

No. 128/NMI

Hanoi, 22<sup>nd</sup> March 2024

Re.: amend the Bidding Documents for the bidding  
package VTC24-01: "Supply of security printing  
substrate code B04 for the year 2024"

Address to: the Bidders

National Banknote Printing Plant (NBPP) would like to inform amendment to the Bidding Documents (BD) for the Procurement Package VTC24-01 "Supply of security printing substrate B04 for the year 2024" as follows:

**1. Amend the reference to "Decree" at ABBREVIATIONS as follows:**

Decree No. 24/2024/NĐ-CP dated February 27<sup>th</sup>, 2024 detailing the implementation of several provisions of the Law on Bidding regarding the selection of contractors.

**2. Amending the content of regulations on exchange rate conversion time in Article 14.1 ITB, Chapter II of the Bidding Documents:**

"The currency used to convert all bid prices from different currencies into a single currency (conversion currency) for the purpose of evaluating and comparing Bids is the Vietnamese Dong (VND) at the selling exchange rate announced by Vietcombank at the last time of 07 days before the bid closing date."

**3. 2.3. Amend Point 31, Chapter I and remove articles 31.2, 31.3 ITB, amend the content of 31.4 ITB, Chapter II, accompanied by amendments to forms 14(a), 14(a1), 14(a2), Chapter IV of the BD as follows:**

**3.1. Point 31, Chapter I ITB:**

31.1. Principle of incentives: Bidders are entitled to incentives when supplying goods that have a percentage of the domestic production cost of the goods as prescribed in Section 31.2 - ITB.

31.2. The calculation of incentives is done during the bid evaluation process to compare and rank bids:

Determining goods produced in Vietnam can be applied directly or indirectly according to the following formulas:

Directly formula:  $D (\%) = G^*/G \times 100\%$

Indirectly formula:  $D (\%) = (G-C)/G \times 100\%$

In which:

G\*: is domestic production cost;

G: is the offered price of the goods in the bids or proposal documents minus the tax value; for the bidder that is a manufacturer, G is EXW price of the goods;

C: Is the value of foreign import costs, excluding taxes and fees related to importation;

D: Is the percentage of domestic production costs of goods.  $D \geq 30\%$ , then those goods are eligible for incentives as prescribed in Section 31.3. - ITB.

31.3. The calculation of incentives is carried out according to regulations in **BDS**.

31.4. Bidders must declare information about the type of goods eligible for preferential treatment according to Forms No. 12A, 12B and 12C of Chapter IV to serve as a basis for consideration and evaluation of incentives.

31.5. The bidder must prove that the bidder, goods and services offered by the bidder are eligible for incentives.

31.6. In case the goods offered by bidders are not eligible for incentives, evaluation and determination of incentive value will not be conducted.

### **3.2. Amend Section 31.4 ITB Chapter II-Data sheet to Section 31.3 - How to calculate incentives:**

#### **1. Preferential principles:**

a) Bidders participating in bidding who are entitled to more than one type of incentive in the evaluation of capacity and experience or in the financial evaluation shall only receive the most beneficial incentive for the respective bidder corresponding to each evaluation criterion of capacity and experience or financial evaluation when calculating incentives.

b). In case all bidders participating in the bidding are entitled to the same incentives or all bidders are not eligible for incentives, there is no need to calculate incentives for comparison and ranking.

#### **2. Preferential treatment for goods originating in Vietnam**

a) Preferential treatment for goods of Vietnamese origin with a domestic production cost ratio of less than 50% and no goods with a domestic production cost ratio of 50% or more are determined as follows:

In case of applying the lowest price method, goods that are not eligible for incentives must add an amount equal to 7.5% of the bid price after error correction, deviation adjustment, minus the discount value (if any) of those goods into the bid price after error correction, deviation adjustment, minus the bidder's discount value (if any) for comparison and ranking;

The contractor offers goods of Vietnamese origin with a domestic production cost ratio of less than 50% and the production facility has at least 50% of employees who are disabled, war invalids, or ethnic minorities having labor contracts with a duration of 3 months or more until the bid closing time, the contract is still valid, they will enjoy a 10% incentive coefficient instead of the 7.5% incentive coefficient.

b) Preferential incentives for goods originating in Vietnam with a domestic production cost ratio of 50% or more are determined as follows:

In case of applying the lowest price method, goods that are not eligible for incentives must add an amount equal to 10% of the bid price after correcting errors, adjusting deviations, minus the discount value (if any) of that good into the bid price after error correction, deviation adjustment, minus the bidder's discount value (if any) for comparison and ranking; Goods subject to incentives that have a domestic production cost ratio of less than 50% must add an amount equal to 2.5% of the bid price after

error correction, deviation adjustment, and minus the discount value (if any) of that goods into the bid price after error correction, deviation adjustment, minus the bidder's discount value (if any) for comparison and ranking; Goods originating in Vietnam have a domestic production cost ratio of less than 50% and the production facility has at least 50% of its employees being disabled, war invalids, ethnic minorities have a labor contract with a contract implementation period of 3 months or more and at the time of bid closing the contract is still valid, there is no need to add money to the bidder's bid price for comparison and ranking;

Bidders offering goods of Vietnamese origin with a domestic production cost ratio of 50% or more and the production facility has 50% or more of its employees being people with disabilities, war invalids, or ethnic minorities have a labor contract with a contract implementation period of 3 months or more and at the time of bid closing the contract is still valid, they will enjoy a 12% incentive coefficient instead of the 10% incentive coefficient.

c) Innovative products that are goods of Vietnamese origin are entitled to the following incentives:

In case of applying the lowest price method, goods that are not eligible for incentives must add an amount equal to 15% of the bid price after correcting errors, adjusting deviations, minus the discount value (if any) of that good into the bid price after error correction, deviation adjustment, minus the bidder's discount value (if any) for comparison and ranking; Goods subject to incentives that have a domestic production cost ratio of less than 50% must add an amount equal to 7.5% of the bid price after error correction, deviation adjustment, and minus the discount value (if any) of that goods into the bid price after error correction, deviation adjustment, minus the bidder's discount value (if any) for comparison and ranking; Goods subject to incentives that have a domestic production cost ratio of 50% or more must add an amount equal to 5% of the bid price after error correction, deviation correction, and minus the discount value (if any) of that goods into the bid price after error correction, deviation adjustment, minus the bidder's discount value (if any) for comparison and ranking;

For goods that are not innovative products of Vietnamese origin, in case the bidder offers goods of Vietnamese origin with a domestic production cost ratio of less than 50%, when calculating incentives, the 15% coefficient is replaced by 7.5%; For goods of Vietnamese origin with a domestic production cost ratio of 50% or more, when calculating incentives, the 15% coefficient is replaced by 10%.

d) Innovative products originating in Vietnam are entitled to incentives according to the provisions of Point c of this Article when they meet one of the following conditions:

- (i) Products on the list of high-tech products prioritized for investment and development or the list of high-tech products encouraged for development according to the Prime Minister's decision;
- (ii) Products formed from scientific and technological research results of science and technology enterprises according to the provisions of law on science and technology enterprises;
- (iii) Products created on the basis of the bidder's own inventions, semiconductor integrated circuit layout designs, and plant varieties are granted protection certificates

for a period of not more than 05 years from the date of grant or the bidder's own computer program within no more than 05 years from the date of issuance of the copyright registration certificate;

(iv) Products that won Ho Chi Minh awards, state awards for science and technology according to the provisions of law on science and technology awards;

(v) New products created from research and development results at one of the facilities of the National Innovation Center;

(vi) New products created from the results of scientific research and technological development according to the provisions of law on technology transfer.

Innovative products specified in point d of this article are entitled to incentives for a period of 06 years from the first time they are produced and qualified to be marketed.

### 3. Incentives for domestic creative start-up business

a) Domestic innovative start-up business, when bidding offer for their innovative products according to the provisions of Point d, Article 2 (Preferential incentives for goods of Vietnamese origin) in ITB 34.3, do not have to meet the requirements on revenue and number of years operating in the same industry within 06 years from the time the product is first produced and qualified to be marketed.

b) Innovative products specified in point d, Article 2 (Preferential for goods of Vietnamese origin) in ITB 34.3 are goods of domestic creative start-up enterprises that are entitled to enjoy incentives when participating in the bidding according to the provisions of point c, article 2 (Preferential for goods of Vietnamese origin) in ITB 34.3.

### 4. Incentives for domestic bidders producing goods of Vietnamese origin

4.1. For domestic contractors who are transferred technology to produce goods of Vietnamese origin in accordance with the bidding documents:

a) Do not have to meet the requirements on revenue and number of years operating in the same industry within 05 years from the time the product is first produced and qualified to be marketed;

b) For transferred technologies on the list of industries with investment incentives and the list of technologies encouraged for transfer according to the provisions of law, in addition to the incentives prescribed in point a of this clause, does not have to meet the requirements to confirm successful operation and the time the product has been used to ensure quality requirements are confirmed by the user. In case the technology transfer party has a commitment with the investor to take responsibility for the quality of products produced by the bidder at the investor's request, the bidder receiving the technology transfer is allowed to use documents and test results of the technology transfer party for the transferred technology object to prove the verifiability and suitability of the manufactured goods for the content transferred under the technology transfer contract or according to a technology transfer certificate issued by a competent authority;

c) Requirements on capacity, experience, goods quality, technical requirements and other requirements of the bidding package other than the cases specified in points a and b of this Article are specified on the same evaluation level for all participating

bidders. In case of necessity, the investor can make additional requests to bidders receiving incentives, including: increasing the warranty period, enhancing quality control during production and factory testing, provide operation, maintenance and other services to ensure the reliability of goods during operation.

4.2. For domestic bidders producing goods of Vietnamese origin in accordance with the bidding documents:

a) Do not have to meet the requirements on revenue and number of years of operation in the same industry as the bidding package under consideration when the bidder offers bid on goods that are produced by the bidder for the first time and qualified to be marketed within 5 years before the bid closing time. Bidders are entitled to this incentive from the time the bidder is established but not more than 07 years from the time of bid closing;

b) Receive incentives as prescribed in point b, Clause 4.1, Article 4 (Incentives for domestic bidders producing goods of Vietnamese origin) in ITB 34.3 for technology transfer from other units (if any).

4.3. When offering bid for innovative products, individuals or groups of individuals producing innovative products specified in point d, Article 2 (Preferential incentives for goods of Vietnamese origin) in ITB 34.3, they do not have to meet the requirements of financial capacity and number of years of operation in the same industry within 06 years from the time the product was first produced and qualified to be marketed

4.4. Based on the determination of domestic bidders receiving technology transfer, domestic bidders are transferred technology encouraged to transfer to produce goods of Vietnamese origin with a Certificate of Technology Transfer Registration, Certificate of Technology transfer encourages transfer according to the provisions of law on technology and law on investment.

**3.3. Amend Form No. 14(a), 14(a1), 14(a2) with the following contents:**

**Form 14(a)**

### **DECLARATION OF GOODS ELIGIBLE FOR INCENTIVES**

No.	Name of goods	Origin <i>[insert the name of the country, territory, code, trademark, manufacturer]</i>	Goods with production cost in Domestic of 30% or more		Declaration of production costs in Domestic	
			Yes	No	According to Form 12B	According to Form 12C
	(1)	(2)	(3)	(4)	(5)	(6)
1	1 <sup>st</sup> goods		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	2 <sup>nd</sup> goods		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
...	...					
n	n goods		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Legitimate Representative of Bidder**  
[Name, title, signature and seal]

Note:

(1), (2): Bidder inserts fully information

(3), (4): Bidder ticks the box corresponding to each type of goods.

(5), (6): For goods with domestic production cost of 30% or more, the bidder chooses to declare the cost of production in domestic according to Form 14(a1) (in case of declaration of import costs) or Form 14(a2) (in case of declaration of production cost in Vietnam).

**Form 14(a1)**

**DECLARATION OF PRODUCTION COSTS IN DOMESTIC FOR GOODS  
ELIGIBLE FOR INCENTIVES**

(in case of declaration of import costs)

No.	Name of goods	Bid price of goods in Bids	Value of taxes	Import costs of goods, including fees and charges (if any)	Production costs in domestic	Percentage (%) of production costs in domestic
		(I)	(II)	(III)	$G^* = (I) - (II) - (III)$	$D(\%) = G^*/G(\%)$ In which $G = (I) - (II)$
	(1)	(2)	(3)	(4)	(5)	(6)
1	1 <sup>st</sup> goods					
2	2 <sup>nd</sup> goods					
...	...					
n	n goods					

Note:

(1): The bidder inserts all the goods that the bidder has selected in column (3) and column (5) of Form No. 14(a)

(2): The bidder inserts the unit price that the bidder has offered (unit price includes all taxes, fees, and charges (if any)).

(3), (4): Bidders self-declare.

(5), (6): Bidders calculate themselves

**Form 14(a2)**

**DECLARATION OF PRODUCTION COSTS IN DOMESTIC FOR GOODS  
ELIGIBLE FOR INCENTIVES<sup>(1)</sup>**

(in case of declaration of production costs in Vietnam)

No.	Name of goods	Bid price of goods in Bids	Value of taxes <sup>(2)</sup>	Production costs in domestic	Percentage (%) of production costs in domestic
		(I)	(II)	G*	$D(\%) = G^*/G(\%)$ In which $G = (I) - (II)$
	(1)	(2)	(3)	(4)	(5)
1	1 <sup>st</sup> goods				
2	2 <sup>nd</sup> goods				
...	...				
n	n goods				

Note:

(1): The bidder inserts all the goods that the bidder has selected in column (3) and column (5) of Form No. 14(a).

(2): The bidder inserts the unit price that the bidder has offered (unit price includes all taxes, fees, and charges (if any)).

(3), (4): Bidders self-declare.

(5): Bidders calculate themselves

#### 4. Supplement the content in Note No. (8) at Table 02 Chapter III of the BD:

"In the case where the goods are products produced domestically by Vietnamese bidders (may or may not have been sold on the market), the bidder must prove that the design capacity or production output meets the requirements".

5. Amend the Section 35 Chapter I and Section 5 Chapter III of the BD:

5.1. Remove the provision at Point a) Section 35.4 Chapter I;

5.2. Amend the ITB 35.1: The method of evaluating the Bids is the method of evaluating financial applies the lowest price method;

5.3. Amend the ITB 35.4b: Bidder ranking: The bidder whose bid price after error correction, deviation correction, minus the discount value (if any) is converted to the same level for comparison has the lowest price ranked first.

5.4. Amend the ITB 37.6. The bidder whose bid price after minus the discount value (if any) is converted to the same level for comparison has the lowest price ranked first.

5.5. Amend the method of evaluating financial standards in Section 5, Chapter III of the Bidding Documents as follows:

#### Section 5. Detailed evaluation of the financial proposals

##### Using the method of evaluated price

How to determine the lowest price to compare bids according to the following steps:

Step 1. Identification of bid price;

Step 2. Error correction (as stipulated in Article 30.1 of the ITB);

Step 3. Deviations adjustment (as stipulated in Article 30.2 of the ITB);

*Step 4.* Bid price after error correction, deviations adjustment, deduction of discount (if any) and converting the bid price to a common currency VND (if any) according to the selling rate of the Joint Stock Commercial Bank for Foreign Trade of Vietnam at the last time of 07 days before the opening date of the Technical Proposal;

*Step 5.* Identification of price evaluation (if any) as prescribed in Article 31 - ITB;

*Step 6.* Bidder ranking:

a) Determine the bid price of each bidder after converting all costs to the same level:

- For goods produced, processed in Vietnam: Price used for comparison is the offered price of bidder as prescribed at Article 13.6 (a) - ITB.

- For goods produced, processed abroad and will be imported into Vietnam. Price used for comparison is the price calculated according to the following formula:

$$G_{NNQD} = G + \Delta_{G1} + \Delta_{G2} + \Delta_{G3} + \Delta_{UD}$$

Of which:

+  $G_{NNQD}$  is the price of a foreign bidder whose costs are converted to the same level as the bidder offering goods produced and processed in Vietnam, taking into account incentives (if any) according to the provisions of Article 34 of ITB.

+  $G$  = (total bid price  $\pm$  correction value  $\pm$  deviation adjustment value) – discount value (if any) and is converted into one common currency VND (if any);  $G$  of imported goods under CIP Hai Phong/ Noi Bai (Incoterm 2020) is denoted as  $G_{NK}$ .

+  $\Delta_{G1}, \Delta_{G2}, \Delta_{G3}$  is the value of factors that are attributed to the same plane of goods (applicable to imported goods under CIP) including:

(i)  $\Delta_{G1}$  = VAT on imported goods in accordance with current regulations in Vietnam's import and export tax schedule for goods (10%) + costs of receiving, transporting, domestic insurance in Vietnam and other expenses for transporting imported goods of foreign bidders from the port (Hai Phong / Noi Bai, Vietnam) to NBPP (the rate of 0.1% calculated based on the bid price CIP Haiphong/Noibai, Vietnam and VAT on imported goods, applied according to the actual statistical average in recent years for polymer at the PE).

In which:  $\Delta_{G1} = G_{NK} \times 10\% + (G_{NK} + G_{NK} \times 10\%) \times 0.1\%$

(ii) If the foreign bidder chooses to payment by letter of credit (L/C), then:

$\Delta_{G2}$  is L/C issuance fee =  $0.75\%/year/365 \text{ days} \times L/C \text{ opening value} \times L/C \text{ validity period (maximum USD 5,000)}$ .

$\Delta_{G3}$  is Late payment acceptance fee for L/C =  $1.35\%/year/365 \text{ days} \times \text{payment amount} \times 90 \text{ days}$ .

(iii) If the foreign bidder chooses the mode of payment by telegraphic transfer (T/T), then  $\Delta_{G2} = 0$ ;  $\Delta_{G3} = 0$ .

$\Delta_{UD}$  is the value that must be added to those who are not entitled to incentives as stipulated in Article 31.3 of the ITB.

b) Compare bids:

Compare the bid prices of all bidders with detailed financial evaluation (after determining according to the provisions of point a, step 6): Financial Proposal which has the lowest evaluated price is the first ranked.

**6. Amend the Form 01 - Bid forms (belong to Technical Proposals), Forms - Joint Venture Agreements, Form 12 - Bid submission form (belong to Financial Proposal) at Chapter IV of the BD:**

### Form 01

#### BID SUBMISSION FORM <sup>(1)</sup>

##### (Belong to the Technical Proposal)

Date: *[date month year signed the application]*

Name of bidding package: *[following name in the BD]*

Name of project: *[write name of project]*

To: *[write full and exactly name of PE]*

After carefully studying the Bidding Document and the Modification document of Bidding Documents No..... [number of supplemented document if any] issued by the Procurement Entity, we .....[bidder name], are committed to implement the procurement package .... [name of the procurement package] as required in the Bidding Document.

We hereby commit<sup>(2)</sup> to:

1. To participate in this bid as the prime bidder.
2. Not being in the process of dissolution or having their Business Registration Certificate or Business Household Registration Certificate or other equivalent documents revoked; not being in the case of insolvency according to the law of the country where the bidder is granted the Establishment Decision or the Business Registration Certificate or the Business Household Registration Certificate or other equivalent documents.
3. Do not violate the regulations on competitive guarantee in the bidding.
4. The tax obligations of the latest fiscal year have been fulfilled compared to the time of bid closing.
5. Not being banned from bidding in any country or territory.
6. Do not carry out acts of corruption, bribery, bid-rigging, obstructing and violations of other provisions of the bidding law when attending this package.
7. The information in the bid is true.
8. Not being prosecuted for criminal liability.
9. The bidder has no personnel (signed a labor contract with the bidder at the time the personnel committed the violation) being convicted by the Court of violating bidding regulations causing serious consequences according to the provisions of criminal law for the purpose of allowing that bidder to win the bid within 3 years before bid closing time
10. In case of winning the bid, the Bid document, supplement or clarification documents of the Bid document constitute a binding agreement of responsibilities between the two parties until the contract is signed.

11. If our Bid document is accepted, we shall submit the Performance Guarantee for contract implementation as stipulated in Article 43 of Chapter I. Instruction to Bidders.

This Technical Proposal and the Financial Proposal is valid within.....<sup>(3)</sup> days, from .....(hour).....(date) <sup>(4)</sup>.

**Legitimate Representative of Bidder<sup>(5)</sup>**

*[Name, title, signature and seal <sup>(6)</sup>]*

**Note:**

(1) The Bid Submission Form must be completely and accurately fulfilled with the information about the name of PE, the bidder, the procurement package's name and the project name.

The bid submission form must be signed and sealed by the bidder's legal representative (if any), the validity period of the bid must meet the requirements of the Bidding document, and the time for signing the bid form must be consistent with the starting time of the bidders selection as stipulated in Article 1, Chapter III - Criteria for evaluation of bids.

(2) In case the Investor detects that the bidder violates these commitments, the Bid document shall be rejected and the bidder shall be handled for violations according to regulations.

(3) The validity period of the bid is calculated from the date of the bid closing date to the final validity date as stipulated in the Bidding document. From the bid closing date to the end of 24 hours of the date of bid closing date is one (1) day.

(4) Write the bid closing date as stipulated in the Article 22.1 of BDS.

(5) In case legitimate representative of bidder authorizes the junior to sign application for bid participation, it must be attached with Power of Attorney according to Form 02 in this Chapter. If company's charter or other related documents defines assistant's responsibility to sign application for bid participation, it must be attached these documents (it is unnecessary to do Power of Attorney according to Form 02 in this Chapter). In case the bidder is JVA, the bid submission form must be signed by the legal representatives of each JV's members, except the JVA's document on Form 03 in this Chapter stipulated that all members of JVA agree the Leader to sign the bid application. In case each member of the JVA are authorized, they are considered as an independent bidder.

In case foreign bidder does not have a seal, it must provide a confirmation of authorized organization that signature in the Bid submission form and other documents in the Bid document is from the legitimate representative of bidder.

**Form 03**

**JOINT-VENTURE AGREEMENT<sup>(1)</sup>**

\_\_\_\_\_, date \_\_\_\_ month \_\_\_\_ year \_\_\_\_

Bidding package: \_\_\_\_\_ *[name of procurement package]*

Project: \_\_\_\_\_ *[name of project]*

- Pursuant to<sup>(2)</sup> \_\_\_\_\_ *[Law on procurement No 22/2023/QH15 dated 23/06/2023 of National Assembly];*

- Pursuant to<sup>(2)</sup> \_\_\_\_\_ *[Decree No 24/2024/NĐ-CP dated 27/02/2024 of the Government on the guidelines of Law on Bidding implementation of bidder selection];*

- Pursuant to BD of the package named \_\_\_\_\_ *[name of package]* dated *[date written on the BD]* \_\_\_\_\_;

We, representatives of the contracting parties, including:

**Name of first joint-venture members** *[name of first joint-venture member]*

Tax code: \_\_\_\_\_

Representative: \_\_\_\_\_

Position: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_

Letter of authorization No: \_\_\_\_\_ date \_\_\_\_\_ month \_\_\_\_\_ year \_\_\_\_\_ *(in case of authorization)*.

**Name of second joint-venture members** *[name of second joint-venture member]*

Tax code: \_\_\_\_\_

Representative: \_\_\_\_\_

Position: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_

Letter of authorization No: \_\_\_\_\_ date \_\_\_\_\_ month \_\_\_\_\_ year \_\_\_\_\_ *(in case of authorization)*.

**Name of the "n" joint-venture members** *[name of "n" joint-venture member]*

Tax code: \_\_\_\_\_

Representative: \_\_\_\_\_

Position: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_

Letter of authorization No: \_\_\_\_\_ date \_\_\_\_\_ month \_\_\_\_\_ year \_\_\_\_\_ *(in case of authorization)*.

The parties (hereinafter referred to as member) have agreed to sign the joint-venture agreement with the following contents:

### **Article 1. General principles**

1. Members establish the joint-venture voluntarily to take part in the package *[name of package]* of the project/procurement estimate \_\_\_\_ *[Insert name of procurement estimate]*.

2. Members agree to the name of the joint-venture for any transaction relating to this package as: *[name of the joint-venture as agreed]*.

3. Members commit that no member is allowed to take an independent or joint-venture participation on their own initiative with other members to take part in this package. In case of bid awarded, no member has the right to refuse to implement responsibilities and obligations as specified in the Contract. In case members of the joint-venture refuse to fulfil their own responsibility as agreed, the following handling form will be applied for such member:

- *Compensating damages for parties in the joint-venture;*

- *Compensating damages for the Investment Owner as regulated in the Contract*
- *Other handling forms [specified].*

## **Article 2. Allocation of responsibilities**

Members agree to allocate responsibilities to execute the package *[name of package]* of the procurement estimate *[name of procurement estimate]* for each member as follows:

### **1. Name of the joint-venture leader**

Parties agree to authorize *[name of one party]* to act as the joint-venture leader, representing the joint-venture to implement the following works <sup>(3)</sup>:

*[- To sign in the Bid submission form belong to the Technical Proposal or the Financial Proposal;*

*- To sign in documents to exchange with Investor during the bid participation, including the BD clarification, interpretation and clarification of bidding document; the request document of withdraw bids;*

*- To provide bid guarantee for some members of the joint venture or for the whole joint venture;*

*- To participate in the comparison document and contract negotiation (if any), finalization process;*

*- To sign in application for proposal in case bidders have proposal;*

*- To implement other works except for contract signing \_\_\_\_\_ [specify content of other works (if any)].*

### **2. Members in the joint-venture agree to assign jobs as the following table<sup>(3)</sup>:**

No.	Name	Content of items	Rate/total bid price
1	Name of the joint-venture leader	- ____ - ____	- ____% - ____%
2	Name of second member	- ____ - ____	- ____% - ____%
....	....	....	.....
<b>Total</b>		<b>Total items of the bidding package</b>	<b>100%</b>

## **Article 3. Validity of joint-venture agreement**

1. Joint-venture agreement is valid from signing date.

2. Validity of joint-venture agreement will be terminated in the following cases:

- Parties fulfil their responsibilities, obligations and perform the contract termination;

- Parties agree to terminate;

- The joint-venture bidders are not awarded the contract;

- Cancelling the bidding of package \_\_\_\_\_ *[name of package]* of the project/procurement estimate \_\_\_\_\_ *[name of procurement estimate]* according to the notice of the Investor, Procuring Entity.

The Joint-venture agreement is made with the consent of all members.

**Legitimate Representative of Joint – venture leader***[Name, title, signature and seal]***Legitimate Representative of Joint – venture members***[Name of each member, title, signature and seal]*Notes:

(1) If the procurement is divided into independent lots, the Joint venture agreement shall specify names and numbers of lots in which the joint venture participates, and clarify common and private responsibilities of every joint venture member.

(2) Area of authorization includes one or multiple tasks above.

(3) The Bidder shall specify detailed tasks and estimate equivalent value of tasks performed by every joint venture member, common and private responsibilities of member, including the head member. The division of work in the joint venture must be based on work items stated in the bid price list of the goods specified in Forms 11 or according to the jobs in the production process of the items in the bid price list, jobs that do not belong to these categories are not divided.

**Form 12****BID SUBMISSION FORM <sup>(1)</sup>***(belong to The Financial Proposal)*

Date: *[date month year signed the application]*

Name of bidding package: *[following name in the BD]*

Name of project: *[write name of project]*

To: *\_\_\_[name of PE full and exactly]*

After carefully studying the Bidding Document, we:

Name of bidder:.....*[bidder name]*, are committed to implement the bidding package .... *[name of the procurement package]* Number of E- Invitation for Bids *\_\_\_[insert the number of Invitation for Bids]* as required in the Bidding document with the bid price (total amount) is: *\_\_\_[value in numbers, words and bidding currency]* enclosed with the Table of bid price.

In addition, we voluntarily reduce the bid price with a discount percentage is *\_\_\_[Insert the percentage (%) discount.]*.

The bid price after deducting the discount value is: *\_\_\_[insert value in numbers, words and bid currency]* (including all taxes, fees and charges (if any)).

Validity of Financial Proposal: *\_\_\_[Insert the number of effective days as prescribed in Article 17.1 of the BDS]*.

We commit to:

1. The information declared in the Bid is truthful.
2. If our Bid is accepted, we will take measures to secure contract performance as prescribed in Article 37 of ITB of the BD.

**Legitimate Representative of Bidder <sup>(6)</sup>**  
*[Name, title, signature and seal <sup>(7)</sup>]*

Note:

(1) The Bid Submission Form must be completely and accurately fulfilled with the information about the name of PE, the bidder, the procurement package's name and the project name. The bid submission form must be signed and sealed by the bidder's legal representative (if any), the validity period of the Financial Proposals must meet the requirements of the Bidding document, and the time for signing the bid form must be consistent with the starting time of the bidders selection as stipulated in Article 1, Chapter III - Criteria for evaluation of bids.

(2) In case legitimate representative of bidder authorizes the junior to sign application for bid participation, it must be attached with Power of Attorney according to Form 02 in this Chapter. If company's charter or other related documents defines assistant's responsibility to sign application for bid participation, it must be attached these documents (it is unnecessary to do Power of Attorney according to Form 02 in this Chapter). In case the bidder is JVA, the bid submission form must be signed by the legal representatives of each JV's members, except the JVA's document on Form 03 in this Chapter stipulated that all members of JVA agree the Leader to sign the bid application. In case each member of the JVA are authorized, they are considered as an independent bidder.

(3) In case foreign bidder does not have a seal, it must provide a confirmation of authorized organization that signature in the Bid submission form and other documents in the Bid document is from the legitimate representative of bidder.

(4) For domestic bidders: the offer bid price is the price to the project location stated in the BD.

(5) For foreign bidders: the offer bid price is the CIP price of Hai Phong seaport/Noi Bai airport, Vietnam, Incoterms 2020. At the same time, the bidder clearly stated in the bid form in the Financial Proposal the choice of payment by letter of credit (L/C) or the choice of payment by telegraphic transfer (T/T) to have a basis for calculating prices to convert costs to the same level when comparing financial proposals according to the provisions of Article 5. Detailed financial evaluation standards.

**7. Supplement the content in Section 2. Chapter III - Evaluation of criteria bids**

"In case the currency is stated in similar contracts or confirmation of payment by the Investor for performed in sales contracts of supply of goods or tax declarations or financial reports or relevant documents proving the bidder's capacity and experience other than the currency specified in the Table of criteria on capacity and experience in the Bidding Documents corresponding to each criterion, when preparing the Bid, the bidder must convert it to the corresponding currency stated in the BD as a basis for evaluating the Bid. The conversion is done as follows:


Time to determine the conversion rate: for annual revenue or information about the bidder's financial situation during the year, apply the conversion rate published on the last day of that year;

For the value of a similar contract, the exchange rate at the date of signing that similar contract applies.

- Basis for determining the selling exchange rate of Vietcombank.

- Intermediate currency: USD”

Other contents of the Bidding Documents approved in Decision 28/QD-NMI/HDTV dated February 28, 2024 of the Chairman of the Board of Members remain unchanged.

Regards, 

**Recipient:**

- As above;
- Archives PP (H.T.HUONG);
- Archives: Stored.

**CHAIRMAN OF THE BOARD OF MEMBERS**



**Nguyen Duc Cuong**