

PROCUREMENT PLAN

Project information: Vietnam – Improved Land Governance Project (P154387)

Project Implementation agency: *CPMU established by General Department of Land Administration (GDLA) and 33 PPMUs established at Provincial Department of Natural resources and Environment in 33 project provinces*

Date of the procurement Plan: June 3, 2016, updated May 2018

Period covered by this procurement plan: (January 2018 – December 2019)

A. Preamble

In accordance with paragraph 5.9 of the “World Bank Procurement Regulations for IPF Borrowers” (July 2016) (“Procurement Regulations”) the Bank’s Systematic Tracking and Exchanges in Procurement (STEP) system will be used to prepare, clear and update Procurement Plans and conduct all procurement transactions for the Project.

This textual part along with the Procurement Plan tables in STEP constitute the Procurement Plan for the Project. The following conditions apply to all procurement activities in the Procurement Plan. The other elements of the Procurement Plan as required under paragraph 4.4 of the Procurement Regulations are set forth in STEP.

The Bank’s Standard Procurement Documents: shall be used for all contracts subject to international competitive procurement and those contracts as specified in the Procurement Plan tables in STEP.

B. National Procurement Arrangements: In accordance with paragraph 5.3 of the Procurement Regulations, when approaching the national market (as specified in the Procurement Plan tables in STEP), the country’s own procurement procedures may be used.

1. Open Competitive Procurement: When the Recipient uses its own national open competitive procurement arrangements as set forth in (a) Article 20 on Open Bidding of the Recipient’s Law on Procurement No. 43/2013/QH13 dated November 26, 2013 and related provisions necessary to effect the same; and (b) the Recipient’s Decree No. 63/2014/ND-CP dated June 26, 2014 Guiding Implementation of the Law on the Procurement (collectively, “National Procurement Laws”), such arrangements shall be subject to paragraph 5.4 of the Procurement Regulations and the following conditions.

(i) No domestic preference over foreign bidders shall be granted to national bidders in bid evaluation, nor shall foreign bidders be asked or required to form joint ventures with or be subcontractors to national bidders in order to submit a bid.

(ii) The model bidding documents (harmonized model bidding documents) agreed with the Association shall be used.

(iii) No bid shall be eliminated from detailed evaluation on the basis of minor, non-substantive deviations. The evaluation of bidder's qualifications shall be conducted separately subsequent to the technical and commercial evaluation of the bid.

(iv) A bidder shall neither be required nor permitted, as a condition for award, to undertake obligations not specified in the bidding documents or otherwise to modify the bid as originally submitted.

(v) No bid shall be rejected on the basis of a comparison with the employer's estimate and budget ceiling.

(vi) The Recipient shall implement an effective mechanism allowing bidders to complaint and have their complaints handled in a timely manner. The complaints mechanism shall allow the submission of anonymous complaints.

2. National Procurement Arrangements Other Than National Open Competitive Procurement:
Not applicable.

C. Leased Assets as specified under paragraph 5.10 of the Procurement Regulations: Leasing may be used for provision of hosting services and bandwidth, including but may not limited to leasing services and equipment for (i) Database server (middle-ware tier and Application tier) and location for database server (data tier), (ii) management service of Data center, and (iii) Bandwith for MPLIS as identified in the PPSD and to be reflected in Procurement Plan tables.

D. Procurement of Second Hand Goods as specified under paragraph 5.11 of the Procurement Regulations – is allowed for those contracts identified in the Procurement Plan tables: ***Not Applicable***

E. Domestic preference as specified under paragraph 5.51 of the Procurement Regulations (***Goods and Works***): ***Not Applicable***

F. Other Relevant Procurement Information:

(i) Application of paragraph 3.23.b) under Section III. Governance on Eligibility of the Procurement Regulations would allow ***eligible state-owned entities equal participation with the private sector for contracting specialized technical services*** for cadastral database development. This would apply only to those State-Owned Enterprises (SOEs) and Public Service Units (PSUs) that clearly meet the eligibility criteria stated in that paragraph.

(ii) Participation of Public Service Units (PSUs): State entities under direct supervision by the respective provincial DONRE are allowed to be directly contracted, for services which can only be performed by these units - as ***force accounts***. Paragraphs 6.54 and 6.55 (e) of the Procurement Regulations allow these PSUs be assigned in form of Force Account to perform tasks in accordance with the steps explained in the Unit Price and the relevant cost norms prescribed for technical assignment. These items account for ***about 30% of the total budget of each package***.

(iii) Method of contractor selection for procurement of the peripherals equipment for LROs will follow the ***framework agreement approach***. The CPMU will set up framework

agreements (with unified technical requirements, pricing method, etc.) as guidance at national level and PPMUs will conduct the call-off process at provincial or inter-provincial level.

