

BIDDING DOCUMENTS

Project title:	New urban area in Ky Trinh ward, Ky Anh town (now Song Tri ward, Ha Tinh province).
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Bidding document preparation

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BRIEF DESCRIPTION

PART 1. PROCEDURES FOR INVESTOR SELECTION

Chapter I. Instructions to Investors

This chapter provides information to assist investors in preparing their bids. The information includes provisions for preparing, submitting bids, opening bids, evaluating bids and awarding contracts.

Chapter II. Bid data sheet

This Chapter specifies the contents of Chapter I as they apply to each specific project.

Chapter III. Bid Evaluation

This chapter prescribes methods and standards for evaluating bids.

Chapter IV. Bidding form

This chapter contains the forms that the investor will be required to complete as part of the bids.

PART 2. PROJECT IMPLEMENTATION REQUIREMENTS.

The Procuring entity and the Expert Group shall base on the content of the decision approving the investment policy for projects subject to investment policy approval or the document approving information on investment projects using land for projects not subject to investment policy approval to determine the requirements for project implementation.

PART 3. DRAFT CONTRACT AND CONTRACT FORM

This section includes the contents of the draft contract and forms which, once completed, will become an integral part of the contract.

ABBREVIATIONS

BDL	Bid data sheet
CDNDT	Instructions to Investors
System	National bidding network system
HSDT	Bids
HSMT	Bidding documents
Law on Bidding	The Law on Bidding No 22/2023/QH15 dated June 23, 2023
Decree No. 115/2024/ND-CP	Pursuant to Decree No. 115/2024/ND-CP dated September 16, 2024 of the Government detailing a number of articles and measures to implement the Law on Bidding on selecting investors to implement investment projects using land;
Decree No. 225/2025/ND-CP	Decree No. 225/2025/ND-CP dated August 15, 2026 of the Government on amending and supplementing a number of articles of the decrees detailing a number of articles and measures to implement the Law on Bidding on investor selection

PART 1. PROCEDURES FOR INVESTOR SELECTION
CHAPTER I. INSTRUCTIONS TO INVESTORS

<p>1. Contents of investor selection</p>	<p>1.1. The Procuring entity with the name and address specified in BDL Invite interested investors to submit bids for the project described in Part 2 - Project Implementation Requirements.</p> <p>1.2. Total project investment capital is specified in BDL.</p> <p>1.3. The requirements for equity and debt capital of investors are specified in BDL.</p> <p>1.4. Basic information about the project is specified in BDL.</p>
<p>2. Prohibited conduct in bidding</p>	<p>Prohibited acts in bidding include acts as prescribed in Article 16 of the Law on Bidding.</p>
<p>3. Investor eligibility</p>	<p>An individual investor or each member of a consortium is eligible when meeting the following conditions:</p> <p>3.1. For domestic investors: is an enterprise, cooperative, cooperative union, cooperative group, public service unit, economic organization with foreign investment capital registered to establish and operate in accordance with the provisions of Vietnamese law. For foreign investors: registered for establishment and operation under foreign law;</p> <p>3.2. Independent financial accounting;</p> <p>3.3. Not in the process of carrying out dissolution procedures or having the business registration certificate, cooperative registration certificate, cooperative union, or cooperative group revoked; not in a case of insolvency according to the provisions of the law on bankruptcy;</p> <p>3.4. Have name on the System before approving the investor selection results;</p> <p>3.5. Ensure competition in selecting investors as prescribed in Clause 5, Article 6 of the Law on Bidding and Article 5 of Decree No. 115/2024/ND-CP, information on consulting contractors as prescribed BDL;</p> <p>3.6. Not being banned from participating in bidding according to the decision of a competent person, Minister, Head of a ministerial-level agency, Government agency, other central agency, Chairman of a provincial People's Committee as prescribed in Clause 3, Article 87 of the</p>

	<p>Law on Bidding;</p> <p>3.7. Not being prosecuted for criminal liability;</p> <p>3.8. Be eligible for land allocation or land lease by the State and meet the conditions for land allocation or land lease according to the provisions of the law on land.</p> <p>3.9. Not being prohibited from real estate business activities, temporarily suspended or suspended from operations according to a court verdict or decision, or a decision of a competent state agency according to the provisions of law on real estate business (applicable to real estate projects).</p> <p>3.10. Shortlisted for projects using restricted bidding.</p>
4. Bidding document contents:	<p>4.1. The Bidding Documents include Part 1, Part 2, Part 3 and documents amending and clarifying the Bidding Documents as prescribed in Section 7 Instructions to Investors (if any), including the following contents:</p> <p>a) Part 1. Procedures for investor selection</p> <ul style="list-style-type: none"> - Chapter I. Instructions to Investors - Chapter II. Bid data sheet - Chapter III. Bid Evaluation - Chapter IV. Bidding form <p>b) Part 2. Project implementation Requirements.</p> <p>c) Part 3. Draft contract and contract form</p> <p>4.2. The invitation to bid posted by the Procuring Entity is for informational purposes only and is not part of the Bidding Documents.</p> <p>4.3. The Procuring Entity shall not be responsible for the inaccuracy or incompleteness of the Bidding Documents, documents clarifying the Bidding Documents, minutes of the pre-bidding conference (if any) or documents amending the Bidding Documents not provided by the Procuring Entity.</p> <p>4.4. Investors must study all instructions, BDL, forms, project implementation requirements and other requirements in the Bidding Documents to prepare the bids.</p>
5. Clarifying	<p>5.1. In case of needing to clarify the Bidding Documents,</p>

<p>HSMT, pre-bid conference</p>	<p>the investor shall send a request for clarification to the Procuring Entity on the System (for domestic bidding), or send a request for clarification directly to the Procuring Entity (for international bidding) for consideration and handling.</p> <p>5.2. The minimum period for investors to submit a written request for clarification as prescribed in Section 5.1 of the Instructions to Investors is specified in BDL.</p> <p>5.3. Clarification of the Bidding Documents is carried out by the Procuring Entity in one of the following forms:</p> <ul style="list-style-type: none"> a) Post clarification content on the System; b) If necessary, organize a pre-bidding conference according to the provisions of BDL to discuss the contents of the Bidding documents that investors do not understand. The content of the discussion must be recorded by the Procuring Entity to clarify the bidding documents and must be posted on the System. <p>To facilitate the Procuring Entity's response to the request for clarification of the Bidding Documents, the Investor should send the request for clarification to the Procuring Entity before the date of the pre-bid conference. The minutes of the pre-bid conference must clearly state the content of the investor's questions and the content of the Procuring Entity's answers, but not the name of the investor who asked the questions. The minutes of the pre-bid conference are not an amendment to the Bidding Documents. Failure to attend the pre-bid conference is not a reason to disqualify an investor.</p> <p>5.4. The Procuring Entity shall clarify the Bidding Documents upon receipt of a written request for clarification within the above-mentioned time limit. The clarification of the Bidding Documents must be posted on the System within the minimum period specified in BDL before the bid closing date.</p> <p>5.5. The content of the clarification of the Bidding documents must not be contrary to the content of the Bidding documents posted on the System. In case after clarifying the Bidding Documents, it is necessary to amend the Bidding Documents, the Procuring Entity shall amend the Bidding Documents according to the procedures specified in Section 7 of the Instructions to Investors.</p> <p>5.6. The Bidding documents clarification document is part of</p>
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	the Bidding documents.
6. Site survey	<p>6.1. Investors are allowed to access and survey the project site on condition that the investor commits that the Procuring Entity shall not bear any responsibility to the investor for this site survey. The investor shall be solely responsible for his own risks such as accidents, loss or damage to property and any other costs arising from the site survey. If necessary, the Procuring Entity will organize and guide investors to survey the site according to the provisions of BDL.</p> <p>6.2. The investor must notify the Procuring Entity in advance of the proposal to organize a project site survey.</p>
7. Modify the Bidding documents	<p>7.1. In case of amendments to the Bidding Documents after issuance, the Procuring Entity must post on the System the decision on amendments together with the amended Bidding Documents and the amended Bidding Documents. Amendments to the Bidding Documents are made prior to the closing date of the bid.</p> <p>The Decision on amendment to Bidding documents is part of the Bidding documents. Investors are responsible for regularly accessing the System to update information about the Bidding documents.</p> <p>7.2. Time for posting the decision to amend the Bidding documents according to the provisions of BDL. In case the time for posting the decision to amend the Bidding Documents does not meet the above regulations, the Procuring Entity shall extend the corresponding bidding closing time to ensure the time regulations in this Section. Extension is made in accordance with the provisions of Section 21.2 of the Instructions to Investors.</p>
8. Bidding costs	The Investor shall bear all costs related to the preparation and submission of the Bids. In any case, the Procuring Entity shall not be responsible for any costs related to the investor's participation in the bidding.
9. Language of Bids	The Bids as well as all correspondence and documents relating to the Bids exchanged between the Investor and the Procuring Entity shall be written in the language specified in BDL .
10. Components of Bids	<p>10.1. Bids includes:</p> <ul style="list-style-type: none"> - Bid Application Form as prescribed in Section 11 of the

	<p>Instructions to Investors;</p> <ul style="list-style-type: none"> - Documents proving the eligibility of the person signing the bid as prescribed in Section 11 of the Instructions to Investors; - Authorization letter to sign the bid application form as prescribed in Form No. 02 Chapter IV - Bidding form; - Joint venture agreement as prescribed in Form No. 03 Chapter IV - Bidding form; - Bid security as prescribed in Section 17 Instructions to Investors; - Documents proving the eligibility, capacity and experience of the investors as prescribed in Section 12 of the Instructions to Investors; - Technical proposal as prescribed in Section 13 of the Instructions to Investors; - Financial proposal and all tables fully filled with information as stipulated in Clause 15 of the Instructions to Investors. <p>10.2. Propose to replace the business investment plan in the Bids according to the provisions of Section 14 of the Instructions to Investors.</p> <p>10.3. Other contents stated in BDL.</p>
11. Bid Application Form	<p>11.1. For independent investors, the Bid Application Form must be signed and sealed (if any) by the investor's legal representative.</p> <p>The legal representative of the investor is the legal representative of the investor or a person authorized by the legal representative of the investor.</p> <p>In case the legal representative of the investor authorizes a subordinate, he/she must enclose a Power of Attorney according to Form No. 02, Chapter IV - Bidding Form; in case the company charter or other relevant documents assign responsibilities to a subordinate, he/she must enclose these documents (there is no need to prepare a Power of Attorney according to Form No. 02, Chapter IV - Bidding Form). The original power of attorney (made according to Form No. 02 Chapter IV - Bidding Form) must be sent to the Procuring Entity together with the Bid Application Form.</p> <p>11.2. For joint venture investors, the bid must be signed and</p>

	<p>sealed (if any) by the legal representative of each joint venture member or by the member assigned to represent the joint venture according to the assignment of responsibilities in the joint venture agreement.</p> <p>The legal representative of the consortium member is the legal representative of the investor or a authorized by the legal representative of the investor. In case of authorization, perform similarly to independent investors as prescribed in Section 11.1 of Instructions to Investors.</p>
<p>12. Documents proving the eligibility, capacity and experience of the investors as prescribed in Section 12 of the Instructions to Investors;</p>	<p>12.1. - Documents proving the eligibility of the investors as prescribed in the BDL.</p> <p>12.2. Documents proving the investor's capacity and experience include:</p> <p>a) The investor's capacity and experience are declared according to Forms No. 06, 07 and 08 of Chapter IV - Bidding Forms. If the currency stated in the documents proving capacity and experience is not the currency specified in the BDL, the investor, when preparing the Bids, must convert it to the corresponding currency as stipulated in this Clause to serve as the basis for bid evaluation. If there is no direct exchange rate between these currencies, the investor shall use an intermediate currency as stipulated in the BDL for conversion and declare it in the Bids.</p> <p>b) Other documents as prescribed in BDL.</p>
<p>13. Technical Proposal Components</p>	<p>In the Bids, investors must submit a proposal on a business investment plan including the contents as prescribed in BDL and any other information as specified in Chapter IV – Bidding Form.</p>
<p>14. Proposal for alternative business investment plan</p>	<p>14.1. Investors are proposed to replace the business investment plan.</p> <p>14.2. Investors must provide all necessary information so that the Procuring Entity and expert team can evaluate the business investment plan.</p>
<p>15. Financial Proposal Components</p>	<p>15.1. In the Bids, the investor must submit a proposal on land use efficiency, and investment efficiency for the sector, field, and locality, including the contents stipulated in the BDL and any other information as stipulated in Chapter IV - Bid Forms.</p>

	<p>15.2. The investor must be responsible for completing the work in accordance with the requirements stated in the Bidding Documents based on the business investment plan and the value proposed by the investor on land use efficiency, investment efficiency in developing the industry, field, and locality in the bidding application, including:</p> <p>a) The value proposed by the investor regarding land use efficiency in the bid application (for cases where the land use efficiency evaluation criterion is applied), the number of non-commercial public works, or the value of social assistance or other social welfare activities for socially sponsored subjects, determined in monetary value or number of supported people (for projects specified in Clause 1, Article 4 of Decree No. 115/2024/ND-CP that apply the evaluation criteria specified at Point d or Point đ, Clause 1, Article 49 of Decree No. 115/2024/ND-CP);</p> <p>b) The value proposed by the investor on the investment efficiency in developing the industry, field, and locality in the bid includes one of the following information: The monetary value submitted to the state budget; the percentage of proposed revenue the investor will submit to the state budget; the prices of goods and services; the number of non-commercial public works; the value of social assistance or other social welfare activities for beneficiaries of social protection, determined by monetary value or the number of people supported; the type, level of toxicity, and total amount of pollutants discharged into the environment; the land use area and land use coefficient; the amount submitted to the state budget and the proposed additional percentage by the investor for implementing aviation service projects; the electricity price for energy facility investment projects; the handover time for resettlement housing in projects to renovate and rebuild apartment buildings (in cases where evaluation criteria on investment efficiency for a specific sector, field, or locality are applied).</p>
16. Bid currency	<p>16.1. Bid currency as prescribed in the BDL.</p> <p>16.2. For domestic costs related to the implementation of investment projects using land, investors must bid in Vietnamese Dong.</p> <p>16.3. For overseas expenses related to business investment,</p>

	investors are bid in foreign currency, Vietnamese Dong.
17. Bid security	<p>17.1. When participating in bidding, investors must implement bid security measures before the bidding closing time as prescribed in BDL.</p> <p>17.2. In case of a joint venture, bid security must be implemented in one of the following two ways:</p> <p>a) Each member of the joint venture shall separately perform a bid security but ensure that the total value is not lower than the required value specified in Section 17.1 of the Instructions to Investors; if the bid security of a member of the joint venture is determined to be invalid, the Bids of that joint venture shall not be considered or evaluated further. In case a member of the joint venture violates the provisions of law, leading to the bid security not being returned as prescribed in Section 17.5 of the Instructions to Investors, the bid security of all members of the joint venture will not be returned;</p> <p>b) The members of the joint venture agree that one member shall be responsible for implementing the bid security measures for that member of the joint venture and for other members of the joint venture. In this case, the bid security may include the name of the joint venture or the name of the member responsible for implementing the bid security for the entire joint venture, but the total value must not be lower than the required value as prescribed in Section 17.1 of the Instructions to Investors. In case a member of the joint venture violates the provisions of law, leading to the bid security not being returned as prescribed in Section 17.5 of the Instructions to Investors, the bid security of all members of the joint venture will not be returned;</p> <p>17.3. Bid security is considered valid according to the provisions in Point đ Clause 1.2 Section 1 Chapter III - Bid Evaluation.</p> <p>17.4. In case the investor is selected, the bid security is returned or released when the contract comes into effect. Unselected investors will have their bid security returned or released within the maximum period as prescribed in BDL.</p> <p>17.5. Bid security is not refundable in the following cases:</p> <p>a) After the bid closing time and during the validity period</p>

	<p>of the bids, the investor withdraws the bids or has a written refusal to perform one or more of the proposed tasks in the bids as required by the bidding documents;</p> <p>b) The investor commits a violation under Article 16 of the Law on Bidding or violates the law on bidding, leading to the cancellation of the bid as prescribed in Points d and đ, Section 33.1 of the Instructions to Investors;</p> <p>c) The investor fails to implement measures to ensure contract performance as prescribed in Section 37.1 of the Instructions to Investors;</p> <p>d) The investor fails to proceed or refuses to complete the contract within 15 days for domestic bidding and 30 days for international bidding from the date of receipt of the bid winning notice from the Procuring Entity, except in cases of force majeure;</p> <p>d) The investor fails to proceed or refuses to sign the contract within 15 days for domestic bidding and 30 days for international bidding from the date of contract completion, except in cases of force majeure.</p>
18. Validity period of Bids	<p>18.1. The Bids must be valid for no shorter period than the period specified in BDL. Bids with a validity period shorter than prescribed will not be further considered and evaluated.</p> <p>18.2. If necessary, before the expiry of the validity period of the Bids, the Procuring Entity may request investors to extend the validity period of the Bids, and at the same time request investors to extend the validity period of the Bidding Security accordingly (equal to the validity period of the Bids after extension plus 30 days). The request for extension and approval or disapproval of the extension must be in writing.</p> <p>Investors accepting the extension request are not allowed to change any content of the Bids.</p>
19. Bids specifications and signatures in the Bids	<p>19.1. Investors must prepare the following documents: 01 original copy of the Bids and a number of copies of the Bids according to the quantity specified in BDL.</p> <p>In case of amendment or replacement of the Bids, the investor must prepare 01 original and copies with the same number of copies as the Bids..</p> <p>In case there is an alternative business investment plan as prescribed in Section 14 of the Instructions to Investors,</p>

	<p>the investor must prepare 01 original and a number of copies of the dossier according to the quantity prescribed in BDL.</p> <p>19.2. The investor shall be responsible for the consistency between the original and the copy. In case there is a difference between the original and the copy but it does not change the investor ranking order, the original will be used for evaluation. In case there is a difference between the original and the copy, leading to a different evaluation result on the original than on the copy, changing the ranking order of investors, the Bids of that investor will be rejected.</p> <p>19.3. The original copy of the Bids must be typed and have its pages numbered consecutively. The bid application, additional documents, clarifications of the bid documents (if any) and other forms prepared in accordance with the provisions of Chapter IV - Bidding forms must be signed and sealed (if any) by the legal representative of the investor.</p> <p>19.4. In the case of a joint venture, the contents of the Bids mentioned in Clause 10.1 of the Instructions to Investors must be signed and stamped (if any) by the legal representatives of all joint venture members or by the joint venture member assigned to represent the joint venture, as specified in the joint venture agreement.</p> <p>19.5. Any words added, inserted between lines, erased or overwritten will only be considered valid if there is a signature next to or on that page of the person signing the Bid Application Form.</p>
<p>20. Seal and write on the outside of the Bids</p>	<p>20.1. Outside the bag and The cover page of the respective records must clearly state "ORIGINAL BIDS".</p> <p>In case the investor modifies or replaces the Bids, the modified or replaced documents must be contained in separate bags; the outside of the bags and the covers of the corresponding documents must clearly state "MODIFIED BIDS", "REPLACEMENT BIDS"; and the originals and copies must be clearly marked.</p> <p>The bags containing: Bids, revised Bids, replacement Bids, must be sealed. Sealing method according to the investor's regulations.</p> <p>20.2. The following information must be fully written on the file bags:</p>

	<p>a) Name and address of the investor;</p> <p>b) The recipient's name is the name of the Procuring Entity as prescribed in Section 1.1 of the Instructions to Investors;</p> <p>c) Project name as prescribed in Section 1.4 of the Instructions to Investors;</p> <p>d) Write a warning line: "must not be opened before the opening time of the Bids" for the Bids bag and the bag containing the revised Bids, replacement Bids (if any).</p> <p>20.3. In case the Bids consist of many documents, the investor must package all documents so that the receipt and storage of the Bids by the Procuring Entity is convenient, ensuring the integrity of the Bids and avoiding loss or damage.</p> <p>20.4. The Investor shall be responsible for the consequences or disadvantages if it does not comply with the provisions of this Bidding Documents such as not sealing or losing the seal of the Bids during the process of sending them to the Procuring Entity, or not correctly filling in the information on the Bids envelope according to the instructions specified in Section 20.1 and Section 20.2 of the Instructions to Investors. The Procuring Entity shall not be responsible for the confidentiality of the Bids if the investor does not comply with the above regulations.</p>
<p>21. Bidding closing time</p>	<p>21.1. Investors submit directly or send the Bids to the address of the Procuring Entity as prescribed in Section 1.1 of the Instructions to Investors but must ensure that the Procuring Entity receives them before the bidding closing time prescribed in BDL. The Procuring Entity shall receive the Bids of all investors who submit their Bids before the closing time and shall manage confidential documents until the results of the selection of investors are made public. In all cases, information in the Bids of one investor shall not be disclosed to another investor, except for information disclosed at the opening of the bid. In case the investor has not purchased the Bidding Documents, he/she must pay the Procuring Entity an amount equal to the Bidding Documents selling price stated in BDL before the Bids is accepted.</p> <p>21.2. The Procuring Entity may extend the bid closing time in case of amendment of the Bidding Documents as prescribed in Section 7.2 of the Instructions to Investors. When extending the bid closing time, all responsibilities of</p>

	<p>the Procuring Entity and the Investor according to the previous bid closing time will be changed according to the newly extended bid closing time.</p> <p>21.3. When extending the bid closing time, the Procuring Entity shall post the extension notice along with the decision approving the extension on the System. The extension notice shall state the reason for the extension and the new bid closing date.</p> <p>During the extension of the bidding deadline, investors who have submitted their bids can receive them back for revision and supplementation. In case the investor has not received or does not receive the bids, the Procuring Entity shall manage the bids according to the "confidential" document management regime.</p>
22. Late submission of Bids	<p>Bids or documents sent by investors to the Procuring Entity after the bidding closing time are invalid, cannot be opened and will be rejected, except for documents clarifying the bids as requested by the Procuring Entity or documents clarifying and supplementing to prove the eligibility, capacity and experience of the investor. Bids or documents sent by the investor to the Procuring Entity after the bidding closing time shall be returned to the investor in their original condition.</p>
23. Modify, replace, withdraw the Bids	<p>23.1. After submitting the Bids, investors can modify, replace or withdraw the Bids by sending a written request signed and sealed (if any) by the investor's legal representative to the Procuring Entity. Investors must attach documents as prescribed in Section 11 of the Instructions to Investors proving the legal status of the person signing the document requesting to amend, replace or withdraw the Bids</p> <p>23.2. The dossier for amending or replacing the Bids must be sent together with the request for amendment or replacement and must ensure the following conditions:</p> <ul style="list-style-type: none"> a) Prepared by the investor and submitted to the Procuring Entity according to the provisions in Section 19 and Section 20 of the Instruction to Investors; b) Received by the Procuring Entity before the bid closing time as prescribed in Section 21 of the Instruction to Investors. <p>23.3. The request for withdrawal of the Bids must be</p>

	received by the Procuring Entity before the closing time for bidding as prescribed in Section 21 of the Instruction to Investors. The Bids that the investor requests to withdraw will be returned to the investor.
24. Security	<p>24.1. The Procuring Entity shall receive and manage submitted Bids according to the confidential file management regime until the results of investor selection are publicly announced. Information relating to the evaluation of the Bids must be kept confidential and must not be disclosed to investors or any person not officially involved in the investor selection process until the results of the investor selection are made public. In no case shall information in the bids of this investor be disclosed to another investor, except for information disclosed when the Bids are opened.</p> <p>24.2. Except for the case of clarifying the Bids as prescribed in Section 25 of the Instruction to the Investors, investors are not allowed to contact the Procuring Entity on matters related to their Bids and other matters related to the project during the period from the opening of the Bids until the announcement of the results of investor selection.</p>
25. Clarify the Bids	<p>25.1. After bid opening, if the investor's bids lack documents on eligibility, financial reports, and documents proving experience in implementing similar projects, the Procuring Entity shall request the investor to clarify and supplement documents to prove eligibility, capacity and experience. The investor is responsible for clarifying the Bids when requested by the Procuring Entity. Clarifying the contents of eligibility, capacity and experience must ensure the principle of not changing the nature of eligibility, capacity and experience of investors participating in the bidding.</p> <p>The request for clarification must specify the investor's clarification deadline (this deadline must be consistent with the project implementation progress, ensuring that the investor has enough time to prepare documents to clarify the Bids). For clarifications that directly affect the assessment of eligibility, capacity, experience and technical and financial requirements, if the deadline for clarification expires and the investor does not have a clarification document or has a clarification document that does not meet the clarification requirements of the Procuring Entity, the Procuring Entity will evaluate the</p>

	<p>investor's Bids according to the bids submitted before the bidding closing time.</p> <p>Within the time limit prescribed in BDL, The Procuring Entity is responsible for receiving the investor's clarification and supplementary documents for consideration and evaluation. The Procuring Entity must notify the investor in writing of its receipt of additional and clarifying documents from the investor in one of the following ways: send in person, by post, fax or e-mail. These documents are considered part of the Bids.</p> <p>25.2. After closing the bid, if the investor discovers that the bids lack information or documents about his/her eligibility, capacity, and experience that have not been submitted with the bids, he/she will be sent additional information and documents for clarification. The Procuring Entity is responsible for receiving documents to clarify and supplement documents proving the eligibility, capacity and experience of the investor for consideration and evaluation. These documents are considered part of the Bids.</p> <p>25.3. Clarifying the proposed contents of business investment plans, proposals on land use efficiency, investment efficiency in developing industries, fields, and localities must ensure the principle of not changing the corresponding proposals in the submitted bids.</p> <p>25.4. Clarification of bids is only carried out between the Procuring Entity and the investor whose bids need to be clarified. The content of the clarification of the Bids must be in writing and kept by the Procuring Entity as part of the Bids.</p>
<p>26. Deviation, conditions, and omissions of content</p>	<p>26.1. When evaluating the Bids, the Procuring Entity and the expert team must examine the technical and financial contents of the Bids to determine that the Bids do not have any discrepancies, set conditions or omit basic contents, including:</p> <ul style="list-style-type: none"> a) "Deviation" means a difference from the requirements specified in the Bidding documents; b) "Setting conditions" means setting conditions that are restrictive or express complete non-acceptance of the requirements specified in the Bidding Documents; c) "Omission of content" means the investor fails to

	<p>provide part or all of the information or documents as required in the Bidding Documents.</p> <p>26.2. Provided that the Bids basically meet the requirements specified in the Bidding Documents, the Procuring Entity may accept errors that are not deviations, conditions or omissions of basic content in the Bids.</p> <p>26.3. Provided that the Bids substantially comply with the Bidding Documents, the Procuring entity may request the investor to provide necessary information or documents within a reasonable period of time to correct any non-material non-conformities or discrepancies in the Bids relating to the document requirements. The request for information and documents to correct these errors must not affect the investor's proposal on land use efficiency, investment efficiency in developing the industry, field, and locality. In case the investor's bids do not meet the requirements of the Procuring Entity, they will be rejected.</p>
<p>27. Determine the responsiveness of the Bids</p>	<p>27.1. The Procuring Entity and the expert group will determine the responsiveness of the Bids based on the content of the Bids as prescribed in Section 10 of the Instruction to investors.</p> <p>27.2. A substantially responsive bid is one that meets the basic requirements set forth in the Bidding Documents without any material deviations, conditions, or omissions. Deviations, conditions or omissions of basic content are points in the bids that, if approved or allowed to be modified, supplemented or replaced by the investor, will:</p> <ul style="list-style-type: none"> a) Significantly affect the scope, quality or effectiveness of project implementation as specified in the contract; significantly lead to limitation and inconsistency with the Bidding Documents on the authority of the competent person or the obligations of the investor in the contract; b) Unfairly affect the competitive position of other investors whose bids basically meet the requirements stated in the bidding documents. <p>27.3. If the Bids does not substantially meet the requirements stated in the Bidding Documents, the Bid will be rejected; it is not allowed to modify any differences, set conditions or omit basic content in the Bids in order to make the Bids substantially meet the Bidding Documents.</p>

28. Bid Opening

28.1. Except for late submission of bids as prescribed in Section 22 of the Instruction to Investors and bids that the investor requests to withdraw as prescribed in Section 23.3 of the Instruction to Investors, the Procuring Entity must publicly open and clearly read the information as prescribed in Section 28.2 of the Instruction to Investors of all bids received before the bid closing time. The opening of the Bids must be conducted publicly at the time and place as specified in BDL in the presence of representatives of investors attending the opening ceremony of the bids and representatives of relevant agencies and organizations (if any). The opening of the bids does not depend on the presence or absence of the investor's representative participating in the bidding. Only the bids opened and read during the Bidding Opening Ceremony will be further considered and evaluated.

28.2. The Procuring Entity checks the seal, opens each Bids in alphabetical order of the investor's name and reads clearly the following information:

- a) Investor's name;
- b) Number of originals, copies of bids, revised bids (if any) or replacement bids (if any);
- a) The value proposed by the investor regarding land use efficiency in the bid application (for cases where the land use efficiency evaluation criterion is applied), the number of non-commercial public works, or the value of social assistance or other social welfare activities for socially sponsored subjects, determined in monetary value or number of supported people (for projects specified in Clause 1, Article 4 of Decree No. 115/2024/ND-CP that apply the evaluation criteria specified at Point d or Point d, Clause 1, Article 49 of Decree No. 115/2024/ND-CP);
- d) The value proposed by the investor on the investment efficiency in developing the industry, field, and locality in the bid includes one of the following information: The monetary value submitted to the state budget; the percentage of proposed revenue the investor will submit to the state budget; the prices of goods and services; the number of non-commercial public works; the value of social assistance or other social welfare activities for beneficiaries of social protection, determined by monetary value or the number of people supported; the type, level of

toxicity, and total amount of pollutants discharged into the environment; the land use area and land use coefficient; the amount submitted to the state budget and the proposed additional percentage by the investor for implementing aviation service projects; the electricity price for energy facility investment projects; the handover time for resettlement housing in projects to renovate and rebuild apartment buildings (in cases where evaluation criteria on investment efficiency for a specific sector, field, or locality are applied).

d) Proposed increase or decrease of the value specified in Point c of this Section (if any);

e) Validity period of Bids;

g) Value and validity of bid security;

h) Other relevant information (if any).

28.3. The bid opening minutes include the information specified in Section 28.2 of the Instruction to Investors and must be signed by representatives of the Procuring Entity and the participating investors. The absence of the investor's signature in the minutes shall not render the minutes invalid or void. Minutes of bid opening are sent to participating investors.

28.4. The representative of the Procuring Entity signs to confirm the original bid, the authorization letter of the legal representative of the investor (if any); the joint venture agreement (if any); the bid security; the contents of the business investment plan and proposals on land use efficiency or investment efficiency in developing the industry, field, and locality of each bids. The Procuring Entity shall not reject any Bids upon bid opening, except for late Bids as prescribed in Section 22 of the Instruction to Investors and Bids that the Investor requests to withdraw as prescribed in Section 23.3 of the Instruction to Investors.

28.5. In case of withdrawing the bids

The Procuring Entity will open and read clearly the information in the document requesting withdrawal of the Bids. The Bids that the investor requests to withdraw will be returned to the investor. The Procuring Entity will not accept the investor's withdrawal of the Bids and will still open the corresponding Bids if the request for withdrawal of the Bids is not accompanied by documents proving that the person signing the document is the legal representative

	<p>of the investor and must be made public during the Bidding Opening Ceremony.</p> <p>28.6. In case of Amendments of the bids</p> <p>The Procuring Entity will open the envelope and read clearly the information in the document requesting amendments to the Bids and the amended Bids before opening the envelope and reading clearly the information in the investor's original Bids. The Procuring Entity will not accept the investor's amendments of the Bids if the request for amendments of the Bids is not accompanied by documents proving that the person signing the document is the legal representative of the investor.</p> <p>28.7. In case of replacement of the bids</p> <p>The Procuring Entity will open the envelope and read clearly the information in the document requesting replacement of the Bids and the replacement Bids. The original Bids will be returned to the investor. The Procuring Entity will not accept the investor's replacement of the Bids if the request for replacement of the Bids is not accompanied by documents proving that the person signing the document is the legal representative of the investor.</p>
<p>29. Bid Evaluation</p>	<p>29.1. The Bid Evaluate will be implemented according to the evaluation methods and standards specified in the Sections 29.2, 29.3, 29.4 Instruction to Investor and Chapter III - Bid Evaluation</p> <p>29.2. For projects specified in Clause 1, Article 4 of Decree No. 115/2024/ND-CP, Bids is evaluated on a scale of 100 or 1,000 points, in which the total score is built on the basis of combining capacity scores, business investment plan scores and land use efficiency scores, ensuring a total proportion of 100%, in which:</p> <ul style="list-style-type: none"> a) Competency points according to regulations at BDL; b) Investment and business plan points according to regulations at BDL; c) Land use efficiency score according to regulations at BDL; <p>29.3. Investors must meet the following minimum scores to be evaluated and ranked:</p> <ul style="list-style-type: none"> a) The minimum aggregate score must not be lower than



	<p>70% of the total score;</p> <p>b) The minimum score of a standard or detailed standard is not lower than 60% of the maximum score of that standard;</p> <p>c) The minimum score of each criterion is not lower than 50% of the maximum score of that criterion.</p> <p>Investors who meet the minimum score for each criterion and have the highest overall score are ranked first.</p>
30. Error and deviation correction	<p>30.1. Error correction is the correction of errors in the bids including arithmetic errors, unit errors; differences between the contents of the technical proposal and the contents of the financial-commercial proposal and other errors. Error correction is made in accordance with the provisions of BDL.</p> <p>30.2. Correction of deviations is the adjustment of non-serious missing or redundant contents in the bids compared to the requirements of the bidding Documents. The contents of correction of deviations are implemented according to the provisions of BDL on the basis of ensuring fairness, transparency and economic efficiency. The adjusted contents must ensure that they are not discrepancies, conditions or omissions of basic contents as prescribed in Section 27.2 of the Instruction to Investors. The adjustment of deviations is made solely for the purpose of comparing the Bids.</p> <p>30.3. After detecting errors or deviations, the Procuring Entity must notify the investor in writing of the errors or discrepancies, the correction of errors or discrepancies, and the time limit from the date of receipt of the notice for the investor to comment on the content. Within a period of time from the date of receipt of the notice from the Procuring Entity, the investor must send written comments to the Procuring Entity on the following contents:</p> <p>a) Accept or disapprove the error correction results. In case the investor does not accept the error correction results, the investor's bids will be disqualified;</p> <p>b) State opinion on the results of the error correction. In case the investor does not accept the results of the deviation correction, the reasons must be clearly stated for the Procuring Entity to consider and decide.</p>
31. Investor Selection	<p>31.1. Beneficiaries and preferential level:</p>

<p>Incentives</p>	<p>a) Investors with solutions applying advanced technology, high technology, environmentally friendly technology, and the best available techniques to minimize environmental pollution for projects in the group with a high risk of negative impact on the environment according to regulations of the law on environmental protection will enjoy a 5% incentive when evaluating the bids;</p> <p>b) Investors who commit to technology transfer and implementation of high-tech activities for high technologies and high-tech products on the List of high technologies prioritized for investment and development and the List of high-tech products encouraged for development issued by the Prime Minister in accordance with the provisions of the law on high technology or on the List of technologies encouraged for transfer in accordance with the provisions of the law on technology transfer will enjoy a 2% discount when evaluating the bids.</p> <p>c) Investors who are science and technology enterprises; creative startups, creative startup support organizations recognized by competent authorities; innovation centers; organizations and enterprises that have been granted Certificates of high-tech enterprises, high-tech incubators, high-tech enterprise incubators, newly established enterprises from investment projects to produce high-tech products according to the provisions of law on high technology will enjoy 5% discount when evaluating the bids;</p> <p>d) Foreign investors who have a commitment to transfer technology to domestic investors and partners will Enjoy a 2% discount when evaluating the bids.</p> <p>31.2. When bidding, investors must submit supporting documents as prescribed in BDL on solutions for applying advanced technology, high technology, environmentally friendly technology, best available techniques, the right to legally use technology according to the provisions of law on high technology, technology transfer, environmental protection, and other relevant laws to enjoy incentives.</p> <p>31.3. Incentive calculation method:</p> <p>The total score of the beneficiary is calculated according to the following formula:</p>
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	$T'_{TH} = T_{TH} + T_{TH} \times M_{UD}$ <p>Of which:</p> <p>T'_{TH}: is the aggregate score of investors enjoying incentives including the incentive level for comparison and ranking;</p> <p>T_{TH}: is the total score of investors enjoying incentives without including the incentive level.</p> <p>M_{UD}: is the incentive level that investors enjoy according to the provisions of Section 31.1 of the Instruction to Investors.</p> <p>31.4. Investors who are eligible for incentives as prescribed in Section 31.1 of the Instruction to Investors and are selected to sign a contract must comply with their commitments in the bids, investment project contract using land.</p>
32. Bid approval principles	<p>Investors are considered and recommended to win the bid when they meet the following conditions:</p> <p>32.1. Have valid bids;</p> <p>32.2. Meet capacity requirements;</p> <p>32.3. Meet the requirements for business investment plans;</p> <p>32.4. Meet the requirements on land use efficiency (for cases applying assessment standards on land use efficiency);</p> <p>32.5. Meet the requirements on investment efficiency for the development of sectors, fields, and localities (for cases where investment efficiency standards for the development of sectors, fields, and localities are applied);</p> <p>32.6. Has the highest overall score on capacity, business investment plan, land use efficiency, and investment efficiency in developing industries, fields, and localities.</p> <p>(In case after evaluating the bidding documents, two or more investors have the same total score, priority will be given to the investor with the highest experience in implementing similar projects.)</p>
33. Cancel bid	<p>33.1. The Procuring Entity shall notify the cancellation of the bid in the following cases:</p> <p>a) All Bids do not meet the requirements of the Bidding Documents;</p> <p>b) Changing the objectives, scale, location, investment</p>

	<p>capital, and implementation period of an investment project using land due to force majeure, resulting in changes in the evaluation criteria in the issued bidding documents;</p> <p>c) The Bidding Documents contain one or several contents that do not comply with the provisions of this Law or other relevant legal provisions, leading to incorrect results in the selection of investors or the selected investors no longer meeting the requirements to implement investment projects using land;</p> <p>d) Organizations and individuals other than the winning investor commit prohibited acts specified in Article 16 of the Law on Bidding, leading to incorrect results in investor selection.</p> <p>33.2. Organizations and individuals violating the provisions of the law on bidding leading to bid cancellation as prescribed in points c, d and đ, Section 33.1 of the Instruction to Investors must compensate the costs to the relevant parties.</p> <p>33.3. Bid cancellation is made during the period from the date of issuance of the Bidding Documents to the date of signing the contract.</p>
<p>34. Public announcement of investor selection results</p>	<p>34.1. Within 05 working days from the date of the document approving the results of investor selection, the Procuring Entity shall post information on the results of investor selection on the System as prescribed in Point d, Clause 2, Article 7 and Clause 4, Article 8 of the Law on Bidding; at the same time, send a document notifying the results of investor selection to the investors participating in the bidding. The content of the announcement of investor selection results includes:</p> <p>a) Project title:</p> <p>b) Name of the winning investor; the enterprise the winning investor plans to establish (if any);</p> <p>c) Information about:</p> <ul style="list-style-type: none"> - The value proposed by the investor regarding land use efficiency in the bid application (for cases where the land use efficiency evaluation criterion is applied), the number of non-commercial public works, or the value of social assistance or other social welfare activities for socially sponsored subjects, determined in monetary value or number of supported people

(for projects specified in Clause 1, Article 4 of Decree No. 115/2024/ND-CP that apply the evaluation criteria specified at Point d or Point đ, Clause 1, Article 49 of Decree No. 115/2024/ND-CP);

- The value proposed by the investor on the investment efficiency in developing the industry, field, and locality in the bid includes one of the following information: The monetary value submitted to the state budget; the percentage of proposed revenue the investor will submit to the state budget; the prices of goods and services; the number of non-commercial public works; the value of social assistance or other social welfare activities for beneficiaries of social protection, determined by monetary value or the number of people supported; the type, level of toxicity, and total amount of pollutants discharged into the environment; the land use area and land use coefficient; the amount submitted to the state budget and the proposed additional percentage by the investor for implementing aviation service projects; the electricity price for energy facility investment projects; the handover time for resettlement housing in projects to renovate and rebuild apartment buildings (in cases where evaluation criteria on investment efficiency for a specific sector, field, or locality are applied).

d) List of investors not selected and reasons for not being selected for each investor;

đ) Plan to negotiate, finalize and sign contracts with selected investors;

e) Other contents (if any)

34.2. In case of bid cancellation as prescribed in Section 33.1 of the Instruction to Investors, the notice of the investor selection results must clearly state the reasons for bid cancellation and the responsibilities of the relevant parties when canceling the bid.

34.3. Together with the document announcing the results of investor selection, the Procuring Entity shall send a notice of acceptance of the bids and award of the contract, including requirements on contract performance security measures, time for negotiation, contract completion, and contract signing as Instruction to Investors to the winning investor. The notice of acceptance of the Bid and the award of the contract form part of the contract documents. In case the

	<p>winning investor does not come to negotiate, finalize the contract, sign the contract or does not submit the contract performance guarantee within the time limit stated in the notice of acceptance of the bids, the investor will be disqualified and will not receive the bid guarantee back as prescribed in points c, d and d, Section 17.5 of the Instruction to Investors.</p>
<p>35. Negotiation and contract finalization</p>	<p>35.1. Based on the results of investor selection, the first ranked investor is invited to negotiate, complete the contract according to the notice of acceptance of the Bids and award the contract as prescribed in Section 34.3 of the Instruction to Investors.</p> <p>35.2. Negotiation and contract completion are carried out on the basis of:</p> <ul style="list-style-type: none"> a) Bids evaluation report; b) Bids and documents clarifying and amending Bids (if any) of the investor; c) Bidding documents and amendments and supplements of bidding documents (if any) d) Other relevant documents. <p>35.3. Principles for Negotiation and contract finalization</p> <ul style="list-style-type: none"> a) Failure to negotiate and finalize contracts for the contents that the investor has bid for in accordance with the requirements of the Bidding Documents; b) The basic content of the Bids must not be changed. <p>35.4. Contents of Negotiation and contract finalization:</p> <ul style="list-style-type: none"> a) Negotiating and finalizing the proposed contents in the Bids but they are not detailed enough, unclear or different; the contents are not consistent or consistent between the Bidding Documents and the Bids which may lead to disputes or affect the rights and obligations of the parties during the contract implementation process; b) Negotiate on issues arising during the investor selection process (if any) to finalize the detailed contents of the contract; c) Negotiate other project-related issues to establish the basis for establishing regulations on rights, obligations and responsibilities in the contract; d) Other related content:

	<p>35.5. Investors are not allowed to change, withdraw or refuse to implement the basic contents proposed in the Bids that have been evaluated by the Procuring Entity as meeting the requirements of the Bidding Documents, except in cases where the changes proposed by the investor bring higher efficiency to the project.</p> <p>35.6. In case the negotiation and contract completion are unsuccessful, the Procuring Entity shall report to the competent authority for consideration and decision to cancel the investor selection result and invite the next ranked investor to negotiate and complete the contract. In case of successful negotiation and contract completion with subsequent investors, the Procuring Entity shall submit, appraise, approve and publicize the results of investor selection in accordance with the provisions of Articles 28 and 29 of Decree No. 115/2024/ND-CP. In case of unsuccessful negotiation and contract completion with subsequent investors, The Procuring Entity shall report to the competent authority for consideration and decision to cancel the bid in accordance with the provisions of Point a, Section 33.1 of the Instruction to Investors.</p>
<p>36. Signing contracts and principles for implementing investment project contracts using land</p>	<p>36.1. Signing a contract for an investment project using land must satisfy the following conditions:</p> <p>a) At the time of signing, the selected investor's Bids are still valid;</p> <p>b) At the time of signing, the selected investor must ensure that it meets the technical and financial capacity to implement the investment project using land according to the requirements of the Bidding Documents.</p> <p>36.2. The contract signed between the parties must be consistent with the content of the Bidding Documents, Bids, the decision approving the results of investor selection, and the minutes of negotiation and contract completion.</p> <p>36.3. The competent authority or the Procuring Entity (in case of authorization) signs the contract with the selected investor. For joint venture investors, all members of the joint venture must directly sign and stamp (if any) the contract document.</p> <p>36.4. The implementation of investment project contracts using land must comply with the principles prescribed in Article 69 of the Law on Bidding.</p>
<p>37. Contract Performance</p>	<p>37.1. Investors must take one of the measures prescribed in BDL to ensure responsibility for implementing investment project contracts using land before or at the same time the</p>

guarantee	<p>contract takes effect.</p> <p>37.2. The term for returning the contract performance guarantee is as prescribed in BDL.</p> <p>37.3. The investor shall not be refunded the contract performance guarantee in the following cases:</p> <p>a) Refusing to perform the contract when the contract has come into effect;</p> <p>b) Violating the agreement in the contract;</p> <p>c) Contract implementation is behind schedule due to the investor's fault but the contract performance guarantee is refused to be extended.</p>
38. Resolving recommendations in investor selection, Investor selection results	<p>When seeing that their legitimate rights and interests are affected, investors have the right to send petitions about issues in the process of selecting investors and the results of selecting investors to the inviting party, competent persons, and the Advisory Council at the address specified in BDL. The settlement of petitions in bidding is carried out according to the provisions of Articles 89, 90, 92 and 93 of the Law on Bidding.</p>
39. Handling violations in bidding activities	<p>39.1. Organizations and individuals who violate the provisions of the law on bidding shall, depending on the nature and severity of the violation, be subject to disciplinary action, administrative sanctions or criminal prosecution; in case of causing damage, they must compensate according to the provisions of law.</p> <p>39.2. In addition to being handled according to the provisions of Section 39.1 of the Procuring Entity, depending on the nature and severity of the violation, organizations and individuals committing prohibited acts according to the provisions of Article 16 of the Bidding Law shall also be banned from participating in bidding activities to select investors from 06 months to 05 years. Time of ban from participating in bidding activities for organizations and individuals with violations, including individuals belonging to the Procuring Entity:</p> <p>a) Ban from participating in bidding activities from 03 to 05 years for one of the violations of clauses 1, 2, 4 and point a clause 3 Article 16 of the Law on Bidding;</p> <p>b) Ban from participating in bidding activities from 01 year to 03 years for one of the following violations: Point c,</p>

Clause 3; Clause 5; Point h, k, Clause 6, Article 16 of the Law on Bidding;

c) Ban from participating in bidding activities from 06 months to 01 year for one of the violations of points a, b, c, d and e, Clause 6 and Clause 7, Article 16 of the Law on Bidding;

For joint venture investors, the prohibition from participating in bidding activities applies to all joint venture members when one or several joint venture members violate the provisions of Article 16 of the Law on Bidding, except in the following cases: If a member of a consortium violates the provisions in Point c, Clause 3, Clause 4, Points b, c, d, dd, Clause 5, Points a, b, c, d, e, Clause 6, Clause 7, Article 16 of the Law on Bidding, only that member shall be banned from participating in bidding activities and the remaining members shall not be banned from participating in bidding activities.

39.3. In case an organization or individual commits two or more violations within the same management scope of a competent person and these violations have not been banned from participating in bidding activities, the competent person shall issue a decision to ban participation in bidding activities with the ban period determined by the total ban period of the violations but not exceeding five years.

39.4. The statute of limitations for applying the measure of prohibition from participating in bidding activities prescribed in Section 39.2 of the Instruction to Investors is 10 years from the date of the violation.

39.5. The competent person shall consider and issue a decision to prohibit participation in bidding activities within his/her management scope within 15 days from the date of receipt of one of the following documents:

a) The request document of the Procuring Entity with documents proving the violation;

b) Recommendations in the investigation conclusion of the investigation agency, the inspection conclusion of the inspection agency, the inspection conclusion of the inspection team, and the audit result report of the state audit agency;

c) Results of the petition resolution of the Petition Resolution Advisory Council;

- d) Other documents of competent state agencies in which the violation is identified..
- 39.6. Depending on the nature and severity of the violation, the competent person shall prohibit participation in bidding activities according to the provisions of Section 39.5 of the Instruction to Investors or propose the Head of the central agency or the Chairman of the Provincial People's Committee to consider and issue a decision to prohibit participation in bidding activities within the scope of management of the ministry, branch or locality. The head of a central agency or the Chairman of a provincial People's Committee shall consider and issue a decision to prohibit participation in bidding activities within 15 days from the date of receipt of the request for prohibition from participation in bidding activities from the competent person.
- 39.7. Based on the decision to prohibit participation in bidding activities posted on the System, the Minister of Planning and Investment issues a decision to prohibit participation in bidding activities nationwide for a period of 05 years for organizations and individuals who are currently prohibited from participating in bidding activities in 03 different decisions of the Head of a central agency or Chairman of a provincial People's Committee.
- 39.8. The decision to prohibit participation in bidding activities includes the following contents:
- a) Name of authorized person;
 - b) Name of Organization/ Individual for violation.
 - c) Prohibition period includes: Prohibition period for the violation (content of violation, legal basis for handling the violation); prohibition period for subsequent violations (if any); total prohibition period;
 - d) Prohibited scope;
 - d) Effectiveness effective date and effective end date.
- 39.9. In case an organization or individual is banned from participating in bidding activities due to disagreement with the decision to ban participation in bidding activities, they have the right to file a lawsuit in Court according to the provisions of the law on civil proceedings.
- 39.10. Members of expert groups and appraisal groups who violate the provisions of Article 16 of the Law on Bidding

	shall be handled according to the provisions of Section 39.2 of the Instruction to Investors and shall have their professional certificates on bidding revoked.
40. Supervision of bidding activities to select investors	<p>40.1. The supervision of investor selection activities as prescribed in Point a, Clause 3, Article 86 of the Law on Bidding shall be carried out in conjunction with the supervision of investment projects or overall investment supervision by the state management agency on investment and the investment registration agency as prescribed by the law on investment.</p> <p>40.2. The authority to supervise bidding activities is implemented according to the provisions of BDL.</p> <p>40.3. Investor selection supervision content:</p> <ul style="list-style-type: none"> a) Announce investment projects using land (for projects subject to investment policy approval); prepare, approve and announce information on investment projects using land (for projects not subject to investment policy approval); b) Prepare, appraise and approve bidding documents; c) Evaluate the bid; d) Appraise the of investor selection results d) Results of negotiation, completion and signing of contract. <p>40.4. Upon the expiration of the contract term, the competent authority shall perform the function of state management of investment, supervise the investment project or supervise the overall investment in accordance with the provisions of the law on investment, ensuring that the investor fully fulfills its commitments during the implementation of the investment project.</p>
41. Implementing investment projects using land of the winning investor	<p>41.1. The winning investor and the economic organization established by the winning investor shall organize the implementation of the project. land use investment as prescribed in the contract, laws on enterprises, investment, construction, land, real estate business and other relevant laws.</p> <p>41.2. The winning investor or the economic organization established by the winning investor shall provide capital to carry out compensation, support and resettlement in</p>

accordance with the provisions of the law on land. In case the investor fails to fully advance the capital within the time limit from the date of receipt of the request from the competent state agency, the contract performance guarantee shall not be returned as prescribed in Point c, Clause 4, Article 75 of the Law on Bidding. In this case, the reimbursement of compensation, support and resettlement costs that the winning investor has advanced shall be carried out in accordance with the provisions of the law on land.

41.3. During the implementation of an investment project using land, the winning investor and the economic organization established by the winning investor may transfer part or all of the project when meeting the following conditions:

a) Conditions as prescribed by the law on investment; law on real estate business (applicable to real estate projects); law on industry and sector management and other relevant laws;

b) Conditions as prescribed in Clause 2 Article 76 of the Law on Bidding.

41.4. The transfer of shares and capital contributions of members and shareholders in an economic organization established by the winning investor before the project is exploited and operated must satisfy the following conditions:

a) Approved by competent individual;

b) The investor receiving the transfer must have legal status and satisfy the operating conditions prescribed by law corresponding to each type of economic organization, laws on investment, enterprises, land, real estate business and laws on industry and sector management; have capacity and experience corresponding to the shares and capital contributions expected to be transferred (in case of partial transfer) or have capacity and experience equivalent to or higher than the transferring investor (in case of full transfer); must inherit the rights and obligations to implement the investment project that the transferring investor has committed to in the bidding documents and project contract;

c) In addition to the conditions specified in Point a and Point b of this Section, the investor receiving the transfer of shares and capital contributions of a joint venture member must ensure the minimum equity ratio of each member as prescribed in Point a, Clause 1, Article 46 of Decree No. 115/2024/ND-CP.

From the time the project is put into operation, the transfer of shares and capital contributions shall be carried out in accordance with the provisions of the law on enterprises and the law corresponding to each type of economic organization without having to satisfy the conditions specified in this clause.

41.5. The transfer of investment projects using land, transfer of shares and capital contributions in economic organizations as prescribed in Clause 3 and Clause 4, Article 52 of Decree No. 115/2024/ND-CP must be stipulated in the contract.

Based on the provisions of the contract and the evaluation of the inviting party on the investor expected to receive the transfer, the competent person shall consider and approve the proposal to transfer the investment project using land, transfer shares, and capital contributions in the economic organization.

In case of approval of the transfer proposal, the competent person shall assign the inviting party to review, amend and supplement the contract content.

41.6. In case the transfer of a project, transfer of shares, or capital contributions as prescribed in Clauses 3 and 4, Article 52 of Decree No. 115/2024/ND-CP leads to adjustment of the investment project, after being approved by a competent person as prescribed in Clause 5, Article 52 of Decree No. 115/2024/ND-CP, the transferring investor or economic organization shall carry out procedures for adjusting the investment project in accordance with the provisions of the law on investment and relevant laws before amending or supplementing the project contract.

41.7. In case the transfer of a project, transfer of shares or capital contributions gives rise to financial obligations to the State in accordance with the provisions of law, the winning investor and the economic organization

established by the winning investor must fully perform their financial obligations to the State.

41.8. The winning investor and the economic organization established by the winning investor have the right to contribute capital and increase charter capital to implement the project. business investment other (if any) but must not affect the rights and obligations committed in the bidding documents and project contract.

41.9. During the implementation of an investment project using land, in case there is a requirement to adjust the investment project for a project subject to investment policy approval as prescribed in Point a, Clause 1, Article 76 of the Law on Bidding (except for the cases prescribed in Clauses 3 and 4, Article 52 of Decree No. 115/2024/ND-CP) or adjust the investment project for a project not subject to investment policy approval, leading to changes in the content of the project contract, the competent person shall assign the Procuring Entity to review and evaluate the technical and financial capacity of the investor.

In this case, the investor must ensure that it has the technical and financial capacity to implement the project after adjustment. In case the investor meets the technical and financial capacity, the competent person shall assign the Procuring Entity to guide the investor and the economic organization established by the winning investor to carry out the procedures for adjusting the investment project in accordance with the provisions of the law on investment, and at the same time assign the Procuring Entity to review the contract content for amendment and supplementation after the investment project is adjusted.

CHAPTER II. BID DATA SHEET

Instruction to Investor 1.1	<p>Name and address of the Procuring Entity:</p> <ul style="list-style-type: none"> - Name of the Procuring Entity: Ha Tinh Provincial Economic Zone Management Board - Representative: Pham Van Tinh - House number/floor number/room number: No 15A - Street name: Phan Dinh Phung - Ward: Thanh Sen. - Province: Ha Tinh. - Email address: banquanlykktinh@hatinh.gov.vn.
Instruction to Investor 1.2	<p>Total expected investment 8,018,905,000,000 VND (In words: Eight thousand and eighteen billion, nine hundred and five million dong), including:</p>
Instruction to Investor 1.3	<p>Requirements for equity and debt capital that the investor need to mobilize:</p> <p>a) The minimum equity that the investor must arrange is not lower than: 1,202,835,750,000 VND (In words: One thousand two hundred and two billion, eight hundred thirty five million, seven hundred fifty thousand dong).</p> <p>b) Total value of equity and loan capital that the investor can arrange at least: 8,018,905,000,000 VND (In words: Eight thousand and eighteen billion, nine hundred and five million dong), including:</p>
Instruction to Investor 1.4	<p>Basic information of the project includes:</p> <p>a) Project name; investment objectives, investment scale of the project:</p> <ul style="list-style-type: none"> - Project title: New urban area in Ky Trinh ward, Ky Anh town (now Song Tri ward, Ha Tinh province). - Investment objective: <p>Gradually complete the construction of technical infrastructure, develop infrastructure synchronously, connect technical</p>

infrastructure and social infrastructure with neighboring areas according to the adjusted zoning plan of the Central Urban Area of Vung Ang Economic Zone, Ha Tinh Province (scale 1/2000) approved by the Provincial People's Committee in Decision No. 2250/QĐ-UBND dated September 23, 2024 to build and trade housing and social infrastructure works to meet the housing and living needs of people, form urban infrastructure; contribute to the formation of urban infrastructure to meet the socio-economic development requirements of the locality and surrounding areas.

No	Operational objectives	Industry code according to VSIC (Level 4 industry code):
1	Investment in construction of technical infrastructure; construction of housing; construction of non-residential houses (schools, parking lots, etc.).	4212, 4221, 4222, 4223, 4101, 4102
2	Water treatment and supply	3600
3	Wastewater drainage and treatment	3700
4	Real estate business on land allocated by the State to investors; selling houses with unfinished or completed facades; selling high-rise apartments; selling and leasing social housing apartments; leasing land and commercial and service buildings	6810
5	Investment in construction and business of kindergartens, primary schools, and secondary schools	8511, 8512, 8521, 8522, 8523
6	Activities of hospitals and medical stations	8610

** The business of the project's operational objectives is carried out when fully complying with relevant legal regulations.*

** Housing products and construction works are sold, leased, or lease-purchased to domestic and foreign organizations and individuals according to the provisions of law.*

Project land area: Approximately 84.12ha

- Population size: 12,463 people

b) Total investment capital of the project: Approximately 8,018,905,000,000 VND (*In words: Eight thousand and eighteen billion, nine hundred and five million dong*), including:

- Preliminary project implementation cost: 7,799,531,000,000 VND (*In words: Seven thousand seven hundred ninety nine billion five hundred thirty one million dong*);

- Compensation, support and resettlement costs Approximately 219,374,000,000 VND (*In words: Two hundred nineteen billion three hundred seventy four million dong even*).

c) Project implementation location: Song Tri ward, Ha Tinh province)

d) Land use purpose; Current land use status (if any):

- Land use purpose: Including Residential land, service land - public land at residential unit level (educational land at residential unit level, green land for public use of residential unit, parking lot, traffic road of residential unit, urban public land, agency land (fire prevention and control), green land for public use of urban area, land for other technical infrastructure works, specialized green land, traffic outside residential unit).

- Current land use status:

Land origin: Land not cleared yet. Details as follows:

No	Land type	Area (m2)
Total		841,217.14
1	Land for rice	606,272
2	Land for annual trees	53,608
3	Land for Aquaculture	9,605
4	Unused land	46,120
5	Land for internal traffic	109,074
6	Rural land	16,521

e) Planning indicators:

No	Land use function	Area (m2)	Rate (%)	Population (People)
	Total	841,217.1	100.0	12,463
I.	Residential land	631,978.9	75.1	12,463
1.1	New residential land	280,375.1	33.3	12,463

1.1.1	<i>Townhouse land</i>	222,940.4	26.5	10,384
1.1.2	<i>Social housing land</i>	57,434.7	6.8	2,079
1.2	Residential service - public land	63,972.3	7.6	
1.2.1	<i>Residential unit education land</i>	38,878.1	4.6	2,119
-	<i>Kindergarten land</i>	12,914.8	1.5	623
-	<i>Primary school land</i>	14,491.8	1.7	810
-	<i>Secondary school land</i>	11,471.5	1.4	685
1.2.2	<i>Healthcare land</i>	529.4	0.1	
1.2.3	<i>Sports land (playground, training ground)</i>	17,213.8	2.0	
1.2.4	<i>Cultural land</i>	5,005.8	0.6	
1.2.5	<i>Commercial land</i>	2,345.2	0.3	
1.3	Residential public green space land	36,045.2	4.3	
1.4	Parking lot	17,497.5	2.1	
1.5	Residential traffic roads	234,088.8	27.8	
II.	Land outside the residential area	209,238.2	24.9	
2.1	Urban public land	46,687.7	5.6	
2.1.1	<i>Municipal-level public land</i>	11,644.8	1.4	
2.2.2	<i>High school land</i>	3,042.9	4.2	
2.2	Office land (fire protection)	1,010.0	0.1	
2.3	Urban public green space land	71,861.5	8.5	
2.4	Other technical infrastructure land	2,637.8	0.3	
2.5	Specialized green space land	1,466.9	0.2	
2.6	Transportation	85,574.3	10.2	

g) Project implementation period and progress; preliminary investment phase plan or project component division plan (if

	<p>any); project implementation progress by phase (if any):</p> <ul style="list-style-type: none"> - Project duration: 70 years from the date the investor is granted the land allocation decision, land lease decision, or land use purpose conversion decision. - Project implementation progress: Complete and put the project into operation within 05 years from the time of selecting the Investor to implement the project. <p>Of which:</p> <ul style="list-style-type: none"> - Complete procedures to implement the project: 24 months from the date of selection of Investor; - Project implementation and completion: 36 months from the date the investor is granted the land allocation decision, land lease decision, or land use purpose conversion decision. <p>h) Name of the Procuring Entity: Ha Tinh Provincial Economic Zone Management Board</p> <p>i) Form and method of investor selection:</p> <ul style="list-style-type: none"> - Form of investor selection: Open tender (international); - Method of investor selection: One stage one envelope. <p>k) Time to start organizing investor selection: Quarter III/2025</p>
<p>Instruction to Investor 3.5</p>	<p>From the date of issuance of bidding documents, investors participating in bidding no shares or equity with the following consultants:</p> <ul style="list-style-type: none"> - Consulting on preparing documents to request approval of investment policy (for investment projects using land subject to investment policy approval, if any): None; - Consulting on preparing project proposal documents (for investment projects using land not subject to investment policy approval, if any): None - Consulting on preparing pre-feasibility study reports or feasibility study reports in cases where the law governing the industry or field requires the preparation of pre-feasibility study reports or feasibility study reports before organizing the bidding (if any): None - Consulting on bidding documents preparation (if any): None - Consulting on bidding documents appraisal (if any): None - Consulting on bids evaluation (if any): None - Consulting on investor selection result appraisal (if any): None

Instruction to Investor 5.2	The deadline for investors to send a written request for clarification is 15 days before the bid closing date.
Instruction to Investor 5.3 (b)	Pre-bid conference: will not be organized.
Instruction to Investor 5.4	The deadline for posting clarification documents for the bidding documents is 02 days before the bid closing time.
Instruction to Investor 6.1	Procuring Entity: will not organize a site visit.
Instruction to Investor 7.2	The deadline for posting the decision to amend the bidding documents is 25 days before the bid closing date.
Instruction to Investor 9	<p>The Bids as well as all correspondence and documents relating to the Bids exchanged between the Investor and the Procuring Entity shall be written in: Investors can choose English or Vietnamese to prepare the bids.</p> <p>In case the investor chooses English to prepare the Bids, the investor is requested to attach a Vietnamese translation and is responsible for the accuracy of the translation.</p> <p>Supporting documents and materials in the bids may be written in another language and accompanied by a translation into: The language that the investor chooses to prepare the bids and Vietnamese. In case of lack of translation, if necessary, the Procuring Entity may request the investor to send additional translation.</p>
Instruction to Investor 10.3	Investors must submit the following documents with the bids: Not applicable
Instruction to Investor 12.1	<p>Documents proving the eligibility of the investors:</p> <p>a) For independent investors, the following documents must be provided to prove their eligibility:</p> <p>A copy of one of the following documents: Certificate of business registration or decision on establishment or equivalent</p>

	<p>document issued by competent authority for domestic investors; document proving registration of establishment and operation under foreign law for foreign investors.</p> <p>b) For joint venture investors, the following documents must be provided:</p> <ul style="list-style-type: none"> - Documents specified in Point a of this Section for each member of the consortium; - Joint venture agreement document between members according to Form No. 03 in Chapter IV - Bidding form.
<p>Instruction to Investor 12.2</p> <p>(a)</p>	<p>Currency used for evaluation: When evaluating the bids, it must be converted to 01 currency; in case one of those currencies is Vietnamese Dong, it must be converted to "Vietnamese Dong".</p> <p>In case the Vietnamese Dong is not included among the currencies, the bidding documents must stipulate the conversion currency, time and basis for determining the conversion rate as follows:</p> <ul style="list-style-type: none"> - The conversion currency is: Vietnamese dong - The time to determine the exchange rate is: May 29, 2025 - Basis for determining exchange rate: Cross rate (buying and selling rate of Joint Stock Commercial Bank for Investment and Development of Vietnam).
<p>Instruction to Investor 12.2</p> <p>(b)</p>	<p>Investors must submit the following documents with the bids:</p> <ul style="list-style-type: none"> - The Documents proving the investor's capacity and experience - The Documents proving the investor's financial capacity <p>Minutes of tax settlement inspection, self-settlement tax declaration; Documents proving that the investor has declared electronic tax settlement; Document confirming the fulfillment of tax payment obligations of the most recent fiscal year by the tax authority (no tax debt)....</p>
<p>Instruction to Investor 13</p>	<p>The investor's technical proposal includes the following contents:</p> <p>a) Technical aspect</p> <ul style="list-style-type: none"> - Explanation of the suitability of the project investment plan (including scope, scale, preliminary total project implementation cost, time, progress, construction investment phases, spatial organization diagram and architecture, landscape to ensure synchronization with the overall project) with the planning approved by competent authorities according to the provisions of

	<p>law on planning, construction, industry and sector management and relevant laws;</p> <ul style="list-style-type: none"> - Explain the feasibility of technology application solutions (if any), technology transfer plan (if any); - Explanation of compliance with investment and business conditions according to regulations of law on investment, law on management of industry and field (if any); plan for organization of operation and business; - Explanation of the synchronization of technical infrastructure system, social infrastructure with housing according to the provisions of law on construction, urban management, housing for new construction or urban renovation and embellishment; the suitability of the investment plan proposed by the investor with the housing development program and plan <p>b) Society aspect</p> <ul style="list-style-type: none"> - Explain the plan, compensation costs, support, and resettlement according to the provisions of the law on land. <p>Investors must commit in the bidding documents to full capital to carry out compensation, support and resettlement as required in the bidding documents of competent authorities in accordance with the provisions of the law on land;</p> <ul style="list-style-type: none"> - Explain the ability to contribute to social welfare for local workers through the use of local labor, human resource training, average income level and average income growth rate; social assistance activities for social protection beneficiaries or other social welfare activities that the investor contributes to the locality, in accordance with the needs of the locality where the project is implemented; <p>c) Environment aspect</p> <ul style="list-style-type: none"> - Explanation of land use indicators and land use coefficients according to regulations of law on land and construction; requirements on resource use according to regulations of law; ability to preserve biodiversity, improve land, resources, and natural ecosystems in the project implementation area according to regulations of law on environmental protection; - Solutions to minimize negative impacts on the environment.
<p>Instruction to Investor 15.1</p>	<p>The investor's financial proposal includes:</p> <p>State budget contribution rate..</p>

Instruction to Investor 16.1	Bid currency: Vietnamese Dong (VND), US Dollar (USD).
Instruction to Investor 17.1	<p>- Form of bid security: Submit a letter of guarantee from a credit institution or foreign bank branch established under Vietnamese law;</p> <p>Investors are allowed to submit a letter of guarantee to ensure responsibility when participating in bidding. The letter of guarantee must be prepared in accordance with Form No. 10, Chapter IV - Bidding Forms or in another similar form but must include all the basic contents of the bid guarantee.</p> <p>- The bid security value is 80,189,050,000 VND (In words: Eighty billion, one hundred eighty nine million, five hundred fifty thousand dong)</p> <p>- The validity period of the bid security is 150 days from the date of bid closing.</p>
Instruction to Investor 17.4	<p>The Procuring Entity shall be responsible for returning or releasing the bid security of the unselected investor within the time limit of 14 days from the date the investor selection results are approved.</p> <p>In case the investor refuses to extend the validity of the bid security when the Procuring Entity requests to extend the validity period of the bidding documents, the Procuring Entity must return or release the bid security to the investor within the time limit of 14 days from the date the Procuring Entity receives the written refusal to extend.</p>
Instruction to Investor 18.1	- The validity period of the bids is 120 days from the date of bid closing.
Instruction to Investor 19.1	- Number of copies of bids is: 06 copies.
Instruction to Investor 21.1	<p>Bidding closing time is: 14:00, November 03, 2025.</p> <p>- Bidding documents has a selling price (including tax) of: 30,000,000 (thirty million VND)</p>
Instruction to Investor	The period within which investors are allowed to proactively send documents to the Procuring Entity to clarify their

25.1	eligibility, capacity and experience is 03 days from the date of bid closing.
Instruction to Investor 28.1	<p>Bidding opening time is: 14:30, November 03, 2025, at the bid opening location at the following address:</p> <ul style="list-style-type: none"> - House number/floor number/room number: 15A - Street name: Phan Dinh Phung - Ward: Thanh Sen. - Province: Ha Tinh.
Instruction to Investor 29.2 (a)	Ability score: 220 points/1000 point.
Instruction to Investor 29.2 (b)	Business investment plan score: 280 points/1000 point.
Instruction to Investor 29.2 (c)	Land Use Efficiency Score: 500 points/1000 point.
Instruction to Investor 30.1	<p>Error correction is performed on the basis of the following principles:</p> <ul style="list-style-type: none"> a) Arithmetic errors include errors caused by incorrect addition, subtraction, multiplication, and division when calculating prices of goods, services, or state budget payments or other financial standards and criteria. b) Unit error: <ul style="list-style-type: none"> - Unit error: revise to comply with the requirements stated in the bidding documents; - Unit error: Use “,” (comma) instead of “.” (period) and vice versa, then correct it to match Vietnamese writing style. c) Other items. <ul style="list-style-type: none"> - If there is a difference between the number and the writing, the writing shall be the legal basis for correction. If the writing is incorrect, the number after correction according to the

	<p>provisions of this Section shall be the legal basis;</p> <ul style="list-style-type: none"> - If there is a difference between the contents of the technical proposal and the contents of the financial proposal, the contents of the technical proposal will be the basis for correction.
Instruction to Investor 30.2	The content of the correction must comply with the approved 1/2000 zoning plan and the approved project investment policy; the deviation rate must not exceed 1%.
Instruction to Investor 31.2	<p>Supporting documents:</p> <ul style="list-style-type: none"> - Proposal document enjoy the benefits when bid of the investor as a basis for consideration and evaluation of incentives; if not, the investor is considered not eligible for incentives. - Commitment to technology transfer and implementation of high-tech activities for high technologies and high-tech products belonging to: List of high technologies prioritized for investment and development and List of high-tech products encouraged for development issued by the Prime Minister according to Decision No. 38/2020/QĐ-TTg dated December 30, 2020 according to the provisions of the law on high technology or on the List of technologies encouraged for transfer according to the provisions of the law on technology transfer Decree No. 76/2018/NĐ-CP dated May 15, 2018 of the Government detailing and guiding the implementation of a number of articles of the Law on Technology Transfer. - License or equivalent documents and records certified by a competent authority or technology transfer contract or other equivalent documents proving the legal right to use technology according to the provisions of law on high technology, technology transfer, environmental protection, and other relevant laws.
Instruction to Investor 37.1	<p>a) Form of Contract Performance guarantee: Submit a letter of guarantee from a domestic credit institution or foreign bank branch established under Vietnamese law;</p> <p>b) Value of Contract Performance guarantee: 160,378,100,000 VND (In words: One hundred sixty billion, three hundred seventy eight million, one hundred thousand dong).</p> <p>c) Guarantee of effective contract performance is 05 year from the date the contract is officially signed until the date of contract termination.</p>

Instruction to Investor 37.2	<p>- Timeframe for Refund of Contract Performance guarantee. The Procuring Entity shall return the performance security to the Investor no later than 10 days from the date of contract termination.</p>
Instruction to Investor 38	<p>Address for receiving petitions:</p> <p>a) Address of the Procuring Entity: Ha Tinh Provincial Economic Zone Management Board</p> <p>- Address: No. 15A, Phan Dinh Phung Street, Thanh Sen Ward, Ha Tinh Province.</p> <p>E-mail: banquanlykktinh@hatinh.gov.vn.</p> <p>a) Name of authorized person; Head of Ha Tinh Provincial Economic Zone Management Board</p> <p>- Address of the competent person: No. 15A, Phan Dinh Phung Street, Thanh Sen Ward, Ha Tinh Province.</p> <p>E-mail: banquanlykktinh@hatinh.gov.vn</p> <p>c) Address of the permanent support department of the Advisory Council: Ha Tinh Department of Finance.</p> <p>- Address: No. 16 A, Xo Viet Nghe Tinh Street, Thanh Sen Ward, Ha Tinh Province.</p> <p>- E-mail: sotaichinh@hatinh.gov.</p>
Instruction to Investor 40.2	<p>The authority to supervise the bidding activities and investors selection: The Chairman of the Provincial People's Committee shall preside over and organize the supervision of bidding activities to select investors. The Department of Finance is responsible for assisting the Chairman of the Provincial People's Committee in organizing the supervision of bidding activities to select investors in his locality.</p>

CHAPTER III. BID EVALUATION

Section 1. Checking and evaluating the validity of the Bid

1.1. Check the validity of Bid

a) Check the number of originals and copies the bid;

Check the components of the bid, including: Bidding application, joint venture agreement (if any), authorization to sign the bidding application (if any); bid security; documents proving the legal status of the person signing the bidding application (if any); documents proving the legal status, capacity, and experience (if any) of the investor; proposed contents on the investment and business plan; proposed contents on the effectiveness of land use, effectiveness of investment in developing industries, fields, and localities; other components of the Bids as prescribed in Section 10 of the Instruction to Investors;

c) Check the consistency of content between the original and the copy to serve the detailed assessment process Bid.

1.2. Check the validity of Bid

The investor's bid is considered valid when it fully meets the following conditions:

a) Have original bids;

b) Have a valid bidding application, signed and sealed (if any) by the legal representative of the investor as required by the Bidding Documents. For joint venture investors, the bidding application must be signed and sealed (if any) by the legal representative of each joint venture member or by the member assigned to represent the joint venture according to the assignment of responsibilities in the joint venture agreement.

A bidding application is invalid in one of the following cases:

The bidding application is not signed and sealed (if any) by the investor's legal representative, or in the case of a consortium, it is not signed and sealed (if any) by the legal representative of each consortium member or the member assigned to sign on behalf of the consortium according to the responsibility allocation in the consortium agreement.

- Signed before the Procuring Entity issues the bidding documents, signed before having the authorization to sign the bidding application (if any), signed before signing the joint venture agreement in case of a joint venture;

- Attaching conditions that are disadvantageous to the competent authority, the Procuring Entity or omitting important contents stated in the Bidding Form, leading to failure to ensure the full responsibilities and commitments of the

investor during the bidding process and contract performance if the bid is recognized as the winning bidder.

c) The validity period of the bids meets the requirements specified in Section 18 of the Instruction to Investors;

d) The investor is not named in two or more Bids as an independent investor or a member of a consortium;

đ) Have a bid security with value and validity period meeting the requirements specified in Section 17.1 of the Instruction to Investors. Bid security is invalid in one of Bid security following cases: Bid security is invalid in one of Bid security following cases:

- Not an original and not signed and sealed (if any) by a legal representative of a domestic credit institution, foreign bank branch, domestic non-life insurance enterprise, or foreign non-life insurance enterprise branch established under Vietnamese law;

- Signed before the Procuring Entity issues the bidding documents, signed before having the authorization to sign letter of bid security (if any), signed before signing the joint venture agreement in case of a joint venture;

- The guarantee value is lower, the validity period is shorter than the requirements of the bidding documents; the name and address of the beneficiary of the guarantee are not in accordance with the requirements of the bidding documents;

- Attaching conditions that are disadvantageous to the Procuring Entity; omitting important content stated in the Bid Security Form, leading to failure to ensure the full responsibility of the investor during the bidding process or leading to the Procuring Entity not receiving the bid security value in the cases specified in Clause 9, Article 14 of the Law on Bidding;

e) In case of a joint venture, there must be a valid joint venture agreement, signed and sealed (if any) by the legal representative of each joint venture member. The joint venture agreement must clearly state the responsibilities of the head member of the joint venture and the common and separate responsibilities of each joint venture member according to Form No. 03 Chapter IV - Bidding Form;

g) The investor is not currently banned from participating in bidding according to the provisions of the law on bidding;

h) Investors ensure their eligibility as prescribed in Section 3 of the Instruction to Investors.

An investor whose bid is considered "Valid" when all conditions are assessed as "Met". An investor's Bid is considered "Invalid" when any condition

is assessed as "Not met" and then the investor's Bid will be rejected. Investors with valid bids will be considered and evaluated for the next step.

Section 2. Competency evaluation

2.1. Evaluation method

2.1.1. Assessment of competency using scoring methods.

The minimum score of the standard, detailed standards of capacity is not lower than 60 % maximum score of that criterion. The minimum score for each competency criterion is 60% of the maximum score for that criterion.

2.1.2. For joint venture investors:

a) The equity of the joint venture investor is equal to the total equity of the joint venture members. Each joint venture member must meet the requirements corresponding to the equity contribution according to the joint venture agreement. The leading investor of the consortium must have a minimum equity contribution ratio of 30%, and each consortium member must have a minimum equity contribution ratio of 15%;

b) The loan capital of the joint venture investor is equal to the total loan capital of the joint venture members;

2.2. Evaluation standards

2.2.1. Criteria for evaluating investor capacity include: Ability to arrange equity capital; ability to mobilize loans and other legal sources of capital. Minimum equity requirements are determined according to the provisions of the law on real estate business as prescribed in Point a, Clause 1, Article 46 of Decree No. 115/2024/ND-CP.

The assessment of the investor's capacity is carried out according to Table 01 below:

Note: An investor whose bid is assessed as "Passed" when all standards, detailed standards, and capacity criteria meet the minimum required score. The investor's bid is assessed as "Not qualified" when any standard, detailed standard, or capacity criterion does not meet the minimum required score and then the investor's bid will be disqualified. Investors with a bid evaluated as meeting the capacity requirements will be considered for the next evaluation step.

Table No 01

COMPETENCY EVALUATION STANDARDS

No	Evaluation standards	Score Maximum score	Detailed score ⁽¹⁾	Minimum score required	Requirements to achieve the minimum required score	Documents to be submitted
I. Financial capacity, ability to arrange capital						
1.1	Equity (G_{CSH})	150		90	Minimum owner's equity the investor must arrange (2): 1,202,835,750,000 VND (In words: One thousand two hundred and two billion, eight hundred thirty five million, seven hundred fifty thousand dong).	Form No 06
	$G_{CSH} \geq 8,018,905,000,000$ VND		150			
	$G_{CSH} = 1,202,835,750,000$ VND		90			
	G_{CSH} from over 1,202,835,750,000 VND to under 8,018,905,000,000 VND		N_{11}			
	$G_{CSH} < 1,202,835,750,000$ VND		0			
1.2	Total value of equity and borrowed capital the investor can mobilize (3) (G_{TV})	70		42	The minimum total value of equity and borrowed capital the investor can mobilize is: 8,018,905,000,000 VND (In words: Eight thousand and	Form No. 06 and Form

						eighteen billion, nine hundred and five million dong), including:	No. 07
	(G _{TV}) > 8,018,905,000,000 VND			70			
	(G _{TV}) = 8,018,905,000,000 VND			42			
	(G _{TV}) < 8,018,905,000,000 VND			0			
	Total	220			132		

Note:

(1) For equity capital arranged by investors:

In case the investor's equity capital is arranged (symbol is Gt) in the range: 1,202,835,750,000 VND < Gt < 8,018,905,000,000 copper, points are calculated as follows:

$$N_t = N_a - \frac{N_a - N_b}{G_a - G_b} \times (G_a - G_t)$$

Of which:

- Nt: Points evaluated.
- Gt: equity capital arranged by investors:
- Ga: Total project investment capital.
- Gb: Minimum owner's equity the investor must arrange
- Na: Maximum score for the Equity evaluation criterion.
- Nb: Minimum score for the Equity evaluation criterion.

When the interpolated score is an odd number, it is rounded according to the following principle: Round the number to the second decimal place; if the first digit of the discarded digits (from left to right) is less than 5, the last digit retained will not change; if the first digit of the discarded digits (from left to right) is greater than or equal to 5, the last digit retained will increase by one unit.

(2) Equity requirements are determined based on total investment capital (including preliminary total project implementation costs, compensation, support, resettlement costs (if any) and other costs as prescribed by laws governing the industry and sector (if any).

Equity of the investor as prescribed in Article 6 of Decree No. 96/2024/ND-CP dated July 24, 2024 of the Government detailing a number of articles of Real Estate Business Law, determined based on:

- Financial statement results or reporting results for audited equity items performed during the year; in case there are no financial statement results or reporting results for audited equity items performed during the year, use the financial statement results or reporting results for audited equity items of the previous year according to the provisions of the law on enterprises, the law on auditing, and the law on accounting;

- For enterprises established and operating for less than 12 months, equity capital is determined according to contributed charter capital according to the provisions of the law on enterprises.

In case Decree No. 96/2024/ND-CP dated July 24, 2024 of the Government detailing a

number of articles of Real Estate Business Law modified, supplemented, replaced then owner of investors determined according to the provisions of the document modify, supplement, replace.

In case at the same time the investor participates in investing in many projects and other long-term financial investments (if any), the investor shall declare the list of projects being invested in and other long-term financial investments, ensuring that all the equity capital that the investor commits to implement for all projects and other long-term financial investments as prescribed is fully met.

At the time of signing the project contract, the winning investor is responsible for submitting to the competent authority documents proving financial capacity.

Investors must declare information, provide documents on financial capacity according to Form No. 06, Chapter IV - Bidding form and provide a commitment on mobilizing equity capital according to Form No. 07, Chapter IV - Bidding form.

(3) Investors must provide a commitment to mobilize loan capital according to Form No. 07, Chapter IV - Bidding Form. The investor shall submit a written commitment to provide finance from a bank or credit institution for the remaining financial obligations (other than equity) under the investor's responsibility to mobilize.

Section 3. Evaluation on business investment plans, land use efficiency

3.1. Evaluation method

Assessment of competency using scoring methods. When evaluating the bids, Investors must meet the following minimum scores to be evaluated and ranked:

- a) The minimum score of the standard and detailed standards on the business investment plan must not be lower than 60% of the maximum score of that standard.
- b) The minimum score of the standard, detailed standard on land use efficiency or investment efficiency in developing an industry, field or locality is not lower than 60% of the maximum score of that standard.
- c) The minimum score of each criterion is not lower than 60% of the maximum score of that criterion.

3.2. Standards for Evaluating the Business Investment Plan

The evaluation of the investor's business investment plan is carried out according to

Table No. 02 below.

Note: An investor's bid is evaluated as "Pass" when all criteria, detailed criteria, and business investment plan criteria meet the minimum required score. An investor's bid is evaluated as "Fail" when any single criterion, detailed criterion, or business investment plan criterion does not meet the minimum required score; in this case, the investor's bid will be disqualified. An investor's bid that passes the business investment plan evaluation will be considered for the next evaluation stage.

No	Method for Evaluating Business Investment Plans	Maximum score	Detailed score	Minimum score
I.	TECHNICAL EVALUATION STANDARDS	180		108
1	Requirements on the conformity of the investment plan proposed by the investor with the planning approved by the competent authority according to the provisions of law on planning, construction, industry and sector management and relevant laws. mandarin.	90		54
1.1	Investment Scope and scale	30		18
	Proposal is complete, detailed, and meets the requirements of Bidding documents.		24-30	
	Full proposal, basic details, meeting bidding documents requirements.		18-24	
	Not recommended or recommended but not suitable		0 - <18	
1.2	- Preliminary project implementation cost:	30		18
	Proposal is complete, detailed, and meets the requirements of Bidding documents.		24-30	

	Full proposal, basic details, meeting bidding documents requirements.		18-24	
	Not recommended or recommended but not suitable		0 - <18	
1.3	Project duration and progress	20		12
1.3.1	Presenting the proposal	10		6
	Proposal is complete, detailed, and meets the requirements of Bidding documents.		8.0-10	
	Full proposal, basic details, meeting bidding documents requirements.		6.0-8.0	
	Not recommended or recommended but not suitable		0 - <6	
1.3.2	Shorten the Project performance duration and progress	10		6
	Propose time and progress of project implementation below 05 years: $N=6+(5-\text{proposed number of years})$ and take a maximum of no more than 10 points.		II	
	Proposed project implementation timeline, 5 years		6	
1.4	Spatial diagram and landscape architecture ensure synchronization with the overall project	10		6
	Proposal is complete, detailed, and meets the requirements of Bidding documents.		08-10	
	Full proposal, basic details, meeting bidding documents requirements.		06-08	

	Not recommended or recommended but not suitable		0 - <06	
2	Requirements for compliance with business investment conditions as stipulated by investment laws and specialized management laws (if any); requirements for the operational and business organization plan:	40		24
2.1	Requirements for compliance with investment and business conditions according to regulations of investment law, industry and field management law:	20		12
	The Investor has a commitment and explanation that the Investor's capacity meets the provisions of Article 9, Law on Real Estate Business 2023 and related legal documents.		16-20	
	Investors commit to comply with the provisions of Article 9, Law on Real Estate Business 2023 and related legal documents.		12-16	
	Investors do not commit or commit inappropriately		0 - <12	
2.2	Requirements for operation and business organization plan	20		12
	Proposal is complete, detailed, and meets the requirements of Bidding documents.		16-20	
	Full proposal, basic details, meeting bidding documents requirements.		12-16	

	Not recommended or recommended but not suitable		0 - <12	
3	Requirements for the synchronization of technical infrastructure system, social infrastructure with housing according to the provisions of law on construction, urban management, housing for new construction or urban renovation and embellishment; requirements for the suitability of the investment plan proposed by the investor with the housing development program and plan	50		30
3.1	Requirements for synchronization of the project's technical infrastructure system:	20		12
	Proposal is complete, detailed, and meets the requirements of Bidding documents.		16-20	
	Full proposal, basic details, meeting bidding documents requirements.		12-16	
	Not recommended or recommended but not suitable		0	
3.2	Requirements for synchronization of the project's technical infrastructure system:	20		12
	Proposal is complete, detailed, and meets the requirements of Bidding documents.		16-20	
	Full proposal, basic details, meeting bidding documents requirements.		12-16	

	Not recommended or recommended but not suitable		0	
3.3	Requirements on the suitability of the investment plan with the housing development program and plan:	10		06
	Proposal is complete, detailed, and meets the requirements of Bidding documents.		08-10	
	Full proposal, basic details, meeting bidding documents requirements.		06-08	
	Not recommended or recommended but not suitable		0	
II.	SOCIAL EVALUATION STANDARDS	70		42
1	Requirements on compensation, support and resettlement plans and costs:	50		30
	<ul style="list-style-type: none"> - Explain the plan, compensation costs, support, and resettlement according to the provisions of the law on land, fully, reasonably, and feasible for project implementation. - The investor commits to pay all compensation, support and resettlement costs to fully clear the site according to the approved compensation and resettlement support plan. 		40-50	
	<ul style="list-style-type: none"> - Explain the plan, compensation costs, support, resettlement according to the provisions of the law on land relatively fully, 		30-40	

	<p>relatively reasonably, relatively feasible to implement the project.</p> <p>- The investor commits to advance compensation, support and resettlement costs for site clearance in stages according to the notification of the competent authority based on the approved compensation and resettlement support plan.</p>			
	The investor does not commit to advance capital or does not propose an explanation of the compensation, support and resettlement plan and costs, or proposes and commits but they are not appropriate.		0 - <30	
2	Requirements for ability to contribute to social welfare for local workers	20		12
	<p>Explain the ability to contribute to social welfare for local workers through the use of local labor, training of human resources, average income level and average income growth rate; social assistance activities for social protection beneficiaries or other social welfare activities that the investor contributes to the locality, in accordance with the needs of the locality where the project is implemented, complete, reasonable, feasible to</p>		16-20	

	implement the project and have a commitment to implement this content in the bidding documents.			
	Explain the ability to contribute to social welfare for local workers through the use of local labor, training of human resources, average income level and average income growth rate; social assistance activities for social protection beneficiaries or other social welfare activities that the investor contributes to the locality, suitable to the needs of the locality where the project is implemented, relatively complete, relatively reasonable, relatively feasible to implement the project and have a commitment to implement this content in the bidding documents.		12-16	
	Not recommended or recommended but not suitable		0 - <12	
III.	ENVIRONMENTAL ASSESSMENT STANDARDS	30		18
	Explanation of land use indicators, land use coefficients according to regulations of law on land and construction; requirements on resource use according to regulations of law; Solutions to control, protect, and minimize negative impacts on		24-30	

	the environment that are complete, reasonable, and feasible for project implementation.			
	Explanation of land use indicators, land use coefficients according to regulations of law on land and construction; requirements on resource use according to regulations of law; Solutions to control, protect, and minimize negative impacts on the environment that are relatively complete, relatively reasonable, and relatively feasible for project implementation.		18-24	
	Not recommended or recommended but not suitable		0 - <18	
	TOTAL	280		168

Note:

When the interpolated score is an odd number, it is rounded according to the following principle: Round the number to the second decimal place; if the first digit of the discarded digits (from left to right) is less than 5, the last digit retained will not change; if the first digit of the discarded digits (from left to right) is greater than or equal to 5, the last digit retained will increase by one unit.

3.3. Evaluation criteria for land use efficiency (for projects specified in Clause 1) Article 4 of Decree No. 115/2024/ND-CP)

[3.3.1. When preparing the Bidding Documents, in case the land area, land fund, or reference land plot is determined according to the provisions in Clauses 4, 5, and 6, Article 48 of Decree No. 115/2024/ND-CP, the Procuring Entity and the expert team must determine the criteria for evaluating land use efficiency and additional applicable criteria (if any), including:

a) The criteria for assessing land use efficiency are determined based on the minimum rate of payment to the state budget (m) prescribed in Clause 3, Article 48 of Decree No. 115/2024/ND-CP. and is determined by the following formula:

$$m = \frac{\sum_{i=1}^n \frac{X_i - Y_i}{Y_i}}{n} \times 100\%$$

Of which:

X_i : is the winning price of the auction of land use rights of the i-th reference land plot, land fund, or land fund.

Y_i : is the starting price for auctioning land use rights of the i-th reference land plot, land fund, or land plot.

n: is the number of land plots, land funds, reference land plots.

$$m = 3 \%$$

The investor proposes the rate of payment to the state budget in the bidding documents (M) based on the minimum rate of payment to the state budget (m) specified in the bidding documents, in which $M \geq m$. The submission of value M to the state budget is implemented according to the provisions in Clause 8, Article 48 of Decree No. 115/2024/ND-CP.

The evaluation of the investor's land use efficiency is carried out according to the following evaluation table No. 03:

Table No 03

EVALUATION STANDARDS FOR LAND USE EFFICIENCY

No	Review content	Maximum score	Detailed score	Minimum score	Note
I.	EVALUATION STANDARDS FOR LAND USE EFFICIENCY	500		300	
	The investor proposes the rate of payment to the state budget in the bids to satisfy: M>m and highest among investors whose bid evaluated		500		

	(M_{\max})				
	The investor proposes the rate of payment to the state budget in the bids to satisfy: $m < M_t < M_{\max}$		$G_t^{(1)}$		
	The investor proposes the rate of payment to the state budget in the bids to satisfy: $M=m$		300		
	The investor does not propose a state budget payment rate (M) or proposes a state budget payment rate (M) lower than the minimum state budget payment rate (m): $M < m$		0		
	Total (T_3)	500		300	

(1) Land use efficiency assessment score (G_t) is defined as follows:

- In case the investor proposes the rate of payment to the state budget (M_t) in the range above the minimum rate of payment to the state budget (m) to below the highest rate of payment to the state budget among investors submitting bidding documents ((M_{\max}) , the score is calculated as follows:

$$G_t = 500 - 200 \times (M_{\max} - M_t) / (M_{\max} - 3\%)$$

Of which:

- G_t : The score is used to evaluate the land use efficiency of the investor under consideration.

- M_t : State budget payment rate (M) of the investor under consideration (proposed in percentage)

- M_{\max} : The highest rate of payment to the state budget (M) among investors submitting bids (proposed in percentage).

- In case there is only 1 investor participating in the bidding, if the investor proposes a state budget payment rate (M) not less than the minimum state budget payment rate (m), the evaluation score will be 500 points.

Section 4. General score

1. The overall score is determined based on the total score of capacity, business investment plan, and land use efficiency (for the project prescribed in Clause 1, Article 4 of Decree No. 115/2024/ND-CP), investment efficiency in developing industries, fields, and localities (for the project prescribed in Clause 2, Article 4 of Decree No. 115/2024/ND-CP) according to the corresponding proportion of each standard prescribed in the Bidding documents, ensuring the total proportion is 100%.

2. The aggregate score is determined by the following formula:

$$T = T_1 + T_2 + T_3$$

Of which:

T_1 = ability score

T_2 = business investment plan score

T_3 = land use efficiency score or investment efficiency score for industry, field, and locality development

3. Investors must meet the following minimum scores to be evaluated and ranked:

a) The minimum aggregate score must not be lower than 70% of the total score.

b) The minimum score of the standard and detailed standard on capacity is not lower than 60% of the maximum score of that standard.

c) The minimum score of the standard and detailed standards on the business investment plan must not be lower than 60% of the maximum score of that standard.

d) The minimum score of the standard, detailed standard on land use efficiency or investment efficiency in developing an industry, field or locality is not lower than 60% of the maximum score of that standard.

d) The minimum score of each criterion is not lower than 60% of the maximum score of that criterion.

4. Investors that meet the minimum score of each criterion specified in Clause 3 of this Section and have the highest total score shall be ranked first.

Section 5. Evaluation standards on experience in implementing similar projects

In case after evaluating the bidding documents, two or more investors have the same total score, priority will be given to the investor with higher experience in implementing similar projects according to the provisions of this Section. The investor with the highest experience score in implementing similar projects is ranked first.

- The investor is responsible for supplementing the dossier and supporting documents in case of evaluating experience in implementing similar projects according to the requirements of the Procuring Entity specified in this Section and Form No. 08: Experience in implementing similar projects. Investors can submit documents proving experience in implementing similar projects at the same time as the bidding documents or submit them after receiving notice from the Procuring Entity

- Investors declare Form No. 08 Experience in implementing similar projects. The investor is responsible for supplementing the dossier and supporting documents in case of evaluating experience in implementing similar projects according to the requirements of this Section.

- For joint venture investors: The joint venture investor's experience in implementing similar projects is equal to the total number of projects implemented by the joint venture members.

- Investors can use the partner's experience to demonstrate experience in implementing similar projects. Partner is the organization that signs the contract with the investor. or a subsidiary of the investor, proposed by the investor in the Bids to jointly implement the investment project using land and evaluated for experience and ability to meet the work of the partner participating in the joint implementation according to the contract signed with the investor based on the requirements specified in the Bidding Documents.

The Procuring Entity shall base on the proposal on the use of partners in the Bids, the scope, content, value of work, requirements for work implementation, and other requirements (if any) agreed upon in the contract signed between the investor and the partner to evaluate the partner's ability to meet the part of work the partner participates in performing together under the contract signed with the investor.

The assessment of the investor's experience in implementing similar projects is carried out according to Table 04 below:

Table No 04

EVALUATION STANDARDS ON EXPERIENCE IN IMPLEMENTING SIMILAR PROJECTS

No	Evaluation standards	Score Maximum score	Detailed score	Requirements for experience in implementing similar projects	Documents to be submitted
	Experience implementing projects ⁽⁴⁾ in similar	100			
1	Experience in investing, constructing similar works and projects	70		<p>Number of projects in which the investor or joint venture member or partner has participated as an investor contributing equity capital to the project⁽⁵⁾ or an economic organization established by the investor to implement the project or a contractor: 01 project to meet minimum requirements. Method to define a project⁽⁶⁾;</p> <p>a) Type 1: Projects in the following sectors and fields: Urban area construction investment projects; Construction investment projects with mixed-use functions including: Housing projects, civil works, technical infrastructure projects in which the investor participates as an investor contributing equity capital to the</p>	Form No 08

No	Evaluation standards	Score Maximum score	Detailed score	Requirements for experience in implementing similar projects	Documents to be submitted
				<p>works in which the investor has participated as a construction contractor, completed or largely completed⁽⁷⁾ within 10 years before the year of bid closing and fully meet the following conditions:</p> <ul style="list-style-type: none"> - There are works or construction items similar to the main works or construction items of the project considered as civil engineering - The minimum value is: civil works have value 373,768,000,000 VND⁽⁹⁾. <p>d) Type 3: Projects, bid packages, contracts in the following sectors and fields: Construction investment projects with mixed functions include: civil works, technical infrastructure works in which the investor has participated as a construction contractor, completed or largely completed⁽⁷⁾ within 10 years before the year of bid closing and fully meet the following conditions:</p> <ul style="list-style-type: none"> - There are works or construction items similar to the main works or construction items of the 	

No	Evaluation standards	Score Maximum score	Detailed score	Requirements for experience in implementing similar projects	Documents to be submitted
				project considered as civil engineering - The minimum value is: civil works have value 373,768,000,000 VND⁽⁹⁾ .	
	Investors have implemented ≥ 3 type 1 projects after conversion		70		
	Investors have implemented ≥ 2 type 1 projects after conversion		50		
	Investors have implemented ≥ 1 type 1 projects after conversion		30		
	Investors have implemented < 1 type 1 projects after conversion		0		
2	Experience in operating business on similar works and projects	30		Experience in operating similar projects and works is determined based on the following criteria:	Form No 08

No	Evaluation standards	Score Maximum score	Detailed score	Requirements for experience in implementing similar projects	Documents to be submitted
				<p>Number of projects (including one or more work contents: operation, business of construction works, projects) in which the investor or member participating in the consortium or partner has participated as an investor contributing equity capital to the project⁽⁵⁾ or economic organization established by the investor or contractor, has organized the operation⁽¹⁰⁾ within 10 years before the year of bid closing: 01 project to meet minimum requirements. Method to define a project⁽⁶⁾:</p> <p>a) Type 1: Projects in the industry, field of Construction investment projects with mixed service functions include civil works in which the investor participates as an investor contributing equity capital to the project or is an economic organization established by the investor and has a project (in case the project has one project) or has a main project (in case the project has many projects) that meets one of the following two conditions:</p> <p>- Minimum capacity size: Not applicable.</p>	

No	Evaluation standards	Score Maximum score	Detailed score	Requirements for experience in implementing similar projects	Documents to be submitted
				<p>- Have the same or higher level of construction work as the level of the project under consideration (is a grade I civil work) according to the provisions of the law on construction or have two lower level construction works adjacent to the level of the project under consideration.</p> <p>b) Type 2: Projects, bids, and contracts in the following sector/field: A construction investment project with a mixed-use function that includes a civil works component, in which the investor participates as the operations contractor and the project has a single structure (in the case of a project/bid/contract with one structure) or a primary structure (in the case of a project/bid/contract with multiple structures) that meets one of the following two conditions:</p> <ul style="list-style-type: none"> - Minimum capacity size: Not applicable. - Have the same or higher level of construction work as the level of the project under consideration (is a grade I civil work) according to the provisions of the law on construction or 	

No	Evaluation standards	Score Maximum score	Detailed score	Requirements for experience in implementing similar projects	Documents to be submitted
				<p>have two lower level construction works adjacent to the level of the project under consideration.</p> <p>c) Type 3: Projects, bids, and contracts in the following sector/field: A construction investment project with a mixed-use function that includes a civil works component, in which the partner participates as the operations contractor and the project has a single structure (in the case of a project/bid/contract with one structure) or a primary structure (in the case of a project/bid/contract with multiple structures) that meets one of the following two conditions:</p> <ul style="list-style-type: none"> - Minimum capacity size: Not applicable. - Have the same or higher level of construction work as the level of the project under consideration (is a grade I civil work) according to the provisions of the law on construction or have two lower level construction works adjacent to the level of the project under consideration. 	

No	Evaluation standards	Score Maximum score	Detailed score	Requirements for experience in implementing similar projects	Documents to be submitted
	Investors have implemented ≥ 3 type 1 projects after conversion		30		
	Investors have implemented ≥ 2 type 1 projects after conversion		20		
	Investors have implemented ≥ 1 type 1 projects after conversion		10		
	Investors have implemented < 1 type 1 projects after conversion		0		
	TOTAL SCORE	100			

Note:

(4) Experience in implementing similar projects:

(i) Projects, bidding packages, contracts that investors and implementing partners must ensure that they meet technical and quality requirements according to the signed contract (for projects and bidding packages with signed contracts) or documents approving the results of acceptance of completed works and project work items or equivalent documents of competent authorities according to regulations of law on construction corresponding to each period before they can be considered and evaluated.

(ii) Investors and partners may only cite once the experience of implementing a similar project (for type 1, type 2 in Section 2.1.b), similar bid package, contract (for type 2 in Section 2.1.c, type 3).

In case the project, bid package, or contract is declared to demonstrate experience in implementing similar projects, including operations, business of works, and infrastructure systems to provide goods and services, it can be used to demonstrate compliance with this standard.

(iii) For type 2 and type 3 projects, in case the investor or partner participates as a joint venture contractor, only the value of the work directly performed in the joint venture may be used to prove similar bid packages and contracts.

(5) An investor contributing equity capital to a project is an investor who has contributed equity capital to the project (in case the investor does not establish an economic organization to implement the project), or a founding shareholder (in case the investor establishes an economic organization to implement the project), or an investor who receives the transfer of shares or capital contributions from founding shareholders before the project is put into operation.

(6) Method to convert projects: 01 project/bid package/contract of type 2 is equal to 0.7 projects of type 1; 01 project/bid package/contract of type 3 is equal to 0.5 projects of type 1.

(7) Complete or largely complete:

- A completed project is a project whose entire construction items have been accepted and are eligible for exploitation and use according to the provisions of the law on construction.

- Completed projects are mostly projects that fall into one of the following two cases:

- + At least 50% of the value of the work volume must be accepted in the

construction phase or construction part according to the provisions of the law on construction. In case the project has not yet accepted at least 50% of the value of the work volume, the value of the accepted work volume must be at least equal to the total investment capital/total investment level of the project under consideration;

+ At least 50% of the construction items must be accepted and qualified to be put into operation and used in each part according to the construction phase according to the provisions of the law on construction;

- A completed bid package or contract is a bid package or contract in which the construction work or construction item has been accepted as completed in accordance with the provisions of the law on construction.

- Completed packages and contracts are mostly packages and contracts that have been completed and accepted for at least 50% of the value of the work volume of the project/project item.

(8) For projects that have not clearly defined the total investment value in approval documents and project contracts, investors must provide supporting documents to determine this value.

(9) In the case that in the same project, the investor or partner has carried out works or construction items similar to the main works or construction items of the project under consideration, the investor or partner may add up the total value of these works or construction items to prove their similar experience.

(10) An operational project/package/contract is a project/package/contract that has completed the operational phase or is in the operational phase for at least 03 months; in case the project/package/contract has many works, the main work is in the operational phase for at least 03 months, except in cases where the law on industry and sector management stipulates otherwise.

CHAPTER IV. BIDDING FORM

1. Form No 01: Bid Application Form
2. Form No 02: Power of Attorney
3. Form No 03: Joint Venture Agreement
4. Form No 04: Investor Information
5. Form No 05: Partners in the project
6. Form No 06: Financial capacity of the investor
7. Form No 07: Commitment to provide financial and credit resources to investors
8. Form No 08: Experience in implementing similar projects
9. Form No 09: Technical Proposal
10. Form No 10: Bid security
11. Form No 13: Financial Proposal

BID APPLICATION FORM⁽¹⁾

(Place), (Dd/mm/yy)

To: ____ [name of the Procuring Entity]

After studying the bidding documents of the project ____ [project name] by ____ [name of the Procuring Entity] (hereinafter referred to as the Procuring Entity) issued on ____ [the date of commencement of issuance of bidding documents to investors] and the revised bidding document No. ____ dated ____ [number and date of amendment, if any], we, ____ [investor name] Commit to implement the above project in accordance with the requirements of the bidding documents. We submit a bid application form for the above project and commit to make a financial proposal with the following contents:

- _____ [write proposed information content:

[a) For projects specified in Clause 1, Article 4 of Decree No. 115/2024/ND-CP, state the following information:

- Amount paid to the state budget
- Number of public works with non-commercial purposes (in cases where the bidding documents are additionally applied).
- The value of social assistance activities or other social welfare activities for beneficiaries of social protection, determined by monetary value or the number of people supported, based on the list of social protection beneficiaries or social assistance activities in the locality where the project is implemented (in cases where the bidding documents are additionally applied).

b) For projects specified in Clause 2 Article 4 of Decree No. 115/2024/ND-CP (except for investment projects in the construction of energy works, investment projects in the construction of aviation service works at airports, airfields, projects in the construction and renovation of apartment buildings), state one of the following information:

- Value in money submitted to the state budget;
- Revenue ratio paid to the state budget
- Price of goods and services;
- Number of non-commercial public works;

- *The value of social assistance activities or other social welfare activities for beneficiaries of social protection, determined by monetary value or the number of people supported, based on the list of social protection beneficiaries or social assistance activities in the locality where the project is implemented (in cases where the bidding documents are additionally applied).*

- *Type, toxicity level and total amount of pollutants discharged into the environment;*

- *Land use area, land use coefficient.*

c) *For energy construction investment projects, state information on electricity prices and pricing principles agreed with the electricity buyer.*

d) *For investment projects involving the construction of aviation service facilities at airports, record information on the proposed state budget contribution and the additional increase rate proposed by the investor for project implementation.*

d) *For projects to renovate and rebuild apartment buildings, record information on the time of handover of resettlement housing.]*

We are ready to provide the Procuring Entity with any other necessary additional or clarifying information upon the Procuring Entity's request.

We commit to the following:

1. Only participate in this bidding document only as an independent investor or a member of a consortium.

2. Not in the process of dissolution; not concluded to be in bankruptcy or insolvent according to the provisions of law.

3. Do not violate regulations on ensuring competition in bidding.

4. Do not commit acts of corruption, bribery, bid rigging, obstruction or other violations of bidding laws when participating in this project.

5. The information declared in the bidding documents is accurate and honest.

6. The partner we propose in this tender to demonstrate experience in implementing similar projects will be ____ *[state the role of the partner as construction contractor or operating contractor]* after winning the bid⁽³⁾.

7. The economic organization we established to implement the project after winning the bid will inherit the rights and obligations of the winning investor

according to the commitments in the bidding documents and the provisions in the project contract and fulfill financial obligations regarding payment of land use fees and land rents according to the provisions of the law on land.⁽⁴⁾

8. We agree and commit to take full responsibility for all obligations of the investor during the bidding process.

This bid is valid for a period of ____ days [*state number of days*]⁽⁵⁾, from the date of bid closing.

Legal representative of the investor ⁽⁶⁾

[name, title, signature and seal (if any)]⁽⁷⁾

Note:

(1) Investors should note to fully and accurately record information about the name of the Procuring Entity, the investor, and the validity period of the bids.

(2) In case an investor is found to have violated these commitments, the investor will be considered to have committed fraud, the Bids will be disqualified and the investor will be disciplined according to regulations.

(3) Not applicable in cases where investors do not use partners to implement the project.

(4) Not applicable in cases where investors do not establish an economic organization to implement the project.

(5) The validity period of the Bids is calculated from the date of bid closing to the last effective date as prescribed in the Bidding Documents. From the time of bid closing to the end of 24 hours of the day with bid closing time is counted as 01 day.

(6) For independent investors, the bid must be signed and sealed by the investor's legal representative. For joint venture investors, the bid must be signed and sealed (if any) by the legal representative of each joint venture member or by the member of the joint venture according to the assignment of responsibilities in the joint venture agreement (if any).

The legal representative of the investor/joint venture member is determined according to the provisions of Section 11 of the Instructions to Investors.

(7) In case a foreign investor does not have a seal, it must provide confirmation from a competent organization that the signature in the bid application and other documents in the Bids is that of the legal representative of the investor.

POWER OF ATTORNEY

Today, day ____ month ____ year ____, at ____

I am ____ [write name, ID card number/CCCD number or passport number, title of the legal representative of the investor], is the legal representative of ____ [state the investor name] located at ____ [state the investor's address], hereby authorizes: ____ [state the name, ID card number/CCCD number or passport number, title of authorized person] perform the following tasks during the bidding process for the ____ project [state the project name] by ____ [name of the Procuring Entity] organization:

[The scope of authorization includes one or more of the following tasks:

- *Sign the Bid Application Form;*
- *Sign documents and papers to transact with the Procuring entity during the bidding process, including documents requesting clarification of bidding documents, documents explaining and clarifying bidding documents;*
- *Sign the recommendations in investor selection (if any);*
- *Other jobs [specify the content of the jobs (if any)].*

The above authorized person only performs the tasks within the scope of authorization as a legal representative of ____ [State the investor name]. ____ [State the name of legal representative of investor] take full responsibility for the work done by ____ [name of authorized person] within the scope of authorization.

The Power of Attorney is effective from ____ to ____⁽¹⁾. This Power of Attorney is made in ____ copies of equal value. The authorizing person keeps ____ copies. The authorized person keeps ____ copies. (01) original Power of Attorney will be attached to the original bidding documents.

The Authorized party

[name, title, signature and seal (if any)]⁽²⁾

The Authorizing party

[Write the name of the legal representative of the investor, title, signature and seal (if any)]⁽³⁾

Note:

(1) State the effective date and expiration date of the authorization in accordance with the bidding process.

(2), (3) The use of a seal in case of authorization may be the seal of the investor or the seal of the unit to which the relevant individual is authorized.

JOINT VENTURE AGREEMENT

(Place), _____ (dd/mm/yy)

We, representing the parties signing the joint venture agreement, include:

Names of joint venture members: ____ [*Enter name of each member of the consortium*]

- Country of registration:
- Tax ID:
- Address:
- Tel:
- Fax:
- Email:
- The legal representative:
- Position:

Power of Attorney No. _____ dated (dd/yy/mm) (*in case of authorization*).

The parties (hereinafter referred to as members) agree to sign a joint venture agreement with the following contents:

Article 1. General principles

1. Members voluntarily formed a joint venture to participate in bidding for the project ____ [*state the project name*].

2. The members agreed on the name of the joint venture for all transactions related to the project as: ____ [*state the name of the consortium as agreed*].

Transaction address of the Joint Venture:

Phone number:

Fax:

Email:

Representative of the Joint Venture:

3. Members commit that no member is allowed to participate independently or in a joint venture with another investor to bid for the project.

Article 2. Assignment of responsibilities

The members agreed to assign responsibilities to perform the tasks in the bidding process to select investors for the project as follows:

1. The parties agreed to the assign ____ *[state the name of a member]* as the head member of the consortium, representing the Joint venture to carry out the following tasks *(can be adjusted and supplemented according to the agreement of the parties)*:

[The head member of the joint venture may represent the joint venture to perform one or more of the following tasks:

- Sign the Bid Application Form;

- Sign documents and papers to transact with the Procuring entity during the bidding process, including documents requesting clarification of bidding documents, documents explaining and clarifying bidding documents;

- Sign the recommendations in investor selection (if any);

- Other tasks, except for signing contracts (clearly state the content of the tasks, if any)].

2. Roles and responsibilities of joint venture members ⁽¹⁾*[Specify the roles and responsibilities of each member of the consortium and state the percentage of equity contribution in the consortium]:*

No	Full name	Participation role <i>[Specify the part of work that the member undertakes (financial arrangement, construction, management, operation,...)]</i>	Equity		Loan capital investors must mobilize
			Value	Percentage (%)	
1	Member 1 <i>[Leading member of the joint venture]</i>			<i>[minimum 30%]</i>	
2	Member 2			<i>[minimum 15%]</i>	

...					
Total			100%	

3. The members commit that no member shall arbitrarily participate independently or in a joint venture with another investor to participate in the selection of investors for this project. In case of winning the bid, no member has the right to refuse to perform the responsibilities and obligations specified in the contract. In case a member of the consortium refuses to fulfill his/her own responsibilities as agreed, that member shall be handled as follows:

- [- Compensation for damages to the parties in the joint venture;*
- Compensate for damages to competent authorities as stipulated in the contract;*
- Other form of treatment ____ [specify other form of treatment].*

Article 3. Validity of the joint venture agreement

1. The joint venture agreement is effective from the date of signing.
2. The joint venture agreement shall terminate in the following cases:
 - The parties agree to terminate;
 - There is a change in the joint venture members. In this case, if the change of joint venture members is approved by the Procuring Entity, the parties must establish a new joint venture agreement;
 - The joint venture failed to win the bid;
 - Cancellation of bid notice of the Procuring Entity.
 - The parties fulfill their responsibilities and obligations and proceed to liquidate the contract.

This joint venture agreement is made in ____ original copies, each member of the joint venture keeps ____ copies, and submits 01 original copy with the bidding documents. All copies have equal legal value.

Legal representatives of each joint venture members

[State the name of the legal representative of the investor, title, signature and seal (if any)]⁽³⁾

Note:

(1) The investor must list the participation role and equity contribution ratio of each member of the joint venture.

The legal representative of the joint venture member is determined according to the provisions of Section 11 of the Instructions to Investors.

(3) In case a Joint Venture member is a foreign investor who does not have a seal, it must provide confirmation from a competent organization that the signature in the bid application and other documents in the Bids is that of the legal representative of the investor.

INVESTOR INFORMATION

(Place), (Dd/mm/yy)

1. Names of the Investor/joint venture members:
2. Country where the investor is registered:
3. Year of establishment:
4. Legal address of the investor in the country of registration:
5. Information on Legal representative of the investor:
 - Name
 - Address:
 - Number Phone number/ Fax
 - Email address:
6. Investor organization chart.

Legal representative of the investor*[name, title, signature and seal (if any)]***Note:**

In case of joint venture investors, each member of the joint venture must declare according to this Form. Investors/joint ventures must submit a copy of one of the following documents: Certificate of business registration or decision on establishment or equivalent document issued by a competent authority; for foreign investors: documents proving registration for establishment and operation under foreign law.

PARTNERS IN THE PROJECT ⁽¹⁾**1. Partner Information**

No	Partner Name ⁽²⁾	Country of registration:	Participation role ⁽³⁾	Value and amount of work involved ⁽⁴⁾	The legal representative	Contract with partner ⁽⁵⁾
1	Company 1		[Financial provider]			
2	Company 2		[Construction Contractor]			
3	Company 3		[Operations/Management Contractor]			
					

2. Information about ongoing projects/bids/partner contracts

[Partners list projects/bid packages/contracts being implemented as required by Bidding documents:]

1. Project/package/contract No. 01: ____ *[State the project name]*

Name of partner implementing the project	
1	Contract No: _____ Date of signing: _____
2	Project/package/contract name: _____
3	Investment field of project/package/contract: _____
4	Participate in the project as: <input type="checkbox"/> Construction contractor <input type="checkbox"/> Joint Venture Member <input type="checkbox"/> Operation Contractor <input type="checkbox"/> Contractor directly providing goods and services

5	Name of competent authority/representative of competent authority (for project); investor/representative of investor (for bid package/contract) Address: Contact name: Phone number: Fax: Email:
6	Details Brief description of the scope, content, value of work, work performance requirements, other requirements (if any) of the project/bid package/contract being implemented
	- Brief description of the work performed: - Value of work(s) performed: (Value and currency) equivalent. . . VND
	- Brief description of the work remaining to be performed: - Value of remaining work(s): (Value and currency) equivalent. . . VND - Job implementation requirements: - Other requirements (if any):
	History of disputes and litigation:

2. Project/package/contract No. 02: ____ *[State the project/package/contract name]*

Legal representative of the investor

[Write the name, title, signature and seal (if any)]

Note:

(1) In case of participation of partners, declare according to this Form.

(2) The investor specifically states the names of the partners participating in the project implementation. In case the specific identities of the partners are not yet determined when participating in a bid, it is not necessary to declare in this column but only declare in the "participating role" column. Then, if the bid is won, when mobilizing partners to perform the declared work, the Procuring Entity must be

notified.

(3) The investor specifically records the participation role of each partner.

(4) In case of using the partner's experience to demonstrate its experience in implementing similar projects, the investor must propose the name, role, value and volume of work that the partner participated in the project. Then, if the bid is won, the value and volume of work that the partner participates in the project must be stated in the contract.

(5) The investor shall specifically record the contract number and attach a certified copy of that document. Contracts or agreements with partners must be signed by legal representatives of the parties. The legal representatives of the parties are the legal representatives of the parties or the persons authorized by the legal representatives of the parties.

FINANCIAL CAPACITY OF THE INVESTOR⁽¹⁾

1. Names of the Investor/joint venture members:

2. Information on financial capacity of investors/joint venture members⁽²⁾:

a) Summary of financial figures⁽³⁾:

No	Contents	Value
I.	Equity committed to the project	
II.	Investor equity figures	
1	Total equity	
2	Costs related to disputes and complaints (if any)	
3	Committed equity for ongoing projects ⁽⁴⁾ (excluding capital disbursed for ongoing projects and other long-term financial investments (if any))	
4	Equity must be retained as prescribed	

b) Attachment⁽⁵⁾

- Financial statements or reports on equity items and items that have been audited during the year; in case there are no financial statements or reports on equity items and items that have been audited during the year, submit financial statements or reports on equity items and items that have been audited during the previous year in accordance with the provisions of the law on enterprises, the law on auditing, and the law on accounting.

- For enterprises established and operating for less than 12 months, equity capital is determined according to contributed charter capital according to the provisions of the law on enterprises. In this case, documents proving the charter capital of the enterprise must be attached.

- Reports provided by investors must ensure compliance with financial and accounting laws, reflecting the separate financial situation of the investor or joint venture member (if it is a joint venture investor) and not the financial situation of an affiliated entity such as a parent company or subsidiary or affiliated company of the investor or joint venture member.

- List of ongoing projects and other long-term financial investments in case the investor participates in investing in many projects and other long-term financial investments at the same time (if any).

Legal representative of the investor

[name, title, signature and seal (if any)]

Note:

(1) In case of joint venture investors, each member of the joint venture must declare according to this Form.

(2) The investor is responsible before the law for the accuracy and legality of the data and documents provided related to equity, equity allocation for ongoing projects and other long-term financial investments (if any). In case the declared information is found to be inaccurate, distorting the evaluation results, it will be considered fraud according to the provisions of Clause 4, Article 16 of the Law on Bidding and will be disqualified.

(3) Based on the evaluation criteria, the Procuring Entity and the expert team supplement appropriate information.

(4) In case at the same time the investor participates in investing in many projects and other long-term financial investments (if any), the investor shall make a list of ongoing projects and other long-term financial investments, ensuring that the total equity of the investor is sufficient to cover the entire equity committed by the investor to implement all projects and other long-term financial investments as prescribed.

(5) Based on the evaluation criteria, the Procuring Entity and the expert team may supplement the documents that the investor must submit to prove financial capacity (for example: Tax settlement audit report, self-settlement tax declaration; documents proving that the investor has declared electronic tax settlement; confirmation document from the tax authority;...).

COMMITMENT TO PROVIDE FINANCIAL AND CREDIT RESOURCES TO INVESTORS

(Place), (Dd/mm/yy)

1. I am ___ [name], ___ [write position], is the legal representative of ___ [name of investor/name of investor consortium], confirm and warrant that the information provided in this document is true and correct and that the attached documents are exact copies of the original documents.

2. The following financial and credit sources have been committed and will be mobilized to implement the project:

Financial resources	Value ⁽¹⁾
I. Equity capital committed to contribute to the project:	
1.	
2.	
...	
II. Loan capital investors must mobilize	
1.	
2.	
...	

3. Attached documents:

- For equity: Commitment letter to ensure sufficient equity capital according to the financial plan for the project by the owner's representative, owner or parent company, along with documents proving the authority to sign the commitment.

- For loans: Financial commitment letter of banks, credit institutions or other lenders as prescribed by law according to documents proving the authority of the person signing the commitment.

- Other related documents.

Legal representative of the investor

[name, title, signature and seal (if any)]

Note:

(1) Write the amount in numbers and words according to the bidding currency..

EXPERIENCE IN IMPLEMENTING SIMILAR PROJECTS⁽¹⁾

(Place), (Dd/mm/yy)

[Investor/partner list experience in implementing similar project/bid/contract as required by the bidding documents]

1. Project/package/contract No. 01: _____ *[Specify Project/package/contract name:]*

Name of investor/joint venture member/partner implementing the project	
1	Contract No: _____ Date of signing: _____
2	Project/package/contract name: _____
3	Investment field of project/package/contract: _____ Type of project/package/contract: _____
4	Participate in the project as: <input type="checkbox"/> Independent Investor <input type="checkbox"/> Joint Venture Member <input type="checkbox"/> Construction contractor <input type="checkbox"/> Operation Contractor <input type="checkbox"/> Contractor directly providing goods and services <input type="checkbox"/> Economic organization established by the contractor to implement the project
5	Name of competent authority/representative of competent authority (for project); investor/representative of investor (for bid package/contract) Address: _____ Contact name: _____ Phone number: _____ Fax: _____ Email: _____
6	Details
6.1	In case of participating in project implementation as an investor contributing equity capital to the project or as an economic organization established by the investor to implement the project
	Total investment (total investment capital): _____
	Capacity scale: _____
	Project level: _____
	Quantity and type of goods and services provided: _____

	Project implementation progress and quality ⁽²⁾ : <input type="checkbox"/> Under construction, project items have been accepted___ [<i>Specify the quantity and value of completed construction items</i>]. <input type="checkbox"/> The project has been accepted and is eligible for operation and use. <input type="checkbox"/> Accepted value of work volume___ [<i>Specify the value and percentage of the accepted work volume according to the provisions of the law on construction</i>]. <input type="checkbox"/> In operation phase: ___ [<i>Specify the operating time from the date the project or construction enters the operational phase</i>]. <input type="checkbox"/> Completed.
	History of disputes and litigation:
	Brief description of special technical/operational requirements:
6.2	In case of participating in project/package/contract implementation as a contractor:
	Total investment (total investment capital):
	Capacity scale:
	Project level:
	Quantity and type of goods and services provided:
	Scope of work performed: <i>[Specify quantity and name(s) of construction item(s)]</i>
	- Value of work(s) performed: (Value and currency) equivalent. . . VND <i>[Specify the value of construction item(s)]</i>
	Implementation progress and quality ⁽³⁾ : <input type="checkbox"/> The entire construction project and its sub-items have been fully inspected and accepted, and are deemed ready for operation and use. <input type="checkbox"/> Accepted works and work items: ___ [<i>Specify the quantity and value of the completed and accepted sub-items, and clearly state which sub-items are qualified for partial operation and use based on the construction phase, as regulated by construction law.</i>] <input type="checkbox"/> Accepted value of work volume___ [<i>Specify the value and percentage of the accepted work volume according to the provisions of the law on construction</i>]. <input type="checkbox"/> In operation phase: ___ [<i>Specify the operating time from the date the project or construction enters the operational phase</i>]. <input type="checkbox"/> The operational phase has ended.
	History of disputes and litigation:
	Brief description of special technical/operational requirements:

2. Project/package/contract No. 02: ____ [*State the project/package/contract name*]

...

Legal representative of the investor

[name, title, signature and seal (if any)]

Note: Investors declare Form No. 08 Experience in implementing similar projects. The investor is responsible for supplementing the dossier and supporting documents in case of evaluating experience in implementing similar projects according to the requirements of Section 5 Chapter III - Bid Evaluation.

(1) The Procuring Entity may adjust and supplement the information declaration requirements in this Form to suit the evaluation criteria of the investor's experience.

(2), (3) The investor shall provide documents from the competent authority confirming that the construction work or construction item has been accepted during the construction phase or construction part in accordance with the provisions of the law on construction; confirming that the construction work or construction item has been accepted and is eligible for exploitation and use in accordance with the provisions of the law on construction or granting a certificate of eligibility for business or confirming eligibility for exploitation and use in accordance with the provisions of the law on industry and sector management and one or more of the following documents:

- Decision on approval of investment policy or decision on approval of investment policy at the same time as investor approval, investment registration certificate or equivalent document according to the provisions of the law on investment in each period.

- Contract signed between competent authority and investor (for projects and bid packages with signed contracts).

- Document approving the results of acceptance of completed works, work items or equivalent documents of competent authorities according to regulations of law on construction corresponding to each period.

Regarding experience in operating and trading the project, the investor shall provide documents certified by competent authorities that the operation meets the requirements prescribed by the laws governing the industry, field and other relevant laws, or documents proving the civil transactions performed.

TECHNICAL PROPOSAL

Based on the scale, nature, field of the project and technical evaluation criteria, Bidding documents requires investors to prepare technical proposal contents, forms and attached explanatory documents (if any) as a basis for evaluating the business investment plan, including the following contents:

I. Technical aspect

1. Project investment plan (including scope, scale, preliminary total project implementation cost, time, progress, construction investment phases, spatial organization diagram and architecture, landscape to ensure synchronization with the overall project);

2. Technology application solutions, technology transfer plans (if any);

3. Business and exploitation conditions according to regulations of law on investment, law on management of industry and field (if any); plan for organization of operation and business;

4. Explain the synchronization of technical infrastructure system, social infrastructure with housing according to the provisions of law on construction, urban management, housing for new construction or urban renovation and embellishment; explain the suitability of the investment plan proposed by the investor with the housing development program and plan (for investment projects to build urban areas with mixed-use functions);

5. Explanation of project implementation time, time for completion of compensation, support, resettlement and temporary accommodation arrangement, and the suitability of the investment plan proposed by the investor with the housing development program and plan, and plan for renovation and reconstruction of apartment buildings (for apartment building renovation and reconstruction projects);

6. Explanation of the conformity of the technology proposed by the investor with the regulations on criteria for domestic solid waste treatment technology and the conformity of the quality of solid waste treatment provided by the investor according to the provisions of the law on environmental protection (for investment projects in the construction of domestic solid waste treatment facilities);

7. Explain the suitability of investment plan for betting system, betting business plan with legal provisions on betting business on horse racing, dog racing and international football (for investment projects on horse racing and dog racing tracks, including betting business on horse racing and dog racing);

8. Description of clean water quality, reduction of water loss rate and ensuring safe, continuous and stable water supply (for investment projects in construction of water supply works);

9. Explain the main functions of the project, technical infrastructure, and landscape to ensure consistency with the overall project. on the provision of continuity services (if any) (for investment projects in construction of aviation service facilities at airports);

10. Description of product and service quality provided by the investor, the suitability of the investment plan proposed by the investor with the regulations on types, criteria, scale, and standards of socialized facilities (for projects in the field of socialized encouragement); requirements on solutions for applying advanced, modern, high-tech medical examination and treatment equipment (for projects in the medical field);

11. Explanation of the suitability of the investment plan proposed by the investor with criteria, standards, regulations on markets, technical requirements, solutions to ensure security and order, fire prevention and fighting, food safety, environmental sanitation; (for market construction investment projects;

12. Explanation of compliance with other standards according to the guidance of the Ministry of Industry and Trade (if any) (for investment projects in the construction of energy works).

II. Society aspect

1. Compensation, support and resettlement plans and costs (if any) In case the project requires the investor to advance compensation, support and resettlement costs, the bidding documents must stipulate the principles for payment of compensation, support and resettlement according to the provisions of the law on land. Investors must commit in the bids to advance capital to implement compensation, support and resettlement according to the requirements in the bidding documents of the competent authority on the basis of the approved compensation and resettlement support plan according to the provisions of the law on land;

2. Plan for using local labor, training human resources, plan for average income level and average income growth rate; plan for organizing social assistance activities for social protection beneficiaries or other social welfare activities that the investor contributes to the locality, suitable to the needs of the locality where the project is implemented.);

3. Plan to meet the needs and benefits of health care and education and training for people (for projects encouraging socialization in the fields of health and education);

4. For a market construction investment project, a comprehensive explanation is required covering several key areas. First, detail the compensation, support, and resettlement plan and costs, if applicable. Second, describe the project's social welfare and security contributions and how they meet local needs. This includes satisfying the community's demand for goods,

creating local employment, and committing to financial contributions for market development in ethnic minority and mountainous regions if the project is selected. Finally, present the plan to enhance service quality at the market. This involves providing training for market employees, business owners, and vendors on essential topics such as food safety, commercial etiquette, sales techniques, and the application of digital skills to improve overall service quality.

5. *For investment projects to renovate and rebuild apartment buildings, plans to use local labor, train human resources, and plans to increase average income level and average income growth rate; plan to organize social assistance activities for social protection beneficiaries or other social welfare activities that the investor contributes to the locality, in accordance with the needs of the locality where the project is implemented; compensation and resettlement plan including a number of contents proposed by the Procuring Entity according to the provisions of the law on housing based on each specific project, in accordance with the approved plan in the invitation for expression of interest document).*

III. Environment aspect

Based on the requirements of the bidding documents , the investor proposes the following contents in accordance with the project implementation requirements:

1. *Explain the conformity of goods and services provided with environmental laws; plans to reduce waste generation, promote environmentally friendly products and services;*

2. *Solution about environmental protection, clean production, energy saving;*

3. *Land use plan (including indicators and land use coefficients) according to the provisions of the law on land and construction), resource use; biodiversity conservation options, improve soil, resources, natural ecosystems at the project implementation area.]*

4. *Solutions to minimize negative environmental impacts, advanced technology, high technology, environmentally friendly technology, and best available techniques shall be transferred and applied (for projects in the high-risk group of negative environmental impacts as prescribed by the law on environmental protection).*

IV. Project implementation.

Investors must propose a form of project management and implementation (establish an economic organization to implement the project or directly implement the project according to the provisions of Clause 1, Article 51 of Decree No. 115/2024/ND-CP) and commit to implementing investment projects using land as prescribed in Articles 51 and 52 of Decree No. 115/2024/ND-CP and relevant laws.

BID SECURITY⁽¹⁾

Beneficiary: _____ *[State the name and address of the Procuring Entity]*

Date of guarantee issuance: _____ *[State the date of guarantee issuance]*

Bid Security No: _____ *[State the Bid Security summary number]*

Guarantor: _____ *[State the name and address of publisher, if this information is not already shown in the title of the printed paper]*

We were informed that _____ *[State the investor name as per bid application form]* (hereinafter referred to as the "Applicant") will participate in the project bidding named _____ *[State the project name]* according to the Invitation to Bid No. _____ *[State the summary number of the Invitation to Bid posted on the System]*.

We hereby commit to the Beneficiary to guarantee the investor participating in the project bidding with an amount of _____ *[specify value in numbers, words and currency used]*.

This guarantee is effective for _____⁽²⁾ days, from date _____ month _____ year _____⁽³⁾.

At the request of the Applicant, we, as Guarantor, hereby irrevocably undertake to pay to the Beneficiary a sum or sums in the aggregate amount of _____ *[write in words]* *[write in numbers]* upon receipt of a written notice of investor violation from the Beneficiary stating clearly⁽⁴⁾:

1. The investor withdraws the bid after the bid closing time and during the bid validity period;

2. Investors violate the law on bidding, leading to the cancellation of the bid according to the provisions in Point d, Section 33.1 of Instructions to Investors of the Bidding Documents;

3. The investor who was selected fails to implement measures to ensure contract performance as prescribed in Section 37.1 of the Instructions to Investors of the Bidding Documents;

4. The investor does not conduct or refuses to conduct negotiations, finalize and sign the contract within the time specified in the bid Notice of acceptance and contract award of the Procuring Entity, except in cases of force majeure.

Should any member of the joint venture violates the provisions of law, leading to the bid security not being returned as prescribed in Section 17.5 of the Instructions to Investors, the bid security of all members of joint venture will not be returned;

If the Applicant is elected: This guarantee shall expire immediately upon the signing of the contract by the Party requesting the guarantee and the submission of the performance guarantee to the Beneficiary as agreed in that contract.

If the Applicant is not elected: This guarantee shall expire immediately upon our receipt of a copy of the notice of investor selection results from the Beneficiary to the Guarantee Applicant; within 30 days after the expiry of the validity period of the bid.

Any claim under this guarantee must be submitted to our office on or before that date.

Legal representative of the bank

[name, title, signature and seal]

Note:

(1) Applicable in cases where the bid security measure is a letter of guarantee from a credit institution or foreign bank branch legally operating in Vietnam.

(2) Write as prescribed in Section 17.1 of the BDL.

(3) Write the date with the bid closing time as prescribed in Section 21.1 **BDL**.

(4) In case the content of the guarantee letter omits one of the violations, it will be considered a disadvantageous condition for the Procuring Entity according to the provisions of Section 17.3 of the Instructions to Investors.

(5) Applicable in case of joint venture investors.

Form No 12

HISTORY OF DISPUTES AND COMPLAINTS FOR PAST AND ONGOING PROJECTS⁽¹⁾

Investor's name: _____

Day: _____

Name of member of joint venture investor (if any): _____

Disputes and lawsuits related to completed and ongoing projects				
<p>Select one of the descriptions below:</p> <p>There are no disputes or lawsuits related to completed and ongoing projects.</p> <p>The following is a description of disputes and lawsuits related to completed and ongoing projects in which the investor is a party (or each member of a consortium if it is a joint-venture investor).</p>				
Year	Project description	Dispute and complaint issues	Value of dispute, complaint ⁽²⁾	In proportion to equity
	Project description: _____ Name of competent state agency: _____ Name of contracting agency (if any): _____ Address: _____ —			

Note:

(1) The investor guarantees that the declaration of this content is complete and honest, If the Procuring Entity discovers that any investor is involved in litigation without declaring it, it will be considered a fraudulent act according to the provisions of Clause 4, Article 16 of the Law on Bidding and the Bids will be disqualified. In case after the dispute resolution results, the investor's equity does not meet the requirements for project implementation, the investor must update its equity to prove that it meets the requirements for project implementation

according to the Bidding Documents. If the investor still does not meet the requirements, it will be disqualified.

In case of joint venture investors, each member of the joint venture must declare according to this Form.

(2) Currency is the currency specified in Section 16.1. BDL.

Form No. 13**FINANCIAL PROPOSAL**

The investor proposes specific plans to explain the effectiveness of land use or the effectiveness of investment in developing industries, fields, and localities in accordance with the values stated in the Bidding Application Form as follows:

I. For the project As prescribed in Clause 1, Article 4 of Decree No. 115/2024/ND-CP, the investor shall specifically propose a plan to explain the effectiveness of land use in accordance with the value stated in the Bidding Application Form according to the following contents:

1. For projects applying the minimum rate standard for payment to the state budget: Explain the value of payment to the state budget, form and deadline for payment to the state budget as required in the draft contract.

2. For projects applying additional standards for the minimum number of public works without business purposes based on the list of projects and works requiring investment of the locality where the project is implemented: Explain the type of project, number of projects, objectives, scale, scope of investment, preliminary total investment, implementation progress and other contents according to regulations of law on industry and sector management.

3. For projects applying the supplementary standard of minimum value for social assistance or other social welfare activities for beneficiaries of social protection, determined by monetary value or the number of people supported based on the list of social protection beneficiaries or local social assistance activities in the project implementation area: Description of social protection beneficiaries receiving assistance or social welfare benefits; monetary value or number of people, level, form, duration of subsidy and other contents as prescribed by law industry, field

II. For the project As prescribed in Clause 2, Article 4 of Decree No. 115/2024/ND-CP (except for investment projects in the construction of energy works, investment projects in the construction of aviation service works at airports, projects in the construction and renovation of apartment buildings), investors shall propose specific plans to explain the effectiveness of investment in the development of industries, fields and localities in accordance with the value stated in the Bidding Form according to one of the following contents:

1. For projects applying g standardsminimum value in money State budget payment: explanation of state budget payment value, form, progress,

deadline for state budget payment and other contents as required in the draft contract.

2. For projects applying the standard of minimum revenue ratio submitted to the state budget: Explain the ratio, form, progress, deadline, value of the amount submitted to the state budget, and other contents as required in the draft contract.

3. For projects applying standards Price frame, maximum price according to regulations of law on price, law on management of industry and field: Explain the unit price, volume or quantity of goods and services; the schedule of requesting payment from the State or the schedule of requesting payment from users and other contents as prescribed by the law on prices, the law on management of industries and fields.

4. For projects applying standards for the minimum number of public works without business purposes based on the list of projects and works requiring investment of the locality where the project is implemented: Explain the type of project, number of projects, objectives, scale, scope of investment, preliminary total investment, implementation progress and other contents according to regulations of law on industry and sector management.

5. For projects applying the standard of minimum value for social assistance or other social welfare activities for beneficiaries of social protection, determined by monetary value or the number of people supported based on the list of social protection beneficiaries or local social assistance activities in the project implementation area: Specify the monetary value or the number of people, the level, form, duration of the subsidy, and other contents as prescribed by the laws on sectoral and field management.

6. For projects applying maximum threshold standards for type, toxicity level and total amount of pollutants discharged into the environment according to regulations of law on environmental protection: Explain the contents related to the type, level of toxicity, and total amount of pollutants discharged into the environment according to the provisions of the law on environmental protection.

7. For projects applying land use area standards, maximum land use coefficient: Explain the contents related to land use area, land use coefficient according to the provisions of the law on land, construction, planning and Industry and field management law.

PART 2. PROJECT IMPLEMENTATION REQUIREMENTS.

The Procuring Entity and the expert team will rely on several key documents to determine the project's requirements, financial obligations, and other related responsibilities. These documents include the decision on investment policy approval for projects requiring it, the pre-feasibility study report (if available), and the feasibility study report (if available). For projects that do not require investment policy approval, they will use the document approving the information for the land-use investment project.

I. Project Information

The Procuring Entity and the expert team update the project-related contents for investors to prepare the bids, including:

1. Project name; investment objectives, investment scale of the project:

1.1. Project title: New urban area in Song Tri ward, Ha Tinh province (formerly Ky Trinh, Ky Anh town).

1.2. Project Objective:

No	Operational objectives	Industry code according to VSIC (Level 4 industry code):
1	Investment in construction of technical infrastructure; construction of housing; construction of non-residential houses (schools, parking lots, etc.).	4212, 4221, 4222, 4223, 4101, 4102
2	Water treatment and supply	3600
3	Wastewater drainage and treatment	3700
4	Real estate business on land allocated by the State to investors; selling houses with unfinished or completed facades; selling high-rise apartments; selling and leasing social housing apartments; leasing land and commercial and service buildings	6810
5	Investment in construction and business of kindergartens, primary schools, and secondary schools	8511, 8512, 8521, 8522, 8523
6	Activities of hospitals and medical stations	8610

** The business of the project's operational objectives is carried out when fully complying with relevant legal regulations.*

* *Housing products and construction works are sold, leased, or lease-purchased to domestic and foreign organizations and individuals according to the provisions of law.*

1.3. Project scale:

a. Expected land use area: About 84.12ha.

b. Design frequency:

- Expected land area for housing construction: 280,375.1 m²

- Expected floor area of the house: 971,586.6 m²

- Type of housing and expected number of houses:

+ Commercial housing in the form of townhouses with a total land area of 222,940.4m², expected floor area of 891,761.5m², construction height of 04 floors, expected number of units is 2,596 units.

+ Social housing in the form of apartment buildings with a total land area of 57,434.7 m², expected floor area of 79,825.1 m², and a construction height of 10 floors.

- Population size: Approximately 12,463 People

- Social infrastructure construction: Medical facilities; Educational facilities; Cultural houses; Fire prevention and fighting facilities; Commercial facilities; Sports facilities; Parking lots...

c. Products and services provided:

- Commercial housing in the form of townhouses.

- Social housing in the form of apartment buildings.

- Transfer, lease or business commercial buildings, urban public buildings at plots with symbols TMO-01; CCDT-01 with total planned land area of 27,041.9m² to conduct business activities: Restaurants, entertainment activities, sports, shopping malls, markets, banks, finance, offices, ...

- Transfer, lease floors or do business in medical and sports services at land lots marked YTO-01 and TTO-01, TTO-02 with an estimated land area of 17,743.2m² to conduct business activities.

- Transfer and lease of parking lot with expected land area of 17,497.5m².

(The above project scale is tentative. The architectural planning indicators: Construction density, height, population size, number of apartments, ... will be specifically determined at the step of preparing, appraising and approving the 1/500 detailed plan to ensure compliance with the urban zoning plan, national technical regulations and current legal regulations).

d. Preliminary plan for investment in construction and management of infrastructure within and outside the project scope; infrastructure that the

investor retains for business investment, infrastructure that the investor hands over to the locality:

- Before approving the project, the investor must execute technical infrastructure connection agreements with specialized management agencies, which may include: Connection agreement and connection plan: electricity supply, water supply, wastewater drainage, traffic connection, other infrastructure connection agreement documents (if any). Ensure temporary connection between technical infrastructure in the project area and technical infrastructure systems outside the project scope in case the technical infrastructure systems outside the project scope have not been invested in accordance with approved planning.

- After completing the Project, the technical infrastructure will be handed over to the state as follows:

- + Land and technical infrastructure works invested with an area of 84.12 hectares under the adjusted zoning plan of the Central Urban Area of Vung Ang Economic Zone, Ky Anh Town (scale 1/2000) approved by the Provincial People's Committee in Decision No. 2250/QDUBND dated September 23, 2024, including the following items: Roads (including traffic routes around the project); water supply; rainwater drainage; wastewater drainage; electricity supply and public lighting; communications; garbage stations, street trees; green areas and water surfaces will be handed over to competent state agencies for management, operation and exploitation according to regulations.

- + Land for investment in Headquarters (fire prevention and fighting) project at lot CQ-01 with expected land area of 1,010 m² and cultural project at lot VHO-01 with expected land area of 5,005.8 m²: The investor hands over to the locality after completing the investment according to the approved detailed planning.

d. Project location in urban area: Yes.

e. Projects within the protection scope of relics recognized by competent authorities as national relics or special national relics: None

g. Projects located in restricted development areas or historical inner city areas (identified in urban planning projects) of special urban areas: None

2. Total investment capital of the project is expected (excluding compensation, support, resettlement costs and land use fees): Approximately 7,799,531,000,000 VND (*In words*: Seven thousand seven hundred ninety nine billion five hundred thirty one million dong);

3. Project implementation location. Song Tri Ward, Ha Tinh Province (*formerly Ky Trinh ward, Ky Anh town, Ha Tinh province*).

4. Land use purpose: Estimated land use demand is as follows:

No	Land use function	Area	Rate	Population
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		(m2)	(%)	(People)
	Total	841,217.1	100.0	12,463
I.	Residential land	631,978.9	75.1	12,463
1.1	New residential land	280,375.1	33.3	12,463
1.1.1	<i>Townhouse land</i>	222,940.4	26.5	10,384
1.1.2	<i>Social housing land</i>	57,434.7	6.8	2,079
1.2	Residential service - public land	63,972.3	7.6	
1.2.1	<i>Residential unit education land</i>	38,878.1	4.6	2,119
-	<i>Kindergarten land</i>	12,914.8	1.5	623
-	<i>Primary school land</i>	14,491.8	1.7	810
-	<i>Secondary school land</i>	11,471.5	1.4	685
1.2.2	<i>Healthcare land</i>	529.4	0.1	
1.2.3	<i>Sports land (playground, training ground)</i>	17,213.8	2.0	
1.2.4	<i>Cultural land</i>	5,005.8	0.6	
1.2.5	<i>Commercial land</i>	2,345.2	0.3	
1.3	Residential public green space land	36,045.2	4.3	
1.4	Parking lot	17,497.5	2.1	
1.5	Residential traffic roads	234,088.8	27.8	
II.	Land outside the residential area	209,238.2	24.9	
2.1	Urban public land	46,687.7	5.6	
2.1.1	<i>Municipal-level public land</i>	11,644.8	1.4	
2.2.2	<i>High school land</i>	35,042.9	4.2	
2.2	Office land (fire protection)	1,010.0	0.1	
2.3	Urban public green space land	71,861.5	8.5	
2.4	Other technical infrastructure land	2,637.8	0.3	
2.5	Specialized green space land	1,466.9	0.2	
2.6	Transportation	85,574.3	10.2	

5. Project land area: About 84.12ha.

6. Planning criteria: Refer to the adjusted zoning plan for the central urban area of Vung Ang Economic Zone, Kỳ Anh town (scale 1/2000) approved by the Provincial People's Committee in Decision No. 2250/QĐ-UBND dated September 23, 2024.

7. Project implementation period and progress; preliminary investment phase plan or project component division plan (if any); project implementation progress by phase (if any): Complete and put the project into operation within 05 years from the time of selecting the Investor to implement the project. Of which:

- Complete procedures to implement the project: 24 months from the date of selection of Investor;

- Project implementation and completion: 36 months from the date the investor is granted the land allocation decision, land lease decision, or land use purpose conversion decision.

8. Name of the Procuring Entity: Ha Tinh Provincial Economic Zone Management Board

9. Form and method of investor selection:

- Form of investor selection: Open tender (international);

- Method of investor selection: One stage one envelope.

10. Other related content: Investors can find information about the project in the Decision approving the project investment policy No. 83/QD-KKT dated May 29, 2025 of the Ha Tinh Provincial Economic Zone Management Board, the zoning plan of the Central Urban Area of Vung Ang Economic Zone, Ky Anh Town (scale 1/2000) approved by the Provincial People's Committee in Decision No. 2250/QD-UBND dated September 23, 2024.

II. Project implementation requirements.

When bidding, investors must provide proposal (*explanation, spreadsheet, drawing...*) on solutions to implement the project according to the requirements below. The investor's proposal must comply with relevant legal provisions, meet the requirements of the investment policy, and be consistent with the approved zoning plan.

1. Technical evaluation standards

1.1. Requirements for the suitability of the investment proposal from the investor: The investor's proposal for the project's scope, scale, preliminary total implementation cost, timeline, progress, phased construction investment, and spatial, architectural, and landscape organization must be consistent with the overall project while also meeting the following requirements:

- Regarding the scope of the project: The investor must propose to invest in the construction of all works within the project boundary specified in the Decision approving the investment policy (adjusted if any) in accordance with

the zoning planning dossier (adjusted if any) of the project approved by the competent authority.

- Particularly for the proposal of technical infrastructure works of the project, it is necessary to provide detailed solutions for some key indicators. (*materials, leveling density; road surface structure; sidewalk structure; height, diameter of trees; rainwater drainage pipes; wastewater drainage pipes,...*).

- Regarding the preliminary project implementation cost: The preliminary total investment cost proposed by the investor must include all cost items in accordance with the provisions of the law on construction, the law on investment and other relevant laws, in accordance with the technical proposal of the investor. Encourage investors to propose high quality construction projects.

The preliminary content of the total project implementation cost includes spreadsheets that clearly present and are consistent with the data and calculation results, along with explanations of the legal basis and specific and appropriate calculation basis.

- Regarding time, progress, and construction investment phases: Not more than the time and progress of project implementation specified in the Decision approving the investment policy (adjusted if any). Encourage investors to shorten project implementation time.

- Regarding the organization of space, architecture and landscape: The investor's proposal includes explanations and drawings (in color) of spatial solutions and landscape architecture in accordance with the provisions of law on planning and construction.

1.2. Requirements for compliance with business investment conditions as stipulated by investment laws and specialized management laws (if any); requirements for the operational and business organization plan:

- Requirements for compliance with investment and business conditions according to regulations of investment law, industry and field management law: Investors meet investment and business conditions according to current real estate business laws and related legal documents. Investors are committed to meeting the prescribed conditions.

- Requirements for operation and business organization plan: The investor proposes an operational organization plan for all works in the project and in accordance with the Decision approving the investment policy (adjusted if any).

1.3. Requirements for the synchronization of technical infrastructure system, social infrastructure with housing according to the provisions of law on construction, urban management, housing for new construction or urban renovation and embellishment; requirements for the suitability of the investment plan proposed by the investor with the housing development program and plan

- Requirements for synchronization of the project's technical infrastructure system:

+ Investors must invest in the synchronous construction of technical infrastructure systems to ensure synchronous connectivity with the technical infrastructure of surrounding areas and existing residential areas; update and synchronously connect with the technical infrastructure of projects that have been and are being implemented in the area.

+ Investors coordinate with relevant agencies and units to synchronize with regional technical infrastructure according to approved planning.

- Requirements for synchronous solutions for the project's social infrastructure system according to the Decision approving the investment policy (adjusted if any) of the project and in accordance with the zoning planning documents (or adjusted if any) of the project approved by the competent authority.

- Requirements on the suitability of the investment plan with the housing development program and plan: Investors must propose investment plans in accordance with the housing development program and the approved Housing Development Plan of Ha Tinh province.

2. Social evaluation standards

- Requirements on compensation, support and resettlement plans and costs:

+ the Investor must explain the plan, compensation costs, support, and resettlement according to the provisions of the law on land, fully, reasonably, and feasible for project implementation.

+ The investor commits to meeting the advance compensation, support and resettlement costs for site clearance in stages according to the notification of the competent authority based on the approved compensation and resettlement support plan.

- Requirements for ability to contribute to social welfare for local workers Explain the plan and capacity to contribute to social welfare for local workers by utilizing local labor, providing resource training, and outlining the average income level and its growth rate. Additionally, describe social assistance activities for individuals under social protection or other social welfare activities that align with the needs of the local community where the project is implemented.

3. Environmental assessment standards

- The investor proposes (explains) the land use indicators, land use efficiency ratio, and resource usage in an economical and effective manner, in

accordance with the law on land, construction, and planning. The proposal must also include a plan for biodiversity conservation and for the improvement of land, resources, and natural ecosystems in the project area as required by law.

- The investor explains and assesses the environmental impact of wastewater, emissions, solid waste and solutions to control, minimize and handle negative impacts on the environment according to the approved investment project.

- The investor proposes a plan (explanation) on the proper implementation of state regulations on environmental protection and environmental protection requirements after environmental procedures are approved by competent authorities.

- The investor proposes a plan (explains) for the treatment of wastewater, solutions for managing domestic solid waste and other types of waste during the construction and operation phases of the project to ensure compliance with environmental protection requirements.

4. Other requirements:

4.1. General requirements:

Technical requirements ensure meeting investment objectives, investment scale, land use purposes; approved planning indicators, current status of the land:

- + Ensure consistency from the overall space to the specific space of each project; inherit architecture, landscape and be suitable with the natural conditions of the area.

- + Comply with the master plan for land use and the control indicators established in the approved master plans.

- + Comply with current regulations, standards and norms of the state in project investment and construction.

- Environmental and safety requirements according to environmental laws:

- + Environmental requirements: Investors must commit to establishing administrative procedures on environmental protection and complying with environmental protection requirements after environmental procedures are approved throughout the project implementation process and current legal regulations on environmental protection.

- + Safety requirements: Investors must have specific measures to ensure safety in construction, operation, exploitation, use of works, and fire and explosion prevention and control according to current regulations.

- Investor's risk management plan during project implementation: The investor is responsible for proposing risk management measures during project implementation with the following contents:

+ Preliminary identification of some risks during project implementation;

+ Propose risk management plans to minimize risks during project implementation.

- Other requirements related to the industry, field of the project as well as specific conditions of the project: According to the current regulations.

4.2. Other requirements of the project:

Investors must develop a plan to mobilize sufficient capital (including equity and other legally mobilized capital) to implement the project, ensuring compliance with the approved schedule and maximizing the project's investment efficiency.

III. Requirements on financial obligations of investors

1. Contribution to the State Budget:

- After signing the contract, the competent authority and the winning investor shall coordinate with the specialized agency to submit to the competent authority the decision on land recovery, compensation, support and resettlement plan in accordance with the provisions of the law on land. Investors advance capital to implement compensation, support and resettlement according to the compensation, support and resettlement plan approved by competent authorities.

- The investor submits the proposed state budget payment value (M) in the bids to the competent state management agency based on the progress agreed upon in the contract. The value paid to the state budget is determined based on the M rate proposed by the investor in the bids and the land use fee and land rent that the bidding investor must pay according to the provisions of the law on land.

- Investors must commit to paying money equivalent to the value of the land fund invested in building technical infrastructure systems to build social housing according to current housing laws.

2. Arrangement of Project Capital:

After being allocated or leased land, the investor is responsible for arranging sufficient capital to implement the project; at the same time, paying land use fees and land rent according to regulations, the time is determined according to the land lease contract, land allocation decision, land lease decision.

Handling of violations of land law (including failure to fulfill obligations to the State and delay in project implementation) is carried out in accordance with the provisions of the Land Law and related regulations.

PART 3. DRAFT CONTRACT AND CONTRACT FORM

I. LEGAL BASIS FOR SIGNING THE PROJECT CONTRACT

List legal documents as the basis for signing the project contract, including:

- Laws, Decrees and Circulars guiding project implementation;
- Resolutions or Decisions approving relevant plans according to the provisions of law on planning and socio-economic development plans of the country and locality related to the project;

- Decisions and documents of competent authorities,

- Other relevant legal documents;

II. PARTIES OF THE PROJECT CONTRACT

Declare information of the Parties signing the project contract, including:

1. Competent state agency.

- Name of competent state agency;
- Address,
- Phone number and Fax;
- Name and position of the representative;
- Authorization document to sign and execute project contract (if any).

2. The Investor

- Business name (Vietnamese name, English name and abbreviation, if any);

- Address

- Phone number and Fax,

Information on the Certificate of Business Registration or Certificate of Investment Registration (number, date of issue, place of issue, issuing unit) (in case the Investor is a Vietnamese enterprise or a foreign-invested enterprise established in Vietnam),

Name and position of the legal representative.

(In case a Contracting Party is a foreign Investor, state the name, nationality, identification documents of the Investor, establishment license number, business registration certificate number or equivalent documents, if any, address, telephone, fax, full name, position of the authorized representative).

3. Project enterprise (applicable in case the winning investor establishes a project enterprise and the project enterprise forms a party to sign a project contract with a competent state agency).

Address,

- Phone number and Fax;
- Information on Business Registration Certificate (Number, date of issue, place of issue, issuing unit);
- Name and position of the legal representative.

III. BASIC CONTENT OF PROJECT CONTRACT

Article 1. Term definitions:

1. Definitions and abbreviations of concepts and terms used in the project contract, in accordance with current legal provisions and the specific context of the project contract;

2. Principles for interpreting singular, plural, gender and other specific issues in case a project contract is signed with a foreign investor as one party.

Article 2. Language

The language used for the contract is Vietnamese.

Article 3. Contract documents and priority order

The documents in the Contract file and the order of priority of the documents in the Contract file are in the following order:

- (1) Contract;
- (2) Contract appendices (if any);
- (3) Minutes of negotiation and completion of the Contract;
- (4) Decision on approval of the investor selection results;
- (5) Bids and documents clarifying the bids of the selected investor;
- (6) Bidding documents and documents amending and supplementing the bidding documents;
- (7) Decision on approving the investment policy of the project or approving adjustments to the investment policy of the investment project (if any) for projects subject to investment policy approval according to regulations.
- (8) Relevant documents.

Article 4. Objectives, scope and scale of the project:

1. General and specific objectives of the project;
2. Project scale and capacity
3. Total investment capital

Article 5. Project implementation location.

This stipulates the project implementation location, including specific location, land use area within the project and related works (if any).

Article 6. Contract term and project progress:

1. The term of the project contract is based on the time the project contract takes effect until the investor completes its obligations to perform the commitments proposed in the bids and other obligations as agreed by the parties in the project contract.

2. Cases, conditions, and procedures for adjusting project contract terms according to legal regulations and specific agreements between the parties;

3. Agreement on contract amendment when adjusting the project contract term;

4. Project implementation progress includes milestones: Compensation, support, resettlement time (if any), construction time, infrastructure system (if any), operation time, management, business of construction, infrastructure system.

Article 7. Compensation, support, resettlement (if any); progress of land allocation, land lease, conditions of land use, water surface, other resources and related works

1. Information on compensation, support, resettlement plans and construction of auxiliary works (if any),

2. Rights and obligations of the parties in organizing compensation, resettlement support (if any) and completing procedures for land allocation, land lease, monitoring and inspection of compensation, support and resettlement implementation

3. Obligations of the parties in ensuring the arrangement of capital sources to pay for compensation, support, and resettlement costs,

4. Conditions for using land, water surface, other resources or related works according to the provisions of law,

5. Regulations on excavation and handling of fossils, antiquities, architectural works or other artifacts in the project area and the rights and obligations of the parties with respect to these artifacts,

6. Time, progress of land allocation, land lease, rights and obligations of the parties in managing and using the allocated land area (if any)

7. Liability of each party in case of breach of the above obligations.

Article 8. Implement the investor's proposed plan on land use efficiency, social assistance value or other social welfare activities (for projects applying land use efficiency assessment standards:

1. The rate of payment to the state budget that the investor proposes in the bids,

2. Progress, submission form

3. Specific plan, implementation method, construction investment progress, principles to ensure compliance with relevant laws (applicable to cases

where investors propose to build public works), rights and obligations of each party in this case.

4. Specific plans, implementation methods, support progress, conditions and principles that need to be ensured to comply with relevant laws (applicable to cases where investors propose to carry out social assistance or social welfare activities); rights and obligations of each party in this case

5. Liability of Investor in case of breach of the above obligations.

Article 9. Implement the investor's proposed plan on investment efficiency in developing industries, fields, and localities in the bids (for projects applying standards for evaluating investment efficiency in developing industries, fields, and localities):

1. The value proposed by the investor shall include one of the following information: The monetary value submitted to the state budget; the percentage of proposed revenue the investor will submit to the state budget; the prices of goods and services; the number of non-commercial public works; the value of social assistance or other social welfare activities for beneficiaries of social protection, determined by monetary value or the number of people supported; the type, level of toxicity, and total amount of pollutants discharged into the environment; the land use area and land use coefficient; the amount submitted to the state budget and the proposed additional percentage by the investor for implementing aviation service projects; the electricity price for energy facility investment projects; the handover time for resettlement housing in projects to renovate and rebuild apartment buildings.

2. Form and progress of payment to the state budget (applicable to cases of payment to the state budget);

3. Specific plan, implementation method, construction investment progress, principles to ensure compliance with relevant laws (applicable to cases where investors propose to build public works), rights and obligations of each party in this case.

4. Specific plans, implementation methods, support progress, conditions and principles that need to be ensured to comply with relevant laws (applicable to cases where investors propose to carry out social assistance or social welfare activities); rights and obligations of each party in this case.

Article 10. Economic organization established by investors to manage investment projects using land:

1. In case an economic organization has been established: Organizational and operational model of the economic organization; charter capital of the economic organization; commitment that the economic organization established by the investor will inherit the rights and obligations to implement the investment project that the investor has committed to in Article 11.

2. In case an economic organization has not yet been established: The economic organization established by the investor shall inherit the rights and obligations to implement the investment project that the investor has committed to in Article 11, and the procedure for amending the contract to supplement the name, rights, obligations, and responsibilities of the economic organization established by the investor.

Article 11. Investor's obligations:

1. Submit contract performance security, including: form, value, and deadline for submitting security;

2. Advance capital to implement compensation, support and resettlement at the request of competent state agencies on the basis of approved compensation, support and resettlement plans. After 06 months from the date of receipt of the request from the competent state agency, if the capital is not fully advanced to implement compensation, support and resettlement, the competent state agency shall decide to cancel the winning bid result;

3. Pay land use fees and land rent according to the provisions of the law on land. In case the State leases land, clearly state the form of land rent payment (one-time or annual) and the progress of land rent payment;

4. Implement the investor's proposed plan on land use efficiency according to the contents in Article 8;

Implement the investor's proposed plan for effective self-development of industries, fields, and localities according to the contents in Article 9;

6. Fulfill other commitments proposed in the bidding documents;

7. Implement the project according to the planning approved by the competent state agency, meet the committed schedule, ensure safety and environmental protection, comply with relevant legal provisions on construction investment, land, environment, tax and laws on industry and sector management;

8. Fulfill commitments on the best available technology and engineering solutions to minimize environmental pollution, commit to technology transfer, and implement high-tech activities proposed in the bidding documents to enjoy incentives in bidding;

9. Perform other rights and obligations according to the agreement (if any).

Article 12. Responsibilities of the competent person or the Procuring Entity in case of being authorized by the competent person to sign the contract:

1. Within 36 months from the date of issuance of the decision to recognize the winning bid or other period according to the contract signed with the

competent state agency, the People's Committee at the competent level must complete the compensation and resettlement support to allocate land and lease land to investors according to the provisions of Clause 8, Article 126 of the 2004 Land Law.

2. Coordinate with investors and economic organizations established by the winning investor to implement plans on land use efficiency and investment efficiency in developing industries, fields, and localities in Articles 8 and 9.

3. Perform other rights and obligations according to the agreement.

Article 13. Contract Performance guarantee:

18.1. Form of Contract Performance guarantee

18.2. Value of Contract Performance guarantee

18.3. Effective Period of the Contract performance guarantee.

18.4. Timeframe for Refund of Contract Performance guarantee.

18.5. Cases where the performance guarantee is not returned.

Article 14. Project contract amendment:

1. Identify specific cases of force majeure and solutions for handling cases of force majeure.

2. Cases considered for amendment of project contracts according to regulations in Article 76 of the Law on Bidding;

3. In case of transferring investment projects using land in accordance with the provisions of the law on investment, enterprises, land, real estate business, management law, industry, field and other relevant legal provisions; in case of transferring shares, capital contributions in accordance with the provisions of the law on investment, enterprises, land, real estate business, industry, field management law, relevant legal provisions, dossiers, order and procedures for transferring projects, shares, capital contributions.

4. Procedures for supplementing the name, rights, obligations and responsibilities of economic organizations established by investors in accordance with the cases specified in Clause 2, Article 10; cases of adjusting investment projects that do not lead to adjusting investment policies in accordance with the law on investment.

5. Contract amendment procedure.

Article 15. Project contract termination:

1. Cases and conditions for termination of the project contract by agreement or early termination.

2. Rights and obligations of each party when terminating the project contract according to the agreed term.

1. Rights and obligations of each party in case of early termination of contract.

Article 16. Governing law:

1. The law applies to regulate project contractual relationships and contracts related to project implementation.

2. In case at least one party to the contract is a foreign investor, the parties may agree in the contract on the application of law in accordance with the provisions of the law on investment.

Article 17. Dispute Resolution:

The parties shall prescribe a dispute resolution mechanism in accordance with the provisions of law on investment.

Article 18. Force majeure events and handling principles

1. Force majeure cases and principles for determining force majeure cases
2. Notice of Force Majeure
3. Sequence of resolution.

Article 19. Contract Liquidation

1. Procedures for implementing contract liquidation agreements;
2. Rights and obligations of the contracting parties when terminating the contract.

Article 20. Penalty clause for breach of contract:

1. Cases of violation and non-compliance with obligations of the parties;
2. Resolution mechanism in each case of violation and non-compliance with contractual obligations;
3. Penalties for violations in cases where investors fail to comply with commitments in bidding documents and project contracts when enjoying incentives as prescribed in this Decree.

Article 21. Effect of contract

This contract is effective from the date of Party A receives the original Letter of Guarantee to ensure the performance of the Contract.

Article 22. General provisions.

Other contents are agreed upon by the parties provided that they do not violate the provisions of the law on bidding, land, real estate business, enterprises, investment and relevant legal provisions.

LETTER OF BID ACCEPTANCE AND CONTRACT AWARD

(Place), (Dd/mm/yy)

To: _____ [name and address of the winning investor] (hereinafter referred to as the Investor)

Regarding: *Notice of bids acceptance and contract award*

Pursuant to Decision No. ____ dated ____ [State the number and date of signing the decision approving the results of investor selection] belong to _____ [State the name of authorized person] (hereinafter referred to as the Competent Person) on approving the results of selecting investors for project _____ [State the project name], _____ [State the name of the Procuring Entity] ((hereinafter referred to as the Procuring Entity) hereby notifies that the competent authority has approved the bidding documents and awarded the contract to the Investor to implement the project _____ [State the project name] with contract information is _____ [State the information as follows:

a) *For projects specified in Clause 1, Article 4 of Decree No. 115/2024/ND-CP, state the following information:*

- *Amount paid to the state budget*
- *Number of public works with non-commercial purposes (in cases where the bidding documents are additionally applied).*
- *The value of social assistance activities or other social welfare activities for beneficiaries of social protection, determined by monetary value or the number of people supported, based on the list of social protection beneficiaries or social assistance activities in the locality where the project is implemented (in cases where the bidding documents are additionally applied).*

b) *For projects specified in Clause 2 Article 4 of Decree No. 115/2024/ND-CP (except for investment projects in the construction of energy works, investment projects in the construction of aviation service works at airports, airfields, projects in the construction and renovation of apartment buildings), state one of the following information:*

- *Value in money submitted to the state budget;*
- *Revenue ratio paid to the state budget*

- *Price of goods and services;*

- *Number of non-commercial public works;*

- *The value of social assistance activities or other social welfare activities for beneficiaries of social protection, determined by monetary value or the number of people supported, based on the list of social protection beneficiaries or social assistance activities in the locality where the project is implemented (in cases where the bidding documents are additionally applied).*

- *Type, toxicity level and total amount of pollutants discharged into the environment;*

- *Land use area, land use coefficient.*

c) *For energy construction investment projects, state information on electricity prices and pricing principles agreed with the electricity buyer.*

d) *For investment projects involving the construction of aviation service facilities at airports, record information on the proposed state budget contribution and the additional increase rate proposed by the investor for project implementation.*

d) *For projects to renovate and rebuild apartment buildings, record information on the time of handover of resettlement housing.]*

with The contract performance period is ____ *[state the contract performance time in the decision approving the results of investor selection].*

The legal representative of the Investor is requested to negotiate, finalize and sign the contract with the Competent Person and the Procuring Entity according to the following plan:

- Contract completion time: ____ *[state the time of negotiation and contract completion]*, at location ____ *[state the location of contract completion]*, attached with the Draft Contract.

- Contract signing time: ____ *[state the time of contract signing]*; at location ____ *[state place of contract signing]*.

The Investor is requested to implement the contract performance security measures according to Form No. 15 Part 3 - Draft contract and Contract form of the bidding documents with the amount of ____ and the effective period of ____ *[state the amount and effective period as prescribed in Section 37.1 of the BDL]*.

This document is an integral part of the contract documents. After receiving this document, the Investor must have a written consent to negotiate, complete, sign the contract and implement measures to ensure contract performance according to the above requirements, in which the Investor must commit that the Investor's current capacity still meets the requirements stated in the bidding documents. The competent authority shall refuse to negotiate, finalize and sign a contract with the Investor in case it is discovered that the Investor's current capacity does not meet the requirements for project implementation.

If by date ____ [*Specify the date, within 30 days from the date of issuance of the notice of acceptance of the bid and award of the contract*], the Investor fails to negotiate, finalize, sign the contract or fails to implement measures to ensure contract performance according to the above requirements, the Investor will be disqualified and will not receive the bid security back.

**Legal representative of the Procuring
Entity**

[name, title, signature and seal (if any)]

CONTRACT PERFORMANCE GUARANTEE

(Place), (Dd/mm/yy)

To: _____ *[State the name of the authority competent to sign the contract]*

(hereinafter referred to as the Authority competent to sign the contract)

At the request of _____ *[State the investor name]* is the investor selected to carry out the project _____ *[State the project name]* (hereinafter referred to as the Investor) and commits to sign a contract to implement the above project (hereinafter referred to as the Contract); ⁽²⁾

As specified in the bidding documents (*or contract*), The Investor must submit to the Authority competent to sign the contract a bank guarantee of a specified amount to ensure its obligations and responsibilities in performing the Contract;

We, _____ *[State the name of bank]* in _____ *[State the country or territory name]* with registered office at _____ *[State the bank address]* ⁽³⁾, hereby commits to guarantee the contract performance of the Investor with an amount of _____ *[Specify the value in figures, in words and in the currency used as required in Section 37.1] BDL*.

We unconditionally and irrevocably commit to paying the competent authority that signed the contract a sum or sums of money totaling _____ *[amount in words]* (*[amount in numbers]*) as stated above, upon receipt of a written notice from the competent authority that signed the contract stating that the investor has violated the contract during the effective period of the contract performance guarantee.

This guarantee is effective from _____ to _____ ⁽⁴⁾.

Legal representative of the bank*[name, title, signature and seal]***Note:**

(1) Only applicable in cases where the contract performance security measure is a letter of guarantee from a bank or credit institution.

(2) If the bank or credit institution that guarantees requires a signed contract before issuing a guarantee, the Procuring Entity will report to the competent authority

that signed the contract for consideration and decision. In this case, the above paragraph can be revised as follows:

At the request of ____ [*name of the investor*], the winning bidder for the project ____ [*name of the project*] (hereinafter referred to as the Investor), who signed contract number ____ [*contract number*] dated ____ [day] ____ [month] ____ [year] (hereinafter referred to as the Contract).

(3) Bank or credit institution address: Specify information including address, phone number, fax number, and email for contact.

(4) Record the deadline in accordance with the requirements specified in Section 37.1. **BDL**.

VŨ THỊ NHUNG