

INVITATION FOR EXPRESSION OF INTEREST FOR⁽¹⁾

INVESTMENT PROJECT INVOLVING LAND USE

Dear interested investors

E-TBMQT (REOI) number: **PR2400038248**

Sở Kế hoạch và Đầu tư Thanh Hóa invites the expression of interest for E- HSDKTHDA Residential and resettlement area in Nam Ngan Ward, Thanh Hoa City with the following information:

1. Project name: Residential and resettlement area in Nam Ngan Ward, Thanh Hoa City
2. Investment objectives: Invest to complete the remaining project items under the detailed Construction Planning at scale 1/500 of the Residential and resettlement area project in Nam Ngan Ward, Thanh Hoa City, which has been approved; invest in the construction of new residential areas, synchronizing technical infrastructure, social infrastructure, housing and other works under the project, meeting the needs of the area's housing and land fund, contributing to beautifying the urban face, improving land use efficiency, increasing revenue for the state budget, and promoting local socio-economic development.
3. Project Scales: Invest in complete and synchronous technical infrastructure, social infrastructure, housing and other works according to the detailed Construction Planning at scale 1/500 of the project approved, including items:
 - + Invest in complete constructions of technical infrastructure: Completely build the technical infrastructure system according to the approved planning with a land area of about 11.32 hectares, including: ground leveling, trees, roads, parking lots, water supply, drainage, electricity supply, lighting, fire protection.
 - + Invest in construction and completion of social infrastructure works: Community houses (at land lots VH1, VH2, VH3); primary school (at lot TH3);
 - + Invest in construction and completion of social housing works at the social housing plot, arranging 310 social housing units.
 - + Invest in construction of rough part and completion of the facades of 377 housing works, including 366 townhouses at land lots CL-A, CL-B, CL-C, CL-D, CL-M, CL-L, CL -K (excluding 02 land lots CL-C:72 and CL-C:73 planned for resettlement) and 11 villas at land lot BT-A1, BTA2.
4. Preliminary estimated of total project implementation cost: 1.084.887.000.000 VND
5. Cost of compensation, support and resettlement: 42.926.000.000 VND
6. Investment period and progress: + Project operation term: 50 years (starting from the date on which the investor is granted the decision on land allocation, land lease decision, or decision on

change of land use purpose); Buyers of residential houses attached to land use rights are entitled to use stably the land in long term.

+ Project investment progress: Not more than 04 years (48 months from the date of approval of investor selection results or investor approval). (Please find attached files for more detail)

7. Project investment location: Nam Ngan Ward, Thanh Hoa City, Thanh Hoa
Phuong Dong Tho Province, Thanh pho Thanh Hoa, Tinh Thanh
Hoa

8. Land area: 11.32 hectares

9. Land use purpose: According to the decision on land allocation or land lease issued by the competent authority

10. Deadline for submission of registration applications for project implementation: 09:00
26/08/2024

11. Issued together with the approval decision: 3036/QĐ-UBND, Approval date: 19/07/2024

Approval: [QD 3036 UBND ngay 19 7 2024.pdf](#)

12. Contact information:

- Departments of Planning and investment of province Sở Kế hoạch và Đầu tư Thanh Hóa

- Address: 45 B, Dai lo Le Loi, Thanh Hoa City, Lam Son Ward, Thanh Hoa City, Thanh Hoa
Province

- Phone: 02373852366

- Fax:

- Other information of the project: Not applicable.

13. Potential investors, wishing to register their interests in the project must carry out the procedures to be granted an e-signature and submit the E-HSĐKTHDA on the System.

⁽¹⁾Invitation for expression of interest to submit online shall be posted within 07 days from the date of approval for preliminary requirements for the qualifications (for projects subject to approval for investment policies in accordance with the law on investment) or the list of projects (projects not subject to approval for investment policies in accordance with the law on investment).

**PRELIMINARY EVALUATION OF INVESTOR'S CAPACITY AND
EXPERIENCE TO IMPLEMENT THE INVESTMENT PROJECT
USING LAND**

E-TBMQT (REOI) Number: PR2400038248

Project name: Residential and resettlement area in Nam Ngan Ward, Thanh Hoa City

Siging date: 22/07/2024

Issued together with the approval decision: 3036/QĐ-UBND, Approval date: 19/07/2024

Approval: [QĐ 3036 UBND ngay 19 7 2024.pdf](#)

Chapter I

GUIDELINES FOR INVESTORS

Section 1. Contents for your interest.

1.1. Sở Kế hoạch và Đầu tư Thanh Hóa invites investors to submit registration applications for the project Khu dân cư, tái định cư phường Nam Ngạn, thành phố Thanh Hóa

1.2. Project information:

- Investment objectives: Invest to complete the remaining project items under the detailed Construction Planning at scale 1/500 of the Residential and resettlement area project in Nam Ngạn Ward, Thanh Hoa City, which has been approved; invest in the construction of new residential areas, synchronizing technical infrastructure, social infrastructure, housing and other works under the project, meeting the needs of the area's housing and land fund, contributing to beautifying the urban face, improving land use efficiency, increasing revenue for the state budget, and promoting local socio-economic development.

- Investment scale: Invest in complete and synchronous technical infrastructure, social infrastructure, housing and other works according to the detailed Construction Planning at scale 1/500 of the project approved, including items:

+ Invest in complete constructions of technical infrastructure: Completely build the technical infrastructure system according to the approved planning with a land area of about 11.32 hectares, including: ground leveling, trees, roads, parking lots, water supply, drainage, electricity supply, lighting, fire protection.

+ Invest in construction and completion of social infrastructure works: Community houses (at land lots VH1, VH2, VH3); primary school (at lot TH3);

+ Invest in construction and completion of social housing works at the social housing plot, arranging 310 social housing units.

+ Invest in construction of rough part and completion of the facades of 377 housing works, including 366 townhouses at land lots CL-A, CL-B, CL-C, CL-D, CL-M, CL-L, CL -K (excluding 02 land lots CL-C:72 and CL-C:73 planned for resettlement) and 11 villas at land lot BT-A1, BTA2.

- Preliminary estimate of total project implementation cost: 1.084.887.000.000 VND

- Cost of compensation, support and resettlement: 42.926.000.000 VND

- Summary of basic requirements of the project: The investors are responsible for synchronously investing in works according to the approved detailed planning of the project, which includes the items listed in the project scale section.

After completing the investment in technical and social infrastructure (community houses) of the

project, the investor shall hand over the works to the State for management and use according to regulations; at the same time, the investor shall hand over 02 land lots CL-C:72 and CL-C:73 to the State for resettlement arrangement according to regulations. As for the commercial housing, social housing and primary school, after the investment is completed, the investor is entitled to manage, do business, and exploit it in accordance with the law.

- Investment period and progress: + Project operation term: 50 years (starting from the date on which the investor is granted the decision on land allocation, land lease decision, or decision on change of land use purpose); Buyers of residential houses attached to land use rights are entitled to use stably the land in long

term.

+ Project investment progress: Not more than 04 years (48 months from the date of approval of investor selection results or investor approval). (Please find attached files for more detail)

- Project investment location: Nam Ngan Ward, Thanh Hoa City, Thanh Hoa
Phuong Dong Tho Province, Thanh pho Thanh Hoa, Tinh
Thanh Hoa

- Land area: 11.32 hectares

- Land use purpose: According to the decision on land allocation or land lease issued by the competent authority

- Approved planning criteria: According to the detailed construction planning at scale 1/500 approved by People's Committee of Thanh Hoa City in Decision No. 2446/QD-UBND dated March 24, 2017; No. 10497/QD-UBND dated December 07, 2018; No. 4908/QD-UBND dated July 09, 2020; No. 1683/QD-UBND dated February 11, 2022; No. 1951/QD-UBND dated March 02, 2022 with a total land area of about 11.32 hectares. (Please find attached files for more detail)

- Current status of the land area: Land for rice cultivation, land for annual crops, land for irrigation and traffic, residential land, public land managed by the Ward People's Committee, and cemetery land.

- Other information about the project: Not applicable.

- Deadline for submission of registration applications for project implementation: 09:00
26/08/2024

Section 2. Preliminary requirements on capacity and experience of investors (E-YCSBNLKN)

E-YCSBNLKN includes requirements on financial capacity and experience. The details shall be according to Chapter II – Preliminary evaluation on capability and experience of investors.

Section 3. Clarification of E-YCSBNLKN

3.1. In cases where the investors want to have E-YCSBNLKN clarified, a request for clarification

must be sent to the Sở Kế hoạch và Đầu tư Thanh Hóa by the investors in writing or via the National Electronic Procurement System (VNEPS) no later than 05 working days before the deadline for registration applications for project implementation submission for consideration and processing.

3.2. After receiving the request for clarification within the stipulated time, Sở Kế hoạch và Đầu tư Thanh Hóa will clarify and post the clarification on the VNEPS no later than 2 working days before the deadline for registration applications for project implementation submission, including the content of clarification request without any information of the investor. In cases where the clarification leads to the modification of preliminary requirements on capability and experience, Section 4 of this Chapter shall be applied.

Section 4. Modification of E-YCSBNLKN

4.1. In case where modifications in preliminary requirements on capability and experience are needed, Sở Kế hoạch và Đầu tư Thanh Hóa shall post the decision on modifications with the detail of modifications on the VNEPS no later than 10 working days before the deadline for registration applications.

4.2. In case the time of publishing modifications of E- YCSBNLKN does not meet the requirements in Section 4.1 of this Chapter, Sở Kế hoạch và Đầu tư Thanh Hóa shall accordingly extend the deadline to comply with the above regulations. The extension shall comply with the regulations of Section 6.3 of this Chapter.

Section 5. Language

E-HSĐKTHDA as well as all correspondence and documents exchanged between Sở Kế hoạch và Đầu tư Thanh Hóa and the investors related to the invitation for expression of interest shall be written in Vietnamese and English.

Section 6. Registration applications (E-HSĐKTHDA) and deadline for submission

6.1. E- HSĐKTHDA prepared by the investors must include forms and relevant documents as prescribed in chapter III - Forms.

6.2. The investors shall submit their E- HSĐKTHDA on the VNEPS before 9 o'clock, on 26th August 2024.

6.3. Sở Kế hoạch và Đầu tư Thanh Hóa may extend the deadline for submitting E-HSĐKTHDA in the following cases:

a) Modify the E-YCSBNLKN as prescribed in Section 4 of this Chapter. Upon extension, Sở Kế hoạch và Đầu tư Thanh Hóa shall post an announcement on the VNEPS;

b) Need to increase in the number of investors as prescribed at point b, Section 9.2 of this Chapter. Upon extension, Sở Kế hoạch và Đầu tư Thanh Hóa shall post an announcement on the VNEPS and send it to all investors who submitted their registration applications for project

implementation. The extension must comply with the decision of the Chairman of the People's Committee of Province. The investor who has satisfied the requirements does not need to resubmit the registration applications.

Section 7. Modification and replacement of E-HSĐKTHDA

7.1. After submission, the investors can modify, replace or withdraw E- HSĐKTHDA via the VNEPS before the deadline for submission of registration applications for project implementation.

7.2. After the deadline for submission of E- HSĐKTHDA, the investors may not withdraw E- HSĐKTHDA which have been submitted.

Section 8. Clarification of E-HSĐKTHDA, preliminary evaluation on capability and experience of investors

8.1. Clarification of E-HSĐKTHDA

The investors are responsible for:

- a) Clarification of their E-HSĐKTHDA at the request of Sở Kế hoạch và Đầu tư Thanh Hóa or;
- b) Self-clarify and supplement documents proving the legal status, capability and experience when the investors discovers that the registration applications for project implementation lacks information and documents on their capability and experience but have not yet submitted along with the registration applications for project implementation. All requests for clarification and correspondence of investors must be made on the VNEPS.

The investor's clarification is only approved in case it is sent through the system before the time of announcing the results of the preliminary evaluation of the investor's capacity and experience. In case of sending a written clarification after the time of notification of preliminary evaluation results of capacity, experience, clarification documents and attached information and documents (if any) will not be considered and evaluated.

8.2. Preliminary evaluation on capability and experience of investors.

The preliminary evaluation on capability and experience of investors shall be based on the preliminary requirements on capability and experience, registration applications for project implementation of investors and the documents clarifying the registration applications for project implementation (if any).

Section 9. Announcement of results of preliminary evaluation on capability and experience of investors

9.1. After assessing the preliminary evaluation on capability and experience of investors, Sở Kế hoạch và Đầu tư Thanh Hóa shall post a list of qualified investors on the VNEPS.

9.2. Based on the evaluation results, according to the provisions of Clause 3, Article 29 of Law on Investment and Clause 3, Article 29 of Decree No.31/2021/NĐ-CP, in case only one investor

qualifies the preliminary requirements on capability and experience, and based on the project implementation progress, investment attraction objectives and other specific conditions of the project, the Chairman of the People's Committee shall consider and decide under one of the following two options:

a) Option 1: Notify and guide the investors to submit the application for investor approval in accordance with the provisions of the investment law if the organizational process has ensured publicity, transparency, competition and the project requires an acceleration;

b) Option 2: Extend the deadline for project implementation registration so that other potential investors have the opportunity to access information and submit registration applications for project implementation to increase competition. The extended time is decided by the Chairman of the People's Committee. The investor who has met the requirements does not have to resubmit the registration applications for project implementation.

After the extension, based on the results of preliminary evaluation on capability and experience of investors, follow-up procedures shall comply with the corresponding provisions in Clauses 4, 5 and 6, Article 13 of Decree No.25/2020/NĐ-CP (as amended and supplemented in Clause 6, Article 108 of Decree No. 31/2021/NĐ-CP).

9.3. In case where there are at least two qualified investors, the selection of investors will be carried out in the form of open bidding as prescribed at Clause I and Clause 2, Article 10 of Decree No.25/2020/NĐ-CP and Clause 3 Article 108 of Decree No. 31/2021/NĐ-CP. Bidding documents are widely released to investors, including ones those are not on the list of qualified investors.

CHAPTER II

PRELIMINARY EVALUATION ON CAPABILITY AND EXPERIENCE OF INVESTORS

Section 1. Evaluation method

1.1. The preliminary evaluation of the investors' capacity and experience shall be applied to the pass and fail evaluation method. Investors are assessed as meeting the preliminary requirements on capacity and experience when all criteria are assessed as passing.

1.2. For joint venture investor:

a) The equity of the investor in the joint venture is equal to the total equity of the members of the joint venture. At the same time, each joint venture member must meet the requirements corresponding to the equity contribution according to the joint venture agreement if any member of the joint venture is assessed as non-conforming, the joint venture investor is assessed as not meeting the equity requirements.

The leading investor in the joint venture must have a minimum equity contribution ratio of 30%, each joint venture member must have a minimum equity contribution ratio of 15%.

b) The project implementation experience of the joint venture investor is equal to the total member of projects implemented by the joint venture members.

Section 2. Evaluation criteria

The evaluation of investors' capacity and experience is made according to Table No.01 below:

Table No.01

E-YCSBNLKN

No.	Content	Requirements
1	Financial capacity	Minimum equity investors must arrange ⁽¹⁾ : 226.000.000.000 VND
2	Experience in similar projects ⁽²⁾	<p>The number of projects in which the investors or a member of a joint venture or a co-implementation partner has participated as an equity investor or main contractor: 1 project(s).</p> <p>The project definition is as follows⁽³⁾:</p> <p>a) Type 1: Projects in the sector Urban areas; Commercial housing in which the investor has participated as an investor contributing equity, completed or completed most of the construction within 7 years prior to the year in which the</p>

		<p>deadline for submission of the application for the project implementation registration is met and the following conditions are fully satisfied:</p> <ul style="list-style-type: none"> - A minimum total investment of ⁽⁴⁾ 564.000.000.000 VND - The investor has contributed equity with a minimum value of ⁽⁵⁾ 113.000.000.000 VND <p>b) Type 2: Projects in the sector Urban areas; Commercial housing in which the investor has participated as the main construction contractor, completed or completed most of the construction within 5 years before the year in which the application for the project implementation registration is due, with a minimum value of ⁽⁶⁾ 296.000.000.000 VND</p> <p>c) Type 3: Projects in the sector Urban areas; Commercial housing in which the partner of the investor has participated as the main construction contractor, completed or completed most of the construction within 5 years before the year in which the application for the project implementation registration is due, with a minimum value of 296.000.000.000 VND</p>
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Note:

(1) The investor's equity is determined on the basis of financial performance in the investor's most recent annual financial statement audited by an independent audit agency and the financial statements between audited period as prescribed by laws (if any). In case the investor is a newly established organization during the year, the investor's equity is determined based on the financial statements audited by an independent audit agency for a period of time from the date of establishment until the time of bid closing or the audited interim financial statement at the latest time before the time of bid closing as prescribed by laws. In case the owner's representative, owner or parent company contributes equity, the owner's representative, owner or parent company must have a written commitment and financial statements evidencing sufficient capital to contribute according to the financial plan of the project.

In case at the same time the investor participates in many projects and other long-term financial investments (if any), the investor makes a portfolio of projects and other long-term financial investments, ensuring that the total equity of the investor is sufficient for the entire amount of equity that the investor commits to perform for all projects and other long-term financial

investments as prescribed.

At the time of signing the project contract, the investor responsible for submitting to the authorized state agency or the signing-contract authorized state agency a financial plan that ensure sufficient equity capital mobilization and documents evidencing the satisfaction of equity requirements as prescribed in the contract.

Investors must declare information and provide documents on financial capacity according to Form No.02 Chapter III-Forms.

(2) Investor experience:

(i) Projects and bidding packages implemented by the investor must satisfy the technical and quality requirements under the signed contract to be considered and evaluated.

(ii) For projects with large investment scale, where there is no investor with experience in implementing similar projects, the bid solicitor shall base on data on implemented projects, the possibility of investment divergence. investment of the project under consideration to determine the investor's experience requirements. In this case, the investor's experience requirements can be adjusted to be lower than the guidelines but must be consistent with market and project implementation requirements. During the review and evaluation process, it is necessary to ensure that the investor has sufficient financial and technical capacity to implement the project. The project implementation requirements in the bidding documents and contracts must ensure that the investor's responsibilities are fully specified and the handling measures (sanctions, compensation for damage, handling in the next stage) must be met in case the investor implementing the project fails to meet the requirements on progress and quality. The authorized state agency may stipulate that the contract performance security value is 3% of the total investment of the project.

(iii) Completed or completed most of the construction: The project or bidding package has been pre-accepted for work items or works or is in the operation stage or has been finished prescribed.

(3) Investors provide their experience according to Form No.03 Chapter III - Forms. Investors are only allowed to cite their experience in implementing a similar project once. In case of having a partner, there must be a cooperation agreement signed between the leading investor of the joint venture and the partner.

Method of converting projects: 01 project of type 2, 3 is equal to 0.5 project of type 1. In case the number of projects, after conversion, is not an integer, the rounding shall be as follows: the decimal part ≤ 0.5 , it is calculated as 0, the decimal part > 0.5 , it is calculated as 01 project.

(4) (5) (6) For projects that have not yet clearly determined the value of the total investment (or the value of construction and installation tasks) in the approval documents and project contracts, the investor must provide proving documents to determine this value.

Chapter III. APPLICATIONS

1. Form No.01: Investor and partner information
2. Form No. 02: Investor's financial performance
3. Form No. 03: Experience in similar projects
4. Form No. 04: Joint Venture Agreement

INVESTOR AND PARTNER INFORMATION

I. Investor information/members of the joint venture information ⁽¹⁾

1. Name of the investor/members of the joint venture:
2. Country where the investor registered their business⁽²⁾:
3. Year of establishment:
4. Legal address of the investor in the registered country:
- 5 Information about the legal representative(s) of the investor:
 - Name:
 - Address:
 - Phone/Fax:
 - Email:
6. Organizational chart of the investor [*Investors attach the file on the system*]

II. Partner information

No	Partner name ⁽²⁾	Country of operation registration	Role ⁽³⁾	Legal Representative	Contract or written agreement with partners ⁽⁴⁾
1					
2					
3					

Notes:

(1) In the case of a joint venture investor, each joint venture member must declare according to this Form. The investor/each joint venture member needs to submit a copy of one of the following documents: a certificate of business registration, establishment decision, or documents of equivalent value issued by the Authorized state agency of the country in which the investor is operating.

(2) The investor shall specify the names of the partners participating in the project implementation.

(3) The investor specifies the participating role of each partner.

(4) The investor shall specify the contract number or written agreement, enclosed with certified copies of those documents.

INVESTOR'S FINANCIAL PERFORMANCE ⁽¹⁾

1. Name of the investor/members of the joint venture:

2. Information about the financial capability of the investor/ members of the joint venture ⁽²⁾:

a) Summary of financial data ⁽³⁾:

No.	Content	Value
I	Committed equity capital for the project	
II	Data on investor's equity capital	
1	Total equity	
2	Litigation-related expenses (if any)	
3	Committed equity for projects in progress ⁽⁴⁾ (excluding equity disbursed for projects in progress) and other long-term investments (if any)	
4	Owner's equity retained according to the regulations	

b) Enclosed documents ⁽⁵⁾:

No	Requirement documents
1	The investor's financial statements for the latest year have been audited by an independent audit agency
2	The audited interim financial statements in accordance with law (if any)
3	The financial statements audited by an independent audit agency for the period from the time of establishment to before the time of bid closing (in case the investor is a newly established organization within the year)
4	Project portfolio and other long-term financial investments in case at the same time the investors participate in investing in many projects and other long-term financial investments (if any)

- The investor's financial statements for the latest year have been audited by an independent audit agency and the audited interim financial statements in accordance with law (if any).

In case the investor is a newly established organization during the year, the investor's equity is determined based on the financial statements audited by an independent audit agency for a period of time from the date of establishment until the time of bid closing or the audited interim financial

statement at the latest time before the time of bid closing as prescribed by laws. In case the owner's representative, owner or parent company contributes equity, the owner's representative, owner or parent company must have a written commitment and financial statements evidencing sufficient capital to contribute according to the financial plan of the project.

The reports provided by the investors must comply with all applicable regulations on finance and accounting; unveil financial performance of the investor or the joint venture member itself (in case two or more parties constitute the joint venture), but financial status of an affiliated entity like the parent company, a subsidiary or an affiliated company who affiliates with the investor or with the joint venture member.

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

Note:

(1) In case of the joint venture, each of member of the venture must fill out this Form.

(2) The investor must take full responsibility before the laws for accuracy and legality of the provided data and documents about the owner equity, allocation of the equity to the projects and the long-term investments in progress.

(3) As per requirements about capacity, experiences in the announcement, the investor provides appropriate information.

(4) In case the investor simultaneously involves in many projects and long-term investments (if any), the investor must submit list of the projects and the long-term investments and guarantee for its total sufficient capital for all the projects and investments.

(5) As per requirements about capacity, experiences in the announcement, the investor should submit more obligatory documents to demonstrate its financial performance (such as tax finalization inspection document, self tax finalization, proofs of online tax finalization, certification by tax authorities; etc.)

EXPERIENCE IN SIMILAR PROJECTS⁽¹⁾

[Investor lists experience in implementing similar projects as required]

1. Project No. 1: _____ *[enter project name]*

Name of the investor/ name of the joint venture member who jointly implements the project:	
1	Contract No/ Decision on investment policy/ Decision on approval of project investment policy/ Decision on approval of investment policy and decision on approval of investor.: Date of signing:
2	Name of the project/bidding package:
3	Investment sector of the project
4	Role in the project: <input type="checkbox"/> Independent contractor <input type="checkbox"/> Joint venture member <input type="checkbox"/> Main construction contractor
5	Name of authorized state agency/representative of authorize state authority (in case of the project); project owner/representative of the project owner (in case of bidding package) Address: Name of contact person: Telephone: Fax: Email:
6	Detail information
6.1	In case of participating in the project as an investor
	Project implementation progress and performance ⁽²⁾ : <input type="checkbox"/> in stage of ongoing construction; acceptance of partial completion <input type="checkbox"/> in stage of final completion or acceptance all parts of the construction job, infrastructure <input type="checkbox"/> in stage of operation <input type="checkbox"/> Finish
	Total investment:

	Capital contribution ratio (in case of the joint venture):
	Equity raised:
	Brief description of the similarities between the implemented project with the project in the process of investor selection:
	- Brief description of the work performed: - Value of work part(s) performed: (Value and currency) equivalent to ... VND
	- Brief description of the remaining work to be performed: - Value of the remaining work part(s) to be performed: (Value and currency) equivalent to ... VND
	History of disputes and litigation:
	Brief description of special technical/operational requirements:
6.2	In case of participating in the project as a contractor:
	Scope of implemented work:
	Value of implemented work:
	Progress and performance ⁽³⁾ :
	History of disputes and litigation:
	Brief description of special technical requirements:

2. Project No. 2: _____ [*enter project name*]

Note:

(1) The Department of Planning and Investment and the Economic Zone Management Board may amend and supplement the information required in this Form to suit the preliminary requirements of the investor's experience.

(2), (3) The investor must provide documents proving the declared information and the progress and quality of the contract performance such as notarized copies of the contract, acceptance test, contract liquidation, verification of the authorize state authority (in case of the project); project owner/representative of the project owner (in case of bidding package), etc.

JOINT VENTURE AGREEMENT

Date: ___ *[automatically filled in by the System]*

Pursuant to ___ *[legal basis]*

Pursuant to ___ *[legal basis]*

Pursuant to E-TBMQT (REOI) of project: ___ *[automatically filled in by the System]* with E-TBMQT (REOI) number: ___ *[automatically filled in by the System]*

We, representatives of the joint venture parties, are:

Name of the first joint venture member: _____ *[name of each joint venture member automatically filled in by the System]*

- Country where the joint venture member registered its business:

- Tax code: *[automatically filled in by the System]*

- Address:

- Telephone:

- Fax:

- Email:

- Legal representative:

- Title:

Name of the second joint venture member: _____ *[name of each joint venture member automatically filled in by the System]*

- Country where the joint venture member registered its business:

- Tax code: *[automatically filled in by the System]*

- Address:

- Telephone:

- Fax:

- Email:

- Legal representative:

- Title:

.....

Name of the fifth joint venture member: _____ *[name of each joint venture member automatically filled in by the System]*

- Country where the joint venture member registered its business:

- Tax code: *[automatically filled in by the System]*

- Address:

- Telephone:
- Fax:
- Email:
- Legal representative:
- Title:

The parties (hereafter called the members) hereto mutually agree to sign the joint venture with the terms and conditions hereunder set forth:

Article 1. General principles

1. The members hereto voluntarily constitute the joint venture for the investor selection of the project _____ [*name of the project automatically filled in by the System*].
2. The members agree to name the joint venture as: _____ [*name of the joint venture*], which will be used in all transactions related to the project.

Contact address of the joint venture:

Telephone:

Fax:

Email:

Representative of the joint venture:

3. The members commit that no member can voluntarily participate independently or in partnership with other investors to participate in the selection of project investors.

Article 2. Task assignment

The members hereto agree to assign responsibilities to perform tasks during the Invitation for Expression of Interest for project _____ [*The system automatically extracts the name of the project*] as follows:

1. The parties mutually agree that _____ [*name of a member*] as the head member of the joint venture, representing the joint venture to perform following tasks:

- Use account and e-signature to submit E-HSĐKTHDA on behalf the joint venture.

[The head member of the joint venture is eligible to perform task(s) set forth on behalf of the joint venture:

- *Sign applications, documents to transact with the procuring entity during the prequalification stage, request for clarification and explaining about E-HSĐKTHDA;*
- *Sign applications, documents to transact with the organization in charge of developing the project, agencies and other organizations in charge of receiving the PPP project implementation proposals during the investor selection, including request explanation and accountability about the E-HSĐKTHDA.*
- *Sign documents about the investor selection (if any);*

- Other tasks, except signing the contract (provide detail information about the tasks, if any)].

2. Role, responsibilities of the joint venture members ⁽¹⁾:

No	Name of the member	Role <i>[provide information about tasks that the member undertakes (finance, construction, management, operation...)]</i>	Owner equity	
			Value	Percentage %
1	Member No. 1 <i>[the head member of the joint venture]</i>			<i>[minimum 30%]</i>
2	Member No. 2			<i>[minimum 15%]</i>
3	Member No. 3			<i>[minimum 15%]</i>
....				
Total			100%

Article 3. Validity of the Joint Venture Agreement

1. The Agreement takes effect from the date of signing.

2. The Agreement shall be terminated upon following cases:

- The parties agree to the termination of the Agreement;
- There is a change in membership of the joint venture. In this case, if the procuring entity accept the change, all the parties must establish the new joint venture;
- The joint venture doesn't satisfy the criteria in the E-YCSBNLKN.

The Agreement is formed upon acceptance of all the parties.

LEGAL REPRESENTATIVE OF THE HEAD MEMBER OF THE JOINT VENTURE

[authentication, e-signature]

LEGAL REPRESENTATIVE OF THE JOINT VENTURE MEMBER

[authentication, e-signature]

Notes:

(1) The investor must specify role and equity contribution percentage of each joint venture member.