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## Municipal Parking

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Municipalities and other sub-national agencies (e.g. hospitals, universities etc.) are turning to the private sector to develop multi-level car parks or take over existing car parking facilities and operating them under long-term arrangements.

Most of the sample agreements below are drafted for projects where the municipality makes a parcel of land available to a concessionaire to develop a multi-level parking facility together with commercial and office space. Typically the municipality specifies minimum requirements for the parking space, and approves tariffs, but otherwise gives flexibility to the concessionaire to determine what commercial and office space to develop. Other sample documents relate to existing parking infrastructure. Typically the private partner undertakes to operate, manage and improve the facilities against an upfront payment and retains the parking fees.

Below are some samples:

### Australia

- This is an example of a Build, Own, Operate and Transfer (BOOT) agreement for a car park at a public hospital in Australia - [Australia hospital car park PPP agreement](#). The [project summary](#) provides an overview of the commercial and contractual arrangements.

## Bhutan

- Thimphu City
  - Development and management of an integrated parking system including two new multi-level car parks with at least 550 parking spaces as well as the upgrading and management of about 1,000 off-street and on-street surface parking in Thimphu City on the basis of a design, build, finance, operate and transfer concession (DBFOT).
    - See [Information Memorandum of April 2014](#) for a broad overview of the terms of the anticipated concession contract. The concession for the project was signed in September 2014.
    - For more information about the project see: [IFC PPP Stories](#) and [PPP Blog](#).

## Chile

- Santiago
  - [Concession for the Parking Meters on Public Roads of Providence Commune, Santiago de Chile, Chile](#) (Spanish) (*Concesión del servicio de control de tiempo de estacionamiento de vehículos en las vías públicas de la providencia, Santiago de Chile –Chile*) (Español)
    - This is a concession for the provision, maintenance, functioning and use of the parking meter system on public roads. The 8-year contract is awarded on highest per transaction payment to the municipality. Penalties for non-performance or not meeting service standards.
    - *Esta es una concesión para la prestación del servicio, mantenimiento, y funcionamiento del sistema de parquímetros en vías públicas. El contrato de 8 años de duración fue adjudicado a la propuesta más alta por transacción de pago al municipio. El contrato incluye multas por no cumplimiento o no alcance de los estándares de servicio.*
- Valparaiso
  - [Parking Concession for Light Weight Vehicles in the Urban Area of Tabo Commune, Valparaiso, Chile](#) (Spanish) (*Concesión de estacionamientos para vehículos livianos sector urbano de las cruces, comuna el Tabo, 2013 , Valparaiso – Chile*) (Español)
    - One-year concession contract to be renewed annually on the discretion of the public entity. Payment is to be made in two lump sums to the service provider. The technical standards are specified in the Bases of the bidding documents. Penalties imposed for failure to meet service standards.
    - *Contrato de concesión de 1 año de duración que puede ser renovado anualmente a discreción de la entidad pública. Los estándares técnicos están especificados en el pliego de condiciones de la licitación pública. El contrato incluye multas por falla en el alcance de los estándares del servicio.*

## Colombia

- Bogota
  - [Concession for the Maintenance, Administration and Operation of the Public Parking Facilities owned by the Urban Development Institute](#) (a municipal public entity for the City of Bogota) (Spanish) (*Concesión para el mantenimiento, la administración y la operación de los parqueaderos públicos habilitados por el IDU, Bogotá - Colombia*) (Español)
    - A concession agreement between the City of Bogota's Urban Development Institute and Union Temporal City Parking, a private entity. This is a two-year agreement, renewable by mutual accord. The Contract does not commit the public sector to minimum revenue payments. It contemplates fixed and variable payments from the private to the public entity, reviewed annually to keep with inflation. Maximum tariffs are set by decree. There

are minimum service requirements and duties outlined in the contract and its bases; however, the contract is not a performance based or results based agreement. Penalties for non-performance. The contract provides for local arbitration under Colombian law for the resolution of disputes. Contract date: Sept. 2015.

- *Contrato de concesión entre el Instituto de Desarrollo Urbano de la ciudad de Bogotá y la Unión Temporal City Parking (entidad privada). Este es un contrato de 2 años de duración, renovables por mutuo acuerdo. El contrato no compromete a la entidad pública a un pago mínimo de ganancias. El contrato contempla pagos variables y fijos de parte de la Unión Temporal al Instituto, los cuales serán revisados anualmente para ajustarlos a la inflación. Tarifas máximas son establecidas por decreto. Hay un mínimo de requerimientos de servicio y de deberes establecidos en el contrato y en las bases del mismo; sin embargo, este no es un contrato basado en obligaciones de resultado. El texto incluye también multas por no cumplimiento de obligaciones. El contrato estipula el arbitramento nacional bajo la ley colombiana para la resolución de controversias. El contrato fue celebrado en Septiembre de 2015.*

## India

- Uttar Pradesh
  - [India draft concession agreement and RFP for multi-level car park](#)

## Kenya

- Nairobi
  - [Kenya draft concession agreement and RFP for multi-level car park](#)

## Lithuania

- Vilnius
  - Existing and new parking facility where the concessionaire finances renovations, purchases new land and property, operates the car park and transfers it on expiry of the concession- [Draft concession agreement and RFP for renovation of existing car park and expansion into new property \(and financing thereof\)](#)

## Peru

- Miraflores
  - [Concession for a 573 Underground Parking Lot in Miraflores](#) (Spanish)
    - The Municipality of Miraflores established a public-private partnership with a private consortium for the construction of a 573 underground parking lot, with a projected private investment of approximately \$9 million US Dollars, to be completed in a year. Conflict resolution will be done through a three-person arbitral panel in Lima, Peru. The public sector invested in the studies and offers the real estate.
    - *El Municipio de Miraflores estableció una alianza público-privada con un consorcio privado para la construcción de un estacionamiento con 573 cupos, con una inversión privada proyectada en aproximadamente \$9 millones de dólares, y para ser completada en un año. La resolución de conflictos será hecha a través de un tribunal de arbitramento en Lima, Perú. El sector público invirtió en los estudios del proyecto y dio el bien inmueble.*
- San Borja

- [Public-private partnership for the Construction and Operation of 350 Underground Parking Lot in San Borja, Peru](#) (Spanish) (*Proyecto EcoPark: 350 estacionamientos subterráneos en San Borja*) (Español)
  - Public-private partnership for the design, financing, construction, operation, maintenance and transfer of 14,320 square meters of space, including an underground parking lot and commercial space at ground level. The period of the contract is 32 years from the date of signing. The municipality will receive 8% of income from the parking operations and rental income from commercial space. The private party is free to set prices on both the parking and rental operations. The contract provides for rebalancing of economic and financial terms due to changes in law. Conflict resolution will be done through direct dealings of the parties, and if unsuccessful, through arbitration in Lima, Peru. This agreement is approved for signature but unsigned as for Sept 2016.
  - *Alianza público-privada para el diseño, financiación, construcción, operación, mantenimiento y reversión de 14,320 de metros cuadrados de espacio, incluyendo un estacionamiento subterráneo y un espacio comercial al nivel de la tierra. El término del contrato es de 32 años desde la firma del contrato. La municipalidad recibirá el 8% de los ingresos de las operaciones del estacionamiento y del arriendo del espacio comercial. La parte privada es libre de establecer los precios tanto de los estacionamientos como de las operaciones de arriendo. El contrato estipula cláusulas para su rebalance económico y financiero cuando este se ha visto afectado por cambios en la ley. La resolución de controversias será hecha a través de arreglos directos entre las parte, y de no llegarse a ningún resultado, se dirimirá a través de arbitramento en Lima, Perú. Este contrato fue aprobado para su firma, pero a Septiembre de 2016 no ha sido firmado.*

## United States

### • Chicago

- **Downtown Public Parking System Concession and Lease Agreement** - [Agreement of 2006 between the City of Chicago \(City\) and Chicago Loop Parking, LLC](#) (Concessionaire) [See Exhibit B of the Ordinance]
  - Long-term contract (99 years) (sec. 2.1); City grants concession and lease against upfront payment of \$ 563,000,000 (sec. 2.1); lease of four downtown underground parking garages (sec. 1.1 Parking Garage System); Concessionaire to operate and maintain the parking garages at established standards and to upgrade all garages during the course of the lease as specified in the agreement (sec. 2.1, 4.1 ,Schedule 3); comply with the City's living wages requirements (sec 11.6), residential preference and minority-owned and women-owned enterprises requirements (sec. 11.8). Concessionaire is reimbursed through parking fees and has the unlimited authority to set parking rates (sec.7.1). Concessionaire has the right to generate additional revenues within the parking facilities (sec. 7.3).
- **Parking Meter Lease (Leasing of existing parking infrastructure)** - [Chicago Metered Parking System Concession of 2008](#) and [Amended and Restated Chicago Metered Parking System Concession Agreement of 5 June 2013](#) between the City of Chicago and the Chicago Parking Meters LLC.
  - 75-year lease (sec 2.1); Concession is granted against upfront payment of \$1,156,500,000 (sec 2.1). Concessionaire to operate, maintain and improve over 36,000 on-street parking meters in the city (sec 2.1); Concessionaire has the right to collect and retain metered parking revenues and is compensated for the operation of metered parking spaces it operates and maintains on behalf of the City (sec 2.1). City retains responsibility for parking enforcement (sec 7.7); however, Concessionaire can issue parking tickets at its own expense to assist the City in ticketing (sec. 3.2 (e)). Parking rates will be allowed to rise each year for the first five years of the contract (Schedule 9). Any subsequent rate increases greater than 0.25 % of the fee that was in effect after 31 December 2013 will be

subject to City Council approval (Schedule 9 and sec 1.1). All increases would be capped to increases in the consumer price index. [Concession is based on home-rule authority. There is no enabling legislation from the State of Illinois.]

- **Ohio**
  - [Ohio State University car park lease and concession agreement](#) is an example of a long term lease and concession agreement (US) for operating and updating an exiting car park at a public university.

For an overview of parking PPPs in the United States see [PPPs and Parking](#), Allen & Overy 2009.

#### Related Content

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