





Municipal Public-Private Partnership Framework



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1.0 Introduction to and Instructions for the Project Concept Assessment Tool

Project selection is critical to ensuring that limited municipal government resources are invested to their maximum effect. This entails obtaining and evaluating data on a project's technical, financial, and legal viability. At the same time, completing a full feasibility study can be costly, such that it is beneficial to undertake a preliminary assessment of a project's potential based on more limited information before conducting such a study.

This module is intended to help practitioners make an initial assessment of project feasibility as a PPP, based on core project characteristics set forth in Module 3: Project Concept Note. Within each section, there are a series of positive statements that, if true, indicate that the project may be suited for delivery as a PPP. Linked to each of these statements are a series of questions designed to help practitioners identify key pieces of information about the project that need to be known and, depending on the response, determine if it is realistic and desirable to proceed with the project. It is not expected that detailed information on all of the topics covered will be available at this early stage but rather that considering the type of information a feasibility study would need to produce, and the foreseeable or likely results will help practitioners determine if it is reasonable to undertake a feasibility study.

This project assessment tool has been influenced by the following sources, which will also be helpful for any municipality in evaluating projects for PPP viability and preparing PPP projects:

 The World Bank Group, A Checklist for Public-Private Partnership Projects (prepared by the World Bank Group for the G20 Investment and Infrastructure Working Group August 22, 2014), available at: https://ppp.worldbank.org/publicprivate-partnership/library/checklist-publicprivate-partnership-projects-submitted-worldbank-g20-investment-and-infras.

- Global Infrastructure Hub, Reference Tool on Governmental Processes Facilitating Infrastructure Project Preparation (Global Infrastructure Hub January 2019), available at: https://www.gihub.org/project-preparation. Infrastructure Working Group, G20 Principles for the Infrastructure Project Preparation Phase (July 2018), available at: http://www.g20.utoronto. ca/2018/principles_for_infrastructure_project_ preparation.pdf.
- Infrastructure and Projects Authority, Project Initiation Routemap (HM Government June 15, 2016), available at: https://www.gov.uk/ government/publications/improving-infrastructuredelivery-project-initiation-routemap.
- The World Bank Group, Success Stories and Lessons Learned: Country, Sector and Project Examples of Overcoming Constraints to Financing Infrastructure (prepared by the World Bank Group for the G20 Investment and Infrastructure Working Group January 2014), available at: http://www. g20.utoronto.ca/2014/WBG_IIWG_Success_ Stories_Overcoming_Constrain ts_to_the_ Financing_of_Infrastructure.pdf.

2.0 The Project Concept Assessment Tool

Section 1. Preliminary Considerations

This section addresses threshold issues designed to screen projects for fundamental viability as a PPP. Negative responses indicate that the project is not a good candidate for a PPP, or that further information needs to be obtained before considering delivery as a PPP.

Preliminary Considerations							
		Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree		
1. The development rationale for the project is clear.	 Has a project concept note and/ or a study been completed for the project? 	\bigcirc	\bigcirc	\bigcirc	\bigcirc		
	• Does the project have direct social, economic, and/or environmental benefits that are likely to greatly exceed the project cost?	\bigcirc	\bigcirc	\bigcirc	\bigcirc		
	 Is the project included in, or clearly in line with, an official development plan or strategy? 	\bigcirc	\bigcirc	\bigcirc	\bigcirc		
2. Delivery of the project as a PPP is within the municipality's legal mandate.	• Do the applicable laws clearly define the institution or institutions responsible for this type of infrastructure or service?	\bigcirc	0	\bigcirc	\bigcirc		
U U	• Is provision of this type of infrastructure or service the exclusive responsibility of the municipality, or the shared responsibility of the municipality and one or more other readily identifiable entities?	0	0	0	0		
	 Do applicable laws permit private participation in this type of infrastructure or service? 	\bigcirc	\bigcirc	\bigcirc	\bigcirc		
3. The estimated investment cost (capital expenditure) is known, or can be reasonably approximated, and is suitable for a PPP.	 Is the approximate investment cost known or reasonably estimable? o For example, there are comparable projects in this or similar jurisdictions, a technical study has estimated the cost 	0	0	0	\bigcirc		

Preliminary Considerations

Freininary considerations							
		Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree		
	 Is the investment cost reasonably resistant to change, meaning is it unlikely to increase significantly as engineering designs are completed and construction is under way? o Consider the likelihood of cost overruns, for example resulting from changes in the project scope and design, latent defects in the project site, and variability in the supply and cost of construction labor and materials - including any foreign exchange risk where machinery, technology or materials will need to be imported 	\bigcirc	\bigcirc	0			
	Does the estimated investment cost exceed US\$1 million?	\bigcirc	\bigcirc	\bigcirc	\bigcirc		
4. The proposed duration of the project (for example, PPP agreement term) is suitable for a PPP.	• Does the project entail delivery of public infrastructure and continuous service, and so involvement by the PSP (PPP), for at least five years?	0	\bigcirc	\bigcirc	0		
5. Funding is or will be available for project preparation.	 Has the municipality or other government authority budgeted funds, or does it have access to funds, to complete project preparation? o For example, preparing feasibility studies, acquiring land, environmental and social impact cost mitigation 	0	\bigcirc	0	\bigcirc		

Section 2. Financial Considerations

This section addresses fundamental aspects of a project's financial viability, that is, whether project revenues are sufficient to cover costs and provide a reasonable rate of return. Positive responses, or reasonable expectations that a feasibility study will provide positive responses, generally indicate that a project may have sufficient commercial appeal for delivery as a PPP.

Note: For one question about foreign financing, a negative response (e.g., "Strongly Disagree") indicates agreement with the positive statement. That is, for this question, a negative response reflects favorably on the project's potential viability for delivery as a PPP. This should be clear from context and this question has been identified with underlined font.

Financial Considerations

		Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree
1. There is clear demand for the project.	 Does the project deliver public infrastructure or service for which there is an obvious need? That is, have end users expressed a demand for the infrastructure or service to be provided? 	0	0	0	0

	Financial Consideration	ons			
		Strongly Agree	Somewhat Agree	Somewhat Disagree	Strong Disagr
	 Is there a clear and measurable demand for the infrastructure or service? o For example, location, target population, and offtaker 	0	0	0	0
	• Can the demand for the infrastructure service be reasonably and credibly forecast over the proposed term of the project?	\bigcirc	\bigcirc	\bigcirc	\bigcirc
2. The project will generate predictable and sustainable revenues.	 Will direct beneficiaries of the project asset, output or service pay for the infrastructure or service provided? Payments may include, among others, end-user fees or tariffs (e.g., utility charges, ticket fares, tolls, parking fees), leasing or purchasing real property (e.g., housing, commercial, or office space), or bulk purchase of outputs for distribution (e.g., offtake purchase payments for supplying clean water to a distributor for resale to consumers) Note that direct beneficiaries may be businesses (e.g., offtake purchasers of bulk water) and/ or individual consumers (e.g., households receiving utility services, mass transit passengers) 	0	0		0
	 If direct beneficiaries will pay, are projected prices likely to be reasonably within the target demographic groups' ability and willingness to pay? 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	 Are there additional market-based revenue streams? o For example, advertising and lease of commercial space o See Module 16 on Harnessing Land Value Capture and Module 17 on Capturing Commercial Value 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	 Can revenues from direct beneficiaries and other market-based sources be reasonably estimated and reliably forecasted? o For example, offtake charge or user charge and volume assumptions backed by surveys or forecasting from historical data, market value of lease space 	0	\bigcirc	0	\bigcirc
	 Are government (national, state/ provincial, and/or municipal) funds, payments, or subsidies available to help pay for the project? 	\bigcirc	0	\bigcirc	0

Financial Considerations

		Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree
3. The approximate cost of operation and maintenance/ service delivery is known, or can reasonably be approximated, and might be reduced by the	 Is the approximate cost of operation and maintenance/service delivery over the term of the project known or reasonably estimable? o For example, there are comparable projects in this or similar jurisdictions; a technical study has estimated the cost 	0	0	0	0
PSP.	 Is the estimated cost of operation and maintenance/service delivery predictable? o For example, unlikely to vary significantly as the project develops and over the term of the PPP agreement 	0	\bigcirc	0	0
	• Is there potential for the PSP to operate and manage the project more efficiently than the public sector?	\bigcirc	\bigcirc	\bigcirc	\bigcirc
4. The cost of financing can be reasonably approximated	 Have comparable projects reached financial close in the region or country? 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
and is likely to be affordable.	 Is long-term, non-recourse financing for infrastructure likely to be accessible for the project? 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	 Is there an indicative or preferred type of financing? For example, private equity, commercial bank loan, multilateral, bilateral or national development bank loan, or bond issuance 	0	\bigcirc	\bigcirc	\bigcirc
	 Can financing assumptions be made based on similar projects, prevailing rates, or general practices of indicative or preferred lenders? o For example, debt-to-equity ratio, interest rate and tenure of debt, and cost of equity 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	 If foreign financing may be sought, are there any constraints on foreign exchange or capital movements that may limit the project's access to finance?¹ o For example, restrictions on repatriating profits and lack of foreign exchange risk hedging tools 	\bigcirc	\bigcirc	\bigcirc	0

instructions for this section, underlined text signifies a question for which a negative response (e.g., "Strongly Disagree") indicates agreement with the positive statement and thus reflects favorably on the project's potential viability for delivery as a PPP.

¹As discussed in the

Section 3. Technical Considerations

This section addresses core technical aspects of the project, such as those related to land acquisition, engineering design, construction, and operation. Positive responses, or reasonable expectations that a feasibility study will provide positive responses, generally indicate that the project may be technologically feasible as a PPP or otherwise.

Note: For certain questions about environmental and social aspects of the project, a negative response (e.g., "Strongly Disagree") indicates agreement with the positive statement. That is, for these questions, a negative response reflects favorably on the project's potential technical feasibility. This should be clear from context and these questions have been identified with underlined font.

Technical Considerations

		Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree
1. There is a clear idea of the project's location,	Has an intended site for the project been identified?	\bigcirc	\bigcirc	\bigcirc	\bigcirc
scope, design, and outcomes.	 Is there a clear conceptual vision for the project? For example, facilities to be constructed or services to be delivered 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	 Are project outcomes identifiable, definable, and measurable? o For example, number of people/ households served, amount of clean water supplied, and size of facility constructed 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	• Does the project include a mechanism to involve poor communities near to or affected by the project?	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	• Does the project include a strategy that allows women to receive information and share their views and concerns about the project?	\bigcirc	\bigcirc	\bigcirc	\bigcirc
2. The project concept is realistic and the preferred solution to the identified deficiency.	 Is the intended project site readily available and likely to be suitable for the project? o For example, necessary land has been obtained, is easily or reasonably accessible, can be used for the intended purpose, and is free of all encumbrances (for example, liens, easements, rights-of-way) that could impede the project 	\bigcirc	\bigcirc	\bigcirc	0
	• If the land for the project site has not been obtained, can it be realistically obtained, free of all encumbrances that could impede the project, before tendering bids for the PPP?	\bigcirc	\bigcirc	\bigcirc	0
	 Has this type of project been done before, in this or comparable jurisdictions? 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	 Is the project likely to rely on available, proven, and tested technology? 	\bigcirc	\bigcirc	\bigcirc	\bigcirc

Technical Considerations

			Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree
² As discussed in the instructions for this section, underlined text signifies a question for which a negative response (e.g., "Strongly		• Has there or will there be an assessment of all reasonable technical solutions to address the need fulfilled by the project?	0	\bigcirc	\bigcirc	0
Disagree") indicates agreement with the positive statement and thus reflects favorably		 Is the proposed technical solution likely to address the need in a cost- effective and affordable manner? 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
on the project's potential technical feasibility. ³ As discussed in the instructions for this section, underlined text	3. There are no substantial environmental risks, or any such	Does the project present a significant risk to any natural resources or protected lands? ²	\bigcirc	\bigcirc	\bigcirc	0
signifies a question for which a negative response (e.g., "Strongly Disagree") indicates agreement with the positive statement and thus reflects favorably	in an effective and cost-efficient manner.	 Is the project operation likely to be net carbon negative or neutral, in terms of greenhouse gas emissions? 	0	\bigcirc	\bigcirc	\bigcirc
on the project's potential technical feasibility. ⁴ As discussed in the instructions for this section, underlined text signifies a question		 Can the project design suitably address the impact of potential natural or human-induced hazards in the region? 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
for which a negative response (e.g., "Strongly Disagree") indicates agreement with the positive statement and thus reflects favorably on the project's potential technical feasibility.		• Is the project design likely to be resilient and adaptive to evolving conditions resulting from climate change or other significant long- term changes in operational or environmental conditions?	0	\bigcirc	\bigcirc	\bigcirc
⁵ As discussed in the instructions for this section, underlined text signifies a question for which a negative response (e.g., "Strongly		• Is the preparation of an environmental management strategy, or obtaining related approvals, likely to result in uncertainties or delays that could impede the project? ³	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Disagree") indicates agreement with the positive statement and thus reflects favorably on the project's potential technical feasibility. ⁶ As discussed in the instructions for this section, underlined text signifies a question for which a negative response (e.g., "Strongly Disagree") indicates agreement with the positive statement and thus reflects favorably on the project's potential technical feasibility. ⁷ As discussed in the instructions for this section, underlined text signifies a question for which a negative	4. There are no substantial social risks, or any such risks are likely to be manageable	• Does the project present any significant risk to the health or quality of life of users, workers, or the local population? ⁴	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	in an effective and cost-efficient manner.	Does the project require resettlement? ⁶	\bigcirc	\bigcirc	\bigcirc	\bigcirc
		• Is there or will there be a plan for communicating with and involving affected communities and key stakeholders during preparation of the project?	\bigcirc	\bigcirc	0	\bigcirc
		• <u>Is there known, or likely to be</u> <u>opposition to the project from</u> <u>affected communities and/or key</u> <u>stakeholders?</u> ⁶	\bigcirc	\bigcirc	\bigcirc	\bigcirc
response (e.g., "Strongly Disagree") indicates agreement with the positive statement and thus reflects favorably on the project's potential		 Is addressing community or stakeholder opposition likely to result in uncertainties or delays that could impede the project?⁷ 	\bigcirc	\bigcirc	\bigcirc	\bigcirc

Section 4. Legal Considerations

This section addresses some of the key legal issues for delivering the project as a PPP, such as the municipality's authority to execute the PPP agreement, prerequisites and approvals, and legal restrictions on the PSP's participation in the sector. Positive responses generally indicate that there are likely no significant legal barriers to implementing the project as a PPP.

		Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree
1. The existing legal/regulatory framework for the project's sector	• Is there a generally applicable PPP law/regulation that applies to this sector?	\bigcirc	\bigcirc	\bigcirc	\bigcirc
is supportive of PPPs.	• Is there an infrastructure- or sector- specific law/regulation that addresses private participation in this sector?	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	 Is there a procurement law/regulation that applies to PPPs? 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
2. The municipality has clear legal authority to enter into a long-term PPP agreement for the project.	 Does the municipality have a clear legal basis for entering into long-term contracts? o For example, contracts that extend past the term of office of the municipality's chief officer 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	 Is it clear which officials need to sign the actual PPP agreement on behalf of the municipality to create a legally binding contract? 	\bigcirc	\bigcirc	\bigcirc	0
	 If the PSP will be involved in service delivery (for example, clean water supply), does the municipality have explicit authority to delegate responsibility for providing this service to the PSP? 	\bigcirc	\bigcirc	\bigcirc	0
3. Legal prerequisites are known or identifiable and unlikely to present a significant barrier to the project.	 Is the municipality aware of the legal requirements, if any, that need to be met or fulfilled in preparing, procuring, and/or implementing the project? For example, required contents of feasibility studies, competitive procurement, review and approval by a national or state/provincial authority 	0	\bigcirc	0	0
	Can the project proceed without approval from any legislative body?	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	 Is the municipality aware of the requirements and processes for obtaining all necessary licenses, approvals, and permits for the project? 	0	\bigcirc	\bigcirc	0

Legal Considerations

Legal Considerations

		Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree
4. The municipality has clear legal authority over tariffs paid by end users, if any, consistent with the project concept.	• Is there a legal and institutional framework for charging tariffs, with transparent and well-defined methodologies for tariff adjustment?	\bigcirc	\bigcirc	0	\bigcirc
	• Does the municipality or offtaker have clear and exclusive authority to collect, keep, and adjust the price of fees charged to end users?	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	• If appropriate in view of the project concept, can the municipality delegate the collection of fees paid by end users to the PSP?	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	 If appropriate in view of the project concept, can the municipality delegate to the PSP some repricing authority? o For example, in case of delays in demand growth, can the PSP be given some flexibility in repricing to offset demand shortfalls 	\bigcirc	\bigcirc	0	\bigcirc
	• Can the municipality lawfully promise to share all or a portion of revenues collected from end users with a third party in the future?	\bigcirc	\bigcirc	\bigcirc	0
5. Applicable laws confer rights that enable a lender to recover outstanding loan amounts in case of default.	• Does the municipality have clear authority to enter into a direct agreement with the lender that includes rights of substitution, step-in rights, or other applicable remedies?	0	0	0	0

Section 5. Miscellaneous Considerations

This section addresses topics that do not directly fall within the financial, legal, or technical assessment of the project but nonetheless bear on whether the project is suitable for delivery as a PPP. Positive responses generally indicate that the project may have promise for implementation as a PPP.

Note: For two questions in this section, a negative response (e.g., "Strongly Disagree") indicates agreement with the positive statement. That is, for these questions, a negative response reflects favorably on the project's potential viability for delivery as a PPP. This should be clear from context and these questions have been identified with underlined font.

Miscellaneous Considerations

		Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree
 It is reasonable to expect that private investors will be interested in the project. 	 Have similar PPP projects achieved financial close locally, regionally, or nationally? 	\bigcirc	\bigcirc	\bigcirc	\bigcirc

for which a negative response (e.g., "Strongly Disagree") indicates agreement with the positive statement and thus reflects favorably on the project's potential for delivery as a PPP.

Miscellaneous Considerations

			Strongly	Somewhat	Somewhat	Strongly
			Agree	Agree	Disagree	Disagree
		 Is there reason to expect a favorable response from the private sector toward the project? That is, have private investors expressed an interest in the project and does the municipality expect that there will be multiple bids for the project submitted by credible bidders? For example, based on known market actors, preliminary market consultations or similar investor interactions 	0	0	0	0
		Have there been any discussions or other interactions involving parties with an interest in implementing the project, whether within the government or between government officials and private parties, that might discourage bidders from participating in the tender process or otherwise undermine an open and competitive bidding process? ⁸	0	0	\bigcirc	\bigcirc
		• Is the proposed public partner (that is, the municipality, publicly owned utility or other offtaker) creditworthy?	\bigcirc	0	\bigcirc	\bigcirc
		 Are credit enhancements available to compensate for any poor creditworthiness? o For example, insurance, guarantees 	\bigcirc	\bigcirc	\bigcirc	\bigcirc
	2. The fiscal and contingent implications for the municipality are understood, limited and	• Are any payments required by the municipality as envisioned in the project concept able to be adequately planned, budgeted, and accounted for in advance?	0	\bigcirc	\bigcirc	0
⁸ As discussed in the instructions for this section, underlined text signifies a question for which a negative	manageable.	• Are there other significant projects or activities that will depend on this project, or on which this project will depend? ⁹	\bigcirc	\bigcirc	\bigcirc	\bigcirc
response (e.g., "Strongly Disagree") indicates agreement with the positive statement and thus reflects favorably on		• If this is a brownfield project, does the municipality anticipate how it will compensate for any foregone revenue, if any?	\bigcirc	\bigcirc	\bigcirc	\bigcirc
the project's potential for delivery as a PPP. ⁹ As discussed in the instructions for this section, underlined text signifies a question		• Are the contingent liabilities created by the project understood and likely to be manageable?	\bigcirc	0	\bigcirc	\bigcirc