
添付資料 5: 現地議事録

協議議事録 (Ministry of Planning and Investment (MPI))

日時: 2004/9/8 AM

場所: MPI Meeting Room

出席者

MPI:

TRAN BO Deputy Director General Dept. of Infrastructure and Urban Development, MPI

NGUYEN VIET MONG Officer Dept. of Infrastructure and Urban Development, MPI

JICA Study Team: (石橋、森、三枝)

調査団:

- ・ PDM の説明
- ・ OP の説明
- ・ 今後のスケジュールの説明

MPI:

- ・ ベトナムの港湾管理は遅れている。従って本プロジェクトの実施は妥当である。
- ・ 調査団の提案に全般的に同意する。
- ・ 提案された組織図は妥当と思うが決定は後日にしたい。

調査団:

- ・ 本プロジェクト実施のためベトナム側の資金手当てが必要である。
- ・ ベトナム側には PDM ベースで各専門家について 1 名のカウンターパートが必要。
- ・ ベトナム側と専門家の間を調整するワーキンググループの設置が望ましい。

MPI:

- ・ 本プロジェクトの重要性についてはベトナム政府も関心をもっている。未だ実現していないがインフラストラクチャーの管理について special assistance が政府によって構想されている。
- ・ ベトナムも国家経済から市場経済へ移行しており港湾管理も変るべきだ。緊急性も高い。
- ・ カーメップチャーバイ港成果が全国港湾へ波及することを期待している。
- ・ ステアリングコミッティには MOJ, MPI 等関係省庁の参加を希望する。
- ・ 本プロジェクト実施については透明性が重要である。そのためプロジェクトのモニタリングシステム、評価システム、レポートシステムを確立すべきだ。
- ・ 将来トレーニングに関する専門家の派遣が必要になるかもしれない。
- ・ 本プロジェクトによって legal document の作成を期待する。

ヒアリング議事録 (Vietnam International Container Terminals (VICT))

日時: 2004/9/9 AM

場所: Ho Chi Minh City, VICT Meeting Room

出席者

VICT:

HSU LIN HSIANG, EDDIE Manager Business Development Dept.

VU DUC LIEM Manager Operation Dept

CHEN KUANG JEN Port Manager Operation Dept.

JICA Study Team: (石橋、森、三枝)

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- ・ VICT の港湾運営会社の First Logistic Development Co は、外資と越会社の Joint Venture であり、資本構成は次の通り

VICT: NOL 48%

 Mitsui Trading Co. 15%

 Sowatco 37%

経営幹部: 台湾 3名

 マレーシア 1名

- ・ 潜在の港湾施設は 1994-2034 年の政府による設立許可(40年)で運営している。2034年になったら MPI との間で更に 10年ごとに契約延長の交渉が認められている。
- ・ 現在の港湾施設は、BOT で整備し運営している。現在、フェーズ 1 (水深-10m、延長 486 m) を整備。投資は、54 百万ドルである。最終的に整備が進むと延長は 678 m となる。
- ・ 財務諸表については本社の許可がなければ提供出来ない。
- ・ ターミナルタリフは提供出来る。(tariff 表参照) これらのタリフは、MOF の規約に規定されている。以前は、タリフは Price Committee (MOF) で決定されていたが、現在は政府の許可があれば変更できる。
- ・ 会社経営の方針に係ることは回答できない。
- ・ 現在の南部地域のコンテナ取扱量は、120 万 TEU である。F/S の推計値 (2010 年約 200 万 TEU) は、控えめな予測であるとの印象を受ける。
- ・ VICT は経験があるので新港のオペレーションも(政府の許可があれば)行いたい。
- ・ カイメップ・チーバイ港の港湾運営の参加については、世界のメガキャリアも強い関心を持っていると推測される。

ヒアリング議事録 (Saigon New Port Co.)

日時: 2004/9/9 10:40

場所: Ho Thi Minh City, Saigon New Port Co. Meeting Room

出席者

Saigon New Port Co.:

NGUYEN DANG NGHIEM

Vice-Director

Saigon New Port Co.

JICA Study Team: (石橋、森、三枝)

Saigon New Port :

- Saigon New Port Company は、Tang Cang 港、Cat Lai 港等を管理・運営している Ministry of Defense 系の SOE である。ただし、財務的には MOD と独立しており、MOD から補助はない。コンテナの取り扱い、73 万 TEU である南部地域のコンテナ取り扱いの半分以上を占める。また、シンガポール経由のトランシップ貨物が主に占める。2008 年までには、岸壁延長を 1147 m 整備し、GT を 10 基にする予定。現在 30,000DWT 級のコンテナ船利用があり、NYK (邦船社) も当ターミナルのユーザーである。
- 港湾施設の概要 (現在)

	Tankan	Cat Lai
陸域	400,000m ²	700000m ²
バース延長	704m	303m
コンテナヤード	200,000m ²	97,000m ²
CFS	22,000m ²	-
ガントリークレーン	2	2

貨物取扱い近代化の促進について:

- コンテナカーゴオペレーションに関して、プロダクティビティを上げること、取扱い量を増やすことを目的としている。Information Management System の一環として E.D.I を導入した。そのため 100 万\$ を投資した。
- カスタマーに対するサービス
- Custom Clearance に係る時間の短縮 (ベトナムは特に長いと言われている。)
- しかし、この問題は港湾管理者のみでは解決出来ない。Custom Office の問題であり Department of Maritime に対応してもらおう。

質疑:

- 港湾使用料
Price Policy があり当港のみでは低価格に設定出来ない。ターミナルオペレーションにおいて直接荷役業者と契約している。現在 6 つの荷役業者 (5,000 人) と契約してい

るが諸般の事情（労働者の福利等）から減らせない。

- ・ 施設は国防省（軍）が所有している。ベトナムでは平時において軍がビジネスのための施設へ投資することが可能で国営港として軍が運営している。港湾以外には Tele-communication や航空事業がある。
- ・ 港湾貨物、入出港船舶の統計資料は MOT に提出される。財務状況も MOT に提出される、

ヒアリング議事録 (Saigon Port Co.)

日時: 2004/9/9 14:00

場所: Ho Thi Minh City, Saigon Port Co. Meeting Room

出席者

Saigon Port Co.:

NGUYEN VAN MINH	Deputy General Director	Saigon Port Co.
HO KIM LAN	Manager	International Relations Dept. Saigon Port Co.

3 others

JICA Study Team: (石橋、森、三枝)

Saigon Port Co. :

港湾概要について:

- Saigon Port は全国で5番目の位置(取扱い量)にある。
- Saigon Port はホーチミン市に4つの港区とメコンデルタに1つの港区を有する。
- Saigon Port の概要はパンフレット参照。
- Handling Facility
- Infrastructure
- Cargo Throughput
- 港湾運営、カスタマーズサービスの一環としてCY Management System やE.D.Iの導入を進めている。

質疑:

- Saigon Port は会社の名前でVINALINES系列(つまり、MOT)のSOEである。収益のみを考えるとコンテナのみを取り扱う方が効率的であるが、SOEという公共的な性格をもっており、採算の低い一般貨物を取り扱うことも必要である。SaigonPortの国家的見地からの役割は、マスタープランにも明記されている。
- 財務的には、MOT、VINALINESから独立しているが20億VND以上の投資をする場合には、承認が必要であり、以下なら不要。Governmental Regulations②規定されている。
- ホーチミン市の交通渋滞、港湾施設の老朽化のためにカイメップチーバイエリアにターミナルを移転してターミナルの近代化を進めることを計画している。
- 施設(インフラストラクチャ)の整備にはADBファイナンスを利用する。Saigon Portがローン(利子含む)を返済する。政府はファイナンスを保証する。(カイランと同様)
- ファイナンスの承認マターはGovernment Regulationsによって決められている。(投資額によって異なる。)
- Saigon Port は4つのターミナルオペレーターを有している。各オペレーターは原則と

して競合しない。Operation Center で調整する。

- ・ 港湾料金は VINAMARINE によって提案され政府によって承認されるものと、港湾管理者自身で決められるもの(トンネッジ、水先等)がある。
- ・ 港湾料金は以前は首相の管轄下にあったが現在は財務省の Pricing Committee の管轄下にある。
- ・ 港湾料金は地域毎に association 毎に決められる。従って、同一地域なら原則として同一料金である。
- ・ 港湾料金の設定は利用者との交渉による国際的に競合出来るような価格にすることが望ましい。
- ・ VINALINES の管理、運営は政令の Chapter of Vinalines に規定されている。これは港湾のみならず全ての国営企業に適用される。私企業には適用されない。
- ・ 将来 Saigon Port はカイメップチーバイエリアに移転する。Saigon Port の跡地は観光施設/スポーツ施設に利用される。
- ・ 移転に際してはユニオンの問題がある。既にユニオンと相談している。現職員のための新しい仕事の開拓をしている。一方、移転先では地元民が雇用される。

ヒアリング議事録 (Ben Nghe Port) .

日時: 2004/9/9 15:20

場所: Ho Thi Minh City, Ben Nghe Port. Meeting Room

出席者

Ben Nghe Port:

NGUYEN TRONG CUU	Director	Ben Nghe Port
LE VIET NAM	Manager	Operation Dept. Ben Nghe Port

2 others

JICA Study Team: (石橋、森、三枝)

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- ・ Ben Nghe Port はホーチミン市の施設を所有している。ベトナム南部は、8つの省庁が港湾の管理・運営している。
 - ・ Ben Nghe Port Company は、ホーチミン市の SOE である。市からの財政的な支援はない。ホーチミン市は会社の財務管理を行っており、当社の業務にはホーチミン市からの許可が必要になる。
 - ・ Ben Nghe Port は8つの異なるファイナンスをもっている。このローンを払わねばならない。
 - ・ 港湾管理に関する JICA 調査に同意する。しかし、同一の管理者でなく港によって異なる管理主体があつて良い。新港のそばにいくつかの港湾が立地する。誰が管理するのか？
 - ・ 新港は1つの管理主体で管理されるのが望ましいがベトナムの他の港湾が直ちに同一の管理者によって管理されるわけではない。しかし、いずれは新港と同じように管理されるだろう。(調査団)

Ben Nghe Port の管理の現状について:

- ・ 荷役機械はリースで借りている。
- ・ 他の港に管理の方法を聞いており、自社でトレーニングを行っている。
- ・ ホーチミン市は当港運営の詳細には関知しない。
- ・ People Committee は港の財務管理をやっている。

Ben Nghe Port の移転について:

- ・ ベンゲ港を含む Group 5 に位置づけられている港湾施設は、移転対象となっている。当港の施設は陳腐化しており、移転すべきであると考えますが、移転実施に向けた具体的なプランはない。
- ・ 明日(9/10)ホーチミンで People Committee がある。Ben Nghe Port の役割は People

Committee で決まる。Ben Nghe Port の移転が話題になるだろう。

- ・ Saigon Port は移転するだろう。しかし、Ben Nghe Port はホーチミン市のための港だから近い将来移転することはないかもしれない。港があるから交通渋滞しているのではなくホーチミン市インフラの整備が悪いのが原因である。交通の現状は限界にきている。都市交通システム(Urban Transport System)を整備する必要がある。
- ・ ステベは、契約ベース。仕事がある時のみ。

新大水深港：

- ・ ホーチミン市はチャーバイ港の対岸(ホーチミン市行政区域内：カンゾー地区)に深水港の調査をしている。環境への影響についても調査している。

カイメップチャーバイ港(新港)の管理について：

- ・ 民間参入に関しては透明性が必要である。不正を避けるべきだ・ JICA による専門的な調査を期待する。
- ・ 新港に関する意見はホーチミン市、People Committee に相談しなければならない、

ヒアリング議事録 (Ho Chi Minh People' s Committee) .

日時: 2004/9/10 11:00

場所: Ho Thi Minh City People' s Committee Convention Room

出席者

Ho Chi Minh People' s Committee

Minh Dung

Vice Director

Ho Chi Minh People' s

Committee

6 other members

JICA Study Team: (石橋、森、三枝)

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- ・ ホーチミンの発展に大港湾が不可欠。既存の最大港であるカットライ港ですら、水深が (-10m) であり、大きな船舶は入港できない。
 - ・ ホーチミンは、ベトナム南部の各地域はもとより、カンボジアとも国道1号線で結ばれているが、大港湾がなく経済活動に支障が出ている。一方、カイメップ・チーバイ地区は、国道51号線が整備され、港湾の立地場所としては最適な場所である。
 - ・ ホーチミン市が管理しているベンゲ港の移転に関する及び跡地利用の再開発に関する調査を TEDI-South が実施している。移転先の候補としては、Can Gio 地区 (ユネスコに登録されたマングローブ林) 周辺であり、現在調査段階である。
 - ・ ベンゲ港には、People' s Committee から財政的な補助はしていない。移転の補償もしない (SOE がすべきである。)。ホーチミン市としては、港湾関連施設として、水供給や発電プラントの投資をするのみである。
 - ・ ベンゲ港の移転先の港湾は、借り手が整備するべきであると考えている。外資の参画も基本的には、歓迎。
 - ・ JICA の港湾技プロには、非常に興味を持っている。必要な資料があれば提供したい。また、プロジェクトには関係者として参加したい。
 - ・ 今後のコンタクトパーソンは、Mr.Minh Dung である。

ヒアリング議事録 (VINALINES) .

日時: 2004/9/13 9:30

場所: VINALINES. Meeting Room

出席者

VINALINES:

BUI VAN TRUNG Director Biz and Int'l Relations Dept.

BUI HUU ANH Deputy Director Planning and Investment Dept..

JICA Study Team: (石橋、三枝)

調査団 :

- ・ 調査の経緯、本プロジェクトの説明 (PDM)

港湾管理運営の改善について :

VINALINES :

- ・ 多くの問題、障害があるが解決されねばならない。(これ迄) パブリックセクターが港湾運営に大きな役割を果たしてきた。VINALINES が運営しているのはわずか5港に過ぎない。VINALINES は国営であるが民間に同じ。Company law に従っている。

新港への参入について :

調査団 :

- ・ 政府が最初の段階のインフラを整備するが次の段階では民間が整備を要請されるかもしれない。

VINALINES :

- ・ VINALINES はどんな形の参入についても関心がある。
- ・ VINALINES はターミナルオペレーターの候補 (potential operator) になると思う。

調査団 :

- ・ 他社(船社も含めて複数社)との競合になるべきだ。

VINALINES :

- ・ 国内の民間セクターは十分な能力を持っていない。入札のために JV を作ることも考えられる。VINAMALINES は過去に日本の商社 (ITOCHU) や建設会社と JV を組んだ経験がある。

その他 :

VINALINES :

- ・ D/D が 2006 年完了は長すぎないか

調査団 :

- ・ サイトは軟弱地盤でしかも場所によって条件が異なっているため。

VINALINES :

- ・ 既存のシステムは簡単に変えられないから新しい管理システムは現況を踏まえて変更すべきだ。

調査団：

- ・ カイメPPERチャーバイ港はモデルケースであり本プロジェクトの後で他の港へ波及すると考える。

VINALINES：

- ・ VINALINES が運営している 5 港を含めて全国の港湾のマスタープランは MOT が作成している。港湾統計(貨物、入港船舶 etc.)は VINALINES が保管している。

ヒアリング議事録 (Transport Development and Strategy Institute (TDSI))

日時: 2004/9/13 10:30

場所: TDSI. Meeting Room

出席者

TDSI:

BUI VAN CHINH Chief Engineer Transport Policy Dept. TDSI

Another officer TDSI

JICA Study Team: (石橋、三枝)

調査団:

- ・ 調査の経緯、本プロジェクトの説明(PDM)

TDSI

- ・ 港湾管理運営の改善について幾つかのコメントをしたい。先進国にとっては新しい問題ではないと思うがベトナムでは問題になることがある。
- ・ 先ず先進国の事例から管理運営のモデルを作る。次にベトナムの現状をレビューして最終的にモデルが適用されるべきだ。
- ・ オペレーターの選定と管理主体の選定は異なる問題である。従って、最初の2年間で同時並行してなされるべきだ。

ベトナムにおける港湾管理に関する調査:

- ・ ベトナムの海港、河川港を対象とした港湾管理に関する調査がある。
- ・ これはVINAMARINEのDeputy Directorによってまとめられた。調査は既に完了している。モデル作成とモデル適用が示唆されている。多くのベトナム有識者が参加してセミナーも行われた。
- ・ レポートはオフィシャルに入手できる。

民間参入の方策:

- ・ 全ての港湾は3つのcategoryに分類される。1のcategoryの港は国によって全面的に支援されcostは全て国によって負担される。2のcategoryの港は部分的に国によって支援されcostも部分的に国によって負担される。3のcategoryの港は全面的にlocal governmentによって負担される。限られた国の資金を全港に分配するよりはPort Development Policyに立脚して配分すべきだ。
- ・ プロジェクトが終わればオペレーターが運営する。大きな投資は政府、小さな投資は私企業のルールにも適っている。
- ・ どの分野が民間参入に相応しいか? 荷役、maritime service, transportation of shipping (in/ out)である。
- ・ 現在は民間に資金、技術、マネージメントが欠けているが、将来は出来る。政府も民間

参入を積極的に進めている。如何に参入させるか？どれ位参入させるか？今後の課題である。技術的な問題は簡単かもしれないが組織の問題、経営の問題は難しい。

本プロジェクトの目的：

- ベトナムだけでなく国際的に通用するものを目指すべきだ。
- Integration, Industrialization, Modernization を目的とする。

その他：

- セミナを開催したほうが良い。(BINAMARINE, BINALINES, MOT, TDSI, MRI, Custom etc.)
- 今後も本プロジェクトに協力していきたい。

ヒアリング議事録 (Vietnam Association for Port-Waterway Offshore Engineering
(VAPO))

日時 2004/9/13 14:00

場所: VAPO, Meeting Room

出席者

VAPO:

TRAN VAN DUNG	Standing Chairman	VAPO
NGUYEN ANH TUAN	Vice Chief	VINAWACO
3 others		VAPO

JICA Study Team: (石橋、三枝)

調査団 :

- ・ 調査の経緯、本プロジェクトの説明 (PDM)

VAPO

- ・ これ迄ハイフォン、カイラン、ダナンで JICA 調査に協力してきた。
- ・ 本プロジェクトは適切だと思う。
- ・ (ベトナムでは) 港湾の定義が明確でない。政府の港湾に関するポリシーは港の function によって決めるべきなのに定義がはっきりしないので政府によって投資されるべきか否か判断が難しい。
- ・ モデルとしてカイメップーチャーバイ港は OK. しかし民間セクターに何を期待するか明確にすべきだ。
- ・ VINAMARINE と VINALINES の区分が明らかでない。
- ・ 港湾の役割、function が明確でない。
- ・ 例えば防波堤、航路は国によって建設され管理され維持されるべきか否かも混乱している。
- ・ もしカイメップーチャーバイ港が国際ゲートウェイ港ならばベトナムに何港必要なのか。北部、中部、南部に各 1 港ずつという案もある。
- ・ いずれにしても定義を明確にするところから始めなければならない

トランシップメントポートについて :

- ・ 上記の機能をカイメップ港に集中すべきと考える。

港湾管理運営の課題 :

- ・ 施設を建設するプロジェクトに比較して管理の問題は難しい。Official staff の management に関する人材育成は難しい。建設や設計の経験はあっても management や tendering の経験は少ない。Legal ground なしに作らねばならない。
- ・ 異なる組織から同意を得ることは容易ではない。参加者の間口を広げて協会も含めて

comprehensive な意見を聞くのが望ましい。

- セミナが必要だ。カウンターパートの選定については国営企業から選べば自社の利益を守ろうとするから問題である。

調査団：

- 民間参入はオペレーションであって management ではない。

ヒアリング議事録 (VOSCO)

日時 2004/9/13 14:00

場所: VOSCO. Meeting Room

出席者

VAPO:

Mr. Hoai Deputy Genreral Manager VOSCO

2 other members VOSCO

JICA Study Team: (宮地、森)、坂本、崎村 JICA 専門家

-
- ・ VOSCO は、VINALINES 系統の SOE であり、船会社である。財務的にも VINALINES から独立しているため、特に VINALINES からの承認なしで意思決定ができる。
 - ・ 主にバルク輸送を行っており国際・国内輸送をしている。25 隻の船舶を所有し、うち 3 隻がベトナムで造船した。
 - ・ コンテナ輸送は非常に競争が激しく、当社としては参入する予定はない。国際コンテナ輸送は、ほとんどが外国の船社が行っている。
 - ・ VIJACO (Vietnam-Japan International Transport Co., ltd : 日本の上組系列の荷役会社 : ハイフォン) にヒアリングすれば、コンテナ輸送に関する情報がとれると思う。(日本人職員もいる。)(坂本専門家)

ヒアリング議事録（JICA 専門家（法制度））

日時 2004/9/15 14:00

場所: Ministry of Justice 会議室

出席者

JICA 法律専門家（森永太郎検事、榊原信次判事）

JICA Study Team:（宮地、砂川）

- ・ 民営化の方法としては政府側の現物出資による Joint Stock Company によるのが通例である（リース受け手の形態）
- ・ 企業法（Enterprise 法）は会社法の対象である会社に加え、組合も対象としている（合弁相手先として組合も対象となる）
- ・ 担保の対象として土地使用権も認められている（運営経費の借りに関連して）
- ・ 土地については予想以上に環境面がうるさくなっているため、監督省の資源環境省と相談すること（運輸・交通省はこの面を軽視しているだろうから）
- ・ 係争の場合を考慮すると日本企業側から見ると合弁先もリース出し手もなるべく民間色が強いほうが有利と思われる。

ヒアリング議事録 (JETRO)

日時 2004/9/16 14:00

場所: JETRO ハノイ事務所

出席者

JETRO ハノイ事務所海外投資アドバイザー、市川匡四郎氏

JICA Study Team: (砂川、石橋)

- ・ 日越投資協定ではインフラは適用除外となっている。したがってインフラにおける投資は日本側の出資比率は49%までとなる。
- ・ 両港一度に考えないで、経済的環境が整っている Thi Bai 港だけで民間参入を図った方がより効率的ではないか。
- ・ 入港料の二重価格制を廃止すべきである。

ヒアリング(NYK)

日時：平成 16 年 9 月 2 日

場所：日本郵船会議室

出席者

日本郵船 KK： 班目哲司他 2 名（港湾戦略チーム）

日本海洋科学(株)： 栄雄生他 1 名

調査団員(港湾運営) 石橋 洋信

調査団員(評価分析) 三枝富士男

NYK コメント

- NYK は 1967 年コンテナターミナル事業を行っている日本唯一の船社である。
- NYK は世界でアジア、北米を含む 22 箇所のターミナル事業を実施している。
- アジア、中東 etc.に魅力的な事業候補地が数多くあるがコンプライアンスの問題で取り組めないのが実態である。故に NYK は北米の事業展開が多い。
- ベトナムは荷動きが多く増加率も高いので魅力的な市場であるが NYK としては余計な支出は出来ない。コンプライアンスに問題があれば直ちに撤退する。入札の透明性を強く要望する。
- 中国の仕事は港湾局がカウンターパートで透明性については問題ない。
- いづれにしてもインフラを日本が整備してその結果利用(user)は外国という図式は望ましくないと考える。

市場性

- ベトナムの市場は海運業、ターミナルオペレーターにとって魅力的である。
- 北米航路に関して現在は、シンガポールーホンコンーカオシユンが幹線となっておりベトナムはフィーダーで結ばれている。しかし水深も十分あり、良い立地条件に恵まれており将来ポストパナマックスの母船が入稿できる。

(注) ポストパナマックス： 6500TEU

8500TEU

- ベトナムは日本ー香港ーシンガポールの航路から deviate していない。アジア発ヨーロッパ航路、アジア発北米航路の途上にある。中国もトレードとして魅力ある。(製品、原材料の輸送)
日本ー上海ーカイラン/ホーチミン
- 現在のベトナムの状況は 1980 年のタイと似ている。タイのラムチャバン同様ベトナムに新港が建設されることによって、アジアハイウェイを経由してカンボジアの貨物も期待され大きく伸びることが予測される。ベトナム発ヨーロッパ、ベトナム発北米は現在でも貨物量が夫々 30%伸びている。

港湾に関する法規制、制度

- 外国投資法（計画投資省 MPI 所管）があり 2000 年に改正された。施行規則もある。しかし施設の建設、運営については首相決定事項となっており同法の適用外となっている。透明性 (transparency) に欠ける。
- 同法によれば外国資本の直接投資はできない。現地法人を作ることになる。その際、JV の組み合わせを指示される。即ち行政当局の恣意によって JV が決められる。
- 外国投資法によれば JV の議決権は全会一致が原則である。これは企業経営上難しい制度である。今後ベトナムが WTO に加盟する時改善されるという期待がある。
- 近い将来ベトナムが北米直行を実現するためには、税関の簡素化、効率化、透明性、テロ対策を clear しなければならない。
- ターミナルオペレーションには労働組合との交渉が必要である。

コンテナターミナルの施設整備

- NKY としては出来ればターミナルのレイアウトの段階から参加したい。それによって施設整備にターミナル運営のノウハウを反映出来る。
- ターミナル施設の整備はターミナルオペレーターにまかせるべきだ。大手のターミナルオペレーターは資金手当ても問題ない。民間が機能施設（クレーン等）を整備すれば安く出来る。機能施設は荷量に見合った整備が必要であるが民間ならコストを配慮しながらそれが実施可能である。オフィシャルの整備は港湾基本施設整備（港湾機能施設は含まない）とターミナルの用地造成とすべきだ。
- 港湾基本施設に対するその他の要望としては次の通り。

メンテナンス浚渫（航路、泊地）：	要
バージ用専用埠頭	要
カラコン置場	要

（注）アジアには大手のターミナルオペレーターが 4 社ある。NYK(ターミナルオペレーション部門)はその次に位置する。

ハチソン社

PSA 社

AP モラーターミナル社

PO ポート社

以上

アンケート (MOL)

(ベトナムマーケット全般)

1. ベトナム、特に南部における御社(関連企業も含む)の現状の営業活動状況(①コンテナ、②コンテナ以外)
→コンテナ部門、ロジスティクス部門等について現地法人をおき営業活動を行っています。
2. 御社の主要荷主・航路、運賃水準、競合相手は?
→当社船の直接寄港はありませんが、シンガポール、香港経由のフィーダーサービスにより世界各地と結んでいます。運賃は仕出・仕向港、貨物の種類によって大きく異なっています。また、主要貨物は繊維、フットウェア、エビ、魚などです。
3. ベトナム国、特にホーチミン周辺のマーケットとしての将来性
→ベトナムについては、国民性、手先の器用さ、宗教などから見て将来性は大きいと考えています。
4. ベトナムでの営業活動に際して直面する問題点は?
→当社船が寄港していないこともあって、スペースの確保に苦労している状況です。また、周辺道路整備の遅れなどモータリゼーションへの未対応、河川港ゆへのドラフト不足などに港としての問題を感じています。

(カイメップ・チーバイ新港)

1. 御社として本ターミナルの利用する希望をお持ちですか(コンテナor多目的)
→地理的に大きな迂回なしに基幹航路の寄港が可能であり、将来的には希望があると考えています。
2. 御社が利用した場合、どのような航路を寄港させますか?
→まずは欧州航路、アジア域内航路が主となると思われますが、将来的には北米航路の寄港も考えられます。
3. どのような契約形態が望ましいですか(純公共、長期リース、一部設備整備、BOT)
→船社の立場としては定時性が確保できる形であれば契約形態にはあまりこだわりません。
一方で、ターミナルオペレーター立場としては、純公共はありえないですが、その他(長期リース、一部設備整備、BOT)については、契約の形態そのものに強いこだわりはありません。大きな初期投資を避け、確実に整備するという観点から、機器以外について整備済みの状態での長期リースがもっとも望ましいと考えています。
4. 主要なインフラ及び荷役機械までは公共で整備することにしてはいますが、スペックに関して要望する点がありますか?
→先述のとおり同地域へは大きな迂回なしに基幹航路の寄港が可能であり、将来的に大型船の寄港が十分に考えられます。従って、これから投資するということであれば、大型船に対応できる岸壁(-15m × 350m)、荷役機器を整備すべきと考えます。
5. 応札に際しては地元企業とのJVを組みますか?
→資金の関係や当該国のルールにもよりますが、その可能性は十分にあると考えています。

6. 入札応札に際して懸念される点がありますか？

→入札、応札の基準が明確になっているのかが気にかかるところです。

7. 本件に関して御社の関係者で現地で調査団がヒアリングすべき事項はありますか？

→当社関係者については特にありませんが、港湾関係者、地元企業等、現地で道路事情、貨物動向を直接見聞きしている方に直接ヒアリングすることをお勧めします。

8. その他要望事項

→長い目で見た場合、ベトナムでも環境問題が大きな課題となるのは確実であり、環境にも配慮してプロジェクトを進めることが必要と考えます。

添付資料 6: Minutes of Discussion (JBIC)

Minutes of Discussions

on

Cai Mep-Thi Vai International Port Development Project

between

Japan Bank for International Cooperation

and

the Government of Socialist Republic of Viet Nam

Date: October, 2004

Place: Hanoi, Vietnam

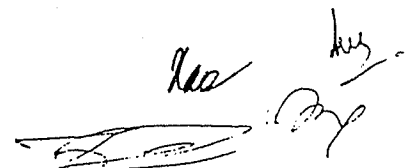
Following the discussions regarding the Proposed Cai Mep-Thi Vai International Port Development Project (hereinafter referred to as "the Project") between the government of Japan (hereinafter referred to as "GOJ") mission and the officials of the Government of Socialist Republic of Vietnam (hereinafter referred to as "GOVN") in September 2004, the Japan Bank for International Cooperation mission (hereinafter referred to as "the JBIC mission") dispatched to the Socialist Republic of Vietnam had discussions with officials of Ministry of Planning and Investment (hereinafter referred to as "MPI"), Ministry of Finance (hereinafter referred to as "MOF"), Vietnam Maritime Administration (hereinafter referred to as "VINAMARINE") and Project Management Unit No. 85 (hereinafter referred to as "PMU85") to gather information and review the feasibility of the Project.

The JBIC mission and the officials of MPI, MOF, MOT, VINAMARINE and PMU85 (hereinafter referred to as "the Officials") hereby confirm the results of their discussions as follows subject to approval by the competent higher authorities on both sides. The JBIC mission has stated that the results of the field survey and discussions will be reported to GOJ and will be taken into account by GOJ in arriving at decision regarding the Loan relating to the Project. The officials have stated that they had no objection to this.

The JBIC mission and the officials confirm the description of the Project and its estimated cost as detailed in Annex I attached hereto.

The JBIC mission and the officials confirm the implementation schedule and measures to be adopted for the implementation of the Project as shown in Annex II attached hereto.

The JBIC mission and the officials confirm the main points discussed as shown Annex III attached hereto.



For JBIC

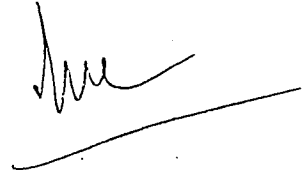


MIEKO TSUMORI
Country Officer
Development Assistance Department II
Division 2

水口 幸司

KOJI MINAKUCHI
Deputy Director
Sector Strategy Development Department
Division 1

For MPI



NGUYEN TRONG TIN
Director General
Infrastructure and Urban Development
Department

For MOF



VU XUAN HIEU
Deputy Director General
External Finance Department

For MOT



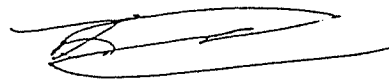
HA KHAC HAO
Deputy Director General
Department of Planning and Investment

For VINAMARINE



NGUYEN NGOC HUE
Vice Chairman

For PMU 85



NGUYEN TRUNG SY
Deputy General Director

Description of the Project

1. Objective

To construct container and general cargo terminals at Cai Mep-Thi Vai areas and to develop infrastructure related to the terminals, in order to accommodate increasing demand of cargo in southern part of Vietnam, thereby supporting economic growth not only of southern part of Vietnam but also of the whole country.

2. Location

Cai Mep and Thi Vai areas in Ba Ria -Vung Tau province, located along Thi Vai river in southern part of Vietnam.

The Project Location Map is shown in Appendix I.

3. Executing Agencies

(1) Executing Body for Construction: PMU 85 on behalf of MOT

(2) Executing Body for Operation and Maintenance Management: VINAMARINE

Detailed Organization description is shown as Appendix II.

4. Scope of Works

The scope of the Project consists of the following components:

a) Cai Mep Container Terminal

i) Civil works for two (2) berths of container terminal (300mx2) and related facilities (access road, electric power transmission lines and water supply lines)

ii) Procurement of cargo handling equipments

iii) Construction of buildings for port management

b) Thi Vai General Cargo Terminal

i) Civil works for two (2) berths of general cargo terminal (300mx2) and related facility (access road)

ii) Procurement of cargo handling equipments

iii) Construction of buildings for port management

c) Navigation Channel Dredging

d) Consulting Services

i) Detailed Design (conducted under JICA assistance)

ii) Tender Assistance and Construction Supervision

iii) Assistance for Selecting Operator

Detailed scope of works is shown in Appendix III.

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Dng
lms

Cost Estimation

The cost estimations for the Project are as follows:

(1) Cost estimation for the Project

Category	Foreign Currency (Million JPY)	Local Currency (Million VND)	Total (Million JPY)
Construction of port facilities and buildings for Cai Mep area	4,851	914,286	11,251
Construction of port facilities and buildings for Thi Vai area	2,477	512,148	6,062
Navigation Channel Dredging	3,324	118,721	4,155
Procurement of equipment	8,443	24,615	8,615
Price Escalation	1,420	0	1,420
Physical contingency	1,595	158,858	2,708
Tender Assistance and Construction Supervision	630	93,767	1,286
Assistance for Selecting Operator	254	23,848	421
Tax & Duty	0	256,556	1,796
VAT	0	269,384	1,886
Land acquisition & compensation	0	142,857	1,000
Administration cost	0	259,743	1,818
Interest During Construction	446	0	446
Total Project Cost	23,440	2,774,783	42,864

Note:

Exchange Rate:

USD 1 = VND 15,760

USD 1 = JPY 110

VND 1 = JPY 0.007

Base Year used in estimating cost:

October, 2004

Assumed rate of price escalation:

Foreign Currency 1.4 % p.a.

Local Currency 0.0 % p.a.

Physical Contingency:

10% (Civil and Building), 5% (Equipment)

Total Cost for the Project is 42,864 Million JPY.

Detailed cost estimation is shown in Appendix IV.

Note: JICA D/D study's cost is as follows:

862 million JPY (F/C: 717 million JPY, L/C: 145 million JPY)

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Implementation Schedule

ANNEX II

1. Implementation Schedule

The Implementation Schedule for the Project is shown in Appendix V.

2. Estimated Annual Fund Requirements

Calendar Year	Foreign Currency (Million JPY)	Local Currency (Million VND)	Total (Million JPY)
2005	6	1,309	15
2006	201	195,324	1,568
2007	2,326	553,083	6,197
2008	2,366	552,865	6,236
2009	7,717	714,137	12,716
2010	10,654	753,171	15,926
2011	170	4,893	204
Total	23,440	2,774,784	42,864

Note:

Exchange Rate:

USD 1 = VND 15,760

USD 1 = JPY 110

VND 1 = JPY 0.007

Base Year used in estimating cost:

October, 2004

Assumed rate of price escalation:

Foreign Currency 1.4 % p.a.

Local Currency 0.0 % p.a.

Physical Contingency:

10% (Civil and Building). 5% (Equipment)

3. Measures to be adopted

(1) Procurement

All items to be financed by JBIC shall be procured in accordance with *Guidelines for Procurement under JBIC ODA Loans dated October 1999*.

Tendering for the project shall be in four (4) packages as follows.

- (i) Construction of port facilities and buildings for Cai Mep area (ICB with PQ)
- (ii) Construction of port facilities and buildings for Thi Vai area (ICB with PQ)
- (iii) Navigation Channel Dredging (ICB with PQ)
- (iv) Procurement of equipments (ICB with PQ)

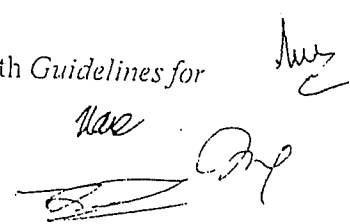
Tenders (i) and (ii) should be processed simultaneously, and the same tenderer may get award for the both packages.

(2) Consulting services for the Project

Consulting Services shall be divided into three (3) packages as follows.

- (i) Detailed Design (conducted under JICA assistance)
- (ii) Tender Assistance and Construction Supervision
- (iii) Assistance for Selecting Operator

Consultant excepting (i) shall be selected and employed in accordance with *Guidelines for*



Employment of Consultants under JBIC ODA Loans dated October 1999.

(3) Budgetary Appropriation for the Project

It has been confirmed that any portion of the Project cost not covered by JICA grant and JBIC ODA loan is to be financed by the budget of GOVN.

(4) Implementation of the Project

PMU85 shall take all necessary measures to implement the Project smoothly and effectively.

(5) Submission of reports

It has been confirmed that PMU85 shall submit without delay to JBIC, reports with regard to the progress of procurement procedure, physical and financial status, implementation of the Project, resettlement and other information on the Project in such form and details as JBIC may reasonably request.

Handwritten signatures and initials, including "Nao" and "Carp".

Main Points Discussed

1. Approval of the Feasibility Study (F/S) for the Project

F/S for the Project was approved by Prime Minister (Decision No.695/QĐ-TTg dated June 24, 2004), as shown in Appendix VI.

2. Cost estimation (total) of the Project

PMU85/MOT stated that the cost estimation for the Project had been revised from the cost estimation at the appraisal mission in 2003 according to JICA D/D study (See Appendix III). The total cost estimation had been revised considering additional scopes as seen in the following paragraphs and recent price of materials such as steel, petroleum, fuel and labor force.

3. Additionally Proposed Scopes in the Project

(1) Necessity and outline of additionally Proposed Scopes

PMU85/MOT stated that existing road from National Highway #51 to Cai Mep port is too narrow considering the demand of the port. PMU85/MOT also stated electric power transmission line and water supply pipeline would be necessary considering the demand of the port. Therefore, it is expected to develop (a) expansion of the existing road to the Cai Mep port from National Highway #51 (width from 12m to 31m) (b) construction of electric power transmission lines (20km, 110kV) and (c) water supply lines (10km, 300mm diameter) (See Appendix VII).

(2) F/S on the additionally proposed scopes

PMU85/MOT submitted F/S on the additionally proposed scopes to the JBIC mission. The Officials confirmed that Prime Minister already approved the additionally proposed scopes. The Officials stated that the cost estimation of those scopes as well as other components were waiting for Prime Minister's approval and was expected to be approved as soon as possible.

(3) Operation and Management

PMU85/MOT stated that PMB would take a responsibility of Operation and Management for the additional scopes even those scopes were electric power transmission lines and water supply system. The reason is that these facilities would be used mainly for port operation.

(4) EIA of the additionally proposed scopes

The Officials admitted that it was not necessary to get approval on EIA of the additionally proposed scopes since they were minor modification of the Project. PMU85 stated that the EIA would be submitted to MONRE/DONRE Ba Ria Vung Tau for its reference before the commencement of the construction. PMU85 stated that it would submit JBIC MONRE / DONRE's comments on the EIA by the end of February, 2005.

(5) Environment Checklist

All parties agreed that the main impact and mitigation measures of the additionally proposed scopes in the Project could be summarized as environment checklist as shown in Appendix VIII.

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4. Legal Framework for Improvement of Port Operation

(1) The current situation of Saigon Ports

VINAMARINE stated that there were twenty eight (28) ports in Ho Chi Minh City area at present and those ports had almost no relationship with each other. VINAMARINE stated that there were four (4) major ports. (a) Vietnam International Container Terminal (VICT, owned and operated by JV). (b) Tan Cang (owned by Ministry of Defense (MOD), operated by State Owned Enterprise (SOE) under MOD). (c) Saigon Port (financed by ADB, owned by MOT and operated by SOE under MOT). (d) Ben Nghe Port (owned by Ho Chi Minh City People's Committee, operated by SOE under Ho Chi Minh City People's Committee, planned to move). VINAMARINE stated that because of limited water depth and severely congested shipping lines, development or expansion of ports in Ho Chi Minh City area could not be expected in the future. In addition, there was a considerable traffic jam around those ports due to their cargos. It also stated that water quality in the ports areas was worsening in recent years. VINAMARINE stated that in order for the appropriate urban development, it is necessary to implement a port facilities reshuffling plan near future.

(2) The plan to move to outskirts of Ho Chi Minh City

VINAMARINE stated that Ho Chi Minh City had submitted Prime Minister the port facilities reshuffling plan to shift existing ports to outskirts Ho Chi Minh City.

(3) The role of Cai Mep-Thi Vai Port

VINAMARINE stated that the Project was important because the capacity of each port in Ho Chi Minh City area was limited comparing with the capacity of Cai Mep-Thi Vai International Port. VINAMARINE also stated that Cai Mep-Thi Vai International Port would contribute to port calling of large vessels in southern area of Vietnam.

(4) Direction to development of Legal Framework for Improvement of Port Operation

VINAMARINE stated that Cai Lan Port is applying the leasing contract with a port operator. Its operator is State Owned Company. The Officials stated that there is no concrete legal framework for concession contract with private and/or foreign operators so far and no experience of selecting such operators in Vietnam up to now. Therefore, the Officials expected the improvement of the legal framework for such operators so that all sectors can be treated equally.

MOT stated that MOT has intention to submit to Prime Minister the proposal of the legal framework for concession contract that can be applied to all sectors before the employment of a consultant for port operator selection under the Project. The concrete improvement of the legal framework of concession contract for port operation and management will be expected under the JICA technical Assistance Project which will be conducted from January, 2005 to the beginning of 2007. The TOR of JICA Technical Assistance Project is shown in Appendix IX. MOT stated that Assistance for Selecting Operator would be conducted until the middle of 2009. The concession contract would be concluded between VINAMARINE and the port operator.

Development of Legal Framework for Improvement of Port Operation would contribute to maintaining development target of Cai Mep-Thi Vai International Port and securing the fair/competitive selection system at the Operator Selection period. The JBIC mission took note of it.

(5) Consulting Services for Assistance for selecting port operator

Both sides agreed on the necessity to ensure that the terms of reference of this component (the consulting services for assisting selection of port operator) should not be overlapped

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with the expected JICA Technical Assistance Project. Both sides also agreed to carefully review the scope of JICA Technical Assistance Project as well as its outcome before starting the selection of consultants for the component and when necessary, adjust the TOR for the component in order to avoid the duplication and to enhance the effectiveness of this component.

5. VINAMARINE's role in the Project

(1) VINAMARINE's Role in setting up PMB

VINAMARINE confirmed itself as an organization which is responsible for sea ports operation management under MOT for concluding the concession contract on the Port Operation, and for supervising for PMB, should participate in the Project in order to facilitate the establishment of the operating policy of Cai Mep-Thi Vai International Port. VINAMARINE stated that it is working with JICA Technical Assistance Project team and preparing to establish PMB, which would be a direct counterpart of port operator. VINAMARINE also stated that PMB members might be mainly from VINAMARINE. It stated that VINAMARINE would inform JBIC the membership when it is available.

(2) Steering Committee

PMU85/MOT stated that it had already set up the Steering Committee of JICA D/D study where an appropriate representative of VINAMARINE participates in so as to exchange views and information concerning the Project. PMU85/MOT explained that the framework of the Committee would be continuously utilized for the meetings to be held by MOT during the implementation of the Project when necessary.

6. Implementation schedule of Resettlement Action Plan (RAP)

(1) The procedure of RAP

It has been confirmed that the land acquisition and resettlement for the Project shall be duly implemented, in accordance with both laws and regulations in Vietnam and JBIC Guidelines for Conformation of Environmental and Social Considerations, in such a manner that the living standard of Project Affected People (PAPs) including illegal occupants should be improved or at least maintained at the same level as before resettlement, so as not to affect smooth implementation of the Project.

(2) Timing of Compensation Committee

PMU85/MOT stated that Compensation Committee would be established only after the conclusion of the loan agreement for the Project. However, PMU85/MOT suggested that in the case Prime Minister issues the approval of the establishment of Compensation Committee, resettlement procedure including land acquisition can be started in advance to Loan Agreement, which contributes to the smooth implementation of the Project. PMU85/MOT also stated that it would request Prime Minister to issue the approval of land acquisition by the end of this year (2004). PMU85 submitted RAP implementation schedule as shown in Appendix X.

7. Environment Management Program

PMU85 presented the future framework of environmental management in PMU85 and a proposed organizational chart as shown in Appendix XI.

PMU85 stated that it would realize mitigation measures described in EIA and would reflect them to concrete project plan such as the Detailed Design and Tender Documents.

Both sides agreed that, with assistance of the consultants, PMU85 would adopt an Environment Management Program including an Environment Monitoring Program in accordance with mitigation measures described in EIA and would implement it throughout the construction phase. The outline of the Environment Management Program is as shown in Appendix XII.

Both sides agreed that cost of implementation of mitigation measures described in EIA should be estimated in the Detailed Design and included in the total Project cost.

MOT stated that the implementation of the Environmental Management Program in the operational phase of the Project would be taken over by PMB and Port Operator under responsibility of MOT.

8. Confirmation of scopes in the Project

(1) Procurement of cargo handling equipment

The Officials requested the JBIC mission to include the minimum quantity of procurement of cargo handling equipment in the Project. The reason of the request is to minimize the risk of candidates' unwillingness to be port operators and also to minimize the risk of no use of the equipment by them even if the equipment was financed under the Project.

(2) Vessel Traffic Service (VTS)

MOT stated that in view of necessity to secure safe ship navigation and preservation of the environment, a Vessel Traffic Service (VTS) system should be introduced at the new Thi Vai River Channel in the Project. VTS in the Channel should be managed and operated in cooperation with the existing system in Ho Chi Minh City as well as in Vung Tau province.

9. Health and Safety for Construction Workers

(1) HIV/AIDS prevention program

The Officials stated that PMU85/MOT had submitted Prime Minister the HIV/AIDS prevention proposal for the construction workers of the Project on October 6th (See Appendix XIII). PMU85 stated that it would receive approval by Prime Minister and submit to JBIC an approval letter in English by the end of this year (2004). The JBIC mission requested that as soon as possible, PMU85 should submit JBIC the program document which includes the activities such as (a) setting up the implementation framework (ex. Education toward construction firms, situation survey of workers, activity planning and monitoring & evaluation) (b) health education (Provide information on HIV/AIDS, condom promotion, referral of STDs). Activities will be conducted during the construction period. The JBIC mission recommended that an NGO and/or other organizations which have enough experience and capacity in HIV/AIDS prevention program should work as a sub-contractor of Construction of port facilities and buildings and conduct the activities. PMU85/MOT agreed to it.

(2) Allocation of the cost estimation of HIV/AIDS prevention

Both sides agreed that, as mentioned in (1), HIV/AIDS prevention program should be a part of contract(s) for civil works. Both sides agreed that the cost of the program is estimated as 20 million JPY and is allocated as Contingency in a table shown in Annex I at present. The both sides also agreed that, during the course of Detailed Design, the civil work package(s) which should include the program would be determined. PMU85 stated that the program to be included in one package should cover whatever necessary for the Project.

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10. Application of STEP

The Officials confirmed that the Note Verbal sent from MPI to the Embassy of Japan on December 1st, 2003 (No.7332 BHK/KTDN, Appendix XIV) regarding the application of STEP on the Project was still valid and should be taken into consideration for this fiscal year's JBIC ODA loan. The JBIC mission explained to the Officials the current terms and conditions of STEP as shown in Appendix XV.

11. Operation and Effect Indicator

The Operation and Effect Indicators for the Project are shown in Appendix XVI.

12. Detailed Implementation Schedule for Procurement

Detailed Implementation Schedule for the procurement is shown in Appendix XVII.

Both sides agreed that approval time framework for procurement should be introduced as schedule control measure. The Officials agreed that if significant delay may occur in each stage, PMU85 make due report to JBIC immediately. The Officials confirmed that Director of PMU85 should be responsible for keeping this framework.

13. Bidding Document

- (1) Both sides agreed that bidding documents for the Project would pattern after the Sample Bidding Documents under JBIC ODA Loans.
- (2) Both sides agreed to include the HIV/AIDS clause into the bidding documents for (a) civil work contract package(s) under the Project.

14. Role of the Consultant

The JBIC mission requested the Officials to maintain sufficient communication with the consultant in accordance with "*the Guidelines for the Employment of Consultants under JBIC ODA Loans*" dated October 1999 in order to secure smooth implementation of the Project and the transparency of the procurement. The Officials agreed to it.

15. Publication of Ex-Ante Project Evaluation Report


The JBIC mission informed the Officials that JBIC would publish the "Ex-Ante Project Evaluation Report" soon after the signing of a Loan Agreement for the appraised Project. The report consists of eight major items: 1) project name, 2) necessity and justification of the JBIC loan, 3) objectives of the Project, 4) project description, 5) operation and effect indicators (performance indicators), 6) risk due to external factors, 7) evaluation results of past similar projects and lessons learned, and 8) evaluation plan. The Officials agreed to it.

16. Independent Audit

The JBIC mission explained that it is necessary for the Vietnamese side to take necessary measures to facilitate ex-post procurement audit to be carried out by independent auditors, who will be designated by JBIC, in order to ensure the fairness and competitiveness of procurement process, in case where JBIC considers such designation of auditors to be necessary. The Vietnamese side agreed to it.

Appendix List

- Appendix I : Project Location Map
- Appendix II : Organization Chart
- Appendix III : Detailed Scope of Works and Consulting TOR
- Appendix IV : Detailed Cost Estimate and procurement lots and Consulting Cost Estimation
- Appendix V : Implementation Schedule and Annual Fund Requirement
- Appendix VI : Decision No. 695/QD-TTg dated June 24, 2004
- Appendix VII : Map of the additionally proposed scopes
- Appendix VIII : Environment Checklist
- Appendix IX : JICA Technical Assistance Project TOR
- Appendix X : Implementation schedule of RAP
- Appendix XI : Organization Chart of Environment Management
- Appendix XII : Outline of Environment Management Program
- Appendix XIII : HIV/AIDS prevention proposal to Prime Minister
- Appendix XIV : Note Verbal sent from MPI to the Embassy of Japan
- Appendix XV : Terms and conditions of STEP
- Appendix XVI : Operation and Effect Indicator
- Appendix XVII : Detailed Implementation Schedule

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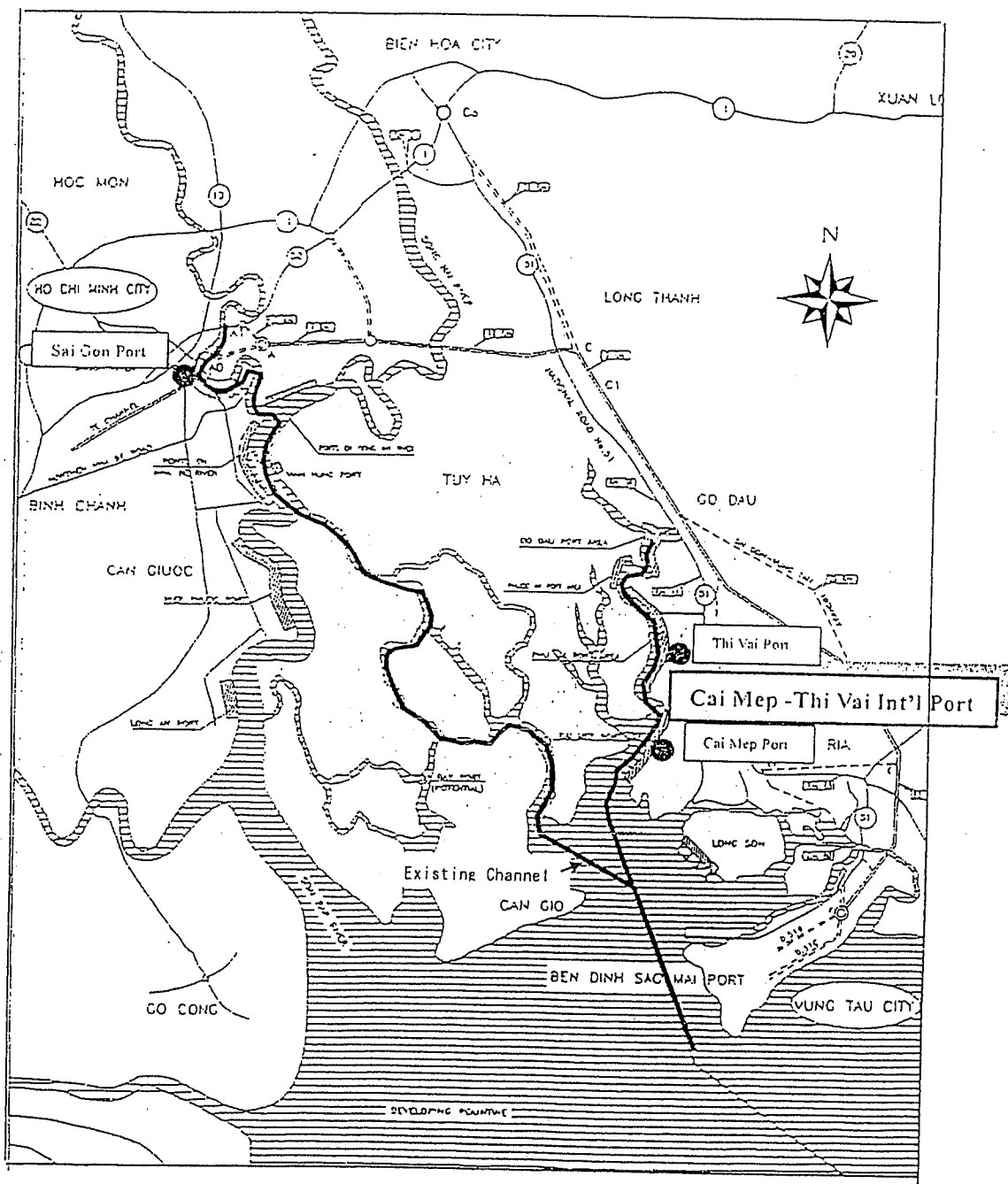


Figure 1 General Location Map of Cai Mep - Thi Vai International Port

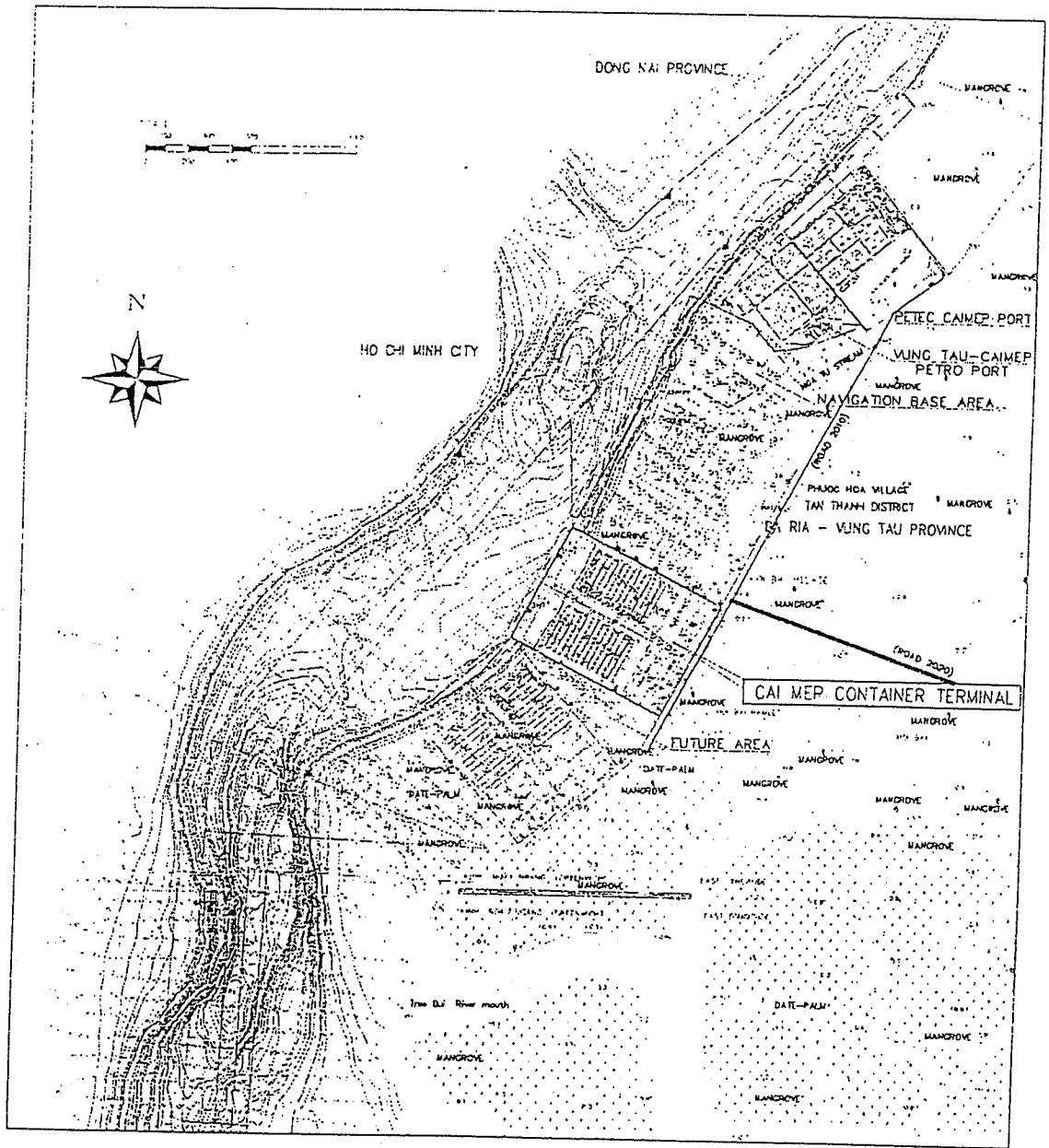


Figure 2. Detailed Location Map of Cai Mep Container Terminal

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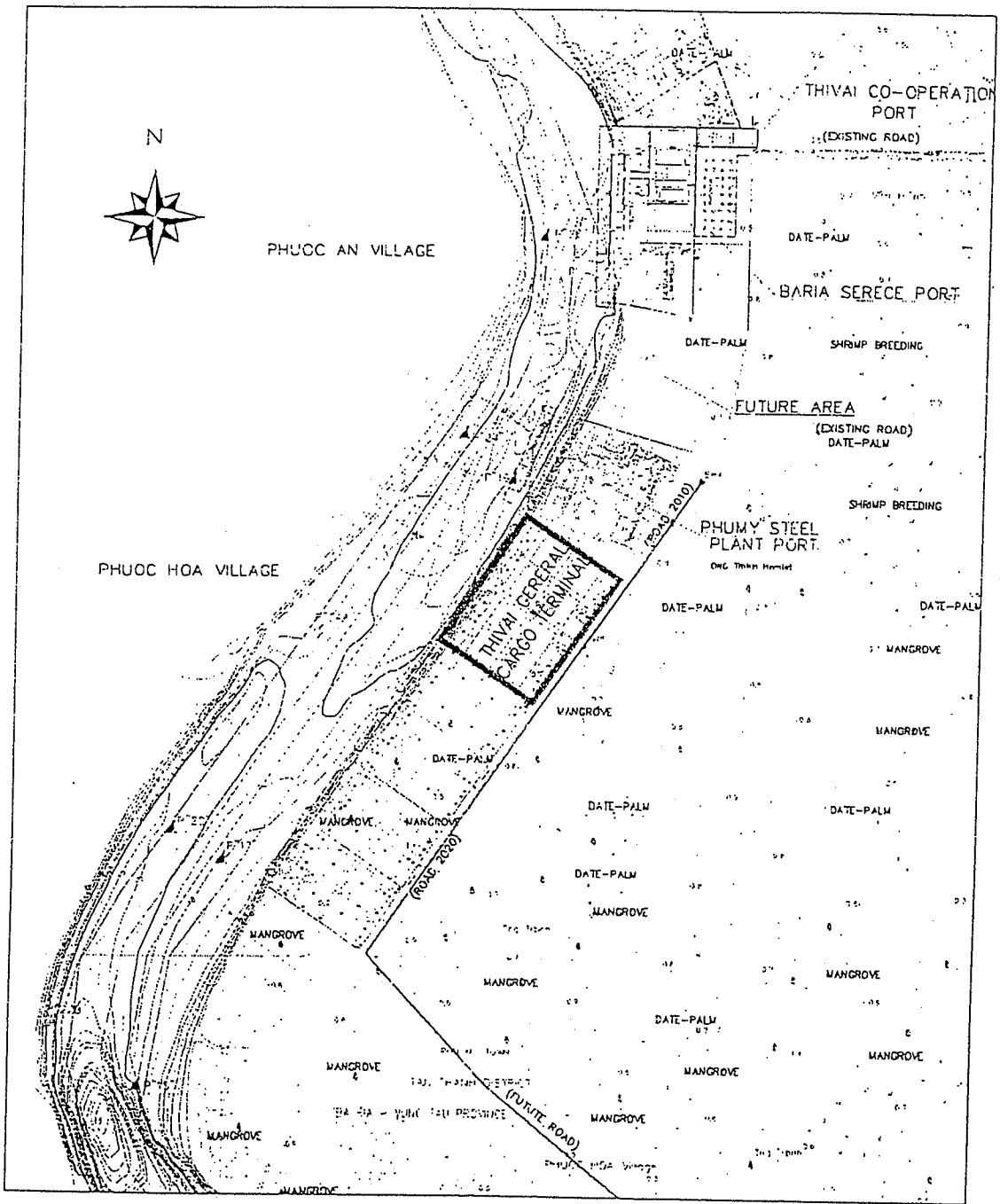
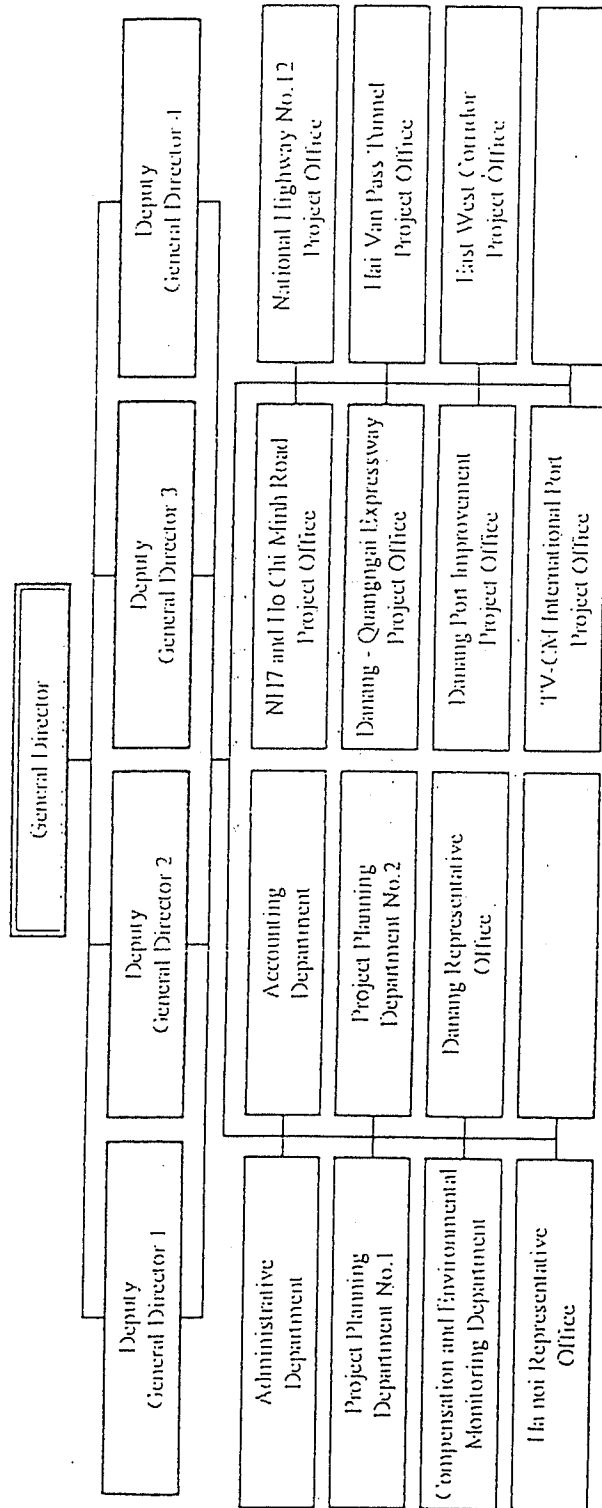


Figure 3. Detailed Location Map of Thi Vai General Cargo Terminal

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ORGANIZATION CHART OF PMU85



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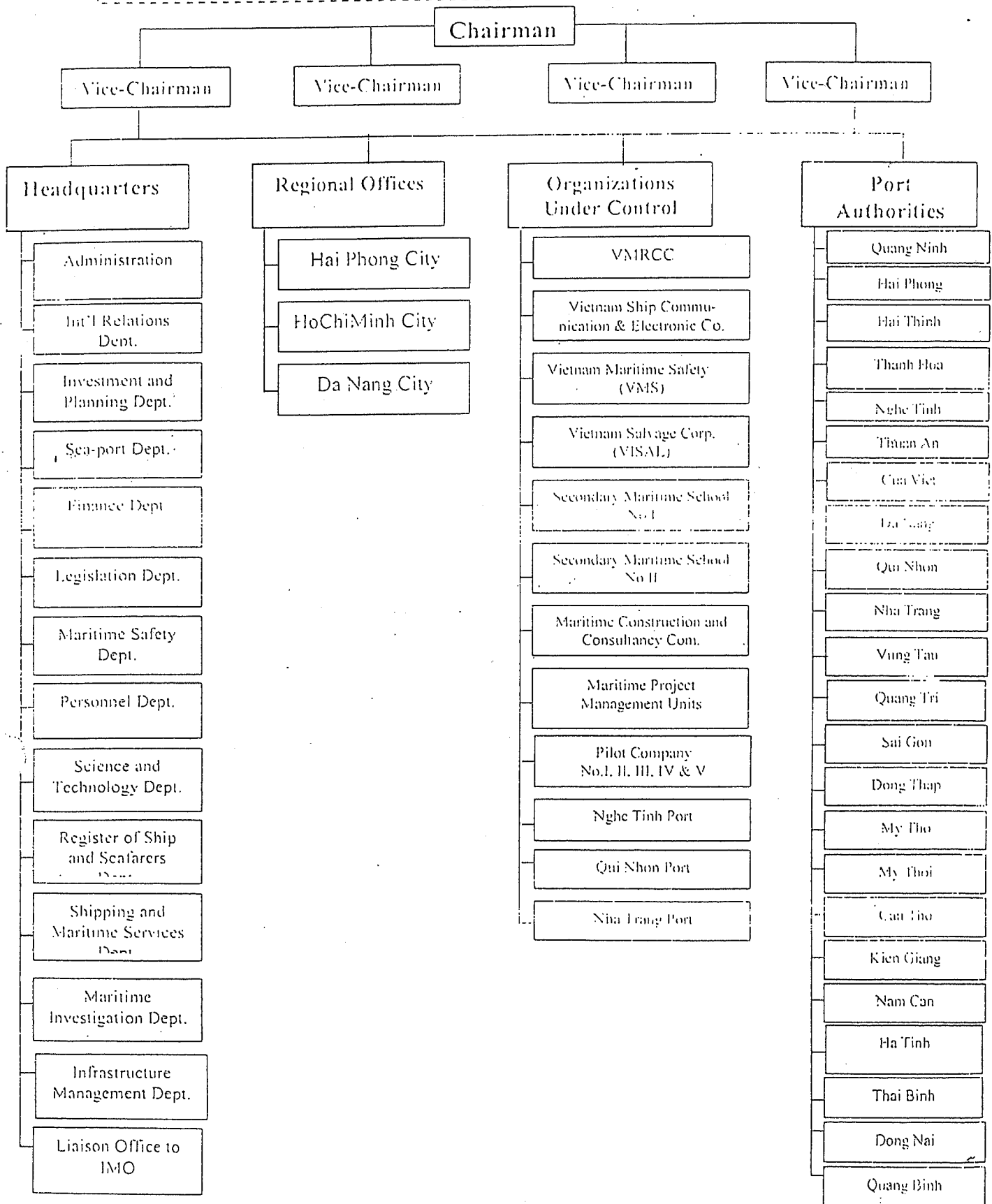
VIETNAM MARITIME ADMINISTRATION

Addr.: Pham Hung Road, Mai Dich Ward, Hanoi City, Vietnam

Tel: 04 768 3199

Fax: 04 768 3058

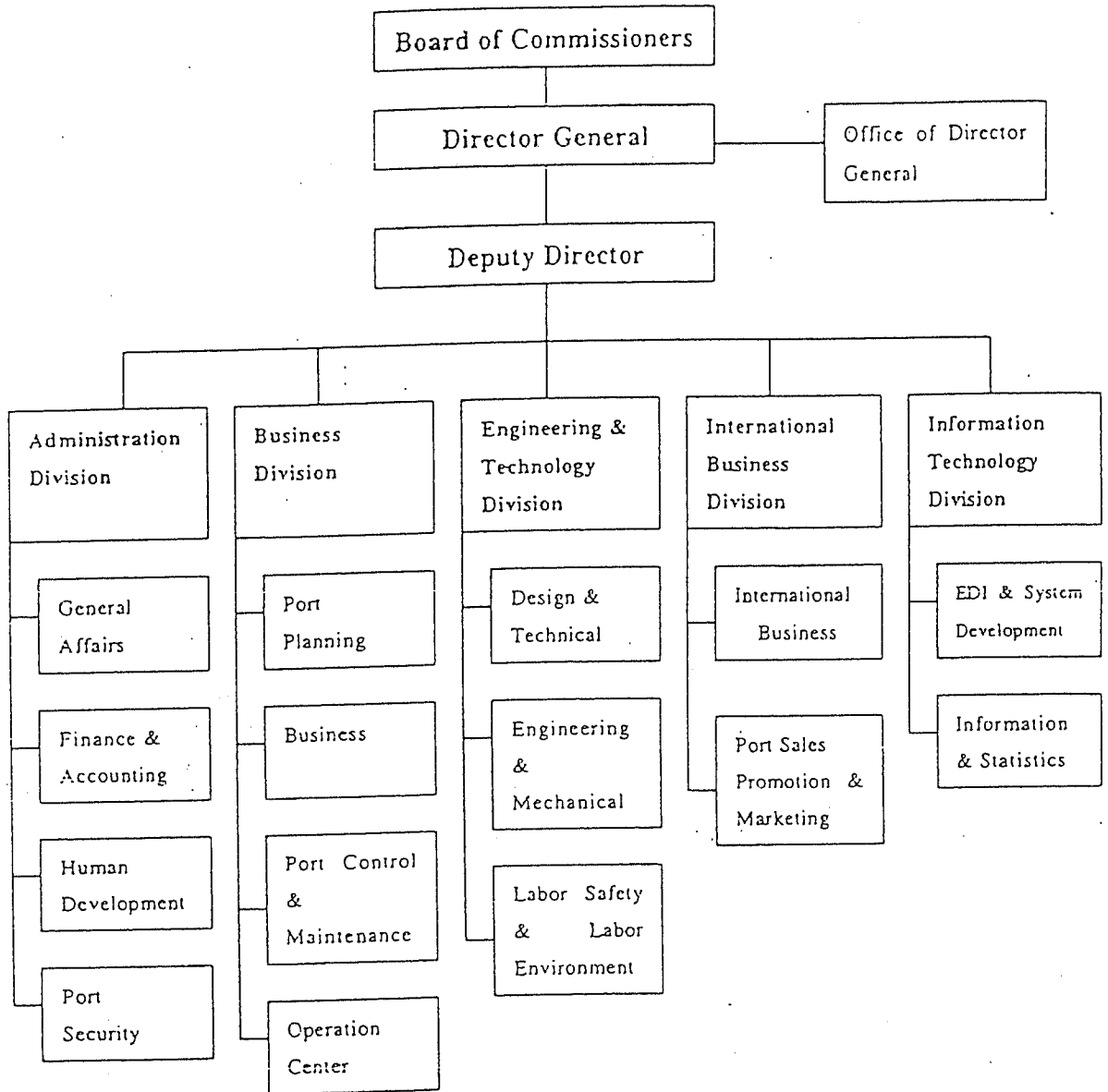
E-mail: interdept@vinamarine.gov.vn



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Appendix II-3

Organization Chart of CTPMB (Draft)



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Detailed Scope of Works

1. Construction of Port Facilities and Buildings for Lower Cai Mep International Container Terminal

(1) Port Facilities

1) Wharf

Berth 300m × 14m × 2

Basin Dredging Volume 31,200 Cu.m

2) Terminal Yard

Reclamation Area 39ha (2,077,000 Cu.m)

3) Utilities

Inside of the Terminal: Water Supply, Electric Supply, Drainage, Sewage, Yard Lighting, Fence
Outside of the Terminal: Water Supply, Electric Supply <Additional Scope>

4) Access Road

New Road and Culverts 3,000m

New Bridge 300m

Improvement of Existing Road 7,000m <Additional Scope>

(2) Buildings and Pavement

Yard Pavement Area 338,000 Sq.m

PMB Main Office (Out of terminal)

PMB Branch Office, Operation Building, Amenity Block, CFS, Maintenance Shop, Gate, etc.

2. Construction of Port Facilities and Buildings for Thi Vai International General Cargo Terminal

(1) Port Facilities

1) Wharf

Berth 300m × 14m × 2

Basin Dredging Volume 23,200 Cu.m

2) Terminal Yard

Reclamation Area 24.6ha (1,200,000 Cu.m)

Inside of the Terminal: Water Supply, Electric Supply, Drainage, Sewage, Yard Lighting, Fence

3) Access Road

New Road and Culvert 1,000m

(2) Buildings and Pavement

Yard Pavement Area 223,000 Sq.m

PMB Branch Office, Operation Building, Amenity Block, Warehouses, Transit Sheds, Maintenance Shop, Gate, etc.

3. Navigation Channel Dredging

1) River section

Dredging Volume 663,000 Cu.m

2) Sea Section

Dredging Volume 9,918,000 Cu.m

4. Equipment

(1) Lower Cai Mep International Container Terminal

Quayside Container Crane	6	units	(4.5ton: 2units, 40.6ton: 4units)
RTG	15	units	
Container Chassis	30	units	
Tractor Head	20	units	
Forklift	6	units	
Side Lifters	4	units	
Reachstaker	2	units	
Computer System	1	set	

(2) Thi Vai International General Cargo Terminal

Multi-purpose Quayside Cranes	2	units
Quayside Jib Cranes	2	units
Low Flat Bed Chassis	10	units
Tractor Head	5	units
Forklift in Warehouse	24	units
Forklift on Yard	2	units
Reachstaker	2	units

(3) Navigation Aid

1) Vessel Traffic Services (VTS) 1 set.

5. HIV/AIDS Prevention Activities <Additional Scope>

6. Consulting Services

(1) Tender Assistance and Construction Supervision

(2) Assistance for Selecting Operator

*Detail of scopes can be changed considering Detailed Design etc.

TERMS OF REFERENCE
FOR
CONSULTING SERVICES (ASSISTANCE FOR SELECTING OPERATOR)
FOR
CAI MEP – THI VAI INTERNATIONAL PORT DEVELOPMENT PROJECT
(Draft)

1. General

This Terms of Reference (TOR) is prepared to provide the general scope of work for the international consultant who will provide Consulting Services for the Selection of Port Operator through Concession or Leasing Scheme that are required by the GOVN for the Cai Mep – Thi Vai International Port Development Project (the Project). In carrying out the services, the Consultant shall cooperate fully with the Project executing agency, the Ministry of Transport (MOT) / Project Management Unit 85 (PMU85) and Vietnam National Maritime Bureau (VINAMARINE) of MOT.

2. Project Profile

The Project consists of the construction of two (2) berths of international container terminal and two (2) berths of international general cargo terminal (including dredging, reclamation and other port related facilities), the navigation channel of -12 to -14 m deep and the installation of quay side gantry cranes as main components of the Project.

The location and implementation schedule of the Project are shown in Figure 1.2.3 and 4, respectively.

The components of the Project are divided as follows:

Category 1: Civil and Building Works

Package 1: Construction of Port Facilities and Buildings for Cai Mep International Container Terminal

- (1) Port Facilities
 - 1) Wharf
 - 2) Terminal
 - 3) Access Road
- (2) Buildings and Pavement
 - 1) PMB Main Office
 - 2) PMB Branch Office, Operation Building and Amenity Block
 - 3) Container Freight Station (CFS)
 - 4) Maintenance Shop
 - 5) Main Gate and Sub-Gate
 - 6) Power Station and Fuel Station

- 7) Yard Pavement
 - 8) Navigation Channel Dredging
 - (7) River Section
 - (1) Sea Section
- (3) HIV/AIDS Prevention Activities

Package 2: Construction of Port Facilities and Buildings for Thi Vai International General Cargo Terminal

- (1) Port Facilities
 - 1) Wharf
 - 2) Terminal
 - 3) Access Road
- (2) Buildings and Pavement
 - 1) PMB Branch Office, Operation Building and Amenity Block
 - 2) Warehouse and Transit Shed
 - 3) Maintenance Shop
 - 4) Main Gate and Sub-Gate
 - 5) Power Station and Fuel Station
 - 6) Yard Pavement

Package 3: Navigation Channel Dredging

- 1) River Section
- 2) Sea Section

Category 2: Procurement of Equipment

Package 4: Equipment Procurement

- (1) Cargo Handling Equipment for Lower Cai Mep International Container Terminal
- (2) Cargo Handling Equipment for Thi Vai International General Cargo Terminal
- (3) Vessel Traffic Service (VTS) system

Category 3: Consulting Services

- (1) Tender Assistance and Construction Supervision
- (2) Assistance for Selecting Operator

3. Objectives of the Consulting Services for Selection of Port Operator

The objectives of Consulting Services are to review the concession/leasing (business) plan, to draft the necessary tender documents for the concession/lease, to provide necessary assistance to the Project executing agency in the pre-qualification of concessionaires/leaser including the evaluation of pre-qualification documents, in the invitation of bids for concession/lease, in contract negotiation with concessionaire/leaser and in handover and issuing commissioning certificate.

4. Scope of Services

4.1 General

In executing the Services, the Consultant shall follow the relevant procedures of the GOVN and JBIC. The Consultant shall assist the Project executing agency in all aspects of the work including issuing commissioning certificate for the concessionaire to commence operation. The scope of the consulting services broadly consists of following works:

Stage-1 Review of Tender Documents

- (1) To Review Concession/Leasing (Business) Plan

Stage-2 Tender Assistance

- (1) To Assist the Project executing agency in Pre-qualification of the Prospective Concessionaires/Leaser
- (2) To Assist the Project executing agency in Bid Evaluation
- (3) To Assist the Project executing agency in Contracting with Selected Concessionaire Leaser, in Handover and in Issuing Commissioning Certificate.

The Consultant shall keep the Project executing agency and JBIC fully informed of all the important matters by means of monthly reports and meetings, as may be considered necessary for the satisfactory implementation of the Project.

The Tasks, which the Consultant shall undertake on behalf of and in collaboration with the Project executing agency are described in the following sections.

4.2 Scope of Consulting Services for Selection of Port Operator

4-2-1 Stage-1 Review of Tender Documents

- a) To review Concession/Leasing (Business) Plan
 - i To review Concession/Leasing(Business) Plan which is prepared in JICA's Technical Assistance Project.

4-2-2 Stage-2 Tender Assistance

- a) To Assist the Project executing agency in pre-qualification of the Prospective Concessionaires/Leasers
 - i To prepare documentation for use in inviting expressions of interest from potential bidders, including the procedures to be used to evaluate expressions of interest.
 - ii To assist the Project executing agency to evaluate expressions of interest and to prepare

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recommendations on which bidders are to be invited to prepare a bid

b) To Assist the Project executing agency in Bid Evaluation

- i To prepare a complete set of bidding documents based on the proposed most suitable concession (business) plan with potential risk management scheme. These documents will include all concession and/or bidding documents to finance, construct, equip and operate the port as defined in the concession (business) plan.
- ii To assist the Project executing agency to prepare bid evaluation criteria.
- iii To assist the Project executing agency to evaluate bids in terms of legal, technical, financial and operational viability. For each concession/leasing contract, the consultant will prepare a report on the evaluation of bids and make recommendations of award of concession/lease.

c) To Assist the Project executing agency in Contracting with Selected Concessionaire/Leaser, in Handover and in Issuing Commissioning Certificate.

- i To assist the Project executing agency to prepare a negotiating strategy including handover and commissioning procedure.
- ii To assist the Project executing agency to negotiate a concession/leasing agreement.
- iii To assist the Project executing agency to handover and to issue commissioning certificate.

5 Schedule of the Services

The services for selection of port operator will be accomplished within 28 months.

2007 Apr - 2009
2007 → 2009
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Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
1 st Stage																															
2 nd Stage																															

Note:

Stage 1: Review of Tender Documents

Stage 2: Tender Assistance

6 Reports and Documents

6.1 Reports and Documents submitted to MOT/PMU85

The Consultant shall write and submit the following reports and documents in English to MOT/PMU85:

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- (1) Reviewed Concession-Leasing (Business) Plan
5 copies within 1 month after the completion
- (2) Prequalification Evaluation Report for Concession/Lease
5 copies within 1 month after closing date
- (3) Bid Evaluation Report for Concession/Lease
5 copies within 1 month after closing date
- (4) Concession/Leasing Contract between the Project executing agency and Selected Concessionaire/Leaser
5 copies within 1 month after the completion

6.2 Reports and Documents submitted to JBIC

The Consultant shall assist MOT/PMU85 in preparing reports to be submitted to JBIC by MOT/PMU85.

7. Required Experties

7.1 Expatriate

The required expatriate experts for the Selection of Port Operator will be, but not limited to, the following personnel and the total assignment man/months is estimated to be around 76 m/m.

(1) Team Leader/ Concession Specialist
(2) Deputy T.L./Port Engineer
(3) Legal Expert
(4) Marketing Expert
(5) Port Planning Expert
(6) Port Operation Expert
(7) Document Specialist
(8) Coordinator

7.2 Local Experts

The required local experts for the Selection of Port Operator will be, but not limited to, the following personnel and the total assignment man/months is estimated to be around 124 m/m.

(1) Co-Team Leader/Office Administrator
(2) Port Engineers
(3) Legal Experts

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(4) Port Planning Experts

(5) Document Specialists

In addition to the above Engineers/Specialists, the Consultant will employ local supporting staff such as, translators, secretaries, and others.

8. Obligation between MOT/PMU85 and the Consultant

- (1) In the case of a difference of opinion between MOT/PMU85 and the Consultant or any important matters involving professional judgment that might affect the proper evaluation or execution of the Project, MOT/PMU85 shall allow the Consultant to submit promptly to MOT/PMU85 a written report and, simultaneously, to submit a copy to JBIC. MOT/PMU85 shall forward the report to JBIC with its comments in time to allow JBIC to study it and communicate with MOT/PMU85 before any irreversible steps are taken in the matter. In cases of urgency, the Consultant shall have the right to request to MOT/PMU85 and/or JBIC that the matter be discussed immediately between MOT/PMU85 and JBIC.
- (2) MOT/PMU85 is responsible for supervising the Consultant's performance and ensuring that the Consultant carries out the assignment in accordance with the contract. Without assuming the responsibilities of MOT/PMU85 or the Consultant, JBIC may monitor the work as necessary in order to satisfy itself that it is being carried out in accordance with appropriate standards and is based on acceptable data. As appropriate, JBIC may take part in discussions between MOT/PMU85 and the Consultant. However, JBIC shall not be liable in any way for the implementation of the Project by reason of such monitoring or participation in implementation of the Project nor shall the Consultant be released from any responsibility for the Project by reason of JBIC's monitoring or participation in discussion.

9. Undertakings of MOT/PMU85

- (1) To assist with procedures for issuance of entry permits necessary for the Consultant's members to conduct the services.
- (2) To assign counterpart staff to obtain accommodation and facilities to assist the Consultants in conducting the services.
- (3) To ensure the safety of Consultants' staff at place of works.
- (4) To assist the Consultants' staff as the need arises for any medical services which may be required.
- (5) To arrange for duties and custom clearance exemption for equipment, instruments, tools and other articles to be brought into Vietnam in connection with the implementation of the services.
- (6) To assist in obtaining privileges and benefits including customs clearance for personal effects which may be brought into the Vietnam by the staff of the Consultant for the execution of the services
- (7) To assist in securing adequate office space to the Consultant.

10. Obligation of Consultant Team

The Consultant Team, with their full responsibilities, commits to successfully carry out all works as mentioned in this TOR and other works relevant to achievement of the Project, and all members of the Consultant Team shall comply with legislation, law and regulations in Vietnam, except for any stipulations agreed between Government of Vietnam and Japan/or home country of such Consultant when carrying out their consulting services in Vietnam.

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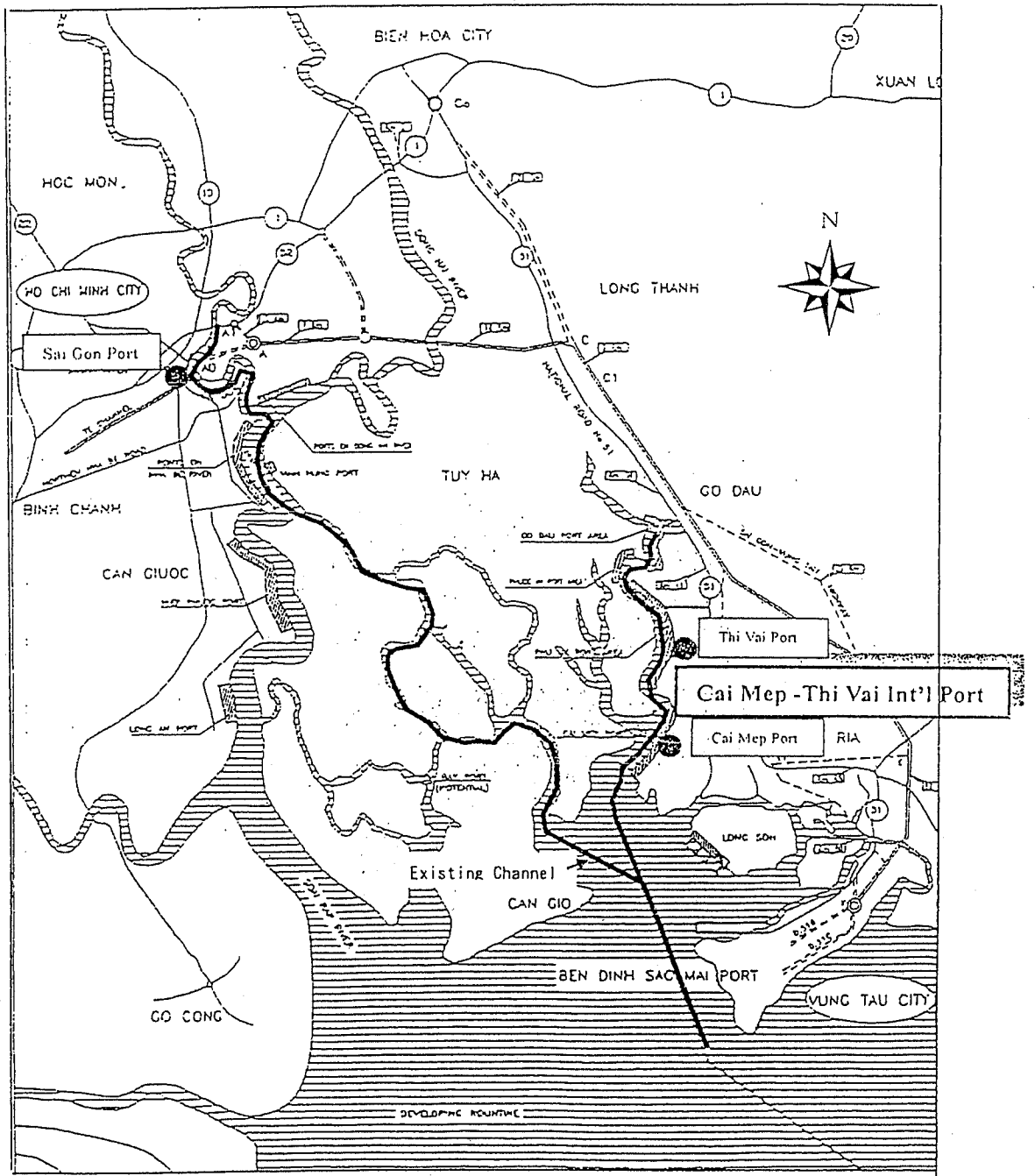


Figure 1 General Location Map of Cai Mep – Thi Vai International Port

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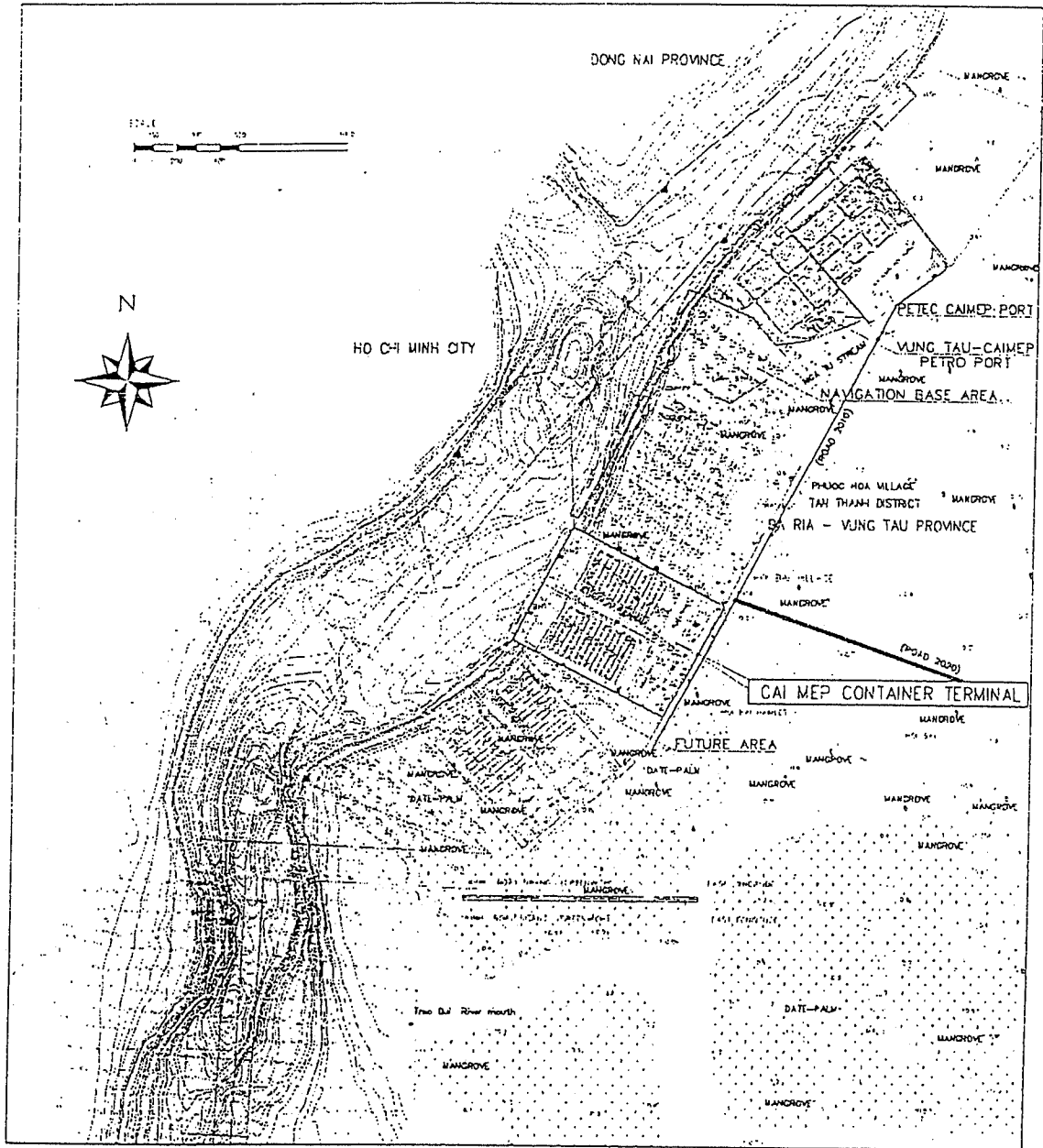


Figure 2. Detailed Location Map of Cai Mep Container Terminal

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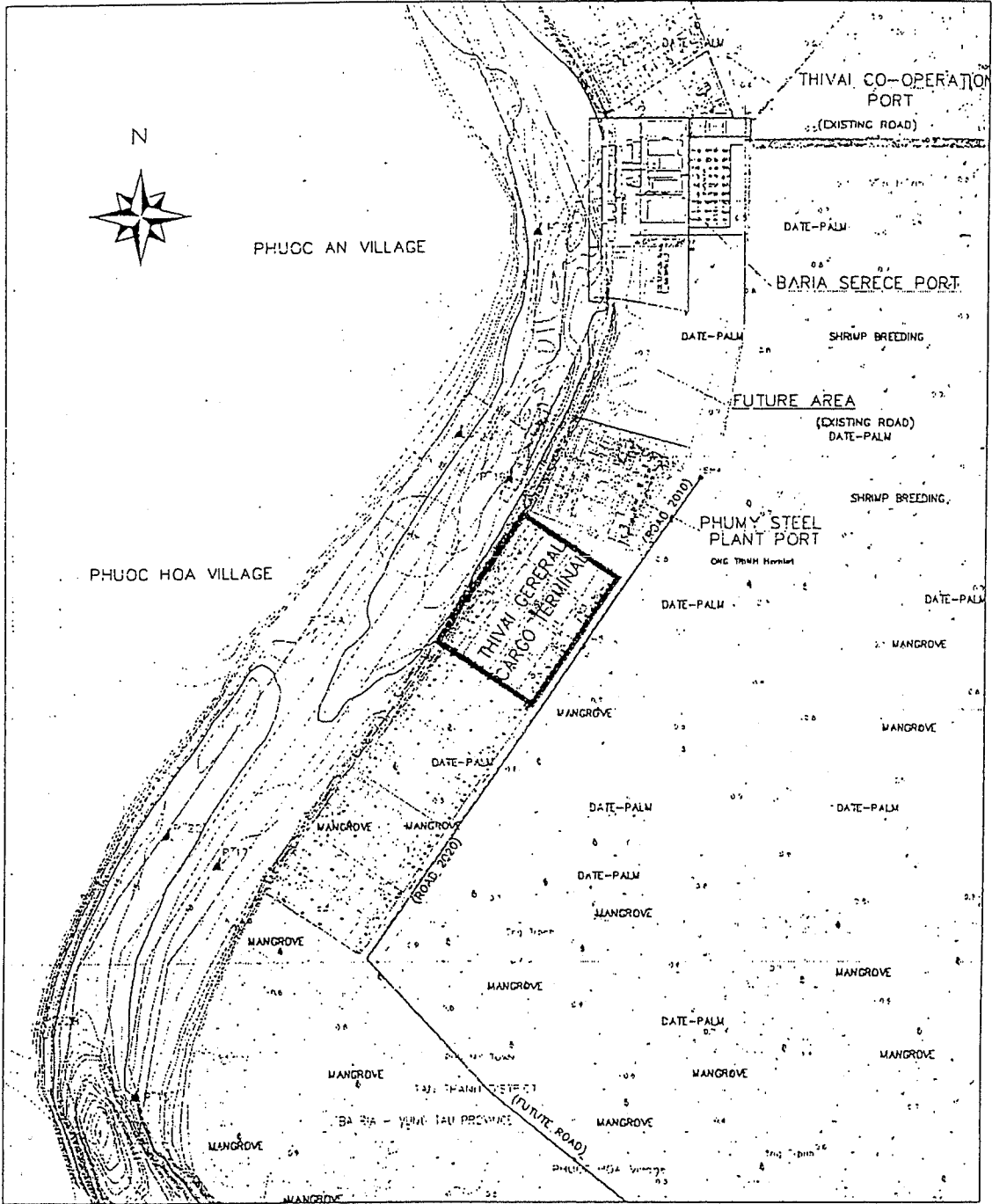


Figure 3. Detailed Location Map of Thi Vai General Cargo Terminal

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TERMS OF REFERENCE
FOR
CONSULTING SERVICES
(TENDER ASSISTANCE AND CONSTRUCTION SUPERVISION)
FOR
CAI MEP – THI VAI INTERNATIONAL PORT DEVELOPMENT PROJECT
(Draft)

1. General

This Terms of Reference (TOR) is prepared to provide the general scope of work for the international consultant who will provide construction supervision services for the new container terminal and general cargo terminal that are required by the GOVN for the Cai Mep – Thi Vai International Port Development Project (the Project). In carrying out the services, the Consultant shall cooperate fully with the Project executing agency, the Ministry of Transport (MOT) / Project Management Unit 85 (PMU85) of MOT.

2. Project Profile

The Project consists of the construction of two (2) berths of international container terminal and two (2) berths of international general cargo terminal (including dredging, reclamation and other port related facilities), the navigation channel of –12 to –14 m deep and the installation of quay side gantry cranes as main components of the Project.

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The components of the Project are divided as follows:

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(1) Port Facilities

- 1) Wharf
- 2) Terminal
- 3) Access Road

(2) Buildings and Pavement

- 1) PMB Main Office
- 2) PMB Branch Office, Operation Building and Amenity Block
- 3) Container Freight Station (CFS)
- 4) Maintenance Shop
- 5) Main Gate and Sub-Gate

- 6) Power Station and Fuel Station
- 7) Yard Pavement
- 8) Navigation Channel Dredging
 - (7) River Section
 - (1) Sea Section
- (3) HIV/AIDS Prevention Activities

Package 2: Construction of Port Facilities and Buildings for Thi Vai International General Cargo Terminal

- (1) Port Facilities
 - 1) Wharf
 - 2) Terminal
 - 3) Access Road
- (2) Buildings and Pavement
 - 1) PMB Branch Office, Operation Building and Amenity Block
 - 2) Warehouse and Transit Shed
 - 3) Maintenance Shop
 - 4) Main Gate and Sub-Gate
 - 5) Power Station and Fuel Station
 - 6) Yard Pavement

Package 3: Navigation Channel Dredging

- 1) River Section
- 2) Sea Section

Category 2: Procurement of Equipment

Package 4: Equipment Procurement

- (1) Cargo Handling Equipment for Lower Cai Mep International Container Terminal
- (2) Cargo Handling Equipment for Thi Vai International General Cargo Terminal
- (3) Vessel Traffic Service (VTS) system

Category 3: Consulting Services

- (1) Tender Assistance and Construction Supervision
- (2) Assistance for Selecting Operator

3. Objectives of the Consulting Services for Construction Supervision

The services to be provided by the Consultant are to undertake the construction supervision for Cai Mep container terminal and Thi Vai general cargo terminal, access roads and navigation channels. It also includes the installation supervision of the cargo handling equipment for both containerized and non-containerized cargo, and VTS system for ship navigation safety.

The Environmental management is one of the important services to assist MOT/PMU85 in implementation of environmental monitoring and other environmental management practices.

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during the construction period.

The Consultant shall provide the necessary assistance to MOT/PMU85 in the invitation for bids for construction of civil works, building works and navigation channel, and procurement of cargo handling equipment and VTS system. Such Construction Supervision Services are deemed imperative in consonance with the urgency of this vital Project as well as the enhancement of its implementation.

4. Scope of Services

4.1 General

In executing the services, the Consultant shall follow the relevant Guidelines and procedures of the GOVN and JBIC based on the FIDIC Conditions of Contracts. The Consultant shall assist MOT/PMU85 in all aspects of the work including the bidding, construction supervision, procurement of goods and project management support required for the completion of the Project. The scope of the consulting services broadly consists of the following works:

- i Review of Detailed Design Study
- ii Bidding and Contracting Assistance
- iii Construction Supervision
- iv Monitoring of Defects during Defect Liability
- v Environmental Management

The Consultant shall keep MOT/PMU85 and JBIC fully informed on all-important matters by means of Monthly Reports and meetings as may be considered necessary for the satisfactory implementation of the Project.

The tasks, which the Consultant shall undertake on behalf of and in collaboration with MOT/PMU85, are described in the following sections

4.2. Scope of Construction Supervision Services

- a) Review of Detailed Design Study
To check the detailed design study of the project, and review it if necessary, for transferring the responsibility based on it to the consultant of construction supervision.
- b) Bidding and Contracting Assistance
To assist in the prequalification, bidding and contracting of the Project, which include but shall not be limited to the following.
 - i To provide the necessary assistance for invitations to prequalification, evaluation of applications, and preparation of prequalification evaluation report submitted to MOT/PMU85 for the approval of MOT/PMU85 and JBIC.
 - ii To provide the necessary assistance for invitations to bid, evaluation of bids and preparation of detailed tender evaluation report submitted to MOT/PMU85 together with the recommendations for the award of the contract to the highest evaluated and most responsive bidders for the approval of MOT/PMU85 and JBIC. In addition, the

Consultants shall also assist MOT/PMU85 in the preparation and finalization of contract agreements.

c) Construction Supervision

To undertake construction supervision of the project, which include but shall not be limited to the following.

- i To check and recommend approval and/or modification, if necessary, of the proposals, documents including Construction Method Statement, Quality Control Plan, Environmental Management Plan, and Drawings prepared by the Contractor and/or the Manufacturer relative to the construction of the Project.
- ii To prepare additional designs, and supply of all necessary working drawings for the Contractor for approval by MOT/PMU85 for satisfactory execution of works including those required as a result of any modification and /or alterations in the original bid documents.
- iii To check the location, alignment and workmanship of all works as laid out by the Contractor and recommend to MOT/PMU85 the acceptance or rejection of the works as constructed as well as equipment procured, if needed.
- iv To recommend acceptance or rejection of materials to be used or incorporated in the works, and verification, if necessary.
- v To continuously inspect the works on the Project and issue necessary instructions to the contractor including as well, compliance to applicable regulations of the Government.
- vi To check monthly Contract Payment Certificate and regularly progress payments on the construction works and certifying progress payments for the approval of MOT/PMU85.
- vii To assist MOT/PMU85 in negotiating and execution of any Change Order which may be deemed necessary.
- viii To check, evaluate and recommend for approval by MOT/PMU85 the Contractor's and Supplier's Work Schedule (CPM) and Progress Schedule for the most effective, expeditious, and safe methods of carrying out the works as well as the manufacture and installation of equipment.
- ix To conduct periodic coordination meetings as may be required.
- x To maintain permanent records of all measurements made for the works, quantities to be paid and results of all tests made on materials used in the works.
- xi To evaluate and make recommendations for MOT/PMU85's approval of all claims, disputes and requests for time or changes that Contractor may request, and assist MOT/PMU85 in negotiating with Contractor on prompt solutions for all such problems.
- xii To supervise the fabrication/installation of all equipment and facilities at the site and performance of final performance test.
- xiii To issue interim payment certificates, certificates of completion, final payment certificates and maintenance certificates in accordance with conditions of Contract.
- xiv To submit to MOT/PMU85, upon the issuance of the Final Certificate of Acceptance of the Project, all job records, as-built drawings as well as the required written instruction for the satisfactory operation and maintenance of the Project.



xv Management of site safety.

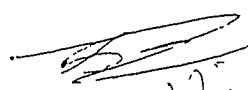
Within three (3) months after the issuance of Final Certificate of Acceptance of the Project, the Consultant shall submit to MOT/PMU85 a Contract Completion Report describing progress of work, construction record, variation, final cost and other matters as may be required by MOT/PMU85.

d) Monitoring of Defects during Defect Liability Period

- i During the first year after project completion, the Contractor shall execute maintenance work in accordance with the Contract. The Consultant will inspect periodically the performance work to be executed by the Contractor.
- ii During the period of maintenance, the Consultant will instruct the Contractor in writing to execute all such works of repair, amendment, recognition, rectification and making good effects, imperfections, shrinkage or other fault as may be required of the Contractor. After any substantial part of the maintenance work has been completed to the satisfaction of the Consultant, the latter will issue Defects Liability Certificate to the Contractor.
- iii Upon issuance of the Defects Liability Certificate, the Consultant will submit a Defects Liability Completion Report summarizing the conditions of the facilities and any remedial actions that were taken.

e) Environmental Management

- i To carry out Environmental Monitoring Program
- ii To supervise the environmental management and monitoring activities implemented by contractors
- iii To propose specific actions and countermeasures to specific issues related to the environment.
- iv To recommend additional monitoring and mitigation measures when necessary
- v To prepare and submit the Environmental Monitoring Reports periodically.


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6.2 Reports and Documents submitted to JBIC

The Consultant shall assist MOT/PMU55 in preparing reports to be submitted to JBIC by MOT/PMU55, such as the Progress Report and Project Completion Report, which are defined in the Loan Agreement of the Project.

7. Required Experties

7.1 Expatriate

The required expatriate experts for the Construction Supervision Services will be, but not limited to, the following personnel and the total assignment man/months is estimated to be around 182 m/m.

(1) Team Leader/ Port Engineer
(2) Deputy T.L./Civil Engineer
(3) Dredging Engineer
(4) Soil/Geotechnical Engineer
(5) Cargo Handling Equipment Specialist
(6) Architect
(7) Electric Engineer
(8) Utility Engineer
(9) System Engineer
(10) Environment Expert
(11) Document Specialist
(12) Coordinator

7.2 Local Experts

The required local experts for the Construction Supervision Services will be, but not limited to, the following personnel and the total assignment man/months is estimated to be around 488 m/m.

(1) Co-Team Leader/Office Administrator
(2) Port Engineer
(3) Structural Engineers
(4) Civil Engineers
(5) Road Engineers
(6) Dredging/Hydraulic Engineers
(7) Geotechnical Engineers
(8) Cargo Handling Equipment Specialist
(9) Architects
(10) Electric Engineers
(11) Mechanical Engineers

(12) Environment Specialist

(13) Document Specialist

In addition to the above Engineers/Specialists, the Consultant will employ local supporting staff such as CAD operators, inspectors, translators, secretaries, and others.

8. Obligation between MOT/PMU85 and the Consultant

- (1) In the case of a difference of opinion between MOT/PMU85 and the Consultant or any important matters involving professional judgment that might affect the proper evaluation or execution of the Project, MOT/PMU85 shall allow the Consultant to submit promptly to MOT/PMU85 a written report and, simultaneously, to submit a copy to JBIC. MOT/PMU85 shall forward the report to JBIC with its comments in time to allow JBIC to study it and communicate with MOT/PMU85 before any irreversible steps are taken in the matter. In cases of urgency, the Consultant shall have the right to request to MOT/PMU85 and/or JBIC that the matter be discussed immediately between MOT/PMU85 and JBIC.
- (2) MOT/PMU85 is responsible for supervising the Consultant's performance and ensuring that the Consultant carries out the assignment in accordance with the contract. Without assuming the responsibilities of MOT/PMU85 or the Consultant, JBIC may monitor the work as necessary in order to satisfy itself that it is being carried out in accordance with appropriate standards and is based on acceptable data. As appropriate, JBIC may take part in discussions between MOT/PMU85 and the Consultant. However, JBIC shall not be liable in any way for the implementation of the Project by reason of such monitoring or participation in implementation of the Project nor shall the Consultant be released from any responsibility for the Project by reason of JBIC's monitoring or participation in discussion.

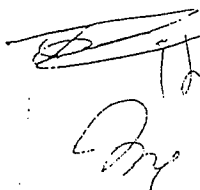
9. Undertakings of MOT/PMU85

- (1) To assist with procedures for issuance of entry permits necessary for the Consultant's members to conduct the services.
- (2) To assign counterpart staff to obtain accommodation and facilities to assist the Consultants in conducting the services.
- (3) To ensure the safety of Consultants' staff at place of works.
- (4) To assist the Consultants' staff as the need arises for any medical services which may be required.
- (5) To arrange for duties and custom clearance exemption for equipment, instruments, tools and other articles to be brought into Vietnam in connection with the implementation of the services.
- (6) To assist in obtaining privileges and benefits including customs clearance for personal effects which may be brought into the Vietnam by the staff of the Consultant for the execution of the services
- (7) To assist in securing adequate office space to the Consultant.



10. Obligation of Consultant Team

The Consultant Team, with their full responsibilities, commits to successfully carry out all works as mentioned in this TOR and other works relevant to achievement of the Project, and all members of the Consultant Team shall comply with legislation, law and regulations in Vietnam, except for any stipulations agreed between Government of Vietnam and Japan/or home country of such Consultant when carrying out their consulting services in Vietnam.

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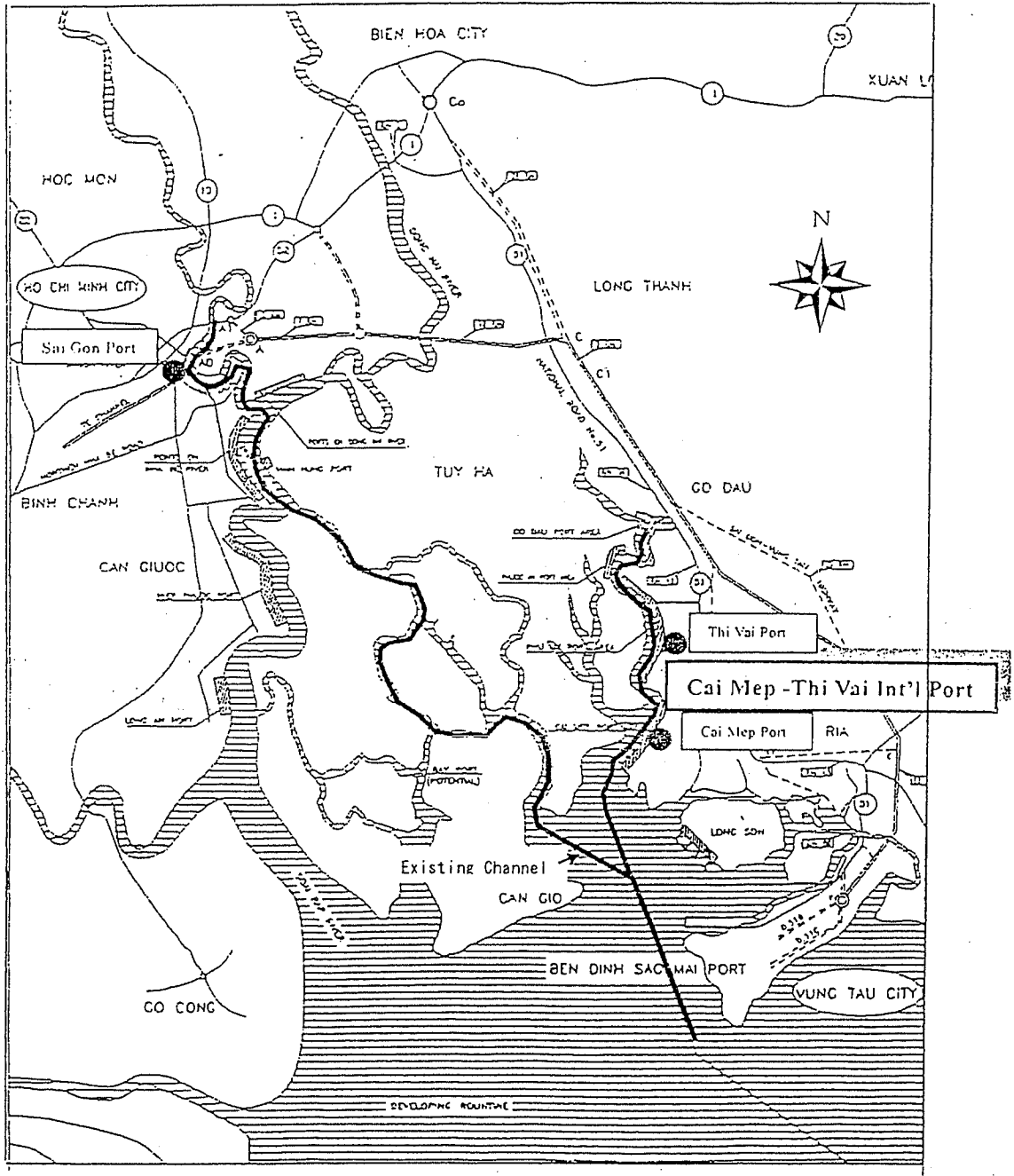


Figure 1 General Location Map of Cai Mep – Thi Vai International Port

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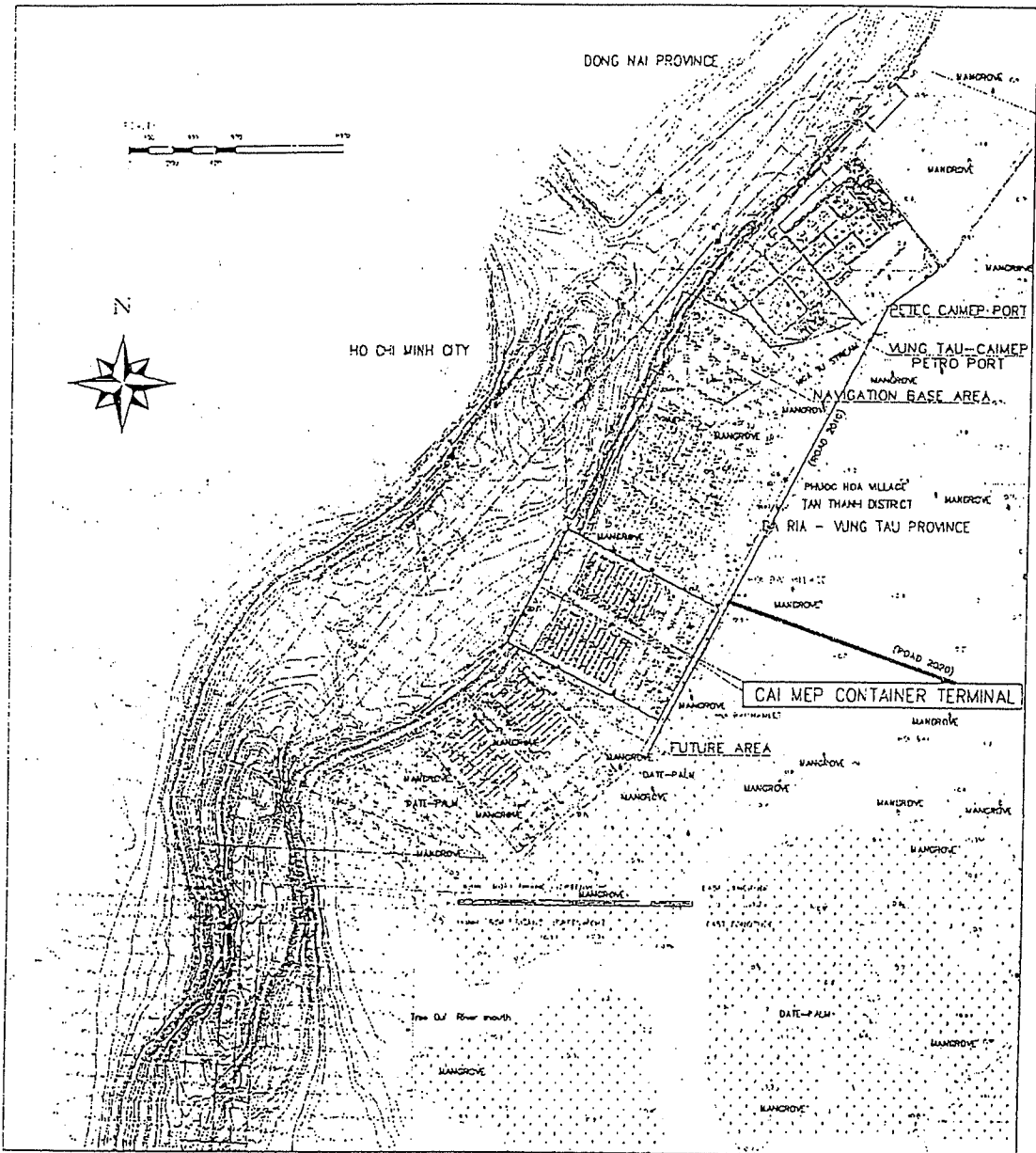


Figure 2. Detailed Location Map of Cai Mep Container Terminal

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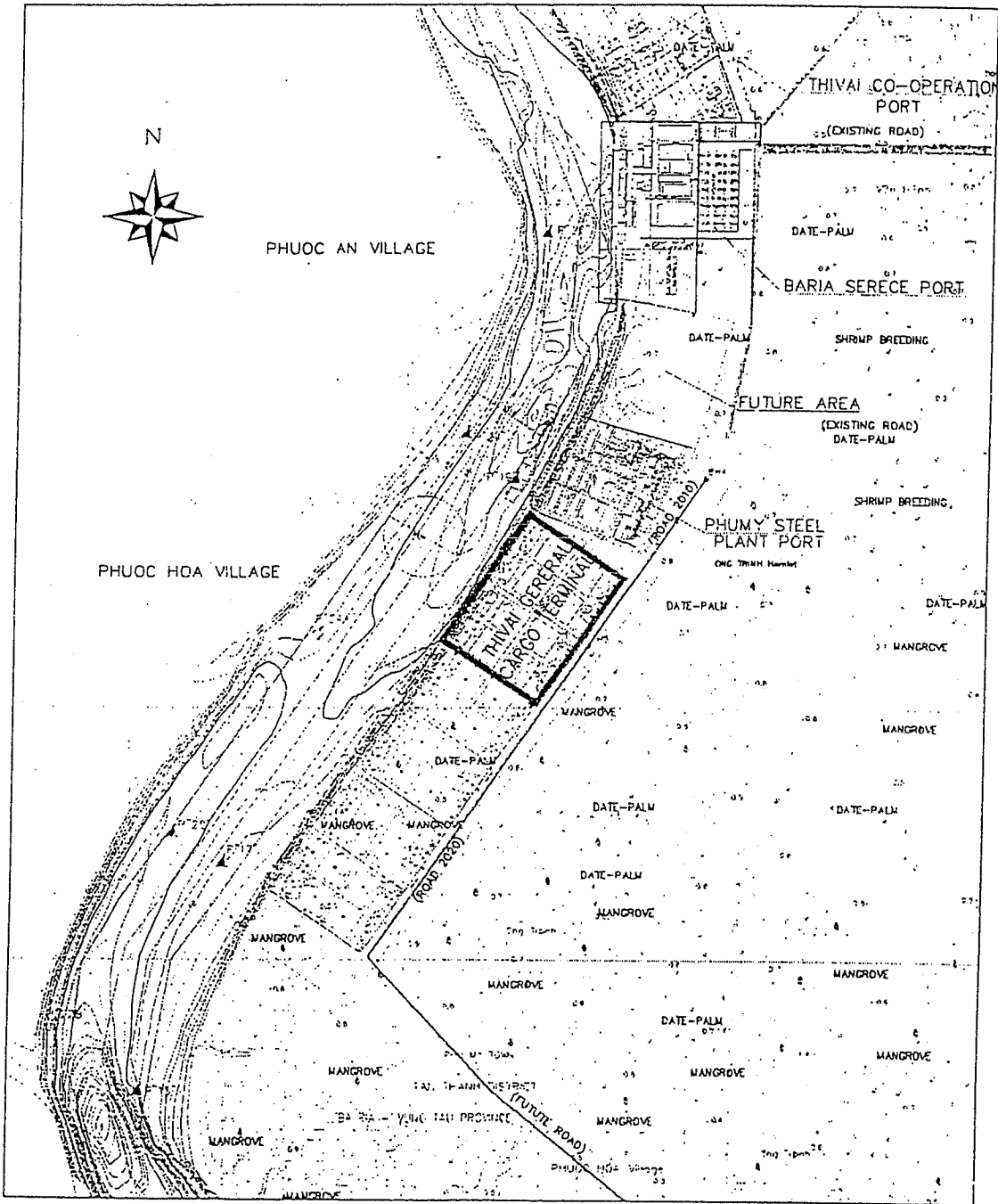


Figure 3. Detailed Location Map of Thi Vai General Cargo Terminal

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Task Name	2004	2005	2006	2007	2008	2009	2010	2011	2012
Prize Notification									
Exchange of Note									
Loan Agreement									
1. Construction procurement									
Category 1: Civil and Building Works									
Package 1: Construction of Port Facilities and Buildings for CM									
Package 2: Construction of Port Facilities and Buildings for TV									
Package 3: Navigation Channel Dredging									
Category 2: Procurement of Equipment									
Package 4: Equipment Procurement									
2. Consulting Services									
Design by JICA									
Assistance for Selecting Operator									
Tender Assistance and Construction Supervision									

Figure 4 Implementation Schedule of the Project

Detailed Cost Estimation and Bidding Packages

Item	Description	Unit	Quantity	Rate Yen / unit	Amount Th. Yen	Foreign Th. Yen	Local Th. Yen	Yen Portion for material
Category 1. Civil and Building Works								
Pac.1 Construction of Port Facilities and Building for Cai Mep area						21,468,378	10,652,292	10,816,086
(1) Port Facilities						11,250,798	4,850,794	6,400,004
1) Wharf						9,565,080	4,639,894	4,925,186
a. Pier & Trestle	Steel pile	m	600	6,046,597	3,642,847	2,853,150	789,697	
b. Basin Dredging	Depth=14m	m ³	31,200	477	14,859	0	14,859	
2) Terminal						4,367,795	1,786,744	2,581,051
a. Reclamation and Soil Improvement		m ³	2,077,000	1,728	3,631,295	1,786,744	1,844,551	
b. Rubble Stone Revetment		m	1,300	37,531	48,790	0	48,790	
c. Utilities	Water, Electric, Gas & Sew. etc.	L.S			687,710	0	687,710	
3) Access Road						1,554,438	0	1,554,438
a. New Road and Culvert	W=11m	m	2,000	213,712	427,424	0	427,424	
b. Bridge	L=19m, W=23m	set	1	455,895,000	455,895	0	455,895	
c. Existing Road		m	6,130	109,451	671,119	0	671,119	
(2) Buildings and Pavement						1,685,718	210,900	1,474,818
PMB Main Office		m ²	3,600	28,442	102,392	73,000	29,392	
PMB Branch Office, Operation Building and Amenity Block		m ²	4,100	29,630	121,481	24,900	96,581	
CFS		m ²	6,000	22,467	134,802	31,200	103,602	
Maintenance Shop		m ²	1,750	29,466	51,565	19,400	32,165	
Main Sub Gates		m ²	2,550	41,371	105,495	60,000	45,495	
Power Fuel Stations		m ²	700	45,047	31,533	2,400	29,133	
Yard Pavement		m ²	428,690	2,656	1,138,450	0	1,138,450	
Pac.2 Construction of Port Facilities and Building for Thi Vai area						6,062,338	2,477,305	3,585,033
(1) Port Facilities						4,916,592	2,284,505	2,632,087
1) Wharf						3,144,061	2,284,505	859,556
a. Pier	Steel pile	m	600	5,217,983	3,130,790	2,284,505	846,285	
b. Basin Dredging	Depth=14m	m ³	23,200	572	13,271	0	13,271	
2) Terminal						1,639,257	0	1,639,257
a. Reclamation and Soil Improvement		m ³	1,200,000	1,231	1,477,179	0	1,477,179	
b. Rubble Stone Revetment		m	840	38,192	32,249	0	32,249	
c. Utilities	Water, Electric, Gas & Sew. etc.	L.S			129,829	0	129,829	
3) Access Road						133,274	0	133,274
a. New Road and Culvert	W=32m	m	1,000	133,274	133,274	0	133,274	
(2) Buildings and Pavement						1,145,746	192,800	952,946
PMB Branch Office, Operation Building and Amenity Block		m ²	4,900	29,503	144,567	21,200	123,367	
Warehouse and Transit Shed		m ²	16,000	22,337	357,394	96,000	261,394	
Maintenance Shop		m ²	800	29,980	23,984	13,200	10,784	
Main Sub Gates		m ²	2,250	43,426	97,708	60,000	37,708	
Power Fuel Stations		m ²	800	41,620	33,296	2,400	30,896	
Yard Pavement		m ²	223,250	2,189	488,797	0	488,797	
Pac.3 Navigation Channel Dredging						4,155,242	3,324,193	831,049
1) River Section						663,000	364,949	298,051
B=310m, Depth=14m		m ³		550				
2) Sea Section						9,918,000	3,790,293	6,127,707
B=310m, Depth=14m		m ³		382		3,032,234	758,059	
Category 2. Procurement of Equipment						8,615,130	8,442,828	172,302
Pac.4 Equipment Procurement						8,615,130	8,442,828	172,302
(1) Cai Mep International Container Terminal						6,178,930	6,251,352	72,422
Quayside Container Crane						3,916,000	3,837,680	78,320
RTG	45ton*4, 40610m*2	units	6	652,666,667	3,916,000	3,837,680	78,320	
Yard Tractors & Container Chassis		units	13	121,000,000	1,515,000	1,778,700	263,700	
Forklifts	3.5 ton	units	30	5,693,667	260,810	255,594	5,216	
Side Lifter	18ton	units	6	4,620,000	27,720	27,166	554	
Reachstacker	30 5-40 ton	units	4	36,300,000	145,200	142,296	2,904	
Computer System		set	2	35,700,000	71,400	69,972	1,428	
(2) Thi Vai International General Cargo Terminal						142,800,000	139,944	2,856
Multi-purpose Quayside Crane	40610m	units	2	648,800,000	2,082,200	2,640,556	558,356	
Quayside Jib Crane	20 ton	units	2	248,600,000	1,297,780	1,271,824	25,956	
Forklifts	3-ton*24, 18-ton*2	units	26	5,296,923	397,200	487,256	9,944	
Yard Tractors & Low Flat Bed Chassis		units	10	7,810,000	137,220	134,966	2,254	
Reachstacker	35-40 ton	units	2	35,700,000	78,100	76,338	1,762	
(3) Navigation Aid						71,400	69,972	1,428
Vessel Traffic Service(VTS) System		L.S			154,000	150,920	3,080	
Total Construction Cost (Cat.1+ Cat.2)						154,000	150,920	3,080
Consulting Services						30,083,510	19,095,120	10,988,390
Pac.1 Tender Assistance and Construction Supervision						1,575,240	791,146	784,094
Pac.2 Assistance for Selecting Operator						1,187,144	562,034	625,110
Price Escalation						388,096	229,112	158,984
Physical Contingency including HIV/AIDS Prevention Activities						1,470,728	1,470,728	0
IDC						2,788,425	1,637,208	1,151,217
Total Direct Project Cost						446,037	446,037	0
VAT						36,363,940	23,440,239	12,923,701
TAX and Duties						1,885,690	0	1,885,690
Land Acquisition and Compensation Cost						1,795,895	0	1,795,895
Administration Cost						1,000,000	0	1,000,000
Total Project Cost						1,818,200	23,440,237	19,423,486

0.46

Cost Estimation for Consulting Service(Tender Assistance and Construction Supervision)
(x 1,000 Yen)

	Unit	Quantity	unit Rate	Amount
1. Man Power (1)				
(1)Expatriate Experts	man x month	182	2,500	455,000
(2)Local Expert	man x month	488	900	439,200
Subtotal				894,200
2. Man Power (2)				
(1)CAD Operator	man x month	102	94	9,588
(2)Computer Operator	man x month	102	94	9,588
(3)Translator	man x month	161	94	15,134
(4)Clerk & Secretary	man x month	161	64	10,304
(5)Guardman	man x month	114	38	4,332
Subtotal				48,946
3. Travel Expense				
(1)JPN-Vietnam				
Business	trip	18	400	7,200
Economy	trip	45	350	15,750
(2)Hanoi-Ho Chi Minh City				
Business	trip	140	35	4,900
Economy	trip	140	25	3,500
(3)Daily & Hotel Allowance	day	15.4	5,460	84,084
Subtotal				115,434
4. Environmental Monitoring				
(1) Water, Sedimentation	LS	1		8,000
(2) Air, Noise	LS	1		6,000
(3) Bentos	LS	1		2,000
Subtotal				16,000
5. Others				
(1)Office Rental	month	20	600	12,000
(2)Office Furniture	set	50	30	1,500
(3)Office Equipment				
Computer	month	1,014	5	5,070
Printer (Normal)	month	240	12.5	3,000
Printer (Colour)	month	120	5.0	600
Protter	month	71	37.5	2,663
Scanner	month	71	27	1,917
(4)Office Maintenance	month	71	400	28,400
(5)Reporting Cost	LS			5,000
(6)Data Collection, etc	LS			10,000
(7)Car Lease				
Car	month	277	112.5	31,163
Micro Bus Lease	month	60	187.5	11,250
Subtotal				112,564
Total				1,187,144
			Foreign Portion	562,034 47%

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Cost Estimation for Consulting Service (Assistance for Selecting Operator)

(x 1,000 Yen)

	Unit	Quantity	unit Rate	Amount
1. Man Power (1)				
(1)Expatriate Experts	man x month	76	2,500	190,000
(2)Local Expert	man x month	124	900	111,600
Subtotal				301,600
2. Man Power (2)				
(1)Computer Operator	man x month	24	94	2,256
(2)Translator	man x month	36	94	3,384
(3)Clerk & Secretary	man x month	36	64	2,304
Subtotal				7,944
3. Travel Expense				
(1)JPN-Vietnam				
Business	trip	3	400	1,200
Economy	trip	8	350	2,800
(2)Hanoi-Ho Chi Minh City				
Business	trip	24	35	840
Economy	trip	24	25	600
(3)Daily & Hotel Allowance	day	2,280	15.4	35,112
Subtotal				40,552
4. Others				
(1)Office Rental	month	12	600	7,200
(2)Office Furniture	set	30	30	900
(3)Office Equipment				
Computer	month	220	5	1,100
Printer (Normal)	month	60	12.5	750
Printer (Colour)	month	30	5	150
(4)Office Maintenance	month	12	400	4,800
(5)Reporting Cost	LS			5,000
(6)Data Collection, etc	LS			10,000
(7)Car Lease				
Car	month	72	112.5	8,100
Subtotal				38,000
Total				388,096

Foreign Portion 229,112
59.0

Implementation Schedule

Task Name	2004	2006	2007	2008	2009	2010	2011	2012
Port Notification								
Exchange of Note								
Loan Agreement								
Detail Design by JICA								
Detailed Design								
Preparation of Draft Tender Document								
Employment of Consultant for Tender Assistance and Construction Supervision								
Consulting Services for Tender Assistance and Construction Supervision								
Review of Tender Document								
Tender Assistance for Construction Port Facilities and Dredging								
Tender Assistance for Equipment								
Supervision on Construction Works								
Supervision on Installation of Equipment								
Maintenance Inspection								
Tender for Construction of Port Facilities and Building for CM (with P/Q)								
Invitation and Closing of P/Q								
Evaluation of P/Q								
Concurrence of P/Q result by JBIC								
JBIC Concurrence of Tender Document								
Fee for Evaluation								
Concurrence of Tender Evaluation by JBIC								
Contract Negotiation								
Opening of LC and L/CCKM								
Construction of Port Facilities								
Construction of Buildings								
Tender for Construction of Port Facilities and Building for TV (with P/Q)								
Invitation and Closing of P/Q								
Evaluation of P/Q								
Concurrence of P/Q result by JBIC								
JBIC Concurrence of Tender Document								
Tender Period								
Tender Evaluation								
Concurrence of Tender Evaluation by JBIC								
Contract Negotiation								
Opening of Contract by JBIC								
Opening of LC and L/CCKM								
Construction of Port Facilities								
Construction of Buildings								
Tender for Navigation Channel Dredging (with P/Q)								
Invitation and Closing of P/Q								
Evaluation of P/Q								
Concurrence of P/Q result by JBIC								
JBIC Concurrence of Tender Document								
Tender Period								
Tender Evaluation								
Concurrence of Tender Evaluation by JBIC								
Contract Negotiation								
Opening of Contract by JBIC								
Opening of LC and L/CCKM								
Construction of Navigation Channel Dredging								
Tender for Equipment (with P/Q)								
Invitation and Closing of P/Q								
Evaluation of P/Q								
Concurrence of P/Q result by JBIC								
JBIC Concurrence of Tender Document								
Tender Period								
Tender Evaluation								
Concurrence of Tender Evaluation by JBIC								
Contract Negotiation								
Opening of Contract by JBIC								
Opening of LC and L/CCKM								
Installation of Equipment								
Employment of Consultant for Assistance for Selecting Operator								
Consulting Services for Assistance for Selecting Operator								
Preparation of Tender Document by JICA								
Review of Tender Document								
Tender Assistance								
Tender for Operator by PMIB								
Invitation and Closing of P/Q								
Evaluation of P/Q								
Tender Period								
Tender Evaluation								
Contract Negotiation								

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Annual Fund Requirement

Year	2005		2006		2007		2008		2009		2010		2011		Total
	Foreign	Local	Foreign	Local	Foreign	Local	Foreign	Local	Foreign	Local	Foreign	Local	Foreign	Local	
(1) Construction (Part Facilities and Building) for CM	4,851	6,400	11,251	0	0	191	133	234	1,213	1,000	2,813	1,213	1,000	2,813	3,478
1-1 price escalation	308	914,256	308	0	0	0	0	0	0	0	0	0	0	0	0
1-2 physical contingency	516	662	1,178	0	0	0	0	0	0	0	0	0	0	0	0
(2) Construction (Part Facilities and Building) for TV	2,477	3,585	6,062	0	0	52	75	126	619	896	1,516	619	896	1,516	1,859
2-1 price escalation	157	512,498	157	0	0	0	0	0	0	0	0	0	0	0	0
2-2 physical contingency	263	359	622	0	0	5	7	13	65	90	155	65	90	155	194
(3) Navigation Channel Dredging	3,324	831	4,155	0	0	0	0	0	0	0	0	0	0	0	0
3-1 price escalation	270	778,727	270	0	0	0	0	0	0	0	0	0	0	0	0
3-2 physical contingency	359	83	442	0	0	0	0	0	0	0	0	0	0	0	0
(4) Equipment	8,443	172	8,615	0	0	0	0	0	0	0	0	0	0	0	0
4-1 price escalation	685	0	685	0	0	0	0	0	0	0	0	0	0	0	0
4-2 physical contingency	456	9	465	0	0	0	0	0	0	0	0	0	0	0	0
(5) Consulting Services (Fender Assistance & Supervision)	562	645	1,187	6	7	12	24	51	101	112	213	113	126	239	285
5-1 price escalation	37	0	37	0	0	0	0	0	0	0	0	0	0	0	0
5-2 physical contingency	30	31	61	0	0	1	1	3	5	6	11	6	6	12	7
(6) Consulting Services (Assistance for Selecting Operator)	229	159	388	0	0	0	0	0	34	58	142	60	41	101	146
6-1 price escalation	13	0	13	0	0	0	0	0	0	0	0	0	0	0	0
6-2 physical contingency	12	8	20	0	0	0	0	0	4	4	3	6	6	8	8
Project Use Cost (excl. Consulting Services)	19,085	10,988	30,073	0	0	151	208	361	1,831	2,496	4,328	1,831	2,496	4,328	5,295
Price Escalation (excl. Consulting Services)	1,420	0	1,420	0	0	4	0	4	78	0	105	108	0	161	216
Physical Contingency (excl. Consulting Services)	1,595	1,112	2,707	0	0	16	43	58	191	250	443	194	250	443	536
Subtotal	21,110	12,100	34,211	0	0	173	251	423	2,101	2,746	4,876	2,100	2,746	4,876	5,831
FOX (Construction & Equipment)	422	0	422	0	0	2	2	2	21	41	41	83	83	166	228
Consulting Services (incl. P.E. & P.C.)	884	823	1,707	6	7	13	26	35	302	178	480	192	176	367	458
FOX (Consulting Services)	24	0	24	0	0	0	0	0	0	0	0	0	0	0	0
FOX (Total)	436	0	436	0	0	2	2	2	21	41	41	83	83	166	228
Equal of Eligible Portion	21,440	12,923	36,363	6	7	13	29	48	2,326	2,924	5,288	2,326	2,924	5,288	6,259
Land Acquisition and Compensation Cost	0	1,020	1,020	0	0	0	0	0	0	0	0	0	0	0	0
Administration Cost	0	1,285	1,285	0	0	0	0	0	0	0	0	0	0	0	0
VAT	0	259,723	259,723	0	0	0	0	0	0	0	0	0	0	0	0
TAX and Duties	0	269,857	269,857	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total	23,440	19,473	42,913	6	7	15	201	1,568	2,326	3,872	6,197	2,326	3,872	6,197	7,257
Exchange Rate (VND/JPY) =	143	2,772,781	42,913	0	0	1,409	193,724	1,568	351,083	551,083	3,872	3,366	542,365	6,197	7,257
Price Escalation Rate (FCI) =	0.014	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Physical Contingency Rate (FCI) =	0.1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Physical Contingency Rate (Construction) =	0.05	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Physical Contingency Rate (Equipment) =	0.05	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Interest Rate (Construction & Equipment) =	0.004	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Interest Rate (Consulting Services) =	0.004	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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Hanoi, June 24, 2004

DECISION OF THE PRIME MINISTER
On investment approval
Of the Cai Mep - Thi Vai International Port Development Project
Stage up to 2010

PRIME MINISTER

- Pursuant to the Law on Government Organization dated November 12, 2001;
- Considering the request of Ministry of Transport mentioned in the Documents No.4337/GTVT-KHDT dated September 30, 2003, No. 5815/GTVT-KHDT dated December 9, 2003; No.2003/GTVT-KHDT dated April 23, 2004 and appraisal opinion of the Ministry of Planning and Investment (in the Document No.1193/BKH/TD&CSHT dated March 3, 2004) on the Feasibility Study Report of the Cai Mep- Thi Vai International Port Development Project;

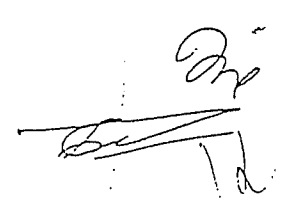
DECIDES

ARTICLE 1: To invest for the Cai Mep - Thi Vai International Port Development Project - Stage up to 2010 with the following main contents:

1. Name of the Project: Cai Mep - Thi Vai International Port Development Project - Stage up to 2010.
2. Project Location: At two locations in Thi Vai river, Tan Thanh District, Ba Ria-Vung Tau Province as follows:
 - Thi Vai International General Cargo Terminal: to be developed at Thi Vai area (Phu My)
 - Cai Mep International Container Terminal: to be developed at Lower Cai Mep area.

Scopes of the Project:

- To construct 2 general cargo berths in Thi Vai area:
 - Total area of the port: 27ha, riverside length: 600m.
 - Berth: 600m-long wharf onshore with the capacity to cater 50,000DWT-general cargo vessel. Throughput capacity is ranged from 1.60 million tons per year to 2 million tons per year in 2010.
 - Scopes of infrastructure and back up facilities inshore shall meet the requirements of a general cargo terminal.
 - Cargo handling equipment and other equipment shall be properly invested to meet the designed handling capacity.
- To construct 2 berths in Lower Cai Mep area:
 - Total area of the port: 48ha, riverside length: 600m



- Berth: wharf offshore with trestle or pier. Main bridge length: 600m, width: 50m, which is designed to be able to cater 80,000DWT container vessel. In the stage up to 2010, it is designed to accommodate the 50,000DWT vessel. Main wharf linked with shore by 3 trestles. Each bridge is 90m-long. Throughput capacity: 600,000TEU to 700,000TEU.

- Scopes of infrastructure and back up facilities inshore shall meet the requirements of a container terminal.

- Cargo handling equipment, other equipment shall be properly invested to meet the designed handling capacity.

- Control system shall be computerized; maintenance work should include staff training, periodical maintenance of equipment and accessories.

- *Navigation channel:*

- In the stage up to the year 2010, navigation channel to Lower Cai Mep berths is designed to accommodate 50,000DWT container vessel, with the navigational width of 310m, -14m-deep, basin shall be dredged to reach the same depth of -14m.

- In the stage up to 2010, navigation channel to Thi Vai berths is designed to accommodate 50,000DWT cargo vessel, with the navigational width of 310m, -12m-deep, basin shall be dredged to reach the depth of -14m. In terms of the S-shape curved section is designed with the navigational width of 200m, depth: -12m.

- VTS system for port operation shall be procured and installed.

4. *Investment capital*

- *Total investment capital:* 4,731,562 millions Vietnamese Dong, which is equivalent to 36,326 millions Japanese Yen (1Yen = 130.252 Dong)

- *Investment source:*

Using JBIC's loan of the Japanese Government in Yen and the counterpart finance of the Government of Vietnam in Vietnamese Dong in the following structure:

85% : JBIC's loan (Yen)

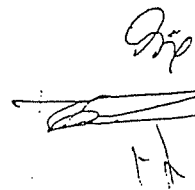
15% : counterpart finance of the Government of Vietnam (Dong)

- ✓ - Ministry of Transport (MOT) should consider and agree upon with JBIC on supplementation of several items, such as improvement the access road linking HWS1 to Thi Vai port and Cai Mep port; creating favorable conditions for fishermen in the project area to do offshore fishing; mangrove reforestation; implementation of environment management plan; development of project management office; training on maintenance; Base on these items to define capital amount and source.

5. *Implementation organization:*

- *Employer* : Ministry of Transport

- *Employer representative:* Project Management Unit No.85 (PMU85), with the cooperation of Vietnam Marine Bureau (VINAMARINE), which is the State-owned management agency specialized in marine sector.



- Investment Schedule:

- Pre-investment stage : from 2004 to 2005
- Construction commencement : Year of 2006
- Construction completion and operation : End of 2009, Beginning of 2010

6. Project Implementation

- Technical Consultant: Selected through International Competitive Bidding (ICB) Assignments: tender assistance, construction supervision, selection of port operator.
- Detailed Design Study: using non-refundable aid of JICA.
- Construction Contractors: Selected through International Competitive Bidding (ICB) and Local Competitive Bidding (LCB)

ARTICLE 2: Task allocation

1. Ministry of Transport

- Review and approve technical items of the Project
- Coordinate with Ba Ria - Vung Tau People's Committee and concerned Ministries, agencies to provide guidance on the land acquisition, compensation to meet the project schedule.
- To instruct VINAMARINE to study on the port management and operation plan after construction completion.
- To instruct project implementation according to the existing regulations.

2. Ba Ria- Vung Tau People's Committee:

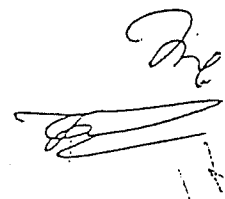
Ba Ria- Vung Tau People's Committee is responsible for organization and implementation of land acquisition for project execution.

3. Other Concerned Ministries and Agencies:

Ministry of Planning and Investment, Ministry of Construction, Ministry of Finance, The State Bank of Vietnam and concerned agencies will act and coordinate with Ministry of Transport according to their regulated functions in the Project implementation process.

ARTICLE 3: This Decision shall be valid since the signing date.

Ministers, Heads of the concerned agencies, Chairman of the Ba Ria-Vung Tau People's Committee and Chairmen of concerned provinces are responsible for the implementation of this Decision



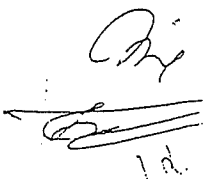
To:

- Prime Minister, Vice Prime Ministers
- Ministries: MOT, MPL, MOF, MOL
- Ministry of Trade: MOD, MAPD, MOC, MOST
- State Bank of Vietnam
- HCMC P.C.
- P.C's: BR-VT, Dong Nai, Binh Duong, Binh Phuoc
- VINAMARINE, PMUS5
- Corporations 91
- Speaker of Prime Minister
- G O
- Filing, Admin

FOR AND ON BEHALF OF PRIME MINISTER
VICE PRIME MINISTER

(Signed)

NGUYEN TAN DZUNG


1 d.

Environmental Checklist: 15. Roads and Railways (1)

ENVIRONMENTAL CHECKLIST OF ADDITIONAL SCOPE OF CAI MEP - THI VAI INTERNATIONAL DEVELOPMENT PROJECT

Category	Environmental Item	Main Check Items	Confirmation of Environmental Considerations
1 Permits and Explanation	(1) EIA and Environmental Permits	<ul style="list-style-type: none"> ① Have EIA reports been officially completed? ② Have EIA reports been approved by authorities of the host country's government? ③ Have EIA reports been unconditionally approved? If conditions are imposed on the approval of EIA reports, are the conditions satisfied? ④ In addition to the above approvals, have other required environmental permits been obtained from the appropriate regulatory authorities of the host country's government? 	<p>1) The EIA has been completed in September 2004 and submitted to MONRE.</p> <p>2) In letter No. 3561/B/PMPT-TD dated September 29, 2004, MONRE noted that it is not necessary to get separate approval on this EIA report due to environmental impact of the additional scope to be minor comparing to the original one.</p> <p>3) The EIA report should be sent to DONRE for review in prior to commencement of civil works and monitoring in construction stage.</p>
	(2) Explanation to the Public	<ul style="list-style-type: none"> ① Are contents of the project and the potential impacts adequately explained to the public based on appropriate procedures, including information disclosure? Is understanding obtained from the public? ② Are proper responses made to comments from the public and regulatory authorities? 	<p>1) In May 2004 consultation meetings were held at Tan Phuoc Commune by the Project Owner. P.A.P.s and representative officials from Tan Phuoc Commune. In the meeting, all attendees expressed their positive attitude toward the Project</p> <p>2) In the meeting, all P.A.P.s were very supportive for this project and expressed their hope to receive a satisfactory compensation to keep their living standard</p>
2 Mitigation Measures	(1) Air Quality	<ul style="list-style-type: none"> ① Is there a possibility that air pollutants emitted from various sources, such as vehicle traffic will affect ambient air quality? Does ambient air quality comply with the country's ambient air quality standards? ② Where industrial areas already exist near the route, is there a possibility that the project will make air pollution worse? 	<p>1) The current dust concentration in the project area exceeds the environmental quality standard of 0.3mg/m3. The main source of dust is considered to be from the surrounding muddy and sandy soil and vegetation, which will not pose any serious threat to the human health. Since the predicted dust concentration values during the operation phase will be similar with the current value. No serious health impacts are expected to occur towards the construction workers of the local residents.</p> <p>2) The road goes across Cai Mep Industrial Zone but it will reduce air pollution</p> <p>3) There is a possibility that filling soil may runoff. However, the road is located in mangrove forest so the impact to water quality in downstream water areas is not significant. The contractor will be requested to apply suitable methods to minimize the runoff.</p> <p>2) No.</p>
	(2) Water Quality	<ul style="list-style-type: none"> ③ Do effluents from various facilities, such as stations and parking areas/service areas comply with the country's effluent standards and ambient water quality standards? Is there a possibility that the effluents will cause areas that do not comply with the country's ambient water quality standards? 	<p>3) No. This is an access road with short distance from the port to the NH51 so it is no need to develop various facilities such as stations and parking areas.</p>
	(3) Noise and Vibration	<ul style="list-style-type: none"> ④ Do noise and vibrations from vehicle and train traffic comply with the country's standards? 	<p>Yes.</p>

Environmental Checklist: 1.5. Roads and Railways (2)

Category	Environmental Item	Main Check Items	Confirmation of Environmental Considerations
3 Natural Environment	(1) Protected Areas	<p>① Is the project site located in protected areas designated by the country's laws or international treaties and conventions? Is there a possibility that the project will affect the protected areas?</p> <p>② Does the project site encompass primeval forests, tropical rain forests, ecologically valuable habitats (e.g., coral reefs, mangroves, or tidal flats)?</p> <p>③ Does the project site encompass the protected habitats of endangered species designated by the country's laws or international treaties and conventions?</p> <p>④ If significant ecological impacts are anticipated, are adequate protection measures taken to reduce the impacts on the ecosystem?</p> <p>⑤ Are adequate protection measures taken to prevent impacts, such as disruption of migration routes, habitat fragmentation, and traffic accident of wildlife and livestock?</p> <p>⑥ Is there a possibility that installation of roads will cause impacts, such as destruction of forest, poaching, desertification, reduction in wetland areas, and disturbance of ecosystems due to introduction of exotic (non-native invasive) species and pests? Are adequate measures for preventing such impacts considered?</p> <p>⑦ In cases where the project site is located at undeveloped areas, is there a possibility that the new development will result in extensive loss of natural environments?</p>	<p>No</p> <p>1) The project locates in boundary of mangrove secondary forest. Due to the fact that the forest is in conjunction with the existing road, industrial and resident areas, there is no ecologically value habitats.</p> <p>2) No.</p> <p>3) Reforestation will be done with mangrove based on the plan prepared by PMU Forest Conservation of BR-VI Province. PMUR85 will assist its implementation through the compensation for mangrove.</p> <p>4) This is a road in the industrial zone areas so speed is limited. In addition, sign boards and traffic safety facilities will be installed to remind driver to pay attention to the traffic safety.</p> <p>5) As mentioned above</p> <p>6) No</p>
3 Natural Environment	(2) Ecosystem	<p>① Is there a possibility that alteration of topographic features and installation of structures, such as tunnels will adversely affect surface water and groundwater flows?</p> <p>② Is there a soft ground on the route that may cause slope failures or landslides? Are adequate measures considered to prevent slope failures or landslides, where needed?</p> <p>③ Is there a possibility that civil works, such as cutting and filling will cause slope failures or landslides? Are adequate measures considered to prevent slope failures or landslides?</p> <p>④ Is there a possibility that soil runoff will result from cut and fill areas, waste soil disposal sites, and borrow sites? Are adequate measures taken to prevent soil runoff?</p>	<p>In case the road is constructed, installation of a suitable drainage system will positively affect surface water in the areas.</p> <p>1) Suitable slope protection facilities and method will be applied in order to minimize the slope failures or landslides.</p> <p>2) As mentioned above.</p>
	(3) Hydrology		
	(4) Topography and Geology		

Environmental Checklist: 1.5. Roads and Railways (3)

Category	Environmental Item	Main Check Items	Confirmation of Environmental Considerations
	<p>① Is involuntary resettlement caused by project implementation? If involuntary resettlement is caused, are efforts made to minimize the impacts caused by the resettlement?</p> <p>② Is adequate explanation on relocation and compensation given to affected persons prior to resettlement?</p> <p>③ Is the resettlement plan, including proper compensation, restoration of livelihoods and living standards developed based on socioeconomic studies on resettlement?</p> <p>④ Does the resettlement plan pay particular attention to vulnerable groups of persons, including women, children, the elderly, people below the poverty line, ethnic minorities, and indigenous peoples?</p> <p>⑤ Are agreements with the affected persons obtained prior to resettlement?</p> <p>⑥ Is the organizational framework established to properly implement resettlement? Are the capacity and budget secured to implement the plan?</p> <p>⑦ Is a plan developed to monitor the impacts of resettlement?</p>		<p>Confirmation of Environmental Considerations</p> <p>1) There are approximately 40 households to be relocated. All residents are supposed to be aware of the necessity to relocate following the national rules i.e. Decree 22/1998/ND-CP, Circular 145/1998/TT-BTC, and Decision 592/QĐ-GTVT.</p> <p>2) An explanation on relocation of existing facilities was given to PAP in Tam Phoc Commune. Compensation will be made just before the commencement of the construction work.</p> <p>3) A resettlement plan will be developed by Provincial People's Committee and PMU85 jointly. Compensation fee will be calculated by Compensation Committee under the PPC.</p> <p>4) There is no vulnerable groups in the project area.</p> <p>5) PAP will accept the compensation for resettlement. Limited interviews by PMU85 show that they seem to agree to move elsewhere.</p> <p>6) An organizational framework has been established by the central government involving the PPC to implement resettlement. PPC will prepare the resettlement plan with PMU85 that pays the compensation.</p> <p>7) Environmental monitoring will be done including the social environmental parameters. Monitoring on the quality of life of relocated people may be done, if required.</p>

Environmental Checklist: 15. Roads and Railways (4)

Category	Environmental Item	Main Check Items	Confirmation of Environmental Considerations
4 Social Environment		<p>① Where roads or railways are newly installed, is there a possibility that the project will affect the existing means of transportation and the associated workers? Is there a possibility that the project will cause significant impacts, such as extensive alteration of existing land uses, changes in sources of livelihood, or unemployment? Are adequate measures considered for preventing these impacts?</p> <p>② Is there a possibility that the project will adversely affect the living conditions of inhabitants other than the affected inhabitants? Are adequate measures considered to reduce the impacts, if necessary?</p> <p>③ Is there a possibility that diseases, including communicable diseases, such as HIV will be introduced due to immigration of workers associated with the project? Are adequate considerations given to public health, if necessary?</p> <p>④ Is there a possibility that the project will adversely affect road traffic in the surrounding areas (e.g., by causing increases in traffic congestion and traffic accidents)?</p> <p>⑤ Is there a possibility that roads and railways will cause impede the movement of inhabitants?</p> <p>⑥ Is there a possibility that structures associated with roads (such as bridges) will cause a sun shading and radio interference?</p>	<p>Confirmation of Environmental Considerations</p> <p>1) Traffic in N151 and feeder road may suffer from the increased cargo transportation activities. There is possibility that the enlargement of the road will encroach the salt-marsh and mangrove forest resulting to unemployment. Mitigation measures will be necessary, such as installation of traffic signs and traffic guidance by policemen, the priority in employment of the port construction workers given to PAP. Local government is also willing to have policy of long training plan for young worker force.</p> <p>2) No. Almost of Inhabitants other than the affected inhabitants are farmers and self-employed so they will take more advantage of the project such as employment opportunity in project in construction and operation stage, more active small vender.</p> <p>3) Camps will be prepared for alien workers to isolate them from the local residents. Infrastructure such as portable toilet will be installed together with the treatment plans for wastes and effluents. The camp will provide first aid and medical facilities to employee, which will be used for residents in emergency cases.</p> <p>4) As mentioned above</p> <p>5) As mentioned above</p> <p>6) No</p>
	(3) Heritage	<p>① Is there a possibility that the project will damage the local archeological, historical, cultural, and religious heritage sites? Are adequate measures considered to protect these sites in accordance with the country's laws?</p>	No
	(4) Landscape	<p>① Is there a possibility that the project will adversely affect the local landscape? Are necessary measures taken?</p>	No
4 Social Environment	(5) Ethnic Minorities and Indigenous Peoples	<p>① Where ethnic minorities and indigenous peoples are living in the rights-of-way, are considerations given to reduce the impacts on culture and lifestyle of ethnic minorities and indigenous peoples?</p> <p>② Does the project comply with the country's laws for rights of ethnic minorities and indigenous peoples?</p>	

Environmental Checklist: 15. Roads and Railways (5)

Category	Environmental Item	Main Check Items	Confirmation of Environmental Considerations
5 Others	<p>(1) Impacts during Construction</p>	<p>① Are adequate measures considered to reduce impacts during construction (e.g., noise, vibrations, turbid water, dust, exhaust gases, and wastes)?</p> <p>② If construction activities adversely affect the natural environment (ecosystem), are adequate measures considered to reduce impacts?</p> <p>③ If construction activities adversely affect the social environment, are adequate measures considered to reduce impacts?</p> <p>④ If necessary, is health and safety education (e.g., traffic safety, public health) provided for project personnel, including workers?</p>	<p>1) At present, dust exceeds the ambient air quality standard value. No predicted value is reported for the dust concentration during construction. Proposed countermeasures include repairment of road, water-spraying to trucks, application of cover on the material transported. No adverse effect of gas and noise emission is expected because the mangrove forest and categorized as the industrial zone. When noise level exceeds the criteria, more strict application of speed limit and maintenance of vehicles and construction machines will be introduced. Drainage will contribute to reduce the turbidity and consequently the impact on the aquatic ecosystem.</p> <p>2) Measures against generation of dust, noise, vibration, turbid water, and harmful wastes are proposed to minimize the impact on the natural environment. Mangrove replantation will be developed by Department of Agriculture and Rural Development of Baria - Vungtau Province.</p> <p>3) Camps will be prepared for alien workers to isolate them from the local residents.</p> <p>4) First aid and medical facilities will be provided to employees. Proper explanation will also be provided to workers.</p>
6 Note	<p>(2) Monitoring</p>	<p>① Does the proponent develop and implement monitoring program for the environmental items that are considered to have potential impacts?</p> <p>② Are the items, methods and frequencies included in the monitoring program judged to be appropriate?</p> <p>③ Does the proponent establish an adequate monitoring framework (organization, personnel, equipment, and adequate budget to sustain the monitoring framework)?</p> <p>④ Are any regulatory requirements pertaining to the monitoring report system identified, such as the format and frequency of reports from the proponent to the regulatory authorities?</p> <p>⑤ Where necessary, pertinent items described in the Forestry Projects checklist should also be checked (e.g., projects including large areas of deforestation).</p> <p>⑥ Where necessary, pertinent items described in the Power Transmission and Distribution Lines checklist should also be checked (e.g., projects including installation of power transmission lines and/or electric distribution facilities).</p>	<p>1) In-plant monitoring on dust, noise and effluents during the operation phase and ambient environmental monitoring on them through preconstruction phase to operation phase are planned.</p> <p>2) Involvements of comments from the public and other relevant organizations will realize the appropriate monitoring methodology. Proper methods for the field measurement on chemical parameters have been described in a circular by MOSTE.</p> <p>3) The monitoring activity involve many governmental organizations to conduct adequate monitoring.</p> <p>4) MOSTE circular mentioned in 2) above stipulates that the monitoring should be conducted 2 times a year and the result should be reported once a year to DONRE.</p>
	<p>Reference to Checklist of Other Sectors</p>	<p>① Where necessary, pertinent items described in the Forestry Projects checklist should also be checked (e.g., projects including large areas of deforestation).</p> <p>② Where necessary, pertinent items described in the Power Transmission and Distribution Lines checklist should also be checked (e.g., projects including installation of power transmission lines and/or electric distribution facilities).</p>	<p>Though the project include deforestation area and installation of power transmission lines, the deforestation and its mitigation measures is mentioned in above items and impacts of the installation of power transmission lines is not significant.</p>
	<p>Note on Using Environmental Checklist</p>	<p>① If necessary, the impacts to transboundary or global issues should be confirmed, if necessary (e.g., the project includes factors that may cause problems, such as transboundary waste treatment, acid rain, destruction of the ozone layer, or global warming).</p>	<p>Not applicable</p>

Environmental Checklist: 15. Roads and Railways (6)

Category	Environmental Item	Main Check Items	Confirmation of Environmental Considerations
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1) Regarding the term "Country's Standards" mentioned in the above table, in the event that environmental standards in the country where the project is located diverge significantly from international standards, appropriate environmental considerations are made, if necessary.

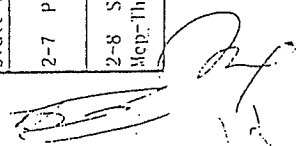
2) In cases where local environmental regulations are yet to be established in some areas, considerations should be made based on comparisons with appropriate standards of other countries (including Japan's experience). Environmental checklist provides general environmental items to be checked. It may be necessary to add or delete an item taking into account the characteristics of the project and the particular circumstances of the country and locality in which it is located.

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ANNEX III. PLAN OF OPERATION (PO) FOR THE WHOLE PROJECT PERIOD

Project title: The Project on the Improvement of Port Management System in the Socialist Republic of Vietnam fiscal year

Activity	2004	2005	2006	2007	2008
1. VINAMARINE formulates the strategy on operation and promotion of gateway ports in Vietnam					
1-1 Review and analysis of the port / maritime transport activities including international container cargo flow	▬				
1-2 Review and Analysis of port operation in other countries	▬				
1-3 Analysis of the market and competitive environment of Cai Mep - Thi Vai Port	▬				
1-4 Formulation of the policy on non state sectors' participation to the operation of Cai Mep-Thi Vai Port		▬			
1-5 Seminars are held to make a presentation on the strategy on Cai Mep -Thi Vai Port and the policy for non state sectors' participation to the Port.		▬			
2. VINAMARINE redefines the roles (authorities, powers, etc) on port management and operation among government agencies, other public sectors and private sector to promote the non state sectors' participation to the operation gateway ports.					
2-1 Identification of the problems of the economical and technical regulation on port management and operation		▬			
2-2 Analysis of the regulations on non state sectors' participation to port operation		▬			
2-3 Analysis of the risks of the non state sectors' participation to port operation		▬			
2-4 Analysis of cost sharing between port management body and non state sectors		▬			
2-5 Review of the roles on port management and operation between port management body and non state sectors of other international gateway ports in Asia		▬			
2-6 Comparison with some alternative plans for the redefinition of authorities and their powers for port management and operation among port management body and non state sectors		▬			
2-7 Preparation appropriate plan for the redefinition of authorities and powers		▬			
2-8 Setting up a task force for the establishment of the port management body of Cai Mep-Thi Vai Port	▬				


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ANNEX III. PLAN OF OPERATION (PO) FOR THE WHOLE PROJECT PERIOD

Project title: The Project on the Improvement of Port Management System in the Socialist Republic of Vietnam fiscal year

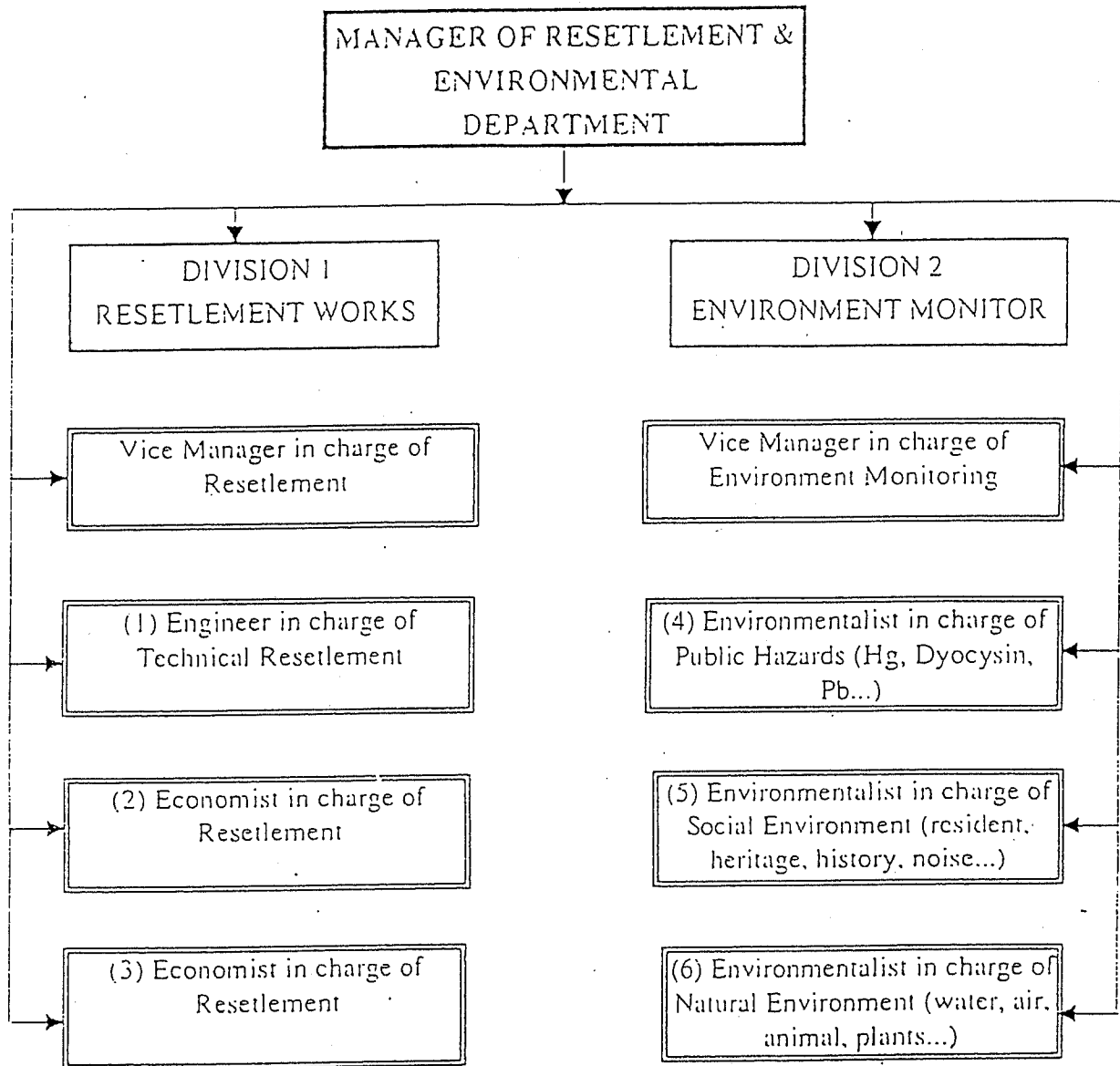
	2004	2005	2006	2007	2008
2-9 Preparation of the article and institutional plan of the Cai Mep- Thi Vai Port management body		<input type="checkbox"/>		<input type="checkbox"/>	
2-10 Preparation of the guideline for the Public Private Partnership on port management and operation		<input type="checkbox"/>			
3. VINAMARINE formulates the regulatory framework to promote the non state sectors' participation to port operation.					
3-1 Analysis of regulation on non state sectors' participation to the operation/management of Infrastructures		<input type="checkbox"/>			
3-2 Preparation of the regulatory framework (approval and license, transaction etc) to promote non state sectors' participation		<input type="checkbox"/>			
3-3 Analysis of the regulations on port labor		<input type="checkbox"/>			
4. VINAMARINE formulates the documents necessary for the selection of port operator in general and the business plan of Cai Mep-Thi Vai Port.					
4-1 Preparation of the standard bidding documents between Port Manage Body and operators for gateway ports			<input type="checkbox"/>		
4-2 Preparation of the standard contract documents between Port Manage Body and operators for gateway ports			<input type="checkbox"/>		
4-3 Estimation of costs (cost of capital, operation cost, maintenance cost) and revenues, formulation of a business plan and financial analysis of Cai Mep- Thi Vai Port			<input type="checkbox"/>		
4-4 Risk identification and analysis (country risk, project risk, contract risk etc)			<input type="checkbox"/>		
4-5 Preparation of the risk management program			<input type="checkbox"/>		
4-6 Preparation of the code on the tariff			<input type="checkbox"/>		
4-7 Preparation of the framework for rent fee			<input type="checkbox"/>		
4-8 Preparation of necessary qualification of port operators			<input type="checkbox"/>		
4-9 Preparation of the support plans by the Government			<input type="checkbox"/>		

ANNEX III. PLAN OF OPERATION (PO) FOR THE WHOLE PROJECT PERIOD

Project title: The Project on the Improvement of Port Management System in the Socialist Republic of Vietnam

	2004	2005	2006	2007	2008
5. The capacity on the port administration and management is enhanced.					
5-1 Analysis of the roles and the classification of all ports in Vietnam		▬			
5-2 Proposal of the port management system by each category of the ports			▬		
5-3 Examination of the port development and management strategy				▬	
5-4 Development of the appropriate port statistic system				▬	
5-5 Development of the appropriate arrangement for port clearance and CIQ (Custom, Immigration, Quarantine) procedure.				▬	
5-6 Establishment of the policy for the introduction of port information system				▬	
5-7 Formulation of port security plan		▬			

ORGANIZATION CHART OF RESETTLEMENT AND ENVIRONMENTAL DEPARTMENT



Notes: The tasks of each position shall be as follow:

- For Manager of the Department
 - + To manage general resettlement works and environment monitoring
 - + To discuss with projects managers, consultant and contractors to summarize resettlement and environment reports for submission to General Director Board of PMU
- For Vice Manager of the Department
 - + To assist Manager to deal with assigned works
 - + To manage Division in charge
- For Engineer (1)
 - To monitor and settle issues relating to Resettlement and Compensation of Projects
- For Economist (2) & (3)
 - To monitor and settle issues relating to current regulations, policies, pricing and compensation program
- For Environmentalist (1), (2) and (3)
 - To be in charge of each environmental subjects including Society, Nature and Public Hazard.

OUTLINES OF ENVIRONMENTAL MANAGEMENT PLAN FOR CAI MEP-THI VAI INTERNATIONAL PORT DEVELOPMENT PROJECT (Draft)

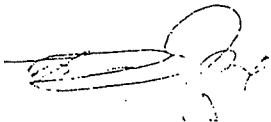
1. Introduction
 2. Project Description
 3. Summary of the current condition of the environment (baseline data)
 - 3.1 Physical Environment
 - 3.2 Biological Environment
 - 3.3 Socioeconomic Environment

*This part is based on the final EIA and supplemented by the environmental baseline data collection conducted in the additional environmental study and in the 1st stage study of Detailed Design.
 4. Summary of the Impact
 - 4.1 Construction Phase
 - 4.2 Operational Phase

*This part is based on the final EIA..
 5. Environmental Mitigation Measures

*This section should set out clear and achievable targets, and quantitative indicators of the level of mitigation required. Each measure should be briefly described in relation to the impact and conditions under which it is required. These should be referred to designs, development activities, equipment descriptions, and operating procedures and implementation responsibilities. All mitigation measures recommended in the JICA study and EIA, comments and requirements from MONRE should be carefully examined and incorporated into this section.
 6. Environmental Monitoring Plan
 - 6.1 Monitoring Plan in the Construction Phase
 - 6.2 Monitoring Plan in the Operational Phase

*Monitoring items, monitoring measures, expected frequency, monitoring executing agencies, feedback mechanism, responsible agency who response to the result of monitoring should be clarified in order to secure adaptive management.
 7. Environmental awareness promotion, education and training programs

*Environmental awareness promotions, education and training programs for construction workers and supervise and operational staff will be included.
 8. Description of the Responsibilities and Authorities for Implementation of Mitigation Measures and Monitoring Requirements
- 

*This section should specify the institutional arrangements for implementation – taking account of the local conditions. Responsibilities for mitigation and monitoring shall be defined along with arrangements for information flow, and for coordination between agencies responsible for mitigation. EMP specifies the organizations and individuals that will be responsible for undertaking the mitigating and monitoring measures, e.g., for enforcement of remedial actions, monitoring, training, and financing. The EMP may propose institutional strengthening activities including establishment of appropriate organization arrangements, appointment of key staff and consultants; and arrangements for counterpart funding and only ending when necessary.

9. Work Plan

*This section should specify staffing chart for the environmental management section established within the Project Management Unit, and other related work, proposed schedules of participation by the project team members, and activities and inputs of related government agencies. The responsibilities and requirements of contractors should be clearly addressed to ensure integration into legal requirements and bidding/contract documents—EMP requirements should be integrated into such documents to ensure that contractors are clear with their obligations—where supervision identifies inadequacies in their implementation such documents provide a basis for enforcement and reporting. Implementation of major environmental covenants should be linked to disbursement conditions.

10. Cost Estimates

*This section provides the costs of implementation of EMP. These should be specified for both the initial and recurring expenses for implementing all measures defined in the EMP, integrated into the total project costs and factored into loan negotiations. All costs—including administrative design and consultancy, and operational and maintenance costs—resulting from meeting required standards or modifying project design should be captured. A budgeting plan should be attached to resolve the issues of how those costs are to be met.

11. Mechanisms for feedback and adjustment

The section should outline the procedures and mechanisms that will be used to modify and reshape the project in the light of monitoring results. A feedback mechanism, with proposed timing and procedures, should be included in the EMP to provide for modifications to the Project, and the executing agencies.

12. Consideration for preparing the Detailed Design and Tender Documents

The section should extract the elements of EMP that should be reflected to the Detailed Design and Tender Documents which is prepared to the 2nd study stage.

MINISTRY OF TRANSPORT
No.5401/GTVT-KHDT
*Re: Summary Report on changing
Total Investment Value of Cai Mep-Thi Vai
Int. Development Project*

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Hanoi, October 6, 2004

To: PRIME MINISTER

6. Supporting service for HIV/AIDS prevention for construction workers:

In August 2004, the Fact Finding Mission of JBIC requested MOT to add the item of HIV/AIDS prevention for workers, as similarly applied in Can Tho Bridge Construction Project, as the Project is located in the sensitive area in the South of Vietnam. In addition, the Project implementation will require a big number of human resources and long construction period (4 years). JBIC and MOT will discuss to add this item to the tender documents of civil works packages. Scope of services and Cost Estimation will be similar with the Can Tho Bridge Construction Project, which was approved by the Prime Minister in principle.

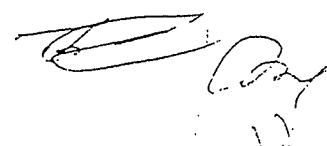
MOT hereby kindly request Prime Minister to approve the supplementation of this item into Project scope of work. The construction cost of each packages will be allocated for this item.

ON BEHALF OF MOT
VICE MINISTER

(Signed)

NGUYEN VIET TIEN

Note: This is an abstraction from the Document Letter No.5401/GTVT-KHDT dated Oct. 6, 2004.





BỘ KẾ HOẠCH VÀ ĐẦU TƯ
CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Số: 7332 BKH/KTĐN

Hà Nội, ngày 01 tháng 12 năm 2003

Bộ Kế hoạch và Đầu tư nước Cộng hòa Xã hội Chủ nghĩa Việt Nam kính chào Đại sứ quán Nhật Bản tại Việt Nam và xin trân trọng thông báo:

Trong khuôn khổ gói tín dụng ưu đãi đồng Yên tài khóa 2003 mà Chính phủ Nhật Bản đang xem xét để cung cấp cho Việt Nam, Chính phủ Cộng hòa Xã hội Chủ nghĩa Việt Nam đồng ý áp dụng Điều kiện tín dụng đặc biệt dành cho đối tác kinh tế (Special Terms for Economic Partnership - STEP) cho dự án Khôi phục cầu đường sắt trên tuyến Hà Nội - Thành phố Hồ Chí Minh, giai đoạn 3 và dự án Xây dựng cảng quốc tế Cái Mép - Thị Vải.

Nhân dịp này, Bộ Kế hoạch và Đầu tư nước Cộng hòa Xã hội Chủ nghĩa Việt Nam xin gửi đến Đại sứ quán Nhật Bản lời chào trân trọng.



Nguyễn Bích Đạt
THỨ TRƯỞNG

Kính gửi: Đại sứ quán Nhật Bản tại Việt Nam

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(Unofficial translation)

MINISTRY OF PLANNING AND INVESTMENT
THE SOCIALIST REPUBLIC OF VIET NAM

No. 7332 BKH/KTDN

Hanoi, 1 December, 2003

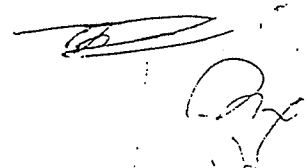
The Ministry of Planning and Investment of the Socialist Republic of Viet Nam presents its compliments to the Embassy of Japan in Viet Nam and has the honour to inform the latter of the followings:

Within the yen loan package in fiscal year 2003 that the Government of Japan is considering to provide Viet Nam, the Government of the Socialist Republic of Viet Nam agrees to apply Special Term for Economic Partnership (STEP) for the project for Rehabilitation of Bridges on Hanoi-Ho Chi Minh City Railways, phase III, and the project for Construction of Thi Vai-Cai Mep International Port.

The Ministry of Planning and Investment of the Socialist Republic of Viet Nam avails itself of this opportunity to renew to the Embassy of Japan in Viet Nam the assurances of its highest consideration.

(Signed and sealed)
Nguyen Bich Dat
Vice Minister

To: Embassy of Japan in Viet Nam

A handwritten signature in black ink is located in the bottom right corner of the page. Below the signature, there is a faint, circular stamp or seal, though its details are not clearly legible.

THE GOVERNMENT OF JAPAN

Japan's New ODA Loan Scheme to be introduced:
- Special Terms for Economic Partnership (STEP) -

The Government of Japan has decided to introduce a new ODA loan scheme from July 2002, now called the Special Terms for Economic Partnership (STEP), which is expected to raise the visibility of Japan's ODA to the citizens in the recipient countries and Japan through utilizing and transferring excellent technologies and know-how of Japanese firms.

1. Recipient Countries of STEP

Low-Income Countries, Lower-Middle-Income Countries and Middle-Income Countries to which a tied aid can be extended under OECD rules (except Least among Less Developed Countries and Upper-Middle-Income Countries).

2. Eligible Projects of STEP

(1) Outline: Projects eligible for STEP will be limited to those which are in the sectors and fields below (2), and at the same time, for which Japanese technologies and equipment are substantially utilized.

(2) Sectors and Fields:

- | | |
|---|-------------------------------|
| *Bridges and Tunnels | *Ports |
| *Airports | *Urban mass transit system |
| *Oil/Gas transmission and storage facilities | *Urban flood control projects |
| *Communications /Broadcasting/ Public information system | |
| *Power stations/ power transmission and distribution lines | |
| *Trunk roads/ Dams | |
| (limited to projects that substantially utilize anti-earthquake techniques, ground treatment techniques, fast implementation techniques of Japan) | |
| *Environmental Projects | |
| (limited to projects that substantially utilize air-pollution prevention techniques, water-pollution prevention techniques, waste treatment and recycling techniques, and waste heat recycling and utilization techniques of Japan) | |

3. Terms and Conditions of STEP

(1) Interest Rate and Repayment Period:

*Repayment period will be 40 years including 10 years grace period. Interest rate will be set so as to make it possible to extend a tied aid under OECD rules. (The rate will be released in June.)

(2) Procurement Conditions:

*Prime contractors are tied to Japanese firms. In cases where one or more firms of the recipient country form a joint venture with Japanese one(s), such a joint venture will be regarded as a Japanese firm provided that the lead partner of the said joint venture is a Japanese firm and that the total share of work of Japanese partners in the said joint venture is more than 50%.

*Sub-contractors are untied and open to all countries.

(3) Country of Origin of Goods Procured under STEP:

*Total cost of goods procured from Japan shall be not less than 30% of the total amount of contract(s) (except consulting services) financed by STEP loan. Goods procured from a manufacturing firm of the recipient country invested in by one or more Japanese companies will be regarded as goods procured from Japan, if they meet the following:

- (a) Not less than 10% of the shares of the manufacturing firm of the recipient country are held by a Japanese firm; and
- (b) The proportion of the shares held by the Japanese firm is the same as or greater than that of the shares held by any company of a third country.

(4) Coverage Ratio:

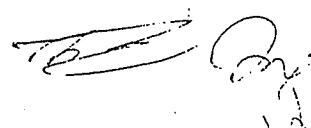
*STEP covers up to 85% of the total project cost.

(5) In order to secure fair procurement process, procurements shall be audited by a third party after a bid process is completed, by utilizing ODA loan or JBIC Special Assistance Facility.

(END)

Operation and Effect Indicator

	Target value (Target year = 2013)	
	Cai Mep International Container Terminal	Thi Vai International General Cargo Terminal
1. Cargo handling volume	360,000 TEU/year	780,000 ton/year
2. Number of calling vessels	280 ships/year	60 ships/year
3. Total gross tonnage of calling vessels	10,000,000 GT/year	1,100,000 GT/year
4. Berth occupancy ratio	46%	22%
5. Average waiting time	0 hr/ship	0.33 hr/ship



DETAILED IMPLEMENTATION SCHEDULE OF CAI MEP - THI VAI PORT DEVELOPMENT PROJECT
CONTRACT PACKAGE 1A - CIVIL WORKS FOR CAI MEP PORT

Task Name	PMU	MOT	JBIC	Prime Minister's Office	Total Time
Prequalification Period (P/Q)					
Evaluation of P/Q	01 month				
Concurrence of P/Q Evaluation Result		01 month	01 month		01 month
Concurrence of Tender Documents		03 months	03 months		03 months
Tender Period					
Tender Evaluation	02 months				02 months
Concurrence of Bid Evaluation Result		15 days	1 month	15 days	1 month
Contract Negotiation ((Contract Signing)	02 months				02 months
Concurrence of the Contract		1 month	1 month		1 month
Opening L/C and L/COM	1 month				1 month
Construction					
Sep. 01, 2005 to Sep. 30, 2005 (1 month)					
Mar. 01 to Apr. 30, 2006 (02 months)					
Dec. 1, 2006 - Nov. 30, 2010 (48 months)					

DETAILED IMPLEMENTATION SCHEDULE OF CAI MEP - THE VAI PORT DEVELOPMENT PROJECT
CONTRACT PACKAGE 1B - CIVIL WORKS FOR THE VAI PORT

Task Name	PMU	MOT	JBIC	Prime Minister's Office	Total Time
Prequalification Period (P/Q)	Sep. 01, 2005 to Sep. 30, 2005 (1 month)				
Evaluation of P/Q	01 month Oct. 2005				
Concurrence of P/Q Evaluation Result		01 month Nov. 2005 to Feb. 28, 2006	01 month Nov. 2005 to Feb. 28, 2006		01 month Nov. 2005 to Feb. 28, 2006
Concurrence of Tender Documents		03 months Dec. 1, 2005 to Feb. 28, 2006	03 months Dec. 1, 2005 to Feb. 28, 2006		03 months Dec. 1, 2005 to Feb. 28, 2006
Tender Period	Mar. 01 to Apr. 30, 2006 (02 months)				
Tender Evaluation	02 months May 1 - June 30, 2006				02 months May 1 - June 30, 2006
Concurrence of Bid Evaluation Result		15 days July 1 - 15, 2006	1 month July 1 - 31, 2006	15 days July 16 - 31, 2006	1 month July 1 - 31, 2006
Contract Negotiation (Contract Signing)	02 months Aug. 1 - Sep. 30, 2006				02 months Aug. 1 - 31, 2006
Concurrence of the Contract		1 month Oct 1 - 31, 2006	1 month Oct 1 - 31, 2006		1 month Oct 1 - 31, 2006
Opening L/C and I:COM	1 month Nov. 1 - 30, 2006				1 month Nov. 1 - 30, 2006
Construction	Dec. 1, 2006 - Nov. 30, 2010 (48 months)				

DETAILED IMPLEMENTATION SCHEDULE OF CAI MEP - THI VAI PORT DEVELOPMENT PROJECT
CONTRACT PACKAGE 2 - NAVIGATION CHANNEL DREDGING

Task Name	PMU	MOT	JBIC	Prime Minister's Office	Total Time
Prequalification Period (P/Q)	Mar. 1 - 31, 2008 (1 month)				
Evaluation of P/Q	01 month April 1-30, 2008				01 month April 1-30, 2008
Concurrence of P/Q Evaluation Result	01 month May 1 - 31, 2008		01 month May 1 - 31, 2008		01 month May 1 - 31, 2008
Concurrence of Tender Documents	03 months June 1 - Aug. 31, 2008		03 months June 1 - Aug. 31, 2008		03 months June 1 - Aug. 31, 2008
Tender Period	Sep. 1 - Oct. 31, 2008 (02 months)				
Tender Evaluation	02 months Nov. 1 - Dec. 31, 2008				02 months Nov. 1 - Dec. 31, 2008
Concurrence of Bid Evaluation Result		15 days Jan. 1-15, 2009	1 month Jan 1-31, 2009	15 days Jan. 16-31, 2009	1 month Jan 1-31, 2009
Contract Negotiation (Contract Signing)	02 months Feb. 1 - Mar. 31, 2009				02 months Feb. 1 - Mar. 31, 2009
Concurrence of the Contract		1 month Apr. 1 - 30, 2009	1 month Apr. 1 - 30, 2009		1 month Apr. 1 - 30, 2009
Opening L/C and L/COM	1 month May 1 - 31, 2009				1 month May 1 - 31, 2009
Construction	June 1, 2009 - Nov. 30, 2010 (18 months)				

DETAILED IMPLEMENTATION SCHEDULE OF CAI MEP - THI VAI PORT DEVELOPMENT PROJECT
CONTRACT PACKAGE 3 - PROCUREMENT OF EQUIPMENT

Task Name	PMU	MOT	JBIC	Prime Minister's Office	Total Time
Prequalification Period (P/Q)	Mar. 1 - 31, 2008 (1 month)				
Evaluation of P/Q	01 month April 1-30, 2008				01 month April 1-30, 2008
Concurrence of PQ Evaluation Result	01 month	May 1 - 31, 2008	May 1 - 31, 2008		01 month May 1 - 31, 2008
Concurrence of Tender Documents	03 months	June 1 - Aug. 31, 2008	June 1 - Aug. 31, 2008		03 months June 1 - Aug. 31, 2008
Tender Period	Sep. 1 - Oct. 31, 2008 (02 months)				
Tender Evaluation	02 months Nov. 1 - Dec. 31, 2008				02 months Nov. 1 - Dec. 31, 2008
Concurrence of Bid Evaluation Result		15 days Jan. 1-15, 2009	Jan. 1-31, 2009	15 days Jan. 16-31, 2009	1 month Jan. 1-31, 2009
Contract Negotiation (Contract Signing)	02 months Feb. 1 - Mar. 31, 2009				02 months Feb. 1 - Mar. 31, 2009
Concurrence of the Contract		1 month Apr. 1 - 30, 2009	Apr. 1 - 30, 2009		1 month Apr. 1 - 30, 2009
Opening L/C and L/COM	1 month May 1 - 31, 2009				1 month May 1 - 31, 2009
Construction	June 1, 2009 - Nov. 30, 2010 (18 months)				