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**Multiple Large-scale Projects, Including  
Several BOT Initiatives Approved by  
HCMC People's Council**

October 2023



On September 19, 2023, Ho Chi Minh City People’s Council held a direct thematic meeting to discuss important issues related to Resolution 98/2023/QH15 (“**Resolution 98**”) on pilot implementation of particular policies for the development of Ho Chi Minh City.

Within the framework of the meeting, the authority has approved a list of various projects, including investment projects for 5 existing roads in Ho Chi Minh City on BOT basis with a total investment capital of almost 40,000 billion VND (*approx. 1,6 billion USD*).

### **BOT projects approved<sup>1</sup>**

According to Resolution 98 of the National Assembly allowing the City to deploy BOT projects on existing roads, the following 5 projects were mentioned in the context of implementation during the period 2023 to 2030.

No.	Project	Substance	Total Investment Capital (Vietnamese Dong/ approx. USD)		Investment Capital Ratio (State / Private)
1.	<b>National Highway 1</b> (from Kinh Duong Vuong Street to Long An province border; 9,6 km)	52 - 60m expansion	12,000b	491m	50% / 50%
2.	<b>National Highway 13</b> (from Binh Trieu Bridge to Binh Duong province border; 5 km)	53 - 60m expansion	10,000b	410m	50% / 50%
3.	<b>National Highway 22</b> (from An Suong intersection to Ring Road 3; 9,1 km)	60m expansion	7,200b	295m	50% / 50%
4.	<b>Binh Tien Road Bridge</b> (from Pham Van Chi Street to Nguyen Van Linh Street; 3.2 km)	30 - 40m wide construction	6,200b	254m	54% / 46%
5.	<b>North - South road</b> (from Nguyen Van Linh Street to Ben Luc - Long Thanh expressway; 8 km)	6 lanes upgrade	4,500b	184m	50% / 50%

### **What potential investors should be looking for as the next steps?**

The above represents approval by Ho Chi Minh City People’s Council of the proposals made by Ho Chi Minh City People’s Committee.

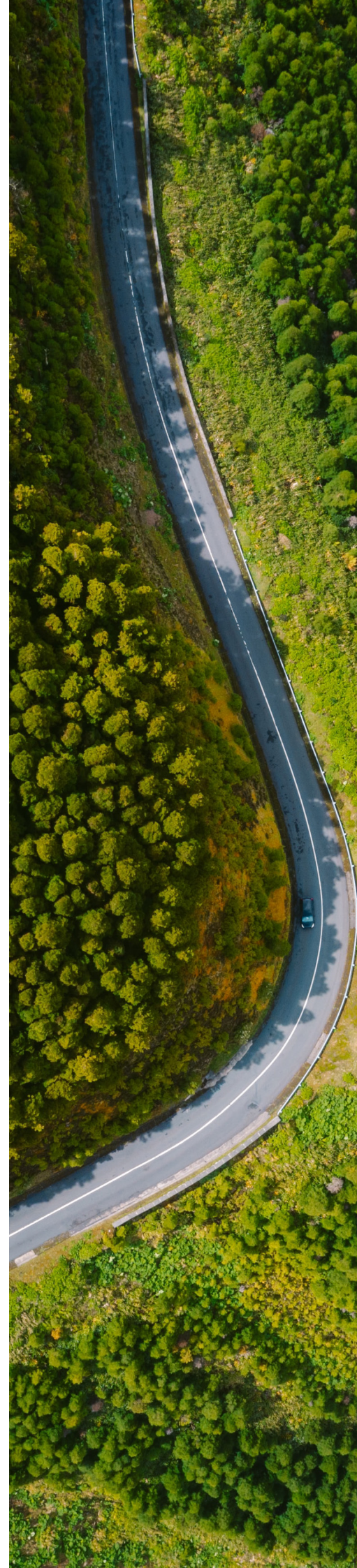
After completing procedures related to project appraisal and announcement<sup>2</sup>, Ho Chi Minh City Department of Planning and Investment (“**DPI**”) may organize the selection of potential investors.

Under the Law on Public-Private Partnership Investment (“**PPP Law**”), the investor selection process of the above-mentioned projects shall generally be subject to open bidding<sup>3</sup>, key milestones of which are discussed below.

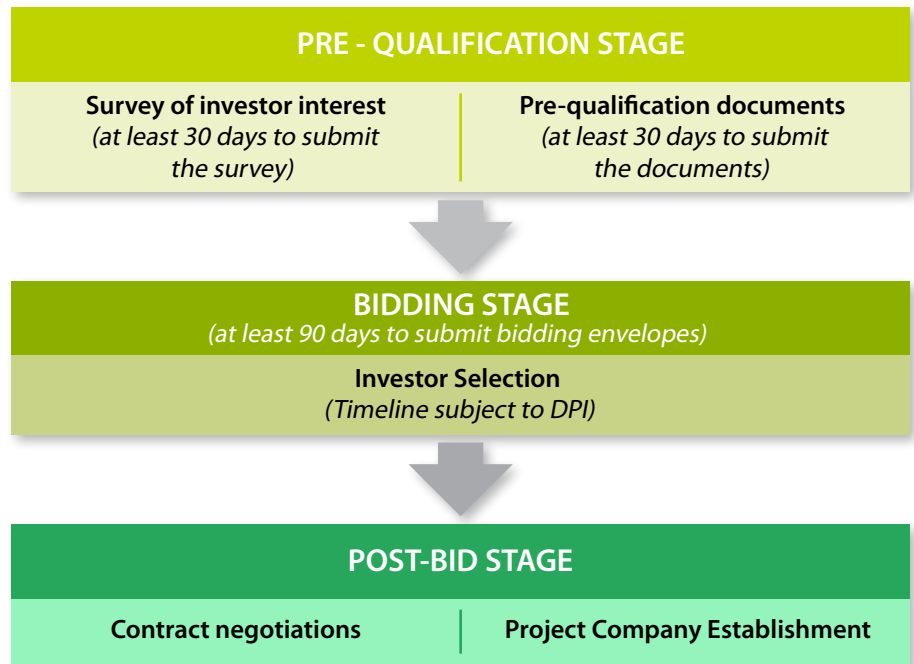
1 <https://tphcm.chinhphu.vn/tphcm-lam-5-du-an-bot-tren-duong-hien-huu-101230919153837565.htm>

2 Article 11.1(a)(b) PPP Law

3 Article 37 PPP Law - Note that in certain cases, other procedures could potentially be used: e.g. competitive negotiation.







## I. Pre-qualification stage<sup>4</sup>

1. **The announcement survey of investor interest** in the project shall generally be published on the [National Bidding Network](#)<sup>5</sup>.

Investors would typically have at least **30 days**, to register for and participate in the survey and express their potential interest in the project. Upon results of this survey DPI will consider and decide on proceeding to the next pre-qualification stage.

2. **The pre-qualification documents** would then be issued together with the pre-qualification invitation notice on the [National Bidding Network](#).

Investors would also have at least **30 days** to prepare and submit the documents. Upon receiving the Pre-qualification dossier, the DPI will prepare, appraise, and approve pre-qualification documents, organize pre-qualification, appraise and approve investor selection plans, and publicize the shortlist<sup>6</sup>. The bidding stage shall commence soon after.

## II. Bidding Stage<sup>7</sup>

Potential investors would typically be allocated at least **90 days** to submit envelopes containing bidding proposals and relevant dossiers.

### 1.2 Successful bidder conditions<sup>8</sup>

Under the PPP Law, investors may be required to meet a number of conditions, including:

- a. *valid bidding documents should have been submitted;*
- b. *investor has satisfied capability and experience requirements;*
- c. *satisfied technical requirements;*
- d. *satisfied financial-commercial requirements;*
- e. *the bidding documents must have received the highest ranking by the authority organizing the bidding.*

4 Article 31 Decree No. 31/2021/ND-CP

5 Article 25 Decree No. 31/2021/ND-CP

6 Chapter II.1 Decree No. 35/2021/ND-CP

7 Article 31 Decree No. 35/2021/ND-CP

8 Article 43 PPP Law



### III. Post-bid-winning stage

Upon the Investor approval decision of the DPI, the investor, if applicable, shall procure that an enterprise is established to implement the project. Documents and procedures for establishing a project enterprise shall comply with the provisions of The Law on Enterprises and the Investor Selection Approval Decision<sup>9</sup>.

Based on the results of investor selection and preliminary contract negotiation results, the investor and the project company may jointly sign the BOT contract with the contracting authority.<sup>10</sup>

The BOT Contract shall contain all information and conditions required by the PPP Law<sup>11</sup>.


*Online resources to be monitored by the potential investors in PPP projects in HCMC in Vietnam:*

- [National bidding network](#);
- [National Bidding Newspaper](#);
- [Bidding Consulting and Investment Support Center](#).

<sup>9</sup> Article 44 PPP Law

<sup>10</sup> Article 49 PPP Law

<sup>11</sup> Article 46; 47



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