

## PROCUREMENT PLAN

### Basic Data

<b>Project Name:</b> Greater Mekong Subregion Biodiversity Conservation Corridors Project (Cambodia, Lao People's Democratic Republic, and Viet Nam)	
<b>Project Number:</b> 40253-023	<b>Approval Number:</b> 2721
<b>Country:</b> Viet Nam, Socialist Republic of	<b>Executing Agency:</b> Ministry of Natural Resources and Environment
<b>Project Financing Amount:</b> US\$ 30,000,000 <b>ADB Financing:</b> US\$ 30,000,000 <b>Cofinancing (ADB Administered):</b> <b>Non-ADB Financing:</b>	<b>Implementing Agency:</b> N/A
	<b>Project Closing Date:</b> 30 September 2019
<b>Date of First Procurement Plan:</b> 10 December 2010	<b>Date of this Procurement Plan:</b> 14 February 2019, Version 6
<b>Advance Contracting:</b> No	<b>e-GP:</b> No

### 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\$ 100,000 and US\$ 999,999	<p>Prior/Post</p> <p>The draft English language version of the procurement documents should be submitted for ADB review and approval regardless of the estimated contract amount. ADB approved procurement documents should be used as a model for all subsequent NCB procurement financed by ADB Prior review for the first 2 contracts, ADB will review subsequent bid evaluation report and award of contract on a post-review basis.</p> <p>CPMU/PPMU to procure all NCB packages.</p>
Shopping for Goods	Up to US\$ 99,999	Post
Direct Contracting for Goods	Up to US\$ 100,000	<p>Prior review</p> <p>Subject to ADB prior review and approval. Conditions to use this method should be compliant with PAI 3.06, Paras. 12-15.</p>
National Competitive Bidding for Works	Between US\$ 100,000 and US\$ 999,999	<p>Prior/Post</p> <p>The draft English language version of the procurement documents should be submitted for ADB review and approval regardless of the estimated contract amount. ADB approved procurement documents should be used as a model for all subsequent NCB procurement financed by ADB Prior review for the first 2 contracts, ADB will review subsequent bid</p>

		evaluation report and award of contract on a post-review basis.  CPMU/PPMU to procure all NCB packages.
Shopping for Works	Up to US\$ 99,999	Post review  The draft English language version of the procurement documents should be submitted for ADB review and approval, regardless of the estimated contract amount.
Direct Contracting for Works	Up to US\$ 10,000	Prior  Subject to ADB prior review and approval. Conditions to use this method should be compliant with PAI 3.06, Paras. 12-15.
Community Participation in Procurement for Works	Up to US\$ 30,000	Prior review of sample contract; subsequent contracts follow post review

Consulting Services	
Method	Comments
Consultant's Qualification Selection for Consulting Firm	Involves small contracts with specialist organizations or individuals for time critical work, using Biodata Technical Proposals (BTP)  Prior review
Quality- and Cost-Based Selection for Consulting Firm	80:20 The CPMU will recruit implementation consultants from a firm, using full technical proposals.  Prior review
Individual Consultant Selection for Individual Consultant	Involves small contracts with specialist organizations or individuals for time critical work  Prior review

## 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
D6N9	Labors for forest planting (livelihood, restoration, NTFP and natural regeneration)	1,501,296.00	CPP	Post		Q3 / 2018	Comments: Quang Nam
D6T5	Labors for forest planting (livelihood, restoration, NTFP and	1,614,500.00	CPP	Post		Q2 / 2016	

	natural regeneration)						Comments: Quang Tri, CPP-Post will be used for Labor (prior review will only be for the contract template)
D7H4	Small scale Infra works-TTH	1,200,000.00	SHOPPING	Post		Q4 / 2018	Comments: Thua Thien Hue

### 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
D6H1	Boundary Delineation and demarcation	67,500.00	1	SHOPPING	Post		Q2 / 2018	Comments: Thua Thien Hue
D6H11	Documentation for structuring a sustainable forest model	10,000.00	1	SHOPPING	Post		Q2 / 2018	Comments: Thua Thien Hue
D6H12	Labors for forest planting (Reforestation, NTFP and Livelihood) - at	848,743.00	45	CPP	Post		Q4 / 2018	

	A Luoi district							Comments: Thua Thien Hue
D6H2	Community Forest Management Patrolling	361,530.00	13	CPP	Post		Q3 / 2018	Comments: Thua Thien Hue
D6H20.	Pilot logging	20,000.00	2	CPP	Post		Q3 / 2018	Comments: Thua Thien Hue
D6H21	Signs for demonstration sites	8,000.00	1	SHOPPING	Post		Q3 / 2018	Comments: Thua Thien Hue
D6H22	Forest plantation design for additional area of 100ha in A Luoi district	4,763.00	1	SHOPPING	Post		Q3 / 2018	
D6H23	Labors for forest planting in 100ha of additional area in A luoi district	62,667.00	3	CPP	Post		Q3 / 2018	
D6H25	Labors for forest tending in the first year for additional area of 100ha in A luoi district	20,000.00	3	CPP	Post		Q3 / 2018	
D6H3	Documentation for land measuring and cadastral records for issuing red bookds for households	16,322.00	1	SHOPPING	Post		Q2 / 2018	Comments: Thua Thien Hue
D6H5.G3	Fertilizers for additional area of 100ha in A Luoi district	14,971.00	1	SHOPPING	Post		Q3 / 2018	Comments: Thua Thien Hue

D6H6.G6	Seedlings for additional area of 100ha in A Luoi district	56,578.00	1	SHOPPING	Post		Q3 / 2018	Comments: Thua Thien Hue
D6H6 (G1-G5)	Seedlings	402,480.00	5	SHOPPING	Post		Q2 / 2018	Comments: Thua Thien Hue
D6N1	Boundary Delineation and demarcation	81,000.00	1	SHOPPING	Post		Q2 / 2018	Comments: Quang Nam
D6N16	Signs for demonstration sites	8,000.00	1	SHOPPING	Post		Q2 / 2018	Comments: Quang Nam
D6N2	Community Forest Management Patrolling	613,713.00	50	CPP	Post		Q2 / 2018	Comments: Quang Nam
D6N4.2	Documentation for land measuring and allocation, cadastral records for issuing red bookc for households	97,900.00	2	SHOPPING	Post		Q2 / 2018	Comments: Quang Nam
D6N4.3	Documentation for participatory forest resources investigation, measuring, cadastral records for issuing red books for community	79,167.00	1	SHOPPING	Post		Q2 / 2018	Comments: Quang Nam
D6N4.G3	Documentation for structuring a sustainable	10,000.00	1	SHOPPING	Post		Q2 / 2018	

	forest model							Comments: Quang Nam
D6N8	Seedlings for forest planting (livelihood, restoration and NTFP)	717,810.00	13	SHOPPING	Post		Q2 / 2018	Comments: Quang Nam
D6N9	Labors for forest planting (livelihood, restoration, NTFP and natural regeneration)	1,501,296.00	80	CPP	Post		Q3 / 2018	Comments: Quang Nam
D6T2	Community Forest Management Patrolling	262,500.00	12	CPP	Post		Q2 / 2018	Comments: Quang Tri, Prior review of sample contract; subsequent contracts follow post review
D6T3.23	Purchase seedlings for forest restoration planting at Huong Hiep commune in 2018	93,495.00	1	SHOPPING	Post		Q4 / 2018	Comments: Quang Tri. This is the additional package under D6T3 package group which was previously approved by ADB.
D6T3.24	Purchase seedlings for Non Timber Forest Product planting at Huong Hiep commune in 2018	38,179.00	1	SHOPPING	Post		Q4 / 2018	Comments: Quang Tri. This is the additional package under D6T3 package group which was previously approved by ADB.
D6T5	Labors for forest planting (livelihood, restoration, NTFP and	1,614,500.00	50	CPP	Post		Q2 / 2016	

	natural regeneration)							Comments: Quang Tri, CPP-Post will be used for Labor (prior review will only be for the contract template)
D7H3	Supplies for orange productions (business development model in Thua Thien Hue)	99,900.00	3	SHOPPING	Post		Q2 / 2018	Comments: Thua Thien Hue
D7H4	Small scale Infra works-TTH	1,200,000.00	30	SHOPPING	Post		Q4 / 2018	Comments: Thua Thien Hue
D7N2	Agriculture Livelihood inputs	193,600.00	10	SHOPPING	Post		Q2 / 2018	Comments: Quang Nam
D7N3	Supplies & equipment for Ba Kich herb production and processing (Business development model in Quang Nam)	99,900.00	3	SHOPPING	Post		Q2 / 2018	Comments: Quang Nam
D7N4	Small scale Infra works – Quang Nam	780,007.00	20	SHOPPING	Post		Q2 / 2018	Comments: Quang Nam
D7N4-24	Concrete road from Glao village to Dading village	195,330.85	1	NCB	Post	1S1E	Q2 / 2017	Prequalification of Bidders: N  Domestic Preference Applicable: N  Bidding Document: Small Works  Comments: Quang Nam

D7T3	Supplies and equipment for rattan processing (Business development model in Quang Tri)	32,379.00	1	SHOPPING	Post		Q4 / 2018	Comments: Quang Tri
D7T4-24	Upgrading internal path in La To	52,571.00	1	SHOPPING	Post		Q4 / 2018	Comments: Quang Tri. This is the replaced package for Lot 1 of D7T4.NCB which was cancelled
D7T4-25	Renovation, upgrading Secondary school and primary school in Huc Nghi commune	92,144.00	1	SHOPPING	Post		Q4 / 2018	Comments: Quang Tri. This is the replaced package for Lot 1 of D7T4.NCB which was cancelled
D8C20	Communication film on BCC project	83,432.00	1	SHOPPING	Post		Q3 / 2018	Comments: CPMU

Consulting Services								
Package Number	General Description	Estimated Value	Number of Contracts	Recruitment Method	Review (Prior/Post)	Advertisement Date (quarter/year)	Type of Proposal	Comments
D8C21	Evaluation and report development consultant for corridor activity	6,000.00	1	ICS	Prior	Q3 / 2018		Assignment: National  Expertise: evaluation  Comments: CPMU
D8C23	Procurement specialist	5,000.00	1	ICS	Prior	Q2 / 2018		Assignment: National  Expertise: procurement



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## 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
D6H4	Documentation for Forest resources investigation, measuring, cadastral records for issuing red books for community	122,360.00	82,485.68	NCB	Q1 / 2017	31-JAN-18	
D6T4	Documentation for site mapping survey, participatory forest resources investigation, forest planting design, land measuring and allocation, cadastral records for issuing red	324,210.00	320,302.00	NCB	Q3 / 2016		

	books for households, community and structuring a sustainable forest model						
D7T1	Agriculture Livelihood inputs	130,300.00	109,822.00	SHOPPING	Q4 / 2016		
D7H1	Agriculture Livelihood inputs at A Luoi District	64,062.00	63,367.76	SHOPPING	Q2 / 2016	31-JAN-18	
D7H2	Agriculture Livelihood inputs at Nam Dong District	16,015.00	15,985.63	SHOPPING	Q3 / 2016	28-FEB-18	
D6T1	Boundary Delineation & Demarcation	81,000.00	79,928.00	SHOPPING	Q2 / 2017	23-JAN-18	
D6.7T1	Communication for awareness of BCC project activities	10,000.00	9,700.00	SHOPPING	Q2 / 2018	23-AUG-18	
D6N6.3	Documentation for Forest Planting and tending design at Nam Giang District in the year 2016, 2017	53,804.00	53,804.00	SHOPPING	Q1 / 2016	30-SEP-16	
D6N7.3	Documentation for Forest Planting and tending design at Tay Giang District in the year 2016, 2017	64,188.00	64,188.00	SHOPPING	Q1 / 2016	30-SEP-16	
D6H7-D6H8	Documentation for Forest Planting design (2 districts)	57,110.00	56,700.60	SHOPPING	Q1 / 2017		
D6N5.2	Documentation for Forest planting and tending design of Non Timber Forest Product in the year 2016, 2017	23,052.00	23,052.00	SHOPPING	Q1 / 2016	30-SEP-16	
D6H5	Fertilizers for forest planting (2 districts)	66,250.00	58,230.93	SHOPPING	Q1 / 2017		
D6H9	Fertilizers for forest planting (Reforestation, NTFP and Livelihood) at Nam Dong	7,919.00	7,814.38	SHOPPING	Q1 / 2017	31-JAN-18	
D7N1	Fertilizers for forest planting (livelihood, restoration and NTFP)	251,140.00	81,724.30	SHOPPING	Q4 / 2015		
D6T3	Seedlings for	1,328,730.00	1,328,730.00	SHOPPING	Q4 / 2015		

	forest planting and forest livelihood (restoration and NTFP)						
D6T11	Signs for demonstration sites	8,000.00	8,000.00	SHOPPING	Q2 / 2017	06-JUL-17	
D6H9-D6H10	Site Mapping Survey (2 districts)	7,860.00	7,814.38	SHOPPING	Q1 / 2017		
D8C4	Software costs	2,000.00	1,987.20	SHOPPING	Q3 / 2016	31-DEC-16	
D7N4-9	Concrete road from Zlao residential cluster to communal center	193,879.93	192,609.38	NCB	Q2 / 2017	05-FEB-18	
D7N4-7	Inner concrete road in Dac Ngon village, La Êê commune, Tay Giang district	112,568.00	110,811.00	NCB	Q3 / 2016	16-JAN-17	
D7N4-20	Inter-village concrete road from Knoonh 1 to Knoonh 3	123,149.40	122,613.16	NCB	Q2 / 2017	05-FEB-18	
D7T4.NCB	Small scale Infrastructure (NCB)	552,602.00	528,562.00	NCB	Q2 / 2017		
D7N4-15	Upgrading concrete road to A Banh 2 village	168,224.75	167,373.10	NCB	Q2 / 2017	05-FEB-18	
D6H13	Labors for forest planting (Reforestation, NTFP and Livelihood) at Nam Dong District	116,277.00	135,385.56	CPP	Q3 / 2016		
D7T4	Small scale Infra	599,247.00	729,559.00	SHOPPING	Q3 / 2016		
D8C3	GPS	52,800.00	52,213.00	SHOPPING	Q3 / 2016	31-DEC-16	
D8C2	Satellite images	100,000.00	15,000.00	DC	Q3 / 2016	30-NOV-16	

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

D5C1	Assessment of the Potential Climate Change Impacts on Biodiversity corridors	100,000.00	100,921.00	CQS	Q1 / 2017	09-MAR-17	
D8C8	Monitoring and Evaluation Multiyear	150,000.00	147,380.00	CQS	Q3 / 2015	25-MAR-16	
D8C19	Business development consultant	17,000.00	17,000.00	ICS	Q2 / 2017	31-AUG-17	

## **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.<sup>1</sup> 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 ADB<sup>2</sup>.

### **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.

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<sup>1</sup> 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).

<sup>2</sup> 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 deviations<sup>3</sup>.
- (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.

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<sup>3</sup> 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.