

Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Both budgetary and accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	Yes	No specific methodology developed
Risk Identification	Yes	No specific methodology developed
Comparative assessment (value for money analysis)	Yes	No specific methodology developed
Financial viability or bankability assessment	No	
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents not available online
Standardized PPP model contracts and/or transaction documents	No	

33

Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications regulated
Public procurement notice of the PPP issued by procuring authority	Yes	Available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	Yes	30 calendar days
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	No	
Tender documents detail the procurement procedure	Yes	
Tender documents specify prequalification/shortlisting criteria (if apl.)	Yes	
Clarification questions for procurement notice and/or the RFP	Yes	Answers not publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Re-tendering required
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

40

PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information
Foreign companies permitted to repatriate income	Yes	
Change in the structure (stakeholder composition) of the private partner and/or assignment of the PPP contract regulated	Yes	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Change in the law
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	Yes	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

49

Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	No	
Evaluation of consistency of USPs with other government priorities	No	
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	30 calendar days

50