

PROCUREMENT PLAN

Basic Data

Project Name: Productive Rural Infrastructure Sector Project in the Central Highlands	
Project Number: 40238-023	Approval Number: 3032
Country: Viet Nam, Socialist Republic of	Executing Agency: Ministry of Agriculture and Rural Development
Project Financing Amount: US\$ 87,580,000 ADB Financing: US\$ 80,000,000 Cofinancing (ADB Administered): Non-ADB Financing: US\$ 7,580,000	Implementing Agency: Ministry of Agriculture & Rural Development (MARD), Ministry of Agriculture and Rural Development Project Closing Date: 30 June 2020
Date of First Procurement Plan: 16 October 2013	Date of this Procurement Plan: 5 January 2020, Version 13
Advance Contracting: No	e-GP: Yes http://muasamcong.mpi.gov.vn/

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

1. Procurement and Consulting Methods and Thresholds

Except as the Asian Development Bank (ADB) may otherwise agree, the following process thresholds shall apply to procurement of goods and works.

Procurement of Goods and Works		
Method	Threshold	Comments
National Competitive Bidding for Goods	Between US\$ 100,001 and US\$ 1,999,999	Prior for the first package in each province, post for the rest. The harmonized standard bidding documents for procurement of goods under NCB issued by ADB shall be used.
Shopping for Goods	Up to US\$ 100,000	
National Competitive Bidding for Works	Between US\$ 100,001 and US\$ 9,999,999	Prior for the first package in each province, post for the rest. The harmonized standard bidding documents for procurement of works under NCB issued by ADB shall be used.
Shopping for Works	Up to US\$ 100,000	

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

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

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

Package Number	General Description	Estimated Value	Procurement Method	Review (Prior/Post)	Bidding Procedure	Advertisement Date (quarter/year)	Comments
DN03-XL04	Dak R'láp Sub-project: Repairing, upgrading Quang Loc irrigation work, hamlet 2 in Dak	1,727,000.00	NCB	Post	1S1E	Q4 / 2019	Prequalification of Bidders: N Domestic

	Sin commune, Dak R' Lap						Preference Applicable: N Bidding Document: Small Works e-GP: Yes e-GP Type: e-Bidding
KT01-XL04	Dak Trit Sub-project: Repairing, upgrading Kon Trang Kla, Dak Trit irrigation system and rural infrastructure in Dak La commune, Dak Ha district	1,295,000.00	NCB	Post	1S1E	Q4 / 2019	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works e-GP: Yes e-GP Type: e-Bidding

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

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

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

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

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

Goods and Works								
Package Number	General Description	Estimated Value	Number of Contracts	Procurement Method	Review (Prior/ Post)	Bidding Procedure	Advertisement Date (quarter/year)	Comments
DL01- XL08	Ea Kao Sub-project: Additional works	870,000.00	1	NCB	Post	1S1E	Q4 / 2019	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding

								Document: Small Works e-GP: Yes e-GP Type: e-Bidding
DL02 –XL09	Ea Soup Sub-project: Additional works	411,000.00	1	NCB	Post	1S1E	Q4 / 2019	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works e-GP: Yes e-GP Type: e-Bidding
DL03-XL10	Krong Nang Sub-project: Additional works	360,000.00	1	NCB	Post	1S1E	Q4 / 2019	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works e-GP: Yes e-GP Type: e-Bidding
DN05- XL06	Dak Mil Sub-project: Investment and supporting infrastructure for the aquaculture variety center in Dak Mil commune	864,000.00	1	NCB	Post	1S1E	Q4 / 2019	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works e-GP: Yes e-GP Type: e-Bidding
LD03-XL08	Construction and installation of equipment for Thanh Nghia pumping	670,107.00	1	NCB	Post	1S1E	Q4 / 2019	Prequalification of Bidders: N Domestic Preference Applicable: N

	station, Don Duong district, Lam Dong province							Bidding Document: Small Works e-GP: Yes e-GP Type: e-Bidding
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Consulting Services								
Package Number	General Description	Estimated Value	Number of Contracts	Recruitment Method	Review (Prior/Post)	Advertisement Date (quarter/year)	Type of Proposal	Comments
None								

B. Indicative List of Packages Required Under the Project

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

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

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

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

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

1. Awarded and Ongoing Contracts

Goods and Works							
Package Number	General Description	Estimated Value	Awarded Contract Value	Procurement Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award	Comments
DL01- XL01	Ea Kao Sub-project: Repairing, upgrading irrigation canals and related facilities.	2,930,000.00	2,966,597.50	NCB	Q1 / 2016		
DN02-XL02	Cu Jut	3,503,000.00	2,918,785.54	NCB	Q2 / 2016		

	Sub-project: Repairing, upgrading irrigation facility of Cu Jut						
DL05-XL07	Cu M'Gar subproject: Repairing, upgrading irrigation system for coffee in the public-private partnership in Tien Cuong village, Quang Tien commune, Cu M'Gar district	2,204,770.00	2,181,014.00	NCB	Q2 / 2019	17-OCT-19	e-GP: Yes e-GP Type: e-Bidding
LD04-XL06	Da Don sub-project: Solidification of canal system of Dak Don irrigation works, Lam Ha district	2,445,030.00	2,296,922.47	NCB	Q2 / 2018	25-SEP-18	
LD01-XL07	Da Teh sub-project: Repairing and upgrading additional canals of Da Teh irrigation scheme subproject	1,871,010.00	1,722,435.12	NCB	Q4 / 2018	26-DEC-18	
LD01-XL01	DaTeh Sub-project: Repairing, upgrading core canals of irrigation facility of DaTeh	4,679,000.00	2,989,366.61	NCB	Q1 / 2016		
KT03-XL05	Dak Dam Sub-project: Repairing, upgrading 8.35 km of rural roads – class A,C	1,798,000.00	2,133,683.86	NCB	Q4 / 2015		
KT03-XL06	Dak Dam Sub-project: Repairing, upgrading irrigation works and operation road for irrigation system of Dak Dam	518,000.00	413,525.20	NCB	Q1 / 2016	21-SEP-16	
GL03-XL08 . DakDoa	Dak Doa Sub-project: Repairing, upgrading 6.4 km of rural road – class A and the related facilities	1,543,000.00	1,417,852.15	NCB	Q3 / 2016	13-DEC-17	
GL03-XL07 .DakDoa	Dak Doa Sub-project: Repairing, upgrading head works of laKut irrigation facility, canals in laKút, water-controlling work of canal	599,000.00	459,256.03	NCB	Q1 / 2016	06-OCT-17	

	N1B and N2A, upgrade 4,2 km of canal and dredge of 3.7 km of soil canal.						
KT04-XL08	Dak Glei sub-project: Repairing, upgrading irrigation system of Dak Kit and rural infrastructure in Dak Mon commune, Dak Lei district.	1,601,068.00	1,609,700.19	NCB	Q1 / 2018		
GL04-XL09 .DAKPO	Dak Po sub-project: Repairing, upgrading irrigation works at Tan Hoi, An Quy pump stations, and Ha Tam reservoir in Dak Po district	1,601,068.00	1,262,802.90	NCB	Q3 / 2018	26-DEC-18	
DN03-XL03	Dak R'lap Sub-project: Repairing, upgrading irrigation facility of Quang Loc, Dao Nghia Commune and upgrading of 8.8km of rural road - class B	2,127,000.00	2,300,082.04	NCB	Q2 / 2016	26-DEC-16	
KT02-XL04	Dak Snghe Sub-project: Repairing, upgrading irrigation works and operation road for irrigation system	519,000.00	463,189.40	NCB	Q1 / 2016	21-SEP-16	
KT02-XL03	Dak Snghe Sub-project: Repairing, upgrading the rural roads in Tan Lap commune	925,000.00	900,244.28	NCB	Q1 / 2016	21-SEP-16	
KT01-XL02	Dak Trit Sub-project: Construction of Dak Trit flood spillway and upgrading rural road - class A, main route segment from K4+460.4 - K4+749.2 (segment over dam and spillway)	2,869,346.00	2,614,507.58	NCB	Q4 / 2016	08-MAY-17	
KT01-XL01	Dak Trit Sub-project: Repairing, upgrading rural roads in Dak Trit commune	2,316,000.00	1,780,380.02	NCB	Q4 / 2016		

KT01-XL07	Dak Trit Sub-project: Stabilization of Dak Trit dam slope, Ja Pen regulation system, Ja Pen irrigation and drainage canal, Kon Trang Kla 1&2 irrigation canals, 1&2 drainage canals	831,474.00	811,269.70	NCB	Q4 / 2016	17-MAR-17	
LD02-XL03	Di Linh Sub-project: Upgrade 0.7 km of the by pass rural road of Ka La lake and the related facilities on the road	1,004,000.00	501,510.60	NCB	Q1 / 2016	04-MAY-17	
LD02-XL02	Di Linh Sub-project: Upgrading irrigation lakes of Tay Di Linh, Dong Di Linh and rural roads through the peal of Dong Di Linh lake.	2,062,000.00	992,784.87	NCB	Q1 / 2016		
LD03-XL04	Don Duong Sub-project: Repairing, upgrading irrigation facility of Cong Doan lake and rural road – class A in Tu Tra commune	1,138,000.00	618,069.30	NCB	Q1 / 2016	04-MAY-17	
LD03-XL05	Don Duong Sub-project: Repairing, upgrading irrigation facility of Tan Hien lake and rural road – class A in Lac Xuan commune	1,657,000.00	810,602.73	NCB	Q1 / 2016	04-MAY-17	
DL02-XL02	Ea Soup Sub-project: Repairing, upgrading the canal system and related facilities of Ea Soup.	2,337,000.00	1,527,897.77	NCB	Q2 / 2016		
DL02-XL03	Ea Soup Sub-project: Repairing, upgrading the class B rural road with total length of 16.42 km, along the East core canal, and the related facilities of the road.	1,799,000.00	1,766,689.38	NCB	Q2 / 2016		
DN04-XL04	Gia Nghia sub-project:	2,314,711.00	2,282,871.75	NCB	Q4 / 2017	26-MAR-18	

	Repairing, upgrading Che Bien and Nam Da reservoirs, Gia Nghia Town						
GL02-XL04 .IaM'La	Ia M'La Sub-project: Repairing, upgrading 19 canals and the related facilities	1,979,000.00	1,583,480.25	NCB	Q3 / 2016		
GL02-XL03 .IaM'La	Ia M'La Sub-project: Repairing, upgrading 31 canals and the related facilities	1,770,000.00	1,527,981.09	NCB	Q3 / 2016	27-SEP-17	
GL02-XL05 .IaM'La	IaM'La Sub-project: New construction of 7 canals with total capacity of F>20ha by new technology of ready slim-wall concrete and the related facilities (N11-13, N11-V1, N11-14, N11-14-1, N11-14-4, N11-13-1, N11-14-4a)	273,000.00	289,701.64	NCB	Q4 / 2017	12-DEC-17	
GL02-XL06 .IaM'La	IaM'La Sub-project: Repairing, upgrading 5.5km rural road – class B	684,000.00	522,342.19	NCB	Q1 / 2016	27-SEP-17	
DN05-XL05	Investment and upgrading infrastructure for the aquaculture variety center in Dak Mil district: Construction of canal systems for irrigation canals, drainage canals and works on the canals	1,746,725.00	1,718,565.37	NCB	Q3 / 2018	08-SEP-18	
DL03-XL04	Krong Nang Sub-project: Repairing, upgrading irrigation facilities of Krong Nang	1,228,000.00	1,100,333.99	NCB	Q2 / 2016		
DL03-XL05	Krong Nang Sub-project: Repairing, upgrading 8.41km of rural road and the related facilities on the road.	1,261,000.00	1,356,241.43	NCB	Q2 / 2016	08-MAY-17	
DN01-XL01	Krong No Sub-project: Repairing, upgrading	4,755,000.00	4,020,968.94	NCB	Q2 / 2016		

	irrigation facility of Krong No.						
DL04-XL06	Lak sub-project: Repairing, upgrading productive infrastructure of Buon Tria reservoir in Lak district, Dak Lak province	2,893,390.00	2,809,845.34	NCB	Q1 / 2018		
KT05-XL09	Lung Lau sub-project: Repair and upgrading of Lung Lau irrigation system and rural infrastructure in Sa Son area, Sa Son commune, Sa Thay district	1,376,420.00	1,519,966.67	NCB	Q3 / 2018		
GL01-XL01 .TANSON	Tan Son Sub-project: Upgrading, finalization of the rural infrastructure of irrigation facility of Tân Sơn and the areas of Nghia Hung commune, Chu Trôi, Chu Pah district	1,306,000.00	1,242,357.08	NCB	Q2 / 2016		
GL01-XL02 .TANSON	Tan Son Sub-project: Upgrading, finalization of the rural roads for productive areas numbers 01, 2-1, 2-2.	801,000.00	728,468.97	NCB	Q1 / 2016	08-SEP-16	
DN06-XL06	Upgrading, finalization of Dak Ro irrigation system, Krong Nong district	1,739,130.00	1,722,482.35	NCB	Q1 / 2019	29-MAR-19	e-GP: No
GD3	Office rental	100,000.00	79,488.00	SHOPPING	Q1 / 2014	15-JUL-14	
GD4	Accounting software	20,000.00	18,857.00	SHOPPING	Q2 / 2015	16-JUN-15	

Consulting Services							
Package Number	General Description	Estimated Value	Awarded Contract Value	Recruitment Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award	Comments
CS06-b	Project financial audit for last two fiscal years of project performance	50,000.00	40,954.91	FBS	Q2 / 2018	26-APR-19	e-GP: No
CS 15	Participatory	14,040.00	14,040.00	ICS	Q2 / 2015	22-SEP-15	

	irrigation management institutional research specialist						
CS 14	Water-saving irrigation institutional research specialist	14,040.00	14,040.00	ICS	Q2 / 2015	22-SEP-15	
CS08	Monitoring and Evaluation	100,000.00	76,674.70	FBS	Q4 / 2015	09-JAN-17	
CS06-a	Project Financial Audit for first three fiscal years of project performance	120,000.00	21,137.70	LCS	Q4 / 2015	03-JUN-16	
CS04	Safeguard Consultants	290,000.00	277,315.50	FBS	Q1 / 2014	12-FEB-15	
CS07	Special services Consultants for Baseline studies	60,000.00	56,979.50	CQS	Q4 / 2015	14-APR-17	
CS01	Project implementation consultants - firm	3,003,000.00	3,085,205.70	QCBS	Q1 / 2014	05-MAY-15	
CS 13	Water-saving irrigation economist	27,520.00	27,520.00	ICS	Q2 / 2015	22-SEP-15	

D. National Competitive Bidding

1. General

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

2. Eligibility

- (i) The eligibility of bidders shall be defined under section I of the ADB Procurement Guidelines; accordingly, no bidder or potential bidder should be declared ineligible for reasons other than those provided in section I of the ADB Procurement Guidelines, as amended from time to time. Conditions of bidders' participation shall be limited to those that are essential to ensure bidders' capability to fulfill the contract in question. Foreign bidders shall be eligible to participate under the same conditions as national bidders. Foreign bidders shall not be asked or required to form joint ventures with, or be subcontractors to, national bidders in order to submit a bid.
- (ii) A firm declared ineligible by ADB cannot participate in bidding for an ADB-financed contract during the period of time determined by ADB.
- (iii) A bidder shall not have a conflict of interest, which term shall be defined in accordance with section 1 of ADB Procurement Guidelines.¹ Any bidder found to have a conflict of interest shall be ineligible for contract award.
- (iv) Government-owned enterprises in the Borrower's country shall be eligible to participate as a bidder only if they can establish that they are legally and financially autonomous, operate under commercial law and are not dependent agencies of the Borrower or Sub-Borrower.
- (v) National sanction lists may only be applied with approval of ADB².

3. Preferences

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

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

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

4. Bidding Procedure

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

5. Time for Bid Preparation

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

6. Standard bidding documents

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

7. Bid Opening and Evaluation

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

8. Rejection of All Bids and Rebidding

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

³ A minor, non-substantial deviation is one that, if accepted, would not affect in any substantial way the scope, quality, or performance specified in the contract; or limit in any substantial way, the Contracting entity rights or the Bidder's obligations under the proposed contract or if rectified, would not unfairly affect the competitive position of other bidders presenting substantially responsive bids.

9. Publication of the Award of Contract. Debriefing.

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

10. Contract Administration

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

11. Fraud and Corruption

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

12. Right to Inspect/ Audit

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