

October 7, 2015

Mr. Tran Ngoc Hung  
Director  
Central Project Office  
Ministry of Planning and Investment  
6B Hoang Dieu, Ba Dinh, Hanoi

Dear Mr. Hung:

***Subject: Updated Guidance Note on  
Publication of Procurement Information under World Bank Financed Projects***

In order to ensure consistent approach in implementing the Bank's requirements on the advertisement and publication of procurement information, and to make greater use of the country system for Bank financed procurement in Vietnam, in May 2013 the Bank issued to all the Implementing Agencies (IAs) of the Bank funded projects in the Vietnam ***a Guidance Note on Publication of Procurement Information***.

Recently we have conducted an assessment on impact of the above Guidance Note implementation over the last two years and received a lot of positive feedbacks from the IAs and bidder community such as simplified administrative procedures through the use of the Government's official procurement information channel (Vietnam Public Procurement Review (VPPR), or "Bao Dau Thau"), reduced cost of doing business, improved procurement transparency and competition, etc. The IAs and bidder community also made some recommendations to further enhance information openness, transparency, and procurement competition.

Based on our assessment results and given the newly issued procurement regulations of the Government<sup>1</sup> we would like to provide the IAs with the following updated guidance:

1. **Legal Basis**: The Bank's policies on publication of procurement information are set forth in the Bank's *Guidelines: Procurement of Goods, Works, and Non-consulting services under IBRD Loans and IDA Credits & Grants by World Bank Borrowers* (Procurement Guidelines) and *Guidelines: Selection and Employment of Consultants under IBRD Loans and IDA Credits & Grants by World Bank Borrowers* (Consultant Guidelines)<sup>2</sup>.

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<sup>1</sup> Law on Procurement dated November 26, 2013, Decree 63/2014/ND-CP dated June 26, 2014, and Inter-ministerial Circular 07/2015/TTLT-BKHDT-BTC dated September 8, 2015 (effective on November 1, 2015)

<sup>2</sup> In this Note, we refer to the Procurement and Consultant Guidelines dated January 2011 and revised July 2014. Nevertheless the Guiding Note is also relevant to the projects applying the previous versions of the Guidelines, unless otherwise specified.

2. **Purpose of this Guidance Note:** The information notification procedures of the Bank financed contracts are stipulated in the relevant provisions of the Bank's Guidelines<sup>3</sup>. While international publication should be done as required (via *UNDB online*), this Note provides more details to guide publication in the national press or website to ensure consistent and efficient implementation.
3. **General Requirements on Publication of Procurement Information**
  - The procurement notification shall be published with **full information** as required by the Bank in the national gazette, newspapers, technical or financial magazines of national circulation in Vietnam or on a widely-used website or electronic portal with free national and international access. The IAs should always provide such media agencies with full information and request them in writing to publish accordingly without any modifications.
  - **Publication in Vietnam Public Procurement Review (VPPR):** While there are several newspapers and media available in Vietnam satisfying the above requirements, we would like to clarify that VPPR ("Bao Dau Thau") of the Ministry of Planning and Investment meets the Bank's requirements for publication in local media and should be used, particularly considering its specialization in procurement area and cost effectiveness. Our assessment revealed that this newspaper is widely subscribed by contractors, suppliers, consulting firms and other agencies or individuals throughout the country.
  - **Publication on the National E-Procurement System** ([muasamcong.mpi.gov.vn](http://muasamcong.mpi.gov.vn)): In an attempt to promote the e-procurement implementation in Vietnam, the Government has developed the National E-Procurement System (NEPS). To date NEPS has been integrated with VPPR for publication of some specific procurement information, i.e. information posted on NEPS is also published on VPPR (in one issue) and vice versa. According to Circular 07/2015/TTLT-BKHĐT-BTC dated September 8, 2015, the IAs have options either to register and self-arrange the publication on NEPS or to send the request for information publication directly to VPPR. Both NEPS and VPPR enable IAs to publish procurement information in full text and in both Vietnamese and English languages. Furthermore, the system capacity of NEPS can accommodate uploading Bidding Documents together with notice advertisements. To make full use of those advantages, the Bank strongly encourage the IAs to register and use NEPS for publication of procurement information (including Procurement Plans and their updates, Procurement Notices, Award of Contracts). The publications of large value contracts would be encouraged to appear in more than one issue of VPPR. In such cases, the IAs, after completing the posting of information on NEPS, should send a request to the newspaper in writing.

In addition, the IAs are encouraged to have information published in other appropriate press and/or websites (e.g., websites of the related projects, the concerned executing ministries and/or provinces).
4. **Publication of Procurement Plans and their updates:** Although the Bank takes the responsibility for these publications on our external website (<http://documents.worldbank.org/curated/en/document-type>), the IAs are strongly encouraged to publish them on NEPS in the template and text agreed with the Bank. As

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<sup>3</sup> Para. 2.5, 2.31 & para. 7 of Appendix 1 of the Consultant Guidelines, and para. 2.7, 2.8, 2.60, 2.65 & para. 7 of Appendix 1 of the Procurement Guidelines.

specified in the Circular 07/2015/TTLT-BKHDT-BTC, Procurement Plans will only be published on NEPS, not in VPPR.

5. **Advertisement of Procurement Notices** including Request for Expression of Interest (REOI), Invitation to Prequalify (IFP), and Invitation to Bid (IFB): As specified in the Bank's Guidelines (para. 2.5 of the Consultant Guidelines, and para. 2.7 & 2.8 of the Procurement Guidelines), the IAs shall ensure the advertisement of notices in **full text** and **language(s)** acceptable to the Bank. While doing self-publication on NEPS, the IAs need to upload the full text of procurement notices. That information will be published by VPPR on their printed newspaper as mentioned in the above para. 3 (3<sup>rd</sup> bullet). To enhance openness, transparency, efficiency and competition we encourage the IAs to do the publications in both English and Vietnamese languages for ICB contracts and to attach the Bidding Documents (if available, in PDF format) for NCB contracts. The purchasing fee for the documents may be paid to IAs by bidders through bank transfer or at the time of bid submission. In addition, the IAs are encouraged to have notices advertised on other appropriate websites (e.g. websites of the related projects, the concerned executing ministries and/or provinces)/press and/or directly send the notifications to potential bidders/consultants.

6. **Publication of Award of Contracts**

The IAs shall publish the contract award notifications within two weeks of receiving the Bank's no objection to the award recommendation for contracts subject to the Bank's prior review, and within two weeks of the Borrower's award decision (or of successful negotiations with the selected firm in case of consulting services) for contracts subject to the Bank's post review. Publications shall include the information specified in the Bank's Guidelines (para. 7 of Appendix 1 of the Consultant Guidelines or the Procurement Guidelines), e.g., (i) the name of each bidder that submitted a bid; (ii) bid prices as read out at bid opening; (iii) evaluated prices of each bid that was evaluated; (iv) the names of bidders whose bids were either rejected as nonresponsive or not meeting qualification criteria, or not evaluated, with the reasons thereof; and (v) the name of the winning bidder, the final total contract price, the duration and summary scope of the contract. Again, the IAs are encouraged to publish such information on NEPS and the websites of the related projects, the concerned executing ministries and/or provinces. Once being posted on NEPS, the information will be published by VPPR on their printed newspaper as mentioned in the above para. 3 (3<sup>rd</sup> bullet).

We thank you for your attention and look forward to your cooperation. Should you have any questions, please do not hesitate to contact Ms. Nguyen Thi Thuy Nga at email: [nnguyen6@worldbank.org](mailto:nnguyen6@worldbank.org) and/or office phone: 04 39367325.

Sincerely,



Yuling Zhou  
Hanoi Procurement Hub Leader