, within 30 days of the end of reporting period, for review and disclosure. The safeguards monitoring team structure and responsibilities are summarized in table below.

Task Team	Responsibility
Project Director	Oversee safeguard implementation for the Project through PCU, PMUs and consultants. Submit semi-annual safeguard monitoring reports to ADB.
PCU Safeguards Officer/s	Analyze the consolidated monitoring data on safeguards and report the results and corrective actions to the Project Director.
IAs/PMUs Safeguards officer/s	Oversee field work of contractors and consultants. Review monthly environmental reports submitted by consultants and contractors, and consolidate and send to PMU.
PISC Environmental Safeguards Specialist Social Safeguards Specialist	Will assist the EA/PCU and IA/PMUs in the overall safeguards implementation (including updated RPs) and monitoring.

C. Safeguards Monitoring

74. **Involuntary Resettlement.** The project is categorized B for both IR and IP, so external monitoring is not required. The PCU, CFLD and PISC consultants will update and implement the RP and regularly monitor and evaluate the implementation of the RP. The monitoring and evaluation is intended to help ensure that the RP is prepared according to the resettlement policy and that it is implemented as planned. The EA will ensure that the reports of the project implementation support consultants include in their progress reports, the status of the resettlement plan implementation, information on location and numbers of people affected, compensation amounts paid by item, and assistance provided to AHs.

75. The objectives of the monitoring program are (i) to ensure that the standard of living of AHs are restored or improved; (ii) to monitor whether the overall project and resettlement objectives are being met; (iii) to assess if rehabilitation measures and compensation are sufficient; (iv) to identify problems and risks; and (v) to identify measures to mitigate problems.

76. The range of activities and issues that need to be recorded and verified, include:

- Compensation and entitlements computed at rates and procedures as provided in the updated RPs as agreed between RGC and ADB;
- Timely and complete disbursement of compensation to AHs in accordance with the agreed RPs, and as per agreement with Project authorities;

- Timely and complete delivery of compensation, income restoration and rehabilitation allowances and measures;
- Attention given to the priorities of AHs regarding the options offered;
- Public facilities and infrastructure affected by the Project are restored promptly; and,
- Issuance of notice to harvest the crops and vacate the land as per schedule;
- Information dissemination and public participation: the number of public consultation-meetings held during the preparation of the detailed compensation plan; the number of AHs that participated; comments, suggestions and concerns of the AHs and how these were addressed.
- Smooth transition period between the payment of compensation and assistance to APs and clearing of area prior to start of civil works.
- Grievance redress: number of APs with complaints, nature of the complaints, status of the resolution of the complaints; assessment of efficiency of the grievance redress mechanism.
- Gender concerns: participation of women in meetings and in the implementation of resettlement; concerns of women in connection with their resettlement and resolution of their grievances.

77. An outline of the social safeguards monitoring report is presented in Appendix 3.

77. Within 6 months of resettlement implementation completion of the Project the EAs with support of PISC will conduct a final monitoring and evaluation to assess the success and achievement of the project resettlement objectives, as well as to provide recommendations for necessary adjustments if needed.

78. **Environmental monitoring** - The contractors will be required to prepare brief monthly reports on mitigation activities and environmental issues for the PMUs. The PCU/PMUs with the assistance from the consultants will be responsible to prepare and send quarterly reports on environmental issues and overall performance of the EMP to the EA. The EA will review and submit to the relevant DONREs. The DONREs at their own discretion will conduct its own inspection of EMP performance.

79. **Gender and social dimensions monitoring** – The monitoring of impacts on social and gender aspects, including social and gender benefit monitoring will be incorporated into the overall project monitoring and evaluation. Assisted by the national social and gender specialist in the PISC team, the PMUs will be responsible for progress in the achievement of the outputs in the GAP. The PMUs will develop a PPMIS; establish sex disaggregated monitoring indicators for project performance, monitoring and evaluation. The PPMIS will include monitoring tools, reporting templates (including use of ADB GAP progress report template) and output indicators assisted by PISC. The IAs will submit periodic (minimum biannual) reports to the EA/PMUs using these tools, templates and indicators. Monitoring of the pro-poor and social inclusion design measures indicated in the Participation Plan, SPRSS and SCS, will be the responsibility of the PMUs. Periodic activity reports will be submitted by the IAs and EAs. The PMU will be assisted by the PISC in devising the monitoring indicators and reporting templates in assessing progress of the social inclusion action plans

80. Gender and social dimensions not covered under resettlement and ethnic minorities will be monitored internally through the PPMS. Specific indicators have been presented in the SPRSS as well as the GAP. These indicators will be further refined for the monitoring and evaluation framework during the detailed design phase.

D. Evaluation and Reporting

81. The government and the ADB reporting requirements will be harmonized by the consultants, who will produce detailed reporting formats within one month of project commencement.

82. The EA/IA will provide the ADB with quarterly progress reports in a format consistent with ADB's PPMS and consolidated annual reports including: (i) progress achieved by output as measured through the indicator's performance targets, (ii) key implementation issues and solutions; (iii) an updated procurement plan and (iv) an updated implementation plan for the following 12 months. Refer Appendix 4 for outline of the quarterly progress report.

83. The government and the ADB will jointly review the project at least twice a year. This includes: (i) the performance of the PMUs, PMU consultants and contractors; (ii) physical progress of each project component; (iii) effectiveness of capacity development and awareness building programs; (iv) compliance with loan covenants; and (v) assessment of project component sustainability in technical and financial terms.

84. In addition to the regular reviews, government and the ADB will undertake a comprehensive mid-term review after 2.5 years of project implementation to identify problems and constraints encountered and suggest measures to address them. Specific items to be reviewed will include (i) assessment of need to restructure or reformulate the project; (ii) update of the project's DMF; and (iii) examination of the need to extend the loan closing date.

85. The PMUs will submit financial reports in the prescribed format to the PCU/IAs on a monthly basis. Financial reports will be audited annually by qualified auditors approved by the ADB and government and the audit report, together with comments on any action being taken, shall be submitted to the ADB by the EA annually. These reports should be adequately reviewed.

86. The EA (and the PCU/PMUs) will also provide other reports as may be reasonably be requested by the ADB, including the project's environmental reports and resettlement reports.

87. Within six months of physical completion of the project the EA will submit a project completion report to the ADB, detailing, amongst other items, (i) information on project completion; (ii) use of loan proceeds on project components, and (iii) the extent to which the project outcome has been accomplished.

E. Stakeholder Communication Strategy

88. The preparation and adoption of a stakeholder communication strategy (SCS) is required by ADB to ensure inclusiveness, transparency, timeliness and the meaningful participation¹⁵ of stakeholders in the project. The SCS promotes messages targeted at key stakeholders consistent with established communication objectives as to what perspectives, actions and changes should be promoted to ensure the project's success. The SCS ensures

¹⁵ Available at: <http://www.adb.org/site/safeguards/policy-statement>

¹⁵ Meaningful participation is defined as a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues. ADB Safeguard Policy Statement 2009

that vulnerable groups, such as the poor, elderly, indigenous and ethnic groups, and women, who risk being marginalized, are provided with opportunities.

89. Key stakeholders, who are essential to engage to achieve project objectives and lessen project specific risks and challenges, have been identified. Stakeholders include (i) government agencies responsible for the design, management, and implementation of the project (PPCs, PMUs, CPCs (PMUs), Lao Cai DPI, WUs); (ii) utility companies who provide essential urban infrastructure services and facilities (i.e., URENCO, Bac Giang Waste Water and Pumping Center); (iv) residents in wards and communes; and (v) local media. The strategy serves to inform and support community development, enhance government agency capacity to manage project outcome and enhance project benefits and mitigate negative impacts.

90. The objectives are:

- To enhance project benefits and mitigate potential negative impacts, through timely information on the subproject components and potential social and economic benefits, particularly for the poor, women, and ethnic minorities;
- To establish two-way information sharing/dialogue mechanisms with stakeholders;
- To communicate wastewater connection benefits, tariffs and special provisions for poor and vulnerable households;
- To raise public awareness on environmental sanitation behavior and hygiene.
- To communicate IR livelihood support measures;
- To communicate project's grievance redress mechanism and procedures;
- To promote gender equity generally and with a particular focus upon women empowerment, women's access to economic opportunities;

a. Responsibilities and resources

- The SCS activities will be organized in cooperation with Women's Union and the City People's Committees (CPC/PMUs). The responsibility for implementing the strategy will be shared between several stakeholders:
- The PCU and PMUs will have the overall responsibility for updating and implementing the SCS and will be in charge of the activities targeted at the private sector.
- The Women's Union will assist in the dissemination of information and conduct awareness-raising activities on the subjects listed in the GAP.
- The local media will provide support through production of: print materials, newspapers, radio and TV programs, web, etc.

b. To fulfill the tasks, capacity building activities will be organized as follows:

- PMU officers in charge of Communication: Training in communication skills.
- Key Women's Union staff: training on personal value and self-esteem and subsequent training of WU members. Applying a Training of Trainers approach (ToT).
- These stakeholders will receive the support from the international and national and social and gender specialists and community development specialists. .

c. The resources required for the implementation of the SCS refers to:

- The cost of the Communication Strategy activities will be covered by the Capacity Building Program.
- The Consultancy cost for the international and national specialists.

Stakeholder Communications Strategy							
Objective	Key Risks / Challenges	Main Stakeholders	Key Messages	Means of Communication (Channels /Languages /Activities)	Timeline	Responsibility	Resources (Human, \$)
1. To enhance project benefits and mitigate potential negative impacts, through timely information on the subproject components and potential social and economic benefits, particularly for the poor, women, and ethnic minorities.	Not enough attention paid to women, illiterate people and ethnic minorities. Poor excluded from information meetings. Limited/lack of locally relevant IAE-material and TV-radio programs. Language and cultural barriers Trust of information Level of outreach	PCU PMUs Women's Union. Subproject beneficiaries Local media Local private sector.	Schedule of implementation phases in different areas. Impacts – both positive and negative – on communities.	Messages tailored to the specificity of the local communities Print IAE materials: fact sheets, leaflets... Media outreach (radio, newspaper, TV, web, etc.) Commune loudspeaker system. Ward meetings. Cultural events. Market days.	From outset of subproject and throughout subproject life in accordance with progress of activities. Outset of project: + Creation of IAE materials on subproject components + Training of stakeholders.	PMU Women 's Union Local media	Funds through the Capacity Building Program. Consultancy cost for National and International Institutional Specialists, and for National and International Social and Gender Specialists.
2. To establish two-way information sharing/ dialogue mechanisms with stakeholders.	Traditional gender relationships and women's time constraints. Vulnerable groups' poor economic means.	PCU PMU Women's Union. Beneficiaries. Local private sector.	Role of stakeholders' consultation in subproject. Present feed-back mechanisms. Discussion on preferred channels of consultations.	Ward meetings. Group discussions. Communities Workshops. Local media. Use of participatory methods and tools.	From outset of project and throughout project life in accordance with progress of activities.	PMU Women 's Union Local media	As above
3. To communicate free wastewater connection benefits, affordable	Identifying poor and vulnerable households for communication on special provisions Language and	PCU PMU Women's Union. Beneficiaries.	Project's conditions for providing household connections. 19,700 people including poor and	Ward meetings. Group discussions. Communities Workshops. Local media. Use of participatory	From outset of project and throughout project life in accordance with progress of activities.	PCU PMU Women's Union	As above

Stakeholder Communications Strategy							
Objective	Key Risks / Challenges	Main Stakeholders	Key Messages	Means of Communication (Channels /Languages /Activities)	Timeline	Responsibility	Resources (Human, \$)
monthly tariffs and special provisions for poor and vulnerable households.	cultural barriers Trust of information Level of outreach		female headed households in the project towns will have free wastewater connections and pay affordable monthly tariffs	methods and tools.			
4. To raise public awareness on environmental sanitation behavior and hygiene.	Limited/lack of locally relevant IAE-material and TV-radio programs. Language and cultural barriers Trust of information Level of outreach	PMU Women's Union. Local media. Beneficiaries. Private sector.	Key benefits of environmental sanitation: improved health, pleasant living environment Expected participation of the communities in community sanitation activities	Public meetings, fairs, exhibitions. Workshops, conferences. Group discussions. Separate meetings held for women. Print IAE materials. Radio and TV programs.	From outset of project and throughout project in accordance with progress of activities. Outset of project: + Creation of IAE materials on subproject components + Training of stakeholders	PMU. Women 's Union Local media	As above
5. To communicate IR livelihood support measures.	Limited/lack of relevant IAE-material in local (ethnic) language(s) Ethnic minority women difficult to reach Language and cultural barriers Trust of information	PCU PMU Women's Union. Sa Pa Ethnic Minority Board Ethnic minority women in Sa Pa	Opportunities for women and men for employment in project civil works Opportunities for using selling places along Road 152 (Sa Pa)	Group discussions. Separate meetings held for women.	From outset of project and throughout project in accordance with progress of activities.	PMU	As above

Stakeholder Communications Strategy							
Objective	Key Risks / Challenges	Main Stakeholders	Key Messages	Means of Communication (Channels /Languages /Activities)	Timeline	Responsibility	Resources (Human, \$)
	Level of outreach						
6. To communicate project's grievance redress mechanism and procedures.	Limited/lack of locally relevant IAE-material and TV-radio programs Language and cultural barriers Trust of information Level of outreach	PCU PMU	Who and where to contact Types of grievances Procedures: what information to provide, expected time for processing	Print IAE materials. Radio and TV programs.	From outset of project and throughout project in accordance with progress of activities.	PCU PMU	As above
7. To promote gender equity generally and with a particular focus upon women empowerment, women's access to economic opportunities;	No interest from men due to traditional gender relationships. Limited/lack of locally relevant IAE-material and TV-radio programs. Language and cultural barriers Trust of information Level of outreach	PMU. Women's Union. Ethnic minority women (Sa Pa) Local media.	Opportunities for women and men for employment in project civil works Awareness raising on risks of human trafficking (Sa Pa).	Community workshops and seminars. Technical training. Ward meetings. Group discussions with men and women together. Print IAE materials. Radio and TV programs.	From outset of project and throughout project life in accordance with progress of activities. Outset of project: + Creation of IAE materials on subproject components + Training of stakeholders	PMU Women 's Union Local media	As above

IX. ANTICORRUPTION POLICY

91. ADB reserves the right to investigate, directly or through its agents, any violations of the Anticorruption Policy relating to the Project.¹⁶ All contracts financed by ADB shall include provisions specifying the right of ADB to audit and examine the records and accounts of the EA 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.¹⁷

92. To support these efforts, relevant provisions are included in the loan agreement or regulations and the bidding documents for the project. In particular, all contracts financed by ADB in connection with the project will include provisions specifying the right of the ADB to audit and examine the records and accounts of the EAs and all contractors, suppliers, consultants, and other service providers as they relate to the project.

93. Full information disclosure and participatory monitoring at both central and local levels are expected to be effective in reducing the risk of corruption and improving governance at central and local levels.

94. The EAs will prepare a grievance redress mechanism, acceptable to ADB, and ensure that there is an appointed officer, with the requisite capacity, in each PMU to receive, resolve or act upon, both independently and expeditiously, complaints or grievances or reports from stakeholders on misuse of funds and other irregularities relating to the project or the specific project components, including but not limited to grievances due to resettlement. Each PMU will inform stakeholders of their right to submit complaints or grievances relating to the project.

95. Project-specific measures to enhance governance and prevent corruption, designed along with the stages of project implementation and the disbursement chain in mind, include (i) the requirement for the EAs and the PMUs to follow GoV rules and procedures for all expense and revenue items including cash and the proper and accurate maintenance of financial records; and (ii) establishing a project website at EAs level to provide transparency on project details including procurement.

X. ACCOUNTABILITY MECHANISM

96. 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.¹⁸

¹⁶ Available at: <http://www.adb.org/Documents/Policies/Anticorruption-Integrity/Policies-Strategies.pdf>

¹⁷ ADB's Integrity Office web site is available at: <http://www.adb.org/integrity/unit.asp>

¹⁸ For further information see: <http://www.adb.org/Accountability-Mechanism/default.asp>.

XI. RECORD OF PAM CHANGES

97. The PAM will be subject to change after ADB Board approval of the project and during the period of project implementation. All revisions and updates of the PAM made should be recorded in this section to provide a chronological history of the changes to the implementation arrangements recorded in PAM.

98. Key sections of the 1st draft of the PAM were discussed and agreed upon during the ADB Loan Fact Finding in May/June 2015.

99. The PAM was updated between July 20, 2015 and August 28, 2015 following receipt of the PPTA draft final report.

100. The PAM was updated during loan negotiations 15-16 October 2015.

VII. APPENDICES

1. PROCUREMENT PLAN
2. TERMS OF REFERENCE FOR CONSULTING SERVICES
 - 2A: PROJECT IMPLEMENTATION SUPPORT CONSULTANTS
 - 2B: BAC GIANG: DETAILED DESIGN AND CONSTRUCTION SUPERVISION
 - 2C: MONG CAI: DETAILED DESIGN AND CONSTRUCTION SUPERVISION
 - 2D: SA PA: DETAILED DESIGN AND CONSTRUCTION SUPERVISION
 - 2E: CAPACITY BUILDING
3. OUTLINE OF SOCIAL SAFEGUARDS MONITORING REPORT
4. OUTLINE QUARTERLY PROGRESS REPORT FORMAT
5. PROCUREMENT CAPACITY AND RISK ASSESSMENT
6. INSTITUTIONAL ARRANGEMENTS FOR ENVIRONMENTAL SAFEGUARDS
7. SUMMARY OF CLIMATE CHANGE ASPECTS AND COSTS
8. LIST OF LINKED DOCUMENTS

APPENDIX 1 PROCUREMENT PLAN

Basic Data

Project Name: Second Greater Mekong Subregion Corridor Towns Development Project	
Project Number: 46443-004	Approval Number: [LXXXX-VIE]
Country: VIET NAM	Executing Agency: Provincial People's Committees of Bac Giang, Quang Ninh and Lao Cai
Project Procurement Classification: B	Implementing Agency: People's Committees of Bac Giang, Quang Ninh and Lao Cai Department of Planning and Investment
Procurement Risk: Low	
Project Financing Amount: \$ 121.67 million ADB Financing: \$100.00 million Non-ADB Financing: \$21.67 million	Project Closing Date: 31 December 2020
Date of First Procurement Plan: [date of approval]	Date of this Procurement Plan:

A. Methods, Thresholds, Review and 18-Month Procurement Plan

1. Procurement and Consulting Methods and Thresholds

Except as the Asian Development Bank (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	\$10,000,000	Prior
International Competitive Bidding for Goods	\$2,000,000	Prior
National Competitive Bidding (NCB) for Works ³	Beneath that stated for ICB, Works	First contract for each Province under Prior review, and subsequently Post review
National Competitive Bidding for Goods ³	Beneath that stated for ICB, Goods	First contract for each Province under Prior review, and subsequently Post review
Shopping for Works	Below \$100,000	Post
Shopping for Goods	Below \$100,000	Post

Consulting Services	
Method	Comments
Quality and Cost Based Selection (QCBS)	Project Management and Implementation Consultants
Quality and Cost Based Selection (QCBS)	Sa Pa Green City Action Plan Consultants
Government Procedures	Detailed Engineering Design Consultants
Government Procedures	Construction Supervision

	Consultants
Government Procedures	Capacity Building Consultants
Government Procedures	Other Consulting Services

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

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 Number ⁶	General Description	Estimated Value (USD million)	Procurement Method	Review [Prior / Post/Post (Sample)]	Bidding Procedure	Advertisement Date (quarter/year)	Comments
	<u>Bac Giang</u>						
BG1	Tran Quang Khai Road	9.38	NCB	Prior/Post	1S1E	4/2016	No PQ; NCB works harmonized standard bidding documents
BG2	North Eastern Ring Road	3.47	NCB	Prior/Post	1S1E	4/2016	No PQ; NCB works harmonized standard bidding documents
BG3	Wastewater Collection and Pond Improvements	1.76	NCB	Prior/Post	1S1E	4/2016	No PQ; NCB works harmonized standard bidding documents
BG4	Stormwater Improvements	7.38	NCB	Prior/Post	1S1E	4/2016	No PQ; NCB works harmonized standard bidding documents
BG5	Wastewater Treatment Plant Extension	6.75	NCB	Prior/Post	1S1E	4/2016	No PQ; NCB works harmonized standard bidding documents
	<u>Mong Cai</u>						
MC1	Wastewater Improvements and Stormwater Improvements - East	9.98	NCB	Prior/Post	1S1E	4/2016	No PQ; NCB works harmonized standard bidding documents
MC2	Wastewater Improvements and Stormwater Improvements- West	6.90	NCB	Prior/Post	1S1E	4/2016	No PQ; NCB works harmonized standard bidding documents
MC3	River Bank Protection	11.77	ICB	Prior	1S1E	4/2016	No PQ; large works bidding documents
	<u>Sa Pa</u>						
SP1	Wastewater and Drainage	11.47	ICB	Prior	1S1E	4/2016	No PQ; NCB works harmonized standard bidding documents
SP2	Road 1-Route	9.31	NCB	Prior/Post	1S1E	4/2016	No PQ; NCB

	152						works harmonized standard bidding documents
SP3	Town Center Enhancement	7.91	NCB	Prior/Post	1S1E	4/2016	No PQ; NCB works harmonized standard bidding documents

1S1E = single stage-one envelope; ICB = international competitive bidding; NCB = national competitive bidding; PQ = prequalifications

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

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

Package Number	General Description	Estimated Value (USD million)	Recruitment Method	Review (Prior / Post)	Advertisement Date (quarter/year)	Type of Proposal	Comments
1	Project Management and Implementation Consultants (119 person-months)	1.11	QCBS	Prior	3/2015	FTP	International and national; 90:10 quality cost-ratio
2	Green City Action Plan (Sa Pa) (68 person-months)	1.00	QCBS	Prior	3/2015	FTP	International and national; 90:10 quality cost-ratio

QCBS = quality-cost based selection; FTP = full technical proposal

3. Goods and Works Contracts Estimated to Cost Less than \$2 Million and Consulting Services Contracts Less than \$100,000 (Smaller Value Contracts)

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 Number	General Description	Estimated Value (USD million)	Number of Contracts	Procurement Method	Review [Prior / Post/Post (Sample)]	Bidding Procedure	Advertisement Date (quarter/year)	Comments

Consulting Services								
Package Number	General Description	Estimated Value	Number of Contracts	Recruitment Method	Review (Prior / Post)	Advertisement Date (quarter/year)	Type of Proposal	Comments

B. Indicative List of Packages Required Under the Project

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 Number ⁶	General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Procurement Method	Review [Prior / Post/Post (Sample)]	Bidding Procedure	Comments

Consulting Services							
Package Number	General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Recruitment Method	Review (Prior / Post)	Type of Proposal	Comments

C. List of Awarded and On-going, and Completed Contracts

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

1. Awarded and On-going Contracts

Goods and Works							
Package Number	General Description	Estimated Value	Awarded Contract Value	Procurement Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award	Comments

Consulting Services							
Package Number	General Description	Estimated Value	Awarded Contract Value	Recruitment Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award	Comments

2. Completed Contracts

Goods and Works								
Package Number	General Description	Estimated Value	Contract Value	Procurement Method	Advertisement Date (quarter/ year)	Date of ADB Approval of Contract Award	Date of Completion	Comments

Consulting Services								
Package Number	General Description	Estimated Value	Contract Value	Recruitment Method	Advertisement Date (quarter/ year)	Date of ADB Approval of Contract Award	Date of Completion	Comments

D. Non-ADB Financing

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

Goods and Works				
General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Procurement Method	Comments

Consulting Services				
General Description	Estimated Value (USD Million)	Estimated Number of Contracts	Recruitment Method	Comments
Detailed Design and Construction Supervision ^{a)}				
Bac Giang	1.15	1	Government procedure	National
Lao Cai	1.34	1	Government procedure	National
Quang Ninh	1.08	1	Government procedure	National
Capacity Building ^{a)}				
Bac Giang	0.51	1	Government procedure	National
Lao Cai	0.51	1	Government procedure	National
Quang Ninh	0.51	1	Government procedure	National

a) To be contracted as one or more contract(s) per province.

E. National Competitive Bidding

1. General

The procedures to be followed for the procurement of goods, non-consulting services, and works under contracts awarded on the basis of National Competitive Bidding shall be those set forth in: (a) Law on Procurement No. 43/2013/QH13 dated November 26, 2013 (“Law on Procurement”) and (b) Decree No. 63/2014/ND-CP dated June 26, 2014 (collectively, “National Procurement Laws”). Whenever any procedure in the National Procurement Laws is inconsistent with the ADB Procurement Guidelines (March 2013, as amended from time to time), the ADB Procurement Guidelines shall prevail, amongst others on the following.

2. Eligibility

(i) The eligibility of bidders shall be as defined under section I of the ADB Procurement Guidelines; accordingly, no bidder or potential bidder should be declared ineligible for reasons other than those provided in section I of the ADB Procurement Guidelines, as amended from time to time. Conditions of bidders’ participation shall be limited to those that are essential to ensure bidders’ capability to fulfill the contract in question. Foreign bidders shall be eligible to participate under the same conditions as national bidders. Foreign bidders shall not be asked or required to form joint ventures with, or be subcontractors to, national bidders in order to submit a bid.

(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 bidder shall not have a conflict of interest, which term shall be defined in accordance with section 1 of ADB Procurement Guidelines.¹ Any bidder found to have a conflict of interest shall be ineligible for contract award.

(iv) Government-owned enterprises in the Borrower’s country shall be eligible to participate as a bidder only if they can establish that they are legally and financially autonomous, operate under commercial law and are not dependent agencies of the Borrower or Sub-Borrower.

(v) National sanction lists may only be applied with approval of ADB².

3. Preferences

No preference of any kind shall be given to domestic bidders over foreign bidders or for domestically manufactured goods over foreign manufactured goods. Unless otherwise stated in the applicable financing agreement, preferences among domestic bidders set forth in Article 14(3) of the Law on Procurement shall not be applied.

4. Bidding Procedure

Single stage-single envelope shall be the default bidding procedure and application of other bidding procedures shall require ADB’s prior approval.

5. Time for Bid Preparation

¹ Detailed guidance on how to apply conflict of interest test is available under section 1 of ADB’s standard bidding documents for goods and works (as amended from time to time).

² For fraud and corruption cases, Section 50 of ADB’s Integrity Principles and Guidelines provides that ADB may decide that another international financial institution’s or legal or regulatory body’s determination that a party has failed to adhere to appropriate ethical standards, as defined by any established system of principles, rules, or duties, including the laws or regulations of a state, constitutes that party’s failure to maintain the highest ethical standards as required by ADB’s Anticorruption Policy. The party may be subject to remedial action in accordance with the Integrity Principles and Guidelines. <http://www.adb.org/sites/default/files/integrity-principles-guidelines.pdf>

The time allowed for the preparation and submission of bids for large and/or complex packages shall not be less than thirty (30) days from the date of the invitation to bid or the date of availability of the bidding documents, whichever is later.

6. Standard bidding documents

The Borrower's standard bidding documents, acceptable to ADB, shall be used. Bidders shall be allowed to submit bids by hand or by mail/ courier.

7. Bid Opening and Evaluation

- (i) Bids shall be opened in public, immediately after the deadline for submission of bids, regardless of the number of bids received.
- (ii) Except with the prior approval of ADB, merit points shall not be used in bid evaluation.
- (iii) No price adjustments shall be made for evaluation purposes in accordance with Article 117(6) of Decree 63 when unit rates offered by the bidder are determined to be abnormally low.
- (iv) Bidders shall be given commercially reasonable time period to respond to clarification requests.
- (v) Bidders shall not be eliminated from detailed evaluation on the basis of minor, non-substantial deviations³.
- (vi) Except with the prior approval of ADB, negotiations contemplated under paragraphs 7 and 8 of Article 117 of Decree No. 63/2014/ND-CP shall not take place with any bidder prior to contract award.
- (vii) 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.

8. Rejection of All Bids and Rebidding

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

9. 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 Gazette, 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, may request an explanation from the Borrower. The Borrower 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 a debriefing.

³ A 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.

10. Contract Administration

The Contract Agreement, as such term is defined in the relevant bidding document, shall be applied without any modification during implementation except as otherwise agreed by ADB.

11. Fraud and Corruption

A provision shall be included in all bidding documents for NCB works and goods contracts financed by ADB stating that ADB will sanction a party or its related parties, including declaring ineligible, either indefinitely or for a stated period of time, to participate in ADB-financed, administered or supported activities if it at any time determines that the party has, directly or indirectly through an agent, engaged in integrity violations as defined under ADB's Integrity Principles and Guidelines, including corrupt, fraudulent, collusive, or coercive practices in competing for, or in executing, an ADB-financed, administered or supported contract.

12. Right to Inspect/ Audit

Each bidding document and contract financed by ADB shall include a provision requiring bidders, contractors, agents (whether declared or not), sub-contractors, sub-consultants, service providers, or suppliers and any personnel thereof, to permit ADB to inspect all accounts, records and other documents relating to any prequalification process, bid submission, and contract performance (in the case of award), and to have them audited by auditors appointed by ADB.

APPENDIX 2

TERMS OF REFERENCE FOR CONSULTING SERVICES

2A. PROJECT IMPLEMENTATION SUPPORT CONSULTANTS

A. Introduction

1. The proposed Second Greater Mekong Subregion (GMS) Corridor Towns Development Project for Viet Nam will improve urban services in three towns, namely Bac Giang (Bac Giang Province), Mong Cai (Quang Ninh Province) and Sa Pa (Lao Cai Province). The project will support economic, socio-cultural and environmental development in the three towns in line with the Socio-Economic Development Strategy, 2011-2020. Key outputs of the project are: (i) Strategic Local Economic Development Plans (SLEDPs) and Sa Pa Green City Action Plan (GCAP) developed; (ii) priority urban infrastructure investments implemented; (iii) institutional capacities for managing public investments strengthened; and (iv) community awareness on project activities, and environmental sustainability and conservation improved.

B. Scope of Work

2. These consulting services will include an estimated 119 person months of consulting services (20 person-months international consulting and 99 person-months national) to (i) provide project implementation and coordination support to the PMUs, and (ii) assist with compliance with ADB's policies and operational requirements, including social and environmental safeguards monitoring and compliance.

3. The consultants will be recruited in accordance with the ADB Guidelines on the Use of Consultants (March 2013 and as amended from time to time) using the quality-and-cost-based selection (QCBS) method with a quality-cost ratio of 90:10.²² The firm shall be selected in the six months after project loan effectiveness and cover a period of four years from late 2016 to late 2020. All international consultants should have experience in developing countries. Experience in the Southeast Asia region, preferably Viet Nam, will be considered. All national consultants should be fluent in English as well as the national language, and have experience in international development projects.

C. Project Implementation Support Consultant

4. Consulting services will be provided to assist the work of the PMUs in project management, coordination and compliance with ADB procedures. The Project Implementation Support Consultant team shall consist of a range of specialists, working under the guidance of the Team Leader / Municipal Engineer, as outlined below.

Table 1: Summary of Positions and Person-Months for Consultancy Services

	Position	Person Months		
		International	National	Total
1	Team Leader / Municipal Engineer	14	0	14
2	Deputy Team Leader, Engineering and Procurement Specialists (3 positions)	0	45	45
3	Financial Analyst / Management Specialist	6	0	6

²² ADB. 2013. *Guidelines on the Use of Consultants by Asian Development Bank and Its Borrowers*. Manila.

4	Accounting Specialist	0	18	18
5	Project Performance Monitoring System Expert	0	6	6
6	Environmental Specialist	0	10	10
7	Social Safeguards Specialist (Resettlement and Ethnic Minorities)	0	10	10
8	Social Development and Gender Specialist	0	10	10
	Total	20	99	119

1. Team Leader/Engineer (International, 14 person-months)

5. The International Team Leader and Municipal Engineer will guide, supervise and coordinate overall consulting services, and provide project management support to the Executing Agency (EA) and the PMUs in each town. He/she will provide advice and guidance on sector coordination, policy coordination, policy implementation, sector regulations and other key project related issues to government, ADB and the consultant team members. The Team Leader, supported will by the Deputy Team Leaders, will have overall responsibility for preparing and consolidating reports prepared by all team members. The Team Leader should have at least a masters degree in civil/municipal engineering and/or a related subject, and be a chartered professional engineer with broad experience in the implementation of environmental engineering projects in South-East Asia. He/she should also have at least 15 years experience of project design and implementation under donor-funded projects of which 5 should be as Team Leader. Duties of the Team Leader will include:

- Establish the consulting services offices (one in each town), and coordinate and manage the overall consulting services inputs;
- Develop strong working relationships with the EA, PMUs, the provincial and local authorities, and the detailed design, construction supervision and capacity building consultants, to ensure smooth coordination among them;
- Confirm commitments to project implementation from all stakeholders;
- Develop detailed time bound implementation schedules;
- Design the program for initial training in project management and oversight for the PMUs and advise the national counterparts on its implementation in project towns;
- Advise on compliance with the relevant government and ADB policies and guidelines;
- Check as necessary detailed designs, cost estimates, bidding documents, and other contract documentation;
- Provide regular oversight to PMU staff and local consultants in the management of civil works and goods contracts and in the supervision of construction and subsequent commissioning of works;
- Provide oversight for overall sub-project financial management, accounting, and disbursements;
- Assist in arranging for smooth handover of the project facilities to the agencies responsible for O&M including advice and assistance on the preparation of all documentation necessary (e.g. as-built drawings) to close out contracts;
- Ensure proper and timely submission of regular progress reports to the EAs and the ADB, particularly the progress against target indicators;
- Initiate actions in the event of any adverse variances against the original plan;
- Provide overall guidance to the implementation of training and community awareness programs;

- Assist in ensuring all resettlement and environmental impact mitigation measures are fully implemented, ensure associated reporting is completed, and minimize adverse environmental impacts during construction;
- Provide site management guidance to the PMUs and local consultants in relation to the construction;
- Assist in project planning, scheduling, and reporting of sub-project activities;
- Assist in ensuring the quality of all of the infrastructure components;
- Update the draft procurement plan from time to time (at least annually);
- Ongoing guidance to the EA, IA/PMU staff on ADB procurement guidelines;
- Assist in the detailed monitoring and evaluation surveys; and
- Provide overall support for selection of contractors and suppliers, contract management, and quality control and inspection.

2. Deputy Team Leader, Engineering and Procurement Specialists (National, 3 positions, 15 person-months each)

6. The Deputy Team Leaders (three total, one for each town) should have a degree in civil/municipal engineering and at least 10 years experience in municipal and civil engineering and in contract procurement related matters. They should preferably have good experience in the design and implementation of donor funded projects, with particular reference to the ADB. They should work closely with and generally assist the Team Leader during the course of project implementation and be responsible for:

- Developing strong working relationships with the PMUs and the provincial and local authorities and ensure smooth coordination among them;
- Assisting the international counterpart in confirming commitments to project implementation from all stakeholders;
- Assisting the international counterpart in developing detailed time bound implementation schedules;
- Working closely with the international counterpart and managing the provision of initial training in project management, procurement and oversight for PMU;
- Help ensure compliance with the relevant government and ADB policies and guidelines;
- Support, review and provide guidance on all procurement-related aspects to PMUs, including detailed designs, cost estimates, bidding documents, and other contract documentation;
- Assist the international counterpart in providing regular oversight to PMU staff and local consultants in the management of civil works and goods contracts and in the supervision of construction and subsequent commissioning of works;
- Assist the international counterpart in providing oversight for overall sub-project financial management, accounting, and disbursements;
- Assist the international counterpart in arranging for smooth handover of the project facilities to the agencies responsible for O&M including advice and assistance on the preparation of all documentation necessary (e.g. as-built drawings) to close out contracts
- Ensure proper and timely submission of regular progress reports to the EA and the ADB, particularly the progress against target indicators;
- Help the international counterpart to initiate actions in the event of any adverse variances against the original plan;
- Assist the international counterpart to provide overall guidance for the implementation of training and community awareness programs and in a timely manner;

- Assist the international counterpart in ensuring all resettlement and environmental impact mitigation measures are fully implemented, ensure associated reporting is completed, and minimize adverse environmental impacts during construction;
- Provide site management guidance to the PMU and local consultants in relation to the construction;
- Assist the PMU in project planning, scheduling, and reporting of sub-project activities;
- Assist the PMU in ensuring the quality of all of the infrastructure components;
- Provide training and guidance to the EAs, PMUs and detailed design and construction supervision consultants on contract management, including as this relates to international construction standards (e.g. International Federation of Consulting Engineers – FIDIC);
- Troubleshoot and provide guidance on all procurement-related matters to EAs, PMUs and detailed design and construction supervision consultants, as needed; and
- Assist the international counterpart to update the draft procurement plan from time to time (at least annually).

3. Financial Analysis/Management Specialist (International, 6 person-months)

7. The International Financial Specialist should have a degree in business management, finance/accounting, economic business or a related discipline, from an internationally recognized institution. He/she should have at least 7 years experience of financial management and accounting under donor-funded projects, with particular reference to the ADB and past experience of working in Southeast Asia. The specialist will report to the Team Leader and work closely with the Accounting Specialist. Specific activities will include:

- Plan and organize financial management training seminars for the accounting staff in the PMUs. The training will cover loan disbursement procedures and financial management practices for ADB financed projects;
- Install good practices and knowledge for project accounting by providing on job training.
- Identify any issues in the financial management system for project implementation in the PMUs and recommend measures to address the issues identified;
- Advise PMUs on organizational arrangements for effective financial management for project implementation;
- Assist PMUs to develop procedures for financial accounting, reporting and auditing and loan disbursement for the project;
- Guide and assist PMUs to process ADB loan withdrawal in accordance with ADB's procedures. Assist the EA to coordinate with the PMUs and communicate with ADB in relation to financial management and loan withdrawal matters;
- Support PMUs to prepare documents for loan withdrawal including certificates and reporting formats for efficient and effective flow of funds between ADB, government, the PMUs, other relevant local government departments and contractors;
- Assist PMUs to prepare and update continuously financial records, projections, and reports of the project in accordance with procedural requirements of government and the ADB;
- Review current budgeting, accounting and financial reporting in the PMUs and Treasury agencies at the provincial and city levels and recommend changes to improve the efficiency and accuracy of budgeting, accounting, and financial reporting systems; and
- Review internal control systems in the PMUs and recommend improvements for internal control systems in the PMUs.

4. Accounting Specialist (National, 18 person-months)

8. The Accounting Specialist (National) must have a degree or equivalent in accounting from a nationally recognized institution. He/she should have at least 5 years relevant working experience in financial management and accounting under donor-funded projects, with particular reference to the ADB. The specialist will report to work and closely with the Financial Management/Analysis Specialist (International). Specific activities will include:

- Assist the international counterpart to plan and organize financial management training seminars for the accounting staff in the PMUs and the IAs. The training will cover loan disbursement procedures and financial management practices for ADB financed projects.
- Assist in the installation of good practices and knowledge for project accounting by providing on job training;
- Identify any issues in the financial management system for project implementation in the PMUs and work closely with the international counterpart to recommend measures to address the issues identified;
- Help advise PMUs on organizational arrangements for effective financial management for project implementation;
- Help assist PMUs to develop procedures for financial accounting, reporting and auditing and loan disbursement for the project;
- Guide and assist PMUs to process ADB loan withdrawal in accordance with ADB's procedures. Assist the EA to coordinate with the PMUs and communicate with ADB in relation to financial management and loan withdrawal matters;
- Help in supporting PMUs to prepare documents for loan withdrawal including certificates and reporting formats for efficient and effective flow of funds between ADB, government, PMUs and other relevant local government departments and contractors;
- Help in assisting PMUs to prepare and update continuously financial records, projections, and reports of the project in accordance with procedural requirements of ADB and government;
- Assist the international counterpart to review current budgeting, accounting, and financial reporting in the PMUs, IAs and treasury agencies at the provincial and town levels, and recommend changes to improve the efficiency and accuracy of budgeting, accounting, and financial reporting systems; and
- Assist the international counterpart review internal control systems in the PMUs and recommend improvements for internal control systems in the PMUs.

5. Project Performance Monitoring System (PPMS) Expert (National, 6 person-months)

9. The Project Performance Monitoring System (PPMS) is required to monitor the progress of project implementation and monitor the delivery of outputs, outcomes and impacts under the project. The expert will have at least a degree in social sciences, economics, governance/administration or a related discipline, with at least 5 years experience of monitoring and evaluation under donor-funded projects, with particular reference to the ADB. He/she will report to the Team Leader. Duties of the PPMS expert will include:

- Assist the Team Leader and the PMU to design a PPMS framework, based on the Design and Monitoring Framework (DMF) and in harmonizing ADB and government monitoring requirements;
- Assist the PMUs in preparing detailed data formats, survey designs and monitoring schedules;

- In association with the resettlement, social, and environmental specialists, assist in training for the EA, IAs and the PMU staff on overall project requirements for monitoring and evaluation.
- Assist the PMUs to collect, record and analyse all necessary data, including baseline data;
- Assist in preparing the terms of reference for the detailed monitoring and evaluation surveys, selecting a survey firm, supervising the baseline survey, and analyzing the survey results all as may be necessary;
- Review the PPMS survey results and provide comments for improvements;
- Assist the PMUs in ensuring the PPMS framework and its indicators are regularly updated; and
- Prepare annual PPMS reports and final PPMS reports for submission to the Team Leader and the PMUS.

6. Environmental Specialist (National, 10 person-months)

10. The Environment Specialist shall have a masters' degree in environmental engineering or related discipline and at least 7 years of experiences in environmental management and impact assessments, preferably with project experiences on donor-funded projects. The specialist will primarily ensure that the various subprojects conform to ADB's Safeguard Policy Statement 2009 particularly to the environmental aspects. The specialist will also assess compliance with applicable government environment laws and update environmental safeguard documents as may be necessary. He/she will report to the Team Leader. Duties of the Environmental Specialist will include:

- Provide technical advice/support to the PMUs and other players in the:
 - Revision and/or updating of IEEs, specifically in case of design changes/revisions. And, updating and finalization of the EMPs based on final design.
 - Monitoring of the incorporation of relevant mitigation measures in the detailed designs, mitigation measures and monitoring activities in the O&M Manual/s, where applicable.
- Ensure implementation of the Environmental Management Plans (EMPs) in all subprojects.
- Formulation and/or update of the monitoring and reporting systems for all project components.
- Advise the PMUs in the preparation of relevant terms of reference.
- Coordination with the procurement consultant/committee to ensure that the: Final Subproject EMPs are included in the respective bidding documents.
- Provide technical advice and support to the PMUs in the operationalization of the Grievance Redress Mechanism and other necessary preparations, e.g., materials for dissemination and posting, documentation and communication systems, among others. Setting up of the grievance redress reporting format and system.
- Undertake the necessary capability building activities (seminar or workshops) for the PMUs and other implementation partners/stakeholders.
- Conduct visits to subproject working sites to ensure EMP/EMoP implementation, and provide advice on any actions required to ensure EMP/EMoP compliance.
- Review monthly/quarterly environment monitoring reports submitted by contractors, IAs, and other parties.
- Conduct independent monitoring of EMP implementation status and additional environmental monitoring if necessary, to verify that issues and subsequent actions reported in the internal environmental monitoring report, quarterly progress report, and semi-annual

environmental progress report are in compliance with ADB's safeguard and other relevant policies;

- Review the implementation of the grievance redress mechanism. Identify necessary improvement/s in the mechanism. Review the reports prepared by the IAs/contractors.
- Make recommendations to resolve any issues and/or problems in implementing the EMPs, and provide advice to the executing agencies and implementing agencies;
- Assist the PMUs in preparing the integrated safeguards monitoring report that will be submitted to ADB on a semi-annual basis.
- Prepare reports, surveys and other materials related to environmental safeguards in the Vietnamese language.

7. Social Safeguards Specialist (Resettlement and Ethnic Minorities) (National, 10 person-months)

11. The Social Safeguards Specialist (Resettlement and Ethnic Minorities) will hold a Master's degree from a recognized university in social sciences, sociology or another relevant discipline. He/she should have a degree in anthropology, sociology, or a related social discipline. He/she will have at least 10 years of work experience in resettlement planning and social development, including 5 years with donor-funded projects. He/she will have an in-depth understanding of national and international best practices and policy on involuntary resettlement issues, social development, gender issues, and poverty reduction. Extensive experience in community mobilization and analysis of resettlement issues in Viet Nam will be an advantage. He /she must have a clear understanding of resettlement checklists and guidelines of ADB or other international donor agencies and be familiar with ADB Safeguards Policy Statement. The specialist will provide support and advice to both PMUs regarding social safeguards and resettlement activities. He/she will report to the Team Leader. Duties of the Specialist will include:

- Be responsible all issues pertaining to resettlement and ethnic minorities aspects during detailed design and construction supervision;
- Review and update the RPs/REMDP prepared during the Project Preparatory Technical Assistance (PPTA) and make necessary revisions based on DED and DMS following consultative meetings with EA and PMUs including affected households;
- Review and reconfirm resettlement support packages and make necessary updating acceptable to the government and ADB;
- Define categories of impact and eligibility of affected household for compensation, and finalize entitlement matrix covering compensation for lost assets and income including assistance to achieve to achieve full replacement costs for lost assets, income and livelihoods in accordance to national laws and regulations and ADB's Safeguards Policy Statement (SPS) ;
- Review the grievance redress mechanism and address any issues that arise during the project in accordance with the updated resettlement plan;
- Assist and improve, if necessary, procedures for the coordination of resettlement and compensation activities;
- Ensure that grievances are addressed promptly and properly and that grievance redress mechanism is functioning well and provide necessary training on grievance if needed;
- Establish and implement liaison mechanisms to ensure proper technical and logistical support to PMUs, local administrative authorities, resettlement committees and concerned government departments;
- Assist in the conduct of the information campaigns and public consultation and prepare consultation plans and formats for documenting consultations with affected people in

accordance with ADB policies, and provide technical assistance in the conduct of consultations with affected persons and project stakeholders;

- Assess stakeholder's concerns and recommend possible changes in project designs to minimize land acquisition and resettlement impacts and assist EAs and PMUs get the endorsement of the updated resettlement plan prior to submission to ADB review and concurrence;
- Ensure that gender and indigenous peoples issues are fully covered in the subproject implementation and subsequent investment planning as necessary;
- Assist in the development of the monitoring systems for social safeguards elements during project implementation and in the preparation of regular reports;
- Develop information, education and communication (IEC) programs to generate public awareness on the Project and assist in monitoring impact of IEC programs;
- Liaise with various stakeholders (i.e. agriculture extension centers, vocational training centers etc.) to prepare Income Restoration Programs (IRPs) and prepare Memorandum of Understandings (MOU) between PMU and stakeholders regarding IRP;
- Organize Detailed Needs Assessment among IRP beneficiaries in order to record their choice for IRP activities;
- Assist the Center for Land Fund Development (CFLD) in applying the PPC-approved unit rates based on the replacement cost survey for affected land and non-land assets;
- Provide resettlement training to Project Staff of EAs, PMUs on national laws and regulations; ADB policy and procedural requirements, resettlement planning, implementation and supervision, and monitoring and evaluation;
- Together with the PMUs, the PISC will supervise civil works activities to ensure that the contractors adhere with the terms of their contract relative to avoiding and/or minimizing resettlement impacts; and
- Liaise closely and regularly with the Resettlement Specialist on the PISC team, the EA and the PMU on progress with respect to resettlement and any issues encountered.
- Prepare reports, surveys and other materials related to resettlement in both the Vietnamese and English language.

8. Social Development and Gender Specialist (National, 10 person-months)

12. The Social Development and Gender Specialist will support the implementation and monitoring of poverty reduction and social inclusion measures, and the gender strategies and action plans for the subprojects. This specialist will also support mainstreaming of gender into the project through application of the GAP and by gender awareness training. The specialist should have a degree in social sciences, sociology or a related discipline. They should have at least 7 years experience of urban community development and gender related work, including working with ethnic minorities. They should be familiar with policies and practice in Vietnam under donor-funded projects, preferably with the ADB. He/she will report to the Team Leader. Duties of the Social Development and Gender Specialist will include:

- At the detailed project design phase to provide technical leadership related to the proposed project components/outputs from the poverty, social development and gender perspectives; commencing with a review and reconfirmation of the subproject components developed during project preparation in close association with the PCU/PMU/PIUs.
- Review the SPRSS and the GAP prepared under the PPTA and their application in the subprojects and specifically working with the Women's Unions (WU)/PMUs and the project affected communities, and provide guidance on implementing the GAP, including reference to: (i) coordinating gender development with sector/technical issues; (ii) gender sensitive

communication; (iii) equal access to training and capacity development; and (iv) mentoring issues;

- Assist the LWUs/PMUs and other stakeholders to implement the GAP in accordance with ADB and government gender related policies and plans;
- Assist the LWUs/PMUs to design and help manage the implementation of new socio-economic surveys as appropriate and which are relevant to the subproject components in all three towns, including gender and community development;
- Work closely with the respective branches of the WUs and the PMUs in project towns and support them in implementing the WUs activity plans that constitute part of the SPRSS/GAP.
- Design and assist the WUs/PMUs in the implementation of information campaigns and community mobilization, and further, programs and projects to develop livelihoods, social development and vocational needs with an emphasis on economically competitive areas (identified from market and value chain studies) and targeting urban poor and disadvantaged households;
- Coordinate with the project social safeguards specialist regarding the livelihood and social development aspects of the resettlement action plans, and advising the WUs/PMUs on a training needs assessment of impacted households, including disaggregation of livelihoods by gender and ethnicity;
- Consult with the LWUs/PMUs and project related beneficiaries to ensure women's needs and aspirations are addressed in the the subprojects detailed design, implementation and subsequent monitoring;
- Will provide technical support to the SLEDPs preparation exercise to ensure that poverty, social and gender issues are considered with provision of specific strategic measures.
- Ensure that social development and gender issues are accurately covered within all phases of the project; and assess and carefully track poor, youth and women's livelihood needs.
- Assist the WU/PMUs with provision of any necessary technical assistance and coordination of demand-driven awareness building and training and guidelines to support vulnerable households and groups, with direct reference to implementation and support for the subproject components.
- Facilitate knowledge sharing on social development and gender related issues, including through partner forums, web pages and reports; and
- Prepare reports, surveys and other materials related to social development and gender in the Vietnamese language.
- Support establishment of gender sensitive and social inclusive indicators, tools and reporting formats in the PPMIS.

TERMS OF REFERENCE FOR CONSULTING SERVICES

2B. BAC GIANG: DETAILED DESIGN AND CONSTRUCTION SUPERVISION (For reference; financed by Government of Viet Nam)

A. Introduction

1. The proposed Second Greater Mekong Subregion (GMS) Corridor Towns Development Project for Viet Nam will improve urban services in three towns, namely Bac Giang (Bac Giang Province), Mong Cai (Quang Ninh Province) and Sa Pa (Lao Cai Province). The project will support economic, socio-cultural and environmental development in the three towns in line with the Socio-Economic Development Strategy, 2011-2020. Key outputs of the project are: (i) Strategic Local Economic Development Plans (SLEDPs) and Sa Pa Green City Action Plan (GCAP) developed; (ii) priority urban infrastructure investments implemented; (iii) institutional capacities for managing public investments strengthened; and (iv) community awareness on project activities, and environmental sustainability and conservation improved.

2. In Bac Giang, the project will finance wastewater collection and treatment; drainage and urban roads. This will include (i) extension of existing wastewater treatment plant (10,000 m³/day capacity) and improvements to four ponds to provide wastewater services, with free house connections, to ~2,100 households comprising ~8,600 people; (ii) new and improved pumping stations in two locations (combined capacity of 135,000 m³/day), and dredging of canals, to protect Bac Giang from periodic flooding due to stormwater; and (iii) construction of 3.2 km of priority urban roads and bridge across the Thuong River.

B. Scope of Work

3. These consulting services will include an estimated 212 person months (all national) of engineering consulting services to cover detailed engineering design, bidding documents, and construction supervision for all of the priority urban investments in Bac Giang town.

4. The Consultants will carry out all necessary surveys—including detailed topographical and soil surveys, field verification, studies, collection of data, and analyses needed to prepare the detailed engineering designs and bidding/contract documents for each of priority urban investments. The Consultants will prepare detailed designs and cost estimates—accurate to plus or minus five percent—and bidding documents in line with the procurement plan. They will manage and administer construction contracts, including any variation orders. The Consultants will also support the PCU and PMU in the supervision of construction to ensure quality control and compliance with all aspects of the project designs and specifications.

5. The consultants will be recruited in using government procedures. The firm shall be selected in the six months after project loan effectiveness and cover a period of about four years from late 2016 to late 2020. All consultants should be fluent in English and Vietnamese, and have experience in international development projects.

C. Team Composition and Qualification Requirements for Key Experts

6. Consulting services will be provided to prepare detailed engineering designs, bidding, undertake construction supervision for the priority urban infrastructure investments in Bac Giang town. It will consist of a range of specialists, working under the guidance of the Team Leader, as outlined below.

Table 1: Summary of Positions and Person-Months for Consultancy Services

#	Position	Person Months (All National)
1	Team Leader	28
2	Roads Engineer	26
3	Wastewater/Process Engineer	26
4	Construction Manager	28
5	Mechanical/Electrical Engineer	20
6	Site Engineers (x2)	56
7	Environmental Specialist	12
8	Resettlement Specialist	12
9	Social Development/Gender Specialist	12
10	Technical and Administrative Support	20
	Sub-Total	212

1. Team Leader (National, 28 person-months)

7. The Team Leader will guide, supervise and coordinate overall detailed engineering design, bidding, and construction supervision for all of the sub-projects in Bac Giang. The Team Leader will be responsible for coordination and reporting to the central Project Coordination Unit (PCU) and the provincial Project Management Unit (PMU), and will lead coordination with the Project Implementation Support Consultant (PISC). The Team Leader should have at least a masters degree in civil/municipal engineering and/or a related subject, and be a chartered professional engineer with broad experience in the implementation of engineering projects in Viet Nam. He/she should also have at least 12 years experience of project design and implementation under donor-funded projects of which 5 should be as Team Leader. Duties of the Team Leader will include:

- Establish the consulting service office and coordinate and manage the overall consulting services inputs;
- Maintain a strong and continuous working relationships with the EA, PCU, PMU, the provincial and local authorities, and the PISC, to ensure smooth coordination among them;
- Develop detailed time bound implementation schedules;
- Advise on compliance with the relevant government and ADB policies and guidelines;
- Check as necessary detailed designs, cost estimates, bidding documents, and other contract documentation;
- Provide regular oversight to consulting team in the management of civil works and goods contracts and in the supervision of construction and subsequent commissioning of works;
- Provide oversight for overall sub-project financial management, accounting, and disbursements, including liaising with the PISC and PMU on data and information needs;
- Assist in arranging for smooth handover of the project facilities to the agencies responsible for O&M, including advice and assistance on the preparation of all documentation necessary (e.g. as-built drawings) to close out contracts;
- Ensure proper and timely submission of regular progress reports to the PISC, EAs and the ADB, particularly the progress against target indicators;
- Initiate actions in the event of any adverse variances against the original plan;

- Assist in ensuring all resettlement and environmental impact mitigation measures are fully implemented, ensure associated reporting is completed, and minimize adverse environmental impacts during construction;
- Provide site management guidance to the PISC, PCU and PMUs in relation to the construction;
- Assist in project planning, scheduling, and reporting of sub-project activities;
- Assist in ensuring the quality of all of the infrastructure components;
- Assist in updating the draft procurement plan (at least annually); and
- Assist in the detailed monitoring and evaluation surveys

2. Roads Engineer (National, 26 person-months)

8. The Roads Engineer should have a degree in civil engineering and at least 10 years experience in road design, at least 5 of which must be with donor-funded projects. The Roads Engineer will lead the design, bidding and construction supervision for all urban roads and associated works. Specific activities will include:

- Be responsible for the design and construction supervision of urban roads and related structures;
- Prepare detailed designs, cost estimates, specifications, bidding documents and other related procurement documents for urban roads;
- Prepare work plans and schedule of activities including submission of regular physical reports on civil works and construction activities related to urban roads;
- Provide technical specifications to ensure engineering quality of civil works and construction activities of civil works and construction activities of urban roads;
- Prepare manual outline for O&M outlining procedures and hand over arrangements for urban roads for the agencies that are responsible for O&M of such structure; and the manual to be translated into Vietnamese;
- Assist in the assessment of capacity development needs for planning, implementation and O&M of urban roads for the participating agencies and local institutions;
- Supervise construction and management of road projects; and
- Conduct or support field investigations and community consultations as needed.

3. Wastewater/Process Engineer (National, 26 person-months)

9. The Wastewater/ Process Engineer will have a degree in civil, process or environmental engineering from a recognized university and more than 10 years demonstrated experience in sewage treatment process design, including oxidation ditches and activated sludge processes, and the design of centralized sewage treatment plants. The Wastewater/Process Engineer will lead the design, bidding and construction supervision for wastewater and stormwater investments. Specific activities will include:

- Be responsible for the design and construction supervision of wastewater and storm water infrastructure;
- Review available wastewater technologies used in Vietnam, read past ADB and World Bank wastewater reviews for Vietnam, and recommend appropriate options;
- Review the preliminary designs and recommend the most cost-effective and appropriate technologies;
- Confirm or develop appropriate design criteria, design concepts and methodologies;
- Prepare detailed designs, cost estimates, specifications, bidding documents and other related procurement documents for wastewater and storm water investments;

- Be responsible for production of the final design report of the storm water and wastewater sub-projects;
- Assist with production of contract documents including Bill of Quantities (BOQ);
- Undertake periodic inspections during construction to ensure that the works comply with the design intent;
- Assist the Construction manager with guidance on construction and commissioning as necessary;
- Liaise with the Mechanical/Electrical Engineer to ensure that relevant inputs are incorporated in infrastructure design and considered during construction supervision;
- Contribute to all necessary reporting under the Project; and
- Conduct or support field investigations and community consultations as needed.

4. Construction Manager (National, 28 person-months)

10. The construction manager will have a university degree in civil engineering or related discipline and have at least 12 years experience in construction supervision and contract management, preferably with donor-funded projects. Specific activities will include:

- Act as the Engineer's representative as delegated by the Team Leader and shall be responsible for construction supervision of all subprojects;
- Ensure all technical and administrative clearances required by the constructing agencies which otherwise could result in delaying the sub projects;
- Establish proper quality assurance systems as per international best practices and procedures;
- Ensure compliance of the contract agreement in letter and spirit by observing strict vigilance to avoid any possibility of time and budget overrun;
- Oversee implementation of works and monitoring progress of works and ensure works are carried out in accordance with the contract, specifications, drawings and project plans;
- Visit the project sites on a daily basis to identify any problems, providing appropriate solutions through application of sound engineering standards in consultation with the Team Leader;
- Undertake measurement of works in support of contractor claims for payment and supervise the site engineers and monitoring their performance;
- Assisting the implementing agency in overall contract management and the resolution of contractual issues;
- Monitor and enforce issues relating to safety of workers, other project personnel, general public and works;
- Ensure adherence to the provisions of land acquisition, resettlement and environmental management plans; and
- Ensure regular reporting and communication with the EA, PMU and PISC regarding progress in construction and key issues encountered..

5. Site Engineers (Two Positions, National, 28 person-months each)

11. Each site engineer will have at least 10 years demonstrated experience in stormwater and wastewater projects and pump selection, at least 5 of which must be with donor-funded projects. The site engineers will ensure the correction specification and selection of pumps and the quality of design of stormwater and wastewater pump stations and associated works. Specific activities will include:

- Maintain a continuous presence on the project sites in order to monitor construction activities and progress, ensure compliance with specifications and drawings, and equipment and material orders and deliveries;
- Witness testing of all materials and equipment arriving at the site to ensure compliance with the specifications;
- Inform the Construction Manager of any potential problems which may arise in connection with the construction of the works, and provide recommendations for possible solutions;
- Examine contractors' claims for time extension, variations, additional compensation etc. and recommend appropriate decisions;
- Maintain a daily works site logbook recording works site events and instructions given to the contractor, and other relevant information, including on equipment and labor on site; Relevant information concerning weather conditions, equipment breakdown and other factors affecting work progress will also be recorded; and
- Supervise the contractor in all matters concerning site health, safety and environment.

6. Mechanical/Electrical Engineer (National, 20 person-months)

12. The site engineer will have at least 8 years demonstrated experience in supervision of road and/or drainage and/or large building construction. The site engineer will report to and support the construction manager in all activities relating to construction supervision and contract management (refer above). Specific activities will include:

- Review available electrical and mechanical technologies and recommend appropriate options;
- Review the electrical/mechanical designs of previously built pump stations and recommend the most cost-effective and appropriate technologies;
- Confirm or develop appropriate electrical/mechanical design criteria, design concepts and methodologies;
- Prepare detailed electrical/mechanical engineering designs for all subproject works, technical specifications, performance specifications, detailed cost estimates and quantities, including all process and instrumentation drawings, surge analyses and remote control and monitoring systems;
- Undertake periodic inspections during construction to ensure that the electrical/mechanical works comply with the design intent;
- Contribute to final design report; and
- Contribute to all necessary reporting.

7. Environmental Specialist (National, 12 person-months)

13. The Environment Specialist shall have a masters' degree in environmental engineering or related discipline and at least 7 years of experiences in environmental management and impact assessments, preferably with project experiences on donor-funded projects. The specialist will primarily ensure that the various subprojects conform to ADB's Safeguard Policy Statement 2009 particularly to the environmental aspects. The specialist will also assess compliance with applicable government environment laws and update environmental safeguard documents as may be necessary. He/she will report to the Team Leader. Duties of the Environmental Specialist will include:

- Be responsible for environmental aspects of the consultancy, including:
 - Revision and/or updating of IEEs, specifically in case of design changes/revisions. And, updating and finalization of the EMPs based on final design; and

- Monitoring of the incorporation of relevant mitigation measures in the detailed designs, mitigation measures and monitoring activities in the O&M Manual/s, where applicable.
- Ensure implementation of the Environmental Management Plans (EMPs) in all subprojects;
- Formulation and/or update of the monitoring and reporting systems for all project components;
- Liaise closely and regularly with the Environmental Specialist on the PISC team, the EA and the PMU on progress with respect to environmental safeguards and any issues encountered.
- Coordination with the PISC and PMU procurement consultant/committee to ensure that the final sub-project EMPs are included in the respective bidding documents;
- Support operationalization of the Grievance Redress Mechanism and other necessary preparations, e.g., materials for dissemination and posting, documentation and communication systems, among others;
- Participate in and recommend participation of key stakeholders in relevant capability building activities (seminar or workshops);
- Conduct visits to subproject working sites to ensure EMP/EMoP implementation, and provide advice on any actions required to ensure EMP/EMoP compliance;
- Review monthly/quarterly environment monitoring reports submitted by contractors, IAs, and other parties;
- Conduct independent monitoring of EMP implementation status and additional environmental monitoring if necessary, to verify that issues and subsequent actions reported in the internal environmental monitoring report, quarterly progress report, and semi-annual environmental progress report are in compliance with ADB's safeguard and other relevant policies;
- Make recommendations to resolve any issues and/or problems in implementing the EMPs, and provide advice to the executing agencies and implementing agencies;
- Provide inputs to PMU and PISC on the integrated safeguards monitoring report that will be submitted to ADB on a semi-annual basis; and
- Prepare reports, surveys and other materials related to environmental safeguards in the Vietnamese language.

8. Resettlement Specialist (National, 12 person-months)

14. The Resettlement Specialist will have experience in social impact assessments, detailed measurement surveys, implementing and monitoring resettlement and in the conduct of public consultations and be familiar with relevant Viet Nam legislation. He/she should have a degree in the social sciences, sociology, or a related discipline, with at least 5 years experience in working with social safeguard policies and practice under donor-funded projects, preferably with the ADB. The specialist will work provide a full range of professional/technical advice realting to land acquisition and resettlement during detailed design, bidding and construction supervision. He/she will report to the Team Leader. Duties of the Resettlement Specialist will include:

- Be responsible for resettlement aspects during detailed design and construction supervision
- Implement, supervise and monitor LAR activities in accordance with the approved RP and ADBs safeguard policies, and support implementation of the updated RP (with a focus on community consultation and compensation based on the replacement cost survey);
- Raise awareness of resettlement issues amongst PMU staff and appropriate provincial and district officials; including on: (i) ADB policy and procedural requirements, (ii) national laws

and regulations, (iii) resettlement planning, including social impact, and gender analyses, (iv) resettlement implementation and supervision, and (v) monitoring and evaluation; liaising with the PISC resettlement specialist as necessary;

- Support the preparation of public consultation plans that document consultation with affected people, listing events, people consulted, documents disclosed and timing of disclosure in accordance with ADB policies and summarizing issues raised, agreed actions, and improvements resulting from the consultation;
- Regularly visit project sites in order to monitor construction activities and progress and ensure compliance with relevant resettlement requirements;
- Collect data and support surveys, preparation and review relating to the Land Acquisition and Compensation Plans (LACPs) and coordinate with the PISC and PMU for any further assessment and reporting that may reasonably be required;
- Support preparation for conducting public consultation and in preparing reports on public consultation and identifying key outputs and courses of action;
- Provide inputs to detailed design, progress reports, monitoring reports, completion reports and other reports and papers as appropriate;
- Assist the PMU and, as appropriate, local resettlement committees to establish their Affected Persons database, including records of compensation;
- Assist the PMUs in addressing grievance issues and resolution;
- Update and implement the Resettlement Plans for each city, intermittently and over the life of the project;
- Prepare reports, surveys and other materials related to resettlement in the Vietnamese language; and
- Liaise closely and regularly with the Resettlement Specialist on the PISC team, the EA and the PMU on progress with respect to resettlement and any issues encountered.

9. Social Development and Gender Specialist (National, 12 person-months)

15. The Social Development and Gender Specialist will support the implementation and monitoring of poverty reduction and social inclusion measures, and the gender strategies and action plans for the subprojects. This specialist will also support mainstreaming of gender into the project through application of the GAP and by gender awareness training. The specialist should have a degree in social sciences, sociology or a related discipline. They should have at least 7 years experience of urban community development and gender related work, including working with ethnic minorities. They should be familiar with policies and practice in Vietnam under donor-funded projects, preferably with the ADB. He/she will report to the Team Leader. Duties of the Social Development and Gender Specialist will include:

- Be responsible for the poverty, social development and gender aspects during detailed design and construction supervision; commencing with a review and reconfirmation of the subproject components developed during project preparation
- Review the SPRSS and the GAP and their application in the subprojects and specifically working with the Women's Unions (WU)/PMU and the project affected communities, and provide guidance on implementing the GAP, including reference to: (i) coordinating gender development with sector/technical issues; (ii) gender sensitive communication; (iii) equal access to training and capacity development; and (iv) mentoring issues;
- Assist the PISC/WUs/PMU and other stakeholders to implement the GAP in accordance with ADB and government gender related policies and plans;
- Assist the PISC/WUs/PMU to design and help manage the implementation of new socio-economic surveys as appropriate and which are relevant to the subproject components including gender and community development;

- Work closely with the respective branches of the WUs, as well as the PISC and PMU, in project town and support them in implementing the WUs activity plans that constitute part of the SPRSS/GAP.
- Design and assist the PISC/WUs/PMUs in the implementation of information campaigns and community mobilization, and further, programs and projects to develop livelihoods, social development and vocational needs with an emphasis on economically competitive areas (identified from market and value chain studies) and targeting urban poor and disadvantaged households;
- Coordinate with the PISC/PMU resettlement specialist regarding the livelihood and social development aspects of the resettlement action plans, and advising the WUs/PMUs on the training needs assessment of impacted households, including disaggregation of livelihoods by gender and ethnicity;
- Consult with the PISC/WUs/PMU and project related beneficiaries to ensure women's needs and aspirations are addressed in the the subprojects detailed design, implementation and subsequent monitoring;
- Ensure that social development and gender issues are accurately covered within all phases of the project; and assess and carefully track poor, youth and women's livelihood needs.
- Assist the WU/PMUs with provision of any necessary technical assistance and coordination of demand-driven awareness building and training and guidelines to support vulnerable households and groups, with direct reference to implementation and support for the subproject components.
- Prepare reports, surveys and other materials related to social development and gender in the Vietnamese language.
- Support establishment of gender sensitive and social inclusive indicators, tools and reporting formats in the PPMIS; and
- Liase closely and regularly with the Social Development and Gender Specialists on the PISC team, the EA and the PMU on progress with respect to environmental safeguards and any issues encountered.

10. Technical and Administrative Support (National, 20 person-months)

16. Additional technical and administrative support, as needed, will be provided.

TERMS OF REFERENCE FOR CONSULTING SERVICES

2C. MONG CAI: DETAILED DESIGN AND CONSTRUCTION SUPERVISION (For reference; financed inanced by Government of Viet Nam)

A. Introduction

1. The proposed Second Greater Mekong Subregion (GMS) Corridor Towns Development Project for Viet Nam will improve urban services in three towns, namely Bac Giang (Bac Giang Province), Mong Cai (Quang Ninh Province) and Sa Pa (Lao Cai Province). The project will support economic, socio-cultural and environmental development in the three towns in line with the Socio-Economic Development Strategy, 2011-2020. Key outputs of the project are: (i) Strategic Local Economic Development Plans (SLEDPs) and Sa Pa Green City Action Plan (GCAP) developed; (ii) priority urban infrastructure investments implemented; (iii) institutional capacities for managing public investments strengthened; and (iv) community awareness on project activities, and environmental sustainability and conservation improved.

2. The priority urban investments in Mong Cai will cover wastewater collection and treatment; drainage and riverbank protection. This will include (i) construction of sewer system and two wastewater treatment plants (combined capacity of 12,000 m³/day) to provide wastewater services (with free house connections) to ~1,850 households comprising ~6,850 people; (ii) new and improved pumping stations (combined capacity of 18,000 m³/day), and dredging of canals, to protect Bac Giang from periodic flooding; and (iii) riverbank protection works on both sides of the Ka Long river and dredging of priority areas for flood protection and improved shipping access.

B. Scope of Work

3. These consulting services will include an estimated 198 person months (all national) of engineering consulting services to cover detailed engineering design, bidding documents, and construction supervision for all of the priority urban investments in Mong Cai town.

4. The Consultants will carry out all necessary surveys—including detailed topographical and soil surveys, field verification, studies, collection of data, and analyses needed to prepare the detailed engineering designs and bidding/contract documents for each of priority urban investments. The Consultants will prepare detailed designs and cost estimates—accurate to plus or minus five percent—and bidding documents in line with the procurement plan. They will manage and administer construction contracts, including any variation orders. The Consultants will also support the PCU and PMU in the supervision of construction to ensure quality control and compliance with all aspects of the project designs and specifications.

5. The consultants will be recruited using government procedures. The firm shall be selected in the six months after project loan effectiveness and cover a period of about four years from late 2016 to late 2020. All consultants should be fluent in English and Vietnamese, and have experience in international development projects.

C. Team Composition and Qualification Requirements for Key Experts

6. Consulting services will be provided to prepare detailed engineering designs, bidding, undertake construction supervision for the priority urban infrastructure investments in Mong Cai town. It will consist of a range of specialists, working under the guidance of the Team Leader, as outlined below.

Table 1: Summary of Positions and Person-Months for Consultancy Services

#	Position	Person Months (All National)
1	Team Leader	28
2	Wastewater/Process Engineer	26
3	Flood Protection/Civil Engineer	26
4	Mechanical/Electrical Engineer	6
5	Construction Manager	28
6	Site engineers (x2)	56
7	Environmental Specialist	12
8	Resettlement Specialist	12
9	Social Development/Gender Specialist	12
10	Technical and Administrative Support	20
	Sub-Total	198

1. Team Leader (National, 28 person-months)

7. The Team Leader will guide, supervise and coordinate overall detailed engineering design, bidding, and construction supervision for all of the sub-projects in Mong Cai. The Team Leader will be responsible for coordination and reporting to the central Project Coordination Unit (PCU) and the provincial Project Management Unit (PMU), and will lead coordination with the Project Implementation Support Consultant (PISC). The Team Leader should have at least a masters degree in civil/municipal engineering and/or a related subject, and be a chartered professional engineer with broad experience in the implementation of engineering projects in Viet Nam. He/she should also have at least 12 years experience of project design and implementation under donor-funded projects of which 5 should be as Team Leader. Duties of the Team Leader will include:

- Establish the consulting service office and coordinate and manage the overall consulting services inputs;
- Maintain a strong and continuous working relationships with the EA, PCU, PMU, the provincial and local authorities, and the PISC, to ensure smooth coordination among them;
- Develop detailed time bound implementation schedules;
- Advise on compliance with the relevant government and ADB policies and guidelines;
- Check as necessary detailed designs, cost estimates, bidding documents, and other contract documentation;
- Provide regular oversight to consulting team in the management of civil works and goods contracts and in the supervision of construction and subsequent commissioning of works;
- Provide oversight for overall sub-project financial management, accounting, and disbursements, including liaising with the PISC and PMU on data and information needs;
- Assist in arranging for smooth handover of the project facilities to the agencies responsible for O&M, including advice and assistance on the preparation of all documentation necessary (e.g. as-built drawings) to close out contracts;
- Ensure proper and timely submission of regular progress reports to the PISC, EAs and the ADB, particularly the progress against target indicators;
- Initiate actions in the event of any adverse variances against the original plan;

- Assist in ensuring all resettlement and environmental impact mitigation measures are fully implemented, ensure associated reporting is completed, and minimize adverse environmental impacts during construction;
- Provide site management guidance to the PISC, PCU and PMUs in relation to the construction;
- Assist in project planning, scheduling, and reporting of sub-project activities;
- Assist in ensuring the quality of all of the infrastructure components;
- Assist in updating the draft procurement plan (at least annually); and
- Assist in the detailed monitoring and evaluation surveys

2. Wastewater/Process Engineer (National, 26 person-months)

8. The Wastewater/ Process Engineer will have a degree in civil, process or environmental engineering from a recognized university and more than 10 years demonstrated experience in sewage treatment process design, including oxidation ditches and activated sludge processes, and the design of centralized sewage treatment plants. The Wastewater/Process Engineer will lead the design, bidding and construction supervision for wastewater and stormwater investments. Specific activities will include:

- Be responsible for the design and construction supervision of wastewater and storm water infrastructure;
- Review available wastewater technologies used in Vietnam, read past ADB and World Bank wastewater reviews for Vietnam, and recommend appropriate options;
- Review the preliminary designs and recommend the most cost-effective and appropriate technologies;
- Confirm or develop appropriate design criteria, design concepts and methodologies;
- Prepare detailed designs, cost estimates, specifications, bidding documents and other related procurement documents for wastewater and storm water investments;
- Be responsible for production of the final design report of the storm water and wastewater sub-projects;
- Assist with production of contract documents including Bill of Quantities (BOQ);
- Undertake periodic inspections during construction to ensure that works comply with the design intent;
- Assist the Construction manager with guidance on construction and commissioning as necessary;
- Liaise with the Mechanical/Electrical Engineer to ensure that relevant inputs are incorporated in infrastructure design and considered during construction supervision;
- Contribute to all necessary reporting under the Project; and
- Conduct or support field investigations and community consultations as needed.

3. Flood Protection / Civil Engineer (National, 26 person-months)

9. The Flood Protection / Civil Engineer will have a degree in civil engineering from a recognized university and more than 10 years demonstrated experience in flood protection and civil engineering design. The Flood Protection / Civil Engineer will lead the design, bidding and construction supervision for riverbank protection investments. Specific activities will include:

- Review the preliminary design and other riverbank protection structures used in Vietnam, and recommend appropriate options.
- Confirm or develop appropriate design criteria, design concepts and methodologies;

- Prepare detailed designs, cost estimates, specifications, bidding documents and other related procurement documents for flood protection investments;
- Be responsible for production of the final design report of the flood protection investments;
- Assist with production of contract documents including Bill of Quantities (BOQ);
- Undertake periodic inspections during construction to ensure that the works comply with the design intent;
- Assist the Construction manager with guidance on construction and commissioning as necessary;
- Contribute to all necessary reporting under the Project;
- Conduct or support field investigations and community consultations as needed;
- Prepare reports, surveys and other materials related to resettlement in the Vietnamese language; and
- Liaise closely and regularly with relevant experts the PISC team, the EA and the PMU on progress with respect to flood protection and any issues encountered.

4. Mechanical/Electrical Engineer (National, 6 person-months)

10. The site engineer will have at least 8 years demonstrated experience in supervision of road and/or drainage and/or large building construction. The site engineer will report to and support the construction manager in all activities relating to construction supervision and contract management (refer above). Specific activities will include:

- Review available electrical and mechanical technologies and recommend appropriate options;
- Review the electrical/mechanical designs of previously built pump stations and recommend the most cost-effective and appropriate technologies;
- Confirm or develop appropriate electrical/mechanical design criteria, design concepts and methodologies;
- Prepare detailed electrical/mechanical engineering designs for all subproject works, technical specifications, performance specifications, detailed cost estimates and quantities, including all process and instrumentation drawings, surge analyses and remote control and monitoring systems;
- Undertake periodic inspections during construction to ensure that the electrical/mechanical works comply with the design intent;
- Contribute to final design report; and
- Contribute to all necessary reporting.

5. Construction Manager (National, 28 person-months)

11. The construction manager will have a university degree in civil engineering or related discipline and have at least 12 years experience in construction supervision and contract management, preferably with donor-funded projects. Specific activities will include:

- Act as the Engineer's representative as delegated by the Team Leader and shall be responsible for construction supervision of all subprojects;
- Ensure all technical and administrative clearances required by the constructing agencies which otherwise could result in delaying the sub projects;
- Establish proper quality assurance systems as per international best practices and procedures;
- Ensure compliance of the contract agreement in letter and spirit by observing strict vigilance to avoid any possibility of time and budget overrun;

- Oversee implementation of works and monitoring progress of works and ensure works are carried out in accordance with the contract, specifications, drawings and project plans;
- Visit the project sites on a daily basis to identify any problems, providing appropriate solutions through application of sound engineering standards in consultation with the Team Leader;
- Undertake measurement of works in support of contractor claims for payment and supervise the site engineers and monitoring their performance;
- Assisting the implementing agency in overall contract management and the resolution of contractual issues;
- Monitor and enforce issues relating to safety of workers, other project personnel, general public and works;
- Ensure adherence to the provisions of land acquisition, resettlement and environmental management plans; and
- Ensure regular reporting and communication with the EA, PMU and PISC regarding progress in construction and key issues encountered.

6. Site Engineers (Two Positions, National, 28 person-months each)

12. Each site engineer will have at least 10 years demonstrated experience in stormwater and wastewater projects and pump selection, at least 5 of which must be with donor-funded projects. The site engineers will ensure the correction specification and selection of pumps and the quality of design of stormwater and wastewater pump stations and associated works. Specific activities will include:

- Maintain a continuous presence on the project sites in in order to monitor construction activities and progress, ensure compliance with specifications and drawings, and equipment and material orders and deliveries;
- Witness testing of all materials and equipment arriving at the site to ensure compliance with the specifications;
- Inform the Construction Manager of any potential problems which may arise in connection with the construction of the works, and provide recommendations for possible solutions;
- Examine contractors' claims for time extension, variations, additional compensation etc. and recommend appropriate decisions;
- Maintain a daily works site logbook recording works site events and instructions given to the contractor, and other relevant information, including on equipment and labor on site; Relevant information concerning weather conditions, equipment breakdown and other factors affecting work progress will also be recorded; and
- Supervise the contractor in all matters concerning site health, safety and environment.

7. Environmental Specialist (National, 12 person-months)

13. The Environment Specialist shall have a masters' degree in environmental engineering or related discipline and at least 7 years of experiences in environmental management and impact assessments, preferably with project experiences on donor-funded projects. The specialist will primarily ensure that the various subprojects conform to ADB's Safeguard Policy Statement 2009 particularly to the environmental aspects. The specialist will also assess compliance with applicable government environment laws and update environmental safeguard documents as may be necessary. He/she will report to the Team Leader. Duties of the Environmental Specialist will include:

- Be responsible for environmental aspects of the consultancy, including:

- Revision and/or updating of IEEs, specifically in case of design changes/revisions. And, updating and finalization of the EMPs based on final design; and
 - Monitoring of the incorporation of relevant mitigation measures in the detailed designs, mitigation measures and monitoring activities in the O&M Manual/s, where applicable.
- Ensure implementation of the Environmental Management Plans (EMPs) in all subprojects;
 - Formulation and/or update of the monitoring and reporting systems for all project components;
 - Liaise closely and regularly with the Environmental Specialist on the PISC team, the EA and the PMU on progress with respect to environmental safeguards and any issues encountered.
 - Coordination with the PISC and PMU procurement consultant/committee to ensure that the final sub-project EMPs are included in the respective bidding documents;
 - Support operationalization of the Grievance Redress Mechanism and other necessary preparations, e.g., materials for dissemination and posting, documentation and communication systems, among others;
 - Participate in and recommend participation of key stakeholders in relevant capability building activities (seminar or workshops);
 - Conduct visits to subproject working sites to ensure EMP/EMoP implementation, and provide advice on any actions required to ensure EMP/EMoP compliance;
 - Review monthly/quarterly environment monitoring reports submitted by contractors, IAs, and other parties;
 - Conduct independent monitoring of EMP implementation status and additional environmental monitoring if necessary, to verify that issues and subsequent actions reported in the internal environmental monitoring report, quarterly progress report, and semi-annual environmental progress report are in compliance with ADB's safeguard and other relevant policies;
 - Make recommendations to resolve any issues and/or problems in implementing the EMPs, and provide advice to the executing agencies and implementing agencies;
 - Provide inputs to PMU and PISC on the integrated safeguards monitoring report that will be submitted to ADB on a semi-annual basis; and
 - Prepare reports, surveys and other materials related to environmental safeguards in the Vietnamese language.

8. Resettlement Specialist (National, 12 person-months)

14. The Resettlement Specialist will have experience in social impact assessments, detailed measurement surveys, implementing and monitoring resettlement and in the conduct of public consultations and be familiar with relevant Viet Nam legislation. He/she should have a degree in the social sciences, sociology, or a related discipline, with at least 5 years experience in working with social safeguard policies and practice under donor-funded projects, preferably with the ADB. The specialist will work provide a full range of professional/technical advice related to land acquisition and resettlement during detailed design, bidding and construction supervision. He/she will report to the Team Leader. Duties of the Resettlement Specialist will include:

- Be responsible for resettlement aspects during detailed design and construction supervision
- Implement, supervise and monitor LAR activities in accordance with the approved RP and ADBs safeguard policies, and support implementation of the updated RP (with a focus on community consultation and compensation based on the replacement cost survey);

- Raise awareness of resettlement issues amongst PMU staff and appropriate provincial and district officials; including on: (i) ADB policy and procedural requirements, (ii) national laws and regulations, (iii) resettlement planning, including social impact, and gender analyses, (iv) resettlement implementation and supervision, and (v) monitoring and evaluation; liaising with the PISC resettlement specialist as necessary;
- Support the preparation of public consultation plans that document consultation with affected people, listing events, people consulted, documents disclosed and timing of disclosure in accordance with ADB policies and summarizing issues raised, agreed actions, and improvements resulting from the consultation;
- Regularly visit project sites in order to monitor construction activities and progress and ensure compliance with relevant resettlement requirements;
- Collect data and support surveys, preparation and review relating to the Land Acquisition and Compensation Plans (LACPs) and coordinate with the PISC and PMU for any further assessment and reporting that may reasonably be required;
- Support preparation for conducting public consultation and in preparing reports on public consultation and identifying key outputs and courses of action;
- Provide inputs to detailed design, progress reports, monitoring reports, completion reports and other reports and papers as appropriate;
- Assist the PMU and, as appropriate, local resettlement committees to establish their Affected Persons database, including records of compensation;
- Assist the PMUs in addressing grievance issues and resolution;
- Update and implement the Resettlement Plans for each city, intermittently and over the life of the project;
- Prepare reports, surveys and other materials related to resettlement in the Vietnamese language; and
- Liaise closely and regularly with the Resettlement Specialist on the PISC team, the EA and the PMU on progress with respect to resettlement and any issues encountered.

9. Social Development and Gender Specialist (National, 12 person-months)

15. The Social Development and Gender Specialist will support the implementation and monitoring of poverty reduction and social inclusion measures, and the gender strategies and action plans for the subprojects. This specialist will also support mainstreaming of gender into the project through application of the GAP and by gender awareness training. The specialist should have a degree in social sciences, sociology or a related discipline. They should have at least 7 years experience of urban community development and gender related work, including working with ethnic minorities. They should be familiar with policies and practice in Vietnam under donor-funded projects, preferably with the ADB. He/she will report to the Team Leader. Duties of the Social Development and Gender Specialist will include:

- Be responsible for the poverty, social development and gender aspects during detailed design and construction supervision; commencing with a review and reconfirmation of the subproject components developed during project preparation
- Review the SPRSS and the GAP and their application in the subprojects and specifically working with the Women's Unions (WU)/PMU and the project affected communities, and provide guidance on implementing the GAP, including reference to: (i) coordinating gender development with sector/technical issues; (ii) gender sensitive communication; (iii) equal access to training and capacity development; and (iv) mentoring issues;
- Assist the PISC/WUs/PMU and other stakeholders to implement the GAP in accordance with ADB and government gender related policies and plans;

- Assist the PISC/WUs/PMU to design and help manage the implementation of new socio-economic surveys as appropriate and which are relevant to the subproject components in the project town, including gender and community development;
- Work closely with the respective branches of the WUs, as well as the PISC and PMU, in project town and support them in implementing the WUs activity plans that constitute part of the SPRSS/GAP.
- Design and assist the PISC/WUs/PMUs in the implementation of information campaigns and community mobilization, and further, programs and projects to develop livelihoods, social development and vocational needs with an emphasis on economically competitive areas (identified from market and value chain studies) and targeting urban poor and disadvantaged households;
- Coordinate with the PISC/PMU resettlement specialist regarding the livelihood and social development aspects of the resettlement action plans, and advising the WUs/PMUs on the training needs assessment of impacted households, including disaggregation of livelihoods by gender and ethnicity;
- Consult with the PISC/WUs/PMU and project related beneficiaries to ensure women's needs and aspirations are addressed in the subprojects detailed design, implementation and subsequent monitoring;
- Ensure that social development and gender issues are accurately covered within all phases of the project; and assess and carefully track poor, youth and women's livelihood needs.
- Assist the WU/PMUs with provision of any necessary technical assistance and coordination of demand-driven awareness building and training and guidelines to support vulnerable households and groups, with direct reference to implementation and support for the subproject components.
- Prepare reports, surveys and other materials related to social development and gender in the Vietnamese language.
- Support establishment of gender sensitive and social inclusive indicators, tools and reporting formats in the PPMIS; and
- Liaise closely and regularly with the Social Development and Gender Specialists on the PISC team, the EA and the PMU on progress with respect to environmental safeguards and any issues encountered.

10. Technical and Administrative Support (National, 20 person-months)

16. Additional technical and administrative support, as needed, will be provided.

TERMS OF REFERENCE FOR CONSULTING SERVICES

2C. SA PA: DETAILED DESIGN AND CONSTRUCTION SUPERVISION (For reference; financed inanced by Government of Viet Nam)

A. Introduction

1. The proposed Second Greater Mekong Subregion (GMS) Corridor Towns Development Project for Viet Nam will improve urban services in three towns, namely Bac Giang (Bac Giang Province), Mong Cai (Quang Ninh Province) and Sa Pa (Lao Cai Province). The project will support economic, socio-cultural and environmental development in the three towns in line with the Socio-Economic Development Strategy, 2011-2020. Key outputs of the project are: (i) Strategic Local Economic Development Plans (SLEDs) and Sa Pa Green City Action Plan (GCAP); (ii) priority urban infrastructure investments implemented; (iii) institutional capacities for managing public investments strengthened; and (iv) community awareness on project activities, and environmental sustainability and conservation improved.

2. The priority urban investments in Sa Pa will cover wastewater collection and treatment; urban roads and town center enhancement. This will include (i) construction of sewer system and two wastewater treatment plants (combined capacity of 7,500 m³/day) to provide wastewater services (with free house connections) to ~1,040 households comprising ~4,250 people; (ii) improvements to town center public realm and streets, including surfacing and landscaping for 2.1 km of streets, repaving of 10,250 m² pedestrian area and undergrounding of cables; and (iii) 14.4 km of priority roads build or upgraded.

B. Scope of Work

3. These consulting services will include an estimated 230 person months (all national) of engineering consulting services to cover detailed engineering design, bidding documents, and construction supervision for all of the priority urban investments in Sa Pa town.

4. The Consultants will carry out all necessary surveys—including detailed topographical and soil surveys, field verification, studies, collection of data, and analyses needed to prepare the detailed engineering designs and bidding/contract documents for each of priority urban investments. The Consultants will prepare detailed designs and cost estimates—accurate to plus or minus five percent—and bidding documents in line with the procurement plan. They will manage and administer construction contracts, including any variation orders. The Consultants will also support the PCU and PMU in the supervision of construction to ensure quality control and compliance with all aspects of the project designs and specifications.

5. The consultants will be recruited using government procedures. The firm shall be selected in the six months after project loan effectiveness and cover a period of about four years from late 2016 to late 2020. All consultants should be fluent in English and Vietnamese, and have experience in international development projects.

C. Team Composition and Qualification Requirements for Key Experts

6. Consulting services will be provided to prepare detailed engineering designs, bidding, undertake construction supervision for the priority urban infrastructure investments in Sa Pa town. It will consist of a range of specialists, working under the guidance of the Team Leader as outlined below.

Table 1: Summary of Positions and Person-Months for Consultancy Services

#	Position	Person Months (All National)
1	Team Leader	28
2	Roads Engineer	26
3	Wastewater/Process Engineer	26
4	Architect/Urban Designer	26
5	Mechanical/Electrical Engineer	12
6	Construction Manager	28
7	Site engineers (x2)	56
8	Environmental Specialist	12
9	Social Safeguards Specialist (Resettlement and Ethnic Minorities)	12
10	Social Development/Gender Specialist	12
11	Technical and Administrative Support	20
	Sub-Total	230

1. Team Leader (National, 28 person-months)

7. The Team Leader will guide, supervise and coordinate overall detailed engineering design, bidding, and construction supervision for all of the sub-projects in Sa Pa town. The Team Leader will be responsible for coordination and reporting to the central Project Coordination Unit (PCU) and the provincial Project Management Unit (PMU), and will lead coordination with the Project Implementation Support Consultant (PISC). The Team Leader should have at least a masters degree in civil/municipal engineering and/or a related subject, and be a chartered professional engineer with broad experience in the implementation of engineering projects in Viet Nam. He/she should also have at least 12 years experience of project design and implementation under donor-funded projects of which 5 should be as Team Leader. Duties of the Team Leader will include:

- Establish the consulting service office and coordinate and manage the overall consulting services inputs;
- Maintain a strong and continuous working relationships with the EA, PCU, PMU, the provincial and local authorities, and the PISC, to ensure smooth coordination among them;
- Develop detailed time bound implementation schedules;
- Advise on compliance with the relevant government and ADB policies and guidelines;
- Check as necessary detailed designs, cost estimates, bidding documents, and other contract documentation;
- Provide regular oversight to consulting team in the management of civil works and goods contracts and in the supervision of construction and subsequent commissioning of works;
- Provide oversight for overall sub-project financial management, accounting, and disbursements, including liaising with the PISC and PMU on data and information needs;
- Assist in arranging for smooth handover of the project facilities to the agencies responsible for O&M, including advice and assistance on the preparation of all documentation necessary (e.g. as-built drawings) to close out contracts;

- Ensure proper and timely submission of regular progress reports to the PISC, EAs and the ADB, particularly the progress against target indicators;
- Initiate actions in the event of any adverse variances against the original plan;
- Assist in ensuring all resettlement and environmental impact mitigation measures are fully implemented, ensure associated reporting is completed, and minimize adverse environmental impacts during construction;
- Provide site management guidance to the PISC, PCU and PMUs in relation to the construction;
- Assist in project planning, scheduling, and reporting of sub-project activities;
- Assist in ensuring the quality of all of the infrastructure components;
- Assist in updating the draft procurement plan (at least annually); and
- Assist in the detailed monitoring and evaluation surveys

2. Roads Engineer (National, 26 person-months)

8. The Roads Engineer should have a degree in civil engineering and at least 10 years experience in road design, at least 5 of which must be with donor-funded projects. The Roads Engineer will lead the design, bidding and construction supervision for all urban roads and associated works. Specific activities will include:

- Be responsible for the design and construction supervision of urban roads and related structures;
- Prepare detailed designs, cost estimates, specifications, bidding documents and other related procurement documents for urban roads;
- Prepare work plans and schedule of activities including submission of regular physical reports on civil works and construction activities related to urban roads;
- Provide technical specifications to ensure engineering quality of civil works and construction activities of civil works and construction activities of urban roads;
- Prepare manual outline for O&M outlining procedures and hand over arrangements for urban roads for the agencies that are responsible for O&M of such structure; and the manual to be translated into Vietnamese;
- Assist in the assessment of capacity development needs for planning, implementation and O&M of urban roads for the participating agencies and local institutions;
- Supervise construction and management of road projects; and
- Conduct or support field investigations and community consultations as needed.

3. Wastewater/Process Engineer (National, 26 person-months)

9. The Wastewater/ Process Engineer will have a degree in civil, process or environmental engineering from a recognized university and more than 10 years demonstrated experience in sewage treatment process design, including oxidation ditches and activated sludge processes, and the design of centralized sewage treatment plants. The Wastewater/Process Engineer will lead the design, bidding and construction supervision for wastewater and stormwater investments. Specific activities will include:

- Be responsible for the design and construction supervision of wastewater and storm water infrastructure;
- Review available wastewater technologies used in Vietnam, read past ADB and World Bank wastewater reviews for Vietnam, and recommend appropriate options;
- Review the preliminary designs and recommend the most cost-effective and appropriate technologies;

- Confirm or develop appropriate design criteria, design concepts and methodologies;
- Prepare detailed designs, cost estimates, specifications, bidding documents and other related procurement documents for wastewater and storm water investments;
- Be responsible for production of the final design report of the storm water and wastewater sub-projects;
- Assist with production of contract documents including Bill of Quantities (BOQ);
- Undertake periodic inspections during construction to ensure that the works comply with the design intent;
- Assist the Construction manager with guidance on construction and commissioning as necessary;
- Liaise with the Mechanical/Electrical Engineer to ensure that relevant inputs are incorporated in infrastructure design and considered during construction supervision;
- Contribute to all necessary reporting under the Project; and
- Conduct or support field investigations and community consultations as needed.

4. Architect / Urban Planner (National, 26 person-months)

10. The Architect / Urban Planner will have a university degree in architecture, urban planning, urban design, or a related discipline or related discipline, and have at least 10 years experience in urban planning and urban design, preferably with donor-funded projects. The Architect / Urban Planner will lead the design, bidding and construction supervision for Sa Pa town center enhancement investments. Specific activities will include:

- Be responsible for the design and construction supervision of the town center enhancement subprojects, with particular reference to master planning, traffic management, urban services, and landscape design and tree planting.
- Review the preliminary designs and recommend the most cost-effective and appropriate technologies;
- Confirm or develop appropriate design criteria, design concepts and methodologies;
- Prepare detailed designs, cost estimates, specifications, bidding documents and other related procurement documents for town center enhancement investments;
- Be responsible for production of the final design report of the town center enhancement investments;
- Assist with production of contract documents including Bill of Quantities (BOQ);
- Undertake periodic inspections during construction to ensure that the works comply with the design intent;
- Assist the Construction manager with guidance on construction and commissioning as necessary;
- Contribute to all necessary reporting under the Project;
- Conduct or support field investigations and community consultations as needed;
- Ensure close coordination with the consulting team preparing the Green City Action Plan (GCAP) for Sa Pa, including on opportunities to incorporate GCAP recommendations into the town center enhancement activities; and
- Ensure regular reporting and communication with the EA, PMU and PISC regarding progress in construction and key issues encountered.

5. Construction Manager (National, 28 person-months)

11. The construction manager will have a university degree in civil engineering or related discipline and have at least 12 years experience in construction supervision and contract management, preferably with donor-funded projects. Specific activities will include:

- Act as the Engineer's representative as delegated by the Team Leader and shall be responsible for construction supervision of all subprojects;
- Ensure all technical and administrative clearances required by the constructing agencies which otherwise could result in delaying the sub projects;
- Establish proper quality assurance systems as per international best practices and procedures;
- Ensure compliance of the contract agreement in letter and spirit by observing strict vigilance to avoid any possibility of time and budget overrun;
- Oversee implementation of works and monitoring progress of works and ensure works are carried out in accordance with the contract, specifications, drawings and project plans;
- Visit the project sites on a daily basis to identify any problems, providing appropriate solutions through application of sound engineering standards in consultation with the Team Leader;
- Undertake measurement of works in support of contractor claims for payment and supervise the site engineers and monitoring their performance;
- Assisting the implementing agency in overall contract management and the resolution of contractual issues;
- Monitor and enforce issues relating to safety of workers, other project personnel, general public and works;
- Ensure adherence to the provisions of land acquisition, resettlement and environmental management plans; and
- Ensure regular reporting and communication with the EA, PMU and PISC regarding progress in construction and key issues encountered.

6. Site Engineers (Two Positions, National, 28 person-months each)

12. Each site engineer will have at least 10 years demonstrated experience in stormwater and wastewater projects and pump selection, at least 5 of which must be with donor-funded projects. The site engineers will ensure the correction specification and selection of pumps and the quality of design of stormwater and wastewater pump stations and associated works. Specific activities will include:

- Maintain a continuous presence on the project sites in in order to monitor construction activities and progress, ensure compliance with specifications and drawings, and equipment and material orders and deliveries;
- Witness testing of all materials and equipment arriving at the site to ensure compliance with the specifications;
- Inform the Construction Manager of any potential problems which may arise in connection with the construction of the works, and provide recommendations for possible solutions;
- Examine contractors' claims for time extension, variations, additional compensation etc. and recommend appropriate decisions;
- Maintain a daily works site logbook recording works site events and instructions given to the contractor, and other relevant information, including on equipment and labor on site; Relevant information concerning weather conditions, equipment breakdown and other factors affecting work progress will also be recorded; and
- Supervise the contractor in all matters concerning site health, safety and environment.

7. Mechanical/Electrical Engineer (National, 20 person-months)

13. The site engineer will have at least 8 years demonstrated experience in supervision of road and/or drainage and/or large building construction. The site engineer will report to and

support the construction manager in all activities relating to construction supervision and contract management (refer above). Specific activities will include:

- Review available electrical and mechanical technologies and recommend appropriate options;
- Review the electrical/mechanical designs of previously built pump stations and recommend the most cost-effective and appropriate technologies;
- Confirm or develop appropriate electrical/mechanical design criteria, design concepts and methodologies;
- Prepare detailed electrical/mechanical engineering designs for all subproject works, technical specifications, performance specifications, detailed cost estimates and quantities, including all process and instrumentation drawings, surge analyses and remote control and monitoring systems;
- Undertake periodic inspections during construction to ensure that the electrical/mechanical works comply with the design intent;
- Contribute to final design report; and
- Contribute to all necessary reporting.

8. Environmental Specialist (National, 12 person-months)

14. The Environment Specialist shall have a masters' degree in environmental engineering or related discipline and at least 7 years of experiences in environmental management and impact assessments, preferably with project experiences on donor-funded projects. The specialist will primarily ensure that the various subprojects conform to ADB's Safeguard Policy Statement 2009 particularly to the environmental aspects. The specialist will also assess compliance with applicable government environment laws and update environmental safeguard documents as may be necessary. He/she will report to the Team Leader. Duties of the Environmental Specialist will include:

- Be responsible for environmental aspects of the consultancy, including:
 - Revision and/or updating of IEEs, specifically in case of design changes/revisions. And, updating and finalization of the EMPs based on final design; and
 - Monitoring of the incorporation of relevant mitigation measures in the detailed designs, mitigation measures and monitoring activities in the O&M Manual/s, where applicable.
- Ensure implementation of the Environmental Management Plans (EMPs) in all subprojects;
- Formulation and/or update of the monitoring and reporting systems for all project components;
- Liase closely and regularly with the Environmental Specialist on the PISC team, the EA and the PMU on progress with respect to environmental safeguards and any issues encountered.
- Coordination with the PISC and PMU procurement consultant/committee to ensure that the final sub-project EMPs are included in the respective bidding documents;
- Support operationalization of the Grievance Redress Mechanism and other necessary preparations, e.g., materials for dissemination and posting, documentation and communication systems, among others;
- Participate in and recommend participation of key stakeholders in relevant capability building activities (seminar or workshops);
- Conduct visits to subproject working sites to ensure EMP/EMoP implementation, and provide advice on any actions required to ensure EMP/EMoP compliance;

- Review monthly/quarterly environment monitoring reports submitted by contractors, IAs, and other parties;
- Conduct independent monitoring of EMP implementation status and additional environmental monitoring if necessary, to verify that issues and subsequent actions reported in the internal environmental monitoring report, quarterly progress report, and semi-annual environmental progress report are in compliance with ADB's safeguard and other relevant policies;
- Make recommendations to resolve any issues and/or problems in implementing the EMPs, and provide advice to the executing agencies and implementing agencies;
- Provide inputs to PMU and PISC on the integrated safeguards monitoring report that will be submitted to ADB on a semi-annual basis; and
- Prepare reports, surveys and other materials related to environmental safeguards in the Vietnamese language.

**9. Social Safeguards Specialist (Resettlement and Ethnic Minorities)
(National, 12 person-months)**

15. The Specialist will have experience in social impact assessments, detailed measurement surveys, implementing and monitoring resettlement and in the conduct of public consultations and be familiar with relevant Viet Nam legislation. He/she should have a degree in the social sciences, sociology, or a related discipline, with at least 5 years experience in working with social safeguard policies and practice under donor-funded projects, preferably with the ADB. The specialist will work provide a full range of professional/technical advice during detailed design, bidding and construction supervision on issues relating to resettlement and ethnic minorities. He/she will report to the Team Leader. Duties of the Resettlement Specialist will include:

- Be responsible all issues pertaining to resettlement and ethnic minorities aspects during detailed design and construction supervision;
- Implement, supervise and monitor LAR activities in accordance with the approved REMDP and ADBs safeguard policies, and support implementation of the updated REMDP (with a focus on community consultation and compensation based on the replacement cost survey);
- Raise awareness of resettlement issues amongst PMU staff and appropriate provincial and district officials; including on: (i) ADB policy and procedural requirements, (ii) national laws and regulations, (iii) resettlement planning, including social impact, and gender analyses, (iv) resettlement implementation and supervision, and (v) monitoring and evaluation; laising with the PISC resettlement specialist as necessary;
- Support the preparation of public consultation plans that document consultation with affected people, listing events, people consulted, documents disclosed and timing of disclosure in accordance with ADB policies and summarizing issues raised, agreed actions, and improvements resulting from the consultation;
- Regularly visit project sites in in order to monitor construction activities and progress and ensure compliance with relevant resettlement requirements;
- Collect data and support surveys, preparation and review relating to the Land Acquisition and Compensation Plans (LACPs) and coordinate with the PISC and PMU for any further assessment and reporting that may reasonably be required;
- Support preparation for conducting public consultation and in preparing reports on public consultation and identifying key outputs and courses of action;
- Provide inputs to detailed design, progress reports, monitoring reports, completion reports and other reports and papers as appropriate;

- Assist the PMU and, as appropriate, local resettlement committees to establish their Affected Persons database, including records of compensation;
- Assist the PMUs in addressing grievance issues and resolution;
- Update and implement the Resettlement Plans for each city, intermittently and over the life of the project;
- Prepare reports, surveys and other materials related to resettlement in the Vietnamese language; and
- Liaise closely and regularly with the Resettlement Specialist on the PISC team, the EA and the PMU on progress with respect to resettlement and any issues encountered.

10. Social Development and Gender Specialist (National, 12 person-months)

16. The Social Development and Gender Specialist will support the implementation and monitoring of poverty reduction and social inclusion measures, and the gender strategies and action plans for the subprojects. This specialist will also support mainstreaming of gender into the project through application of the GAP and by gender awareness training. The specialist should have a degree in social sciences, sociology or a related discipline. They should have at least 7 years experience of urban community development and gender related work, including working with ethnic minorities. They should be familiar with policies and practice in Vietnam under donor-funded projects, preferably with the ADB. He/she will report to the Team Leader. Duties of the Social Development and Gender Specialist will include:

- Be responsible for the poverty, social development and gender aspects during detailed design and construction supervision; commencing with a review and reconfirmation of the subproject components developed during project preparation
- Review the SPRSS and the GAP and their application in the subprojects and specifically working with the Women's Unions (WU)/PMU and the project affected communities, and provide guidance on implementing the GAP, including reference to: (i) coordinating gender development with sector/technical issues; (ii) gender sensitive communication; (iii) equal access to training and capacity development; and (iv) mentoring issues;
- Assist the PISC/WUs/PMU and other stakeholders to implement the GAP in accordance with ADB and government gender related policies and plans;
- Assist the PISC/WUs/PMU to design and help manage the implementation of new socio-economic surveys as appropriate and which are relevant to the subproject components in the project town, including gender and community development;
- Work closely with the respective branches of the WUs, as well as the PISC and PMU, in project town and support them in implementing the WUs activity plans that constitute part of the SPRSS/GAP.
- Design and assist the PISC/WUs/PMUs in the implementation of information campaigns and community mobilization, and further, programs and projects to develop livelihoods, social development and vocational needs with an emphasis on economically competitive areas (identified from market and value chain studies) and targeting urban poor and disadvantaged households;
- Coordinate with the PISC/PMU resettlement specialist regarding the livelihood and social development aspects of the resettlement action plans, and advising the WUs/PMUs on the training needs assessment of impacted households, including disaggregation of livelihoods by gender and ethnicity;
- Consult with the PISC/WUs/PMU and project related beneficiaries to ensure women's needs and aspirations are addressed in the the subprojects detailed design, implementation and subsequent monitoring;

- Ensure that social development and gender issues are accurately covered within all phases of the project; and assess and carefully track poor, youth and women's livelihood needs.
- Assist the WU/PMUs with provision of any necessary technical assistance and coordination of demand-driven awareness building and training and guidelines to support vulnerable households and groups, with direct reference to implementation and support for the subproject components.
- Prepare reports, surveys and other materials related to social development and gender in the Vietnamese language.
- Support establishment of gender sensitive and social inclusive indicators, tools and reporting formats in the PPMIS; and
- Liaise closely and regularly with the Social Development and Gender Specialists on the PISC team, the EA and the PMU on progress with respect to environmental safeguards and any issues encountered.

11. Technical and Administrative Support (National, 20 person-months)

17. Additional technical and administrative support, as needed, will be provided.

TERMS OF REFERENCE FOR CONSULTING SERVICES

2E. CAPACITY BUILDING²³ (Financed by Government of Viet Nam)

A. Introduction

1. The proposed Second Greater Mekong Subregion (GMS) Corridor Towns Development Project for Viet Nam will improve urban services in three towns, namely Bac Giang (Bac Giang Province), Mong Cai (Quang Ninh Province) and Sa Pa (Lao Cai Province). The project will support economic, socio-cultural and environmental development in the three towns in line with the Socio-Economic Development Strategy, 2011-2020. Key outputs of the project are: (i) Strategic Local Economic Development Plans (SLEDs) and Sa Pa Green City Action Plan (GCAP) developed; (ii) priority urban infrastructure investments implemented; (iii) institutional capacities for managing public investments strengthened; and (iv) community awareness on project activities, and environmental sustainability and conservation improved.

2. In Bac Giang, the project will finance wastewater collection and treatment; drainage and urban roads. This will include (i) extension of existing wastewater treatment plant (10,000 m³/day capacity) and improvements to four ponds to provide wastewater services, with free house connections, to ~2,100 households comprising ~8,600 people; (ii) new and improved pumping stations in two locations (combined capacity of 135,000 m³/day), and dredging of canals, to protect Bac Giang from periodic flooding due to stormwater; and (iii) construction of 3.2 km of priority urban roads and bridge across the Thuong River. [OR]

3. The priority urban investments in Mong Cai will cover wastewater collection and treatment; drainage and riverbank protection. This will include (i) construction of sewer system and two wastewater treatment plants (combined capacity of 12,000 m³/day) to provide wastewater services (with free house connections) to ~1,850 households comprising ~6,850 people; (ii) new and improved pumping stations (combined capacity of 18,000 m³/day), and dredging of canals, to protect Bac Giang from periodic flooding; and (iii) riverbank protection works on both sides of the Ka Long river and dredging of priority areas for flood protection and improved shipping access. [OR]

4. The priority urban investments in Sa Pa will cover wastewater collection and treatment; urban roads and town center enhancement. This will include (i) construction of sewer system and two wastewater treatment plants (combined capacity of 7,500 m³/day) to provide wastewater services (with free house connections) to ~1,040 households comprising ~4,250 people; (ii) improvements to town center public realm and streets, including surfacing and landscaping for 2.1 km of streets, repaving of 10,250 m² pedestrian area and undergrounding of cables; and (iii) 14.4 km of priority roads build or upgraded.

B. Scope of Work

5. These consulting services will include an estimated 98 person months (all national) of consulting services to strengthen the institutional and operational capacity of provincial and district administrations and other key stakeholders in [Bac Giang / Mong Cai / Sa Pa]. This capacity building will cover three key areas: (i) operations and maintenance (O&M) for project

²³ Note: This Terms of Reference (ToR) will be adapted for three separate ToRs, one each for Mong Cai, Bac Giang and Sa Pa. The scope of work, budget and person months estimates are the same for each ToR.

investments; (ii) refinement and implementation of the SLEDPs; and (iii) sustainable livelihoods development. The main groups targeted by the capacity building program will be the priority agency of provincial and city/district administrations, including but not limited to the Department of Planning and Investment (DPI), Department of Natural Resources and Environment (DoNRE), Department of Construction (DoC), Urban Environment Company (URENCO) and the project management unit (PMU); as well as Women’s Unions and other selected and relevant NGOs/CSOs. The capacity building program will include refinement and implementation of the SLEDPs for each town. Draft SLEDPs for each town have already been drafted based on a technical assessment of potential investments in the strategic context of the GMS economic corridors and stakeholder consultations and discussions at a provincial and town level.

6. All design and procurement documents prepared by the Consultants will be in accordance with national norms and procedures as required. The Consultants will coordinate closely with the Project Coordination Unit (PCU) / Executing Agency (EA), Project Management Unit (PMUs), consulting teams and other relevant municipal and provincial authorities in all aspects of the delivering the capacity building services.

7. The consultants will be recruited using government procedures. The firm shall be selected in the six months after project loan effectiveness and cover a period of about four years from late 2016 to late 2020. All consultants should be fluent in English and Vietnamese, and have experience in international development projects.

C. Team Composition and Qualification Requirements for Key Experts

8. Consulting services will be provided deliver capacity building that will ensure the long-term sustainability of the project activities, through a focus on O&M, implementation of the SLEDPs, and sustainable livelihoods development. It will consist of a range of specialists, working under the guidance of the Capacity Building and Training Specialist, as outlined below.

Table 1: Summary of Positions and Person-Months for Consultancy Services

#	Position	Person Months (All National)
1	Capacity Building and Training Specialist	14
2	Community Development Specialist	14
3	Business Management Specialist	14
4	Municipal Finance Specialist	14
5	Urban Planning Specialist	14
6	Technical and Administrative Support	28
	Total	98

1. Capacity Building and Training Specialist (National, 14 person-months)

9. The Capacity Building and Training Specialist will lead the overall coordination for the design, implementation and assessment of the proposed capacity building activities, including advice on the design of training manuals and CBP sustainability. The Specialist will also be responsible for coordination with the PCU/EA, PMU, the Project Implementation Support Consultant (PISC) team, the detailed design and construction supervision consulting team, and other relevant provincial and municipal authorities to ensure that the overall capacity building program is responsive to needs and contributing to long-term sustainability of the project. The

specialist should have a degree in governance/administration, business management, sociology or a related discipline, with at least 10 years experience of the design and delivery of relevant training programs under donor-funded projects. He/She should carry out the following activities:

- Design and manage the initial training needs assessment and participant identification;
- Advise and agree on the selection of a representative set of participants for the training program, taking account of the need to focus on implementation staff and officials (provincial and town level) and subsequent project operators and maintainers and for general CTDP project coordination and implementation. Participants should also include: (i) the mass organizations (eg WU); and (ii) any relevant local community (CSO) and non-government organizations (NGO) personnel;
- Manage the preparation of the training course designs in coordination with other selected specialists implementing the capacity building program;
- Managing the training program in coordination with other selected specialists implementing the capacity building program, and as appropriate, running the sessions and ensuring that all management support requirements are clearly communicated;
- Provide advice to PMUs on support management, including general administration, logistics and back-up services for the training courses;
- Carry out course evaluations, customized for the different target groups participating in the capacity building/training courses and involving a mix of questionnaires and interviews;
- Based on the findings of the pilot activities, make outline recommendations for the form and content of a long term program and identify the options for enhanced sustainability and institutionalization of the proposed program;
- Identify the sources for potential future trainers with the capacity for undertaking subsequent long term capacity-building and suggest the level of additional training such trainers may require; and
- Make recommendations for the type of operational and training manuals that may be required for implementing long term capacity-building programs, with an outline of the contents and the resources required for drafting such manuals.

2. Community Development Specialist (National, 14 person-months)

10. The Community Development Specialist will work closely with the PMUs and Women's Unions (WUs) to build capacity in sustainable livelihoods development. This will include targeted skill development, particularly of unskilled women in the project areas, to enhance employment opportunities resulting from project investments. The Community Development Specialist will also work closely with the Project Implementation and Supervision Consultant (PISC) and PMUs to deliver training in project management, gender sensitization, and community information campaigns to enhance awareness of benefits from environmental sanitation improvements and on social risks of human trafficking. This specialist should have a degree in sociology, social development, governance/administration, business management, or a related discipline, with at least 7 years experience of the design and delivery of relevant training programs under donor-funded projects. He/she will report to the Capacity Building and Training Specialist. Duties of the Community Development Specialist will include:

- Design and implementing capacity building measures for stimulating the role of women in local economic activities, with particular reference to local resources and skills base and marketing capability, such as textiles, silk production and organic farming;

- Designing and managing a “training of trainers program”, including focus groups in gender equality, “women in development” and self-esteem for women, and in particular its implementation in the villages within the three towns;
- Assisting in stimulating the contribution of women in urban services improvement in the project context and generally, including mini-workshops and case studies on how urban services and infrastructure upgrading can improve living conditions and equity;
- Designing a communications strategy and helping the WUs in the three towns to make better use of available media channels, including radio, website, brochures, meetings/seminars and events;
- Designing and assisting the implementation of training for both WUs on survey methodologies for surveys among residents (socio - economics, health, education etc) and including a limited pilot survey related to stakeholder priorities;
- Enabling support for the protection and marketing of local cultural assets;
- Designing and managing assistance to WUs to conduct pilot studies and produce two concept notes (per province) related to microfinance projects, which promote women’s economic initiatives and livelihood development; and
- Advising and facilitating training and awareness raising on safeguarding vulnerable women and ethnic minority women against human trafficking and prostitution.

3. Business Management Specialist (National, 14 person-months)

11. The Business Management Specialist will co-lead capacity building on O&M aspects of project investments, with a focus on simplified corporate development planning and building capacity on small service providers. The specialist should have a degree in governance/administration, business management, business economics or a related discipline, with at least 7 years experience of working with the planning and management for government agencies and SSPs/SMEs. He/she should preferably have professional working experience of donor-funded projects. He/she will report to the Capacity Building and Training Specialist. Duties of the Business Management Specialist will include:

Simplified Corporate Development Planning

- Based on the active participation of PMUs staff (working groups, internal surveys, study preparation of internal procedures), assist the three provincial EAs to design and establish their own 5-year simplified Corporate Development Plan (CDP);
- Design and implement mini-workshops based on study cases (lessons learned) from within Vietnam and in other Asian countries as an aid to preparing and implementing the CDPs;

Building Capacity of Small Service Providers (SSPs)

- Design and implement focus group discussions to work out requirements (and obstacles and opportunities) to stimulate local SSPs;
- Instigate interviews and participatory meetings to raise awareness on the need for sustainable urban services and the interest of small business communities;
- Instigate the identification of potential SSPs (entrepreneurs with an interest in investing in SSP development; equipment to provide a service);
- Design a database (and help manage its preparation) of potential investors/operators in both provinces, including characteristics and typology and SWOT business motivation per category and potential service areas; and
- Manage preparation of an SSP Action Plan to be proposed to provincial governments to adopt a regulatory framework and mechanisms and incentives to stimulate SSP development (incl. tax incentives) in and around the selected towns.

4. Municipal Finance Specialist (National, 14 person-months)

12. The Municipal Finance Specialist will co-lead capacity building on O&M aspect of project investments, with a focus on revenue generating action plans and municipal financing. The specialist should have a post graduate degree in business management, finance/accounting, economic business or a related discipline from an recognized institution. He/she should have at least 7 years experience of financial management and accounting, preferably with donor-funded projects. He/she will report to the Capacity Building and Training Specialist. Duties of the Municipal Finance Specialist will include:

- Design and implement training sessions for Revenue Improvement Action Plans (RIAPs), covering, concepts, objectives, problems/opportunities, revenue improvement options and implementation approaches;
- Based on PPTA's Financial Assessment of Revenue-Generating potential, carry out the identification of provincial tax and non-tax revenue potential;
- Design and assist the implementation and analysis of willingness to pay surveys among tax and fees payers in the selected towns;
- Organize focus groups to produce 5-year RIAPs in both towns; bridging with performance standards to increase quality of service; and
- Review existing O&M cost recording systems and propose ways to improve them;
- Propose and discuss potential sources of government, donor, private sector and community led financing, with a focus on opportunities for private sector participation; and
- Produce a manual for preparation, implementation and monitoring of RIAPs, which becomes an appropriate role model for use in both towns and elsewhere in Viet Nam.

5. Urban Planning Specialist (National, 14 person-months)

13. The Urban Planning Specialist will lead capacity building relating to refining and implementation of the SLEDP. This specialist should have a degree in urban planning, urban economics or a related discipline. He/she should have at least 7 years experience of working in sustainable urban planning in South-East Asia and preferably with experience of donor-funded projects and working with the ADB. He/she will report to the Capacity Building and Training Specialist. Duties of the Urban Planning Specialist will include:

- Work closely with both towns (DPI/PMUs) in reviewing the recommendations contained in the agreed SLEDPs and confirming/adjusting the project priorities contained in the Medium-Term Investment Programs as appropriate;
- Identify potential sources of government, donor agency, private sector and community led funding to implement the project priorities contained in the Medium-Term Investment Programs. This is to include communications with established donor agency and government coordination groups/committees and including ADB;
- Where appropriate, guide the preparation of pre-feasibility studies and plans in support project priority promotion;
- Work closely with DPIs and make recommendations and prepare plans for achieving "Improved Business Development Climates" in the town, and including organizational frameworks, implementation mechanisms and incentives and marketing capability;
- Based on the recommendations contained in the plans for "Improvement Business Climates", prepare training programs and assist in the implementation of appropriate capacity building to increase marketing capability, taking into account known resource constraints at provincial and town levels; and

- Generally provide advice and training to improve capacity in urban planning and urban design related issues within the PMUs.

6. Technical and Administrative Support (National, 28 person-months)

14. Additional technical and administrative support, as needed, will be provided.

APPENDIX 3

OUTLINE OF SOCIAL SAFEGUARDS MONITORING REPORT

1. Following requirements of the ADB Safeguard Policy Statement (2009) and the Operations Manual section on safeguard policy (OM F1), borrowers/clients are required to establish and maintain procedures to monitor the status of implementation of safeguard plans and ensure progress is made toward the desired outcomes. For projects categorized as A or B in Involuntary Resettlement and/or Indigenous People, the Borrowers/clients are required to submit semiannual monitoring reports for ADB review. The level of detail and comprehensiveness of a monitoring report is commensurate with the complexity and significance of social safeguards impacts (IR and IP) and with the current status of project implementation phase.

2. This outline can be used for:

- (i) Periodic monitoring report (semiannual) and/or
- (ii) RP/IPP completion report to start the civil works on the impacted areas.
- (iii) A safeguard monitoring report may include the following elements:

A. Executive Summary *This section provides a concise statement of project scope and impacts, key findings and recommended actions (as applicable).*

B. Background of the Report and Project Description *This section provides a general description of the project, including:*

- (i) Background/context of the monitoring report which includes the information on the project, project components, safeguards categorizations and general scope of the social safeguards impacts.
- (ii) Information on the implementation progress of the project activities, scope of monitoring report and requirements, reporting period,
- (iii) Changes in project scope, if any,
- (iv) Summary table of identified impacts and the mitigation actions.

C. Scope of Impacts. This section outlines the detail of

- (i) Scale and scopes of the project impacts on involuntary resettlements or indigenous people as identified in the approved RP/IPP,
- (ii) Adjusted safeguard measures due to changes in project scope, if applicable,
- (iii) Vulnerability status of the affected people/communities,
- (iv) Entitlements matrix and other rehabilitation measures, as applicable, as described in the approved final RP(s) /IPP(s).

D. Status of RP/IPP Implementation

a. Institutional Arrangement and Capacity

3. This section describes the actual implementation or any adjustment made to the institutional arrangement for implementing and managing the social safeguards issues in the projects. This may include the establishment of safeguards unit/ team and appointment of staff in the EA/IA; implementation of the GRM and its committee; supervision and coordination between institutions involved in the management and monitoring of safeguards issues, the roles

of NGO and women's groups in the monitoring and implementation of the plan, if any; budget/fund availability for implementing the GRM, RP/IPP; adequacy of EA/IA capacity to manage safeguards issues; updated RP/IPP implementation schedule, etc.

b. Compensation and Rehabilitation¹

4. Depending on the status of the final detail design during the submission of the report these activities might not yet started. In this situation provide the information on the project's readiness for the RP/IPP implementation and management (i.e. LAR fund availability, RP finalization, assets inventory and mapping, ID cards distribution, etc.) and the updated schedule of the compensation and rehabilitation activities, as applicable.

5. Specific for the FI projects, external agency may be required to conduct an audit of the project ESMS.

6. This section describes the process and progress of the implementation of the land acquisition and resettlement (LAR) and/or indigenous people (IP) impacts mitigation activities as determined in the RP/IPP. This includes payment of the affected assets compensation, allowances, loss of incomes, etc. to the entitled persons; provisions of other types of entitlement as described in the matrix and implementation of livelihood rehabilitation activities as determined in the plan. Quantitative as well as qualitative results of the monitoring parameters, as agreed in the plan, should be provided. (e.g., adequacy of IR compensation rates and timeliness of payments, adequacy and timeliness of IR rehabilitation measures including preparation of the replacement housing sites, house reconstruction, livelihood support measures, and training, etc.)

c. Disclosure and public consultation

7. This section describes public disclosure and consultations activities during the project's implementation as agreed in the plan. This includes final consultations with APs during RP finalization after the completion of detail design; the numbers of activities conducted; issues raised during consultations and responses provided by the project team, implementing NGOs, project supervision consultants, contractors, etc.

d. Grievance Redress Mechanism (GRM)

8. This section described the implementation of project GRM as design in the approved RP/IPP. The monitoring and evaluation include its readiness, effectiveness, procedures, complaints receive, timeliness to resolve issues/ complaints and adequacy of resources provided to solve the complaints. Special attentions should be given if there are complaints received from the affected people or communities.

E. Monitoring Results - Findings

9. This section describes the summary and key findings of the monitoring activities. The results are compared against previously established benchmarks and compliance status. It also compared against the objectives of safeguards or desired outcomes documented (e.g. IR impacts avoided or minimized; livelihood restored or enhanced; IP's identity, human right, livelihood systems and cultural uniqueness fully respected; IP not suffer adverse impacts, other social impacts avoided or minimized, etc.) If noncompliance or any major gaps identified, include the recommendation of corrective action plan.

F. Compliance Status

10. This section will summarize the compliance status of the project activities with the loan covenants, ADB SPS (2009) on SR 2, the approved final RP(s) and the Project Administration Manual (PAM).

G. Follow up Actions, Recommendation and Disclosure

11. This section describes recommendations and further actions or items to focus on for the remaining monitoring period. It also includes lesson learned for improvement for future safeguards monitoring activities. Disclosure dates of the monitoring report to the affected communities should also be included and, as needed, a time-bound summary table for required actions.

Appendix 1

- (i) Summary of final/draft RP/IPP with entitlement matrix
- (ii) Summary matrix of policy and loan covenants compliance status

Appendix 2

- (i) List of Affected Persons and Entitlements
- (ii) Copies of AP's certification of payment (signed by the APs)
- (iii) Summary of minutes of meetings during public consultations
- (iv) Summary of complaints received and solution status

APPENDIX 4

OUTLINE QUARTERLY PROGRESS REPORT FORMAT

A. Introduction and Basic Data

- ADB loan numbers, project title, borrower, executing agency(ies), implementing agency(ies);
- total estimated project cost and financing plan per loan;
- status of project financing including availability of counterpart funds by loan;
- dates of approval, signing, and effectiveness of ADB loans;
- original and revised (if applicable) ADB loan closing date and elapsed loan period based on original and revised (if applicable) loan closing dates; and
- date of last ADB review mission.

B. Utilization of Funds (ADB Loan and Counterpart Funds)

- cumulative contract awards financed by the ADB loan, and counterpart funds (commitment of funds to date), and comparison with time-bound projections (targets);
- cumulative disbursements from the ADB loan and counterpart funds (expenditure to date), and comparison with time-bound projections (targets); and
- reestimated costs to completion, need for reallocation within ADB loan categories, and whether an overall project cost overrun is likely.

C. Project Outcome and Outputs

- status of project scope/implementation arrangements compared with those in the report and recommendation of the President (RRP), and whether major changes have occurred or will need to be made;
- an assessment of the likelihood that the project outcome and outputs will be met in part or in full, and whether remedial measures are required based on the current project scope and implementation arrangements;
- an assessment of changes to the key assumptions and risks that affect attainment of the project outcome and outputs.

D. Implementation Progress

- for each loan, provide a brief summary assessment of progress or achievements in implementation since the last progress report;
- assessment of the progress of each project output, such as,
 - recruitment of consultants and their performance;
 - procurement of goods and works (from preparation of detailed designs and bidding documents to contract awards); and
 - the performance of suppliers, manufacturers, and contractors for goods and works contracts;
- assessment of progress in implementing the overall project to date in comparison with the original implementation schedule—quantifiable and monitorable target, (include simple charts such as bar or milestone to illustrate progress, a chart showing actual versus planned expenditure, S-curve graph showing the relationship between physical and financial performance, and actual progress in comparison with the original schedules; and
- an assessment of outcome and output achievements versus targets.

E. Major Project Issues and Problems

Summarize the major problems and issues affecting or likely to affect implementation progress, compliance with covenants, and achievement of project outcome and outputs. Recommend actions to overcome these problems and issues (e.g., changes in scope, changes in implementation arrangements, and reallocation of loan proceeds).

F. Compliance with Safeguards and Covenants

- review the borrower's compliance with policy loan covenants, and, where relevant, provide any reasons for any noncompliance or delay in compliance;
- provide a summary assessment of compliance with resettlement and environmental safeguards;
- provide a summary assessment and update on the implementation of the gender action plan (GAP) using ADB's GAP progress reporting template.

APPENDICES

1. Summary Loan Covenant Review
2. Summary Safeguards Update (Resettlement and Environment)
3. Summary Gender Action Plan Progress
4. Quarterly Environmental Monitoring Report
5. Quarterly Resettlement Monitoring Report

APPENDIX 5

PROCUREMENT CAPACITY AND RISK ASSESSMENT

Project Name: Second Greater Mekong Subregion Corridor Towns Development Project	Source of Funding: ADF
Country: Viet Nam Executing Agencies (EAs): <ul style="list-style-type: none"> ▪ Bac Giang Provincial People's Committee ▪ Quang Ninh Provincial People's Committee ▪ Lao Cai Provincial People's Committee <u>Lead Executing Agency:</u> <ul style="list-style-type: none"> • <u>Bac Giang Provincial People's Committee</u> Implementing Agencies (IAs): <ul style="list-style-type: none"> ▪ Bac Giang City People's Committee ▪ Quang Ninh City People's Committee ▪ Lao Cai Department of Planning & investment 	Proposed Amount: US\$ Total Viet Nam: 100 million <ul style="list-style-type: none"> ▪ Bac Giang: 30.03 million ▪ Lao Cai: 30.03 million ▪ Mong Cai: 29.56 million
Assessor: Leonardo M. Rodaje, International Procurement Specialist (Consultant), ADB PPTA Team	Date: XX July 2015
Expected Procurement Bac Giang PMU <ul style="list-style-type: none"> ▪ Works/ EPC/Turnkey Contract for the Construction of waste water treatment plant (WWTP) ▪ Works for the Construction of road ▪ Works for the Construction of storm water improvement ▪ Services for in-house design of road, and storm water improvement project Lao Cai PMU <ul style="list-style-type: none"> • Works for the Construction of two new wastewater treatment plants (WWTP) and separated reticulation systems and drainage improvement in Sa Pa • Works for the Construction of road 1-route 152 in Sa Pa • Works for the Construction, and upgrading Town Center's main shopping street and potentially the old market, replacing footpaths and road surface, undergrounding overhead cables, installing drains and permanent ramps from the road to business centers • Services for the detailed engineering design and construction supervision (DED/CS) of WWTP), and most probably for roads, and upgrading of town center. 	

Mong Cai PMU

- Works for the Construction of two separate reticulated sewerage systems and treatment plant
- Works for the Construction of an embankment protection structure, and Dredging of riverbed
- Services for the detailed engineering design and construction supervision (DED/CS) of WWTP

Subprojects Implementation Arrangement

Execution of subproject is decentralized to the Provincial People's Committee PPC of Lao Cai province, and City Peoples Committee (CPC) of Bac Giang and Mong Cai cities through the Project Management Units (PMUs established to manage implementation of subprojects, including overall coordination, quality assurance, procurement, financial management, monitoring and reporting, and supervision of project activities, in consultation and coordination with relevant provincial and city agencies and with the Bank on a day to day basis. PMUs will be fully staffed with personnel having qualifications in management, finance, procurement, technical, safeguards and other experts drawn from PPC, and CPC' agencies.

The PMUs' respective procurement unit will conduct all procurement, and recruitment activities and recommendation for award of contracts for consultants to undertake detailed engineering design and construction supervision (DED/CS), and for the procurement of civil works and goods (equipment) for WWTP, and will be the contracting agency for all project-financed contracts in accordance with the provisions of the agreed and approved PAMs under the proposed project.

Assessment of the General Procurement Environment of Viet Nam

Viet Nam's public procurement legal and regulatory framework (Table 12, Table 13 and Table 14), is generally sound and very well developed and in constant evolution. The Law on procurement, also known as Law on Bidding No 43/2013/QH13 (takes effect on July 01, 2014), and its implementing, rules and regulations (Decree No. 63/2014/ND-CP), governs the conduct of procurement by National, Cities and Provincial Governments of Viet Nam. The Law (Article 3 (3-4), also recognizes that donor rules and procedures on procurement may prevail where the "international treaty" entered into by Government of Viet Nam, states so (which applies in this case). Most government agencies are competent to conduct procurement according to national rules and procedures, but not in following ADB Guidelines. Serious governance issues are commonly reported and some frequently used practices (e.g. awarding of contracts through a negotiated process or by appointing the usual contractors that have already been doing business with the agency, and various administrative constraints), discouraged the participation of international firms in publicly funded procurement. However, with the passage of the Law (No 43/2013/QH13), on July 01, 2014, the old practice of awarding contracts without the benefits of competition, are likely to be put to a "halt", or would happen only in isolated cases, as the new Law on Bidding, only provides public, and open competitive bidding in the recruitment, selection and awarding of contracts to consultants, contractors and suppliers.

General Resource Assessment of Lao Cai PMU

The well-structured Lao Cai PMU has a Procurement Management Division (PMD) comprising of seven permanent procurement staff with qualifications in engineering, transportation planning, procurement and contracts administration, finance, and economics, and translation specialist. The head of the PMD is also the Deputy Director of the PMU. He is a civil engineer, with over nine years of experience in Procurement and contracts management (Table 16).

PMD staff had prior experience in undertaking procurement of goods, works, and recruitment of consultants following national procurement law and procedures, but not under ADB procurement guidelines and systems. Current level of skills and knowledge of generally accepted principles of public procurement is good, but would need hands-on training to achieve in-depth knowledge of ADB's Procurement Guidelines, particularly in the preparation of TORs, Bidding Documents (BDs), Request for Proposals (RFPs), bids/proposal evaluations, and recommendation for contract award in the procurement of goods, works, and recruitment of consulting services. While, Lao Cai PMU has already gained years of experience in implementing ODA funded projects such as; (1) AFD Rural Infrastructure and Tourism development project, (2) WB funded Medium Cities Development, and 3) WB financed Poverty Reduction project, however, their ability to conduct procurement of goods, works and services (on their own) has remained to be limited due to the fact, that procurement works and activities of these mentioned projects were carried out by consultants.

The English proficiency level of the staff of PMD is limited hence interpreter from Vietnamese to English would be required during interactive discussion and training. In addition, Vietnamese version of Procurement Guidelines, BDs, and RFPs, (from English to Vietnamese) shall be provided to PMU during procurement and implementation of project. This recommendation is consistent with the 2014 Law of Bidding which provides that, "Language to be used in tendering shall be Vietnamese in the case of domestic bidding, and English or Vietnamese and Vietnamese and English in the case of International bidding (Article 9).

The Lao Cai PMU is equipped with state of the art computer, scanner, and photo copying machine, and internet that was procured under the recent WB-funded project, and are being maintained by qualified and trained ITs. More office equipment may be required, and proposed ADB project should carefully assess needs.

General Resource Assessment of Bac Giang PMU

The PMU of the City Peoples Committee (CPC) of Bac Giang was established in 2000, mainly to manage implementation of Denmark funded Project, therefore, majority of its staff, have more than 15 years experience in procurement including its current Director. Due to the nearing completion of the Denmark funded projects, the CPC will designate the existing PMU to be responsible in the day-to-day implementation and management of the proposed ADB funded Projects. The PMU will be re-structured to contain Procurement and Contracts Administration Sections to manage both the procurement, and construction supervision of projects during implementation. The PMU has been implementing many local funded projects, including procurement for consultancy, goods and works, but except for the Denmark funded project, PMU has not had any experience in implementing ODA funded projects in the likes of World Bank or ADB.

The Bac Giang PMU is composed of 6 staff with qualifications in Engineering, Economics, and Business Administration and Finance to carry out project implementation and management Table 15. Of these 6 staff, 3 staffs are assigned to the Procurement Section,

and some more staff will be recruited to run the contracts administration section, working on a full time basis in various day-to-day procurement, and contacts management activities. If there is additional work, where specific expertise would be required, the PMU will outsource this expert from other department to beef up the strength of the PMU. Deployment of staff increments to the PMU depends largely on the nature, scope, size and complexity of the project.

Bac Giang PMU has good functional level of skills and knowledge of generally accepted principles of public procurement as demonstrated by their ability to undertake procurement and implementation of domestic, as well as Denmark funded projects. However, experience gained from implementing these foreign-assisted projects is limited, because this was largely implemented with the assistance of the design and management consultant.

The English proficiency level of PMU staff is limited. Therefore, an interpreter (from Vietnamese to English) would be required. English proficiency enhancement training may be provided as part of the capacity building component under the Project. It is also recommended that Vietnamese version of Procurement Guidelines, BDs, and RFPs, shall be provided to PMU during procurement and project implementation. This recommendation is consistent with the 2014 Law of Bidding which provides that, "Language to be used in tendering shall be Vietnamese in the case of domestic bidding, and English or Vietnamese and Vietnamese and English in the case of International bidding (Article 9).

The Bac Giang PMU is also equipped with computer, scanner, and photo copying machine, and internet connection, but some of them would need upgrading and replacement under the proposed ADB funded Project. But careful needs assessment is to be required.

General Resource Assessment of Mong Cai PMU

The Procurement Unit of Mong Cai PMU is operating on an ad hoc arrangement, and constituted only when there is procurement to be done. Once Procurement is completed, the Procurement Committee Members will return to their respective offices. Under the proposed ADB Loan, Mong Cai CPC has committed to organize a PMU containing procurement and contracts units to be filled up with full time staff having qualifications in engineering, planning, finance, and economics. The CPC has already identified the personnel to run the ADB PMU. Most of them have more than 15 years experience in procurement for locally funded projects, and have good functional level of skills and knowledge of generally accepted principles of public procurement as demonstrated by their ability to undertake procurement and implementation of locally funded projects Table 17.

The City has never had any experience in conducting ODA assisted procurement, but with its *Ad hoc* committee members' good functional level of skills and knowledge in public procurement, this limitations can be corrected, and enhanced by providing training in ADB procurement guidelines.

The English proficiency level of PMU staff is limited. Therefore, English proficiency enhancement training has to be provided as part of the capacity building component under the Project. It is also recommended that Vietnamese version of Procurement Guidelines, BDs, and RFPs, shall be provided to PMU during procurement and project implementation. This recommendation is consistent with the 2014 Law of Bidding which provides that, "Language to be used in tendering shall be Vietnamese in the case of domestic bidding, and English or Vietnamese and Vietnamese and English in the case of International bidding (Article 9).

Bac Giang, Lao Cai, and Mong Cai PMUs' Procurement Processes: Goods and Works

All participating PMUs have good knowledge in public procurement, and have been in adherence to Law on Procurement particularly the 2014 Law on Bidding, which declares that “ensuring competitiveness in bidding through public and open competitive bidding” must be the rule rather than the exception in awarding contracts to contractors and suppliers. In procuring works and goods, Bac Giang, Lao Cao, and Mong Cai PMUs follow regulations that govern the conduct of key bidding processes; such 1) advertisement, 2) preparation of bidding documents, 3) establishment of committee to evaluate bids, and 4) recommendation of award for approval by the Head of Procuring Agency or by the Investment Owner.

For NCB of nationally funded project, invitation to bid is advertised in newspaper with national circulation, and for ICB foreign funded procurement, information on tender is advertised in international newspaper, WB website, and UNDB online. The 2014 Law on Procurement also provides different methods of tenderer selection with provisions for exception such as by single source selection or by direct negotiation, but these shall be used only in exceptional cases. The Law on Bidding also specifies minimum period for preparation of bids (Article 12 (a-g), advertisement, bid evaluation, up to recommendation of award of the lowest and responsive bid. The Law also provides for the Resolution of Protest and Disputes regarding Bidding (Article 19).

The bid opening is done in public immediately after the deadline for bid submission and late bids are not accepted (Table 15, Table 16, Table 17 (B.14-B15)). The minutes of bid opening are taken and signed by all members of bid opening committee and invited bidders and one copy distributed to bidders. An ad hoc evaluation committee undertakes an evaluation of bids. Under the 2014 Law, procurement staff appointed to the evaluation committee should have attended the certification and professionalization training administered and regulated by the Ministry of Planning and Investment (MPI).

While there is close compatibility between 2014 Procurement Law of Vietnam, and ADB's Procurement Guidelines, however, intensive training would still be required to equip the PMU with the necessary skills and working knowledge of ADB Procurement Guidelines to minimize implementation risk in the procurement of goods and works under the Project.

To gain intensive knowledge in ADB procurement guidelines and systems, it is recommended that procurement skills training be conducted to include, but not to be limited to:

- 1) Selection of bidding procedure;
- 2) Preparation of Bidding Documents, and issuance of Bidding Documents to Bidders,
- 3) Bid Evaluation (technical and financial evaluation of proposals)
- 4) Recommendation for award of contract
- 5) Preparation of bid evaluation report (BER), and
- 6) Bid Documentation.

Bac Giang, Lao Cai, and Mong Cai PMUs' Procurement Processes: Consulting Services

It is to be expected that a Design, Supervision and Management Consultant (DSMC) to undertake DED, preparation of Bidding Documents, and construction supervision, will be recruited under the Project.

Procurement processes for consulting services follows same pattern, and procedure in the procurement of goods and works. Standard Request for Proposals (RFP) issued by the Ministry of Planning and Investment (MPI) are used for procurement of locally funded

consulting services.

Following Viet Nam Law on Bidding, consulting services tenders are also advertised and expression of interest was called for in newspapers of national, and international circulation. The evaluation committee members developed evaluation criteria. The PMUs used an evaluation method similar to QCBS – a ranking by an overall score for quality and price. The technical and financial proposals are submitted in two separate envelopes. Evaluation and ranking of proposals are almost similar to ADB procedures. Minutes of the financial proposal opening are taken and signed. Face to face negotiations are held with the winning bidders. The usual basis for negotiations is cost and time of implementation. The minutes of negotiations are taken and signed and contracts are awarded within one week of the negotiations.

The ability of the PMUs to prepare; 1) responsive TORs, 2) preparation of ADB standard RFP, 3) development of qualification criteria, 4) proposal evaluation, 5) preparation of bids evaluation report and 6) recommendation for award of contract is still limited, because this function were conducted by consultants. Under this project, it is proposed that PMUs shall hire one International Procurement Specialist (ICPS) to help PMUs in the recruitment of DSMC. The ICPS shall also provide hands-on training to PMD focusing in ADB's recruitment procedures and systems to include, but not to be limited to:

- 1) Strengthen ability of PMU to prepare TOR, and in preparing consultants shortlist;
- 2) Strengthen ability of PMU to prepare ADB standard RFP for issuance to Shortlisted Firms – Submission 1. Submitted to ADB for review;
- 3) Strengthen ability of PMU to evaluate technical proposals and Preparing Evaluation Report – Submission 2. Submitted to ADB for review
- 4) Strengthen capacity of PMU to conduct opening and evaluation of the financial proposal(s), and recommending contract award – Submission 3. Submitted to ADB for review
- 5) Strengthen ability of PMU to conduct contract negotiations, and preparation of draft contract during contract negotiation, and submission of contract negotiation report with the Negotiated, Unsigned Contract – Submission 4. Submitted to ADB for review.

In terms of timing, it is recommended that participating PMUs hire the International Procurement and Contracts Specialist prior to Loan Signing and Loan Effectiveness, in order to help PMUs in procuring the DSMC, and also in executing their respective proposal to undertake advance contracting to accelerate project implementation.

Process Control and Oversight

As a matter of policy, all participating PMUs require all staff involved in procurement to formally commit to the standard policy of fairness and impartiality in conducting procurement, and declare any potential conflict of interest in resolving bidding protest and in recommending for award of contract. Monitoring and financial control are also planned to be established in all PMUs, to monitor procurement performance and financial disbursement and payments under the Project.

Oversight implementation support are being provided by the concerned line agencies, but needs to be reviewed in the light of the specific requirements of the proposed ADB funded Project. Under the current set-up, bidding process and recommendation of award prepared by PMUs' respective procurement unit is reviewed by the Department of Planning and Investment (DPI), and endorsed for PPC/CPC's approval. The DPI, is also taking the leading

role (in coordination with the Ministry of Finance), in the preparation of disbursement plans and in timely allocation of sufficient counterpart funds required in subproject project implementation.

In terms of procurement readiness, the Department of Construction (DOC) also assists PMU in the preparation of engineering design, bidding documents for submission for PPC/CPC's approval. DOC also performs quality control process of the construction works during implementation.

The information gathered was unclear if there is regular procurement process audit that is being established. This function belongs to DPI, and audit is performed when requested by the PPC/ CPC. As this control mechanism is significantly important for transparency and sustainable implementation, it is recommended that a regular audit of procurement process shall be carried out by the DPI to ensure compliance to the procurement law and by the Department of finance (DOF) to carry out audit of financial aspects of the project to ensure financial accountability. A suitable Bank procurement supervision plan to cover project financial reporting and auditing is also suggested.

Records Keeping and Audit

PMUs stored all files of procurement documents, using a simple referencing number system, in steel cabinets and in archives to include; original contracts, bids or proposals, copies of advertisements, bids evaluation report, records on claims and dispute resolutions, and records of time taken to complete key steps in the process, comprehensive disbursement data (as required by the country's financial management system).

The PMUs retained all the procurement documentation for a minimum of 20 years, as required under national laws, while as a minimum ADB, requires that the signed original contract and the evaluation report must be retained for at least two years after project completion. Thus, Record Keeping is not an issue in the context of the current PCRA.

Summary Procurement Capacity Risk Assessment and Recommendations

The overall project risk associated with General Procurement Environment is rated as Medium. (Table 12, Table 13, Table 14). Vietnam's 2014 Law on Bidding and its implementing rules and regulations are clear and concise, and in constant evolution. The Law covers all aspects and methods of procurement, and only permits bidding through public and open competitive selection, and the Law also recognizes that donor rules and procedures on procurement may prevail where the "international treaty" entered into by Government is invoked in Loan Agreement. The national procurement environment machinery, particularly the DPI is providing procurement manuals, and nationwide procurement training in line with the professionalization of PMUs procurement staff. In addition, the Department of Finance (DOF) is providing financial systems support particularly in the timely preparation of counterpart funds required in project implementation. However, it is very significant to note that the Project will be implemented by three (3) EAs with no previous ADB experience, thus, a risk rating of medium is more realistic. The risk, though will be mitigated and implementation delays are avoided if aforesaid oversight supports such as; 1) DPI's continuing procurement training to professionalize and enhanced procurement capacity of PMUs, and 2) DOF/MOF to ensure that counterpart funds required by the loan and subprojects are incorporated in the Annual Budget, and are released to on time during project implementation, are formalized and instituted under the Project. Likewise, the overall project risk associated with the internal efficiency of the PMUs to implement subprojects is rated as average (Table 13). This could be attributed to: 1) complexity of project design,

which covers one province and two cities, multiple sectors, and different contracting mechanism, 2) the three participating PMUs have little prior experience in procurement and contract administration under ADB or similar international terms and conditions, and 3) also have very little experience in implementing large works that are domestically financed. This risk could be mitigated by providing implementation support to PMUs through 1) establishment of a well-structured PMUs, which contains procurement section and to be staffed with qualified personnel, 2) intensive training on procurement and contract management, 3) engagement of qualified procurement, and 4) establishment of stronger and responsive review and approval mechanism, particularly, in the review and approval of specifications and bidding documents prepared by the respective Procurement Management Division of the PMUs.

Specific Recommendations, Project Implementation

Capacity Constraint	Recommended Action	Responsibility and comment
Lao Cai PMU		
<p>1. Procurement readiness (procurement plan, TOR, BDs/RFPs, & BERs preparations, evaluation of bids, & documentations) is still an issue under the Project.</p> <p>2. Limited skills and knowledge in procurement and contracts management in accordance with ADB procurement guidelines and systems</p> <p>3. Limited English proficiency to perform procurement works</p>	<p>1. Engage individual procurement consultant to assist PMU in recruiting consultants to undertake DED/CS for the WWTP.</p> <p>2. Intensive hands-on training on procurement and contracts management following ADB procurement guidelines and systems</p> <p>3.1 Provide English language proficiency training</p> <p>3.2 Provide Vietnamese versions of ADB procurement guidelines and Bidding Document</p>	<p>1. PMU to recruit consultant, even before loan becomes effective, through Advance Contracting to accelerate subprojects implementation.</p> <p>2. To be provided by the individual consultant (procurement and contracts specialist) and by the DED/CS consultant.</p> <p>3.1 ADB to provide or through capacity building component of the Project</p> <p>3.2 VRM to supply Vietnamese versions of ADB Procurement Guidelines, and Bidding Documents to PMU.</p>
Bac Giang PMU		
<p>1. With limited experience in implementing projects in the likes of WB, and ADB, and no experience in administering EPC/Turnkey Contract that is governed by FIDIC's Conditions of Contract for the construction, and commissioning of WWTP.</p>	<p>1. Engage International Procurement Consultant, that is knowledgeable in EPC/Turnkey Contracts and FIDIC to help in the preparation of ADB non-standard Bidding Document, and in the procurement of EPC/Turnkey contractor.</p>	<p>1. PMU to recruit consultant, and prepare justifications to use EPC/Turnkey contract, that requires clearance from the Operations Services and Financial Management Department (OSFMD) and the Office of the General Counsel (OGC) of ADB.</p> <p>2. To be provided by the</p>

<p>2. Limited skills and knowledge in procurement and contracts management in accordance with ADB procurement guidelines and systems.</p> <p>3. Limited English proficiency to perform procurement works</p>	<p>2. Intensive hands-on training on procurement and contracts management following ADB procurement guidelines and systems</p> <p>3.1 English language proficiency training</p> <p>3.2 Provide Vietnamese versions of ADB procurement guidelines and Bidding Document</p>	<p>individual consultant (procurement and contracts specialist) and by the DED/CS consultant.</p> <p>3.1 ADB to provide, through the capacity building component under the Project.</p> <p>3.2 VRM to supply Vietnamese versions of ADB Procurement Guidelines, and Bidding Documents to PMU.</p>
Mong Cai PMU		
<p>1. With limited experience in implementing WB, and ADB funded projects; capacity to undertake procurement and construction supervision is limited.</p> <p>2. Limited skills and knowledge in procurement and contracts management in accordance with ADB procurement guidelines and systems</p> <p>3. Limited English proficiency to perform procurement works</p>	<p>1. Engage individual consultant (procurement and contracts specialist) to assist PMU in recruiting consultants to undertake DED/CS for the WWTP.</p> <p>2. Intensive hands-on training on procurement and contracts management following ADB procurement guidelines and systems</p> <p>3.1 English language proficiency training</p> <p>3.2 Provide Vietnamese versions of ADB procurement guidelines and Bidding Document</p>	<p>1. PMU to recruit consultant, even before loan becomes effective, through Advance Contracting to accelerate subprojects implementation.</p> <p>2. To be provided by the individual consultant (procurement and contracts specialist) and by the DED/CS consultant.</p> <p>3.1 ADB, to provide or through capacity building component of the Project</p> <p>3.2 VRM to supply Vietnamese versions of ADB Procurement Guidelines, and Bidding Documents to PMU.</p>
General Recommendations, Lao Cai PPC, and Bac Giang, Mong Cai CPCs Capacity		
Capacity Constraint	Recommended Action	Responsibility and Comment
<p>1. Limited Capacity to review Bidding Documents/RFP, recommendation for award of Contract.</p> <p>2. Internal work coordination among Departments (Construction, finance, planning and investment) is weak to accelerate</p>	<p>1. Include PPC/CPCs officials in the procurement training to enhanced capacity to review BDs, and Contracts.</p> <p>2. Establish an inter-department (concerned with procurement) works support, and process flow system with</p>	<p>1. ADB/PPTA consultant to include this activity in the capacity component of the Loan</p> <p>2. ADB/ consultant to include this as operating conditions to be incorporated in the</p>

procurement processing and implementation	a prescribed period of time to complete per activity.	PAM.
General Recommendations, Procurement Environment		
Capacity Constraint	Recommended Action	Responsibility and Comment
1. Procurement environment variables, such as counterpart funds required by the project not released on time (Table 12,Table 13,Table 14 (35-39))	1. Ensure that counterpart funds of the Loan is incorporated in the Annual Budget, and released on time when required by the Project during project implementation.	1. EAs to initiate, and ensures that all procedures and systems for timely releases of counterpart funds are put in place to avoid implementation delays.

APPENDICES

Appendix 1: Filled up Questionnaires for Assessment of the General Procurement Environment

Table 12: Assessment of the General Procurement Environment of Bac Giang

(Interview Guide)

Đánh giá rủi ro của Môi trường đấu thầu nói chung

		Risk Assessed As	
		Mức độ đánh giá rủi ro	
Question	Response	Low	Average
Câu hỏi	Trả lời	Thấp	Trung bình
1 Is there a procurement law.	Law on procurement no. 43/2013/QH13 dated 26/11/2013.	x	
<i>Có luật riêng về đấu thầu không?</i>	<i>Có luật đấu thầu số 43/2013/QH13 ngày 26/11/2013.</i>		
2. Are the laws and regulations clear and concise?	The laws and regulations are clear and concise	x	
<i>Các điều luật và quy định có rõ ràng và súc tích không?</i>	<i>Các điều luật quy định rõ ràng, súc tích đầy đủ các nội dung liên quan.</i>		
3. What does the law (or regulations applicable to procurement) cover?	Applicable for procurement of consultants, construction and installation, goods and equipment, combination, self-implementation, competitive marketing, direct purchase, centralized purchase, regular purchase, medicine, medicinal equipments and products purchase, public service, selection of investors	x	
<i>Nội dung luật định (hoặc các quy định áp dụng cho công việc đấu thầu) gồm những gì?</i>	<i>Áp dụng cho đấu tư vấn, phi tư vấn, xây lắp, mua sắm hàng hóa, hỗn hợp, tự thực hiện, chào hàng cạnh tranh, mua sắm trực tiếp, MUA SẮM TẬP TRUNG, MUA SẮM THƯỜNG XUYÊN, MUA THUỐC, VẬT TƯ Y TẾ VÀ SẢN PHẨM, DỊCH VỤ CÔNG, Lựa chọn nhà đầu tư thực hiện dự án đầu tư,</i>		
4. Does the law cover the procurement of consulting services?	Yes, the law covers the procurement of consulting services	x	

<i>Nội dung luật định có quy định về công tác đấu thầu của các dịch vụ tư vấn hay không?</i>	<i>Có quy định các nội dung về đấu thầu tư vấn.</i>		
5. Does the law differentiate between processes for consulting services and Goods/Works?	There are some differences	x	
<i>Nội dung luật định có khác nhau giữa các quy trình của công tác tư vấn hay Hàng hóa/ Công trình?</i>	<i>Có một số điểm khác nhau.</i>		
6. Does the law require advertisement of all procurement opportunities Tendering	Yes, the law requires advertisement of all procurement opportunities Tendering		Tendering must be Advertised but not Contract Award. Risk is medium
<i>Luật có yêu cầu đăng quảng cáo mời thầu cho tất cả các gói thầu không?</i>	<i>Có yêu cầu đăng tải mời thầu.</i>		<i>Giới thiệu mời thầu chứ không phải Trao thầu. Rủi ro thấp.</i>
7. Are contract awards advertised?	Yes, the contract awards are advertised		
<i>Việc trao thầu có được đăng thông báo hay không?</i>	<i>Có thông báo kết quả lựa chọn nhà thầu.</i>		
8. Are there restrictions on goods works and services on the basis of origin?	No, there aren't any.	x	
<i>Có những quy định cấm nào về nguồn gốc xuất xứ đối với hàng hóa, công trình và dịch vụ ?</i>	<i>Chưa có quy định nào</i>		
9. Do the law or relevant legislation and regulations provide acceptable provision for the participation of state owned enterprises?	The content of "Application" in the Law on Procurement	x	
<i>Nội dung Luật đấu thầu hoặc các quy định pháp lý có liên quan có quy định nào chấp nhận cho các DNNN tham gia đấu thầu hay không?</i>	<i>Nội dung Đối tượng áp dụng của luật đấu thầu</i>		
10. Are there restrictions on the nationality of bidders and consulting firms invited?	No, there aren't any.	x	
<i>Có quy định hạn chế nào về quốc tịch của những người tham gia đấu thầu hay đơn vị được mời thầu hay không?</i>	<i>Không có quy định nào.</i>		
11. Are foreign bidders and consultants forced to offer through or with local partners?		x	

Các đơn vị và tư vấn tham gia đấu thầu có bị yêu cầu nộp hồ sơ thầu thông qua hoặc cùng với đơn vị cộng sự Việt Nam?			
12. Is there a domestic preference scheme?	There are domestic and international preference schemes	x	
Có chương trình ưu tiên nội bộ không?	Có quy định về ưu đãi trong đấu thầu quốc tế và trong nước.		
13. Is there a national standard mandated for use for quality control purposes?	Yes	x	
Có tiêu chuẩn quốc gia nào được ban hành để sử dụng cho mục đích kiểm soát chất lượng hay không?	Có		
14. Are any agencies exempt from the law	The question is unclear		Risk is rated <i>medium</i>
Có cơ quan nào bị miễn trừ khỏi nghĩa vụ pháp lý không?	Chưa rõ câu hỏi đề nghị làm rõ.		Rủi ro được đánh giá ở mức thấp
15. Is the default method for procurement open competition?	These are procurement methods: one phase - one package, one phase - two packages, two phases - one package, two phases - two packages	x	
Có phương thức mặc định nào áp dụng để tổ chức đấu thầu rộng rãi không?	Có các phương thức đấu thầu sau: một giai đoạn – một túi hồ sơ, một giai đoạn – hai túi hồ sơ, hai giai đoạn – một túi hồ sơ, hai giai đoạn – hai túi hồ sơ		
16. Is open procurement easily avoided?	All tenderers are welcome; except for limited biddings	x	
Việc đấu thầu rộng rãi có dễ bị hạn chế không?	Không hạn chế nhà thầu tham gia; trừ trường hợp đấu thầu hạn chế.		
17. Do the rules and regulations require pre-qualification?		x	
Các nguyên tắc và qui định có yêu cầu thực hiện tiên			

<i>kiểm định chất lượng không?</i>			
18. Do the rules and regulations require registration?		Require company Registered. Risk is Medium.	
<i>Các nguyên tắc và qui định có yêu cầu đăng ký không?</i>		<i>Yêu cầu công ty đăng ký.</i>	
19. Are there systematic procurement process audits?	There is an annual investigation on procurement conducted by competent agencies namely Department of Planning and Investment (DPI)	x	
<i>Có thực hiện các cuộc kiểm tra quy trình đấu thầu có hệ thống hay không?</i>	<i>Hàng năm có đợt thanh tra, kiểm tra về công tác đấu thầu của các cơ quan quản lý nhà nước như Sở Kế hoạch đầu tư</i>		
20. Is there a national procurement manual or guide?	There is a national procurement manual or guide	x	
<i>Có văn bản hướng dẫn của nhà nước về đấu thầu hay không?</i>	<i>Có đầy đủ các văn bản của nhà nước về hướng dẫn đấu thầu.</i>		
21. Do the laws and regulations mandate the use of standard documents?	Yes, they are	These are being provided by MPI to Project IAs. Risk is Medium	
<i>Các bộ luật và quy định có chỉ thị gì về việc sử dụng các tài liệu tiêu chuẩn?</i>	<i>Có đầy đủ</i>	<i>Các tài liệu sẽ được Bộ KH-ĐT cung cấp cho các Đơn vị thực hiện dự án, Rủi ro thấp.</i>	
22. Have these standard bidding documents been approved for use on ADB projects?	There are both English and Vietnamese copies of ADB guidelines	The PMU hasn't taken over any ADB-funded projects but others with ODA fund. Risk is rated low	
<i>Các tài liệu đấu thầu chuẩn này đã được chấp thuận đưa vào sử dụng trong các dự án ADB hay chưa?</i>	<i>Có toàn bộ các hướng dẫn của ADB cả tiếng Anh và tiếng Việt</i>	<i>Đơn vị chưa từng thực hiện dự án của ADB nhưng đã thực hiện các Dự án ODA khác. Đánh giá: rủi ro thấp.</i>	
23. Do the regulations require the collection of nation wide statistics on procurement?	No	x	x
<i>Các quy định có yêu cầu thu thập số liệu khắp cả nước về đấu thầu hay không?</i>	<i>Không</i>		
24. Is consolidated historical procurement data available to the public?	Yes	x	x

Các tài liệu lịch sử đấu thầu hợp nhất có dễ tiếp cận rộng rãi hay không?	Có			
25. Do the procurement laws and regulations contain provisions for dealing with misconduct?	Financial penalty shall be applied	x		
Các luật và quy định về đấu thầu có qui định các điều khoản nào để xử lý việc thực hiện sai hay không?	Có quy định về xử phạt hành chính.			
26. Is fraud and corruption in procurement regarded as a criminal act?	Yes	x		
Các gian lận và tham nhũng trong công tác đấu thầu có được coi là một hành vi phạm tội?	Có.			
27. Have there been prosecutions for fraud and corruption?	Not yet		The PMU hasn't taken over any projects in relation to fraud and corruption. Risk is rated low.	
Đã từng có khởi tố/ khởi kiện các hành vi gian lận và tham nhũng này hay chưa?	Chưa có		Đơn vị chưa từng liên quan tới bất kỳ vụ gian lận, tham nhũng nào trong đấu thầu. Đánh giá: rủi ro thấp.	
28. Is there an alternative disputes resolution process independent of government and courts?	No	x		
Có quy trình giải quyết tranh chấp thay thế nào mà không cần đến sự tham gia của chính quyền và tòa án không?	Không có			
29. Does the law allow for sovereign immunity to the EA for claims against it?	Please clarify the question		x	
Luật có cho phép Cơ quan chủ quản được yêu cầu quyền miễn tố không?	Đề nghị làm rõ câu hỏi.			
30. Do the regulations allow for black listing (disbarment) of firms and individuals?	There are regulations in accordance with the Law	x		

<i>Các quy định có cho phép các đơn vị, cá nhân trong danh sách đen (khai trừ) tham gia hay không?</i>	<i>Có quy định theo quy định của luật</i>			
31. Which body oversees procurement?	The line agencies shall oversee the procurement	MPI, Ministries, PPCs, risk is rated medium		
<i>Cơ quan nào sẽ giám sát quá trình đấu thầu?</i>	<i>Cơ quan chủ quản đầu tư thực hiện giám sát quá trình đấu thầu.</i>	<i>Bộ KH-ĐT, các Bộ, UBND các tỉnh. Rủi ro thấp.</i>		
32. What powers does the oversight body have?		Report to the senior officials if there is anything wrong. Risk is rated low.		
<i>Các quyền hạn của cơ quan giám sát là gì?</i>		<i>Báo cáo người có thẩm quyền quyết định, nếu phát hiện có sai phạm. Rủi ro thấp.</i>		
33. Is there a nationwide procurement-training plan?			x	
<i>Có kế hoạch nào về việc đào tạo đấu thầu trong phạm vi cả nước không?</i>				
34. Is there a procurement accreditation or professionalization program?	There are training programs on procurement which offer certificates	x	x	
<i>Có chương trình kiểm định và công nhận về đấu thầu nào hay không?</i>	<i>Có tổ chức đào tạo cấp chứng nhận về đấu thầu.</i>			
35. Are major projects identified within an agencies appropriation or budget?		According to annual Plan or periodical plan of the project, approved by the Donor and PPC before its implementation. Risk is rated low.		
<i>Các dự án lớn có được xác định thuộc phạm vi biểu quyết ngân sách của các cơ quan?</i>		<i>Theo kế hoạch năm, hoặc kế hoạch hoạt động theo kỳ của dự án, được nhà tài trợ và UBND tỉnh cùng chấp thuận trước khi thực hiện. Rủi ro thấp.</i>		
36. Is the procurement cycle tied to an annual budgeting cycle?	After the budgeting plan is introduced, the agency then is allowed to organize procurement	Budget need to be approved, but procurement activity can commence		

<i>Chu trình đấu thầu có phụ thuộc vào chu kỳ lập ngân sách không?</i>	<i>Có kế hoạch vốn mới được triển khai thực hiện đấu thầu theo quy định.</i>	<i>Ngân sách cần phải được thông qua, nhưng hoạt động đấu thầu có thể tiến hành.</i>
37. Once an appropriation or budget is approved will funds be placed with the EA or can the EA draw them down at will?	Funds be placed with the EA	The budget is disbursed on the basis of Capital Plan (capacity of disbursement according to plans) and transferred to the account of the PMU, and the amount does not exceed the threshold in accordance with project regulations. Risk is rated low.
<i>Khi mà ngân sách được thông qua, kinh phí sẽ được giao cho Cơ quan chủ quản hay Cơ quan chủ quản sẽ nhận kinh phí theo nguyện vọng?</i>	<i>Kinh phí sẽ được giao cho Cơ quan chủ quản</i>	<i>Kinh phí được rút theo kế hoạch vốn (khả năng giải ngân theo kế hoạch) đến tài khoản Ban QLDA, không vượt quá số dư tài khoản đặc biệt theo qui định của từng dự án. Rủi ro thấp.</i>
38. Can EA draw directly from a loan or impress account or will it spend budgeted funds with the borrower claiming reimbursement?	No	To be decided
<i>Liệu Cơ quan chủ quản có thể trích kinh phí trực tiếp từ vốn vay hay tài khoản tạm ứng hay sẽ áp dụng phương thức chi trả các kinh phí theo kế hoạch sau đó yêu cầu nhận hoàn trả lại?</i>	<i>Không</i>	<i>Quyết định sau</i>
39. When an EA is implementing a project using funds from the national budget has a delay in funding significantly delayed procurement?	No.	No, Risk is low
<i>Khi Cơ quan chủ quản thực hiện dự án sử dụng kinh phí từ ngân sách nhà nước, liệu việc cấp vốn chậm trễ có trì hoãn thực hiện công tác đấu thầu không?</i>	<i>Không</i>	<i>Không. Rủi ro thấp</i>

Table 13: Assessment of the General Procurement Environment of Lao Cai
(Interview Guide)

Đánh giá rủi ro của Môi trường đấu thầu nói chung

		Risk Assessed As		
		Mức độ đánh giá rủi ro		
Question	Response	Low	Average	High
Câu hỏi	Trả lời	Thấp	Trung bình	Cao
1 Is there a procurement law.	Law on Procurement in 2013	x		
<i>Có luật riêng về đấu thầu không?</i>	<i>Có luật đấu thầu 2013</i>			
2. Are the laws and regulations clear and concise?	Yes	x		
<i>Các điều luật và quy định có rõ ràng và súc tích không?</i>	<i>Có</i>			
3. What does the law (or regulations applicable to procurement) cover?	Procurement of consultants, goods and constructions	x		
<i>Nội dung luật định (hoặc các quy định áp dụng cho công việc đấu thầu) gồm những gì?</i>	<i>Đấu thầu tư vấn, hàng hóa, xây lắp</i>			
4. Does the law cover the procurement of consulting services?	Yes	x		
<i>Nội dung luật định có quy định về công tác đấu thầu của các dịch vụ tư vấn hay không?</i>	<i>Có</i>			
5. Does the law differentiate between processes for consulting services and Goods/Works?	There are specific regulations for procurement of consultants, goods and constructions	x		
<i>Nội dung luật định có khác nhau giữa các quy trình của công tác tư vấn hay Hàng hóa/ Công trình?</i>	<i>Có quy trình riêng rõ ràng dành cho tư vấn, hàng hóa, xây lắp</i>			
6. Does the law require advertisement of all procurement opportunities Tendering		Tendering must be Advertised but not Contract Award. Risk is low.		
<i>Luật có yêu cầu đăng quảng cáo mời thầu cho tất cả các gói thầu không?</i>				
7. Are contract awards advertised?		<i>Giới thiệu mời thầu chứ không phải Trao</i>		

<i>Việc trao thầu có được đăng thông báo hay không?</i>		<i>thầu. Rủi ro thấp</i>				
8. Are there restrictions on goods works and services on the basis of origin?	No, there aren't any restrictions on goods works and services on the basis of origin in the bidding invitation documents	x				
<i>Có những quy định cấm nào về nguồn gốc xuất xứ đối với hàng hóa, công trình và dịch vụ ?</i>	<i>Không được chỉ định xuất xứ hàng hóa trong HSMT</i>					
9. Do the law or relevant legislation and regulations provide acceptable provision for the participation of state owned enterprises?	Those SOEs under the Investor shall not be allowed to participate in the procurement	x				
<i>Nội dung Luật đấu thầu hoặc các quy định pháp lý có liên quan có quy định nào chấp nhận cho các DNNN tham gia đấu thầu hay không?</i>	<i>Các doanh nghiệp nhà nước trực thuộc chủ đầu tư thì không được phép tham gia đấu thầu.</i>					
10. Are there restrictions on the nationality of bidders and consulting firms invited?	No	x				
<i>Có quy định hạn chế nào về quốc tịch của những người tham gia đấu thầu hay đơn vị được mời thầu hay không?</i>	<i>Không</i>					
11. Are foreign bidders and consultants forced to offer through or with local partners?	No	x				
<i>Các đơn vị và tư vấn tham gia đấu thầu có bị yêu cầu nộp hồ sơ thầu thông qua hoặc cùng với đơn vị cộng sự Việt Nam?</i>	<i>Không</i>					
12. Is there a domestic preference scheme?	No	x				
<i>Có chương trình ưu tiên nội bộ không?</i>	<i>Không</i>					
13. Is there a national standard mandated for use for quality control purposes?	Yes	x				
<i>Có tiêu chuẩn quốc gia nào được ban hành để sử dụng cho mục đích kiểm soát chất lượng hay không?</i>	<i>Có</i>					
14. Are any agencies exempt from the law						

<i>Có cơ quan nào bị miễn trừ khỏi nghĩa vụ pháp lý không?</i>						
15. Is the default method for procurement open competition?	Those big package whose value is greater than the stipulated threshold under Decree no. 63/2014 must be under open procurement.	x	x			
<i>Có phương thức mặc định nào áp dụng để tổ chức đấu thầu rộng rãi không?</i>	<i>Những gói thầu có giá trị lớn hơn ngưỡng được quy định trong ND 63/2014 phải đấu rộng rãi</i>					
16. Is open procurement easily avoided?	No	x				
<i>Việc đấu thầu rộng rãi có dễ bị hạn chế không?</i>	<i>Không</i>					
17. Do the rules and regulations require pre-qualification?	Yes	x				
<i>Các nguyên tắc và qui định có yêu cầu thực hiện tiên kiểm định chất lượng không?</i>	<i>Có</i>					
18. Do the rules and regulations require registration?		Require company Registered. Risk is Low.				
<i>Các nguyên tắc và qui định có yêu cầu đăng ký không?</i>		Yêu cầu công ty đăng ký. Rủi ro thấp				
19. Are there systematic procurement process audits?	Yes	x		x		
<i>Có thực hiện các cuộc kiểm tra quy trình đấu thầu có hệ thống hay không?</i>	<i>Có</i>					
20. Is there a national procurement manual or guide?	Yes	x		x		
<i>Có văn bản hướng dẫn của nhà nước về đấu thầu hay không?</i>	<i>Có</i>					
21. Do the laws and regulations mandate the use of standard documents?	Yes	These are being provided by MPI to Project IAs. Risk is Medium				
<i>Các bộ luật và quy định có chỉ thị gì về việc sử dụng các tài liệu tiêu chuẩn?</i>	<i>Có</i>	<i>Các tài liệu sẽ được Bộ KH-ĐT cung cấp cho các Đơn vị thực hiện dự án, Rủi ro thấp.</i>				

22. Have these standard bidding documents been approved for use on ADB projects?	The PMU hasn't taken over any ADB-funded projects but others with ODA fund. Risk is rated average		x	
<i>Các tài liệu đấu thầu chuẩn này đã được chấp thuận đưa vào sử dụng trong các dự án ADB hay chưa?</i>	<i>Đơn vị chưa từng thực hiện dự án của ADB nhưng đã thực hiện các Dự án ODA khác. rủi ro trung bình</i>			
23. Do the regulations require the collection of nation wide statistics on procurement?	Yes		x	
<i>Các quy định có yêu cầu thu thập số liệu khắp cả nước về đấu thầu hay không?</i>	<i>Có</i>			
24. Is consolidated historical procurement data available to the public?	Yes		x	
<i>Các tài liệu lịch sử đấu thầu hợp nhất có dễ tiếp cận rộng rãi hay không?</i>	<i>Có</i>			
25. Do the procurement laws and regulations contain provisions for dealing with misconduct?	Yes	x		
<i>Các luật và quy định về đấu thầu có qui định các điều khoản nào để xử lý việc thực hiện sai hay không?</i>	<i>Có</i>			
26. Is fraud and corruption in procurement regarded as a criminal act?	Yes	x		
<i>Các gian lận và tham nhũng trong công tác đấu thầu có được coi là một hành vi phạm tội?</i>	<i>Có.</i>			
27. Have there been prosecutions for fraud and corruption?	Not yet	x		
<i>Đã từng có khởi tố/ khởi kiện các hành vi gian lận và tham nhũng này hay chưa?</i>	<i>Chưa</i>			
28. Is there an alternative disputes resolution process independent of government and courts?	Yes	x		

<i>Có quy trình giải quyết tranh chấp thay thế nào mà không cần đến sự tham gia của chính quyền và tòa án không?</i>	Có.			
29. Does the law allow for sovereign immunity to the EA for claims against it?	No			
<i>Luật có cho phép Cơ quan chủ quản được yêu cầu quyền miễn tố không?</i>	Không			
30. Do the regulations allow for black listing (disbarment) of firms and individuals?	No			
<i>Các quy định có cho phép các đơn vị, cá nhân trong danh sách đen (khai trừ) tham gia hay không?</i>	Không			
31. Which body oversees procurement?	MPI, Ministries, PPCs, risk is rated low	x		
<i>Cơ quan nào sẽ giám sát quá trình đấu thầu?</i>	Bộ KH-ĐT, các Bộ, UBND các tỉnh. Rủi ro thấp			
32. What powers does the oversight body have?	Report to the senior officials if there is anything wrong	x		
<i>Các quyền hạn của cơ quan giám sát là gì?</i>	Báo cáo người có thẩm quyền quyết định, nếu phát hiện có sai phạm. Rủi ro thấp			
33. Is there a nationwide procurement-training plan?	Yes	x	x	
<i>Có kế hoạch nào về việc đào tạo đấu thầu trong phạm vi cả nước không?</i>	Có.			
34. Is there a procurement accreditation or professionalization program?	Yes	x	x	
<i>Có chương trình kiểm định và công nhận về đấu thầu nào hay không?</i>	Có.			
35. Are major projects identified within an agencies appropriation or budget?	According to annual Plan or periodical plan of the project, approved by the Donor and PPC before its implementation	x		

<i>Các dự án lớn có được xác định thuộc phạm vi biểu quyết ngân sách của các cơ quan?</i>	<i>Theo kế hoạch năm, hoặc kế hoạch hoạt động theo kỳ của dự án, được nhà tài trợ và UBND tỉnh cùng chấp thuận trước khi thực hiện.</i>			
36. Is the procurement cycle tied to an annual budgeting cycle?	Budget need to be approved, but procurement activity can commence			
<i>Chu trình đấu thầu có phụ thuộc vào chu kỳ lập ngân sách không?</i>	<i>Ngân sách cần phải được thông qua, nhưng hoạt động đấu thầu có thể tiến hành.</i>			
37. Once an appropriation or budget is approved will funds be placed with the EA or can the EA draw them down at will?	The budget is disbursed on the basis of Capital Plan (capacity of disbursement according to plans) and transferred to the account of the PMU, and the amount does not exceed the threshold in accordance with project regulations.			
<i>Khi mà ngân sách được thông qua, kinh phí sẽ được giao cho Cơ quan chủ quản hay Cơ quan chủ quản sẽ nhận kinh phí theo nguyện vọng?</i>	<i>Kinh phí được rót theo kế hoạch vốn (khả năng giải ngân theo kế hoạch) đến tài khoản Ban QLDA, không vượt quá số dư tài khoản đặc biệt theo qui định của từng dự án.</i>			
38. Can EA draw directly from a loan or impress account or will it spend budgeted funds with the borrower claiming reimbursement?	To be decided		x	
<i>Liệu Cơ quan chủ quản có thể trích kinh phí trực tiếp từ vốn vay hay tài khoản tạm ứng hay sẽ áp dụng phương thức chi trả các kinh phí theo kế hoạch sau đó yêu cầu nhận hoàn trả lại?</i>	<i>Quyết định sau</i>			
39. When an EA is implementing a project using funds from the national budget has a delay in funding significantly delayed procurement?	No		x	
<i>Khi Cơ quan chủ quản thực hiện dự án sử dụng kinh phí từ ngân sách nhà nước, liệu việc cấp vốn chậm trễ có trì hoãn thực hiện công tác đấu thầu không?</i>	<i>Không</i>			

Table 14: Assessment of the General Procurement Environment of Mong Cai
(Interview Guide)

Đánh giá rủi ro của Môi trường đấu thầu nói chung

Question Câu hỏi	Response Trả lời	Risk Assessed As Mức độ đánh giá rủi ro		
		Low Thấp	Average Trung bình	High Cao
1 Is there a procurement law. <i>Có luật riêng về đấu thầu không?</i>	Yes Có	X		
2. Are the laws and regulations clear and concise? <i>Các điều luật và quy định có rõ ràng và xúc tích không?</i>	Yes Có	x		
3. What does the law (or regulations applicable to procurement) cover? <i>Nội dung luật định (hoặc các quy định áp dụng cho công việc đấu thầu) gồm những gì?</i>	Procurement preparation, bidding invitation documents compilation, bid advertising on Procurement Newspaper, bidding opening, bidding evaluation... (referring to Law on procurement no. 43/2013/QH13 and Decree no. 63/2014/NĐ-CP for further details) <i>Chuẩn bị mời thầu, lập hồ sơ mời thầu, đăng thông báo mời thầu trên Báo đấu thầu, mở thầu, xét thầu...(cụ thể xem luật đấu thầu số 43/2013/QH13 và Nghị định 63/2014/NĐ-CP)</i>	X		
4. Does the law cover the procurement of consulting services? <i>Nội dung luật định có quy định về công tác đấu thầu của các dịch vụ tư vấn hay không?</i>	Yes Có	X		
5. Does the law differentiate between processes for consulting services and Goods/Works? <i>Nội dung luật định có khác nhau giữa các quy trình của công tác tư vấn hay Hàng hóa/ Công trình?</i>	Yes Có	x		
6. Does the law require advertisement of all procurement opportunities Tendering	Yes. The law requires advertisement of all procurement opportunities on Procurement Newspaper with regards to only procurement of			

	construction and goods (equipment) whose value is greater than 1 billion VND and procurement of consultant whose value is greater than 500 million VND.			
<i>Luật có yêu cầu đăng quảng cáo mời thầu cho tất cả các gói thầu không?</i>	<i>Có. Với gói thầu xây lắp, mua sắm hàng hóa giá trị ≥ 1 tỷ VNĐ và gói thầu tư vấn ≥ 500 triệu VNĐ đều phải đăng thông tin trên báo đấu thầu, còn lại là chỉ định thầu thì không cần.</i>			
7. Are contract awards advertised? <i>Việc trao thầu có được đăng thông báo hay không?</i>	Yes Có	X		
8. Are there restrictions on goods works and services on the basis of origin? <i>Có những quy định cấm nào về nguồn gốc xuất xứ đối với hàng hóa, công trình và dịch vụ ?</i>	No Không			
9. Do the law or relevant legislation and regulations provide acceptable provision for the participation of state owned enterprises? <i>Nội dung Luật đấu thầu hoặc các quy định pháp lý có liên quan có quy định nào chấp nhận cho các DNNN tham gia đấu thầu hay không?</i>	Yes Có	X		
10. Are there restrictions on the nationality of bidders and consulting firms invited? <i>Có quy định hạn chế nào về quốc tịch của những người tham gia đấu thầu hay đơn vị được mời thầu hay không?</i>	No Không			
11. Are foreign bidders and consultants forced to offer through or with local partners? <i>Các đơn vị và tư vấn tham gia đấu thầu có bị yêu cầu nộp hồ sơ thầu thông qua hoặc cùng với đơn vị cộng sự Việt Nam?</i>	No Không	X		
12. Is there a domestic preference scheme? <i>Có chương trình ưu tiên nội bộ không?</i>	No Không	X		
13. Is there a national standard mandated for use for quality control purposes?	Yes	x	x	

<i>Có tiêu chuẩn quốc gia nào được ban hành để sử dụng cho mục đích kiểm soát chất lượng hay không?</i>	Có			
14. Are any agencies exempt from the law <i>Có cơ quan nào bị miễn trừ khỏi nghĩa vụ pháp lý không?</i>	No Không	X		
15. Is the default method for procurement open competition? <i>Có phương thức mặc định nào áp dụng để tổ chức đấu thầu rộng rãi không?</i>	Yes Có	X		
16. Is open procurement easily avoided? <i>Việc đấu thầu rộng rãi có dễ bị hạn chế không?</i>	No Không	X		
17. Do the rules and regulations require pre-qualification? <i>Các nguyên tắc và qui định có yêu cầu thực hiện tiền kiểm định chất lượng không?</i>	Yes Có			
18. Do the rules and regulations require registration? <i>Các nguyên tắc và qui định có yêu cầu đăng ký không?</i>	Yes Có	X		
19. Are there systematic procurement process audits? <i>Có thực hiện các cuộc kiểm tra quy trình đấu thầu có hệ thống hay không?</i>	Yes, there is investigation done by the Central agencies for specific works Có, do thanh tra nhà nước kiểm tra với từng công trình cụ thể		X	
20. Is there a national procurement manual or guide? <i>Có văn bản hướng dẫn của nhà nước về đấu thầu hay không?</i>	Yes Có	X		
21. Do the laws and regulations mandate the use of standard documents? <i>Các bộ luật và quy định có chỉ thị gì về việc sử dụng các tài liệu tiêu chuẩn?</i>	Yes Có	X		
22. Have these standard bidding documents been approved for use on ADB projects?	Unclear			X

<i>Các tài liệu đấu thầu chuẩn này đã được chấp thuận đưa vào sử dụng trong các dự án ADB hay chưa?</i>	<i>Chưa rõ</i>			
23. Do the regulations require the collection of nation wide statistics on procurement? <i>Các quy định có yêu cầu thu thập số liệu khắp cả nước về đấu thầu hay không?</i>	No <i>Không</i>		X	
24. Is consolidated historical procurement data available to the public? <i>Các tài liệu lịch sử đấu thầu hợp nhất có dễ tiếp cận rộng rãi hay không?</i>	Yes <i>Có</i>	X	X	
25. Do the procurement laws and regulations contain provisions for dealing with misconduct? <i>Các luật và quy định về đấu thầu có qui định các điều khoản nào để xử lý việc thực hiện sai hay không?</i>	Yes <i>Có</i>	X		
26. Is fraud and corruption in procurement regarded as a criminal act? <i>Các gian lận và tham nhũng trong công tác đấu thầu có được coi là một hành vi phạm tội?</i>	Yes <i>Có.</i>	X		
27. Have there been prosecutions for fraud and corruption? <i>Đã từng có khởi tố/ khởi kiện các hành vi gian lận và tham nhũng này hay chưa?</i>	Not yet <i>Chưa có</i>			X
28. Is there an alternative disputes resolution process independent of government and courts? <i>Có quy trình giải quyết tranh chấp thay thế nào mà không cần đến sự tham gia của chính quyền và tòa án không?</i>	No <i>Không có</i>		X	
29. Does the law allow for sovereign immunity to the EA for claims against it? <i>Luật có cho phép Cơ quan chủ quản được yêu cầu quyền miễn tố không?</i>	<i>Not clear</i>			X

<p>30. Do the regulations allow for black listing (disbarment) of firms and individuals?</p> <p><i>Các quy định có cho phép các đơn vị, cá nhân trong danh sách đen (khai trừ) tham gia hay không?</i></p>	<p>Yes</p> <p>Có.</p>	X		
<p>31. Which body oversees procurement?</p> <p><i>Cơ quan nào sẽ giám sát quá trình đấu thầu?</i></p>	<p>City investigation department, City People's Committee office, City Bureau of Economics <i>Thanh tra Thành phố, Văn phòng UBND Thành phố, Phòng Kinh tế Thành phố</i></p>		X	
<p>32. What powers does the oversight body have?</p> <p><i>Các quyền hạn của cơ quan giám sát là gì?</i></p>	<p>Overseeing to ensure the confidentiality of the bids (sealed) before the Bid Evaluating Council open bidding publicly for everyone.</p> <p><i>Giám sát đảm bảo tính bảo mật của Hồ sơ dự thầu còn nguyên vẹn (niêm phong) trước khi Hội đồng xét thầu mở công khai cho mọi người biết.</i></p>		X	
<p>33. Is there a nationwide procurement-training plan?</p> <p><i>Có kế hoạch nào về việc đào tạo đấu thầu trong phạm vi cả nước không?</i></p>	<p>There are procurement skill training organized by the State and training centers.</p> <p><i>Có các khóa bồi dưỡng nghiệp vụ đấu thầu của Nhà nước hoặc các trung tâm đào tạo.</i></p>	x	X	
<p>34. Is there a procurement accreditation or professionalization program?</p> <p><i>Có chương trình kiểm định và công nhận về đấu thầu nào hay không?</i></p>	<p>Professional certificate awarded by Department of Construction in provinces. Certificate in recognition of participating in procurement training program.</p> <p><i>Chứng chỉ Hành nghề do Sở Xây dựng các tỉnh cấp, Chứng chỉ bồi dưỡng nghiệp vụ đấu thầu.</i></p>	x	X	
<p>35. Are major projects identified within an agencies appropriation or budget?</p> <p><i>Các dự án lớn có được xác định thuộc phạm vi biểu quyết ngân sách của các cơ quan?</i></p>	<p>Normally, the City Bureau of Finance and Planning would propose the CPC with budget distribution plan for projects</p> <p><i>Thường Phòng Tài chính Kế hoạch Thành phố sẽ đề xuất UBND Thành phố về kế hoạch phân bổ vốn cho tất cả các dự án</i></p>		X	
<p>36. Is the procurement cycle tied to an annual budgeting cycle?</p> <p><i>Chu trình đấu thầu có phụ thuộc vào chu kỳ lập ngân sách không?</i></p>	<p>Yes</p> <p>Có.</p>	X		

<p>37. Once an appropriation or budget is approved will funds be placed with the EA or can the EA draw them down at will?</p> <p><i>Khi mà ngân sách được thông qua, kinh phí sẽ được giao cho Cơ quan chủ quản hay Cơ quan chủ quản sẽ nhận kinh phí theo nguyện vọng?</i></p>	<p>Yes</p> <p>Có.</p>	<p>X</p>		
<p>38. Can EA draw directly from a loan or impress account or will it spend budgeted funds with the borrower claiming reimbursement?</p> <p><i>Liệu Cơ quan chủ quản có thể trích kinh phí trực tiếp từ vốn vay hay tài khoản tạm ứng hay sẽ áp dụng phương thức chi trả các kinh phí theo kế hoạch sau đó yêu cầu nhận hoàn trả lại?</i></p>	<p>Paid under capital/ budgeting plan</p> <p><i>Chi trả theo kế hoạch vốn</i></p>	<p>X</p>		
<p>39. When an EA is implementing a project using funds from the national budget has a delay in funding significantly delayed procurement?</p> <p><i>Khi Cơ quan chủ quản thực hiện dự án sử dụng kinh phí từ ngân sách nhà nước, liệu việc cấp vốn chậm trễ có trì hoãn thực hiện công tác đấu thầu không?</i></p>	<p>Yes. The procurement would be organized after the capital is distributed to the project</p> <p><i>Có, Khi có vốn bố trí cho dự án mới tổ chức đấu thầu</i></p>	<p>X</p>	<p>X</p>	

Appendix 2. Filled up Procurement Capacity Assessment Questionnaires
Table 15: Procurement Capacity Assessment (PCA) of Bac Giang PMU

(Interview Questionares Guide)

Bảng câu hỏi đánh giá năng lực đấu thầu của đơn vị thực hiện dự án

Part A. General Agency Resource Assessment Phần A. Đánh giá chung về nguồn lực của đơn vị	
A.1. Is there a procurement department ? <i>A.1. Có phòng chuyên về đấu thầu không</i>	There is a professional procurement department <i>Có phòng chuyên về đấu thầu</i>
A.2. What procurement does it undertake? <i>A.2. Phòng đấu thầu thực hiện công tác mua sắm nào?</i>	Procuring constructors, equipment, goods, consultants... <i>Tổ thực hiện đấu thầu các gói thầu Xây lắp, thiết bị; mua sắm hàng hóa, tư vấn, phi tư vấn ...</i>
A.3. Are staff provided with written job descriptions? <i>A.3. Nhân viên có được cung cấp bản mô tả công việc?</i>	Staff are provided with guidance and instructions of how to perform relevant tasks <i>Cán bộ của phòng đấu thầu hướng dẫn, nắm bắt quy trình tự triển khai các công việc có liên qua</i>
A.4. How many years experience does the head of the procurement unit have in a direct procurement role? <i>A.4. Trưởng ban đấu thầu có bao nhiêu năm kinh nghiệm làm việc trực tiếp về đấu thầu?</i>	> 15 years <i>>15 năm</i>
A.5. How many staff in the procurement department are: i. Full Time? ii. Part Time? iii. Seconded? <i>A.5. Bao nhiêu nhân viên trong phòng đấu thầu là nhân viên: i. Làm việc toàn thời gian? ii. Làm việc bán thời gian? iii. Biệt phái?</i>	There are 6 staff Working on full-time basis <i>Có 06 nhân viên Làm việc toàn thời gian</i>

<p>A.6. At what level does the department report (to head of agency, deputy)</p> <p><i>A.6. Phòng đấu thầu báo cáo lên cấp nào (lên thủ trưởng cơ quan, phó thủ trưởng)?</i></p>	<p>The procurement department report to the head of agency</p> <p><i>Phòng đấu thầu báo lên thủ trưởng cơ quan</i></p>
<p>A.7. Do the staff that will be involved with the procurement have English language skills sufficient to undertake international procurement?</p> <p><i>A.7. Có phải nhân viên liên quan đến công tác đấu thầu có kỹ năng tiếng Anh đủ để thực hiện đấu thầu quốc tế không?</i></p>	<p>There are no professional staff who are able to speak English to support the organization of international procurement; however, there is an interpreter and a professional staff who can speak English to support the procurement organization for internationally funded projects under the management of the DPI</p> <p><i>Chưa có cán bộ chuyên môn biết tiếng Anh liên quan để thực hiện đấu thầu quốc tế; tuy nhiên có cán bộ phiên dịch hỗ trợ trong công tác đấu thầu và cán bộ có chuyên môn biết tiếng Anh, tham gia đấu thầu các dự án sử dụng vốn nước ngoài thuộc Sở Kế hoạch và đầu tư</i></p>
<p>A.8. Is the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?</p> <p><i>A. 8. Số lượng và trình độ của nhân viên đủ để đảm nhận việc để thực hiện các hoạt động đấu thầu thêm cho dự án sẽ được triển khai sắp tới không?</i></p>	<p>06 full-time staff are qualified enough to organize the procurement; 01 interpreter support procurement organization and 01 staff who is able to speak English to participate in the procurement organization for internationally funded projects under the management of the DPI</p> <p><i>Đã có 06 cán bộ có đầy đủ trình độ để thực hiện đấu thầu phục vụ cho dự án; 01 cán bộ phiên dịch hỗ trợ trong công tác đấu thầu và 01 cán bộ có chuyên môn biết tiếng Anh, tham gia đấu thầu các dự án sử dụng vốn nước ngoài thuộc Sở Kế hoạch và đầu tư</i></p>
<p>A.9. Does the unit have adequate facilities such as PCs, internet connections, photocopy facilities, printers etc. to undertake the additional procurement that will be required under the proposed project</p> <p><i>A.9. Phòng hiện có đầy đủ trang thiết bị như máy tính, kết nối internet, photocopy v.v...để thực hiện các hoạt động đấu thầu thêm cho dự án sẽ được triển khai sắp tới không?</i></p>	<p>The office is well equipped with computer, internet connection, photocopier</p> <p><i>Phòng có đầy đủ tiện nghi như máy tính, kết nối internet, photocopy</i></p>
<p>A.10. Is there a procurement training program?</p> <p><i>A.10. Có chương trình đào tạo đấu thầu không?</i></p>	<p>Staff fully participated in training program of procurement under Law on procurement and they all have certificates of participation. They have also joined programs organized by ADB recently.</p> <p><i>Có tham gia đầy đủ các chương trình đào tạo về đấu thầu theo quy định của Luật đấu thầu và có văn bằng chứng chỉ liên quan; và các chương trình tổ chức của ADB trong thời gian gần đây.</i></p>

Part B. Agency Procurement Processes, Goods, and Works	
<p>B.1. Has the agency undertaken foreign assisted procurement of goods or works recently (last 12 months, or last 36 months)?</p> <p><i>B.1. Gần đây cơ quan đã thực hiện việc đấu thầu mua sắm hàng hóa hoặc công trình được sự hỗ trợ nước ngoài (12 tháng, hoặc 36 tháng vừa qua)? (Nếu có cơ quan nào tài trợ và tên của Dự án)</i></p>	<p>No</p> <p><i>Không đảm nhiệm</i></p>
<p>B.2. If the above is yes, what were the major challenges?</p> <p><i>B.2. Nếu có, thách thức chính là gì?</i></p>	<p>Inexperienced in international procurement organization, the PMU only organized national procurement and the PMU is in the need of having Staff who are able to speak English</p> <p><i>Do chưa có nhiều kinh nghiệm trong đấu thầu quốc tế mà chỉ thực hiện quy trình đấu thầu trong nước và thiếu cán bộ chuyên môn về đấu thầu biết tiếng Anh</i></p>
<p>B.3. Is there a procurement process manual for goods and works?</p> <p><i>B.3. Có hướng dẫn quy trình đấu thầu mua sắm nào cho hàng hóa và công trình không?</i></p>	<p>There is guidance on procurement and other written guidance by ADB in both English and Vietnamese</p> <p><i>Có hướng dẫn quy trình đấu thầu mua sắm và có toàn bộ các hướng dẫn của ADB cả tiếng Anh và tiếng Việt</i></p>
<p>B.4. If there is a manual, is it up to date and does it cover foreign assisted procurement?</p> <p><i>B.4. Nếu có hướng dẫn đấu thầu mua sắm, nó được cập nhật và bao gồm đấu thầu được sự hỗ trợ của nước ngoài?</i></p>	<p>It is regularly updated in the Governmental Portal and ADB official webpage.</p> <p><i>Nó được cập nhật thường xuyên trên trang Web của Chính phủ và của ADB</i></p>
<p>B.5. Is there a systematic process to identify procurement requirements (1 year or more)</p> <p><i>B.5. Có qui trình có hệ thống để xác định các yêu cầu đấu thầu mua sắm? (1 năm trở lên)</i></p>	<p>Unclear question, please provide some clarification</p> <p><i>Chưa rõ câu hỏi đề nghị làm rõ</i></p>
<p>B.6. Who drafts the specifications?</p> <p><i>B.6. Ai dự thảo các tiêu chí kỹ thuật?</i></p>	<p>Investor, PMU</p> <p><i>Chủ đầu tư, Ban QLDA</i></p>

<p>B.7. Who approves the specifications?</p> <p><i>B.7. Ai thông qua các tiêu chí kỹ thuật?</i></p>	<p>Consultants prepare criteria of design; PMU will approve those criteria (with the involvement of the DPI)</p> <p><i>Đơn vị tư vấn lập các tiêu chí kỹ thuật; Ban QLDA là cơ quan thông qua (có sự tham gia của Sở Kế hoạch và đầu tư)</i></p>
<p>B.8. Are there standard bidding documents in use and have they been approved for use on ADB funded projects</p> <p><i>B.8. Có các tài liệu đấu thầu tiêu chuẩn đang sử dụng và các tài liệu này được phê duyệt để sử dụng cho các dự án do ADB tài trợ?</i></p>	<p>There are guidance of ADB in both English and Vietnamese</p> <p><i>Có toàn bộ các hướng dẫn của ADB cả tiếng Anh và tiếng Việt</i></p>
<p>B.9. Who drafts the bidding documents</p> <p><i>B.9. Ai dự thảo hồ sơ mời thầu?</i></p>	<p>Bidding inviter and consultancy unit who preparing bidding invitation documents</p> <p><i>Bên mời thầu và đơn vị tư vấn lập HSMT</i></p>
<p>B.10. Who manages the sale of the document</p> <p><i>B.10. Ai quản lý việc bán hồ sơ mời thầu?</i></p>	<p>Bidding ivinting agency</p> <p><i>Bên mời thầu</i></p>
<p>B.11 Are all queries from bidders replied to in writing?</p> <p><i>B.11. Có phải tất cả các thắc mắc từ nhà thầu được trả lời bằng văn bản?</i></p>	<p>Yes</p> <p><i>Đúng</i></p>
<p>B.12. Is there a minimum period for preparation of bids and if yes how long?</p> <p><i>B.12. Thời gian tối thiểu để chuẩn bị hồ sơ dự thầu? Nếu có bao lâu?</i></p>	<p>No shorter than 6 weeks since the date of issuing Bidding invitation or the validity date of the bidding invitation documents</p> <p><i>Không dưới 6 tuần kể từ ngày phát hành TBMT hoặc thời hạn hiệu lực của HSMT</i></p>
<p>B.13. Does bidding document state the date and time of opening and how close is it to the deadline for submission?</p> <p><i>B.13. Hồ sơ mời thầu có ghi rõ ngày mở thầu và hạn chót để nộp hồ sơ?</i></p>	<p>Yes</p> <p><i>Có</i></p>
<p>B.14. Is the opening public?</p> <p><i>B.14. Mở thầu công khai?</i></p>	<p>Yes</p> <p><i>Có</i></p>

B.15. Can late bids be accepted? <i>B.15. Hồ sơ dự thầu trễ có được chấp nhận không?</i>	Yes, late bids are accepted <i>Có được tiếp nhận</i>
B.16. Can bids be rejected at bid opening? <i>B.16. Có thể loại các hồ sơ dự thầu tại lễ mở thầu không?</i>	Yes <i>Có</i>
B.17. Are minutes taken <i>B.17. Có lập biên bản mở thầu không?</i>	Yes <i>Có</i>
B.18. Who may have a copy of the minutes? <i>B.18. Ai có thể giữ bản copy biên bản mở thầu?</i>	Bidding inviting agency and participating tenderers <i>Bên mời thầu và các nhà thầu tham dự mở thầu</i>
B.19. Are the minutes free of charge? <i>B.19. Biên bản có miễn phí không?</i>	Yes <i>Có</i>
B.20. Who undertakes the evaluation (individual(s), permanent committee, ad-hoc committee) <i>B.20. Ai thực hiện việc đánh giá HSDT (cá nhân, ủy ban thường trực, ủy ban đặc biệt)?</i>	Specialists team <i>Tổ chuyên gia</i>
B.21. What are the qualifications of the evaluators in respect to procurement and the goods and works under evaluation? <i>B.21. Người đánh giá đối với việc mua sắm và hàng hóa và công trình được đánh giá phải đạt những yêu cầu gì?</i>	They are qualified and obtain relevant certificates <i>Có trình độ chuyên môn phù hợp và có chứng chỉ đấu thầu</i>
B.22. Is the decision of the evaluators final or is the evaluation subject to additional approvals? <i>B.22. Quyết định của những người đánh giá là cuối cùng hay kết quả đánh giá thầu cần phải có chấp thuận thêm?</i>	The final decision shall be made by the appraising person <i>Quyết định của người thẩm định là cuối cùng</i>

<p>B.23. Using at least three real examples of how between the issue of the invitation for bids and contract effectiveness?</p> <p><i>B.23. Sử dụng ít nhất ba ví dụ thực tế, thời gian bao lâu từ khi phát thư mời thầu đến khi Hợp đồng có hiệu lực?</i></p>	<p>Improving Provincial road 295B, package #5: 85 days Improving Provincial road 295B, package #6: 66 days Dam Sen lake embankment: 58 days</p> <p><i>Cải tạo ĐT295B gói 5: 85 ngày Cải tạo ĐT295B gói 6: 66 ngày Kê hồ Đầm Sen: 58 ngày</i></p>
<p>B.24. Are processes in place for the collection and clearance of cargo through ports of entry?</p> <p><i>B.24. Có các quy trình tại chỗ về thủ tục thông quan (trả thuế hải quan) hàng hóa qua cảng nhập cảnh?</i></p>	<p>There have not been any regulations; however, the PMU, basically, knows how to organize thanks to the experience implementing city project of water drainage and environmental sanitation</p> <p><i>Chưa có quy trình, tuy nhiên đã cơ bản nắm được do đã triển khai dự án TN&VSMT thành phố</i></p>
<p>B.25. Are there established goods receiving procedures</p> <p><i>B.25. Có sẵn các qui trình tiếp nhận hàng hóa không?</i></p>	<p>There have not been any regulations; however, the PMU, basically, knows how to organize thanks to the experience implementing city project of water drainage and environmental sanitation</p> <p><i>Chưa có quy trình, tuy nhiên đã cơ bản nắm được do đã triển khai dự án TN&VSMT thành phố</i></p>
<p>B.26. Are all goods received recorded as assets or inventory in a register or similar?</p> <p><i>B.26. Tất cả các hàng hóa nhận được ghi sổ là tài sản hoặc hàng lưu kho trong sổ đăng ký hoặc tương tự?</i></p>	<p>Yes</p> <p><i>Đúng</i></p>
<p>B.27. Is the agency/procurement department familiar with letters of credit?</p> <p><i>B.27. Cơ quan/phòng đấu thầu quen thuộc với thủ tục thư tín dụng?</i></p>	<p>Having basic knowledge about letters of credit</p> <p><i>Cơ bản nắm bắt được thủ tục tín dụng</i></p>
<p>B.28. Does the procurement departments registers and track warranty and latent defects liability periods?</p> <p><i>B.28. Phòng đấu thầu có đăng ký và theo dõi việc bảo hành và thời gian trách nhiệm sai sót?</i></p>	<p>The procurement departments does not register and is not responsible for tracking warranty and latent defects liability periods</p> <p><i>Phòng đấu thầu không có đăng ký và không trách nhiệm theo dõi việc bảo hành, những khiếm khuyết của hàng hoá</i></p>
<p>Part C. Agency Procurement Processes, Consulting Services Phần C. Quy trình mua sắm dịch vụ tư vấn của cơ quan</p>	

<p>C.1. Has the agency undertaken foreign assisted procurement of consulting services recently (last 12 months, last 36 months)?</p> <p><i>C.1. Gần đây cơ quan đã thực hiện đấu thầu được sự hỗ trợ nước ngoài về các dịch vụ tư vấn không (12 tháng, hoặc 36 tháng vừa qua)?</i></p>	<p>No</p> <p><i>Không có</i></p>
<p>C.2. If the above is yes what were the major challenges?</p> <p><i>C.2. Nếu có thách thức chính là gì?</i></p>	<p>Inexperienced in international procurement organization, the PMU only organized national procurement and the PMU is in the need of having Staff who are able to speak English</p> <p><i>Do chưa có nhiều kinh nghiệm trong đấu thầu quốc tế mà chỉ thực hiện quy trình chỉ định đấu thầu thông thường trong nước và thiếu cán bộ chuyên môn về đấu thầu biết tiếng Anh</i></p>
<p>C.3. Is there a procurement process manual for consulting services procurement?</p> <p><i>C.3. Có hướng dẫn quy trình đấu thầu các dịch vụ tư vấn?</i></p>	<p>There is a procurement process manual for consulting services procurement</p> <p><i>Có hướng dẫn quy trình tư vấn dịch vụ mua sắm</i></p>
<p>C.4. Is the manual up to date and does it cover foreign assisted projects?</p> <p><i>C.4. Hướng dẫn sử dụng có được cập nhật và đã bao gồm những dự án được sự hỗ trợ nước ngoài?</i></p>	<p>There is a manual up to date covering nationally funded project, there is not any manual for internationally funded projects</p> <p><i>Có hướng dẫn cập nhật những dự án trong nước và chưa có với dự án nước ngoài</i></p>
<p>C.5. Who identifies the need for consulting services requirements?</p> <p><i>C.5. Ai xác định sự cần thiết đối với các yêu cầu dịch vụ tư vấn?</i></p>	<p>Investor</p> <p><i>Chủ đầu tư</i></p>
<p>C.6. Who drafts the ToR</p> <p><i>C.6. Ai soạn thảo điều khoản tham chiếu?</i></p>	<p>Investor and the bidding inviting agency shall think of the outline (concept), consultancy agency prepares the TOR</p> <p><i>Chủ đầu tư, bên mời thầu đưa ra ý tưởng sơ bộ đơn vị tư vấn soạn thảo điều khoản tham chiếu</i></p>
<p>C.7. Do the ToR follow a standard format such as background, tasks, inputs, objectives, and outputs?</p> <p><i>C.7. Điều khoản tham chiếu có tuân theo qui cách tiêu chuẩn như số liệu cơ bản, nhiệm vụ, đầu vào, mục tiêu và kết quả đầu ra?</i></p>	<p>The ToR follows a standard format such as background, tasks, inputs, objectives, and outputs</p> <p><i>Điều khoản tham chiếu tuân theo định dạng chuẩn như bối cảnh, nhiệm vụ, đầu vào, mục tiêu và kết quả đầu ra của dự án</i></p>

<p>C.8. Who prepares the request for proposals? <i>C.8. Ai chuẩn bị hồ sơ yêu cầu nộp đề xuất?</i></p>	<p>Bidding inviting agency, consulting tenderers <i>Bên mời thầu, Nhà thầu tư vấn</i></p>
<p>C.9. Are assignments advertised and expressions of interest called for? <i>C.9. Các vụ việc về dịch vụ tư vấn có được quảng cáo và mời gọi sự quan tâm?</i></p>	<p>Assignments advertisement is applicable for selecting architect, -----, expressions of interest, bidding invitation, selection of contractors <i>Cơ bản được quảng cáo chỉ đối với thi tuyển kiến trúc, kế hoạch LCNT, mời quan tâm, mời thầu, kết quả lựa chọn nhà thầu</i></p>
<p>C.10. Is a consultants' selection committee formed with appropriate individuals in terms of procurement and technical expertise? <i>C.10. Có Ban lựa chọn tư vấn được thành lập với các cá nhân thích hợp về mua sắm và chuyên môn kỹ thuật?</i></p>	<p>There is a consultants' selection committee formed <i>Có ban lựa chọn dịch vụ tư vấn</i></p>
<p>C.11. What is the criteria to evaluate EOIs? <i>C.11. Tiêu chí nào được sử dụng để đánh giá EOIs?</i></p>	<p>The following criteria are used to evaluate EOIs: 1. The appropriateness – Pass/ fail 2. managing experience of the firm – (15-20%) 3. Professional experience/ in direct relation to the project (60 -70%) 4. Experiences in relevant areas – (15-20%) <i>Các tiêu chí sau sử dụng để đánh giá hồ sơ mời quan tâm (EOIs):</i> 1. Tính hợp lệ - đạt/không đạt 2. Kinh nghiệm quản lý của công ty – (15-20%) 3. Kinh nghiệm chuyên môn/trực tiếp liên quan đến dự án (60-7%) 4. Kinh nghiệm trong lĩnh vực có liên quan – (15-20%)</p>
<p>C.12. Historically what is the most common method used (QCBS, QBS, etc.) <i>C.12. Trong quá khứ phương pháp phổ biến nhất được sử dụng là gì (QCBS, QBS etc.)</i></p>	<p>Quality and cost based selection (QCBS) <i>Phương pháp lựa chọn dựa vào chất lượng và chi phí (QCBS)</i></p>
<p>C.13. Do firms have to pay for the proposal document <i>C.13. Công ty có phải trả tiền hồ sơ đề xuất không?</i></p>	<p>The firms don't have to pay for the proposal document, they have to pay for buying request document and bidding invitation document only under regulations <i>Công ty không phải trả tiền HSDX và chỉ phải trả tiền mua HSYC, HSMT theo quy định</i></p>

<p>C.14. Does the evaluative criteria follow a pre-determined structures and is it detailed in the RFP?</p> <p><i>C.14. Liệu các tiêu chuẩn đánh giá tuân theo cấu trúc được xác định trước và được chi tiết trong hồ sơ yêu cầu?</i></p>	<p>Please clarify? Criteria for evaluation shall be defined in advance and specified in the invitation document of consultant bidding (RFP)</p> <p><i>Đề nghị làm rõ? Các tiêu chuẩn đánh giá sẽ được xác định trước và được chi tiết trong HSMT tư vấn (RFP)</i></p>
<p>C.15. Are pre-proposal visits and meetings arranged?</p> <p><i>C.15. Có sắp xếp các buổi gặp mặt trước không?</i></p>	<p>During the consideration and assessment, there could be visits and meetings in advance to clarify proposal document</p> <p><i>Trong quá trình xem xét đánh giá có thể sắp xếp các buổi gặp mặt trước để làm rõ HSDX</i></p>
<p>C.16. Are minutes prepared and circulated after pre-proposal meetings?</p> <p><i>C.16. Biên bản được chuẩn bị và lưu hành sau cuộc họp trước đề xuất?</i></p>	<p>The minutes are prepared and filed.</p> <p><i>Sau cuộc họp HSDX sẽ được tiến hành lập biên bản lưu kèm hồ sơ</i></p>
<p>C.17. To who are the minutes distributed?</p> <p><i>C.17. Ai phân phát biên bản?</i></p>	<p>Representatives of the investor, bidding inviting agency and specialists team...</p> <p><i>Đại diện Chủ đầu tư, bên mời thầu và tổ chuyên gia ...</i></p>
<p>C.18. Are all of the queries from consultants answered to in writing?</p> <p><i>C.18. Có phải tất cả những thắc mắc từ tư vấn được trả lời bằng văn bản?</i></p>	<p>All of the queries from consultants are answered to in writing</p> <p><i>Cơ bản đều phải trả lời bằng văn bản để làm cơ sở xem xét đánh giá và lưu hồ sơ</i></p>
<p>C.19. Are financial and technical proposals in separate envelopes?</p> <p><i>C.19. Đề xuất tài chính và kỹ thuật trong bì riêng phải không?</i></p>	<p>Financial and technical proposals shall be in separate envelopes</p> <p><i>Phải đựng trong phong bì riêng và có niêm phong</i></p>
<p>C.20. Are proposal securities required?</p> <p><i>C.20. Bảo lãnh đấu thầu có được yêu cầu ?</i></p>	<p>Proposal securities are required</p> <p><i>Có yêu cầu về bảo lãnh đấu thầu</i></p>
<p>C.21. Are technical proposals opened in public?</p> <p><i>C.21. Đề xuất kỹ thuật được tuyên bố công khai?</i></p>	<p>Technical proposals are opened in public</p> <p><i>Đề xuất kỹ thuật được tuyên bố công khai</i></p>

<p>C.22. Do the financial proposals remain sealed until technical evaluation is completed? <i>C.22. Đề xuất tài chính vẫn còn niêm phong cho đến khi đánh giá kỹ thuật được hoàn thành?</i></p>	<p>Yes <i>Phải</i></p>
<p>C.23. Are minutes of technical opening distributed? <i>C.23. Biên bản mở thầu đề xuất kỹ thuật có được phân phát?</i></p>	<p>The minutes of technical opening are prepared and distributed complying relevant regulations <i>Biên bản kỹ thuật có được lập và được phân phát theo quy định</i></p>
<p>C.24. Who determines the final technical ranking and how? <i>C.24. Ai quyết định xếp loại kỹ thuật cuối cùng và như thế nào?</i></p>	<p>The Investor determines the final technical ranking <i>Chủ đầu tư phê duyệt xếp loại kỹ thuật</i></p>
<p>C.25. Are the technical scores published and sent to all firms? <i>C.25. Các điểm số kỹ thuật được công bố và gửi đến các công ty?</i></p>	<p>The technical scores are sent to all tenderers <i>Kết quả phê duyệt xếp loại kỹ thuật sẽ được gửi đến tất cả các nhà thầu tham gia dự thầu</i></p>
<p>C.26. Is the financial proposal opening public? <i>C.26. Đề xuất tài chính có được mở công khai?</i></p>	<p>Yes, the financial proposal opening is public <i>ĐXTC sẽ được mở công khai theo quy định</i></p>
<p>C.27. Are there minutes taken and distributed of financial proposal opening? <i>C.27. Biên bản mở đề xuất tài chính được viết và phân phối?</i></p>	<p>Yes, there are minutes taken and distributed of financial proposal opening <i>Mở ĐXTC sẽ được lập thành biên bản và phân phối cho các bên theo quy định</i></p>
<p>C.28. How is the financial evaluation completed? <i>C.28. Đánh giá tài chính được hoàn thành như thế nào?</i></p>	<p>After the procurement specialists team consider and evaluate the commercial obedience, appropriateness of financial proposal and technical proposal; and issue written agreement with the contractor who is invited to open financial proposal; completing evaluation reports of participating documents and send the financial evaluation results to bidding inviting agency and the investor <i>Sau khi Tổ chuyên gia đấu thầu xem xét đánh giá sự tuân thủ thương mại, sửa lỗi số học, sự phù hợp giữa ĐXTC với ĐXKT và thông nhất thành biên với nhà thầu được mở ĐXTC; hoàn thiện báo cáo đánh giá HSĐT và gửi bên mời thầu, chủ đầu tư.</i></p>
<p>C.29. Are face to face contract negotiations held? <i>C.29. Có tổ chức các buổi thương thảo hợp đồng trực tiếp không?</i></p>	<p>Yes, there is negotiation <i>Có tổ chức thương thảo hợp đồng</i></p>

<p>C.30. How long after financial evaluation is the selected firm to negotiate?</p> <p><i>C.30. Bao lâu sau khi đánh giá tài chính được công ty được lựa chọn để thương thảo?</i></p>	<p>Within 20 days since the date of receiving invitation to negotiate complying with relevant regulations</p> <p><i>Trong vòng 20 ngày kể từ ngày nhận được văn bản thông báo mời nhà thầu đến để thương thảo hợp đồng theo quy định</i></p>
<p>C.31. What is the usual basis for negotiation?</p> <p><i>C.31. Cơ sở thông thường cho việc thương thảo hợp đồng là gì?</i></p>	<p>Based on the report of evaluating documents of tenderers</p> <p><i>Trên cơ sở báo cáo đánh giá HSĐT của nhà thầu</i></p>
<p>C.32. Are minutes of negotiation taken and signed?</p> <p><i>C.32. Có lập và ký các biên bản thương thảo không?</i></p>	<p>Yes, minutes of negotiation taken and signed</p> <p><i>Có lập và ký biên bản thương thảo hợp đồng</i></p>
<p>C.33. How long after negotiations until the contract is signed?</p> <p><i>C.33. Từ khi thương thảo đến khi ký hợp đồng là bao lâu?</i></p>	<p>At least 10 days since the day of deciding the selection of the contractor, the parties shall sign the contract.</p> <p><i>Tối thiểu sau 10 ngày kể từ ngày thẩm định phê duyệt kết quả lựa chọn nhà thầu xong các bên tiến hành ký hợp đồng</i></p>
<p>C.34. Are advance payments made?</p> <p><i>C.34. Có thực hiện việc tạm ứng?</i></p>	<p>Yes, advance payment are made</p> <p><i>Có thực hiện tạm ứng</i></p>
<p>C.35. Is there an evaluation system for measuring the outputs of consultants?</p> <p><i>C.35. Có hệ thống đánh giá đối với các sản phẩm đầu ra của tư vấn không?</i></p>	<p>Not yet</p> <p><i>Chưa có</i></p>
<p>Part D. Process and Oversight Control Phần D. Giám sát và quản lý qui trình</p>	
<p>D.1. Is there a standards statement of ethics and are those involved in procurement required to formally commit to it?</p> <p><i>D.1. Có chính sách chuẩn mực về đạo đức không và những đối tượng có liên quan đến quá trình đấu thầu cần phải tuân thủ nghiêm ngặt?</i></p>	<p>There are not any standards statement of ethics that required the involved people to strictly follow; there are only regulations on mustn't-do things when participating in the procurement activities.</p> <p><i>Không có báo cáo chuẩn nào về các nguyên tắc đạo đức và những người nào có liên quan đến quá trình đấu thầu cần phải tuân thủ nghiêm ngặt; mà chỉ có quy định những điều cấm khi tham gia hoạt động đấu thầu.</i></p>

<p>D.2. Are those involved with procurement required to declare any potential conflict of interest and removed themselves from the procurement process? <i>D.2. Những người liên quan tới việc đấu thầu có phải khai báo bất kỳ mâu thuẫn tiềm năng về lợi ích và tự họ rời khỏi quá trình đấu thầu?</i></p>	<p>There are no relevant reports, there are only regulations which participants shall follow mustn't – do things when joining procurement competition <i>Không có báo cáo nào liên quan; nhưng chỉ có quy định về những người tham gia tuân thủ các hành vi bị cấm khi tham gia đấu thầu</i></p>
<p>D.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) outside of the budgeting process? <i>D.3. Việc bắt đầu việc mua sắm có tùy thuộc vào sự phê duyệt từ bên ngoài (chính thức hoặc thực tế) ngoài quá trình dự thảo ngân sách hay không?</i></p>	<p>Of person who decides to invest into the project <i>Của người quyết định đầu tư dự án</i></p>
<p>D.4. Who approves procurement transactions and do they have procurement experience and qualifications? <i>D.4. Ai phê duyệt các giao dịch đấu thầu và những người này có kinh nghiệm và năng lực đấu thầu hay không?</i></p>	<p>----- approves procurement transactions and they do not need to have procurement experience and qualifications <i>Cấp quyết định đầu tư phê duyệt và không cần yêu cầu về năng lực đấu thầu</i></p>
<p>D.5. Which of the following actions require approval outside of the procurement unit or a permanent evaluation committee and who grants the approval? a) Bidding document, invitation to prequalify or request for proposal b) Advertisement of an invitation for bids, pre-qualification or call for expressions of interest c) Evaluation of reports d) Notice of award e) Invitation to consultants to negotiate f) Contracts <i>D.5. Các hoạt động nào dưới đây cần được phê chuẩn ngoài đơn vị đấu thầu hoặc hội đồng đánh giá thường trực và ai công nhận phê duyệt?</i> a. <i>Hồ sơ mời thầu, thư mời sơ tuyển hoặc hồ sơ yêu cầu.</i> b. <i>Quảng cáo mời thầu, sơ tuyển hoặc kêu gọi sự quan tâm.</i> c. <i>Báo cáo đánh giá thầu.</i> d. <i>Thông báo trao thầu</i> e. <i>Mời tư vấn để thương lượng</i> f. <i>Các Hợp đồng</i></p>	<p>b, c</p>
<p>D.6. Is contractual performance systematically monitored and reported upon? <i>D.6. Việc thực hiện hợp đồng có được báo cáo và giám sát một cách hệ thống không?</i></p>	<p>Yes, the contractual performance is systematically monitored and reported upon <i>Có thực hiện việc giám sát nội hợp đồng một cách chặt chẽ và chưa thường xuyên có báo cáo về hợp đồng</i></p>

D.7. Does the agency monitor and track its contractual payment obligations? <i>D.7. Đơn vị có giám sát và theo dõi các nghĩa vụ thanh toán theo hợp đồng hay không?</i>	Yes, the PMU monitor its contractual payment obligation <i>Có theo dõi và giám sát việc thanh toán theo hợp đồng quy định</i>
D.8. On average how long is it between receiving a firm's invoice and making payment? <i>D.8. Trung bình thời gian bao lâu từ khi nhận đề nghị thanh toán đến lúc thanh toán?</i>	Within 07 working days since the day when the investor receives the eligible payment records <i>Trong vòng khoảng 05 ngày làm việc kể từ khi nhận được hồ sơ thanh toán hợp lệ</i>
D.9. What is the standards period for payment included in contracts? <i>D.9. Thời gian thanh toán qui định trong hợp đồng thường?</i>	Within 07 working days since the day when the investor receives the eligible payment records of the tenderer. <i>Trong vòng 07 ngày làm việc, kể từ ngày Chủ đầu tư nhận được hồ sơ thanh toán hợp lệ của Nhà thầu</i>
D.10. When payment is made late are beneficiaries paid interest? <i>D.10. Khi thanh toán muộn thì có trả lãi hay không?</i>	No <i>Không</i>
D.11. Are payments authorized by the same individuals empowered to approve invitation documents, evaluations and contracts? <i>D.11. Việc thanh toán có phải do chính cùng cá nhân/các cá nhân liên quan đến việc chấp thuận hồ sơ mời thầu, đánh giá thầu và hợp đồng không?</i>	Investor shall make payment <i>Chủ đầu tư tiến hành thanh toán</i>
D.12. Is there a written auditable trail of procurement decisions attributable to individuals and committees? <i>D.12 Có bản theo dõi các các quyết định mua sắm được chuyển đến cho các cá nhân và hội đồng hay không?</i>	Yes <i>Có</i>
D.13. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment? <i>D.13. Các quyết định và tranh chấp đấu thầu có được hỗ trợ bởi các tài liệu như biên bản đánh giá, biên bản thương thảo, thông báo về các khoản thanh toán mặc định/giữ lại?</i>	All handled with written docuemnts <i>Đều được giải quyết bằng các văn bản...</i>
D.14. Is there a formal non-judicial mechanism for dealing with complaints <i>D.14. Có cơ chế chính thức không cần phán quyết của toàn để giải quyết khiếu nại không?</i>	There are regulations There are regulations on dealing with complaints under provisions in Law on procurement and Decree no. 63/2014/NĐ-CP on procurement and other relevant guiding documents. <i>Có quy định về giải quyết khiếu nại dưới luật đấu thầu là Nghị định 63/2014/NĐ-CP về đấu thầu và các văn bản hướng dẫn liên quan</i>

D.15. Is a complaints mechanism described in national procurement documents? <i>D.15. Có cơ chế khiếu nại được qui định trong các văn kiện đấu thầu của nhà nước không?</i>	There are regulations on dealing with complaints under provisions in Law on procurement and other guiding documents <i>Có quy định về giải quyết khiếu nại theo quy định của luật đấu thầu và các văn bản hướng dẫn liên quan</i>
Part E. Records Keeping Phần E. Công tác lưu hồ sơ	
E.1. Is there a referencing system for procurement files? <i>E.1. Có hệ thống tham chiếu nào đối với các hồ sơ đấu thầu không?</i>	There is not any system <i>Chưa có hệ thống</i>
E.2. Are original contracts secured in a fire and theft proof location? <i>E.2. Các hợp đồng gốc có được cất giữ an toàn không?</i>	The original contracts are secured complying with regulations <i>Các hợp đồng gốc có được lưu giữ theo quy định</i>
E.3. Are copies of bids or proposals retained with the evaluation? <i>E.3. Các bản sao hồ sơ dự thầu hoặc các đề xuất có được giữ lại cùng với báo cáo đánh giá không?</i>	Yes <i>Có</i>
E.4. Are copies of the original advertisements retained with the pre-contract papers? <i>E.4. Các bản sao của thông báo mời thầu gốc có được giữ lại kèm các tài liệu trước khi kí hợp đồng không?</i>	Yes <i>Có</i>
E.5. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence? <i>E.5. Có cặp file hợp đồng riêng kèm theo 1 bản sao hợp đồng và tất cả các văn kiện theo hợp đồng sau đó hay không?</i>	Yes <i>Có</i>
E.6. Are copies of invoices included with contract papers? <i>E.6. Bản sao các hóa đơn có được đính kèm trong các các hợp đồng không?</i>	No <i>Không</i>
E.7. For what period are records kept? <i>E.7. Các hồ sơ được lưu giữ trong bao lâu?</i>	15 years <i>15 năm</i>

Table 16: Procurement Capacity Assessment (PCA) of Lao Cai PMU
(Interview Questionnaires Guide)

Bảng câu hỏi đánh giá năng lực đấu thầu của đơn vị thực hiện dự án

Part A. General Agency Resource Assessment	
Phần A. Đánh giá chung về nguồn lực của đơn vị	
A.1. Is there a procurement department? A.1. Có phòng chuyên về đấu thầu không?	Yes Có
A.2. What procurement does it undertake? A.2. Phòng đấu thầu thực hiện việc đấu thầu những hạng mục gì?	Procure to select the contractor: consultant, constructor, and goods. Đấu thầu lựa chọn nhà thầu: tư vấn, thi công xây lắp và mua sắm hàng hóa
A.3. Are staff provided with written job descriptions? A.3. Nhân viên có được cung cấp bản mô tả công việc?	Yes Có
A.4. How many years experience does the head of the procurement unit have in a direct procurement role? A.4. Trưởng ban đấu thầu có bao nhiêu năm kinh nghiệm làm việc trực tiếp về đấu thầu?	The procurement team leader: 9-year experience Tổ trưởng Tổ chuyên gia đấu thầu: có 9 năm kinh nghiệm
A.5. How many staff in the procurement department are: i. Full Time? ii. Part Time? iii. Seconded? A.5. Bao nhiêu nhân viên trong phòng đấu thầu là nhân viên: iv. Làm việc toàn thời gian? v. Làm việc bán thời gian? vi. Biệt phái?	There are 7 full-time staff Có 7 Nhân viên làm việc toàn thời gian
A.6. At what level does the department report (to head of agency, deputy) A.6. Phòng đấu thầu báo cáo lên cấp nào (lên thủ trưởng cơ quan, phó thủ trưởng vv.)?	The procurement team report to the Vice-head and the Head of the PMU Phòng đấu thầu báo cáo lên Phó Trưởng Ban và Trưởng Ban
A.7. Do the staff that will be involved with the procurement have English language skills sufficient to undertake international procurement? A.7. Có phải nhân viên liên quan đến công tác đấu thầu có kỹ năng tiếng Anh đủ để thực hiện đấu thầu quốc tế không?	No. The international procurement needs support from the consultants and interpretation provided by the PMU Không. Các gói thầu quốc tế cần sự hỗ trợ của tư vấn và phiên dịch của Ban.
A.8. Is the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project? A.8. Số lượng và trình độ của nhân viên đủ để đảm nhận việc thực hiện các hoạt động đấu thầu cho dự án sẽ được triển khai sắp tới không?	Yes Có

<p>A.9. Does the unit have adequate facilities such as PCs, internet connections, photocopy facilities, printers etc. to undertake the additional procurement that will be required under the proposed project</p> <p><i>A.9. Phòng hiện có đầy đủ tiện nghi như máy tính, kết nối internet, photocopy không?</i></p>	<p>Yes</p> <p>Có</p>
<p>A.10. Is there a procurement training program?</p> <p><i>A.10. Có chương trình đào tạo đấu thầu?</i></p>	<p>Yes</p> <p>Có</p>
<p>Part B. Agency Procurement Processes, Goods, and Works</p>	
<p>B.1. Has the agency undertaken foreign assisted procurement of goods or works recently (last 12 months, or last 36 months)?</p> <p><i>B.1. Gần đây cơ quan có đảm nhiệm việc đấu thầu mua sắm hàng hóa hoặc công trình được sự hỗ trợ nước ngoài (12 tháng, hoặc 36 tháng vừa qua)? (Nếu có cơ quan nào tài trợ và tên của Dự án)</i></p>	<p>Recently, the team has been in charge of procuring to purchase goods or works with international support, particularly:</p> <ul style="list-style-type: none"> - World Bank-funded Medium Sized Cities Development Project- Lao Cai subproject, in the period of 2012-2017; - World Bank-funded Poverty Reduction phase II in the period of 2010-2015 and 2015-2018; - AFD-funded rural infrastructure and Tourism in Lao Cai province in the period of 2008-2015 <p><i>Gần đây cơ quan có đảm nhiệm việc đấu thầu mua sắm hàng hóa hoặc công trình được sự hỗ trợ nước ngoài, cụ thể như sau:</i></p> <ul style="list-style-type: none"> - Dự án Phát triển đô thị loại vừa - Tiểu dự án thành phố Lào Cai do Ngân hàng Thế giới (WB) tài trợ, giai đoạn 2012-2017; - Dự án Giảm nghèo tỉnh Lào Cai giai đoạn 2 do Ngân hàng Thế giới (WB) tài trợ, giai đoạn 2010-2015 và 2015-2018; - Dự án cơ sở hạ tầng nông thôn và Du lịch tỉnh Lào Cai do cơ quan phát triển Pháp (AFD) tài trợ, giai đoạn 2008-2015
<p>B.2. If the above is yes, what were the major challenges?</p> <p><i>B.2. Nếu có, thách thức chính là gì?</i></p>	<ul style="list-style-type: none"> - Some limitation by foreign language - Time and support from Donor has not been timely yet. <p><i>- Hạn chế về ngoại ngữ</i></p> <p><i>- Thời gian và sự hỗ trợ từ nhà tài trợ chưa kịp thời.</i></p>
<p>B.3. Is there a procurement process manual for goods and works?</p> <p><i>B.3. Có hướng dẫn quy trình đấu thầu mua sắm nào cho hàng hóa và công trình không?</i></p>	<p>Yes</p> <p>Có</p>

B.4. If there is a manual, is it up to date and does it cover foreign assisted procurement? <i>B.4.Nếu có hướng dẫn đấu thầu mua sắm, nó được cập nhật và được sự hỗ trợ của nước ngoài?</i>	Yes Có
B.5. Is there a systematic process to identify procurement requirements (1 year or more) <i>B.5. Có quá trình có hệ thống để xác định các yêu cầu đấu thầu mua sắm?(1 năm trở lên)</i>	Yes Có
B.6. Who drafts the specifications? <i>B.6. Ai phác thảo các tiêu chí kỹ thuật?</i>	Consultants and Technical staff, and procurement specialists of the PMU <i>Tư vấn và các Cán bộ kỹ thuật, chuyên gia đấu thầu của Ban QLDA</i>
B.7. Who approves the specifications? <i>B.7. Ai thông qua các tiêu chí kỹ thuật?</i>	The Head of Procurement team, Leadership of the PMU <i>Tổ trưởng Tổ đấu thầu, lãnh đạo Ban QLDA</i>
B.8. Are there standard bidding documents in use and have they been approved for use on ADB funded projects <i>B.8. Có các tài liệu đấu thầu chuẩn đang sử dụng và các tài liệu này được thông qua sử dụng cho các dự án do ADB tài trợ?</i>	Yes Có
B.9. Who drafts the bidding documents <i>B.9. Ai phác thảo hồ sơ mời thầu?</i>	Consultants and procurement specialists of the PMU <i>Tư vấn và các chuyên gia đấu thầu của Ban QLDA</i>
B.10. Who manages the sale of the document <i>B.10. Ai quản lý việc bán hồ sơ?</i>	Procurement team and Financial division <i>Tổ đấu thầu và bộ phận Tài chính</i>
B.11 Are all queries from bidders replied to in writing? <i>B.11. Có phải tất cả các chất vấn từ nhà thầu được trả lời bằng văn bản?</i>	All queries are replied to in written form or in the pre-procurement meeting <i>Các chất vấn được trả lời bằng văn bản hoặc mở cuộc họp tiền đấu thầu</i>
B.12. Is there a minimum period for preparation of bids and if yes how long? <i>B.12. Thời gian tối thiểu để chuẩn bị cho mời thầu? Nếu có bao lâu?</i>	Bidding documents are prepared right in the phase of detailed design, a minimum period of 30 days. <i>Hồ sơ mời thầu được chuẩn bị ngay trong giai đoạn thiết kế chi tiết, tối thiểu 30 ngày</i>
B.13. Does bidding document state the date and time of opening and how close is it to the deadline for submission? <i>B.13.Hồ sơ mời thầu có ghi rõ ngày mở thầu và hạn chót để nộp hồ sơ?</i>	Yes Có

B.14. Is the opening public? <i>B.14. Mở thầu công khai?</i>	Yes Có
B.15. Can late bids be accepted? <i>B.15. Hồ sơ dự thầu trễ có được chấp nhận không?</i>	No Không
B.16. Can bids be rejected at bid opening? <i>B.16. Hồ sơ dự thầu có thể bị từ chối ở buổi mở thầu?</i>	No Không
B.17. Are minutes taken <i>B.17. Có lập biên bản không?</i>	Yes Có
B.18. Who may have a copy of the minutes? <i>B.18. Ai có thể giữ bản copy biên bản?</i>	Bidding inviter and invitees Bên mời thầu và các bên tham gia dự thầu
B.19. Are the minutes free of charge? <i>B.19. Biên bản có miễn phí không?</i>	Yes Có
B.20. Who undertakes the evaluation (individual(s), permanent committee, ad-hoc committee) <i>B.20. Ai đảm nhiệm việc đánh giá (cá nhân, ủy ban thường trực, ủy ban đặc biệt)?</i>	Procurement team, consultants, and procurement appraisal team Tổ chuyên gia đấu thầu, Tư vấn và Tổ Thẩm định đấu thầu
B.21. What are the qualifications of the evaluators in respect to procurement and the goods and works under evaluation? <i>B.21. Người đánh giá đối với việc mua sắm và hàng hóa và công trình được đánh giá phải đạt những yêu cầu gì?</i>	- Certificate of attending procurement training; - Being qualified in relation to procurement knowledge; - Having at least 03 year experience in areas related to the economic and technical aspects of the procurement. - Có chứng chỉ đào tạo về đấu thầu; - Có trình độ chuyên môn liên quan đến gói thầu; - Có tối thiểu 03 năm công tác trong lĩnh vực liên quan đến nội dung kinh tế, kỹ thuật của gói thầu.
B.22. Is the decision of the evaluators final or is the evaluation subject to additional approvals? <i>B.22. Quyết định của người thẩm định là cuối cùng hay việc đánh giá thầu cần phải có chấp thuận bổ sung?</i>	The final decision shall be made by the appraisal officers Quyết định của người thẩm định là cuối cùng.

<p>B.23. Using at least three real examples of how between the issue of the invitation for bids and contact effectiveness?</p> <p><i>B.23. Sử dụng ít nhất ba ví dụ thực tế, thời gian bao lâu từ khi phát hành hồ sơ mời thầu đến khi kí Hợp đồng?</i></p>	<p>1. Construct the resettlement area of Dong Ha: 117 days 2. Improving 84 routes in the North of Lao Cai city: 114 days 3. FS consultants of the GMS CTD – Sa Pa subprojects (Lao Cai province): 65 days</p> <p><i>1. Xây dựng khu TĐC Đông Hà : 117 ngày 2. Cải tạo 84 Tuyến phố phía Bắc TP Lào Cai: 114 ngày 3. Tư vấn lập FS dự án Phát triển các đô thị hành lang tiểu vùng sông Mê Kông (GMS) – tiểu dự án đô thị SaPa tỉnh Lào Cai: 65 ngày</i></p>
<p>B.24. Are processes in place for the collection and clearance of cargo through ports of entry? <i>B.24. Có các quy trình về thủ tục nhận hàng hóa thông qua cảng nhập cảnh?</i></p>	<p>No <i>Không</i></p>
<p>B.25. Are there established goods receiving procedures? <i>B.25. Có qui trình nào cho việc tiếp nhận hàng hóa không?</i></p>	<p>Yes <i>Có</i></p>
<p>B.26. Are all goods received recorded as assets or inventory in a register or similar? <i>B.26. Tất cả các hàng hóa nhận được được ghi sổ là tài sản hoặc hàng lưu kho trong sổ đăng ký hoặc tương tự?</i></p>	<p>Yes <i>Có</i></p>
<p>B.27. Is the agency/procurement department familiar with letters of credit? <i>B.27. Cơ quan/phòng đấu thầu quen thuộc với thủ tục thư tín dụng?</i></p>	<p>Yes <i>Có</i></p>
<p>B.28. Does the procurement departments registers and track warranty and latent defects liability periods? <i>B.28. Phòng đấu thầu có đăng ký và theo dõi việc bảo hành cũng như là trách nhiệm về những khiếm khuyết của hàng hoá?</i></p>	<p>Yes <i>Có</i></p>
<p>Part C. Agency Procurement Processes, Consulting Services Phần C. Quy trình mua sắm dịch vụ tư vấn của cơ quan</p>	
<p>C.1. Has the agency undertaken foreign assisted procurement of consulting services recently (last 12 months, last 36 months)? <i>C.1. Gần đây cơ quan có đảm nhận đấu thầu hỗ trợ nước ngoài về các dịch vụ tư vấn không (12 tháng, hoặc 36 tháng vừa qua)?</i></p>	<p>Yes. 2 QCBS packages (Quality and cost based selection) <i>Có. Thực hiện 02 gói QCBS (Tuyển chọn trên cơ sở Chất lượng và Chi phí)</i></p>
<p>C.2. If the above is yes what were the major challenges? <i>C.2. Nếu có thách thức chính là gì?</i></p>	<p>- Some limitation by foreign language - Time and support from Donor has not been timely yet. <i>- Hạn chế về ngoại ngữ - Thời gian và sự hỗ trợ từ nhà tài trợ chưa kịp thời.</i></p>

C.3. Is there a procurement process manual for consulting services procurement? <i>C.3. Có hướng dẫn quy trình mua sắm cho mua sắm các dịch vụ tư vấn?</i>	Yes Có
C.4. Is the manual up to date and does it cover foreign assisted projects? <i>C.4. Hướng dẫn sử dụng có được cập nhật và đã bao gồm những dự án nước ngoài?</i>	Yes Có
C.5. Who identifies the need for consulting services requirements? <i>C.5. Ai xác định sự cần thiết đối với các yêu cầu dịch vụ tư vấn?</i>	Investor <i>Chủ đầu tư</i>
C.6. Who drafts the ToR <i>C.6. Ai soạn thảo điều khoản tham chiếu?</i>	Procurement team (or hiring consultant if necessary) <i>Tổ đấu thầu (hoặc thuê tư vấn nếu cần)</i>
C.7. Do the ToR follow a standard format such as background, tasks, inputs, objectives, and outputs? <i>C.7. Điều khoản tham chiếu tuân theo định dạng chuẩn như bối cảnh, nhiệm vụ, đầu vào, mục tiêu và kết quả đầu ra?</i>	Yes Có
C.8. Who prepares the request for proposals? <i>C.8. Ai chuẩn bị yêu cầu nộp đề xuất?</i>	Procurement team (or hiring consultant if necessary) <i>Tổ đấu thầu (hoặc thuê tư vấn nếu cần)</i>
C.9. Are assignments advertised and expressions of interest called for? <i>C.9. Các vụ việc về dịch vụ tư vấn có được quảng cáo và mời gọi sự quan tâm?</i>	Yes Có
C.10. Is a consultants' selection committee formed with appropriate individuals in terms of procurement and technical expertise? <i>C.10. Có Ban lựa chọn dịch vụ tư vấn được hình thành với các cá nhân thích hợp đối với công tác đấu thầu mua sắm và chuyên môn kỹ thuật?</i>	Yes Có
C.11. What is the criteria to evaluate EOIs? <i>C.11. Tiêu chí nào được sử dụng để đánh giá EOIs?</i>	- Examining the eligibility and interest conflicts among companies; - Evaluating, comparing capacity and experience of all companies. <i>- Kiểm tra tính hợp lệ và mâu thuẫn về lợi ích của các công ty; - Đánh giá, so sánh năng lực và kinh nghiệm của tất cả các công ty;</i>
C.12. Historically what is the most common method used (QCBS, QBS, etc.) <i>C.12. Trong quá khứ phương pháp phổ biến nhất được sử dụng là gì (QCBS, QBS etc.)</i>	QCBS, CQS
C.13. Do firms have to pay for the proposal document <i>C.13. Công ty có phải trả tiền hồ sơ đề xuất không?</i>	No <i>Không</i>

C.14. Does the evaluative criteria follow a pre-determined structures and is it detailed in the RFP? <i>C.14. Liệu các tiêu chuẩn đánh giá tuân theo cơ chế được xác định trước và được chi tiết trong HSMT?</i>	Yes Có
C.15. Are pre-proposal visits and meetings arranged? <i>C.15. Có sắp xếp các buổi gặp mặt trước không?</i>	In accordance with regulations in Bidding invitation documents <i>Theo quy định trong HSMT</i>
C.16. Are minutes prepared and circulated after pre-proposal meetings? <i>C.16. Biên bản được chuẩn bị và lưu hành sau cuộc họp đề xuất trước?</i>	Yes Có
C.17. To who are the minutes distributed? <i>C.17. Ai phân phát biên bản?</i>	Procurement team <i>Tổ đấu thầu</i>
C.18. Are all of the queries from consultants answered to in writing? <i>C.18. Có phải tất cả những chất vấn từ tư vấn được trả lời bằng văn bản?</i>	All queries are replied to in written form or in the pre-procurement meeting <i>Các chất vấn được trả lời bằng văn bản hoặc mở cuộc họp tiền đấu thầu</i>
C.19. Are financial and technical proposals in separate envelopes? <i>C.19. Đề xuất tài chính và kỹ thuật trong bì riêng phải không?</i>	Yes <i>Đúng</i>
C.20. Are proposal securities required? <i>C.20. Bảo lãnh đấu thầu có được yêu cầu?</i>	No <i>Không</i>
C.21. Are technical proposals opened in public? <i>C.21. Đề xuất kỹ thuật được tuyên bố công khai?</i>	Yes Có
C.22. Do the financial proposals remain sealed until technical evaluation is completed? <i>C.22. Đề xuất tài chính vẫn còn niêm phong cho đến khi đánh giá kỹ thuật được hoàn thành?</i>	Yes <i>Đúng</i>
C.23. Are minutes of technical opening distributed? <i>C.23. Biên bản kỹ thuật có được phân phát?</i>	Yes Có
C.24. Who determines the final technical ranking and how? <i>C.24. Ai quyết định xếp loại kỹ thuật cuối cùng và như thế nào?</i>	The approval decision shall be made by the Investor <i>Chủ đầu tư ra quyết định phê duyệt</i>
C.25. Are the technical scores published and sent to all firms? <i>C.25. Các điểm số kỹ thuật được xuất bản và gửi đến các công ty?</i>	Yes Có

C.26. Is the financial proposal opening public? <i>C.26. Đề xuất tài chính có được mở công khai?</i>	Yes Có
C.27. Are there minutes taken and distributed of financial proposal opening? <i>C.27. Biên bản được viết và phân phối về mở đề xuất tài chính?</i>	Yes Có
C.28. How is the financial evaluation completed? <i>C.28. Đánh giá tài chính được hoàn thành như thế nào?</i>	In accordance with regulations in Bidding invitation documents <i>Theo quy định trong HSMT</i>
C.29. Are face to face contract negotiations held? <i>C.29. Có tổ chức các buổi thương thảo hợp đồng trực tiếp không?</i>	Yes Có
C.30. How long after financial evaluation is the selected firm to negotiate? <i>C.30. Bao lâu sau khi đánh giá tài chính được công ty chọn để thương lượng?</i>	As soon as there is an evaluation from procurement team <i>Ngay sau khi có kết quả đánh giá của tổ đấu thầu</i>
C.31. What is the usual basis for negotiation? <i>C.31. Cơ sở thông thường cho việc thương thảo hợp đồng là gì?</i>	In accordance with regulations in Bidding invitation documents and contractors' proposal document <i>Theo HSMT và hồ sơ đề xuất của nhà thầu</i>
C.32. Are minutes of negotiation taken and signed? <i>C.32. Có lập và ký các biên bản thỏa thuận không?</i>	Yes Có
C.33. How long after negotiations until the contract is signed? <i>C.33. Từ khi thương thảo đến khi ký hợp đồng là bao lâu?</i>	Not longer than 2 weeks <i>Không quá 2 tuần</i>
C.34. Are advance payments made? <i>C.34. Có thực hiện việc tạm ứng?</i>	Yes Có
C.35. Is there an evaluation system for measuring the outputs of consultants? <i>C.35. Có hệ thống đánh giá đối với các hoạt động của tư vấn không?</i>	Yes Có
Part D. Process and Oversight Control Phần D. Giám sát và quản lý qui trình	
D.1. Is there a standards statement of ethics and are those involved in procurement required to formally commit to it? <i>D.1. Có báo cáo chuẩn nào về các nguyên tắc đạo đức không và những người nào có liên quan đến quá trình đấu thầu cần phải tuân thủ nghiêm ngặt?</i>	Yes Có
D.2. Are those involved with procurement required to declare any potential conflict of interest and removed themselves from the procurement process? <i>D.2. Những người liên quan tới việc đấu thầu có phải khai báo những mâu thuẫn về lợi ích tiềm tàng để loại trừ họ ra khỏi qui trình đấu thầu?</i>	Yes Có

<p>D.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) outside of the budgeting process? <i>D.3. Việc bắt đầu quá trình đấu thầu có phụ thuộc vào ý kiến tán thành bên ngoài (chính thức hoặc không chính thức) ngoài quá trình dự thảo ngân sách hay không?</i></p>	<p>No <i>Không</i></p>
<p>D.4. Who approves procurement transactions and do they have procurement experience and qualifications? <i>D.4. Ai phê duyệt các quá trình giao dịch đấu thầu và những người này có kinh nghiệm và năng lực đấu thầu hay không?</i></p>	<p>PMU Leadership <i>Lãnh đạo ban</i></p>
<p>D.5. Which of the following actions require approval outside of the procurement unit or a permanent evaluation committee and who grants the approval? a) Bidding document, invitation to prequalify or request for proposal b) Advertisement of an invitation for bids, pre-qualification or call for expressions of interest c) Evaluation of reports d) Notice of award e) Invitation to consultants to negotiate f) Contracts <i>D.5. Các hoạt động nào dưới đây cần được phê chuẩn ngoài đơn vị đấu thầu hoặc hội đồng đánh giá thường trực và ai công nhận phê duyệt?</i> g. <i>Hồ sơ mời thầu, thư mời sơ tuyển hoặc hồ sơ yêu cầu.</i> h. <i>Quảng cáo mời thầu, sơ tuyển hoặc kêu gọi sự quan tâm.</i> i. <i>Báo cáo đánh giá thầu.</i> j. <i>Thông báo trao thầu</i> k. <i>Mời tư vấn để thương lượng</i> l. <i>Các Hợp đồng</i></p>	<p>- Bidding invitation documents - Assessment report Must be approved by the investor. - <i>Hồ sơ mời thầu</i> - <i>Báo cáo đánh giá</i> <i>Phải được phê duyệt của chủ đầu tư</i></p>
<p>D.6. Is contractual performance systematically monitored and reported upon? <i>D.6. Việc thực hiện hợp đồng có được báo cáo và giám sát một cách hệ thống không?</i></p>	<p>yes <i>Có</i></p>
<p>D.7. Does the agency monitor and track its contractual payment obligations? <i>D.7. Đơn vị có giám sát và theo dõi việc trả tiền theo hợp đồng hay không?</i></p>	<p>yes <i>Có</i></p>
<p>D.8. On average how long is it between receiving a firm's invoice and making payment? <i>D.8. Trung bình thời gian bao lâu từ khi nhận đề nghị thanh toán đến lúc thanh toán?</i></p>	<p>2 weeks <i>2 tuần</i></p>
<p>D.9. What is the standards period for payment included in contracts? <i>D.9. Thời gian thanh toán qui định trong hợp đồng thường?</i></p>	<p>2 weeks <i>2 tuần</i></p>

D.10. When payment is made late are beneficiaries paid interest? <i>D.10. Khi thanh toán muộn thì có trả lãi hay không?</i>	yes Có
D.11. Are payments authorized by the same individuals empowered to approve invitation documents, evaluations and contracts? <i>D.11. Việc thanh toán có phải do chính cùng cá nhân/các cá nhân liên quan đến việc chấp thuận hồ sơ mời thầu, đánh giá thầu và hợp đồng không?</i>	No Không
D.12. Is there a written auditable trail of procurement decisions attributable to individuals and committees? <i>D.12 Các quyết định đấu thầu bằng văn bản và có thể kiểm toán được chuyển đến cho các cá nhân và hội đồng hay không?</i>	yes Có
D.13. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment? <i>D.13. Các quyết định và tranh chấp đấu thầu có được xác nhận thông qua các tài liệu như biên bản đánh giá, biên bản thương thảo, thông báo về các khoản tiền giữ lại?</i>	yes Có
D.14. Is there a formal non-judicial mechanism for dealing with complaints <i>D.14. Có cơ chế chính thức dưới luật để giải quyết khiếu nại không?</i>	yes Có
D.15. Is a complaints mechanism described in national procurement documents? <i>D.15. Có cơ chế nào giải quyết các khiếu nại được qui định trong các văn kiện đấu thầu của nhà nước không?</i>	yes Có
Part E. Records Keeping Phần E. Công tác lưu hồ sơ	
E.1. Is there a referencing system for procurement files? <i>E.1. Có hệ thống tham chiếu nào đối với các hồ sơ đấu thầu không?</i>	yes Có
E.2. Are original contracts secured in a fire and theft proof location? <i>E.2. Các hợp đồng gốc có được cất giữ an toàn không?</i>	yes Có
E.3. Are copies of bids or proposals retained with the evaluation? <i>E.3. Các bản sao hồ sơ mời thầu hoặc các đề xuất có được giữ lại cùng với tài liệu của quá trình đánh giá không?</i>	yes Có
E.4. Are copies of the original advertisements retained with the pre-contract papers? <i>E.4. Các bản sao của các bài quảng cáo gốc có được giữ lại kèm các tài liệu trước khi kí hợp đồng không?</i>	yes Có

E.5. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence? <i>E.5. Có hợp đồng riêng lẻ kèm theo 1 bản sao hợp đồng và tất cả các văn kiện bằng hợp đồng kế tiếp hay không?</i>	yes Có
E.6. Are copies of invoices included with contract papers? <i>E.6. Bản sao các hóa đơn có được đính kèm trong các các hợp đồng không?</i>	No Không
E.7. For what period are records kept? <i>E.7. Các hồ sơ được lưu giữ trong bao lâu?</i>	10 years 10 năm

Table 17: Procurement Capacity Assessment (PCA) of Mong Cai
(Interview Questionnaires Guide)

Bảng câu hỏi đánh giá năng lực đấu thầu của đơn vị thực hiện dự án

Part A. General Agency Resource Assessment Phần A. Đánh giá chung về nguồn lực của đơn vị	
A.1. Is there a procurement department ? <i>A.1. Có phòng chuyên về đấu thầu không?</i>	Yes Có
A.2. What procurement does it undertake? <i>A.2. Phòng đấu thầu thực hiện việc đấu thầu những hạng mục gì?</i>	Applied for all items in relation to Construction (Civil, transportation, irrigation, technical facility...) <i>Tất cả các hạng mục trong các lĩnh vực Xây dựng (Dân dụng, Giao thông, thủy lợi, Hạ tầng kỹ thuật...)</i>
A.3. Are staff provided with written job descriptions? <i>A.3. Nhân viên có được cung cấp bản mô tả công việc?</i>	Yes Có
A.4. How many years experience does the head of the procurement unit have in a direct procurement role? <i>A.4. Trưởng ban đấu thầu có bao nhiêu năm kinh nghiệm làm việc trực tiếp về đấu thầu?</i>	10 years <i>10 năm</i>
A.5. How many staff in the procurement department are: i. Full Time? ii. Part Time? iii. Seconded? <i>A.5. Bao nhiêu nhân viên trong phòng đấu thầu là nhân viên: vii. Làm việc toàn thời gian? viii. Làm việc bán thời gian? ix. Biệt phái?</i>	The procurement department has 3 full-time staff and 5 technical transition staff <i>Phòng đấu thầu có 03 nhân viên làm việc toàn thời gian, 5 cán bộ kỹ thuật kiêm nhiệm.</i>
A.6. At what level does the department report (to head of agency, deputy) <i>A.6. Phòng đấu thầu báo cáo lên cấp nào (lên thủ trưởng cơ quan, phó thủ trưởng vv.)?</i>	head of agency <i>Thủ trưởng cơ quan</i>

A.7. Do the staff that will be involved with the procurement have English language skills sufficient to undertake international procurement? <i>A.7. Có phải nhân viên liên quan đến công tác đấu thầu có kỹ năng tiếng Anh đủ để thực hiện đấu thầu quốc tế không?</i>	No <i>Không</i>
A.8. Is the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project? <i>A. 8. Số lượng và trình độ của nhân viên đủ để đảm nhận việc thực hiện các hoạt động đấu thầu cho dự án sẽ được triển khai sắp tới không?</i>	Yes <i>Có</i>
A.9. Does the unit have adequate facilities such as PCs, internet connections, photocopy facilities, printers etc. to undertake the additional procurement that will be required under the proposed project <i>A.9. Phòng hiện có đầy đủ tiện nghi như máy tính, kết nối internet, photocopy không?</i>	Yes <i>Có</i>
A.10. Is there a procurement training program? <i>A.10. Có chương trình đào tạo đấu thầu?</i>	Attended procurement training programs, having no knowledge or experiences on International procurement <i>Có tham gia các khóa học về đấu thầu, chưa có kiến thức về, kinh nghiệm về đấu thầu Quốc tế.</i>
Part B. Agency Procurement Processes, Goods, and Works	
B.1. Has the agency undertaken foreign assisted procurement of goods or works recently (last 12 months, or last 36 months)? <i>B.1. Gần đây cơ quan có đảm nhiệm việc đấu thầu mua sắm hàng hóa hoặc công trình được sự hỗ trợ nước ngoài (12 tháng, hoặc 36 tháng vừa qua)? (Nếu có cơ quan nào tài trợ và tên của Dự án)</i>	No <i>Không</i>
B.2. If the above is yes, what were the major challenges? <i>B.2. Nếu có, thách thức chính là gì?</i>	No <i>Không</i>
B.3. Is there a procurement process manual for goods and works? <i>B.3. Có hướng dẫn quy trình đấu thầu mua sắm nào cho hàng hóa và công trình không?</i>	Yes <i>Có</i>
B.4. If there is a manual, is it up to date and does it cover foreign assisted procurement? <i>B.4. Nếu có hướng dẫn đấu thầu mua sắm, nó được cập nhật và được sự hỗ trợ của nước ngoài?</i>	No <i>Không</i>

B.5. Is there a systematic process to identify procurement requirements (1 year or more) <i>B.5. Có quá trình có hệ thống để xác định các yêu cầu đấu thầu mua sắm?(1 năm trở lên)</i>	No <i>Không</i>
B.6. Who drafts the specifications? <i>B.6. Ai phác thảo các tiêu chí kỹ thuật?</i>	Following the template of Ministry of Planning and Investment (MPI) <i>Theo mẫu của Bộ Kế hoạch và Đầu tư</i>
B.7. Who approves the specifications? <i>B.7. Ai thông qua các tiêu chí kỹ thuật?</i>	Procurement department <i>Phòng đấu thầu</i>
B.8. Are there standard bidding documents in use and have they been approved for use on ADB funded projects <i>B.8. Có các tài liệu đấu thầu chuẩn đang sử dụng và các tài liệu này được thông qua sử dụng cho các dự án do ADB tài trợ?</i>	No <i>Không</i>
B.9. Who drafts the bidding documents <i>B.9. Ai phác thảo hồ sơ mời thầu?</i>	Hired consultants or a group of project staff will be in charge of drafting bidding invitation documents based on the Template of bidding invitation documents issued by Ministry of planning and investment, Law on procurement. <i>Thuê đơn vị Tư vấn hoặc 1 nhóm thực hiện dự án phác thảo Hồ sơ mời thầu trên cơ sở Mẫu Hồ sơ mời thầu của Bộ Kế hoạch và Đầu tư, Luật đấu thầu.</i>
B.10. Who manages the sale of the document <i>B.10. Ai quản lý việc bán hồ sơ?</i>	Accounting staff, staff assigned to be involved directly in managing the project. <i>Cán bộ kế toán, cán bộ được giao trực tiếp quản lý dự án.</i>
B.11 Are all queries from bidders replied to in writing? <i>B.11. Có phải tất cả các chất vấn từ nhà thầu được trả lời bằng văn bản?</i>	Yes <i>Đúng</i>

<p>B.12. Is there a minimum period for preparation of bids and if yes how long?</p> <p><i>B.12. Thời gian tối thiểu để chuẩn bị cho mời thầu? Nếu có bao lâu?</i></p>	<p>Bidding invitation records are sold after 3 working day since the date of advertisement. All the procurement procedures are implemented before that.</p> <p><i>Bán hồ sơ mời thầu sau 3 ngày làm việc kể từ ngày đăng tin mời thầu trên báo đấu thầu. Trước đó thực hiện các quy trình thủ tục thực hiện dự án.</i></p>
<p>B.13. Does bidding document state the date and time of opening and how close is it to the deadline for submission?</p> <p><i>B.13. Hồ sơ mời thầu có ghi rõ ngày mở thầu và hạn chót để nộp hồ sơ?</i></p>	<p>Yes</p> <p><i>Có</i></p>
<p>B.14. Is the opening public?</p> <p><i>B.14. Mở thầu công khai?</i></p>	<p>Public</p> <p><i>Công Khai</i></p>
<p>B.15. Can late bids be accepted?</p> <p><i>B.15. Hồ sơ dự thầu trễ có được chấp nhận không?</i></p>	<p>No</p> <p><i>Không</i></p>
<p>B.16. Can bids be rejected at bid opening?</p> <p><i>B.16. Hồ sơ dự thầu có thể bị từ chối ở buổi mở thầu?</i></p>	<p>Yes if there is no guarantee</p> <p><i>Có thể nếu không đảm bảo</i></p>
<p>B.17. Are minutes taken</p> <p><i>B.17. Có lập biên bản không?</i></p>	<p>Yes</p> <p><i>Có</i></p>
<p>B.18. Who may have a copy of the minutes?</p> <p><i>B.18. Ai có thể giữ bản copy biên bản?</i></p>	<p>Member or procurement team, participating tenderers</p> <p><i>Các viên trong tổ chuyên gia đấu thầu, các nhà thầu tham dự đấu thầu.</i></p>
<p>B.19. Are the minutes free of charge?</p> <p><i>B.19. Biên bản có miễn phí không?</i></p>	<p>Yes</p> <p><i>Có</i></p>

<p>B.20. Who undertakes the evaluation (individual(s), permanent committee, ad-hoc committee) <i>B.20. Ai đảm nhiệm việc đánh giá (cá nhân, ủy ban thường trực, ủy ban đặc biệt)?</i></p>	<p>Council of procurement specialists, founded by CPC <i>Hội đồng chuyên gia đấu thầu, được UBND Thành phố ra Quyết định thành lập.</i></p>
<p>B.21. What are the qualifications of the evaluators in respect to procurement and the goods and works under evaluation? <i>B.21. Người đánh giá đối với việc mua sắm và hàng hóa và công trình được đánh giá phải đạt những yêu cầu gì?</i></p>	<p>Attending procurement training, having experiences in managing project <i>Được đào tạo qua khóa học về đấu thầu, có kinh nghiệm về quản lý dự án</i></p>
<p>B.22 Is the decision of the evaluators final or is the evaluation subject to additional approvals? <i>B.22. Quyết định của người thẩm định là cuối cùng hay việc đánh giá thầu cần phải có chấp thuận bổ sung?</i></p>	<p>The evaluation is approved if more than a half of the Council of procurement specialists give agreement vote. <i>Đánh giá được chấp thuận khi biểu quyết thông qua đạt tỷ lệ quá nửa số người trong hội đồng chuyên gia đấu thầu.</i></p>
<p>B.23. Using at least three real examples of how between the issue of the invitation for bids and contract effectiveness? <i>B.23. Sử dụng ít nhất ba ví dụ thực tế, thời gian bao lâu từ khi phát hành hồ sơ mời thầu đến khi kí Hợp đồng?</i></p>	<p>Upon the value of the bids: + if the value is > 20 billion VND: 85 days + if the value is < 20 billion VND: 50 days + if the value is <1 billion VND: 45 days (contractor appointment) <i>Theo giá trị gói thầu: + Giá trị gói thầu >20 tỷ VNĐ là 85 ngày + Giá trị gói thầu <20 tỷ VNĐ là 50 ngày + Giá trị gói thầu <1 tỷ VNĐ là 45 ngày (chỉ định thầu)</i></p>
<p>B.24. Are processes in place for the collection and clearance of cargo through ports of entry? <i>B.24. Có các quy trình về thủ tục nhận hàng hóa thông qua cảng nhập cảnh?</i></p>	<p>Yes, under Vietnam Law <i>Có, theo quy định của Pháp luật Việt Nam.</i></p>
<p>B.25. Are there established goods receiving procedures <i>B.25. Có qui trình nào cho việc tiếp nhận hàng hóa không?</i></p>	<p>Yes, under Vietnam Law <i>Có, theo quy định của Pháp luật Việt Nam.</i></p>
<p>B.26. Are all goods received recorded as assets or inventory in a register or similar? <i>B.26. Tất cả các hàng hóa nhận được được ghi sổ là tài sản hoặc hàng lưu kho trong sổ đăng ký hoặc tương tự?</i></p>	<p>Yes <i>Đúng</i></p>

<p>B.27. Is the agency/procurement department familiar with letters of credit? <i>B.27. Cơ quan/phòng đấu thầu quen thuộc với thủ tục thư tín dụng?</i></p>	<p>Yes, The letter of guarantees issued by the Bank and participating tenderers. <i>Có, Thư bảo lãnh của Ngân hàng với nhà thầu tham dự đấu thầu.</i></p>
<p>B.28. Does the procurement departments registers and track warranty and latent defects liability periods? <i>B.28. Phòng đấu thầu có đăng ký và theo dõi việc bảo hành cũng như là trách nhiệm về những khiếm khuyết của hàng hoá?</i></p>	<p>No <i>Không</i></p>
<p>Part C. Agency Procurement Processes, Consulting Services Phần C. Quy trình mua sắm dịch vụ tư vấn của cơ quan</p>	
<p>C.1. Has the agency undertaken foreign assisted procurement of consulting services recently (last 12 months, last 36 months)? <i>C.1. Gần đây cơ quan có đảm nhận đấu thầu hỗ trợ nước ngoài về các dịch vụ tư vấn không(12 tháng, hoặc 36 tháng vừa qua)?</i></p>	<p>No <i>Không</i></p>
<p>C.2. If the above is yes what were the major challenges? <i>C.2. Nếu có thách thức chính là gì?</i></p>	<p>Be not experienced in International procurement and internationally funded-projects, some restrictions of using English for communication <i>Chưa có kinh nghiệm về đấu thầu Quốc tế, các dự án dùng nguồn vốn nước ngoài, trình độ tiếng anh còn hạn chế.</i></p>
<p>C.3. Is there a procurement process manual for consulting services procurement? <i>C.3. Có hướng dẫn quy trình mua sắm cho mua sắm các dịch vụ tư vấn?</i></p>	<p>Yes, Law on Procurement and Decrees specifying some provisions in the Law on procurement on contractor selection. <i>Có, theo Luật đấu thầu và Nghị định quy định chi tiết một số điều của Luật đấu thầu về lựa chọn nhà thầu.</i></p>
<p>C.4. Is the manual up to date and does it cover foreign assisted projects? <i>C.4. Hướng dẫn sử dụng có được cập nhật và đã bao gồm những dự án nước ngoài?</i></p>	<p>Yes, Vietnam Law allows conducting internationally funded- projects under international practices. <i>Có, Pháp luật Việt Nam cho phép thực hiện quy trình dự án vốn nước ngoài theo thông lệ quốc tế.</i></p>
<p>C.5. Who identifies the need for consulting services requirements? <i>C.5. Ai xác định sự cần thiết đối với các yêu cầu dịch vụ tư vấn?</i></p>	<p>The Investor <i>Chủ dự án</i></p>

C.6. Who drafts the ToR <i>C.6. Ai soạn thảo điều khoản tham chiếu?</i>	The Investor <i>Chủ dự án</i>
C.7. Do the ToR follow a standard format such as background, tasks, inputs, objectives, and outputs? <i>C.7. Điều khoản tham chiếu tuân theo định dạng chuẩn như bối cảnh, nhiệm vụ, đầu vào, mục tiêu và kết quả đầu ra?</i>	Yes <i>Có</i>
C.8. Who prepares the request for proposals? <i>C.8. Ai chuẩn bị yêu cầu nộp đề xuất?</i>	By hiring a consultant or a group of project staff is mobilized to prepare. <i>Thuê tư vấn hoặc một nhóm các bộ tham gia dự án chuẩn bị.</i>
C.9. Are assignments advertised and expressions of interest called for? <i>C.9. Các vụ việc về dịch vụ tư vấn có được quảng cáo và mời gọi sự quan tâm?</i>	Yes <i>Có</i>
C.10. Is a consultants' selection committee formed with appropriate individuals in terms of procurement and technical expertise? <i>C.10. Có Ban lựa chọn dịch vụ tư vấn được hình thành với các cá nhân thích hợp đối với công tác đấu thầu mua sắm và chuyên môn kỹ thuật?</i>	Yes <i>Có</i>
C.11. What is the criteria to evaluate EOIs? <i>C.11. Tiêu chí nào được sử dụng để đánh giá EOIs?</i>	Yes <i>Đúng</i>
C.12. Historically what is the most common method used (QCBS, QBS, etc.) <i>C.12. Trong quá khứ phương pháp phổ biến nhất được sử dụng là gì (QCBS, QBS etc.)</i>	QCBS <i>Lựa chọn dựa trên chất lượng và chi phí (QCBS)</i>
C.13. Do firms have to pay for the proposal document. <i>C.13. Công ty có phải trả tiền hồ sơ đề xuất không?</i>	No <i>Không</i>
C.14. Does the evaluative criteria follow a pre-determined structures and is it detailed in the RFP? <i>C.14. Liệu các tiêu chuẩn đánh giá tuân theo cơ chế được xác định trước và được chi tiết trong Khung TĐC?</i>	Yes <i>Có</i>
C.15. Are pre-proposal visits and meetings arranged? <i>C.15. Có sắp xếp các buổi gặp mặt trước không?</i>	No <i>Không</i>

C.16. Are minutes prepared and circulated after pre-proposal meetings? <i>C.16. Biên bản được chuẩn bị và lưu hành sau cuộc họp đề xuất trước?</i>	Yes <i>Có</i>
C.17. To who are the minutes distributed? <i>C.17. Ai phân phát biên bản?</i>	Secretary of procurement team <i>Thư ký của tổ chuyên gia đấu thầu</i>
C.18. Are all of the queries from consultants answered to in writing? <i>C.18. Có phải tất cả những chất vấn từ tư vấn được trả lời bằng văn bản?</i>	Yes <i>Đúng</i>
C.19. Are financial and technical proposals in separate envelopes? <i>C.19. Đề xuất tài chính và kỹ thuật trong bì riêng phải không?</i>	Yes <i>Đúng</i>
C.20. Are proposal securities required? <i>C.20. Bảo lãnh đấu thầu có được yêu cầu?</i>	Yes <i>Có</i>
C.21. Are technical proposals opened in public? <i>C.21. Đề xuất kỹ thuật được tuyên bố công khai?</i>	Yes, after procurement opening <i>Có, sau thời điểm mở thầu</i>
C.22. Do the financial proposals remain sealed until technical evaluation is completed? <i>C.22. Đề xuất tài chính vẫn còn niêm phong cho đến khi đánh giá kỹ thuật được hoàn thành?</i>	Yes <i>Đúng</i>
C.23. Are minutes of technical opening distributed? <i>C.23. Biên bản kỹ thuật có được phân phát?</i>	Yes, distributed to relevant tenderers <i>Có, phát cho các nhà thầu có liên quan</i>
C.24. Who determines the final technical ranking and how? <i>C.24. Ai quyết định xếp loại kỹ thuật cuối cùng và như thế nào?</i>	Procurement team, ranking shall be based on the criteria in the Bidding invitation records <i>Tổ chuyên gia đấu thầu, kết quả theo tiêu chuẩn đề ra trong Hồ sơ mời thầu.</i>

<p>C.25. Are the technical scores published and sent to all firms? <i>C.25. Các điểm số kỹ thuật được xuất bản và gửi đến các công ty?</i></p>	<p>Yes, public <i>Đúng, công khai</i></p>
<p>C.26. Is the financial proposal opening public? <i>C.26. Đề xuất tài chính có được mở công khai?</i></p>	<p>Yes, it is opened if required, if the proposal does not satisfy the criteria then it will be returned to the tender <i>Có, nếu đề xuất kỹ thuật đạt thì mới mở, còn không đạt thì trả lại nhà thầu.</i></p>
<p>C.27. Are there minutes taken and distributed of financial proposal opening ? <i>C.27. Biên bản được viết và phân phối về mở đề xuất tài chính?</i></p>	<p>Yes <i>Có</i></p>
<p>C.28. How is the financial evaluation completed? <i>C.28. Đánh giá tài chính được hoàn thành như thế nào?</i></p>	<p>Based on the criteria stated in the requirement record for consultants, evaluating under Laws and Decrees on procurement promulgated by the State. <i>Theo tiêu chí ghi trong hồ sơ yêu cầu tư vấn, đánh giá căn cứ theo Luật đấu thầu, nghị định về đấu thầu của Nhà nước.</i></p>
<p>C.29. Are face to face contract negotiations held? <i>C.29. Có tổ chức các buổi thương thảo hợp đồng trực tiếp không?</i></p>	<p>Yes <i>Có</i></p>
<p>C.30. How long after financial evaluation is the selected firm to negotiate? <i>C.30. Bao lâu sau khi đánh giá tài chính được công ty chọn để thương lượng?</i></p>	<p>Right after the contractors meet Financial requirements <i>Ngay sau khi nhà thầu đạt tiêu chí về Tài chính</i></p>
<p>C.31. What is the usual basis for negotiation? <i>C.31. Cơ sở thông thường cho việc thương thảo hợp đồng là gì?</i></p>	<p>Actual condition, regulations on contract, form of contract, <i>Điều kiện thực tế, quy định về hợp đồng, hình thức hợp đồng.</i></p>
<p>C.32. Are minutes of negotiation taken and signed? <i>C.32. Có lập và ký các biên bản thỏa thuận không?</i></p>	<p>Yes <i>Có</i></p>

C.33. How long after negotiations until the contract is signed? <i>C.33. Từ khi thương thảo đến khi ký hợp đồng là bao lâu?</i>	Right after negotiation provided that the contract is still valid <i>Ngay sau khi thương thảo, đảm bảo hồ sơ dự thầu của nhà thầu còn hiệu lực.</i>
C.34. Are advance payments made? <i>C.34. Có thực hiện việc tạm ứng?</i>	Yes <i>Có</i>
C.35. Is there an evaluation system for measuring the outputs of consultants? <i>C.35. Có hệ thống đánh giá đối với các hoạt động của tư vấn không?</i>	Yes <i>Có</i>
Part D. Process and Oversight Control Phần D. Giám sát và quản lý qui trình	
D.1. Is there a standards statement of ethics and are those involved in procurement required to formally commit to it? <i>D.1. Có báo cáo chuẩn nào về các nguyên tắc đạo đức không và những người nào có liên quan đến quá trình đấu thầu cần phải tuân thủ nghiêm ngặt?</i>	Yes <i>Có</i>
D.2. Are those involved with procurement required to declare any potential conflict of interest and removed themselves from the procurement process? <i>D.2. Những người liên quan tới việc đấu thầu có phải khai báo những mâu thuẫn về lợi ích tiềm tàng để loại trừ họ ra khỏi qui trình đấu thầu?</i>	Yes <i>Có</i>
D.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) outside of the budgeting process? <i>D.3. Việc bắt đầu quá trình đấu thầu có phụ thuộc vào ý kiến tán thành bên ngoài (chính thức hoặc không chính thức) ngoài quá trình dự thảo ngân sách hay không?</i>	No <i>Không</i>
D.4. Who approves procurement transactions and do they have procurement experience and qualifications? <i>D.4. Ai phê duyệt các quá trình giao dịch đấu thầu và những người này có kinh nghiệm và năng lực đấu thầu hay không?</i>	The project investor (Leadership of City People's Committee) makes decision of approval based on the procurement results submitted by the procurement department of the PMU. The PMU Director is a experienced official and has capacity of procurement capacity. <i>Chủ đầu tư dự án (Lãnh đạo UBND Thành phố), căn cứ kết quả đấu thầu của tổ chuyên gia đấu thầu của Ban QLDA trình lên để ra quyết định phê duyệt. Giám đốc Ban QLDA có kinh nghiệm và năng lực đấu thầu.</i>
D.5. Which of the following actions require approval outside of the procurement unit or a permanent evaluation committee and who grants the approval?	All options above, approved by the investor

<p>a) Bidding document, invitation to prequalify or request for proposal b) Advertisement of an invitation for bids, pre-qualification or call for expressions of interest c) Evaluation of reports d) Notice of award e) Invitation to consultants to negotiate f) Contracts</p> <p><i>D.5. Các hoạt động nào dưới đây cần được phê chuẩn ngoài đơn vị đấu thầu hoặc hội đồng đánh giá thường trực và ai công nhận phê duyệt?</i> m. Hồ sơ mời thầu, thư mời sơ tuyển hoặc hồ sơ yêu cầu. n. Quảng cáo mời thầu, sơ tuyển hoặc kêu gọi sự quan tâm. o. Báo cáo đánh giá thầu. p. Thông báo trao thầu q. Mời tư vấn để thương lượng r. Các Hợp đồng</p>	<p>Tất cả, Chủ đầu tư phê duyệt.</p>
<p>D.6. Is contractual performance systematically monitored and reported upon? <i>D.6. Việc thực hiện hợp đồng có được báo cáo và giám sát một cách hệ thống không?</i></p>	<p>Yes Có</p>
<p>D.7. Does the agency monitor and track its contractual payment obligations? <i>D.7. Đơn vị có giám sát và theo dõi việc trả tiền theo hợp đồng hay không?</i></p>	<p>Yes Có</p>
<p>D.8. On average how long is it between receiving a firm's invoice and making payment? <i>D.8. Trung bình thời gian bao lâu từ khi nhận đề nghị thanh toán đến lúc thanh toán?</i></p>	<p>1 day 1 ngày</p>
<p>D.9. What is the standards period for payment included in contracts? <i>D.9. Thời gian thanh toán qui định trong hợp đồng thường?</i></p>	<p>Upon types of contract, and provisions in the contract Tùy theo từng loại hợp đồng, theo điều khoản nghi trong hợp đồng.</p>
<p>D.10. When payment is made late are beneficiaries paid interest? <i>D.10. Khi thanh toán muộn thì có trả lãi hay không?</i></p>	<p></p>
<p>D.11. Are payments authorized by the same individuals empowered to approve invitation documents, evaluations and contracts? <i>D.11. Việc thanh toán có phải do chính cùng cá nhân/các cá nhân liên quan đến việc chấp thuận hồ sơ mời thầu, đánh giá thầu và hợp đồng không?</i></p>	<p>Yes Có</p>

D.12. Is there a written auditable trail of procurement decisions attributable to individuals and committees? <i>D.12 Các quyết định đấu thầu bằng văn bản và có thể kiểm toán được chuyển đến cho các cá nhân và hội đồng hay không?</i>	Yes Có
D.13. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment? <i>D.13 Các quyết định và tranh chấp đấu thầu có được xác nhận thông qua các tài liệu như biên bản đánh giá, biên bản thương thảo, thông báo về các khoản tiền giữ lại?</i>	Yes Có
D.14. Is there a formal non-judicial mechanism for dealing with complaints <i>D.14 Có cơ chế chính thức dưới luật để giải quyết khiếu nại không?</i>	Yes Có
D.15. Is a complaints mechanism described in national procurement documents? <i>D.15 Có cơ chế nào giải quyết các khiếu nại được qui định trong các văn kiện đấu thầu của nhà nước không?</i>	Yes Có
Part E. Records Keeping Phần E. Công tác lưu hồ sơ	
E.1. Is there a referencing system for procurement files? <i>E.1 Có hệ thống tham chiếu nào đối với các hồ sơ đấu thầu không?</i>	Yes Có
E.2. Are original contracts secured in a fire and theft proof location? <i>E.2 Các hợp đồng gốc có được cất giữ an toàn không?</i>	Yes Có
E.3. Are copies of bids or proposals retained with the evaluation? <i>E.3 Các bản sao hồ sơ mời thầu hoặc các đề xuất có được giữ lại cùng với tài liệu của quá trình đánh giá không?</i>	Yes Có
E.4. Are copies of the original advertisements retained with the pre-contract papers? <i>E.4 Các bản sao của các bài quảng cáo gốc có được giữ lại kèm các tài liệu trước khi kí hợp đồng không?</i>	Yes Có

<p>E.5. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?</p> <p><i>E.5. Có hợp đồng riêng lẻ kèm theo 1 bản sao hợp đồng và tất cả các văn kiện bằng hợp đồng kế tiếp hay không?</i></p>	<p>Unclear about this question (normally, there are contract original, copy and enclosed documents. Unclear about the meaning of “subsequent contractual correspondence”</p> <p><i>Không rõ câu hỏi này (Thường có hợp đồng bản chính, bản sao và các văn kiện kèm theo, hợp đồng kế tiếp thế nào thì không hiểu?)</i></p>
<p>E.6. Are copies of invoices included with contract papers?</p> <p><i>E.6. Bản sao các hóa đơn có được đính kèm trong các các hợp đồng không?</i></p>	<p>Yes</p> <p><i>Có</i></p>
<p>E.7. For what period are records kept?</p> <p><i>E.7. Các hồ sơ được lưu giữ trong bao lâu?</i></p>	<p>3 years, records of procurement cancellation shall be kept in 12 months.</p> <p><i>3 năm, trường hợp hủy đấu thầu lưu trong 12 tháng</i></p>

APPENDIX 6

INSTITUTIONAL ARRANGEMENTS FOR ENVIRONMENTAL SAFEGUARDS

The following institutions are the key players to ensure project compliance with the applicable environmental safeguards and/or requirements:

1. The PSC will be responsible for project coordination and providing policy guidance. It will be responsible for deciding on environmental management matters that will require action from the senior-management level.
2. The PCU/PMUs will be responsible for ensuring environmental safeguard compliance, in particular for incorporating the mitigation measures set out in the EMP into the detailed engineering design of the subcomponents, as well as in the bid documents and construction contract documents. It will ensure adequate resources are allocated and are timely disbursed to process the necessary environmental assessment activities such as engaging a registered/qualified firm to prepare environmental reports in compliance with national/government EIA/environmental requirements; to monitor EMP implementation; and, to undertake the environmental monitoring activities required from the executing agency in the Environmental Monitoring Plan. The PMUs will commission additional analysis, undertake environment-related investigations that maybe required during implementation, and respond to environment or nuisance-related complaints from residents or businesses affected by the project works.

Specifically, the environment safeguard tasks of the PCU/PMUs are as follows:

- a. Update EMPs during detailed design and engineering, and ensure that contractors prepare their respective site-specific plans (i.e., CEMP) based on the EMPs and the actual site conditions.
- b. Procure the applicable environmental approval/s and/or permit/s from the relevant government agencies prior to bidding process.
- c. Ensure that the environmental safeguards (e.g., inclusion of updated EMPs) are adequately addressed in the bidding documents (instruction to bidders), and in the evaluation criteria for awarding contracts.
- d. Oversee the implementation of the safeguards of updated EMPs relating to construction phase activities including handling of construction spoil and waste, water and air quality protection, public nuisance impacts (noise, dust, traffic, blocked areas, workers and camps), and public safety. Review, monitor and evaluate the effectiveness of the implemented CEMPs, and recommend necessary corrective actions.
- e. Coordinate with relevant government agencies on regulatory compliance issues (e.g. climate resilience standards and guidelines and noise and dust from construction sites).
- f. Prepare TOR for nationally-recognized monitoring institute for conducting laboratory analyses for the monitoring plans for the EMPs.
- g. Advise the PSC on environment-related concerns arising during project construction, and recommend corrective measures.

- h. Ensure timely disclosure of final IEE and EMP in locations and form/format accessible to the public. Conduct follow-up consultations and interviews with local residents to identify concerns or grievances arising during construction. Address, record, and report on any grievances brought about through the Grievance Redress Mechanism in a timely manner.
- i. Disseminate to stakeholders the results of environment quality monitoring and implementation of safeguards, especially among households or small businesses near the civil construction works.
- j. Prepare quarterly status report on environment and public safety protection to be submitted (through the PCU director) to the PSC and submit semi-annual environmental monitoring report to ADB.

The PCU is also responsible for ensuring that the Project is implemented in accordance with the applicable government regulations with regards to the environmental safeguards. A full-time Environmental Engineer should be appointed from the PMUs who will oversee and monitor the implementation of subproject EMPs.

- 3. The Project Implementation Support Consultant (PISC) team will have an Environmental Specialist who will provide technical advice, guidance support and “hands-on training” to the PMUs, particularly its Environmental Engineer, in project/subproject environmental management during project implementation. The Specialist will also provide technical assistance and guidance in overall environmental safeguards compliance including monitoring CEMP implementation, evaluation of monitoring reports submitted by contractors/IAs, preparation of semi-annual monitoring report to be submitted to ADB, monitoring compliance with applicable government requirements, recommending corrective measures/actions,
- 4. ADB will approve any necessary IEE revision and/or EMP updating. It will review environmental monitoring reports and undertake missions to review the environmental performance of the Project.

APPENDIX 7

SUMMARY OF CLIMATE CHANGE ASPECTS AND COSTS

The results of AWARE²⁴ were considered in the preparation of the IEE report. In Viet Nam, the AWARE results had a rating of HIGH for the subprojects in the country. In this connection, a *Climate Vulnerability and Risk Assessment (CVRA)* had been incorporated in the IEE, which also includes discussions on GHG emissions.

Cost attribution for climate change was estimated. Additional costs for civil works that may be attributed to climate change arise from using elevated facility foundations, use of berms and bunds, and sufficient drainage for the wastewater treatment plants in Bac Giang and Mong Cai; an increase in the pumping capacity for storm water pumps in Bac Giang; grading, surfacing and increase lateral drainage of roads in Bac Gaing and Sa Pa to handle increased flood levels; and increasing the height of riverbank protection in Mong Cai. The wastewater treatment plant for Mong Cai was also relocated due to low elevation of the initial site, and a small cost is accounted for this. There are also costs associated with the time spent by key experts relating to climate change. In sum, these costs (and associated contingencies) amount to about **US\$ 3.15 million of the ADB loan of US\$ 100 million (~3%)**. All of this cost is attributed to climate change adaptation. Additional costs associated with climate change mitigation are considered negligible.

²⁴ AWARE for Projects is an online tool used by ADB project teams to screen projects for climate risks. The tool uses data from 16 general circulation models, as well as databases on temperature increase, wildfire, permafrost, sea ice, water availability, precipitation change, flooding, snow loading, tropical storms, and landslides. For each project screened, the tool generates an overall climate risk ranking of low, medium, or high; key risk areas; and narratives on potential impacts and adaptive measures to guide subsequent activities

APPENDIX 8

LIST OF LINKED DOCUMENTS

<http://www.adb.org/Documents/RRPs/?id=XXXXX-XX-3>

1. Loan Agreement
2. Project Agreement
3. Sector Assessment (Summary): Water and Other Urban Infrastructure and Services
4. Project Administration Manual
5. Contribution to the ADB Results Framework
6. Development Coordination
7. Financial Analysis
8. Economic Analysis
9. Country Economic Indicators
10. Summary Poverty Reduction and Social Strategy
11. Gender Action Plan
12. Initial Environmental Examination
13. Resettlement Plan: Bac Giang Subproject
14. Resettlement Plan: Mong Cai Subproject
15. Resettlement Plan: Sa Pa Subproject
16. Risk Assessment and Risk Management Plan

Supplementary Documents

17. Summary of Investment Components
18. Participation Plan
19. Summary on Climate Change
20. Economic Analysis–Supplementary Tables