

**BASIC INFRASTRUCTURE FOR INCLUSIVE GROWTH IN FNEP
PROVINCES SECTOR PROJECT**

PROCUREMENT RISK ASSESSMENT

BY

ADB PPTA 8957

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CURRENCY EQUIVALENTS

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ABBREVIATIONS

CAPE	–	Country Assistance Program Evaluation
CPAR	–	Country Procurement Assessment Report
CPS	–	Country Partnership Strategy
CPRM	–	Country Portfolio Review Mission
CSA	–	Country and Sector/Agency Procurement Risk Assessment
CSO	–	civil society organization
DMC	–	developing member country
EA	–	Executing agency
GACAP II	–	Second Governance and Anticorruption Action Plan
IA	–	Implementing Agency
ICB	–	International Competitive Bidding
ICPA	–	Initial Country Procurement Assessment
IS	-	International Shopping
MAPS	–	Methodology for Assessment Procurement Systems
NCB	–	National Competitive Bidding
NGO	–	non-governmental organizations
OAI	–	Office of Anticorruption and Integrity
OECD-DAC	–	Organization for Economic Co-Operation and Development – Development Assistance Committee
OSFMD	–	Operations Services and Financial Management Department
P-RAMP	–	Procurement Risk Assessment Management Plan
PC	–	Procurement Committee
PCA	-	Procurement Capacity Assessment
PEFA	–	Public Expenditure Financial Accountability
PPRR	–	Project Procurement-Related Review
PPTA	-	Project Preparatory Technical Assistance
PRA	-	Project Procurement Risk Assessment
PREI	–	Procurement Review for Effective Implementation
RD	–	Regional Department
RRP	–	Report and Recommendation of the President
TOR	–	Terms of Reference

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I. EXECUTIVE SUMMARY

1. The overall ratings is that there is a moderate risk to procurement based on significant risk that the lack of experience and trained personnel in the PMU along with low procurement administrative risks. Staffing choice and loan implementation support especially in advance action on procurement will be essential if delayed start up is to be minimized.

2. Based on the assessment of capabilities, experience in undertaking similar projects and current procurement practices of FNEP, procurement risks are assessed and mitigation measures are recommended for action – see Table 1.

3. If the project implementation arrangements with recommended actions are implemented, the procurement of goods, works and services can be effective and risks can be minimized, leading to satisfactory procurement as per ADB procurement guidelines.

Table 1: Project Procurement Risk Assessment and Management Plan (P-RAMP)

SL No.	RISK	IMPACT	LIKELIHOOD	STRATEGY
A6, A7, A9, A16, A17, A23, C1, C2, C14, C22, C23	Procurement Department and/or PMU have insufficient qualified staff to efficiently undertake the procurements required to implement the project.	High	Likely	Mitigation: Once the PMU is formed, the qualified and experienced procurement staff must be in place; Advance action on a procurement expert is really important to minimize the delays in implementation and procurement ready for detailed designs. However, even with a procurement expert, the need for: (i) someone to prepare English documentation for ADB review, (ii) a clear decision making process and (iii) accountability system in place.
A19 – A20	The Agency uses practices inconsistent with national procurement law or bidding documents unsuitable for ADB-funded procurement.	High	Unlikely	Justifications: The Agency follows Vietnam Government Law and standard documents in the procurement process. Monitoring: Provision of training on ADB procedures Loan Agreement should include modalities to ensure that ADB guidelines requirements are followed.
B2 –B3	Record-keeping is inadequate to enable internal or external audit of procurement processes.	High	Unlikely	Justifications: The Agency record-keeping is in place that support for internal or external audit of procurement processes. Monitoring: IAs should establish a link between IA's team to ensure that the records related to running payments during execution of works and contractual communications are in the same place.

SL No.	RISK	IMPACT	LIKELIHOOD	STRATEGY
				It is recommended that IAs should create a comprehensive E-Library system to record to project's document.
A25, C4 - C12, C24-C44, C47, D5, E7	Agency does not promote non-discriminatory participation, transparent tender processes (including advertisement, tender documentation, tender evaluation, complaints mechanism)?	High	Unlikely	Justifications: The Agency follows Vietnam Government Law and standard documents in the procurement process that ensure the transparency of procurement processes. Monitoring: The Procurement Plan should include an NCB Annex regulating non-discriminatory participation, transparency in procurement processes (including advertisement, tender documentation, pocurement evaluation, complaints mechanism)
C15, E1 – E.6	The Agency has inadequate ethics and anticorruption measures in place.	High	Unlikely	Justifications: The Agency follows Vietnam Government Law and standard documents in the procurement process that ethics and anticorruption measures in place. Monitoring: The Procurement Plan should include an NCB Annex that consist of modalities to ensure that ADB guidelines requirements are followed.

4. The overall ratings for each PMU (see Appendix 1) categorized the risks – see Table 2 which indicates similar issues and risk across all four provinces.

Table 2: Provincial Ratings

Criterion	Ha Giang Risk assessment	Cao Bang Risk assessment	Lang Son Risk assessment	Bac Kan Risk assessment
a. Organizational and Staff Capacity	High	High	High	High
b. Information Management	Moderate	Moderate	Moderate	Moderate
c. Procurement Practices	High	Moderate	High	Low
d. Effectiveness	Low	Low	Low	Low
e. Accountability Measures	Low	Low	Low	Low
OVERALL RISK RATING	Moderate	Moderate	Moderate	Moderate

The risks are categorized as follows:

Risk Ratings	High (H)	Substantial (S)	Moderate (M)	Low (L)
High	-	likely to occur, likely to have high impact if occurs		
Substantial	-	unlikely to occur, but likely to have high impact if occurs		
Moderate	-	likely to occur, but unlikely to have high impact if occurs		
Low	-	not likely to occur, not likely to have high impact if occurs.		

II. INTRODUCTION

5. This Project Procurement Risk Assessment Report is prepared for the project preparation technical assistance (PPTA) TA 8957 – Vie Basic Infrastructure of Inclusive Growth I the Four North Eastern Province Sector Project (the Project) and contains the findings and observations of the procurement risk assessment for the project.

6. Since the Department of Planning and Investment (DPI) in the four participating provinces (the Provinces) of Bac Kan, Cao Bang, Ha Giang, and Lang Son have limited experience in implementing multilateral-financed projects, this assessment focuses on the present status of the Executing Agencies (PPC's) / Implementing Agencies (DPI and the assigned PMUs to be formed under the provisions of Article 37, 38 and 39 of Decree 16) in providing procurement of civil works, goods, and consulting services. The assessment review and identifies risks to the required procurement and provides recommended actions to solve identified weaknesses.

7. The CSA was undertaken from 4th October, 2016 to 19th October 2016. The assessment included reviewing documents, collecting information on completed and ongoing projects, on procurement performance, review of reports and information from available sources, meetings and discussions with related stakeholders. The assessment included reviewing documents, collecting information on completed and ongoing projects, on procurement performance, review of reports and information from available sources, meetings and discussions with related stakeholders.

III. OVERVIEW OF PROCUREMENT ENVIRONMENT, RELIMINARY RISK ASSESSMENT AND PROJECT CLASSIFICATION

A. Overview of the National Procurement Environment and Preliminary Risk Rating

8. The proposed Project supports the objectives of the Overall Masterplan for the Development of the Four North Eastern Province of Viet Nam by improving road connectivity and providing improved wellbeing through rural water supply and value chain infrastructure. It will enable the efficient provision of services, the movement of goods and people, and help develop the economy of the FNEP subregion and its integration into the national and international economy.

9. The executing agencies for this project are the respective PPCs who have assigned the provincial DPI to be the Project Owner (equivalent to Implementation Agent (IA) in ADB). As Project Owner DPI is required under Decree 16 to form a Project Management Unit choosing from a range of options defined within Decree Article 37. The PMU must be formed within 30

days of Loan Signing (Article 39). The Project Management Units will be mandated to carry out project implementation for the Project, including procurement, financial management, disbursement, administration, staffing and the current assessment focus on their capabilities and procedures.

10. The 2013 Vietnam Law on Procurement is considered to be mostly consistent with best international practices. Under the procurement law, the Government issued Procurement Decree No.63/2014/ND-CP providing detailed guidance on the implementation of the law. Consequently, Ministry of Planning and Investment has issued different circulars providing standard procurement templates and subsequently issued these standard procurement templates to enable the efficient implementation of the procurement legislative framework in compliance with the law. If there is divergence between ODA guidelines and Vietnamese legislation, the ODA rules take precedence.

11. Since the previous procurement law took effect on in 2006, bidders have become familiar with their right to file complaints on the bidding processes. The EAs and IAs are fully aware that inappropriate procurement practice raises the personal risk of being sued by bidders any time during the procurement process. In recent years, the number of complaints has increased, which may indicate that some of the outstanding issues on integrity during bidding and procurement are starting to be identified with resultant actions taken.

12. Country and sector procurement risk assessments exist for different agencies, but use a range of differing methodologies, for example, Organization for Economic Cooperation and Development (OECD) in 2006; Development Assistance Committee's (DAC's) in 2006; Methodology for Assessment of National Procurement Systems (MAPS) in 2008, Asia-Pacific Economic Cooperation (APEC) in 2011, Public Expenditure and Financial Accountability (PEFA) assessment in 2013.

13. Vietnam first piloted a macro-level MAPS-based assessment in 2006¹ and repeated the assessment in 2008². The 2008 MAPS-based assessment gave the overall quality of Government procurement system a "C" rating, on a scale from A (best) to D (worst), although this represents improvement since the 2006 assessment which rated as an overall D. MPI report significant progress since the 2008 MAPS assessment, such that the overall quality of Government procurement system continues to improve but it is now eight years since a national review was completed.

14. Transparency International (2011) conducted an assessment on Vietnam's implementation of APEC Procurement Transparency Standards³ (both in law and in practice). The Report has assessed that the national procurement system was generally satisfactory, however the Report noted shortcomings in the legal framework relating (i) to the independent review of procurement decisions; (ii) transparency and integrity in the public procurement system; (iii) applying procurement rules inconsistently at the provincial and local levels; (iv) absence of a common code of conduct for procurement officials; and (v) the absence of civil society organizations with the mandate and expertise to monitor procurements.

¹ Vietnam National Public Procurement System Assessment Report 2006.

² Vietnam National Public Procurement System Assessment Report – BLI 2008.

³ The Report can be found at: www.transparency-usa.org/documents/TI-Report-Vietnam_FINAL.pdf

15. PEFA indicator PI-19 “Competition, value for money and controls in procurement” relates to government procurement⁴. PEFA assesses the extent to which applicable laws and regulations are followed in the public procurement system, whether the general principle in favor of open competitive tendering is properly respected, whether tendering opportunities and contract awards are effectively publicized, and whether there is satisfactory machinery for dealing with complaints by tenderers about the behavior of spending units in letting contracts.

16. The latest PEFA national procurement assessment concluded a satisfactory rating, based on detailed assessment of four major indicators:

- (i) Transparency, comprehensiveness and competition in the legal and regulatory framework: C+
- (ii) Use of competitive procurement methods as default: B
- (iii) Public access to complete, reliable and timely procurement information: B
- (iv) Existence of an independent administrative procurement complaints system: B

17. Generally, the assessment of the procurement risk is rated **Medium**⁵. In setting prior/post review thresholds this rating will be considered together with risk factors.

B. Project Procurement Classification

18. There are several agricultural and rural development projects under implementation in Northern Vietnam, however, there is only the IFAD program currently being implemented in the Project Provinces, and two of the Government National Target Programs, the New Rural Development Program and the Strategic Poverty Reduction Program. The EA’s have not been EAs for donor projects and most IA input has not been responsible for matters such as procurement which was undertaken by Line Ministries. That said, no significant existing procurement risks have been identified.

19. Taking into account that the provincial executing agencies in the FNEP sub-region exist already it is proposed to classify the project in **Category B**.

IV. PROJECT PROCUREMENT RISK ASSESSMENT

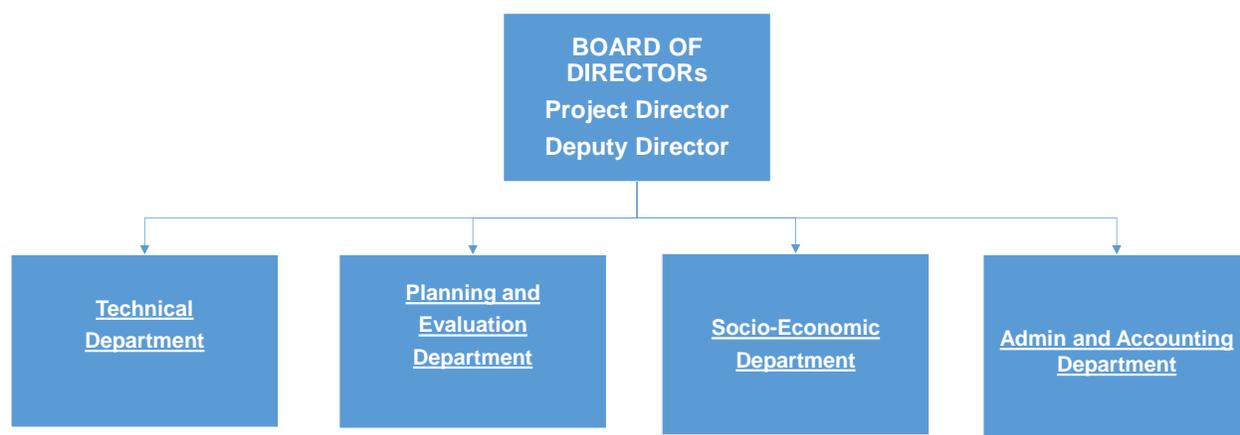
A. Organization and Staff Capacity

20. While the MPI serves as the center and focal point of all the public procurement and oversight, under the current proposed project, DPI will be handling procurement and the PMUs will be responsible for day to day procurement processing. The role of DPI therefore becomes, in addition to the responsibility to manage and control public procurement, to provide guidance and support and play a mentor and facilitator’s role in the identification, formulation, implementation and completion of the development projects.

21. The proposed PMUs structures are similar in all four provinces, the main differences being the number of proposed staff that ranges from 16 to 23. A structure for the PMUs has been tentatively agreed – see Figure below:

⁴ The Report can be found at: www.pefa.org/en/assessment/files/1205/rpt/9497

⁵ Rating scale: High/ Medium/ Low

Figure 1: Proposed PMU Structure**Table 3: Proposed PMU Staffing**

NO	POSITION	NO	APPOINTMENT	STATUS
I	BOARD OF DIRECTORS			
	Director	1	By designation	Concurrent
	Deputy Director	1	By designation	Concurrent
II	Technical department			
	Urban engineer	1	By contract	Specialized
	Transport engineer	1	By contract	Specialized
	Water supply engineer	1	By contract	Specialized
III	Planning and procurement department			
	H.O.D. Procurement and Contract Management staff	1	Designation/secondment	Specialized
	Monitoring and Evaluation staff/ Project coordinator	1	Designation/secondment	Specialized
IV	Administration and Accounting department			
	Chief accountant	1	Designation/secondment	Qualified
	Accounts staff	1	Contract	Qualified
	Cashier/ Disbursement officer	1	Contract	Specialized
	Admin/ Interpreter	1	Designation/secondment	Specialized
	Land Acquisition / Compensation-site clearance staff	1	Contract	
V	Social-Economic (Safeguard) Department			
	H.O.D		Designation/secondment	Specialized
	Environmental staff	1	Contract	Specialized
	Safeguard officer	1	Contract	Specialized
VI	Other Staff			
	-Technical officer	1	Contract	Specialized
	-Support officer	1	Contract	Specialized
	-Driver	1	Contract	Specialized
	Total	18		

22. The relevance to the risk assessment, is that the PMUs that are to be established need fulltime management from an authorized and mandated official. Wider staffing needs to be designated specifically to the PMU on a full - time basis otherwise there can be lack of control, continuity in management processes.

23. During the review of each EA and IA, the actual candidates for each position in the PMU remain uncertain as per the requirement of Decree 16.

24. Within the proposed PMU functions, not only do the PMUs operation need to be clearly defined, but relevant procurement staff will need to be competent with knowledge of ADB's procurement guidelines. For procurement of works, the current IA's staff proposed for positions in the PMU generally have knowledge, and some experience, with Government procedures. These staff have experience in either acting in a procurement appraisal agency in the province or involved in implementing projects funded by IFAD and JBIC of which financing agreement accepts the usage of Vietnam Government Law and standard documents in the procurement process. However current IA staff lack knowledge and experience of ADB procurement procedures. Though, some IA staff have moderate English language proficiency, the extent of documentation, the technical nature of this documentation will severely test the English language capabilities that procurement, reporting etc. One requirement will be the need to develop the skill of these individuals in ADB's procedures, including the preparation of submission documentation for approval.

B. Information Management

25. ADB requires that the evaluation reports and original signed contracts should be retained for at least two years after project completion. The procurement capacity assessment of the executing agency indicates that all the documents related to the procurement along with evaluation reports and signed contracts are kept in safe custody for seven years after project completion for future inspection, audit, and institutional memory. Additionally, a copy of the original invitation document, bidding documents, winning bid or proposal, and contract administration papers are retained in a single contract file. Subsequent records related to running payments during execution of works and contractual communications are kept separately by the project-implementing agency that is different from the team effecting procurement. However, there is need for strengthening information management infrastructure basically in regard to access to information. The risk assessment is Moderate. It is recommended that IAs should create a comprehensive E-Library system with separate areas following technical functions of the respective project department. All the printed documents should be scanned and saved into the respective areas in the library. Each IA staff shall have their own account with limited access rights while the head of the IA has master rights to access the system to review the history of the documents.

C. Procurement Practices

26. As mentioned in paragraph 24, current IA's staff proposed for PMU generally have knowledge and some experience with Government procedures as they either act as procurement appraisal agency in province for government procurement or are involved in implementing projects funded by IFAD and JBIC of which financing agreements accept the usage of Vietnam Government Law and standard documents in the procurement process.

27. Bac Kan, among the four provinces, has the best experience in implementing ODA projects in the three recent years with two projects, Cao Bang is ranked as the second province with experience in implementing an ODA project. Both Ha Giang and Lang Son have no referenced ODA project in the three recent years.

28. For referenced procurement of goods and works, open competitive bidding with single stage – one envelop is found. The NCB bidding document was adopted for all types of goods and works from 60,000 US dollars (IFAD) and 2 billion Vietnam Dong (Saudi Development Fund). Bid validity prescribed was 180 days. Invitation to bid were published on both MPI's website: <http://muasamcong.mpi.gov.vn/> and Procurement Review newspaper for three consecutive days. The use of Government's standard Bidding documents (SBDs) was mandatory. Duration for preparation of bid were at least 20 days for NCB and at least 40 days for ICB from the date of publication of advertisement or notice.⁶ All advertisements or notices expressly mention the response time allowed for that particular procurement along with the information for collection of bid documents, allowing sufficient time to complete and submit the bid by the deadline. The CSA finds duration for preparation of bid as per the Vietnam Procurement Law is shorter compared to ADB's procedures (30 days for NCB and from six to eight weeks for ICB) from the date of publication of advertisement or notice.

29. The date for opening of bids and the last date for the submission of bids is the same. Bids were opened at the time specified in the bidding documents. All bids were opened publicly in the presence of the bidders or their representatives who might choose to be present, at the time and place announced prior to the bidding. The procuring agency reads aloud the bid prices, including alternative bids, if any, and the presence or absence of the requisite bid security, validity of bids as well as the discount, if any, and records the minutes of the bid opening. All bidders in attendance signed an attendance sheet. All bids submitted after the time prescribed were rejected and returned without being opened. The procedures for public opening of bids found similar to ADB's procedures that is to ensure the transparency during the procurement process.

30. The Procurement Law and its regulatory guidelines also entail consultancy services regulations, which are mandatory for all the EAs/IAs to follow in the procurement of consultancy services. The implementing agencies plan adequate funds for the procurement every year in case the need arises to hire consultants/consulting firms for technical assistance in any of the required fields. Required services to be hired or procured, is done through open and competitive procedures. The procuring agency through a dedicated consultant evaluation committee (CEC) identify, process, manage, evaluate, and monitor the procurement of consulting services that have been identified. The selection system is determined by the procuring agency and proposed in the procurement plan. Quality and cost - based selection (QCBS) is the default selection method by the Law. The QCBS procedures under the Procurement Law is similar to ADB procedures. Besides, single source or direct selection method is also applied, but only for small assignments below threshold (currently set at 500 million VND).

31. Negotiation on bid prices after opening of bids is not allowed. All bid prices offered must not be higher than the approved budget estimate. All bidders who offer bid prices higher than the approved budget estimate will automatically be rejected. This regulation is defined in the Procurement Law and EAs/ IAs must follow. The regulation of bid prices of the Procurement law is in conflict to the ADB's regulation on the rejection of bids which are only based on the

⁶ Preference has been indicated for NCB rather than ICB but this has yet to be resolved.

comparison between bid prices offered by bidder and the approved cost estimate (as per ADB's guidelines) which is not allowed. With reference projects implemented by DPs of FNEP within recent three years, the CSA finds that 100% of the awarded contract amounts are lower than the approved budget estimate. This is an important point in regard to assessing provincial level handling of procurement issues. It is recommended to EAs/ IAs that the Procurement Law provides specific provisions applied to foreign assisted projects and includes a provision that in case of any conflict among the procedures stipulated in the law and the development partner, the legal agreements and guidelines of the development partner shall prevail. This regulation allows the application of ADB's procedures as well as the usage of Standard Bidding Documents (SDBs) into the procurement activities implemented by FNEP.

32. The CSA also finds a concern about the use of standard Harmonization Bidding Document for procurement of goods and works in the projects financed by the World Bank and the Asian Development Bank from EAs/IAs. The main reason is that all the referenced bid contacts procured by EAs/ IAs following the Vietnam Procurement Law with the usage of Vietnam SDBs. It is recommended that the Vietnam Procurement Law also accepts using the harmonized Standard Bidding Documents (SBDs) which was effective from July 15, 2015. This issue can be solved by the support from Project Implementation Consultants and capacity building for EAs/IAs during project implementation.

33. An annual provincial project implementation plan and procurement plan are subject to approval by the EAs and the budget is sanctioned at the start of the fiscal year. Budget availability was confirmed prior to solicitation of procurements. The EC was under the head of IAs. The IAs through the EC identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval by the head of the IAs prior to its commencement. As the EC plays a very important roles and responsibilities in the procurement process, it is recommended to IAs to have due considerations during the selection of project personnel into the EC. The Vietnam Procurement Law requires qualifications and experience of EC members include: (i) Own a basic procurement training certificate issued by MPI (ii) Have relevant qualifications and at least 3 years' experience relates to his technical assignment in the EC and (iii) Have English language proficiency meet the bid's requirement. The requirements by Vietnam Procurement Law found almost similar to ADB's requirement for EC members. The CSA finds that 100% of the EC members involved in EAs/ IAs procurement process meet the requirements.

D. Effectiveness

34. The institutional arrangements are generally adequate in supporting the management of the procurement process, monitoring contractual performance and dealing with complaint resolution for the procurement of Goods, Works and consulting services. The IAs have their monitoring and reporting mechanism to administrate ongoing contracts, evaluate performance of contractor, and monitor payments. However, procurement practices in place do not include a process for non-judicial dispute resolution. There is a complaints resolution system in place, through the standard contract, which is used to support formal dispute resolution actions. All procurement decision processes and dispute resolution activities require documentation through minutes, which are archived in an official project file. EAs / IAs also has their own monitoring system for the bidding process and complaints management during bidding. It is recommended that non-judicial dispute resolution should be used.

E. Accountability Measures

35. Accountabilities and the allocation of responsibilities are clearly defined. All the EAs/IAs staff involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorized agencies and be accountable for their decisions. While all EC members must sign its declaration against any potential conflict of interest, have sufficient qualifications, and must remove themselves from the evaluation process if there is any unethical practice is found. Depending on level of unethical practice identified, the officials concerned can be charged pursuant to the procurement laws and its relating regulatory guideline. Risk assessment is Low.

36. There is an absence of internal audit within agencies but PMU through a hired external audit firm to conduct their annual project audit. MPI, State Audit and PPC through its missions only conduct an inspection and/or audit if there is a complaint about the procurement process conducted. Risk assessment is Low.

37. For procurement of works, current IA's staff proposed for PMU generally have knowledge and some experience with Government procedures as they are either acting as procurement appraisal agency in provinces for government procurement or involved in implementing projects funded by IFAD and JBIC. Some IA's staff has moderate English language proficiency as they either have a B.A in English language or attended oversea training courses, or might be appointed to involve in procurement process under the proposed ADB's project.

38. The Procurement Law and its regulatory guidelines also entail consultancy services regulations, which are mandatory for all the EAs/IAs to follow in the procurement of consultancy services. The implementing agencies plan adequate funds for the procurement every year in case the need arises to hire consultants/consulting firms for technical assistance in any of the required fields. Required services to be hired or procured, is done through open and competitive procedures. The procuring agency through a dedicated consultant evaluation committee (CEC) identify, process, manage, evaluate, and monitor the procurement of consulting services that have been identified. The selection system is determined by the procuring agency and proposed in the procurement plan. Quality and cost - based selection (QCBS) is the default selection method by the Law

39. The Procurement Law provides specific provisions applied to foreign assisted projects and includes a provision that in case of any conflict among the procedures stipulated in the law and the development partner, the legal agreements and guidelines of the development partner shall prevail. This regulation allows the application of ADB's procedures as well as the usage of Standard Bidding Documents (SDBs) into the procurement activities implemented by FNEP.

40. All the documents related to the procurement along with evaluation reports and signed contracts under relevant law are kept in safe custody for seven years after project completion for future inspection, audit, and institutional memory. Additionally, a copy of the original invitation document, bidding documents, winning bid or proposal, and contract administration papers are retained in a single contract file. Subsequent records related to running payments during execution of works and contractual communications are kept separately from the project implementing agency that is different from the team effecting procurement.

41. The Vietnam Procurement Law requires qualifications and experience of EC members include: (i) Own a basic procurement training certificate issued by MPI (ii) Have relevant

qualifications and at least three years' experience related to their technical assignment in the EC and (iii) Have English language proficiency which meets the bid's requirement. This requirement by Vietnam Procurement Law found almost similar to ADB's requirement for EC members. The CSA finds that 100% of the EC members involved in EAs/ IAs procurement process meets the requirements.

42. The institutional arrangements proposed are generally adequate in supporting the management of the procurement process, monitoring contractual performance and dealing with complaint resolution for the procurement of Goods, Works and consulting services. The IAs have their monitoring and reporting mechanism to administrate ongoing contracts, evaluate performance of contractor, and monitor payments. There is a complaints resolution system in place, through the standard contract, which is used to support formal dispute resolution actions. All procurement decision processes and dispute resolution activities require documentation through minutes, which are archived in an official project file. EAs / IAs also has their own monitoring system for the bidding process and complaints management during bidding.

43. Accountabilities and the allocation of responsibilities are clearly defined. All the EAs/ IAs staff involved in the procurement process is required to have certificate of completion of basic procurement training issued by MPI or its authorized agencies and accountable for their decisions. While all EC members must sign its declaration of any potential conflict of interest, have sufficient qualifications, and remove themselves from the evaluation process if there is any unethical practice is found. Depending on the level of unethical practice discovered, the officials concerned can be charged pursuant to the procurement laws and it's relating regulatory guideline.

F. Strengths

44. It is observed that comprehensive procurement records are kept and warranty periods are tracked at moderate satisfactory level. All the documents related to procurement along with evaluation reports and signed contracts are kept in safe custody for seven years after project completion for future inspection, audit, and institutional memory. Additionally, a copy of the original invitation document, bidding documents, winning bid or proposal, and contract administration papers are retained in a single contract file.

45. The Vietnam Procurement Law requires qualifications and experience of EC members include: (i) Own a basic procurement training certificate issued by MPI (ii) Have relevant qualifications and at least 3 - year experience relates to his technical assignment in the EC and (iii) Have English language proficiency meet the bid's requirement. The requirements by Vietnam Procurement Law found almost similar to ADB's requirement for EC members.

46. The date for opening of bids and the last date for the submission of bids is the same. Bids were opened at the time specified in the bidding documents. All bids were opened publicly in the presence of the bidders or their representatives who might choose to be present, at the time and place announced prior to the bidding. The procuring agency reads aloud the bid prices, including alternative bids, if any, and the presence or absence of the requisite bid security, validity of bids as well as the discount, if any, and records the minutes of the bid opening. All bidders in attendance signed an attendance sheet. All bids submitted after the time prescribed were rejected and returned without being opened.

47. The institutional arrangements are generally adequate in supporting the management of the procurement process, monitoring contractual performance and dealing with complaint resolution for the procurement of Goods, Works and consulting services.

48. Accountabilities and the allocation of responsibilities are clearly defined. All the EA/ IA staff involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorized agencies and be accountable for their decisions. While all EC members must sign its declaration against any potential conflict of interest, have sufficient qualifications, and must remove themselves from the evaluation process if there is any unethical practice is found.

G. Weaknesses

49. The actual candidates for each position in the PMU as per the requirement of Decree 16 remain uncertain.

50. IAs staff is lack of knowledge and experience of ADB procurement procedures.

51. There is no current specialized procurement training program for the procurement section staff (or who these would be), which is very important to enhance the effectiveness and efficiency in delivery of outputs. It is also necessary to determine who will be seconded from DPIs and who will be outside recruitments as soon as possible to ensure sufficient capacity to develop/ update the project procurement plans and the preparation and approval of documentation. It is recommended that the training on ADB's procurement procedures should be organized at the time of setting up PMUs.

52. Taking into account that the ADB and WB Harmonized Standard Bidding Documents are complicated documents and required a certain level of professional knowledge; it is observed from other projects, procurement personnel deal with difficulties during the bidding document preparation and bidding phases (i.e. they may not understand or incorrectly understood the implication of articles/ clauses as stated in the standard bidding documents). Training especially on the use of Standard Bidding Documents is extremely urgent for any procurement personnel in the project.

53. It is noted that PMU personnel in general have limited English language skills which may limit PMU in communicating with ADB and international consultant;

54. There is an absence of internal audit within agencies. MPI, State Audit and PPC through its missions only conduct an inspection and/or audit if there is a complaint about the procurement process conducted.

55. Previously road contractor has become bankrupt during a contract implementation period. Even though, there was only one isolated case where the contractor took on too much work, this highlights necessity of contractor screening.

V. PMU PROCUREMENT RISK ASSESSMENT

A. Ha Giang PMU

1. Overview

i. Organization and Staff Capacity

56. During the review of EA and IA, the actual candidates for each position in the PMU as per the requirement of Decree 16 remain uncertain.

57. Ha Giang DPI issued Decision No.10/QD-SKHDT dated 23 February 2016 for the establishment of PPTA PMU of Ha Giang. PPTA PMU (Implementing Agency) is under Ha Giang DPI. The PPTA PMU includes management titles in respond to functional divisions. All the management entitled personnel are from external economics division, DPI. Those PPTA personnel are planned to work in PMU once the project is approved by the Government and PMU is formed. But the final decision on the PMU's staffing has not been confirmed.

58. The CSA finds that those personnel have been involved in procurement to a limited degree but not always in regard to ADB procurement guidelines. Most have limited ODA project experience, though some either are trained with ADB and WB procedures or have moderate English language proficiency. Neither the procurement unit nor the evaluation committee is a separate structure but is part of the planning and evaluation department. But, IA confirms that they will appoint at least one fulltime government official to work on procurement once the ADB project started. Consequently, some trainings in ADB procurement guidelines not limited to PMUs but members of Bids Evaluation Committee who are participated in the evaluation of bids, personnel from relevant provincial agencies who will participate into the appraisal of procurement documents, evaluation reports etc... must be implemented in advance of/ or right after loan effectiveness to strengthen PMU capacity.

ii. Information Management

59. It is observed that comprehensive procurement records are kept and warranty periods are tracked at moderate satisfactory level. All the documents related to procurement along with evaluation reports and signed contracts are kept in safe custody for seven years after project completion for future inspection, audit, and institutional memory. Additionally, a copy of the original invitation document, bidding documents, winning bid or proposal, and contract administration papers are retained in a single contract file. However, subsequent records related to running payments during execution of works and contractual communications are kept separately by the project-implementing agency that is different from the team effecting procurement. The risk assessment is Moderate.

iii. Procurement Practices

60. Ha Giang has been IA for an IFAD project (2005 – 2012) but the project concluded three years ago. All personnel who worked for this project are mobilized by Ha Giang PPC for preparing the up coming phase of the same IFAD project which PPC acts as IA.

61. With reference from the above mentioned completed IFAD project (2005 – 2012), an annual provincial project implementation plan and procurement plan are subject to approval by the EA (Ha Giang PPC) and the budget is sanctioned at the start of the fiscal year. Budget

availability was confirmed prior to solicitation of procurements. The EC was under the head of IA (Ha Giang DPI). The IA through the EC identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval by the head of the IA prior to its commencement. As the EC plays a very important roles and responsibilities in the procurement process, it is recommended to IA to have due considerations during the selection of project personnel into the EC. The Vietnam Procurement Law requires qualifications and experience of EC members include: (i) Own a basic procurement training certificate issued by MPI (ii) Have relevant qualifications and at least 3 years' experience relates to his technical assignment in the EC and (iii) Have English language proficiency meet the bid's requirement. This requirements by Vietnam Procurement Law found almost similar to ADB's requirement for EC members. The CSA finds that 100% of the EC members involved in EAs/ IA procurement process meet the requirements. Risk assessment is Low.

62. There is already an awareness of PMU and EA that the ADB guidelines will be followed in full. Although there is a concern on the use of standard Harmonization Bidding Document, it can be solve by the support from Project Implementation Consultants and capacity building for EA/IA during project implementation. Risk assessment is Low.

63. Negotiation on bid prices after opening of bids is not allowed. All bid prices offered must not be higher than the approved budget estimate. All bidders who offer bid prices higher than the approved budget estimate will automatically be rejected. This regulation is defined in the Procurement Law and EA/ IA must follow. The regulation of bid prices of the Procurement law is in conflict to the ADB's regulation on the rejection of bids which are only based on the comparison between bid prices offered by bidder and the approved cost estimate (as per ADB's guidelines) which is not allowed. With reference project (IFAD) implemented by Ha Giang DPI (2005 – 2012), the CSA finds that 100% of the awarded contract amounts are lower than the approved budget estimate. This is an important point in regard to assessing provincial level handling of procurement issues. It is recommended to EA/ IA that the Procurement Law provides specific provisions applied to foreign assisted projects and includes a provision that in case of any conflict among the procedures stipulated in the law and the development partner, the legal agreements and guidelines of the development partner shall prevail. This regulation allows the application of ADB's procedures as well as the usage of Standard Bidding Documents (SDBs) into the procurement activities implemented by FNEP. Risk assessment is Low.

Procurement of Goods and Works:

64. With reference from the project (IFAD) previously implemented by DPI, technical specifications for construction works were prepared by a professional engineering expertise through an appropriate consultant selection process. However, this is not mandatory for preparation of technical specifications for popular goods. The Evaluation Committee (EC) was responsible for draft the procurement specifications. The preparation and finalization of the bidding documents and Invitation to bids were performed by the EC which included members of PMU.

65. All the procurement documents and technical specifications were subjected to be approved by head of PMU. This process was also applied to the Bid Evaluation Report, contract award and contract document.

66. Open competitive bidding with single stage – one envelop procedures was found. The NCB bidding document was adopted for all types of goods and works from 60,000 US dollars (IFAD). Bid validity prescribed was 180 days. Invitation to bid were published on both MPI's website: <http://muasamcong.mpi.gov.vn/> and Procurement Review newspaper for three consecutive days. The use of Government's standard Bidding documents (SBDs) was mandatory. Duration for preparation of bid were at least 20 days for NCB from the date of publication of advertisement or notice. All advertisements or notices expressly mention the response time allowed for that particular procurement along with the information for collection of bid documents, allowing sufficient time to complete and submit the bid by the deadline. The CSA finds duration for preparation of bid as per the Vietnam Procurement Law is shorter compared to ADB's procedures of 30 days for NCB from the date of publication of advertisement or notice.

67. The date for opening of bids and the last date for the submission of bids is the same. Bids were opened at the time specified in the bidding documents. All bids were opened publicly in the presence of the bidders or their representatives who might choose to be present, at the time and place announced prior to the bidding. The procuring agency reads aloud the bid prices, including alternative bids, if any, and the presence or absence of the requisite bid security, validity of bids as well as the discount, if any, and records the minutes of the bid opening. All bidders in attendance signed an attendance sheet. All bids submitted after the time prescribed were rejected and returned without being opened. The procedures for public opening of bids found similar to ADB's procedures that is to ensure the transparency during the procurement process.

Procurement of Consulting Services:

68. With reference from the project (IFAD) previously implemented by DPI, the CSA finds IA experience limited in selection of Individual consultant and consulting firm through direct contracting selection method. PMU followed Government procedures in the procurement of consultancy services. The implementing agencies plan adequate funds for the procurement every year in case the need arises to hire consultants/consulting firms for technical assistance in any of the required fields. Required services to be hired or procured, were done through open and competitive procedures. The PMU through a dedicated consultant evaluation committee (CEC) identify, process, manage, evaluate, and monitor the procurement of consulting services that have been identified. The selection system was determined by the PMU/ CEC and proposed in the procurement plan. Quality and cost - based selection (QCBS) were the default selection method by the Law. The QCBS procedures under the Procurement Law is similar to ADB procedures. Besides, single source or direct selection method was also found, but only for small assignments below threshold (set at 500 million VND).

iv. Effectiveness

69. The institutional arrangements are generally adequate in supporting the management of the procurement process, monitoring contractual performance and dealing with complaint resolution for the procurement of Goods, Works and consulting services. The IA have their monitoring and reporting mechanism to administrate ongoing contracts, evaluate performance of contractor, and monitor payments. However, procurement practices in place do not include a process for non-judicial dispute resolution. There is a complaints resolution system in place, through the standard contract, which is used to support formal dispute resolution actions. All procurement decision processes and dispute resolution activities require documentation through minutes, which are archived in an official project file. EA / IA also has their own monitoring

system for the bidding process and complaints management during bidding. It is recommended that non-judicial dispute resolution should be used. Risk assessment is Low.

v. Accountability Measures

70. Accountabilities and the allocation of responsibilities are clearly defined. All the EA/ IA staff involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorized agencies and be accountable for their decisions. While all EC members must sign it's declaration against any potential conflict of interest, have sufficient qualifications, and must remove themselves from the evaluation process if there is any unethical practice is found. Depending on level of unethical practice identified, the officials concerned can be charged pursuant to the procurement laws and it's relating regulatory guideline. Risk assessment is Low.

71. There is an absence of internal audit within agencies but PMU through a hired external audit firm to conduct their annual project audit. MPI, State Audit and PPC through its missions only conduct an inspection and/or audit if there is a complaint about the procurement process conducted. Risk assessment is Low.

2. Strengths

72. It is observed that comprehensive procurement records are kept and warranty periods are tracked at moderate satisfactory level. All the documents related to procurement along with evaluation reports and signed contracts are kept in safe custody for seven years after project completion for future inspection, audit, and institutional memory. Additionally, a copy of the original invitation document, bidding documents, winning bid or proposal, and contract administration papers are retained in a single contract file.

73. The Vietnam Procurement Law requires qualifications and experience of EC members include: (i) Own a basic procurement training certificate issued by MPI (ii) Have relevant qualifications and at least 3 years' experience relates to his technical assignment in the EC and (iii) Have English language proficiency meet the bid's requirement. This requirements by Vietnam Procurement Law found almost similar to ADB's requirement for EC members.

74. The date for opening of bids and the last date for the submission of bids is the same. Bids were opened at the time specified in the bidding documents. All bids were opened publicly in the presence of the bidders or their representatives who might choose to be present, at the time and place announced prior to the bidding. The procuring agency reads aloud the bid prices, including alternative bids, if any, and the presence or absence of the requisite bid security, validity of bids as well as the discount, if any, and records the minutes of the bid opening. All bidders in attendance signed an attendance sheet. All bids submitted after the time prescribed were rejected and returned without being opened.

75. The institutional arrangements are generally adequate in supporting the management of the procurement process, monitoring contractual performance and dealing with complaint resolution for the procurement of Goods, Works and consulting services.

76. Accountabilities and the allocation of responsibilities are clearly defined. All the EA/ IA staff involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorized agencies and be accountable for their decisions. While all EC members must sign it's declaration against any potential conflict of

interest, have sufficient qualifications, and must remove themselves from the evaluation process if there is any unethical practice is found.

3. Weaknesses

77. The actual candidates for each position in the PMU as per the requirement of Decree 16 remain uncertain.

78. IA staff is lack of knowledge and experience of ADB procurement procedures.

79. There is no current specialized procurement training program for the procurement section staff (or who these would be), which is very important to enhance the effectiveness and efficiency in delivery of outputs. It is also necessary to determine who will be seconded from DPI and who will be outside recruitments as soon as possible to ensure sufficient capacity to develop/ update the project procurement plans and the preparation and approval of documentation. It is recommended that the training on ADB's procurement procedures should be organized at the time of setting up PMUs

80. Taking into account that the ADB and WB Harmonized Standard Bidding Documents are complicated documents and required a certain level of professional knowledge; it is observed from other projects, procurement personnel deal with difficulties during the bidding document preparation and bidding phases (i.e. they may not understand or incorrectly understood the implication of articles/ clauses as stated in the standard bidding documents). Training especially on the use of Standard Bidding Documents is extremely urgent for any procurement personnel in the project.

81. There is an absence of internal audit within the agency. MPI, State Audit and PPC through its missions only conduct an inspection and/or audit if there is a complaint about the procurement process conducted.

82. It is noted that PMU personnel in general have limited English language skills which may limit PMU in communicating with ADB and international consultant;

B. Cao Bang PMU

1. Overview

i. Organization and Staff Capacity

83. During the review of EA and IA, the actual candidates for each position in the PMU as per the requirement of Decree 16 remain uncertain.

84. The Cao Bang People's Committee (as Executing Agency) had issued a decision No.1576/QD-UBND dated 1 September 2015 to form a professional ODA project management unit (PMU) under DPI (Implementing Agency) that will provide the project management and administration services as described in Article 43 – Decree 16 under the framework outlined in Decree 59. The PMU includes functional divisions and staffed with personnel from external economics division, DPI. But the final decision on the PMU's staffing, when the project is approved by the Government, has not been confirmed.

85. The CSA finds that those personnel have been involved in procurement to a limited degree but not always in regard to ADB procurement guidelines. Most of them are less ODA project experience, though some have experience in acting in a procurement appraisal agency in the province or involved in implementing projects funded by IFAD of which financing agreement accepts the usage of Vietnam Government Law and standard documents in the procurement process. IA personnel have weak to almost no English language proficiency. Neither the procurement unit nor the evaluation committee is found in the personnel structure. But, IA confirms that they will appoint at least one fulltime government official to work on procurement once the ADB project started. Consequently, some trainings in ADB procurement guidelines not limited to PMU but members of Bids Evaluation Committee who are participated in the evaluation of bids, personnel from relevant provincial agencies who will participate into the appraisal of procurement documents, evaluation reports etc... must be implemented in advance of/ or right after loan effectiveness to strengthen PMU capacity.

ii. Information Management

86. It is observed that comprehensive procurement records are kept and warranty periods are tracked at moderate satisfactory level. All the documents related to procurement along with evaluation reports and signed contracts are kept in safe custody for seven years after project completion for future inspection, audit, and institutional memory. Additionally, a copy of the original invitation document, bidding documents, winning bid or proposal, and contract administration papers are retained in a single contract file. However, subsequent records related to running payments during execution of works and contractual communications are kept separately by the project-implementing agency that is different from the team effecting procurement. The risk assessment is Moderate.

iii. Procurement Practices

87. Cao Bang has experience in implementing an IFAD project (2010 – 2014) which is within three years from the time of assessment. And Cao Bang is also preparing for the up coming phase of the same IFAD project.

88. With reference from the above mentioned IFAD project (2010 – 2014), an annual provincial project implementation plan and procurement plan are subject to approval by the EA and the budget was sanctioned at the start of the fiscal year. Budget availability was confirmed prior to solicitation of procurements. The EC was under the head of IA. The IA through the EC identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval by the head of the IA prior to its commencement. As the EC plays a very important roles and responsibilities in the procurement process, it is recommended to IA to have due considerations during the selection of project personnel into the EC. The Vietnam Procurement Law requires qualifications and experience of EC members include: (i) Own a basic procurement training certificate issued by MPI (ii) Have relevant qualifications and at least 3 years' experience relates to his technical assignment in the EC and (iii) Have English language proficiency meet the bid's requirement. This requirements by Vietnam Procurement Law found almost similar to ADB's requirement for EC members. The CSA finds that 100% of the EC members involved in EA/ IA procurement process meet the requirements. Risk assessment is Low.

89. There is already an awareness of PMU and EA that the ADB guidelines will be followed in full. Although there is a concern on the use of standard Harmonization Bidding Document, it

can be solve by the support from Project Implementation Consultants and capacity building for EA/IA during project implementation. Risk assessment is Low.

90. Negotiation on bid prices after opening of bids is not allowed. All bid prices offered must not be higher than the approved budget estimate. All bidders who offer bid prices higher than the approved budget estimate will automatically be rejected. This regulation is defined in the Procurement Law and EA/ IA must follow. The regulation of bid prices of the Procurement law is in conflict to the ADB's regulation on the rejection of bids which are only based on the comparison between bid prices offered by bidder and the approved cost estimate (as per ADB's guidelines) which is not allowed. With reference project (IFAD) implemented by Cao Bang DPI (2010 – 2014), the CSA finds that 100% of the awarded contract amounts are lower than the approved budget estimate. This is an important point in regard to assessing provincial level handling of procurement issues. It is recommended to EA/ IA that the Procurement Law provides specific provisions applied to foreign assisted projects and includes a provision that in case of any conflict among the procedures stipulated in the law and the development partner, the legal agreements and guidelines of the development partner shall prevail. This regulation allows the application of ADB's procedures as well as the usage of Standard Bidding Documents (SDBs) into the procurement activities implemented by FNEP. Risk assessment is Low.

Procurement of Goods and Works:

91. With reference from the project (IFAD) previously implemented by DPI, technical specifications for construction works were prepared by a professional engineering expertise through an appropriate consultant selection process. However, this is not mandatory for preparation of technical specifications for popular goods. The EC was responsible for draft the procurement specifications. The preparation and finalization of the bidding documents and Invitation to bids were performed by the EC which included members of PMU.

92. All the procurement documents and technical specifications were subjected to be approved by head of PMU. This process was also applied to the Bid Evaluation Report, contract award and contract document.

93. Open competitive bidding with single stage – one envelop procedures is found. The NCB bidding document was adopted for all types of goods and works from 60,000 US dollars (IFAD). Bid validity prescribed was 180 days. Invitation to bid were published on both MPI's website: <http://muasamcong.mpi.gov.vn/> and Procurement Review newspaper for three consecutive days. The use of Government's standard Bidding documents (SDBs) was mandatory. Duration for preparation of bid were at least 20 days for NCB from the date of publication of advertisement or notice. All advertisements or notices expressly mention the response time allowed for that particular procurement along with the information for collection of bid documents, allowing sufficient time to complete and submit the bid by the deadline. The CSA finds duration for preparation of bid as per the Vietnam Procurement Law is shorter compared to ADB's procedures of 30 days for NCB from the date of publication of advertisement or notice.

94. The date for opening of bids and the last date for the submission of bids is the same. Bids were opened at the time specified in the bidding documents. All bids were opened publicly in the presence of the bidders or their representatives who might choose to be present, at the time and place announced prior to the bidding. The procuring agency reads aloud the bid prices, including alternative bids, if any, and the presence or absence of the requisite bid security,

validity of bids as well as the discount, if any, and records the minutes of the bid opening. All bidders in attendance signed an attendance sheet. All bids submitted after the time prescribed were rejected and returned without being opened. The procedures for public opening of bids found similar to ADB's procedures that is to ensure the transparency during the procurement process.

Procurement of Consulting Services

95. With reference from the project (IFAD) previously implemented by DPI, the CSA finds IA experience in selection of Individual consultant and consulting firm through QCBS selection method. PMU follows Government procedures in the procurement of consultancy services. The implementing agencies plan adequate funds for the procurement every year in case the need arises to hire consultants/consulting firms for technical assistance in any of the required fields. Required services to be hired or procured, were done through open and competitive procedures. The PMU through a dedicated consultant evaluation committee (CEC) identify, process, manage, evaluate, and monitor the procurement of consulting services that have been identified. The selection system was determined by the PMU/ CEC and proposed in the procurement plan. Quality and cost - based selection (QCBS) were the default selection method by the Law. The QCBS procedures under the Procurement Law is similar to ADB procedures. Besides, single source or direct selection method was also found, but only for small assignments below threshold (set at 500 million VND).

iv. Effectiveness

96. The institutional arrangements are generally adequate in supporting the management of the procurement process, monitoring contractual performance and dealing with complaint resolution for the procurement of Goods, Works and consulting services. The IA have their monitoring and reporting mechanism to administrate ongoing contracts, evaluate performance of contractor, and monitor payments. However, procurement practices in place do not include a process for non-judicial dispute resolution. There is a complaints resolution system in place, through the standard contract, which is used to support formal dispute resolution actions. All procurement decision processes and dispute resolution activities require documentation through minutes, which are archived in an official project file. EA / IA also has their own monitoring system for the bidding process and complaints management during bidding. It is recommended that non-judicial dispute resolution should be used. Risk assessment is Low.

v. Accountability Measures

97. Accountabilities and the allocation of responsibilities are clearly defined. All the EA/ IA staff involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorized agencies and be accountable for their decisions. While all EC members must sign it's declaration against any potential conflict of interest, have sufficient qualifications, and must remove themselves from the evaluation process if there is any unethical practice is found. Depending on level of unethical practice identified, the officials concerned can be charged pursuant to the procurement laws and it's relating regulatory guideline. Risk assessment is Low.

98. There is an absence of internal audit within agencies but PMU through a hired external audit firm to conduct their annual project audit. MPI, State Audit and PPC through its missions only conduct an inspection and/or audit if there is a complaint about the procurement process conducted. Risk assessment is Low.

2. Strengths

99. It is observed that comprehensive procurement records are kept and warranty periods are tracked at moderate satisfactory level. All the documents related to procurement along with evaluation reports and signed contracts are kept in safe custody for seven years after project completion for future inspection, audit, and institutional memory. Additionally, a copy of the original invitation document, bidding documents, winning bid or proposal, and contract administration papers are retained in a single contract file.

100. The Vietnam Procurement Law requires qualifications and experience of EC members include: (i) Own a basic procurement training certificate issued by MPI (ii) Have relevant qualifications and at least 3 years' experience relates to his technical assignment in the EC and (iii) Have English language proficiency meet the bid's requirement. This requirements by Vietnam Procurement Law found almost similar to ADB's requirement for EC members.

101. The date for opening of bids and the last date for the submission of bids is the same. Bids were opened at the time specified in the bidding documents. All bids were opened publicly in the presence of the bidders or their representatives who might choose to be present, at the time and place announced prior to the bidding. The procuring agency reads aloud the bid prices, including alternative bids, if any, and the presence or absence of the requisite bid security, validity of bids as well as the discount, if any, and records the minutes of the bid opening. All bidders in attendance signed an attendance sheet. All bids submitted after the time prescribed were rejected and returned without being opened.

102. The institutional arrangements are generally adequate in supporting the management of the procurement process, monitoring contractual performance and dealing with complaint resolution for the procurement of Goods, Works and consulting services.

103. Accountabilities and the allocation of responsibilities are clearly defined. All the EA/ IA staff involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorized agencies and be accountable for their decisions. While all EC members must sign its declaration against any potential conflict of interest, have sufficient qualifications, and must remove themselves from the evaluation process if there is any unethical practice is found.

3. Weaknesses

104. The actual candidates for each position in the PMU as per the requirement of Decree 16 remain uncertain.

105. IA staff is lack of knowledge and experience of ADB procurement procedures.

106. There is no current specialized procurement training program for the procurement section staff (or who these would be), which is very important to enhance the effectiveness and efficiency in delivery of outputs. It is also necessary to determine who will be seconded from DPIs and who will be outside recruitments as soon as possible to ensure sufficient capacity to develop/ update the project procurement plans and the preparation and approval of documentation. It is recommended that the training on ADB's procurement procedures should be organized at the time of setting up PMU.

107. Taking into account that the ADB and WB Harmonized Standard Bidding Documents are complicated documents and required a certain level of professional knowledge; it is observed from other projects, procurement personnel deal with difficulties during the bidding document preparation and bidding phases (i.e. they may not understand or incorrectly understood the implication of articles/ clauses as stated in the standard bidding documents). Training especially on the use of Standard Bidding Documents is extremely urgent for any procurement personnel in the project.

108. There is an absence of internal audit within the agency. MPI, State Audit and PPC through its missions only conduct an inspection and/or audit if there is a complaint about the procurement process conducted.

109. It is noted that PMU personnel in general have weak English language skills which may limit PMU in communicating with ADB and international consultant;

C. Lang Son PMU

1. Overview

i. Organization and Staff Capacity

110. During the review of EA and IA, the actual candidates for each position in the PMU as per the requirement of Decree 16 remain uncertain.

111. The Lang Son People's Committee (as Executing Agency) had issued a decision No.1576/QD-UBND dated 1 September 2015 to form a professional ODA project management unit (PMU) under DPI (Implementing Agency) that will provide the project management and administration services as described in Article 43 – Decree 16 under the framework outlined in Decree 59. The PMU includes functional divisions and staffed with personnel from external economics division, DPI. But the final decision on the PMU's staffing, when the project is approved by the Government, has not been confirmed.

112. The CSA finds that those personnel have been involved in procurement to a limited degree but not always in regard to ADB procurement guidelines. Most of them are less ODA project experience, though some have experience in acting in a procurement appraisal agency in the province or involved in implementing projects funded by JBIC of which financing agreement accepts the usage of Vietnam Government Law and standard documents in the procurement process. IA personnel have weak English language proficiency. Neither the procurement unit nor the evaluation committee is found in the personnel structure. But, IA confirms that they will appoint at least one fulltime government official to work on procurement once the ADB project started. Consequently, some trainings in ADB procurement guidelines not limited to PMU but members of Bids Evaluation Committee who are participated in the evaluation of bids, personnel from relevant provincial agencies who will participate into the appraisal of procurement documents, evaluation reports etc... must be implemented in advance of/ or right after loan effectiveness to strengthen PMU capacity.

ii. Information Management

113. It is observed that comprehensive procurement records are kept and warranty periods are tracked at moderate satisfactory level. All the documents related to procurement along with evaluation reports and signed contracts are kept in safe custody for seven years after

project completion for future inspection, audit, and institutional memory. Additionally, a copy of the original invitation document, bidding documents, winning bid or proposal, and contract administration papers are retained in a single contract file. However, subsequent records related to running payments during execution of works and contractual communications are kept separately by the project-implementing agency that is different from the team effecting procurement. The risk assessment is Moderate.

iii. Procurement Practices

114. Lang Son has no experience in implementing any ODA project within the three recent years. Even there was a referenced JBIC project (2003 – 2007) implemented by Lang Son DPI but the project already completed beyond almost eight years.

115. With reference from Government funded project, an annual provincial project implementation plan and procurement plan are subject to approval by the EA and the budget was sanctioned at the start of the fiscal year. Budget availability was confirmed prior to solicitation of procurements. The EC was under the head of IA. The IA through the EC identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval by the head of the IA prior to its commencement. As the EC plays a very important roles and responsibilities in the procurement process, it is recommended to IA to have due considerations during the selection of project personnel into the EC. The Vietnam Procurement Law requires qualifications and experience of EC members include: (i) Own a basic procurement training certificate issued by MPI (ii) Have relevant qualifications and at least 3 years' experience relates to his technical assignment in the EC and (iii) Have English language proficiency meet the bid's requirement. This requirements by Vietnam Procurement Law found almost similar to ADB's requirement for EC members. The CSA finds that 100% of the EC members involved in EA/ IA procurement process meet the requirements. Risk assessment is Low.

116. There is already an awareness of PMU and EA that the ADB guidelines will be followed in full. Although there is a concern on the use of standard Harmonization Bidding Document, it can be solve by the support from Project Implementation Consultants and capacity building for EA/IA during project implementation. Risk assessment is Low.

117. Negotiation on bid prices after opening of bids is not allowed. All bid prices offered must not be higher than the approved budget estimate. All bidders who offer bid prices higher than the approved budget estimate will automatically be rejected. This regulation is defined in the Procurement Law and EA/ IA must follow. The regulation of bid prices of the Procurement law is in conflict to the ADB's regulation on the rejection of bids which are only based on the comparison between bid prices offered by bidder and the approved cost estimate (as per ADB's guidelines) which is not allowed. With reference Government funded project implemented by Lang Son DPI, the CSA finds that 100% of the awarded contract amounts are lower than the approved budget estimate. This is an important point in regard to assessing provincial level handling of procurement issues. It is recommended to EA/ IA that the Procurement Law provides specific provisions applied to foreign assisted projects and includes a provision that in case of any conflict among the procedures stipulated in the law and the development partner, the legal agreements and guidelines of the development partner shall prevail. This regulation allows the application of ADB's procedures as well as the usage of Standard Bidding Documents (SDBs) into the procurement activities implemented by FNEP. Risk assessment is Low.

Procurement of Goods and Works:

118. With reference from the Government funded project previously implemented by Lang Son DPI, technical specifications for construction works were prepared by a professional engineering expertise through an appropriate consultant selection process. However, this is not mandatory for preparation of technical specifications for popular goods. The EC was responsible for draft the procurement specifications. The preparation and finalization of the bidding documents and Invitation to bids were performed by the EC which included members of PMU.

119. All the procurement documents and technical specifications were subjected to be approved by head of agency. This process was also applied to the Bid Evaluation Report, contract award and contract document.

120. No referenced ODA projects within the three recent years are found. From the referenced Government projects implemented by DPI, Open competitive bidding with single stage – one envelop procedures is found. The NCB bidding document was adopted for all types of goods and works from one billion Vietnam dong. Bid validity prescribed was 90 days. Invitation to bid were published on both MPI's website: <http://muasamcong.mpi.gov.vn/> and Procurement Review newspaper for three consecutive days. The use of Government's standard Bidding documents (SBDs) was mandatory. Duration for preparation of bid were at least 15 days for NCB from the date of publication of advertisement or notice. All advertisements or notices expressly mention the response time allowed for that particular procurement along with the information for collection of bid documents, allowing sufficient time to complete and submit the bid by the deadline. The CSA finds duration for preparation of bid as per the Vietnam Procurement Law is shorter compared to ADB's procedures of 30 days for NCB from the date of publication of advertisement or notice.

121. The date for opening of bids and the last date for the submission of bids is the same. Bids were opened at the time specified in the bidding documents. All bids were opened publicly in the presence of the bidders or their representatives who might choose to be present, at the time and place announced prior to the bidding. The procuring agency reads aloud the bid prices, including alternative bids, if any, and the presence or absence of the requisite bid security, validity of bids as well as the discount, if any, and records the minutes of the bid opening. All bidders in attendance signed an attendance sheet. All bids submitted after the time prescribed were rejected and returned without being opened. The procedures for public opening of bids found similar to ADB's procedures that is to ensure the transparency during the procurement process.

Procurement of Consulting Services:

122. With reference from the Government funded projects previously implemented by DPI, the CSA finds IA experience limited in selection of Individual consultant and consulting firm through direct contracting selection method. PMU strictly follows Government procedures in the procurement of consultancy services. The implementing agencies plan adequate funds for the procurement every year in case the need arises to hire consultants/consulting firms for technical assistance in any of the required fields. Required services to be hired or procured, were done through open and competitive procedures. The PMU through a dedicated consultant evaluation committee (CEC) identify, process, manage, evaluate, and monitor the procurement of consulting services that have been identified. The selection system was determined by the PMU/ CEC and proposed in the procurement plan. Quality and cost - based selection (QCBS)

were the default selection method by the Law. The QCBS procedures under the Procurement Law is similar to ADB procedures. Besides, single source or direct selection method was also found, but only for small assignments below threshold (set at 500 million VND).

iv. Effectiveness

123. The institutional arrangements are generally adequate in supporting the management of the procurement process, monitoring contractual performance and dealing with complaint resolution for the procurement of Goods, Works and consulting services. The IA have their monitoring and reporting mechanism to administrate ongoing contracts, evaluate performance of contractor, and monitor payments. However, procurement practices in place do not include a process for non-judicial dispute resolution. There is a complaints resolution system in place, through the standard contract, which is used to support formal dispute resolution actions. All procurement decision processes and dispute resolution activities require documentation through minutes, which are archived in an official project file. EA / IA also has their own monitoring system for the bidding process and complaints management during bidding. It is recommended that non-judicial dispute resolution should be used. Risk assessment is Low.

v. Accountability Measures

124. Accountabilities and the allocation of responsibilities are clearly defined. All the EA/ IA staff involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorized agencies and be accountable for their decisions. While all EC members must sign it's declaration against any potential conflict of interest, have sufficient qualifications, and must remove themselves from the evaluation process if there is any unethical practice is found. Depending on level of unethical practice identified, the officials concerned can be charged pursuant to the procurement laws and it's relating regulatory guideline. Risk assessment is Low.

125. There is an absence of internal audit within agencies but PMU through a hired external audit firm to conduct their annual project audit. MPI, State Audit and PPC through its missions only conduct an inspection and/or audit if there is a complaint about the procurement process conducted. Risk assessment is Low.

2. Strengths

126. It is observed that comprehensive procurement records are kept and warranty periods are tracked at moderate satisfactory level. All the documents related to procurement along with evaluation reports and signed contracts are kept in safe custody for seven years after project completion for future inspection, audit, and institutional memory. Additionally, a copy of the original invitation document, bidding documents, winning bid or proposal, and contract administration papers are retained in a single contract file.

127. The Vietnam Procurement Law requires qualifications and experience of EC members include: (i) Own a basic procurement training certificate issued by MPI (ii) Have relevant qualifications and at least 3 years' experience relates to his technical assignment in the EC and (iii) Have English language proficiency meet the bid's requirement. These requirements by Vietnam Procurement Law found almost similar to ADB's requirement for EC members.

128. The date for opening of bids and the last date for the submission of bids is the same. Bids were opened at the time specified in the bidding documents. All bids were opened publicly

in the presence of the bidders or their representatives who might choose to be present, at the time and place announced prior to the bidding. The procuring agency reads aloud the bid prices, including alternative bids, if any, and the presence or absence of the requisite bid security, validity of bids as well as the discount, if any, and records the minutes of the bid opening. All bidders in attendance signed an attendance sheet. All bids submitted after the time prescribed were rejected and returned without being opened.

129. The institutional arrangements are generally adequate in supporting the management of the procurement process, monitoring contractual performance and dealing with complaint resolution for the procurement of Goods, Works and consulting services.

130. Accountabilities and the allocation of responsibilities are clearly defined. All the EA/ IA staff involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorized agencies and be accountable for their decisions. While all EC members must sign its declaration against any potential conflict of interest, have sufficient qualifications, and must remove themselves from the evaluation process if there is any unethical practice is found.

3. Weaknesses

131. The actual candidates for each position in the PMU as per the requirement of Decree 16 remain uncertain.

132. IA staff is lack of knowledge and experience of ADB procurement procedures.

133. There is no current specialized procurement training program for the procurement section staff (or who these would be), which is very important to enhance the effectiveness and efficiency in delivery of outputs. It is also necessary to determine who will be seconded from DPis and who will be outside recruitments as soon as possible to ensure sufficient capacity to develop/ update the project procurement plans and the preparation and approval of documentation. It is recommended that the training on ADB's procurement procedures should be organized at the time of setting up PMU.

134. Taking into account that the ADB and WB Harmonized Standard Bidding Documents are complicated documents and required a certain level of professional knowledge; it is observed from other projects, procurement personnel deal with difficulties during the bidding document preparation and bidding phases (i.e. they may not understand or incorrectly understood the implication of articles/ clauses as stated in the standard bidding documents). Training especially on the use of Standard Bidding Documents is extremely urgent for any procurement personnel in the project.

135. There is an absence of internal audit within the agency. MPI, State Audit and PPC through its missions only conduct an inspection and/or audit if there is a complaint about the procurement process conducted.

136. It is noted that PMU personnel in general have weak English language skills which may limit PMU in communicating with ADB and international consultant;

D. Bac Kan PMU

1. Overview

i. Organization and Staff Capacity

137. During the review of EA and IA, the actual candidates for each position in the PMU as per the requirement of Decree 16 remain uncertain.

138. Bac Kan People's Committee issued Decision No.2439/QD-UBND dated 29 December 2014, Decision No.497/QD-UBND dated 7 April 2016 and Decision No.1183/QD-UBND dated 29 July 2016 for the establishment and supplemental of additional functions of respective departments of Bac Kan Construction Investment PMU. The PMU (Implementing Agency) is under PPC of Bac Kan. The PMU management includes: 03 respective Project Departments: Project Department 1 & 2 and Planning and Technical Department. Total number of PMU's officials is of 60 people. But the final decision on the PMU's staffing once the project is approved by the Government has not been confirmed.

139. The CSA finds that personnel have been involved in procurement to a limited degree but not always in regard to ADB procurement guidelines. Even, the PMU has experience in implemented an ADB project but they did not play the role of IA in procurement decision making as the procurement was undertaken by Line Ministries. Some PMU personnel are either trained with ADB/WB procedures or have moderate English language proficiency.

140. Neither the procurement unit nor the evaluation committee is found in the personnel structure. But, IA confirms that they will appoint at least one fulltime government official to work on procurement once the ADB project started. Consequently, some trainings in ADB procurement guidelines not limited to PMUs but members of Bids Evaluation Committee who are participated in the evaluation of bids, personnel from relevant provincial agencies who will participate into the appraisal of procurement documents, evaluation reports etc must be implemented in advance of/ or right after loan effectiveness to strengthen PMU capacity.

ii. Information Management

141. It is observed that comprehensive procurement records are kept and warranty periods are tracked at moderate satisfactory level. All the documents related to procurement along with evaluation reports and signed contracts are kept in safe custody for seven years after project completion for future inspection, audit, and institutional memory. Additionally, a copy of the original invitation document, bidding documents, winning bid or proposal, and contract administration papers are retained in a single contract file. However, subsequent records related to running payments during execution of works and contractual communications are kept separately by the project-implementing agency that is different from the team effecting procurement. The risk assessment is Moderate.

iii. Procurement Practices

142. Bac Kan has experience in implementing two ODA projects in the three recent years including: an on-going project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed IFAD project (2011 – 2014).

143. With reference from the two above mentioned projects, an annual provincial project implementation plan and procurement plan are subject to approval by the EA and the budget was sanctioned at the start of the fiscal year. Budget availability was confirmed prior to solicitation of procurements. The EC was under the head of IA. The IA through the EC identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval by the head of the IA prior to its commencement. As the EC plays a very important roles and responsibilities in the procurement process, it is recommended to IA to have due considerations during the selection of project personnel into the EC. The Vietnam Procurement Law requires qualifications and experience of EC members include: (i) Own a basic procurement training certificate issued by MPI (ii) Have relevant qualifications and at least 3 years' experience relates to his technical assignment in the EC and (iii) Have English language proficiency meet the bid's requirement. These requirements by Vietnam Procurement Law found almost similar to ADB's requirement for EC members. The CSA finds that 100% of the EC members involved in EAs/ IA procurement process meet the requirements. Risk assessment is Low.

144. There is already an awareness of PMU and EA that the ADB guidelines will be followed in full. Although there is a concern on the use of standard Harmonization Bidding Document, it can be solved by the support from Project Implementation Consultants and capacity building for EA/IA during project implementation. Risk assessment is Low.

145. Negotiation on bid prices after opening of bids is not allowed. All bid prices offered must not be higher than the approved budget estimate. All bidders who offer bid prices higher than the approved budget estimate will automatically be rejected. This regulation is defined in the Procurement Law and EA/ IA must follow. The regulation of bid prices of the Procurement law is in conflict to the ADB's regulation on the rejection of bids which are only based on the comparison between bid prices offered by bidder and the approved cost estimate (as per ADB's guidelines) which is not allowed. With reference project (IFAD) implemented by Ha Giang DPI (2005 – 2012), the CSA finds that 100% of the awarded contract amounts are lower than the approved budget estimate. This is an important point in regard to assessing provincial level handling of procurement issues. It is recommended to EA/ IA that the Procurement Law provides specific provisions applied to foreign assisted projects and includes a provision that in case of any conflict among the procedures stipulated in the law and the development partner, the legal agreements and guidelines of the development partner shall prevail. This regulation allows the application of ADB's procedures as well as the usage of Standard Bidding Documents (SDBs) into the procurement activities implemented by FNEP. Risk assessment is Low.

Procurement of Goods and Works:

146. Reference from an on-going project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014) implemented by DPI, technical specifications for construction works were prepared by a professional engineering expertise through an appropriate consultant selection process. However, this is not mandatory for preparation of technical specifications for popular goods. The Evaluation Committee (EC) was responsible for draft the procurement specifications. The preparation and finalization of the bidding documents and Invitation to bids were performed by the EC which included members of PMU.

147. All the procurement documents and technical specifications were subjected to be approved by head of PMU. This process was also applied to the Bid Evaluation Report, contract award and contract document.

148. Open competitive bidding with single stage – one envelop procedures is found. The NCB bidding document was adopted for all types of goods and works from 60,000 US dollars (IFAD) and two billion Vietnam Dong (Saudi Development Fund). Bid validity prescribed was 180 days. Invitation to bid were published on both MPI's website: <http://muasamcong.mpi.gov.vn/> and Procurement Review newspaper for three consecutive days. The use of Government's standard Bidding documents (SBDs) was mandatory. Duration for preparation of bid were at least 20 days for NCB from the date of publication of advertisement or notice. All advertisements or notices expressly mention the response time allowed for that particular procurement along with the information for collection of bid documents, allowing sufficient time to complete and submit the bid by the deadline. The CSA finds duration for preparation of bid as per the Vietnam Procurement Law is shorter compared to ADB's procedures of 30 days for NCB from the date of publication of advertisement or notice.

149. The date for opening of bids and the last date for the submission of bids is the same. Bids were opened at the time specified in the bidding documents. All bids were opened publicly in the presence of the bidders or their representatives who might choose to be present, at the time and place announced prior to the bidding. The procuring agency reads aloud the bid prices, including alternative bids, if any, and the presence or absence of the requisite bid security, validity of bids as well as the discount, if any, and records the minutes of the bid opening. All bidders in attendance signed an attendance sheet. All bids submitted after the time prescribed were rejected and returned without being opened. The procedures for public opening of bids found similar to ADB's procedures that is to ensure the transparency during the procurement process.

Procurement of Consulting Services:

150. With reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014) implemented by DPI, the CSA finds IA experience in selection of Individual consultant and consulting firm through QCBS selection method. PMU follows Government procedures in the procurement of consultancy services. The implementing agencies plan adequate funds for the procurement every year in case the need arises to hire consultants/consulting firms for technical assistance in any of the required fields. Required services to be hired or procured, were done through open and competitive procedures. The PMU through a dedicated consultant evaluation committee (CEC) identify, process, manage, evaluate, and monitor the procurement of consulting services that have been identified. The selection system was determined by the PMU/ CEC and proposed in the procurement plan. Quality and cost - based selection (QCBS) were the default selection method by the Law. The QCBS procedures under the Procurement Law is similar to ADB procedures. Besides, single source or direct selection method was also found, but only for small assignments below threshold (set at 500 million VND).

iv. Effectiveness

151. The institutional arrangements are generally adequate in supporting the management of the procurement process, monitoring contractual performance and dealing with complaint resolution for the procurement of Goods, Works and consulting services. The IA have their

monitoring and reporting mechanism to administrate ongoing contracts, evaluate performance of contractor, and monitor payments. However, procurement practices in place do not include a process for non-judicial dispute resolution. There is a complaints resolution system in place, through the standard contract, which is used to support formal dispute resolution actions. All procurement decision processes and dispute resolution activities require documentation through minutes, which are archived in an official project file. EA / IA also has their own monitoring system for the bidding process and complaints management during bidding. It is recommended that non-judicial dispute resolution should be used. Risk assessment is Low.

v. Accountability Measures

152. Accountabilities and the allocation of responsibilities are clearly defined. All the EA/ IA staff involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorized agencies and be accountable for their decisions. While all EC members must sign its declaration against any potential conflict of interest, have sufficient qualifications, and must remove themselves from the evaluation process if there is any unethical practice is found. Depending on level of unethical practice identified, the officials concerned can be charged pursuant to the procurement laws and it's relating regulatory guideline. Risk assessment is Low.

153. There is an absence of internal audit within agencies but PMU through a hired external audit firm to conduct their annual project audit. MPI, State Audit and PPC through its missions only conduct an inspection and/or audit if there is a complaint about the procurement process conducted. Risk assessment is Low.

2. Strengths

154. It is observed that comprehensive procurement records are kept and warranty periods are tracked at moderate satisfactory level. All the documents related to procurement along with evaluation reports and signed contracts are kept in safe custody for seven years after project completion for future inspection, audit, and institutional memory. Additionally, a copy of the original invitation document, bidding documents, winning bid or proposal, and contract administration papers are retained in a single contract file.

155. The Vietnam Procurement Law requires qualifications and experience of EC members include: (i) Own a basic procurement training certificate issued by MP or its authorized agencies (ii) Have relevant qualifications and at least 3 years' experience relates to his technical assignment in the EC and (iii) Have English language proficiency meet the bid's requirement. These requirements by Vietnam Procurement Law found almost similar to ADB's requirement for EC members.

156. The date for opening of bids and the last date for the submission of bids is the same. Bids were opened at the time specified in the bidding documents. All bids were opened publicly in the presence of the bidders or their representatives who might choose to be present, at the time and place announced prior to the bidding. The procuring agency reads aloud the bid prices, including alternative bids, if any, and the presence or absence of the requisite bid security, validity of bids as well as the discount, if any, and records the minutes of the bid opening. All bidders in attendance signed an attendance sheet. All bids submitted after the time prescribed were rejected and returned without being opened.

157. The institutional arrangements are generally adequate in supporting the management of the procurement process, monitoring contractual performance and dealing with complaint resolution for the procurement of Goods, Works and consulting services.

158. Accountabilities and the allocation of responsibilities are clearly defined. All the EA/ IA staff involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorized agencies and be accountable for their decisions. While all EC members must sign its declaration against any potential conflict of interest, have sufficient qualifications, and must remove themselves from the evaluation process if there is any unethical practice is found.

3. Weaknesses

159. The actual candidates for each position in the PMU as per the requirement of Decree 16 remain uncertain.

160. IA staff is lack of knowledge and experience of ADB procurement procedures.

161. There is no current specialized procurement training program for the procurement section staff (or who these would be), which is very important to enhance the effectiveness and efficiency in delivery of outputs. It is also necessary to determine who will be seconded from DPI and who will be outside recruitments as soon as possible to ensure sufficient capacity to develop/ update the project procurement plans and the preparation and approval of documentation. It is recommended that the training on ADB's procurement procedures should be organized at the time of setting up PMUs

162. Taking into account that the ADB and WB Harmonized Standard Bidding Documents are complicated documents and required a certain level of professional knowledge; it is observed from other projects, procurement personnel deal with difficulties during the bidding document preparation and bidding phases (i.e. they may not understand or incorrectly understood the implication of articles/ clauses as stated in the standard bidding documents). Training especially on the use of Standard Bidding Documents is extremely urgent for any procurement personnel in the project.

163. There is an absence of internal audit within the agency. MPI, State Audit and PPC through its missions only conduct an inspection and/or audit if there is a complaint about the procurement process conducted.

164. It is noted that PMU personnel in general have limited English language skills which may limit PMU in communicating with ADB and international consultant.

VI. PROJECT PROCUREMENT RISK ASSESSMENT AND MANAGEMENT PLAN

165. The project Procurement Risk Assessment and Management Plan (P-RAMP) in Table 1 below is prepared in consideration of weaknesses identified above through the Procurement Capacity Assessment Questionnaire and based on the discussions with various agencies involved in procurement.

166. The Procurement Capacity Assessment Questionnaire is attached as Appendix 1 of this Report.

Table 4: Table Project Procurement Risk Assessment and Management Plan (P-RAMP)

SL No.	RISK	IMPACT	LIKELIHOOD	STRATEGY
A6, A7, A9, A16, A17, A23, C1, C2, C14, C22, C23	Procurement Department and/or PMU have insufficient qualified staff to efficiently undertake the procurements required to implement the project.	High	Likely	Mitigation: Once the PMU is formed, the qualified and experienced procurement staff must be in place; Advance action on a procurement expert is really important to minimize the delays in implementation and procurement ready for detailed designs. However, even with a procurement expert, the need for: (i) someone to prepare English documentation for ADB review, (ii) a clear decision making process and (iii) accountability system in place.
A19 – A20	The Agency uses practices inconsistent with national procurement law or bidding documents unsuitable for ADB-funded procurement.	High	Unlikely	Justifications: The Agency follows Vietnam Government Law and standard documents in the procurement process. Monitoring: Provision of training on ADB procedures Loan Agreement should include modalities to ensure that ADB guidelines requirements are followed.
B2 –B3	Record-keeping is inadequate to enable internal or external audit of procurement processes.	High	Unlikely	Justifications: The Agency record-keeping is in place that support for internal or external audit of procurement processes. Monitoring: IAs should establish a link between IA's team to ensure that the records related to running payments during execution of works and contractual communications are in the same place. It is recommended that IAs should create a comprehensive E-Library system to record to project's document.
A25, C4 - C12, C24- C44, C47, D5, E7	Agency does not promote non-discriminatory participation, transparent tender processes (including advertisement, tender documentation, tender evaluation, complaints mechanism)?	High	Unlikely	Justifications: The Agency follows Vietnam Government Law and standard documents in the procurement process that ensure the transparency of procurement processes. Monitoring: The Procurement Plan should include an NCB Annex regulating non-discriminatory participation, transparency in procurement

SL No.	RISK	IMPACT	LIKELIHOOD	STRATEGY
				processes (including advertisement, tender documentation, procurement evaluation, complaints mechanism)
C15, E1 – E.6	The Agency has inadequate ethics and anticorruption measures in place.	High	Unlikely	<p>Justifications:</p> <p>The Agency follows Vietnam Government Law and standard documents in the procurement process that ethics and anticorruption measures in place.</p> <p>Monitoring:</p> <p>The Procurement Plan should include an NCB Annex that consist of modalities to ensure that ADB guidelines requirements are followed.</p>

Note:

The risks are categorized as follows:

- (i) High - likely to occur, likely to have high impact if occurs
- (ii) Substantial - unlikely to occur, but likely to have high impact if occurs
- (iii) Moderate - likely to occur, but unlikely to have high impact if occurs
- (iv) Low - not likely to occur, not likely to have high impact if occurs

VII. PROJECT SPECIFIC PROCUREMENT THRESHOLDS

167. Taking into account that the project is implemented in the mountainous areas with a limitation in the number of high quality potential bidders in the areas and there was also a case that contractor went to bankruptcy; and in combination with the similarity in IAs/EAs capacity and experience in implementing the procurement activities under ADB loan projects, the applicable thresholds and prior review thresholds are:

Table 5: Procurement Thresholds

Procurement of Goods and Works		
Method	Threshold	Comments
International Competitive Bidding (ICB) for Works	\$10,000,000	Prior review for all contracts
International Competitive Bidding for Goods	\$2,000,000 and above	Prior review for all contracts
National Competitive Bidding (NCB) for Works	Beneath that stated for ICB, Works	Prior review for 1 st contract implemented by each IA
National Competitive Bidding for Goods	Beneath that stated for ICB, Goods	Prior review for 1 st contract of the whole project
Shopping for Works	Below \$100,000	Prior review for 1 st contract implemented by each IA
Shopping for Goods	Below \$100,000	Prior review for 1 st contract implemented by each IA

Consulting Services	
Method	Comments
Quality and Cost Based Selection (QCBS)	Prior review for all contracts
Fixed Budget Selection	Prior review for all contracts

VIII. PROCUREMENT PLAN

PROCUREMENT PLAN

Basic Data

Project Name: Basic Infrastructure of Inclusive Growth in the Northeastern Provinces Sector Project	
Project Number: 49026-002	Approval Number:
Country: VIET NAM	Executing Agency: Provincial People's Committee of Bac Kan Provincial People's Committee of Cao Bang Provincial People's Committee of Lang Son Provincial People's Committee of Ha Giang
Project Procurement Classification: B	Implementing Agency: Provincial Department of Planning and Investment of Bac Kan Provincial Department of Planning and Investment of Cao Bang Provincial Department of Planning and Investment of Ha Giang Provincial Department of Planning and Investment of Lang Son
Procurement Risk: Moderate	
Project Financing Amount: \$195.9 million ADB Financing: \$150.0 million Cofinancing (ADB Administered): Non-ADB Financing: \$45.9 million	Project Closing Date: 30/09/2023
Date of First Procurement Plan: {loan/grant approval date}	Date of this Procurement Plan: {dd / mm / year}

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

(a) Procurement and Consulting Methods and Thresholds

1. 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 review for all contracts
International Competitive Bidding for Goods	\$2,000,000 and above	Prior review for all contracts
National Competitive Bidding (NCB) for Works	Beneath that stated for ICB, Works	Prior review for 1 st contract implemented by each IA
National Competitive Bidding for Goods	Beneath that stated for ICB, Goods	Prior review for 1 st contract of the whole project

Shopping for Works	Below \$100,000	Prior review for 1 st contract implemented by each IA
Shopping for Goods	Below \$100,000	Prior review for 1 st contract implemented by each IA

Consulting Services	
Method	Comments
Quality and Cost Based Selection (QCBS)	Prior review for all contracts
Fixed Budget Selection	Prior review for all contracts

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

2. 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/Post (Sampling)]	Bidding Procedure	Advertisement Date (quarter /year)	Comments
Bac Kan Province							
BK 01	Construction of road from km 0.0 to km 23.1 and Upgrade of 05 bridges at: (i) Km 8+100; (ii) Km 10+680; (iii) Km 16+200; (iv) Km 22+230; (v) Km 22+650. in Binh Thanh commune, Pac Nam district.	9,131,700	NCB	Prior	1S1E	Q4/2018	Pre-qualification of Bidders: No Domestic Preference Applicable: No Bidding document: Harmonized Standard Bidding Documents for NCB works issued by ADB
BK 02	Construction water supply system and auxiliary works in Boc Bo Commune, Pac Nam	955,800	NCB	Post	1S1E	Q4/2018	Pre-qualification of Bidders: No Domestic Preference Applicable: No Bidding document: Harmonized

Package Number	General Description	Estimated Value	Procurement Method	Review [Prior / Post/Post (Sampling)]	Bidding Procedure	Advertisement Date (quarter /year)	Comments
	District.						Standard Bidding Documents for NCB works issued by ADB
Cao Bang Province							
CB 01	Construction of inter province road DT211 (Km0 – Km28) and 03 new bridges at: (i) km 1+600; (ii) km 14+200; (iii) km 16+950	10,288,599	NCB	Prior	1S1E	Q4/2018	Pre-qualification of Bidders: No Domestic Preference Applicable: No Bidding document: Harmonized Standard Bidding Documents for NCB works issued by ADB
CB 02	Construction of water supply system and auxiliary works in Xuan Hoa Town, Phu Ngoc commune; Ha Quang District.	2,019,000	NCB	Post	1S1E	Q4/2018	Pre-qualification of Bidders: No Domestic Preference Applicable: No Bidding document: Harmonized Standard Bidding Documents for NCB works issued by ADB
Ha Giang Province							
HG 01	Construction of the inter-province road PR184 (Km0-Km25.1) and 14 new bridges at: (i) Km 0+607; (ii) Km1+680; (iii) Km4+153; (iv) Km4+513; (v) Km 6+980; (vi) Km7+317; (vii) Km7+907; (viii) Km9+201;	11,041,200	NCB	Prior	1S1E	Q4/2018	Pre-qualification of Bidders: No Domestic Preference Applicable: No Bidding document: Harmonized Standard Bidding Documents for NCB works issued by ADB

Package Number	General Description	Estimated Value	Procurement Method	Review [Prior / Post/Post (Sampling)]	Bidding Procedure	Advertisement Date (quarter /year)	Comments
	(ix) Km11+810; (x) Km12+650; (xi) Km14+847; (xii) Km17+621; (xiii) Km21+960; (xiv) Km24+920.						
HG 02	Construction and Installation of the pipeline system in Vinh Quang Town, Tu Nhan commune and Ban Nhung commune, Hoang Su Phi District	1,412,800	NCB	Post	1S1E	Q4/2018	Pre-qualification of Bidders: No Domestic Preference Applicable: No Bidding document: Harmonized Standard Bidding Documents for NCB works issued by ADB
HG 03	Construction of water supply system, including equipment and auxiliary works at Vinh Quang Town, Tu Nhan commune and Ban Nhung commune, Hoang Su Phi District	671,900	NCB	Post	1S1E	Q4/2018	Pre-qualification of Bidders: No Domestic Preference Applicable: No Bidding document: Harmonized Standard Bidding Documents for NCB works issued by ADB
Lang Son Province							
LS 01	Construction of Road No. 61 (Km0-Km22.95) and 3 new bridges at: (i) Km 0+272.57; (ii) Km 6+636.99; (iii) Km 14+754.13. at Binh Gia District.	13,582,300	NCB	Prior	1S1E	Q4/2018	Pre-qualification of Bidders: No Domestic Preference Applicable: No Bidding document: Harmonized Standard Bidding Documents for NCB works issued by ADB

(c) Consulting Services Contracts Estimated to Cost \$100,000 or More

3. 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
Bac Kan Province							
BKCS	Supervision of Construction works	815,000	QCBS	Prior	Q2 / 2018	STP (70:30)	Assignment: National Comments: Time-based contract
Cao Bang Province							
CBCS	Supervision of Construction works	881,000	QCBS	Prior	Q2 / 2018	STP (70:30)	Assignment: National Comments: Time-based contract
Ha Giang Province							
HGCS	Supervision of Construction works	691,000	QCBS	Prior	Q2 / 2018	STP (70:30)	Assignment: National Comments: Time-based contract
Lang Son Province							
LS CS	Supervision of Construction works	871,000	QCBS	Prior	Q2 / 2018	STP (70:30)	Assignment: National Comments: Time-based contract
LSCS-ARVC	ARVC service provider	2,994,000	QCBS	Prior	Q2 / 2018	FTP (90:10)	Assignment: National Comments: Time-based contract
CS-Audit	Project audit	212,000	FBS	Prior	Q2 / 2018	BTP	Assignment: National Comments: (i) This includes project audit for Lang Son, Bac Kan, Cao Bang, and Ha Giang; and (ii) Lang Son will conduct the recruitment.

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

4. 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	Number of Contracts	Procurement Method	Review [Prior / Post/Post (Sampling)]	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

2. Indicative List of Packages Required Under the Project

5. 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/Post (Sampling)]	Bidding Procedure	Comments	
Bac Kan Province – Additional Subprojects								
6 packages	Works output 1 roads	20,083,300	6	NCB	Post	1S1E	(i) package	One per

							subproject. (ii) A contract with multiple lots may be considered.
4 packages	Works output 2 water supply	5,090,600	4	NCB	Post	1S1E	(i) One package per subproject. (ii) Multiple contracts may be considered.
Cao Bang Province – Additional Subprojects							
2 packages	Works output 1 road	20,641,951	2	NCB	Post	1S1E	(i) One package per subproject. (ii) A contract with multiple lots may be considered.
1 package	Works output 2 water supply	2,390,200	1	NCB	Post	1S1E	(i) One package per subproject. (ii) A contract with multiple lots may be considered.
Ha Giang Province – Additional Subprojects							
4 packages	Works output 1 roads	18,655,200	4	NCB	Post	1S1E	(i) One package per subproject. (ii) A contract with multiple lots may be considered.
2 packages	Works output 2	3,499,800	2	NCB	Post	1S1E	(i) One

	water supply						package per subproject. (ii) A contract with multiple lots may be considered.
Lang Son Province – Additional Subprojects							
6 Packages	Works output 1 roads	16,015,800	6	NCB	Post	1S1E	(i) One package per subproject. (ii) A contract with multiple lots may be considered.
3 Packages	Works output 2 water supply	5,173,600	3	NCB	Post	1S1E	(i) One package per subproject. (ii) A contract with multiple lots may be considered.

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

3. Non-ADB Financing

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

Consulting Services				
General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Recruitment Method	Comments
Loan Implementation Consultant	2,000,000	4	National Procedures	Advertisement date: Q4/2017 Financed by Government
Pubic Asset Management	2,000,000	8	National Procedures	Advertisement date: Q2/2019 Financed by Government
Road Safety Awareness Training	300,000	12	National Procedures	Advertisement date: Q2/2019 Financed by Government

4. National Competitive Bidding

a. General

168. 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.

b. Eligibility

169. 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.
170. A firm declared ineligible by ADB cannot participate in bidding for an ADB-financed contract during the period of time determined by ADB.
171. 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.
172. 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.
173. National sanction lists may only be applied with approval of ADB.

c. Preference

174. 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.

d. Bidding Procedure

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

e. Time for Bid Preparation

176. 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.

f. Standard bidding documents

177. 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.

g. 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.

h. 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.

i. Publication of the Award of Contract and 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.

j. Contract Administration

178. 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.

k. Fraud and Corruption

179. 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.

l. Right to Inspect/ Audit

180. 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.

IX. CONCLUSION

181. Based on the systematic analysis of the capabilities, experience in undertaking similar projects and current procurement practices of FNEP, procurement risks are assessed and mitigation measures are recommended for action. If the project implementation arrangements with recommended actions are implemented, the procurement of goods, works and services can be effective and risks can be minimized, leading to satisfactory procurement as per ADB procurement guidelines.

182. The overall ratings for each PMU (see Appendix 1) categorized the risks – see Table 3 which indicates similar issues and risk across all four provinces.

Table 6: Provincial Ratings

Criterion	Ha Giang Risk assessment	Cao Bang Risk assessment	Lang Son Risk assessment	Bac Kan Risk assessment
f. Organizational and Staff Capacity	High	High	High	High
g. Information Management	Moderate	Moderate	Moderate	Moderate
h. Procurement Practices	High	Moderate	High	Low
i. Effectiveness	Low	Low	Low	Low
j. Accountability Measures	Low	Low	Low	Low
OVERALL RISK RATING	Moderate	Moderate	Moderate	Moderate

The risks are categorized as follows:

Risk Ratings	High (H)	Substantial (S)	Moderate (M)	Low (L)
High	-	likely to occur, likely to have high impact if occurs		
Substantial	-	unlikely to occur, but likely to have high impact if occurs		
Moderate	-	likely to occur, but unlikely to have high impact if occurs		
Low	-	not likely to occur, not likely to have high impact if occurs.		

X. APPENDIXES

A. APPENDIX 1: PROJECT PROCUREMENT RISK ASSESSMENT QUESTIONNAIRE / **CÂU HỎI KHẢO SÁT NĂNG LỰC ĐẦU THẦU**

Implementing Agency Questionnaire

General Ratings

Criterion	Ha Giang Risk assessment	Cao Bang Risk assessment	Lang Son Risk assessment	Bac Kan Risk assessment
a. Organizational and Staff Capacity	High	High	High	High
b. Information Management	Moderate	Moderate	Moderate	Moderate
c. Procurement Practices	High	Moderate	High	Low
d. Effectiveness	Low	Low	Low	Low
e. Accountability Measures	Low	Low	Low	Low
OVERALL RISK RATING	Moderate	Moderate	Moderate	Moderate

The risks are categorized as follows:

Risk Ratings	High (H)	Substantial (S)	Moderate (M)	Low (L)
High	- likely to occur, likely to have high impact if occurs			
Substantial	- unlikely to occur, but likely to have high impact if occurs			
Moderate	- likely to occur, but unlikely to have high impact if occurs			
Low	- not likely to occur, not likely to have high impact if occurs.			

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK ⁷ / MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
A. ORGANIZATIONAL AND STAFF CAPACITY / CƠ CẤU TỔ CHỨC VÀ NHÂN SỰ⁷					
PROCUREMENT DEPARTMENT/UNIT / Miêu tả cơ cấu tổ chức chung của ban/ phòng đấu thầu:					
A.1 Does the agency or Government have a Procurement Committee that is independent from the head of the agency?/ Đơn vị có Tổ chuyên gia đấu thầu hoạt động độc lập với người đứng đầu đơn vị?	No. The Procurement Committee (EC) is under the head of the agency. The agency through a dedicated evaluation committee (EC) identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval by the head of the agency prior to its commencement.	No. The Procurement Committee (EC) is under the head of the agency. The agency through a dedicated evaluation committee (EC) identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval by the head of the agency prior to its commencement.	No. The Procurement Committee (EC) is under the head of the agency. The agency through a dedicated evaluation committee (EC) identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval by the head of the agency prior to its commencement.	No. The Procurement Committee (EC) is under the head of the agency. The agency through a dedicated evaluation committee (EC) identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval by the head of the agency prior to its commencement.	HG: H CB: H LS: H BK: H
A.2 Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat of the Procurement Committee? / Đơn vị có ban / phòng đấu thầu, bao gồm	No procurement unit is found. Current provincial staff have been involved in procurement to a limited degree but not always in regard to ADB procurement guidelines.	No procurement unit is found. Current provincial staff have been involved in procurement to a limited degree but not always in regard to ADB procurement guidelines.	No procurement unit is found. Current provincial staff have been involved in procurement to a limited degree but not always in regard to ADB procurement guidelines.	No separate procurement unit is found. The procurement unit is under Planning and Technical Department division.	HG: H CB: H LS: H BK: H

⁷ Questions indicated with * are associated with potentially 'High' or 'Substantial' risks due to the impact being 'High', therefore the strategy for managing those risks should be addressed in the Project Procurement Risk Analysis (Appendix 3).

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
địa điểm cố định để thực hiện các hỗ trợ cho Tổ chuyên gia?					
A.3 If yes, what type of procurement does it undertake? / Nếu có, những hình thức đấu thầu nào đã thực hiện?	N/A	N/A	N/A	N/A	HG: H CB: H LS: H BK: H
A.4 How many years' experience does the head of the procurement department/unit have in a direct procurement role? / Người phụ trách phòng đấu thầu có bao nhiêu năm kinh nghiệm trực tiếp tham gia công tác đấu thầu	N/A	N/A	N/A	N/A	HG: H CB: H LS: H BK: H
A.5 How many staff in the procurement department/unit are:/ Phòng/ ban có bao nhiêu nhân sự: (i). full time/ toàn thời gian (ii). part time/ hợp đồng (iii). Seconded / thuê theo vụ việc	At the time of mission, the Procurement Section has not been identified within PMU but PPTA PMU will appoint one member from the External Economics Division, DPI in charge of project procurement	At the time of mission, the Procurement Section has not been identified within PMU but PPTA PMU will appoint one member from the External Economics Division, DPI in charge of project procurement	At the time of mission, the Procurement Section has not been identified within PMU but PPTA PMU will appoint one member from the External Economics Division, DPI in charge of project procurement	At the time of mission, the Procurement Section has not been identified within PMU but PPTA PMU will appoint one member from the External Economics Division, DPI in charge of project procurement	HG: H CB: H LS: H BK: H
A.6 Do the procurement staff	Most of PPTA PMU members are from DPI with less ODA project	Most of PPTA PMU members are from DPI	All PPTA PMU members are from DPI with less ODA	Some PMU staff have moderate English	HG: H CB: H

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
have a high level of English language proficiency (verbal and written)? / Nhân sự đấu thầu có trình độ tiếng Anh đáp ứng yêu cầu công việc (nói và viết)	experience. Some are trained with ADB and WB procedures and some have moderate English language proficiency.	with less ODA project experience. Some are trained with ADB and WB procedures and some have moderate English language proficiency.	project experience and English language is weak.	language proficiency.	LS: H BK: H
A.7 Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?/ Số lượng nhân sự có năng lực và trình độ chuyên môn đáp ứng yêu cầu công tác và sẽ được huy động tham gia dự án đang đề nghị?	At the time of mission, the Procurement Section has not been identified within PMU but PPTA PMU will appoint one member from the External Economics Division, DPI in charge of project procurement	At the time of mission, the Procurement Section has not been identified.	At the time of mission, the Procurement Section has not been identified.	PMU will appoint some officials from Planning and Technical Department division to be responsible for procurement task. Currently, PMU provincial officials have been involved in procurement to a limited degree but not always in regard to ADB procurement guidelines. Though some officials involved in implementing ODA projects including ADB but either at provincial level with simple tasks such as: secretary, translation, accountant for one sub-project component as the project EA is at ministry so full tasks of project accountant, procurement are at ministerial level etc or the financing agreement allow the procurement procedures follow Government procurement	HG: H CB: H LS: H BK: H

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
				law and regulations. Some official are trained with ADB and WB procedures.	
A.8 Does the unit have adequate facilities, such as PCs, internet connection, photocopy facilities, printers etc. to undertake the planned procurement? / Phòng/ ban đấu thầu có đủ trang thiết bị phục vụ hoạt động thường ngày	PMU will arrange when the project is approved and PMU is set up.	PMU will arrange when the project is approved and PMU is set up.	PMU will arrange when the project is approved and PMU is set up.	PMU will arrange when the project is approved and PMU is set up.	HG: S CB: S LS: S BK: S
A.9 Does the agency have, or have ready access to, a procurement training program? / Đơn vị có hoặc sẵn sàng tham gia chương trình đào tạo về đấu thầu?	The agency does not have any ADB training procurement plan and will attend ADB training procurement programme	The agency does not have any ADB training procurement plan and will attend ADB training procurement programme	The agency does not have any ADB training procurement plan and will attend ADB training procurement programme	The agency does not have any ADB training procurement plan and will attend ADB training procurement programme	HG: H CB: H LS: H BK: H
A.10 At what level does the department/unit report (to the head of agency, deputy etc.)? / Bộ phận đấu thầu sẽ báo cáo trực tiếp cho ai?	The EC directly reports to the head of the agency.	The EC directly reports to the head of the agency.	The EC directly reports to the head of the agency.	The EC directly reports to the head of the agency.	HG: H CB: H LS: H BK: H
A.11 Do the procurement positions in the agency have job	Not really	Not really	Not really	Not really	HG: S CB: S LS: S

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
descriptions, which outline specific roles, minimum technical requirements and career routes? / Các vị trí trong Ban/ phòng đấu thầu có bản miêu tả công việc rõ ràng?					BK: S
A.12 Is there a procurement process manual for goods and works? / Có Sổ tay qui trình đấu thầu hàng hóa và công trình chưa?	No.	No.	No.	No.	HG: M CB: M LS: M BK: M
A.13 If there is a manual, is it up to date and does it cover foreign-assisted projects? / Nếu đã có Sổ tay, sổ tay có được cập nhật tới thời điểm hiện tại và phù hợp với qui định của nhà tài trợ?	N/A	N/A	N/A	N/A	HG: M CB: M LS: M BK: M
A.14 Is there a procurement process manual for consulting services? / Có Sổ tay qui trình đấu thầu dịch vụ tư vấn?	No.	No.	No.	No.	HG: M CB: M LS: M BK: M

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK ⁷ / MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
A.15 If there is a manual, is it up to date and does it cover foreign-assisted projects?/ Nếu đã có Sổ tay, sổ tay có được cập nhật tới thời điểm hiện tại và phù hợp với qui định của nhà tài trợ?	N/A	N/A	N/A	N/A	HG: M CB: M LS: M BK: M
PROJECT MANAGEMENT UNIT / QUẢN LÝ DỰ ÁN					
A.16 Is there a fully (or almost fully) staffed PMU for this project currently in place? / Đã có nhân sự làm việc toàn thời gian (hoặc phần lớn thời gian) tại PMU của Dự án	No. PPC will staff the PMU when the project is approved.	No. Some spend almost time to work for PPTA. But no full time. IA will arrange full time staff to PMU when the project is approved.	No. PPC will staff the PMU when the project is approved.	No. IA will arrange full time staff to PMU when the project is approved.	HG: H CB: H LS: H BK: H
A.17 Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project? / Số ượng nhân sự có năng lực và trình độ chuyên môn đáp ứng yêu cầu công tác và sẽ được huy động tham gia dự	At the time of mission, the Procurement Section has not been identified within the DPI but PPTA PMU will appoint one member from the External Economics Division, DPI in charge of project procurement.	At the time of mission, the Procurement Section has not been identified within the DPI.	At the time of mission, the Procurement Section has not been identified within the DPI.	At the time of mission, the Procurement Section has not been identified within the DPI. DPI will appoint some officials from Planning and Technical Department division to be responsible for procurement task.	HG: H CB: H LS: H BK: H

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK ⁷ / MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
án đang đề nghị?					
A.18 Does the unit have adequate facilities, such as PCs, internet connection, photocopy facilities, printers etc. to undertake the planned procurement? / Phòng/ ban đấu thầu có đủ trang thiết bị phục vụ hoạt động đấu thầu theo ế hoạch được duyệt	DPI will arrange once the PMU and the Procurement Unit is set up	DPI will arrange once the PMU and the Procurement Unit is set up	DPI will arrange once the PMU and the Procurement Unit is set up	DPI will arrange once the PMU and the Procurement Unit is set up	HG: S CB: S LS: S BK: S
A.19 Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects? / Đã có mẫu tài liệu đấu thầu được áp dụng, như: Tài liệu đấu thầu do ADB duyệt?	No. Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): The loan agreement agrees to apply Gov's SBDs in procurement of goods, works and services	No. Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): The loan agreement agrees to apply Gov's SBDs in procurement of goods, works and services	No. Reference from JBIC project (2003 – 2007):: The loan agreement agrees to apply Gov's SBDs in procurement of goods, works and services	No. Reference from an on going project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): The loan agreement agrees to apply Gov's SBDs in procurement of goods, works and services	HG: H CB: H LS: H BK: H
A.20 Does the agency follow the national procurement law, procurement	Referred to project implemented by DPI: Yes.	Referred to project implemented by DPI: Yes. Follow both Vietnam Procurement Law and	Referred to project implemented by DPI: Yes.	Referred to project implemented by DPI: Yes.	HG: H CB: H LS: H

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
processes, guidelines? / Đơn vị có tuân thủ Luật đấu thầu, thủ tục đấu thầu, các Hướng dẫn?		Donor's guidelines.			BK: H
A.21 Do ToRs for consulting services follow a standard format such as background, tasks, inputs, objectives and outputs? / Nội dung TOR có tuân theo bố cục gồm: thông tin cơ bản, nhiệm vụ, đầu vào, mục đích và đầu ra?	Referred to project implemented by DPI: Yes.	HG: H CB: H LS: H BK: H			
A.22 Who drafts the procurement specifications? / Ai soạn Tiêu chuẩn kỹ thuật	Referred to project implemented by DPI: The Evaluation Committee (EC) is responsible for draft the procurement specifications for popular goods and equipments. For specifications of works or complicated equipments, the professional firms hired by the agency will prepare. This procedures will also apply once the PMU is set up	Referred to project implemented by DPI: The Evaluation Committee (EC) is responsible for draft the procurement specifications for popular goods and equipments. For specifications of works or complicated equipments, the professional firms hired by the agency will prepare. This procedures will also apply once the PMU is set up	Referred to project implemented by DPI: The Evaluation Committee (EC) is responsible for draft the procurement specifications for popular goods and equipments. For specifications of works or complicated equipments, the professional firms hired by the agency will prepare. This procedures will also apply once the PMU is set up	Referred to project implemented by DPI: The Evaluation Committee (EC) is responsible for draft the procurement specifications for popular goods and equipments. For specifications of works or complicated equipments, the professional firms hired by the agency will prepare. This procedures will also apply once the PMU is set up	HG: H CB: H LS: H BK: H
A.23 Who approves the procurement specifications? / Ai duyệt TCKT	Referred to project implemented by DPI: Head of agency. This procedures will also apply once the PMU is set up	Referred to project implemented by DPI: Head of agency. This procedures will also apply once the	Referred to project implemented by DPI: Head of agency. This procedures will also apply once the PMU	Referred to project implemented by DPI: Head of PMU. This procedures will also apply once the	HG: H CB: H LS: H

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
		PMU is set up	is set up	PMU is set up	BK: H
A.24 Who in the PMU has experience in drafting bidding documents? / Ai trong PMU có kinh nghiệm dự thảo HSMT?	Once the PMU is set up, the DPI will appoint a staff with experience to draft the bidding documents	Once the PMU is set up, the DPI will appoint a staff with experience to draft the bidding documents	Once the PMU is set up, the DPI will appoint a staff with experience to draft the bidding documents	Once the PMU is set up, the DPI will appoint a staff with experience to draft the bidding documents	HG: H CB: H LS: H BK: H
A.25 Are records of the sale of bidding documents immediately available? / Các Báo cáo về việc bán HSMT có thể xem ngay được không?	Referred to project implemented by DPI: Yes. In accounting department	Referred to project implemented by DPI: Yes. In accounting department	Referred to project implemented by DPI: Yes. In accounting department	Referred to project implemented by DPI: Yes. In accounting department	HG: H CB: H LS: H BK: H
A.26 Who identifies the need for consulting services requirements? / Ai xác định nhu cầu về dịch vụ tư vấn?	Referred to project implemented by DPI: Either the Evaluation Committee and relevant divisions of the agency or PMU	Referred to project implemented by DPI: Either the Evaluation Committee and relevant divisions of the agency or PMU	Referred to project implemented by DPI: Either the Evaluation Committee and relevant divisions of the agency or PMU	Referred to project implemented by DPI: Either the Evaluation Committee and relevant divisions of the agency or PMU	HG: H CB: H LS: H BK: H
A.27 Who drafts the Terms of Reference (ToR) / Ai lập TOR?	Referred to project implemented by DPI: The Evaluation Committee (EC)	Referred to project implemented by DPI: The Evaluation Committee (EC)	Referred to project implemented by DPI: The Evaluation Committee (EC)	Referred to project implemented by DPI: The Evaluation Committee (EC)	HG: H CB: H LS: H BK: H
A.28 Who prepares the request for proposals (RFPs) / Ai lập Hồ sơ mời nộp đề xuất?	Referred to project implemented by DPI: The Evaluation Committee (EC)	Referred to project implemented by DPI: The Evaluation Committee (EC)	Referred to project implemented by DPI: The Evaluation Committee (EC)	Referred to project implemented by DPI: The Evaluation Committee (EC)	HG: H CB: H LS: H BK: H

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
B. INFORMATION MANAGEMENT / QUẢN LÝ THÔNG TIN					
B.1 Is there a referencing system for procurement files? / Có hệ thống lưu trữ tài liệu đấu thầu tham chiếu?	<p>Currently, agency procurement documents are filed in the office of the External Economics Division, DPI. For each contract, one file is maintained and all the information, including procurement related information and all subsequent contractual correspondence is filed in.</p> <p>Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): the original advertisements and copies of bids or proposals are found to be retained with evaluation documents. And single contract file with a copy of the contract are attached to all subsequent contractual correspondence.</p>	<p>Currently, agency procurement documents are filed in the office of the External Economics Division, DPI. For each contract, one file is maintained and all the information, including procurement related information and all subsequent contractual correspondence is filed in.</p> <p>Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): the original advertisements and copies of bids or proposals are found to be retained with evaluation documents. And single contract file with a copy of the contract are attached to all subsequent contractual correspondence.</p>	<p>Currently, agency procurement documents are filed in the office of the External Economics Division, DPI. For each contract, one file is maintained and all the information, including procurement related information and all subsequent contractual correspondence is filed in.</p>	<p>Yes.</p> <p>Currently, agency procurement documents are filed in the office of the Planning and Technical division, PMU. For each contract, one file is maintained and all the information, including procurement related information and all subsequent contractual correspondence is filed in.</p>	<p>HG: M</p> <p>CB: M</p> <p>LS: M</p> <p>BK: M</p>
B.2 Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the	<p>Currently, agency procurement documents are filed in the office of the External Economics Division, DPI. And an official is appointed to be responsible for managing the document's filing.</p>	<p>Yes. Currently, agency procurement documents are filed in the office of the External Economics Division, DPI. And an official is appointed to be responsible for managing the document's filing.</p>	<p>Currently, agency procurement documents are filed in the office of the External Economics Division, DPI. And an official is appointed to be responsible for managing the document's filing.</p>	<p>Currently, agency procurement documents are filed in the office of the Planning and Technical division, PMU. For each contract, one file is maintained and all the information, including procurement related information and all</p>	<p>HG: M</p> <p>CB: M</p> <p>LS: M</p> <p>BK: M</p>

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
procurement records management functions within the agency? / Có các nguồn lực về cơ sở hạ tầng phân bổ để thực hiện gồm: địa điểm, trang thiết bị, nhân sự quản lý việc lưu trữ tài liệu trong cơ cấu tổ chức của đơn vị?				subsequent contractual correspondence is filed in. And an official is appointed to be responsible for managing the document's filing.	
B.3 Does the agency adhere to a document retention policy (i.e. for what period are records kept)? / Đơn vị có qui định riêng về thời gian lưu trữ tài liệu? (Thời gian tài liệu được lưu trữ?)	The procurement documents are normally kept for a minimum period of 7 years from the contract liquidation date.	The procurement documents are normally kept for a minimum period of 7 years from the contract liquidation date.	The procurement documents are normally kept for a minimum period of 7 years from the contract liquidation date. Reference from JBIC project (2003 – 2007) implemented by DPI, the procurement documents are kept for nearly 10 years from the contract liquidation date.	Reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): The original advertisements and copies of bids or proposals are found to be retained with evaluation documents. And single contract file with a copy of the contract are attached to all subsequent contractual correspondence. The procurement documents are kept for a	HG: M CB: M LS: M BK: M

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
				minimum period of 7 years from the contract liquidation date.	
B.4 Are copies of bids or proposals retained with the evaluation? / Bản sao HSMT, HSDT lưu trữ cùng tài liệu xét thầu	Referred to project implemented by DPI: Yes.	HG: M CB: M LS: M BK: M			
B.5 Are copies of the original advertisements retained with the pre-contract papers? / Bản sao Quảng cáo thầu được lưu với các tài liệu đấu thầu?	Referred to project implemented by DPI: Yes.	HG: M CB: M LS: M BK: M			
B.6 Is there a single contract file with a copy of the contract and all subsequent contractual correspondence? / Mỗi hợp đồng có lưu trữ kèm theo các tài liệu trao đổi liên quan đến thực hiện hợp đồng?	For each contract, one file is maintained and all the information, including procurement related information and all subsequent contractual correspondence is filed in.	For each contract, one file is maintained and all the information, including procurement related information and all subsequent contractual correspondence is filed in.	For each contract, one file is maintained and all the information, including procurement related information and all subsequent contractual correspondence is filed in.	For each contract, one file is maintained and all the information, including procurement related information and all subsequent contractual correspondence is filed in.	HG: M CB: M LS: M BK: M
B.7 Are copies of invoices included with the contract papers? / Bản sao hóa đơn có được lưu cùng tài liệu của Hợp đồng?	Referred to project implemented by DPI: Yes.	HG: M CB: M LS: M BK: M			

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
B.8 Is the agency's record keeping function supported by IT? / Đơn vị có sử dụng hệ thống phần mềm để lưu trữ tài liệu?	Use Office applications tools	Use Office applications tools	No	Use Office applications tools and accounting professional software	HG: M CB: M LS: M BK: M
C. PROCUREMENT PRACTICES / KINH NGHIỆM ĐẦU THẦU					
Goods and Works / ĐẦU THẦU HÀNG HÓA VÀ CÔNG TRÌNH					
C.1 Has the agency undertaken procurement of goods or works related to foreign assistance recently (last 12 months or last 36 months)? If yes, indicate the names of the development partner/s and project/s./ Đơn vị đã thực hiện đấu thầu hàng hóa hoặc công trình sử dụng vốn ODA (trong 12 tháng hoặc 36 tháng vừa qua)?, Nếu có, nêu thông tin về công trình / nhà tài trợ/ tên dự án	No. There was a project (2005 – 2012) funded by the International Fund for Agricultural Development (IFAD).	Yes. There was a project (2010 – 2014) funded by the International Fund for Agricultural Development (IFAD).	No. There was a project (2003 – 2007) funded by JBIC and implemented by DPI.	Yes. There is an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014).	HG: H CB: M LS: H BK: L
C.2 If the answer is yes, what were the major challenges faced by the agency? / Nếu câu	Not know	There was only one case for the signed construction contract that the Bidder went bankrupt during contract implementation	Not know	No major challenges are founded.	HG: H CB: M LS: H BK: L

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
trả lời trên là có, nêu các thách thức mà đơn vị phải đối mặt?		period. The IAs proceeded with contract liquidation with this bidder and the pending works had to rebid. Due to the project implementation areas is in the mountainous areas which causes less attractive and limitation of available good contractors.			
C.3 Is there a systematic process to identify procurement requirements (for a period of one year or more)? / Có qui trình xác định nhu cầu mua sắm một cách hệ thống (cho thời gian 1 năm hoặc hơn) ?	<p>Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012):</p> <p>The procurement requirements were identified for period of 01 year and based on the project design document and project's needs</p> <p>Annual provincial project implementation plans and procurement plans that were developed are subject to approval by the Provincial People's Committee (PPC) and the budget is sanctioned at the start of the fiscal year. Budget availability is confirmed prior to solicitation of procurements.</p>	<p>Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014):</p> <p>The procurement requirements were identified for period of 01 year and based on the project design document and project's needs.</p> <p>Annual provincial project implementation plans and procurement plans that were developed are subject to approval by the Provincial People's Committee (PPC) and the budget is sanctioned at the start of the fiscal year. Budget availability is confirmed prior to solicitation of procurements.</p>	<p>Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013):</p> <p>The procurement requirements were identified for period of 01 year and based on the project design document and project's needs</p> <p>Annual provincial project implementation plans and procurement plans that were developed are subject to approval by the Provincial People's Committee (PPC) and the budget is sanctioned at the start of the fiscal year. Budget availability is confirmed prior to solicitation of procurements.</p>	<p>Reference an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014):</p> <p>The procurement requirements were identified for period of 01 year and based on the project design document and project's needs</p> <p>Annual provincial project implementation plans and procurement plans that were developed are subject to approval by the Provincial People's Committee (PPC) and the budget is sanctioned at the start of the fiscal year. Budget availability</p>	<p>HG: H CB: M LS: H BK: L</p>

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
				is confirmed prior to solicitation of procurements.	
C.4 Is there a minimum period for the preparation of bids and if yes, how long? / Có qui định nào về thời gian tối thiểu để chuẩn bị HSDT và nếu có thì là bao lâu?	<p>Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012):</p> <p>The Financing Agreement agreed that all procurement process, including the usage of standard bidding documents follow the Procurement Law of Vietnam and its regulatory guidelines.</p> <p>The NCB bidding document was adopted for all types of goods and works from 60,000 US dollars follow single stage one envelop system with no pre-qualification documents. Bid validity prescribed was 180 days. Invitation to bid were published on both MPI's website: http://muasamcong.mpi.gov.vn/ and Procurement Review newspaper for 03 consecutive days. The time provided from date of issuance of bidding documents to bid submission was 20 days. Bid security had to be provided with all bids and set in an amount equivalent to 1 – 3% of the contract estimated budget. Performance security was based on the value of contract, and did not exceed 10%. Besides, single source or direct selection method was</p>	<p>Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014):</p> <p>The Financing Agreement agreed that all procurement process, including the usage of standard bidding documents follow the Procurement Law of Vietnam and its regulatory guidelines.</p> <p>The NCB bidding document was adopted for all types of goods and works from 60,000 US dollars follow single stage one envelop system with no pre-qualification documents. Bid validity prescribed was 180 days. Invitation to bid were published on both MPI's website: http://muasamcong.mpi.gov.vn/ and Procurement Review newspaper for 03 consecutive days. The time provided from date of issuance of bidding documents to bid submission was 20 days. Bid security had to be provided with all bids and</p>	<p>Reference from JBIC projects (2003 – 2007):</p> <p>The Financing Agreement agreed that all procurement process, including the usage of standard bidding documents follow the Procurement Law of Vietnam and its regulatory guidelines. And Gov funded projects (2010 - 2013).</p> <p>The NCB bidding document was adopted for all types of goods and works from 1 billion Vietnam dong follow single stage one envelop system with no pre-qualification documents. Bid validity prescribed was 90 days. Invitation to bid were published on both a nationwide newspaper and a provincial newspaper. The time provided from date of issuance of bidding documents to bid submission was 15 days. Bid security had to be provided with all bids and set in an amount equivalent to 1% of the contract estimated budget. Performance security was</p>	<p>Reference an on going project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014):</p> <p>The Financing Agreement agreed that all procurement process, including the usage of standard bidding documents follow the Procurement Law of Vietnam and its regulatory guidelines.</p> <p>The NCB bidding document was adopted for all types of goods and works from 60,000 US dollars (IFAD) and 2 billion Vietnam Dong (Saudi Development Fund) follow single stage one envelop system with no pre-qualification documents. Bid validity prescribed was 180 days. Invitation to bid were published on both MPI's website:</p>	<p>HG: H CB: M LS: H BK: M</p>

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
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	only for small assignments below threshold (set at 500 million VND)	set in an amount equivalent to 1 – 3% of the contract estimated budget. Performance security was based on the value of contract, and did not exceed 10%. Mobilization advance was provided not exceeding 50% of value of the contract. Besides, single source or direct selection method was only for small assignments below threshold (set at 500 million VND)	based on the value of contract, and did not exceed 10%. Mobilization advance was provided not exceeding 20% of value of the contract. The Shopping was applied to works and goods below 1 billion Vietnam dong, Quotations validity prescribed was 45 - 60 days. Besides, single source or direct selection method was only for small assignments below threshold (set at 500 million VND)	http://muasamcong.mpi.gov.vn/ and Procurement Review newspaper for 03 consecutive days. The time provided from date of issuance of bidding documents to bid submission was 20 days. Besides, single source or direct selection method was only for small assignments below threshold (set at 500 million VND).	
C.5 Are all queries from bidders replied to in writing? / Các yêu cầu làm rõ từ Nhà thầu có được chuẩn bị dưới dạng văn bản?	Referred to project implemented by DPI: Yes.	Referred to project implemented by DPI: Yes.	Referred to project implemented by DPI: Yes.	Referred to project implemented by DPI: Yes.	HG: L CB: L LS: L BK: L
C.6 Does the bidding document state the date and time of bid opening? / HSMT có nêu thời gian, địa điểm mở thầu	Referred to project implemented by DPI: Yes.	Referred to project implemented by DPI: Yes.	Referred to project implemented by DPI: Yes.	Referred to project implemented by DPI: Yes.	HG: L CB: L LS: L BK: L
C.7 Are bids opened in public? / Có mở thầu công khai?	Referred to project implemented by DPI: Yes.	Referred to project implemented by DPI: Yes.	Referred to project implemented by DPI: Yes.	Referred to project implemented by DPI: Yes.	HG: L CB: L LS: L BK: L
C.8 Can late bids be accepted? / HSDT	No. All bids submitted after the time prescribed are rejected	No. All bids submitted after the time	No. All bids submitted after the time prescribed are	No. All bids submitted after the time prescribed	HG: L

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
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nộp muộn có được chấp nhận?	and returned without being opened.	prescribed are rejected and returned without being opened.	rejected and returned without being opened.	are rejected and returned without being opened.	CB: L LS: L BK: L
C.9 Can bids (except late bids) be rejected at bid opening? / Có HSDT nào bị loại khi mở thầu?	No.	No.	No.	No.	HG: L CB: L LS: L BK: L
C.10 Are minutes of the bid opening taken? / Có lập Biên Bản mở thầu?	Minutes was prepared, signed by participants and send to all bidders who submitted their bids	Minutes was prepared, signed by participants and send to all bidders who submitted their bids.	Minutes was prepared, signed by participants and send to all bidders who submitted their bids	Minutes was prepared, signed by participants and send to all bidders who submitted their bids.	HG: L CB: L LS: L BK: L
C.11 Are bidders provided a copy of the minutes? / Các nhà thầu có được cung cấp bản sao của Biên bản mở thầu?	Yes.	Yes.	Yes.	Yes.	HG: L CB: L LS: L BK: L
C.12 Are the minutes provided free of charge? / Biên Bản mở thầu có được phát miễn phí?	Yes.	Yes.	Yes.	Yes.	HG: L CB: L LS: L BK: L
C.13 Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)? / Ai thực hiện đánh giá thầu (cá nhân độc lập, tổ chuyên gia cố định hay theo vụ	The permanent evaluation committee established by procuring agency	The permanent evaluation committee established by procuring agency.	The permanent evaluation committee established by procuring agency	The permanent evaluation committee established by procuring agency.	HG: L CB: L LS: L BK: L

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
việc)?					
C.14 What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation? / Tiêu chí năng lực và kinh nghiệm của thành viên được lựa chọn đánh giá đối với các gói thầu tương ứng là ntn?	<p>All EC members are required to have:</p> <ul style="list-style-type: none"> - A basic procurement training certificate issued by MPI. - Have relevant qualifications and at least 3 years experience relates to his assignment in the EC. - Have English language proficiency meet the bid's requirement. 	<p>All EC members are required to have:</p> <ul style="list-style-type: none"> - A basic procurement training certificate issued by MPI. - Have relevant qualifications and at least 3 years experience relates to his assignment in the EC. - Have English language proficiency meet the bid's requirement. 	<p>All EC members are required to have:</p> <ul style="list-style-type: none"> - A basic procurement training certificate issued by MPI. - Have relevant qualifications and at least 3 years experience relates to his assignment in the EC. - Have English language proficiency meet the bid's requirement 	<p>All EC members are required to have:</p> <ul style="list-style-type: none"> - A basic procurement training certificate issued by MPI. - Have relevant qualifications and at least 3 years experience relates to his assignment in the EC. - Have English language proficiency meet the bid's requirement. 	<p>HG: L CB: L LS: L BK: L</p>
C.15 Is the decision of the evaluators final or is the evaluation subject to additional approvals? / Quyết định của Tổ chuyên gia có phải là cuối cùng hay phải cần được phê duyệt?	The EC's recommendation is subject to approval of the head of the agency prior to its commencement.	The EC's recommendation is subject to approval of the head of the agency prior to its commencement.	The EC's recommendation is subject to approval of the head of the agency prior to its commencement.	The EC's recommendation is subject to approval of the head of the agency prior to its commencement.	<p>HG: L CB: L LS: L BK: L</p>
C.16 Using the three 'worst-case' examples in the last year, how long from the issuance of the invitation for bids can the contract be awarded? / Nêu Ví dụ cụ thể về thời gian đấu thầu của 03 gói thầu dài	An average time from the issuance of the invitation for bids to the contract date is 2,5 months.	An average time from the issuance of the invitation for bids to the contract date is 2,5 months.	An average time from the issuance of the invitation for bids to the contract date is 2,5 months.	An average time from the issuance of the invitation for bids to the contract date is 2,5 months.	<p>HG: L CB: L LS: L BK: L</p>

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
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nhật kể từ khi mời thầu đến khi ký hợp đồng?					
C.17 Are there processes in place for the collection and clearance of cargo through ports of entry? / Có qui định tham chiếu về việc nhận và hoàn thiện các thủ tục nhận hàng tại cảng đến?	No importation of goods was implemented	Refer to legal's documents and regulations	No importation of goods was implemented	No importation of goods was implemented	HG: H CB: H LS: H BK: H
C.18 Are there established goods receiving procedures? / Có văn bản về thủ tục nhận hàng?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Yes	Following Customs procedures as specified in the Customs Law 2014 and the guidelines (Decision No. 1966 / QD-GDC dated 10.07.2015 of the General Department of Customs, Circular 38/2015 / TT-BTC dated 03/25/2015 of the Ministry of Finance)	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013) Yes.	Following Customs procedures as specified in the Customs Law 2014 and the guidelines (Decision No. 1966 / QD-GDC dated 10.07.2015 of the General Department of Customs, Circular 38/2015 / TT-BTC dated 03/25/2015 of the Ministry of Finance)	HG: H CB: H LS: H BK: H
C.19 Are all goods that are received recorded as assets or inventory in a register? / Toàn bộ hàng hóa nhận có được hạch toán tài sản hoặc kiểm kê theo mã số?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Yes.	Yes	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): Yes.	Yes	HG: L CB: L LS: L BK: L
C.20 Is the agency/procurement department	Yes. Bid securities and Contract securities are in the form of a Letter of credit and issued by a	Yes. Bid securities and Contract securities are in the form of a Letter of credit	Yes. Bid securities and Contract securities are in the form of a Letter of credit and	Yes. Bid securities and Contract securities are in the form of a Letter of	HG: L CB: L LS: L

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK ⁷ / MỨC ĐỘ RỦI RO
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familiar with letters of credit? / Đơn vị / ban đấu thầu có quen với hình thức Thư tín dụng?	Bank.	and issued by a Bank.	issued by a Bank.	credit and issued by a Bank.	BK: L
C.21 Does the procurement department register and track warranty and latent defects liability periods? / Bộ phận mua sắm có đăng ký và theo dõi thời gian bảo hành và khắc phục các hư hỏng của thiết bị?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Yes.	Yes	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): Yes.	Yes	HG: L CB: L LS: L BK: L
Consulting Services / DỊCH VỤ TƯ VẤN					
C.22 Has the agency undertaken foreign-assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.) / Cơ quan có thực hiện thực tục mua sắm dịch vụ tư vấn sử dụng vốn ODA gần đây (12 tháng quertisea, hoặc 36 tháng qua)? (Nếu	No. There was a project (2005 – 2012) funded by the International Fund for Agricultural Development (IFAD).	Yes. There was a project (2010 – 2014) funded by the International Fund for Agricultural Development (IFAD).	No. There was a project (2003 – 2007) funded by JBIC and and Gov funded projects (2010 - 2013) implemented by DPI.	Yes. There is an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014).	HG: H CB: M LS: H BK: L

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
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có, nêu thông tin về dịch vụ / nhà tài trợ/ tên dự án.					
C.23 If the above answer is yes, what were the major challenges? / Nếu câu trả lời trên là có, nêu các thách thức mà đơn vị phải đối mặt?	<p>Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012):</p> <p>Due to the project implementation areas is in the mountainous areas which causes less attractive and limitation of available good consultants.</p>	<p>Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014) :</p> <p>Due to the project implementation areas is in the mountainous areas which causes less attractive and limitation of available good consultants.</p>	Not know	<p>Due to the project implementation areas is in the mountainous areas which causes less attractive and limitation of available good consultants.</p>	<p>HG: M CB: M LS: H BK: M</p>
C.24 Are assignments and invitations for expressions of interest (EOIs) advertised? / REOI và TOR có được quảng cáo?	<p>Yes. Request for Expressions of interest (REOI) is advertised on both Public Government Portal (http://muasamcong.mpi.gov.vn) and Government Procurement review in the manner and format prescribed in the respective circulars.</p>	<p>Yes. Request for Expressions of interest (REOI) is advertised on both Public Government Portal (http://muasamcong.mpi.gov.vn) and Government Procurement review in the manner and format prescribed in the respective circulars.</p>	<p>Yes.</p> <p>Reference from JBIC projects (2003 – 2007 and Gov funded projects (2010 - 2013)):</p> <p>Request for Expressions of interest (REOI) is advertised on both a nationwide newspaper and a provincial newspaper</p>	<p>Yes. Request for Expressions of interest (REOI) is advertised on both Public Government Portal (http://muasamcong.mpi.gov.vn) and Government Procurement review in the manner and format prescribed in the respective circulars.</p>	<p>HG: L CB: L LS: L BK: L</p>
C.25 Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)? / Tổ chuyên gia có được thành lập bao gồm các thành viên phù	<p>All EC members are required to have:</p> <ul style="list-style-type: none"> - A basic procurement training certificate issued by MPI. - Have relevant qualifications and at least 3 years experience relates to his assignment in the EC. - Have English language 	<p>All EC members are required to have:</p> <ul style="list-style-type: none"> - A basic procurement training certificate issued by MPI. - Have relevant qualifications and at least 3 years experience relates to his assignment in the 	<p>All EC members are required to have:</p> <ul style="list-style-type: none"> - A basic procurement training certificate issued by MPI. - Have relevant qualifications and at least 3 years experience relates to his assignment in the 	<p>All EC members are required to have:</p> <ul style="list-style-type: none"> - A basic procurement training certificate issued by MPI. - Have relevant qualifications and at least 3 years experience relates to his assignment in 	<p>HG: L CB: L LS: L BK: L</p>

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
hợp, và gồm những thành viên ntn?	prociency meet the bid's requirement.	EC. - Have English language prociency meet the bid's requirement.	EC. - Have English language proficiency meet the bid's requirement	the EC. - Have English language prociency meet the bid's requirement	
C.26 What criteria is used to evaluate EOIs? / Tiêu chí EOI là gì?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): EOIs are evaluated using scoring system and following the below criteria : - Eligibility of EOIs and Consultants - Consultant's qualifications and experience - Consultant's personnel.	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): EOIs are evaluated using scoring system and following the below criteria : - Eligibility of EOIs and Consultants - Consultant's qualifications and experience - Consultant's personnel.	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): EOIs are evaluated using scoring system and following the below criteria : - Eligibility of EOIs and Consultants - Consultant's qualifications and experience - Consultant's personnel.	Reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014). EOIs are evaluated using scoring system and following the below criteria : - Eligibility of EOIs and Consultants - Consultant's qualifications and experience - Consultant's personnel.	HG: L CB: L LS: L BK: L

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
C.27 Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants? / Trước đây, hình thức đấu thầu tuyển chọn thường sử dụng là gì?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Direct contracting and Individual Consultant selection and selection procedures follow Vietnam Procurement Law.	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): QCBS and Individual Consultant selection and selection procedures follow Vietnam Procurement Law.	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): Direct contracting and Individual Consultant selection and selection procedures follow Vietnam Procurement Law.	Reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): QCBS and Individual Consultant selection and selection procedures follow Vietnam Procurement Law.	HG: H CB: M LS: H BK: L
C.28 Do firms have to pay for the RFP document? / Nhà thầu có phải trả phí mua RFP?	No.	No.	No.	No.	HG: L CB: L LS: L BK: L
C.29 Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP? / Tiêu chí đánh giá Hồ sơ đề xuất có tuân thủ Tiêu chí đã đưa ra trước đó?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Yes	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): Yes	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): Yes	Reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): Yes	HG: L CB: L LS: L BK: L
C.30 Are pre-proposal visits and meetings arranged? / Có tổ	No.	No.	No.	No.	HG: H CB: H LS: H

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
chức họp tiền đấu thầu?					BK: H
C.31 Are minutes prepared and circulated after pre-proposal meetings? / Và có lập Biên bản họp?	N/A	N/A	N/A	N/A	HG: H CB: H LS: H BK: H
C.32 To whom are the minutes distributed? / Biên bản họp gửi cho ai?	N/A	N/A	N/A	N/A	HG: H CB: H LS: H BK: H
C.33 Are all queries from consultants answered/addressed in writing? / Các giao dịch yêu cầu làm rõ của Tư vấn và trả lời của Đơn vị có bằng văn bản?	Yes	Yes	Yes	Yes	HG: H CB: H LS: H BK: H
C.34 Are the technical and financial proposals required to be in separate envelopes and remain sealed until the technical evaluation is completed? / Đề xuất kỹ thuật và tài chính có yêu cầu phải được đựng trong phong bì riêng và được bọc kín cho đến khi	Yes. And the technical and financial proposals submit at the same time.	Yes. And the technical and financial proposals submit at the same time.	Yes. And the technical and financial proposals submit at the same time.	Yes. And the technical and financial proposals submit at the same time.	HG: H CB: H LS: H BK: H

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
đánh giá kỹ thuật được hoàn thành?					
C.35 Are proposal securities required? / Có yêu cầu bảo đảm dự thầu?	No.	No.	No.	No.	HG: M CB: M LS: M BK: M
C.36 Are technical proposals opened in public? / Có mở công khai các đề xuất kỹ thuật?	Yes	Yes	Yes	Yes	HG: L CB: L LS: L BK: L
C.37 Are minutes of the technical opening distributed? / Biên Bản mở đề xuất kỹ thuật có được gửi tới các Nhà thầu?	Yes. Minutes was prepared, signed by participants and send to all bidders who submitted their bids.	Yes. Minutes was prepared, signed by participants and send to all bidders who submitted their bids	Yes. Minutes was prepared, signed by participants and send to all bidders who submitted their bids	Yes. Minutes was prepared, signed by participants and send to all bidders who submitted their bids	HG: L CB: L LS: L BK: L
C.39 Who determines the final technical ranking and how? / Ai quyết định xếp hạng các đề xuất kỹ thuật và xếp hạng ntn?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): The EC's recommendation is subject to approval of PMU's director prior to its commencement. Technical ranking is based on the scores of technical proposal.	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): The EC's recommendation is subject to approval of PMU's director prior to its commencement. Technical ranking is based on the scores of technical proposal.	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): The EC's recommendation is subject to approval of PMU's director prior to its commencement. Technical ranking is based on the scores of technical proposal.	Reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): The EC's recommendation is subject to approval of PMU's director prior to its commencement. Technical ranking is based on the scores of	HG: M CB: M LS: M BK: M

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
				technical proposal.	
C.40 Are the technical scores sent to all firms? / Điểm kỹ thuật có được công bố tới tất cả nhà thầu đã nộp đề xuất?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Yes.	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): Yes.	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): Yes.	Reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): Yes.	HG: L CB: L LS: L BK: L
C.41 Are the financial proposal opened in public? / Các đề xuất tài chính có mở công khai?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Yes	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): Yes	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): Yes.	Reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): Yes	HG: L CB: L LS: L BK: L
C.42 Are minutes of the financial opening distributed? Biên bản mở tài chính có được công bố tới tất cả nhà thầu?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Yes	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): Yes	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): Yes.	Reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014):	HG: L CB: L LS: L BK: L

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
				Yes	
C.43 How is the financial evaluation completed? / Cách đánh giá các đề xuất tài chính?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Based on prices offered	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): Based on prices offered	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): Based on prices offered	Reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): Based on prices offered.	HG: M CB: M LS: M BK: M
C.44 Are face to face contract negotiations held? / Có thực hiện mời nhà thầu đến đàm phán trực tiếp?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Yes	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): Yes	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): Yes.	Reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): Yes	HG: L CB: L LS: L BK: L
C.45 How long after financial evaluation is negotiation held with the selected firm? / Sau khi hoàn thành đánh giá tài chính bao lâu thì tiến hành đàm phán?	Within 01 week	Within 01 week	Within 01 week	Within 01 week	HG: L CB: L LS: L BK: L
C.46 What is the usual basis for	Reference from International Fund for Agricultural	Reference from International Fund for	Reference from JBIC projects (2003 – 2007) and	Reference from an ongoing project financed	HG: L CB: L

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
negotiation? / Tài liệu căn cứ để đàm phán là tài liệu gì?	Development (IFAD) project (2005 – 2012): Proposals of consultant and RFP	Agricultural Development (IFAD) project (2010 – 2014): Proposals of consultant and RFP.	Gov funded projects (2010 - 2013): Proposals of consultant and RFP	by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): Proposals of consultant and RFP.	LS: L BK: L
C.47 Are minutes of negotiation taken and signed? / Có lập Biên Bản đàm phán và ký?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Yes	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): Yes	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): Yes.	Reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): Yes	HG: L CB: L LS: L BK: L
C.48 How long after negotiation is the contract signed, on average? / Thời gian bình quân kể từ khi nhận hóa đơn đến khi thanh toán là bao lâu?	Within 01 week	Within 01 week	Within 01 week	Within 01 week	HG: L CB: L LS: L BK: L
C.49 Is there an evaluation system for measuring the outputs of consultants? / Có hệ thống đánh giá	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Yes. The PMU assigned	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014):	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): Yes. The PMU assigned	Reference from an on going project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center	HG: M CB: M LS: M BK: M

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
sản phẩm giao nộp của tư vấn?	technical staff is responsible for monitoring the implementation of the contract.	Yes. The PMU assigned technical staff is responsible for monitoring the implementation of the contract.	technical staff is responsible for monitoring the implementation of the contract	(2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): Yes. The PMU assigned technical staff is responsible for monitoring the implementation of the contract	
PAYMENT / THANH TOÁN					
C.50 Are advance payments made? / Có tạm ứng hợp đồng?	Yes. Normally at 10% of contract amount.	Yes. Normally at 10% of contract amount.	Yes. Normally at 10% of contract amount.	No.	HG: L CB: L LS: L BK: M
C.51 What is the standard period for payment included in contracts? / Thời gian thanh toán thông thường thể hiện trong hợp đồng là bao lâu?	Normally, 30 days from the date of completion of works and submission of reports accepted by PMU with invoices and request for payment	Normally, 30 days from the date of completion of works and submission of reports accepted by PMU with invoices and request for payment	Normally, 30 days from the date of completion of works and submission of reports accepted by PMU with invoices and request for payment	Normally, 30 days from the date of completion of works and submission of reports accepted by PMU with invoices and request for payment	HG: L CB: L LS: L BK: L
C.52 On average, how long is it between receiving a firm's invoice and making payment? / Thời gian bình quân kể từ khi nhận hóa đơn đến khi thanh toán là bao lâu?	Normally, time between receiving contractor's invoice and payment is not excess 30 days.	Normally, time between receiving contractor's invoice and payment is not excess 30 days.	Normally, time between receiving contractor's invoice and payment is not excess 30 days.	Normally, time between receiving contractor's invoice and payment is not excess 30 days.	HG: L CB: L LS: L BK: L
C.53 When late payment is made, are the	No. And not include this article in the contract.	No. And not include this article in the contract.	No. And not include this article in the contract	No. And not include this article in the contract.	HG: H

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
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beneficiaries paid interest? / Khi thanh toán chậm, nhà thầu có nhận được tiền lãi từ khoản thanh toán chậm?					CB: H LS: H BK: H
D. EFFECTIVENESS / TÍNH HIỆU LỰC					
D.1 Is contractual performance systematically monitored and reported? / Việc thực hiện các điều khoản của hợp đồng có được kiểm soát và báo cáo theo hệ thống?	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): Yes. Contractual performance was systematically monitored and reported. All contract's outputs and completion reports were reviewed by head of technical section prior to submission for approval by the PMU's director. The PMU's accountant only processed with invoice and payment after receiving approval for contract's outputs and reports.	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): Yes. Contractual performance was systematically monitored and reported. All contract's outputs and completion reports were reviewed by head of technical section prior to submission for approval by the PMU's director. The PMU's accountant only processed with invoice and payment after receiving approval for contract's outputs and reports.	Reference from JBIC projects (2003 – 2007) and Gov funded projects (2010 - 2013): Yes. Contractual performance was systematically monitored and reported. All contract's outputs and completion reports were reviewed by head of technical section prior to submission for approval by the PMU's director. The PMU's accountant only processed with invoice and payment after receiving approval for contract's outputs and reports.	Reference from an ongoing project financed by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): Yes. Contractual performance was systematically monitored and reported. All contract's outputs and completion reports were reviewed by head of technical section prior to submission for approval by the PMU's director. The PMU's accountant only processed with invoice and payment after receiving approval for contract's outputs and reports.	HG: L CB: L LS: L BK: L
D.2 Does the agency monitor and track	Reference from International Fund for Agricultural	Reference from International Fund for	Reference from JBIC projects (2003 – 2007) and	Reference from an ongoing project financed	HG: L CB: L

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
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its contractual payment obligations? / Đơn vị có kiểm soát và theo dõi các nghĩa vụ thanh toán theo điều khoản của Hợp đồng?	Development (IFAD) project (2005 – 2012): Yes. All contract's outputs schedule and completion reports were reviewed by head of technical section prior to submission for approval by the PMU's director. The PMU's accountant only processed with invoice and payment after receiving approval for contract's outputs and reports.	Agricultural Development (IFAD) project (2010 – 2014): Yes. All contract's outputs schedule and completion reports were reviewed by head of technical section prior to submission for approval by the PMU's director. The PMU's accountant only processed with invoice and payment after receiving approval for contract's outputs and reports.	Gov funded projects (2010 - 2013): Yes. All contract's outputs schedule and completion reports were reviewed by head of technical section prior to submission for approval by the PMU's director. The PMU's accountant only processed with invoice and payment after receiving approval for contract's outputs and reports.	by Saudi Development Fund for construction of Provincial Hospital and Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014): Yes. All contract's outputs schedule and completion reports were reviewed by head of technical section prior to submission for approval by the PMU's director. The PMU's accountant only processed with invoice and payment after receiving approval for contract's outputs and reports.	LS: L BK: L
D.3 Is a complaints resolution mechanism described in national procurement documents? / HSMT đấu thầu có cơ chế giải quyết các khiếu nại?	Yes.	Yes.	Yes.	Yes.	HG: L CB: L LS: L BK: L
D.4 Is there a formal non-judicial mechanism for dealing with complaints? / Có	Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): The only mechanism for dealing	Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014):	The only mechanism for dealing with complaints which is officially agreed in the contract is through the judicial mechanism.	Reference from an on going project financed by Saudi Development Fund for construction of Provincial Hospital and	HG: M CB: M LS: M BK: M

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK?/ MỨC ĐỘ RỦI RO
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<p> cơ chế giải quyết các khiếu nại một cách chính thống mà không sử dụng tòa án?</p>	<p>with complaints which is officially agreed in the contract is through the judicial mechanism.</p>	<p>The only mechanism for dealing with complaints which is officially agreed in the contract is through the judicial mechanism.</p>		<p>Health training Center (2011 – 2016) and a completed project with financing from International Fund for Agricultural Development (IFAD) (2011 – 2014):</p> <p>The only mechanism for dealing with complaints which is officially agreed in the contract is through the judicial mechanism.</p>	
<p>D.5 Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment? / Các qui định đấu thầu và giải quyết tranh chấp có thể hiện bằng văn bản như: biên bản đánh giá, biên bản đàm phán, thông báo lỗi, thông báo hủy thanh toán?</p>	<p>Yes.</p>	<p>Yes.</p>	<p>Yes.</p>	<p>Yes.</p>	<p>HG: L CB: L LS: L BK: L</p>
<p>E. ACCOUNTABILITY MEASURES / TRÁCH NHIỆM GIẢI TRÌNH</p>					
<p>E.1 Is there a standard statement of ethics and are those involved in procurement</p>	<p>Yes. All the DPI officials involved in the procurement process are required to have certificate of completion of basic procurement training</p>	<p>Yes. All the DPI officials involved in the procurement process are required to have certificate of completion of</p>	<p>Yes. All the DPI officials involved in the procurement process are required to have certificate of completion of basic</p>	<p>Yes. All the PMU officials involved in the procurement process are required to have certificate of completion</p>	<p>HG: L CB: L LS: L BK: L</p>

QUESTION/ CÂU HỎI	RESPONSE / TRẢ LỜI				RISK ⁷ / MỨC ĐỘ RỦI RO
	HA GIANG (HG)	CAO BANG (CB)	LANG SON (LS)	BAC KAN (BK)	
required to formally commit to it? / Có văn bản quy chuẩn nào về chuẩn mực đạo đức và các nhân sự tham gia vào công tác đấu thầu phải cam kết tuân thủ ?	issued by MPI or its authorised agencies and accountable for their decisions. While all EC members must sign it's declaration of any potential conflict of interest with sufficient qualifications, and remove themselves from the evaluation process if there is any unethical practice is found. Depending on level of serious case of unethical practice it causes, the officials concerned can be charged pursuant to the procurement laws and its relating regulatory guideline.	basic procurement training issued by MPI or its authorised agencies and accountable for their decisions. While all EC members must sign it's declaration of any potential conflict of interest with sufficient qualifications, and remove themselves from the evaluation process if there is any unethical practice is found. Depending on level of serious case of unethical practice it causes, the officials concerned can be charged pursuant to the procurement laws and its relating regulatory guideline.	procurement training issued by MPI or its authorised agencies and accountable for their decisions. While all EC members must sign it's declaration of any potential conflict of interest with sufficient qualifications, and remove themselves from the evaluation process if there is any unethical practice is found. Depending on level of serious case of unethical practice it causes, the officials concerned can be charged pursuant to the procurement laws and it's relating regulatory guideline.	of basic procurement training issued by MPI or its authorised agencies and accountable for their decisions. While all EC members must sign it's declaration of any potential conflict of interest with sufficient qualifications, and remove themselves from the evaluation process if there is any unethical practice is found. Depending on level of serious case of unethical practice it causes, the officials concerned can be charged pursuant to the procurement laws and its relating regulatory guideline.	
E.2 Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process? / Liệu các nhân sự tham gia vào công tác đấu thầu được yêu cầu phải tuyên bố không có bất kỳ xung đột lợi ích và bị loại khỏi công tác đấu thầu nếuvi	Yes. All the DPI officials involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorised agencies and accountable for their decisions. While all EC members must sign it's declaration of any potential conflict of interest with sufficient qualifications, and remove themselves from the evaluation process if there is any unethical practice is found. Depending on level of serious case of	Yes. All the DPI officials involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorised agencies and accountable for their decisions. While all EC members must sign it's declaration of any potential conflict of interest with sufficient qualifications, and remove themselves from the	Yes. All the DPI officials involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorised agencies and accountable for their decisions. While all EC members must sign it's declaration of any potential conflict of interest with sufficient qualifications, and remove themselves from the evaluation process if there is any	Yes. All the PMU officials involved in the procurement process are required to have certificate of completion of basic procurement training issued by MPI or its authorised agencies and accountable for their decisions. While all EC members must sign it's declaration of any potential conflict of interest with sufficient qualifications, and remove themselves from	HG: L CB: L LS: L BK: L

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phạm?	unethical practice it causes, the officials concerned can be charged pursuant to the procurement laws and its relating regulatory guideline.	evaluation process if there is any unethical practice is found. Depending on level of serious case of unethical practice it causes, the officials concerned can be charged pursuant to the procurement laws and its relating regulatory guideline.	unethical practice is found. Depending on level of serious case of unethical practice it causes, the officials concerned can be charged pursuant to the procurement laws and it's relating regulatory guideline.	the evaluation process if there is any unethical practice is found. Depending on level of serious case of unethical practice it causes, the officials concerned can be charged pursuant to the procurement laws and its relating regulatory guideline.	
E.3 Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process? / Có hoạt động đấu thầu nào chịu sức ép chỉ đạo từ bên ngoài (chính thức hoặc không chính thức mà không tuân thủ qui trình phê duyệt ngân sách?	No	No	No	No	HG: L CB: L LS: L BK: L
E.4 Who approves procurement transactions, and do they have procurement experience and qualifications? / Ai là người phê duyệt các tài liệu đấu thầu, và họ có đáp ứng về năng lực và	Yes. The head of the agency will approve the procurement document after the review of the appraisal committee with qualified members from respective fields.	Yes. The head of the agency will approve the procurement document after the review of the appraisal committee with qualified members from respective fields.	Yes. The head of the agency will approve the procurement document after the review of the appraisal committee with qualified members from respective fields.	Yes. The PMUs director will approve the procurement document after the review of the appraisal committee with qualified members from respective fields.	HG: L CB: L LS: L BK: L

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kinh nghiệm?					
E.5 Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and who grants the approval? / Các hành động nào dưới đây cần phải được phê duyệt từ bên ngoài, ai là người duyệt:	Most of the procurement process include: Bidding documents, invitation to pre-qualify or RFP, evaluation reports, contract negotiation result and contracts are subject to approval prior to its commencement.	Most of the procurement process include: Bidding documents, invitation to pre-qualify or RFP, evaluation reports, contract negotiation result and contracts are subject to approval prior to its commencement.	Most of the procurement process include: Bidding documents, invitation to pre-qualify or RFP, evaluation reports, contract negotiation result and contracts are subject to approval prior to its commencement.	Most of the procurement process include: Bidding documents, invitation to pre-qualify or RFP, evaluation reports, contract negotiation result and contracts are subject to approval prior to its commencement.	
a) Bidding document, invitation to pre-qualify or RFP / Hồ sơ mời thầu hàng hóa hoặc tư vấn	Yes.	Yes.	Yes.	Yes.	HG: L CB: L LS: L BK: L
b) Advertisement of an invitation for bids, pre-qualification or call for EOIs / Quảng cáo Hồ sơ mời quan tâm	Yes.	Yes.	Yes.	Yes.	HG: L CB: L LS: L BK: L
c) Evaluation reports / Báo cáo xét thầu	Yes.	Yes.	Yes.	Yes.	HG: L CB: L LS: L BK: L
d) Notice of award /	Yes.	Yes.	Yes.	Yes.	HG: L

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Thông báo kết quả đấu thầu					CB: L LS: L BK: L
e) Invitation to consultants to negotiate / Mời nhà thầu đến thương thảo hợp đồng	No.	No.	No.	No.	HG: L CB: L LS: L BK: L
f) Contracts / Hợp đồng	Yes.	Yes.	Yes.	Yes.	HG: L CB: L LS: L BK: L
E.6 Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets? / Có phải cùng 1 người chịu trách nhiệm: (i) thực hiện các chủ tục	No. The agency through a dedicated evaluation committee (EC) identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval of the head of the agency prior to its commencement. Reference from International Fund for Agricultural Development (IFAD) project (2005 – 2012): All contract's outputs and completion reports were reviewed by head of technical section prior to submission for approval by the PMU's director. The PMU's accountant only processed with invoice and	No. The agency through a dedicated evaluation committee (EC) identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval of the head of the agency prior to its commencement. Reference from International Fund for Agricultural Development (IFAD) project (2010 – 2014): All contract's outputs and completion reports were reviewed by head of technical section prior to submission for approval	No. The agency through a dedicated evaluation committee (EC) identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval of the head of the agency prior to its commencement. Reference from JBIC projects (2003 – 2007): All contract's outputs and completion reports were reviewed by head of technical section prior to submission for approval by the PMU's director. The PMU's accountant only processed with invoice and payment after receiving	No. The agency through a dedicated evaluation committee (EC) identify, process, manage, evaluate, and monitor the procurement of goods, construction contracts and consulting services. The EC's recommendation is subject to approval of the PMU's director prior to its commencement. All contract's outputs and completion reports were reviewed by head of technical section prior to submission for approval by the PMU's director. The PMU's accountant only processed with invoice and payment	HG: L CB: L LS: L BK: L

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đấu thầu, (ii) ủy quyền thanh toán; (iii) lưu trữ các tài liệu thầu; và (iv) quản lý tài sản.	payment after receiving approval for contract's outputs and reports. And Accounting section and Administrative section are responsible for the custody of assets.	by the PMU's director. The PMU's accountant only processed with invoice and payment after receiving approval for contract's outputs and reports. And Accounting section and Administrative section are responsible for the custody of assets.	approval for contract's outputs and reports. And Accounting section and Administrative section are responsible for the custody of assets.	after receiving approval for contract's outputs and reports. And Accounting section and Administrative section are responsible for the custody of assets.	
E.7 Is there a written auditable trail of procurement decisions attributable to individuals and committees? / Có cơ quan nào thực hiện kiểm tra các quyết định mua sắm của từng cá nhân và của ban đấu thầu?	MPI, State Audit and PPC through its missions will conduct an inspection and/or audit if there is a complaint about the procurement process conducted. Depending on level of serious case of practice it causes, the officials concerned can be charged pursuant to the procurement laws and its relating regulatory guideline.	MPI, State Audit and PPC through its missions will conduct an inspection and/or audit if there is a complaint about the procurement process conducted. Depending on level of serious case of practice it causes, the officials concerned can be charged pursuant to the procurement laws and it's relating regulatory guideline.	MPI, State Audit and PPC through its missions will conduct an inspection and/or audit if there is a complaint about the procurement process conducted. Depending on level of serious case of practice it causes, the officials concerned can be charged pursuant to the procurement laws and its relating regulatory guideline.	MPI, State Audit and PPC through its missions will conduct an inspection and/or audit if there is a complaint about the procurement process conducted. Depending on level of serious case of practice it causes, the officials concerned can be charged pursuant to the procurement laws and it's relating regulatory guideline.	HG: M CB: M LS: M BK: M