

# The Consultant's Completion Report

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# 1 Introduction of Project

## 1.1 The Hai Van Pass

The Hai Van Pass located in coastal Central Vietnam (**Exhibit 1**), is the biggest traffic bottleneck on the National Highway No.1, which is the most important North-south longitudinal artery linking the capital Hanoi with Ho Chi Minh. The Pass rises to a maximum elevation of 475 m within a length of 11 km with continuous small curves and steep grade. From the late 1990's, the rapid development of national economy has increased the logistic volume through the Pass, however, the heavy trucks have been forced to run slowly and fatal traffic accidents increased year by year. In addition, the road is often blocked due to the landslide and slope failure during the rainy seasons.

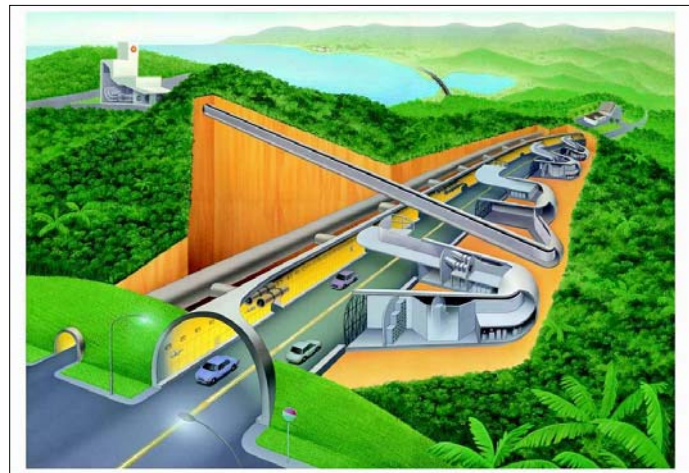
## 1.2 Distinct Points of the Project

Distinct characteristics of the project can be summarized in five (5) items;

- 1) A 6.3km long highway tunnel,
- 2) 1st NATM (New Austrian Tunneling Method) tunnel in Vietnam,
- 3) Longitudinal Ventilation System,
- 4) SCADA (Supervisory Control And Data Acquisition) for Overall System Control,
- 5) O&M Company required.



**Exhibit 1 – Project Location Map**



**Exhibit 2 – Tunnel Ventilation System**

### 1.3 Project Major Features

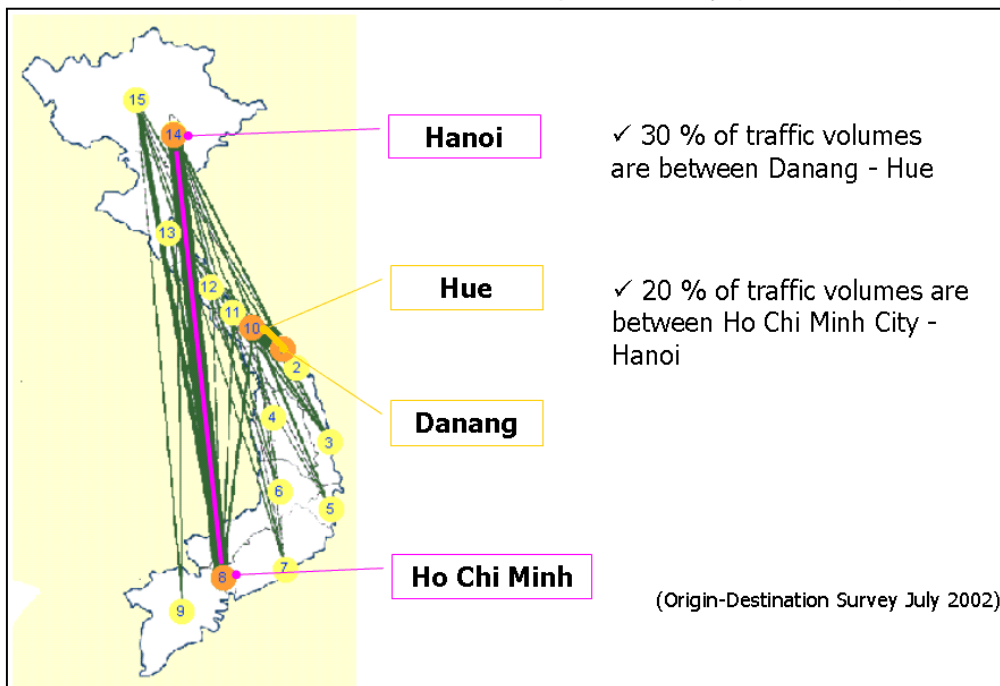
Project major features are summarized in the following table (**Exhibit 3**).

1) Project Length:	12,182m (incl. Tunnel = 6,280m, Bridges = 1,653m)
2) Traffic Lane:	2 Lanes (Stage 1) 1.25 (shoulder) +3.75 (Carriageway) +3.75+1.25, Total 10.0m wide
3) Operation System:	SCADA (Supervisory Control And Data Acquisition)
4) Tunnel Length:	6,280m (Main Tunnel, MT), 6,286m (Evacuation Tunnel, ET), 1,888m (Ventilation Adit, VA)
5) Tunneling Method:	NATM (New Austrian Tunneling Method)
6) Cross-section:	89m <sup>2</sup> (MT), 15.5(ET), 36.2(VA)
7) Cross-Passage:	400m interval
8) Ventilation System:	Longitudinal System, 23 Jet Fans, 3 EPs, 1 VA
9) Bridge Number and Length:	8 bridges, 1,653m in total length
10) Toll Plazas:	Two plazas on both ends of project roads

**Exhibit 3 – Project Major Features**

### 1.4 Traffic Demand Forecast

In 2002, the supplemental traffic survey was carried out in order to confirm the proper timing of the 2nd tunnel opening. The study reconfirmed the importance of the project for the development of the national economy: 20% of the traffic passing the pass was between Hanoi and Ho Chi Minh; annual traffic growth rate was approximately 18% and the traffic volume was forecasted to reach the capacity of the tunnel in 2016. Means the 2nd tunnel should be built and opened timely (**Exhibit 4, 5**).



**Exhibit 4 – Traffic Patter through Hai Van Pass**

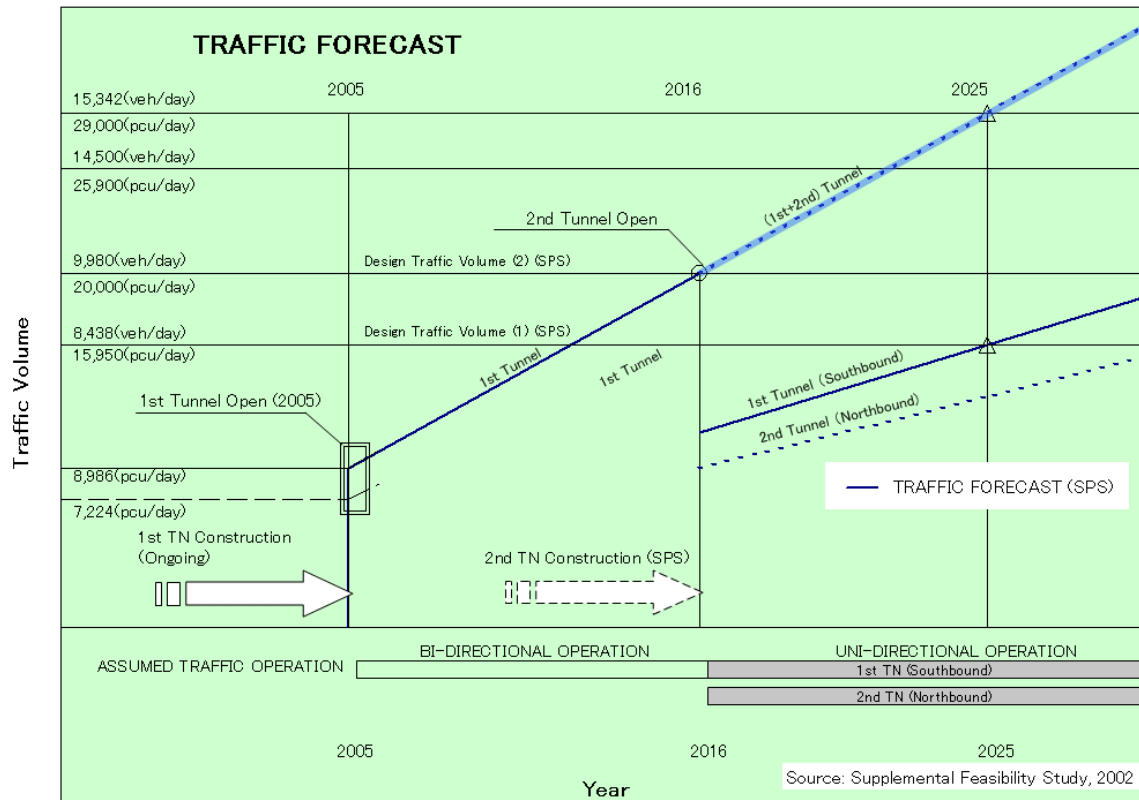


Exhibit 5 – Traffic Forecast through Hai Van Tunnel

1.5 Implementation Program of Project

1.5.1 Consulting Service

The consulting service of the project was commenced on January 1998, consisting of 1) Special Survey, 2) Detailed Design, 3) Contract Tendering Assistance, 4) Construction Supervision, and 5) Training and Technology Transfer (**Exhibit 6, 7**).

1) Special Survey	January 1998 ~ April 1998
2) Design	February 1998 ~ July 1999
3) Bidding	June 1999 ~ December 2004
4) Construction	October 2000 ~ July 2005
5) Procurement	February 2005 ~ August 2005
6) Tunnel Open	5 June 2005

Exhibit 6 – Implementation Program (by Phase)

1.5.2 Construction Works

The construction was started on 1st October 2000, and has progressed very closely to the original schedule (**Exhibit 8**).

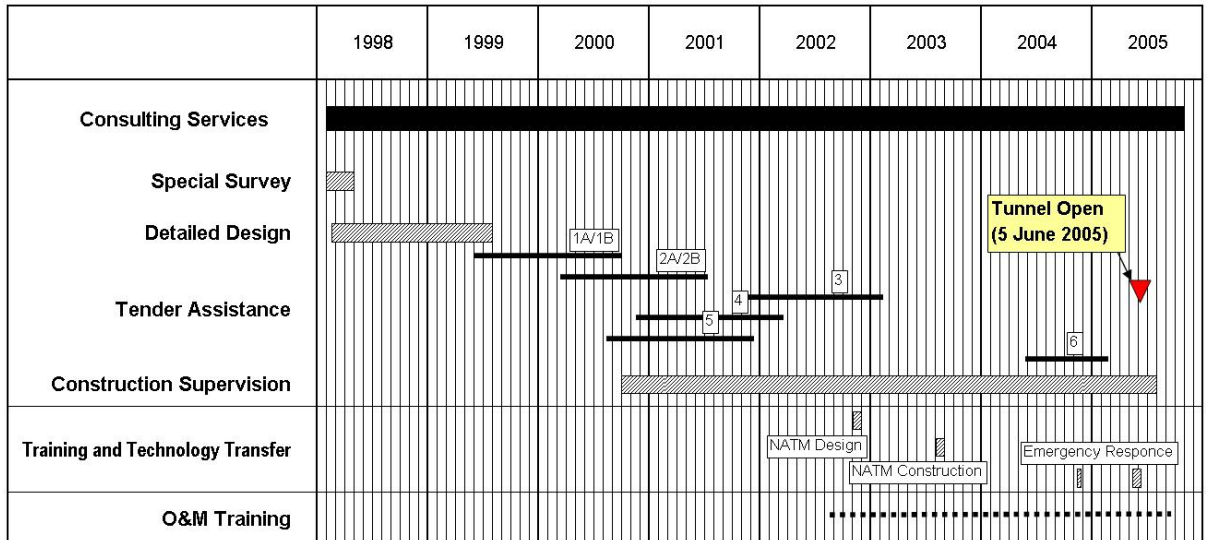


Exhibit 7 – Consulting Service

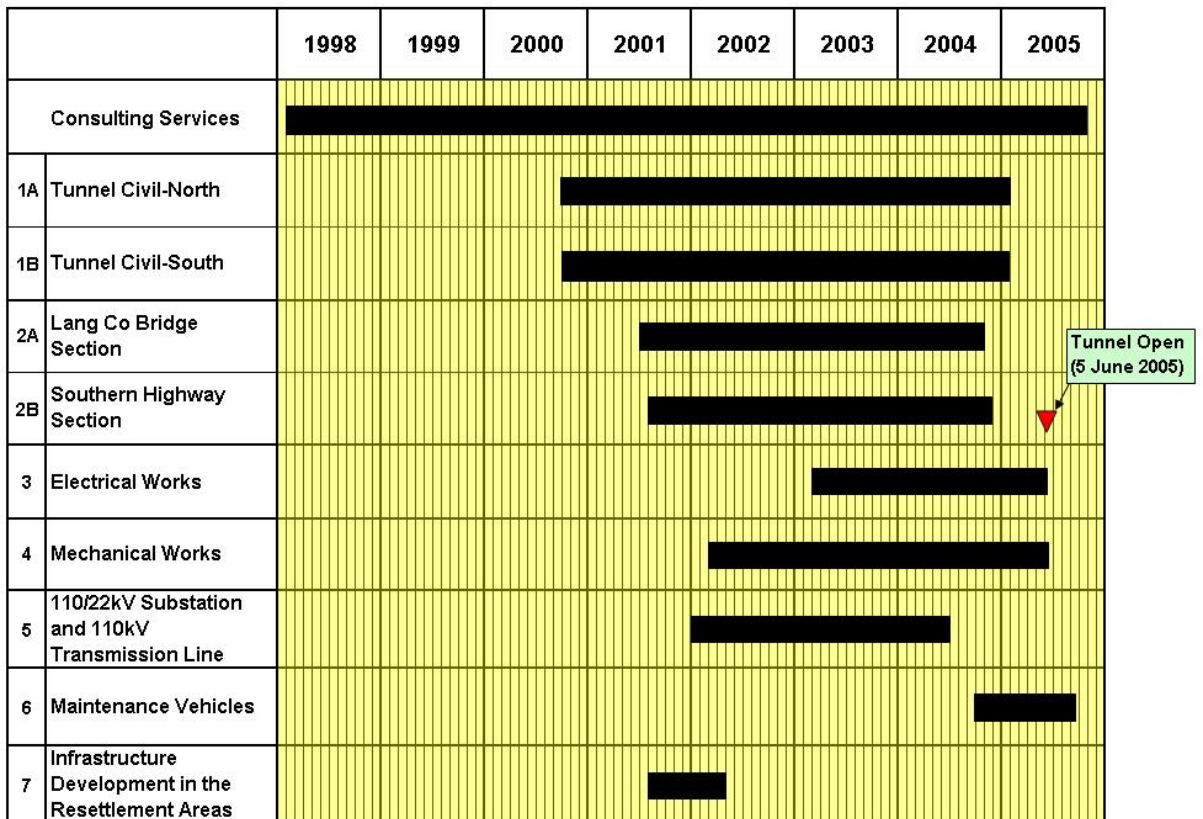


Exhibit 8 – Project Implementation Program

1.6 Project Organizations

Project organizations are summarized in the table below (Exhibit 9, 10)

Financing Agency	Japan Bank for International Cooperation (JBIC)
Loan Amount	L/A No. VNIV-5, March 26, 1997, Loan Amount: JPY 5.5 billion L/A No. VNVI-5, March 30, 1999, Loan Amount: JPY 10.0 billion L/A No. VNIX-4, March 29, 2002, Loan Amount: JPY 3.359 billion (Total JPY 18.859 billion)
Executing Agency	Project Management Unit No. 85 (PMU85) under Ministry of Transport and Communications (MOT)
O&M Company	HAMADECO (HAI van tunnel MANAGEMENT and Development COMPANY)
Consultant	Joint Venture of Nippon Koei Co., Ltd., Japan and Louis Berger International Inc., USA in association with Transport Engineering Design Incorporation (TEDI), Vietnam

### Exhibit 9 – Project Organizations

Contract Package	Awarded Contractor	Contract Amount (USD)
Consultant Service	JV NK – JBII - TEDI	14,512,000
1A: Tunnel Civil Works, North Tunnel Section	JV Hazama – Cienco 6	43,256,000
1B: Tunnel Civil Works, South Tunnel Section	JV Dong Ah – Song Da	27,863,000
2A: Road and Bridge Works, Lang Co Bridge Section	JV Thang Long – Truong Son	4,633,000
2B: Road and Bridge Works, Southern Highway Section	JV Cienco 1 – Lung Lo – Vinawaco	3,920,000
3: Electrical Works	JO of ABB – Kinden – Vinainco	20,686,000
4: Mechanical Works	Matsushita – Itochu Consortium	23,055,000
5: 110/22kV Substation and 110kV Transmission Line	JO of ABB – Kinden – Vinainco	7,256,000
6: Procurement of Maintenance Vehicles	Itochu Corporation	1,786,000
7: Infrastructure Development in the Resettlement Areas	Construction Company No. 185	413,000
		147,380,000

### Exhibit 10 – Contract Amount

#### 1.7 FIDIC Based Project

FIDIC (International Federation of Consulting Engineers) is widely used as conditions of contract for international construction contracts.

Following FIDIC conditions of the contract are used in the project (**Exhibit 11**).

#### 1.8 Organization Structure

The construction contract is placed between the Employer and the Contractor. The consulting contract is placed between the Employer and the Consultant. However, it is stated in the construction contract that the Consultant, as the Engineer in the FIDIC, is required to act impartially to both the Employer and the Contractor (**Exhibit 12**).

Contract Package	FIDIC Conditions of Contracts
Civil Works 1A: Tunnel Civil Works, North Tunnel Section 1B: Tunnel Civil Works, South Tunnel Section 2A: Road and Bridge Works, Lang Co Bridge Section 2B: Road and Bridge Works, Southern Highway Section	Conditions of Contract for Works of Civil Engineering Construction, PART I GENERAL CONDITIONS, 4th Edition, 1987 (Red Book)
Electrical and Mechanical Works 3: Electrical Works 4: Mechanical Works 5: 110/22kV Substation and 110kV Transmission Line	Conditions of Contract for Electrical and Mechanical Works, 3rd Edition, 1987 (Yellow Book)

Exhibit 11 – FIDIC Used in Project

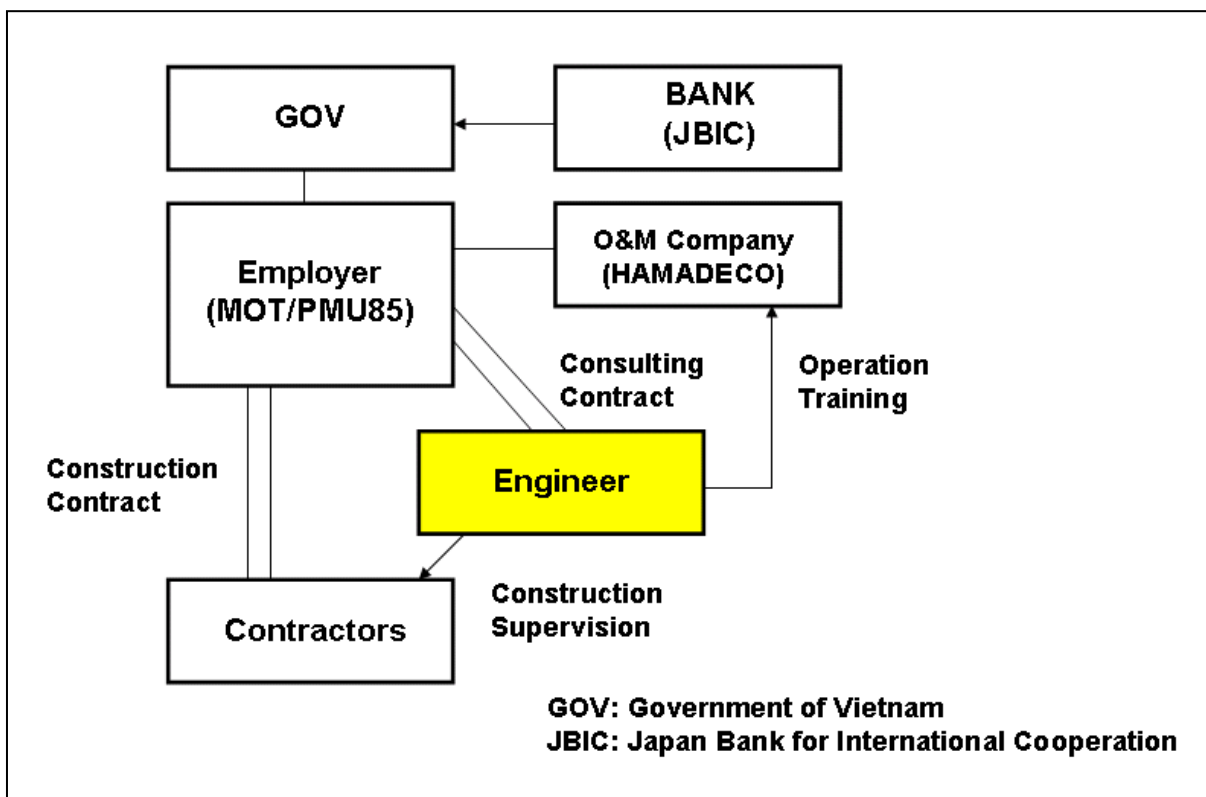


Exhibit 12 – Organization of FIDIC Project

## 2 Evaluation of the Project

### 2.1 General

Hai Van Tunnel Construction Project was successfully completed and the traffic open to the public was nation widely celebrated on 5 June 2005 (**Exhibit 13**).



**Exhibit 13 – Hai Van Tunnel Opening Ceremony on 5 June 2005**

### 2.2 Delivery of the Project

#### 2.2.1 Selection of the Consultant

Joint Venture of Nippon Koei Co., Ltd., Japan and Louis Berger International Inc., USA in association with Transport Engineering Design Incorporation (TEDI), Vietnam was selected for the design and construction supervision consultant through the international competitive bidding (ICB).

#### 2.2.2 Selection of the Contractors

There were nine (9) contract packages in the Project. All the contractor had selected through ICB and/or local competitive bidding (LCB).

The bid evaluation was fairly executed based on the bid evaluation criteria prepared by the Employer and the Consultant and approved by MOT prior to the bidding (**Exhibit 14**).

Contract Package	Bidding Type
Consultant Service	ICB
1A: Tunnel Civil Works, North Tunnel Section	ICB
1B: Tunnel Civil Works, South Tunnel Section	ICB
2A: Road and Bridge Works, Lang Co Bridge Section	ICB
2B: Road and Bridge Works, Southern Highway Section	ICB
3: Electrical Works	ICB
4: Mechanical Works	ICB
5: 110/22kV Substation and 110kV Transmission Line	ICB
6: Procurement of Maintenance Vehicles	ICB
7: Infrastructure Development in the Resettlement Areas	LCB

ICB: International Competitive Bidding  
LCB: Local Competitive Bidding

#### **Exhibit 14 – Bid Type of Each Contract**

### **2.3 Evaluation of the Overall Performance of the Project**

#### **2.3.1 Technical Evaluation**

##### **Design of the Tunnel**

Tunnel route was selected during the Special Survey Stage after comprehensive route alternative comparison study.

A series of the design criteria was established on the basis of the international design standards and examination of the requirements of the site conditions.

##### **Construction of the Tunnel**

State-of-the-art tunnel was built in accordance with the technical specifications. Construction quality has been strictly inspected by the international consultant in charge of the construction supervision.

##### **Operation of the Tunnel**

Tunnel Operation Company, named HAMADECO, was established in April 2004 and subsequently the operation training had been carried out the international consultant.

Standard Operation Plan (SOP) was developed as the operation guideline for HAMADECO. Emergency Response training had carried out prior to the tunnel traffic open and site evacuation drill was executed until meet satisfaction of the State Fire Police (**Exhibit 15**).



**Exhibit 15 – Site Evacuation Drill**

### **2.3.2 Time Evaluation**

#### **Evaluation against I/P in December 1998**

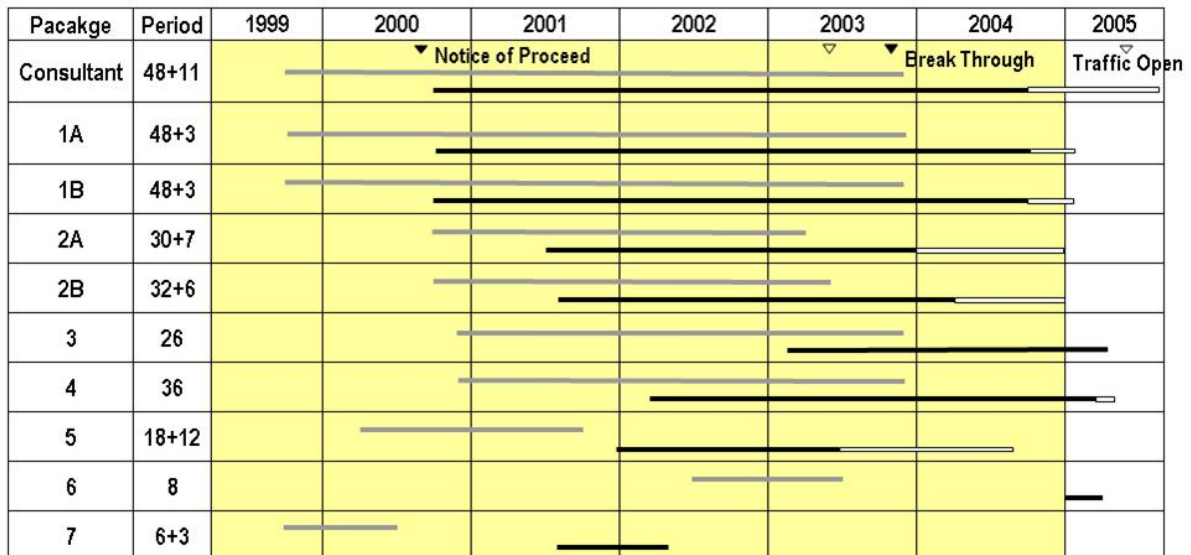
In 1998, the project Implementation Program (I/P) was revised based on the progress of the detailed design. Tunnel traffic open was programmed in 2003 at that time.

The tunnel traffic open was delayed 1.5 years in comparison to the I/P in 1998. Accordingly, the contract term of the consulting service was extended for 11 months, although no addendum was issued (**Exhibit 16**).

#### **Evaluation against I/P in January 2003**

The I/P was updated in January 2003 when the contract package 3: Electrical Works was signed. The tunnel traffic open was forecasted during May 2005 after overall work coordination test and subsequent emergency response test by using all of the tunnel facilities.

The tunnel traffic open was delayed two weeks in comparison to the I/P in 2003 (**Exhibit 17**).



Schedule (1998)  
 Actual Progress  
 Extended Time

Package	Commencement of Works			Construction Period		
	Addendum 2	Actual	Difference (months)	Addendum 2	Actual	Difference (months)
1A	1999.10	2000.10	12	48	52	4
1B	1999.10	2000.10	12	48	52	4
2A	2000.10	2001.07	10	30	42	12
2B	2000.10	2001.07	10	32	41	9
3	2000.10	2003.02	29	36	(27)	(1)
4	2000.10	2002.03	17	36	(38)	(2)
5	2000.04	2001.12	20	18	24	6

Exhibit 16 – Schedule Comparison against I/P in 1998

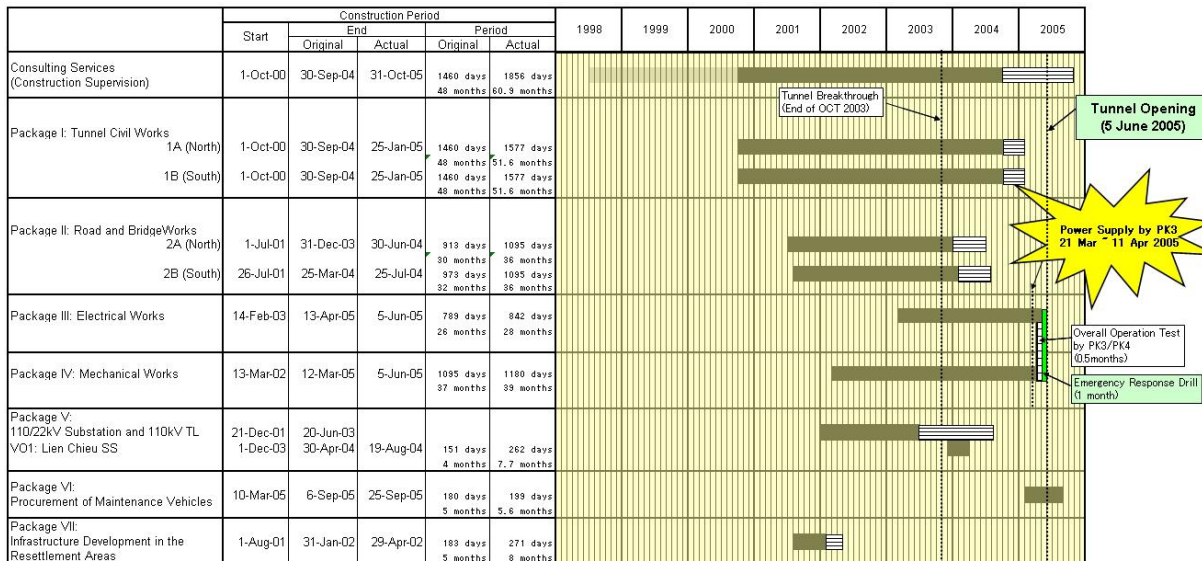


Exhibit 17 – Schedule Comparison against I/P in 2003

2.3.3 Financial Evaluation

Payment Status to Date

Following table summarizes the payment status to date (Exhibit 18):

Contract	TOC Issued	DLC Issued	Interim Final	1st Retention	2nd Retention
1A	25Jan05	(Jan07)	done	17Jun05	(Feb07)
1B	25Jan05	(Jan07)	done	15Aug05	(Feb07)
2A	31Jul04	Jul06	done	done	done
2B	31Jul04	Jul06	done	done	done
3	5Jun05	(Jun07)	08Nov05	11Nov05	done
4	5Jun05	(Jun07)	28Mar06	06Jan06	10Mar06
5	19Aug04	21Oct05	05Jul05	05Jul05	done
6	12Sep05	(Sep06)	17Nov05	13Mar06	15Mar06
7	30Apr02	7Jun03	done	done	done

TOC: Taking Over Certificate  
DLC: Defect Liability Certificate

### Exhibit 18 – Payment Status to Date (August 2006)

#### Summary of Disbursement

Amount of Loan Agreement (L/A) was 18,859 Million Japanese Yen (JPY) in total. According to PMU85, the disbursement to date, August 2006, is 14,462,726,187 JPY in total, which is 77% of L/A (**Exhibit 19**).

2nd Retention Money of the tunnel civil contractors, PK1A and PK1B, will be paid during 2007. All the other payment was basically already made. EOT claim of PK1A, approximately 100 Million JPY, is still pending.

As of August 2006

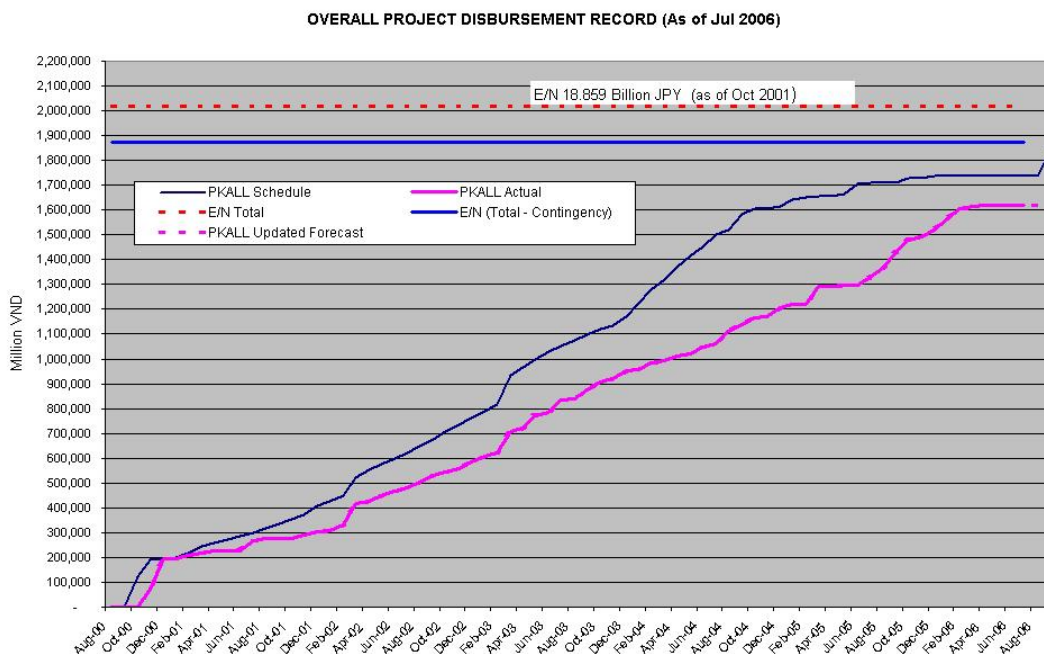
No.	Description	Amount (in Japan Yen)	
1	Consulting Service Contract	1,726,694,289.0	
2	Contract Package 1A	3,803,048,140.0	
3	Contract Package 1B	2,526,015,307.0	
4	Contract Package 2A	566,391,778.0	
5	Contract Package 2B	483,010,679.0	
6	Contract Package 3	2,058,945,739.0	
7	Contract Package 4	2,299,052,970.0	
8	Contract Package 5	747,451,262.0	
9	Contract Package 6	186,679,440.0	
10	Contract Package 7	48,343,890.0	
11	<b>Sub-total (1-10)</b>	<b>14,445,633,494.0</b>	
12	Disbursement Fees	17,092,693.0	
13	<b>Total (11+12)</b>	<b>14,462,726,187.0</b>	77% (13/14) 87% (13/15)
14	<b>L/A Amount</b>	<b>18,859,000,000.0</b>	
15	Total Contract Amount	16,714,488,227.0	89% (15/14)
16	Remaining Balance (14-13)	4,396,273,813.0	

Source: PMU85

### Exhibit 19 – Disbursement to August 2006

**Disbursement Record**

Since the commencement of the tunnel civil works, the disbursement had been fairly constant, and it means that payment claim and subsequent certification process was executed smoothly by the Consultant and the Employer (**Exhibit 20**).



**Exhibit 20 – Overall Disbursement Record**

**2.3.4 Contractor's Claim**

**PK1A: Tunnel Civil Works: North Tunnel Section**

The claim amount is approximately 3.7% of the contract amount. Part B: Overbreak Related Claims was already paid. Part A: EOT Related Claims is still pending.

	Engineer's Justification		Total in JPY	Total in VND
	JPY	VND		
Part A: EOT Related Claims	18,686,118	11,468,775,246	106,907,466	13,897,970,586
Part B: Overbreak Related Claims	57,144,675	1,324,893,010	67,336,160	8,753,700,784
Total in VND		12,793,668,256		22,651,671,370
Total in JPY	75,830,793		174,243,626	

Note: Exchange Rate 1JPY = 130 VND.

**PK1B: Tunnel Civil Works: South Tunnel Section**

The approved claim amount is approximately 0.6% of the contract amount.

	Engineer's Justification		Total in USD	Total in VND
	USD	VND		
Part B: Overbreak Related Claims	75,635	1,251,206,804	154,328	2,453,807,437
Total in VND		1,251,206,804		2,453,807,437
Total in USD	75,635		154,328	

Note: Exchange Rate 1USD = 15,900 VND.

### **2.3.5 Project Management Evaluation**

The Hai Van Pass Tunnel Construction Project was delivered timely within budget. This success was realized by project management in several stakeholders.

MOT, the governmental agency had always gave immediate decision when the project requested him for make it, except the bid evaluation report.

PMU85, the execution agency gave close interface among the all stakeholders and his strong commitment to the project gave appropriate tension in the project.

Consultant and Contractors, All the Contractors provided nice project management following the Consultant initiative.

*Hai Van Pass Tunnel Construction Project  
Monthly Progress Report for April 2005*

**APPENDIX B: Project Chronicle  
History of the Project:**

Events/Activities	Date/Period	Carried out by
Prime Minister's Decree on Project Study	Mar. 22, 1994 (22/CP)	
Pre Feasibility Study	May 1996	Express Highway Research Foundation of Japan
Special Survey	Jan. – Apr. 1998	NK/LBII/TEDI
Prime Minister's Investment Decision	Sep. 30, 1998 (905/QD-TTg)	
Detailed Design	Feb. 1998 - Jul. 1999	NK/LBII/TEDI

**Package 1A: Civil Works – North Tunnel Section**

PQ Notice	Jun. 6, 1999	PMU85
PQ Evaluation	Jun. 11 - 22, 1999	PMU85 & Consultant
JBIC Approval of PQ Evaluation Result	Sep. 11, 1999	JBIC
Bidding Invitation	Dec. 4, 1999	PMU85
Bid Opening	Feb. 29, 2000	PMU85 & Consultant
Bid Evaluation	Mar. 1 – 24, 2000	PMU85 & Consultant
JBIC Approval of Bid Evaluation Result	Aug. 11, 2000	JBIC
Contract Negotiation	Aug. 12 - 16, 2000	PMU85, Contractors & Consultant
Contract Signing	Aug. 17, 2000	PMU85 & Contractors
Notice to proceed	Sep. 1, 2000	PMU 85
Commencement of Works	Oct. 1, 2000	
Issuance of Taking Over Certificate on 25 January 2005		

**Package 1B: Civil Works – South Tunnel Section**

PQ Notice	Jun. 6, 1999	PMU85
PQ Evaluation	Jun. 11 - 22, 1999	PMU85 & Consultant
JBIC Approval of PQ Evaluation Result	Sep. 11, 1999	JBIC
Bidding Invitation	Dec. 4, 1999	PMU85
Bid Opening	Feb. 29, 2000	PMU85 & Consultant
Bid Evaluation	Mar. 1 – 24, 2000	PMU85 & Consultant
JBIC Approval of Bid Evaluation Result	Aug. 11, 2000	JBIC
Contract Negotiation	Aug. 12 - 16, 2000	PMU85, Contractors & Consultant
Contract Signing	Aug. 17, 2000	PMU85 & Contractors
Notice to proceed	Sep. 1, 2000	PMU 85
Commencement of Works	Oct. 1, 2000	
Issuance of Taking Over Certificate on 25 January 2005		

**Package 2A: Lang Co Bridge Section**

PQ Notice	Dec. 8, 1999	PMU85
PQ Evaluation	Jan.18 – Feb 13, 2000	PMU85, Vinh
JBIC Approval of PQ Evaluation Result	May 29, 2000 (2000/HAN(1A)-070, 071)	JBIC
Bidding Invitation	Oct. 12, 2000	At Danang City
Bid Opening	Dec. 12, 2000	At Vinh City
Bid Evaluation	Dec. 12 - 23, 2000	At Vinh City
JBIC Approval of Bid Evaluation Result	Mar. 27, 2001	JBIC
Contract Negotiation	Apr. 23 ~ 25, 2001	Vinh
Contract Signing	May 3, 2001	Hanoi
Notice to Proceed PKIIA	Jun. 1, 2001	
Commencement of works PKIIA	Jul. 1, 2001	
Addendum No.1	Oct. 25, 2001	Consultant & PMU85
Issuance of Site Handover to HAMADECO on 10 January 2005		

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**Package 2B: Southern Highway Section**

PQ Notice	Dec. 8, 1999	PMU85
PQ Evaluation	Jan.18 – Feb 13, 2000	PMU85, Vinh
JBIC Approval of PQ Evaluation Result	May 29, 2000 (2000/HAN(1A)-070, 071)	JBIC
Bidding Invitation	Oct. 12, 2000	At Danang City
Bid Opening	Dec. 12, 2000	At Vinh City
Bid Evaluation	Dec. 12 - 23, 2000	At Vinh City
JBIC Approval of Bid Evaluation Result	Mar. 27, 2001	JBIC
Contract Negotiation	May 20 ~ 23, 2001	Vinh
Contract Signing	May 28, 2001	Vinh
Notice to Proceed PKIIB	Jun. 26, 2001	
Commencement of works PKIIB	Jul. 26, 2001	
Addendum No.1	Oct. 25, 2001	Consultant & PMU85
Addendum No.2		Under submission to JBIC
Issuance of Site Handover to HAMADECO on 10 January 2005		

**Package 3, Electrical Works**

PQ Notice	Jun. 1, 2000	PMU85
PQ Evaluation	Jul. 17 – 25, 2000	PMU85 & Consultant, Vinh
JBIC Approval of PQ Evaluation Result	Nov. 3, 2000 (HAN/2000 – 125)	JBIC
Bidding Invitation	Apr. 10, 2001	Vinh
Pre-bid Conference	Apr. 18 ~ 19, 2001	Employer/Engineer's Office
Bid Opening	Jun. 26, 2001	Vinh
Bid Evaluation	Jun. 27, 2001 ~ Jul. 28, 2001	PMU85 Vinh
JBIC Approval of Bid Evaluation Result	Sep., 2002 (HAN/2002-151)	JBIC
Contract Negotiation for technical issue	Sep. 23, 02 ~ Sep. 28, 02	PMU85, Engineer & Contractors
Government approval	Oct. 24, 2002	
Contract Negotiation for Commercial Issue	Nov. 11, 02 ~ Nov. 14, 02	
Contract Signing	Nov. 16, 2002	
Notice to proceed for site work	Feb. 10, 2003	
Commencement of Works	Feb. 14, 2003	

**Package 4, Mechanical Works**

PQ Notice	Jun. 1, 2000	PMU85
PQ Evaluation	Jul. 17-25, 2000	PMU85 & Consultant, Vinh
JBIC Approval of PQ Evaluation Result	Oct. 16, 2000	JBIC
Bidding Invitation	Apr. 10, 2001	Vinh
Pre-bid Conference	Apr. 18 ~ 19, 2001	Employer/Engineer's Office
Bid Opening	Jun. 26, 2001	Vinh
Bid Evaluation	Jun. 27, 2001 ~ Jul. 11, 2001	PMU85 Vinh
JBIC Approval of Bid Evaluation Result	Nov. 15, 01 (HAN/2001-139)	JBIC
Contract Negotiation	Jan. 12 ~ Jan. 15, 2002	PMU85 Vinh
Contract Signing	Jan. 18, 2002	
Notice to proceed	Feb. 12, 2002	
Commencement of Works	Mar. 13, 2002	
Notice to proceed for site works	Sep. 30, 2002	
Commencement of Site Work	Nov. 1, 2002	

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**Package 5, 110/22KV Substation and Transmission Line**

PQ Notice	Aug. 11, 1999	PMU85
PQ Evaluation	Oct. 2-10, 1999	PMU85 & Consultant
JBIC Approval of PQ Evaluation Result	Oct. 28, 1999 (HAN/99-126)	JBIC
Bidding Invitation	Dec. 13, 1999	PMU85, Vinh
Bid Opening	Feb. 28, 2000	PMU 85 & Consultant, Vinh
Bid Evaluation	Mar. 1- 22, 2000	PMU85 & Consultant, Vinh
JBIC Approval of Bid Evaluation Result	Jul. 24, 2001	
Contract Negotiation	Sep. 10 ~ 15, 2001	PMU85 Vinh
Contract Signing	Sep. 15, 2001	PMU85 Vinh
Notice to Proceed	Oct. 18, 2001	
Commencement of Works	Dec. 21, 2001	
Addendum No.1	May 22, 2002	Consultant & PMU85
Issuance of taking Over Certificate	Aug. 19, 2004	
Issuance of Site Handover to HAMADECO on 10 January 2005		

**Package 6, Procurement of Maintenance Vehicles**

Bidding Submission for approval	Feb. 22, 2001/Oct. 25, 02	
JBIC Approval for Bidding Documents	Jun. 23, 2004 (HAN/04-095)	
Bidding Invitation	Jun. 30, 2004	PMU85, Vinh
Bid Opening	Sep. 11, 2004	PMU 85 & Consultant, Vinh
Bid Evaluation	Sep. 13 ~ 16, 2004	PMU85 & Consultant, Vinh
JBIC Approval of Bid Evaluation Result		
Contract Signing	Jan. 25, 2005	PMU85

**Package 7, Infrastructure for Resettlement Areas**

Distribution of Bidding Documents	5 to 8 March, 2001	
Pre-Bid Meeting and Site Visit	15 to 16 March, 2001	
Submission of Bids	April 9, 2001	
Bid Opening	April 9, 2001	
Bid Evaluation	From April 12 ~ 21, 2001	
JBIC Approval of Bid Evaluation Result	June 5, 2001	
Contract Negotiation	June 7, 2001	
Contract Signing	June 9, 2001	
Notice to proceed	August 1, 2001	
Commencement of Works	August 31, 2001	
Addendum No.1	May 30, 2002	Consultant & PMU85
Issuance of Taking-over Certificate	May 31, 2002	Consultant & PMU85
Issuance of Defect Liability Certificate	June 4, 2003	