

PEOPLE'S COMMITTEE OF QUANG NGAI PROVINCE  
DEPARTMENT OF PLANNING AND INVESTMENT

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**PRELIMINARY REQUIREMENTS ON  
CAPACITY AND EXPERIENCE OF INVESTORS  
REGISTERING TO IMPLEMENT INVESTMENT PROJECT  
WITH LAND USE**

**Project name: NAM TRUONG CHINH NEW URBAN AREA**

*(Promulgated under the Decision No.: 847/QD-UBND dated 03 August 2022  
by People's Committee of Quang Ngai province)*

*Quang Ngai, September 2022*

## Chapter I

### GUIDELINES TO INVESTORS

#### Section 1. Contents of invitation

1. Department of Planning and Investment of Quang Ngai province invites interested investors to apply for implementation registration of Nam Truong Chinh new urban area.

#### 2. Project information

##### 2.1. Investment objective of the project:

Building a civilized, modern and synchronous new urban area in terms of technical and social infrastructure closely linked with the surrounding landscape, in line with the planning orientation of Quang Ngai city, Tu Nghia district and meeting the demand of housing, entertainment of people.

2.2. Investment scale of the project: Invest in an urban area with an area of 438,206 m<sup>2</sup>.

In which:

- Residential land and houses:

+ Land for construction of commercial houses: 58,147.42 m<sup>2</sup>, with 345 houses (4 - 5 floors) located on the main road; in which, townhouses: 44,357.1 m<sup>2</sup> with 300 houses; villas: 13,790.3 m<sup>2</sup> with 45 apartments.

+ Adjacent residential land for sale: 52,547.38 m<sup>2</sup>, with 501 lots.

+ Villas residential land for sale: 20,231.95 m<sup>2</sup> with 66 lots.

+ Land for social housing: 25,117.85 m<sup>2</sup> with 181 lots.

+ Land for resettlement: 7,661.18 m<sup>2</sup>

- Land for commercial service: 9,976.33 m<sup>2</sup>.

- Public land: 216.2 m<sup>2</sup>

- Land for health, education: 9,685.14 m<sup>2</sup>

- Land for construction of other technical and social infrastructure works: 254,622.55 m<sup>2</sup>.

Construction plan: The investor who is chosen to implement the project shall organizes the project construction plan by himself. For land for commercial service - public works, land for education, medical stations, social housing; other technical and social infrastructure works: After the project is completed, accepted and put into use, the investor shall hand the infrastructure over to the local government for management.

2.3. Preliminary cost of project implementation (*excluding the cost of compensation, support for resettlement, site clearance*): 1,539,437 million VND (In words: One thousand, five hundred thirty-nine billion, four hundred and thirty-seven million dong) .

2.4. Preliminary cost of compensation, support for resettlement and site clearance: 276,229 million VND (*In words: Two hundred seven-six billion, two hundred twenty-nine million dong*).

2.5. Summary of the basic requirements of the project:

Total area: 438,206 m<sup>2</sup>, planned to invest in items:

a) Residential land: Area: around 163.705.78 m<sup>2</sup>, accounting 37.36, including:

+ Land for construction of commercial houses: 58,147.42 m<sup>2</sup>, with 345 houses (4 - 5 floors) located on the main road; in which, townhouses: 44,357.1 m<sup>2</sup> with 300 houses; villas: 13,790.3 m<sup>2</sup> with 45 apartments.

+ Adjacent residential land for sale: 52,547.38 m<sup>2</sup>, with 501 lots.

+ Villas residential land for sale: 20,231.95 m<sup>2</sup> with 66 lots.

+ Land for social housing: 25,117.85 m<sup>2</sup> with 181 lots.

+ Land for resettlement: 7,661.18 m<sup>2</sup>

b) Land for construction of commercial, public service: 9,976.33 m<sup>2</sup>, accounting 2.27% of the area.

c) Land for education, health: 9,685.14 m<sup>2</sup>; accounting 2.21% of the area.

d) Land for green trees, water surface: 95,702.18 m<sup>2</sup>, accounting 21.84% of the area. In which, land for green trees and sports is 8,066.33 m<sup>2</sup>.

e) Land for technical infrastructure: 755.33 m<sup>2</sup>, accounting 0.17% of the area.

f) Land for traffice, car parking: 158,164.64 m<sup>2</sup>; accounting 36.09% of the area.

2.6. Investment duration and progress:

a. The project duration : 49 years from the date of the decision on land allocation or land lease.

b. Project implementation progress: 06 years (from the date the investor is chosen according to regulations).

2.7. Project implementation location: Nghia Lo ward, Quang Ngai city and Nghia Dien commune, Tu Nghia district, Quang Ngai province.

2.8. Land area: Approximately 438,206 m<sup>2</sup>

## 2.9. Land use purpose:

The investor constructs synchronous and complete the technical infrastructure system of the project as the planning approved by competent authority. The business products of project include the commercial land fund and townhouses created by the project. The investors do business through the transfer of land use right for lots and assets associated to land (townhouses, villas).

## 2.10. Current status of the land:

Total area for implementing the project: around 43.8206 ha.

No.	Item	Unit	Area	Ratio
<b>I</b>	<b>Project Boundaries</b>	<b>m2</b>	<b>438,206</b>	<b>100.00%</b>
1	Current status of land	m2	51,350	11.72%
2	Agricultural land	m2	78,660	17.95%
3	Crop land	m2	263,000	60.02%
4	Graveyard land	m2	4,600	1.05%
5	Water surface (dredging mud)	m2	6,970	1.59%
6	Land for perennial crops	m2	2,884	0.66%
7	Roads	m2	6,589	1.50%
8	Asphalt road	m2	5,754	1.31%
9	Cement concrete road	m2	1,475	0.34%
10	Current status of taluy land	m2	16,924	3.86%

2.11. Deadline for applying for project implementation registration: Before 16h00 on 18 November 2022.

## **Section 2. Preliminary requirements on capacity and experience of investors**

Preliminary requirements on capacity and experience of investors include requirements on financial capacity and experience. The detailed contents according to Chapter II - Preliminary requirements on capacity and experience of investors.

## **Section 3. Clarification of preliminary requirements on capacity and experience of investors**

3.1. In case the investor wants to have the preliminary requirements clarified on capacity and experience, the investor must send a request for clarification to Quang Ngai provincial Department of Planning and Investment in letter or through the National Bidding Network System before the deadline for applying for project

implementation registration at least 05 working days for consideration and handling.

3.2. After receiving the letter request for clarification within the prescribed time limit, Quang Ngai provincial Department of Planning and Investment shall clarify and post it on National Bidding Network System within at least 02 working days before the deadline for applying for project implementation registration, which describes the contents requested for clarification but does not name the investor requesting clarification. In case the clarification leads to modification of the preliminary requirements on capacity and experience, the provisions of Section 4 of this Part shall be followed.

#### **Section 4. Amendment of preliminary requirements on capacity and experience of investors**

4.1. In case of amendment of preliminary requirements on capacity and experience, Quang Ngai Department of Planning and Investment shall post it on National Bidding Network System and decide to amend it together with the revised contents before the deadline for applying for project implementation at least 10 days.

4.2. In case the time for notification of modification of preliminary requirements on capacity and experience does not meet the requirements in Section 4.1 of this Chapter, Quang Ngai Department of Planning and Investment shall extend the time for submitting the application for project implementation registration corresponding to the above provisions. The extension shall comply with the provisions of Section 6.3 of this Chapter.

#### **Section 5. Language**

The project implementation registration dossier and all letters and documents exchanged between Quang Ngai Department of Planning and Investment and Investors related to the invitation for interest must be written in the English or Vietnamese and English.

#### **Section 6. Project registration dossier and deadline for submission**

6.1 The project registration dossier prepared by the investors must include the forms and relevant documents as prescribed in Chapter III - Forms.

6.2. The investors apply for project implementation registration on the National Bidding Network System before 16h00 on 18 November 2022.

6.3. Quang Ngai provincial Department of Planning and Investment may extend the deadline for applying for project implementation registration in the following cases:

a) Modification preliminary requirements on investor capacity and experience as prescribed in Section 4 of this Chapter. When extending, the

Department of Planning and Investment will announce it on the National Bidding Network System.

b) It is necessary to increase the number of investors as prescribed at point b, Section 9.2 of this Chapter. When extending, Quang Ngai Department of Planning and Investment sends a notice to all investors who have applied for project implementation registration and announced it on the National Procurement Network. The extension time will comply with the decision of the Chairman of the People's Committee of Quang Ngai province. Investors who meet the requirements do not have to apply for project implementation registration again.

### **Section 7. Modification, replacement, withdrawal of application for registration of project implementation**

7.1. After submitting, investors can amend, replace or withdraw project implementation registration documents on the National Procurement Network before the deadline for applying for project implementation registration.

7.2. After the deadline for applying for project implementation registration, investors may not withdraw the submitted project implementation registration dossiers.

### **Section 8. Clarifying the application for project implementation, preliminary evaluation of the investor's capacity and experience**

#### 8.1 Clarification of project implementation registration documents

Investors are responsible for clarifying the application for registration of project implementation at the request of the Quang Ngai Department of Planning and Investment or by themselves clarifying and supplementing documents proving legal status, capacity and experience when the investors find that the project implementation registration dossier lacks information and documents on its capacity and experience, but they has not yet been supplied together with the project implementation registration dossier. All requests for clarifications and written clarifications from investors are carried out on the National Bidding Network System.

#### 8.2. Preliminary evaluation of investor's capacity and experience

The preliminary evaluation of the investor's capacity and experience shall be based on the preliminary requirements of the investor's capacity and experience, the investor's application for project implementation and the documents clarifying the registration dossier project (if any).

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

9.1. After having preliminary assessment results on the capacity and experience of investors, the Quang Ngai Department of Planning and Investment

will post a list of investors meeting the requirements on the National Bidding Network System.

9.2. Based on the evaluation results, according to the provisions of Clause 3, Article 29 of the Law on Investment and Clause 3, Article 29 of Decree No. 31/2021/ND-CP, in case only one investor meets the preliminary requirements on energy capacity, experience, based on the project implementation progress, investment attraction goals as well as other specific conditions of the project, the Department of Planning and Investment reports to the Chairman of the People's Committee of Quang Ngai province consider and decide to implement one of the following two options:

a) Option 1: Notify and guide investors to submit their application for investor approval in accordance with the law on investment if the organizational process has ensured publicity, transparency, competition and projects that require speeding up;

b) Option 2: Extend the project implementation registration time so that other potential investors have the opportunity to access information and submit project implementation registration documents in order to increase competitiveness. The extension time is decided by the Chairman of the People's Committee of Quang Ngai province. Investors who have met the requirements do not have to apply the application for project implementation registration.

After the extension, based on the results of preliminary assessment of capacity and experience, the next procedures shall comply with the corresponding provisions in Clauses 4, 5 and 6, Article 13 of Decree No. 25/2020/ND-CP (amended and supplemented in Clause 6, Article 108 of Decree No. 31/2021/ND-CP).

9.3. In case there are two or more qualified investors, the investor selection will be carried out in the form of open bidding as prescribed in Clauses 1 and 2, Article 10 of Decree No. 25/2020/ND-CP and Clause 3, Article 108 of Decree No. 31/2021/ND-CP. Bidding documents are widely distributed to investors, including investors outside the list of investors who meet the preliminary requirements on capacity and experience.

## Chapter II

### PRELIMINARY EVALUATION OF CAPACITY AND EXPERIENCE OF INVESTORS

#### Section 1. Evaluation methods

1.1. The preliminary evaluation of investor's capacity and experience is carried out according to the "Pass" or "Fail" assessment method. Investors are evaluated as meeting the preliminary requirements on capacity and experience when all criteria are assessed as satisfactory.

1.2. For joint venture investors:

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

The leading investor in the partnership 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 consortium investor is equal to the total number of projects implemented by the consortium members.

#### Section 2. Evaluation criteria

The assessment of the investor's capacity and experience is made according to Table No. 01 below:

**Table No. 01**

#### PRELIMINARY REQUIREMENTS ON CAPACITY AND EXPERIENCE OF INVESTORS

No.	Contents	Requirements
1	Financial capacity	The minimum equity that investors must arrange <sup>(1)</sup> : <b>275,000 million VND</b> ( <i>In words: Two hundred seventy-five billion dong</i> )
2	Experience in similar projects <sup>(2)</sup>	Number of projects that the investors joint-venture members or partners have participated in the role of investor contributing equity or main contractor: 01 project. The way to define the project is as follows <sup>(3)</sup> : - Type 1: Projects in the field of investment in <i>construction of urban areas, residential areas or construction of civil works with one or more functions, including: houses (except for separate houses);</i>



		<p><i>headquarters, working offices; commercial and service works</i> in which the investor participates as an investor contributing equity, which have been completed or completed mostly within the last 7 years (from 2015 till now) and meets the requirements of the following conditions:</p> <ul style="list-style-type: none"> <li>+ The minimum total investment of <sup>(4)</sup> <b>910 billion VND</b> (<i>In words: Nine hundred ten billion dong</i>).</li> <li>+ The investor has contributed equity with a minimum value of <sup>(5)</sup>: <b>137 billion VND</b> (<i>In words: One hundred thirty-seven billion dong</i>).</li> <li>- Type 2: Projects in the field of <i>construction of urban areas, residential areas or construction of civil works with one or more functions, including: houses (except for separate houses); headquarters, working office; commercial works, services</i> that the investor has participated in as the main construction and installation contractor, have been completed or completed mostly within the last 5 years (from 2017 till now) and the minimum value is <sup>(6)</sup> : <b>462 billion VND</b> (<i>In words: Four hundred sixty-two billion dong</i>).</li> </ul> <p>c) Type 3: Projects in the field of construction investment of urban areas, residential areas, construction of civil works with one or more functions, including: houses (except for separate houses); headquarters, working offices; commercial and service works that have been completed or completed mostly within the last 5 years (from 2017 till now) of the partners participating as the main construction and installation contractor has the minimum value of <b>462 billion VND</b> (<i>In words: Four hundred sixty-two billion dong</i>).</p> <p><i>For the case of using similar works as civil works for all 3 types of projects: type 1, type 2, and type 3 mentioned above, the contract or evidencing document must show that there is the construction investment in major technical infrastructure works of urban areas and residential areas.</i></p>
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**Note:**

(1) The investor's equity is determined on the basis of the investor's financial data in the investor's latest year's financial statement audited by an independent audit agency and the financial statements. the interim period in accordance with the

audited 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 the period from the date of registration of the investor. established up to the time of bid closing or the audited interim financial statement at the latest time before the time of bid closing as prescribed by law. 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. owners to contribute capital according to the project's financial plan.

In case at the same time the investor participates in investing in many projects and other long-term financial investments, the investor makes a portfolio of projects and other long-term financial investments, to ensure that the investor's total equity 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 is responsible for submitting to the competent state agency a plan to ensure adequate mobilization of equity capital and documents proving the satisfaction of equity requirements. ownership as specified in the project contract.

Investors must themselves declare information and provide documents on financial capacity according to Form 02 Chapter III - Forms.

(2) Investor's experience:

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

(ii) For projects with large investment scale, there is no investor with experience in implementing similar projects, the bid solicitor shall base on data on implemented projects, investment divergence ability 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 guideline but must be consistent with the reality as well as the project implementation requirements. During the review and evaluation process, it is necessary to ensure that the investor has full 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) in case the investor implementing the project does not meet the requirements on progress and quality. The competent authority may stipulate that the contract performance value is 3% of the total investment of the project.

(iii) Completed or mostly completed: The project, bidding package have been accepted for work items, works or under the operation stage or completion as prescribed.

(3) The investors provide their experience under the Form 03 Chapter III –

Forms. Investors are only allowed to quote their experience in implementing a similar project once. In case of using a partnership, there must be a cooperation agreement signed between the investor leading the joint venture and the partner.

The way to convert projects: 01 project of type 2 or type 3 is equal to 0.5 project of type 1 (In this case, it means that every 02 projects of type 2 or type 3 will be converted into 01 project of type 1).

(4) (5) (6) For projects that have not yet clearly determined the total investment value in the approval documents and project contracts, the investors must provide supporting documents to determine the investment value.

## **Chapter III**

### **FORMS**

1. Form 01: Information of Investors
2. Form 02: Financial Capacity of Investors
3. Form 03: Experience in Implementing Similar Projects
4. Form 04: Joint Venture Agreement

**INFORMATION OF INVESTORS AND PARTNERS**

(Location)\_\_\_\_, date\_\_\_\_ month\_\_\_\_ year\_\_\_\_

**I. Information of Investors/ Joint Venture Members <sup>(1)</sup>**

1. Name of Investors/ Joint Venture (JV) Members:
2. Operation registration country of the Investor/ JV member's:
3. Established year:
4. Legal address of the Investor/ JV member in the country of registration:
5. Information of the legal representative of the Investor/ JV member:
  - Name:
  - Address:
  - Tel./fax:
  - Email address:
6. Expected ratio of capital in the joint venture:

**II. Information of Partners**

<b>No.</b>	<b>Partners<sup>(2)</sup></b>	<b>Country of operation registration</b>	<b>Role <sup>(3)</sup></b>	<b>Legal representative</b>	<b>Contract or agreement with partners <sup>(4)</sup></b>
1	<i>Firm 1</i>		<i>[Financial]</i>		
2	<i>Firm 2</i>		<i>[Construction]</i>		
3	<i>Firm 3</i>		<i>[Operation/ Manager]</i>		
	.....				

Note:

(1) In the case of a joint venture (JV), each joint venture member must declare according to this Form. The investor/ JV member needs to submit a photocopy of one of the following documents: Certificate of business registration, establishment decision or equivalent document issued by the competent authority of the country in which the investor works.

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

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

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

## FINANCIAL CAPACITY OF INVESTORS<sup>(1)</sup>

### 1. Name of Investors/ Joint Venture (JV) Members:

### 2. Information on financial capacity of Investors/ JV Members <sup>(2)</sup>:

#### a) Summary of financial data<sup>(3)</sup>:

No.	Contents	Value
<b>I</b>	<b>Equity committed to use for the project</b>	
<b>II</b>	<b>Investor's equity figures</b>	
1	Total equity	
2	Litigation-related expenses (if any)	
3	Committed equity for under-progress projects <sup>(4)</sup> (excluding capital already disbursed for ongoing projects) and other long-term investments (if any)	
4	Owner's equity retained according to the regulations	

#### b) Attachments<sup>(5)</sup>

- The investor's financial statements for the latest year have been audited by an independent audit agency and the interim financial statements in accordance with law have been audited (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 registration of the investor. the date of establishment up to the time of bid closing or the audited interim financial statement at the nearest time before the time of bid closing as prescribed by law. 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 reports evidencing the equity to contribute capital according to the financial plan of the project.

The reports provided by the investor must ensure compliance with the laws on finance and accounting, and reflect the separate financial situation of the investor or the JV member (if the JV investor) but not the financial situation of an

associate such as a parent company or a subsidiary or an affiliated company with the investor or a JV member.

- List of project 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).

### **Legal Representative of Investor**

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

Note:

(1) In case of a JV investor, each member must fill in this Form.

(2) Investors are responsible before the law for the accuracy and legality of data and documents provided related to equity, allocation of equity to projects and financial investments. long-term implementation. In case it is found that the declared information is incorrect, falsifying the evaluation results, it will be considered fraudulent according to the provisions of Clause 4, Article 89 of the Bidding Law and will be disqualified.

(3) Based on the evaluation criteria, the bid solicitor shall add 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 makes a list of projects and other long-term financial investments, to ensure 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.

(5) Based on the evaluation criteria, the investor may be required to add more documents to prove his/her financial capacity (for example: tax finalization inspection minutes, tax self-settlement declarations; documents proving that the investor has declared the electronic tax finalization; the written certification of the tax authority; etc.)



**EXPERIENCE IN SIMILAR PROJECTS<sup>(1)</sup>**

(Location), date \_\_\_ month \_\_\_ year \_\_\_

*[The investors list experience in implementing similar projects as required]*1. Project 01: \_\_\_ *[insert project name]*

Name of the investor/ JV member/ co-implementation partner	
1	Contract No.: _____ Date of signing: _____
2	Name of project/ package: _____
3	Investment field of the project _____
4	Role in the project:: <input type="checkbox"/> Independent contract <input type="checkbox"/> Contractor JV member <input type="checkbox"/> Main contractor
5	Name of the competent state agency/representative of the competent state agency (for the project); employer/employer's representative (for package) Address: Name of contact person: Tel.: Fax: Email:
6	Details
6.1	In case of participating in the project as an investor:
	Project implementation progress and quality <sup>(2)</sup> : <input type="checkbox"/> In the construction phase, have accepted the work items <input type="checkbox"/> Acceptance of the project <input type="checkbox"/> Under Operation <input type="checkbox"/> Ended
	Total investment:
	Capital contribution ratio (in case the investor is a JV)

	Equity raised:
	Brief description of the similarities of this implemented project with the project under the selection of the investor:
	- 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 main contractor
	Scope of implemented work:
	Value of implemented work:
	Progress and quality <sup>(3)</sup> :
	History of disputes and litigation::
	Brief description of special technical requirements:

2. Project 02: \_\_\_\_ [*insert project name*]

**...Legal Representative of Investor**

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

Note:

(1) The requirement to declare information in this Form may be adjusted and supplemented to be consistent with the preliminary requirements on capacities and experience of the investor..

(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 contracts, minutes of acceptance and liquidation, certification by competent state agencies/representatives of competent state agencies (for projects), employers/representatives of employers (for bidding packages), etc.

## JOINT VENTURE AGREEMENT

(Location), date \_\_\_\_ month \_\_\_\_ year \_\_\_\_

We, on behalf of the parties to sign the Joint Venture (JV) agreement, include:

**Name of JV member:** \_\_\_\_ [*Insert name of each JV member*]

- Operation registration country:

- Tax code:

- Address:

- Tel.:

- Fax:

- Email:

- Legal representative:

- Position:

Power of Attorney No. \_\_\_\_ date \_\_\_\_ month \_\_\_\_ year \_\_\_\_ (in case of authorization).

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

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

1. The members voluntarily form a JV to participate in the project bidding \_\_\_\_ [*insert project name*].

2. The members agree that the name of the JV for all activities related to the project is: \_\_\_\_ [*insert name of the JV as agreed*].

Address of JV:

Tel.:

Fax:

Email:

Legal representative of JV:

3. The members commit that no member can voluntarily participate independently or in JV with other investors to participate in bidding.

### **Article 2. Assignment of responsibilities**

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

1. The parties agree to an agreement for \_\_\_ [*insert name of one member*] as the leading member of the JV, representing the joint venture to perform the work in the process of completing, submitting, clarifying and amending the registration dossier to sign the implementation of investment projects using land.

2. Roles and responsibilities of the JV members (1)[*specify the roles and responsibilities of each JV member and state the percentage of equity contribution in the JV*]:

No.	Name of Members	Role  <i>[Insert the part of work that the member undertakes (financial arrangement, construction, management, operation,...)]</i>	Equity	
			Value	Ratio %
1	Member 1 [ <i>Leading of JV</i> ]			<i>[minimum 30%]</i>
2	Member 2			<i>[minimum 15%]</i>
3	Member 3			<i>[minimum 15%]</i>
.....				
<b>Total</b>			....	<b>100%</b>

### **Article 3. Effect of the JV agreement**

1. The JV agreement takes effect from the date of signing.

2. The JV agreement is terminated in the following cases:

- The parties mutually agree to terminate;
- There is a change of JV members. In this case, if the change of JV members is approved by the bid solicitor, the parties must establish a new JV agreement;
- The JV does not meet the preliminary requirements on capacity and experience;
- Terminate the announcement of the project list;

The JV Agreement is made into \_\_\_ originals, each JV member keeps \_\_\_ copies, and submits 01 original with the bid. The copies have the same legal validity.

**Legal representative of each JV member (2) <sup>(2)</sup>**

*[insert name of legal representative of each member, title,  
signature and seal (if any)<sup>(3)</sup>]*

Note:

(1) The investor must list the participating role and equity contribution ratio of each consortium member.

(2) The legal representative of each JV member may be the legal representative or the authorized legal representative.

(3) In case a JV member is a foreign investor without a seal, a certification from a competent organization must be provided that the signature in the JV agreement is that of the member's JV legal representative.

**Trung tâm Dịch thuật Quảng Ngãi:**

Xác nhận đã dịch đầy đủ và chính xác nội dung  
theo bản tiếng Việt đính kèm.

*Quảng Ngãi, ngày /10/2022*

**GIÁM ĐỐC**

**Quang Ngai Translation Centre:**

Certified true and accurate translation from the  
Vietnamese copy attached.

*Quang Ngai, October 2022*

**DIRECTOR**

**Trương Hoàng Anh**