

PROCUREMENT PLAN

Basic Data

Project Name: Sustainable Rural Infrastructure Development Project in Northern Mountain Provinces	
Project Number: 41461-013	Approval Number: 2682/2683
Country: Viet Nam, Socialist Republic of	Executing Agency: Ministry of Agriculture and Rural Development
Project Financing Amount: US\$ 138,000,000 ADB Financing: US\$ 108,000,000 Cofinancing (ADB Administered): Non-ADB Financing: US\$ 30,000,000	Implementing Agency: N/A
	Project Closing Date: 30 June 2017
Date of First Procurement Plan: 22 October 2010	Date of this Procurement Plan: 6 July 2016, Version 5

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 for Goods	US\$ 2,000,001 and Above	
National Competitive Bidding for Goods	Between US\$ 100,001 and US\$ 2,000,000	Approved
Shopping for Goods	Up to US\$ 100,000	
International Competitive Bidding for Works	US\$ 5,000,001 and Above	Approved
National Competitive Bidding for Works	Between US\$ 100,001 and US\$ 5,000,000	Prior for the first package for Yen Bai, Hoa Binh, Lang Son, Cao Bang and Bac Giang provinces. Prior for all packages for Ha Giang and Tuyen Quang provinces
Shopping for Works	Up to US\$ 100,000	

Consulting Services	
Method	Comments
Consultant's Qualification Selection for Consulting Firm	
Least-Cost Selection for Consulting Firm	
Quality- and Cost-Based Selection for Consulting Firm	
Individual Consultants Selection for Individual Consultant	

2. 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	General Description	Estimated Value	Procurement Method	Review (Prior/Post)	Bidding Procedure	Advertisement Date (quarter/year)	Comments
01/HG	Ha Giang: 3 additional water supply schemes of Construction of water supply schemes in Meo Vac and Dong Van District	1,156,000.00	NCB	Prior	1S1E	Q4 / 2016	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works

01/VP/rebid	VinhPhuc: Equipment for Trieu De pumping station	1,395,000.00	ICB	Prior	1S1E	Q3 / 2016	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Goods

3. 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	Recruitment Method	Review (Prior/Post)	Advertisement Date (quarter/year)	Type of Proposal	Comments
None							

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

The following table lists 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	Number of Contracts	Procurement Method	Review (Prior/Post)	Bidding Procedure	Advertisement Date (quarter/year)	Comments
01/PT	PhuTho: Additional works of Construction of Water Supply Schemes for Phuong Xa	514,000.00	1	NCB	Post	1S1E	Q4 / 2016	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works
02/PT	PhuTho: Construction of Son Tinh Market in Cam Khe District	318,000.00	1	NCB	Post	1S1E	Q1 / 2017	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document:

								Small Works
03/PT	PhuTho: Construction of Dong market in Xuan Lung Communes, Lam Thao District	227,000.00	1	NCB	Post	1S1E	Q1 / 2017	Prequalificati on of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works
TQadd1/1	Tuyen Quang: Upgrading Minh Huong market	150,000.00	1	NCB	Prior	1S1E	Q1 / 2016	Prequalificati on of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works

Consulting Services								
Package Number	General Description	Estimated Value	Number of Contracts	Recruitment Method	Review (Prior/Post)	Advertisement Date (quarter/year)	Type of Proposal	Comments
None								

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	General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Procurement Method	Review (Prior/Post)	Bidding Procedure	Comments
None							

Consulting Services							
Package Number	General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Recruitment Method	Review (Prior/Post)	Type of Proposal	Comments
None							

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 Ongoing 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
tbd 01	Bac Giang : Upgrading rural road of Tan Hiep-Tam Tien: Hurong Lac-Huong Son, Yen Th District	716,000.00	693,000.00	NCB	Q3 / 2013	14-MAR-14	
tbd 03	Bac Giang: Upgrading pumping station of Ngo Khong 1, Hiep Hoa DistrictOffice refurbishment and equipment	942,000.00	942,000.00	NCB	Q4 / 2013	31-MAY-15	
tbd 02	Bac Giang: Upgrading pumping station of Xuan Hurong, Lang Giang District	1,191,000.00	1,153,000.00	NCB	Q3 / 2013	25-MAR-14	
BKadd1/1	Bac Kan: Construction of Water Supply Schemes for Ha Hieu and BanhTrach Communes of Ba Be District	827,000.00	906,530.00	NCB	Q4 / 2015	24-DEC-15	
tbd 06	Bac Kan: Construction of embankment in Cau River, Cho Moi District	1,062,000.00	1,028,000.00	NCB	Q3 / 2013	25-MAR-14	
tbd 08	Bac Kan: Upgrading rural road of Bang Lang - Yen Nhuan, Cho Don District	1,239,000.00	1,199,000.00	NCB	Q3 / 2013	23-DEC-13	
tbd 07	Bac Kan: Upgrading rural road of Deo Giang Vu Muon, Bach Thong District	2,113,000.00	1,996,000.00	NCB	Q2 / 2014	11-NOV-14	
CBadd1/1	Cao Bang: Luc Khu Area Water Storage Tanks, Ha Quang District	999,000.00	968,727.00	NCB	Q4 / 2015	29-DEC-15	
tbd 09	Cao Bang: Upgrading rural road of Thi Hoa-Co Ngan (Ha Lang Dsitric)-Trieu Au (Phuc Hoa District)	3,223,000.00	3,119,000.00	NCB	Q3 / 2013	08-MAR-14	
tbd 10	Cao Bang:Upgrading irrigation system of Dinh Phong Commune, trung	2,314,000.00	2,239,000.00	NCB	Q4 / 2013	08-MAR-14	

	Khanh District						
tbd 11	Dien Bien: Upgrading Muong Thin - Muong Mun road, Tuan Giao district	2,095,000.00	1,778,000.00	NCB	Q4 / 2013	15-MAY-14	
tbd 12	Dien Bien: Upgrading Pu Nhung - Phinh Sang road, Tuan Giao district	3,127,000.00	2,476,000.00	NCB	Q4 / 2013	31-MAY-15	
HGadd2/2	Ha Giang: Construction of water supply schemes Kim Ngoc Communes, Bac Quang District	1,163,000.00	980,323.00	NCB	Q3 / 2015	28-DEC-15	
HGadd1/2	Ha Giang: Construction of water supply schemes in Meo Vac and Dong Van District	2,911,000.00	2,577,507.00	NCB	Q4 / 2015	28-DEC-15	
tbd 14	Ha Giang: rural road of DU Tien - Ban Le, Yen Minh District	2,723,000.00	2,852,000.00	NCB	Q4 / 2013	22-DEC-14	
tbd 13	Ha Giang:Upgradin g rural road of Ban Le-Ngoc Long, Yen Minh District	2,490,000.00	2,410,000.00	NCB	Q4 / 2013	28-MAR-14	
HBadd1/2	Hoa Binh: Upgrading and Repair Water Supply in Pieng Ve, Bao La and Xam Khoe Communes, Mai Chau District	1,463,000.00	1,080,256.00	NCB	Q4 / 2015	31-DEC-15	
HBadd2/2	Hoa Binh: Upgrading and Repair Water Suppy in Hien Luong, Tu Ly and Hao Ly Communes, Mai Chau District	1,080,000.00	1,006,918.00	NCB	Q4 / 2015	31-DEC-15	
tbd 20	Hoa Binh: Upgrading irrigation system Thanh	1,577,000.00	1,344,000.00	NCB	Q4 / 2013	30-JUN-14	
tbd 17	Hoa Binh: Upgrading irrigation system of Lac Son District	1,614,000.00	1,562,000.00	NCB	Q2 / 2013	07-MAR-14	
tbd 16	Hoa Binh: Upgrading rural road of Lac Son District	772,000.00	747,000.00	NCB	Q3 / 2013	07-MAR-14	
tbd 18	Hoa Binh: Upgrading rural road of Lac Thuy	1,010,000.00	898,000.00	NCB	Q2 / 2013	22-DEC-14	
tbd 19	Hoa Binh: Upgrading rural road of Yen Thuy district	1,900,000.00	1,500,000.00	NCB	Q2 / 2013	26-AUG-14	
LCHadd1/1	Lai Chau:	885,000.00	1,005,657.00	NCB	Q3 / 2015	31-DEC-15	

	Construction of Water Supply Scheme for Pa Tan Commune, Sin Ho District						
tbd 23	Lai Chau: Upgrading road: Ban Bo - Phieng Hoi, Tam Duong district	1,048,000.00	658,000.00	NCB	Q4 / 2013	14-OCT-14	
tbd 21	Lai Chau: Upgrading road: Nam Cay - Sin Cai, Phong Tho district	2,309,000.00	2,234,000.00	NCB	Q2 / 2013	07-MAR-14	
tbd 22	Lai Chau: Upgrading road: Nam Cuoi - Nam Han, Sin Ho district	2,625,000.00	2,540,000.00	NCB	Q2 / 2013	23-DEC-13	
tbd 25	Lang Son: Upgrading irrigation system of Ban Chanh reservoir. Loc Binh District	1,273,000.00	1,160,000.00	NCB	Q2 / 2013	14-OCT-14	
tbd 24	Lang Son: Upgrading irrigation system of Ta Keo, Loc Binh District	1,767,000.00	1,710,000.00	NCB	Q2 / 2013	14-MAR-14	
tbd 26	Lang Son: Upgrading rural road of Khau Ra Quang Trung	1,395,000.00	1,350,000.00	NCB	Q3 / 2013	28-MAR-14	
tbd 28	Lao Cai: Upgrading irrigation system Van Ban District	1,799,000.00	1,795,000.00	NCB	Q3 / 2013	08-OCT-14	
LCadd/1/1	Lao Cai: Upgrading of Water Tanks in Ta Gia Khau and Din Chin Communes, Muong Khuong District	975,000.00	788,955.00	NCB	Q3 / 2015	29-DEC-15	
tbd 27	Lao Cai: Upgrading rural road of Bao Yen District	2,906,000.00	2,812,000.00	NCB	Q3 / 2013	07-MAR-14	
PTadd2/2	Phu Tho: Construction of Water Supply Schemes for	887,000.00	913,473.00	NCB	Q3 / 2015	24-DEC-15	
PTadd1/2	Phu Tho: Construction of Water Supply Schemes for Phuong Xa Commune in Cam Khe District	1,369,000.00	1,047,263.00	NCB	Q3 / 2015	24-DEC-15	
tbd 30	Phu Tho: Upgrading rural road of route: Phu Lac - Dong Lac, Cam Khe District and Yen Lap District	2,077,000.00	2,010,000.00	NCB	Q2 / 2013	29-OCT-13	
tbd 31	Phu Tho: Upgrading rural road of route:	949,000.00	918,000.00	NCB	Q4 / 2013	07-MAR-14	

	Thuong Cuu-Dong Curu, Thanh Son District						
tbd 32	Phu Tho: Upgrading rural road of route: Yen Luong - Thuong Curu, Thanh Son District	2,403,000.00	1,582,000.00	NCB	Q4 / 2013	30-JUN-14	
SLadd1/1	Son La: Upgrading Irrigation Systems in Yen Chau District	1,457,000.00	1,120,000.00	NCB	Q4 / 2015	14-MAR-16	
tbd 34	Son La: Upgrading irrigation system cum embankment of Thom Mon Commune, Thuan Chau District	951,000.00	920,000.00	NCB	Q3 / 2013	01-NOV-13	
tbd 35	Son La: Upgrading rural road of Chieng Khoa - Muong Men, Moc Chau District	1,726,000.00	2,234,000.00	NCB	Q2 / 2013	25-NOV-14	
tbd 33	Son La: Upgrading rural road of the route 108 - Mung E. Thuan Chau District	3,000,000.00	2,725,000.00	NCB	Q4 / 2013	22-DEC-14	
tbd 37	Thai Nguyen: Upgrading Van Han Market	139,000.00	134,000.00	NCB	Q2 / 2013	24-OCT-13	
TNadd1/1	Thai Nguyen: Upgrading and Extension of Domestic Water Supply in La Bang and Yen Lang, Dai Tu District	994,000.00	822,797.00	NCB	Q3 / 2015	28-DEC-15	
tbd 39	Thai Nguyen: Upgrading road: Phu Ly - Yen Trach, Phu Luong district	1,684,000.00	1,671,000.00	NCB	Q3 / 2013	29-OCT-14	
tbd 38	Thai Nguyen: Upgrading road: Trang Xa - Deo Nhau	2,247,000.00	2,174,000.00	NCB	Q2 / 2013	29-OCT-13	
tbd 36	Thai Nguyen: Upgrading road:Linh Nham - Deo Nhau	3,328,000.00	3,220,000.00	NCB	Q1 / 2013	24-OCT-13	
01/TQ	Tuyen Quang: Construction of Water Supply System for Domestic Use in center of Da Vi, Yen Hoa commune, Na Hang District, Tuyen Quang Province	1,957,000.00	1,839,002.00	NCB	Q3 / 2015	24-DEC-15	

tbd 41	Tuyen Quang: Upgrading rural road of Binh Xa - Minh Huong, Ham Yen District	1,526,000.00	1,477,000.00	NCB	Q2 / 2013	07-MAR-14	
tbd 40	Tuyen Quang: Upgrading rural road of Da Vi Hong Thai, Yen Hoa - Con Loan, Na Hang District	2,510,000.00	2,428,000.00	NCB	Q2 / 2013	29-OCT-13	
tbd 43	Vinh Phuc: Construction of Trieu De pumping plant	2,423,000.00	2,072,000.00	NCB	Q4 / 2013	30-JUN-14	
tbd 44	Vinh Phuc: Upgrading road: Ngoc My - Bac Binh:Xuan Hoa - Van Truc; Lien	1,464,000.00	1,144,000.00	NCB	Q4 / 2013	29-OCT-14	
YBadd2/2	Yen Bai: Construction of Water Supply Scheme for Phu Nham, Thanh Luong,Thach Luong Communes in Van Chan District	858,000.00	977,368.00	NCB	Q4 / 2015	18-DEC-15	
tbd 47	Yen Bai: Upgrading rural road of 3 Northern Communes, Luc Yen District	2,323,000.00	2,248,000.00	NCB	Q2 / 2013	28-SEP-13	
tbd 49	Yen Bai: Upgrading rural road of 4 Northern Communes, Tran Yen District	1,626,000.00	1,458,000.00	NCB	Q3 / 2013	22-DEC-14	
YBadd1/2	Yen Bai: Upgrading rural road of 4 Northern Communes, Tran Yen District (45A)	2,033,000.00	2,081,250.00	NCB	Q1 / 2015	10-MAY-15	
tbd 48	Yen Bai: Upgrading rural road of An Binh, Lam Giang, Van Yen District	2,905,000.00	2,810,000.00	NCB	Q3 / 2013	07-MAR-14	
tbd 05	Bac Giang: Equipment for pumping station Ngo Khong 1, Hiep Hoa District	747,000.00	420,000.00	ICB	Q4 / 2013	01-APR-15	
tbd 04	Bac Giang: Equipment for pumping station of Xuan Huong, Lang Giang District	815,000.00	428,000.00	ICB	Q2 / 2013	11-NOV-14	
01/VP	Vinh Phuc: Equipment for Trieu De pumping station	1,320,000.00	522,761.00	ICB	Q1 / 2015	30-JUN-15	

D. 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 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.

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>

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

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 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.

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.

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.

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.