

# Procuring Infrastructure Public-Private Partnerships



2018





# Procuring Infrastructure Public-Private Partnerships Report

# 2018

Assessing Government Capability  
to Prepare, Procure, and Manage PPPs





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# Foreword

Governments around the world have turned to public-private partnerships (PPPs) to design, finance, build, and operate infrastructure projects. While PPPs remain a small proportion of the procurement of infrastructure, they constitute an important channel to attract private sector financing into infrastructure projects. However, lack of government capabilities to prepare, procure, and manage such projects constitutes an important barrier to attracting private sector investments.

*Procuring Infrastructure Public-Private Partnerships 2018* is designed to help governments improve their PPP regulatory quality. By benchmarking the regulatory frameworks of economies around the world against internationally recognized good practices in procuring PPPs, this assessment identifies areas for improvement in the preparation, procurement, and management of PPPs.

Building on the success of *Benchmarking Public-Private Partnership Procurement 2017*, this year's edition of the report significantly increases the geographical coverage from 82 to 135 economies. We have worked with a wide range of stakeholders to refine the methodology to more accurately portray PPP environments around the world.

Our hope is that this report will inform the policy debate and decision making and will help governments, the private sector, and the international development community better understand the current landscape of PPP regulations. We also hope that the key areas of improvement identified in this report will enlighten future sectoral reforms.

The African Legal Support Facility, the Australian Government Department of Foreign Affairs and Trade, the Global Infrastructure Hub (GI Hub), and the Public-Private Infrastructure Advisory Facility co-funded the report. The GI Hub team also provided technical support throughout the preparation of the report.



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# Glossary

## **Financial model**

An analytical tool that allows the user to assess the financial robustness of the project by representing its expected financial performance, including cash flows and returns. Not to be confused with a financial proposal.

## **Market sounding and/or assessment**

A procedure that assesses potential interest from financiers and contractors, providing insight into the likely level of market interest and providing the procuring authority with an opportunity to adjust the project scope if necessary to ensure private sector participation and improve competition.

## **Material Adverse Government Action**

Any act or omission by the procuring authority or other relevant authority that occurs during the term of the public-private partnership (PPP) contract and that has a material adverse effect on the ability of the private partner to comply with any of its material obligations under this PPP contract and/or the cost or the profits arising from such performance.

## **Public-private partnership (PPP)**

Any contractual arrangement between a public entity or authority and a private entity for providing a public asset or service, in which the private party bears significant risk and management responsibility. For the purposes of this survey, this definition applies irrespective of the terminology used in the particular country or jurisdiction.

## **Procuring authority**

Any public entity that engages in public procurement in accord with the national or local procurement regulatory framework.

## **PPP Unit**

Specialized government entity or team that is responsible for facilitating the PPP program.

## **Regulatory framework**

Encompasses all laws, regulations, policies, binding guidelines or instructions, standard PPP contracts, other legal texts of general application, judicial decisions, and administrative rulings governing or setting precedent in connection with PPPs. In this context, the term “policies” refers to other government-issued documents that are binding to all stakeholders, enforced in similar ways to laws and regulations, and provide detailed instructions for the implementation of PPPs. It should not be confused with policy in the sense of a government’s statement of intent to use PPPs as a course of action to deliver public services. The “regulatory framework” includes but is not limited to those laws, regulations, policies, and the like dealing with PPPs (procurement of PPPs may be governed by the general procurement framework).

## **Project company**

A company specifically formed to undertake a specific project (in this case the PPP project), also known as a special purpose vehicle (SPV), special purpose company (SPC), or special purpose entity (SPE).

## **Unsolicited proposals (USP)**

Proposal made by a private party to undertake a PPP project, submitted at the initiative of the private firm, rather than in response to a request from the government.

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# Abbreviations

<b>EAP</b>	East Asia and Pacific (region)
<b>ECA</b>	Europe and Central Asia (region)
<b>LAC</b>	Latin America and the Caribbean (region)
<b>MENA</b>	Middle East and North Africa (region)
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>PPIAF</b>	Public-Private Infrastructure Advisory Facility
<b>PPP</b>	public-private partnership
<b>RFP</b>	request for proposals
<b>SDGs</b>	Sustainable Development Goals
<b>SPV</b>	special purpose vehicle
<b>SAR</b>	South Asia (region)
<b>SSA</b>	Sub-Saharan Africa (region)
<b>USP</b>	unsolicited proposals





# Executive Summary

**Governments around the world have turned to public-private partnerships (PPPs) to design, finance, build, and operate infrastructure projects.** Government capabilities to prepare, procure, and manage such projects are important to ensure that the expected efficiency gains are achieved.

***Procuring Infrastructure PPPs 2018* assesses the regulatory frameworks and recognized good practices that govern PPP procurement across 135 economies, with the aim of helping countries improve the governance and quality of PPP projects.** It also helps fill the private sector's need for high-quality information to become a partner in a PPP project and finance infrastructure. *Procuring Infrastructure PPPs 2018* builds on the success of the previous edition, *Benchmarking PPP Procurement 2017*, refining the methodology and scope based on guidance from experts around the world, as well as expanding its geographical coverage.

**The report is organized according to the three main stages of the PPP project cycle: preparation, procurement, and contract management of PPPs. It also examines a fourth area: the management of unsolicited proposals (USPs).** Using a highway transport project as a guiding example to ensure cross-comparability, the report analyzes national regulatory frameworks and presents a picture of the procurement landscape at the beginning of June 2017.

**Several trends emerge from the data.**

**The higher the income level of the group, the higher the performance in the assessed thematic areas. Preparation and contract management are the areas that have the most room for improvement across all income level groups** (Figure ES1).

**Performance varies greatly by region.** The high-income economies of the Organization for Economic Cooperation and Development (OECD) and the Latin American and Caribbean regions perform at or above the average in all thematic areas. In contrast, Sub-Saharan Africa and the East Asia and Pacific region have the lowest average scores across thematic areas.

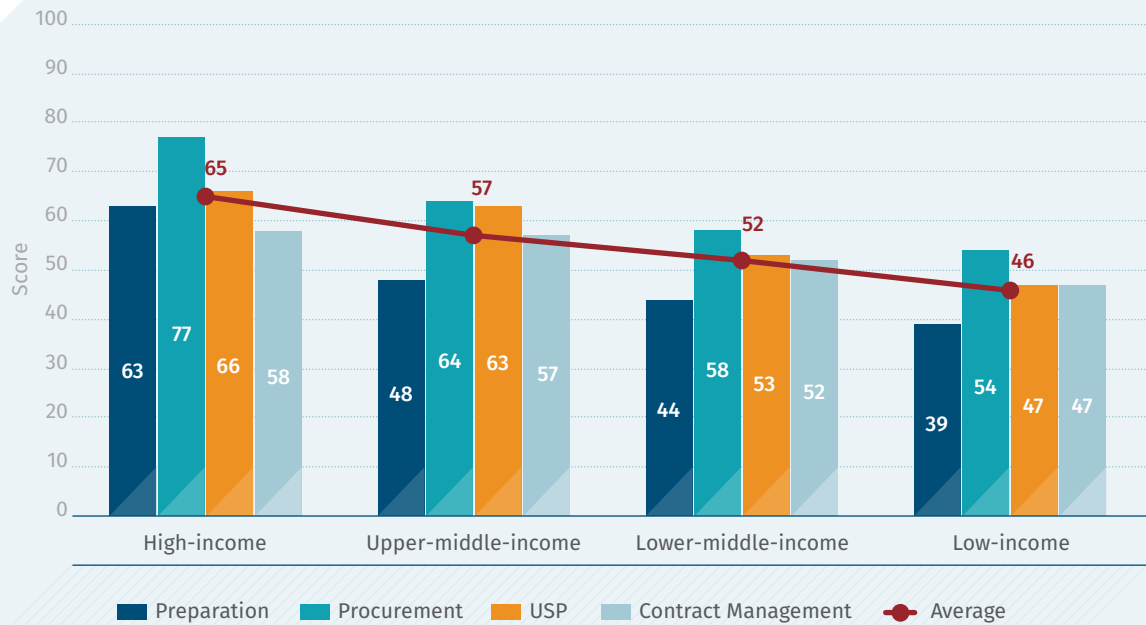
**Contrary to popular perception, stand-alone PPP laws are not significantly more frequent in civil law countries than in common law countries.** While 72 percent of civil law economies surveyed had stand-alone laws, 69 percent of common law countries did, as well.

**However, there are some interesting regulatory trends across regions.** The majority of OECD high-income countries regulate PPPs as part of their general procurement law. Europe and Central Asia and Latin America and the Caribbean have the largest proportion of economies adopting stand-alone PPP laws. Meanwhile, the Latin America and Caribbean region has undergone two waves of regulatory reforms: first by adopting concessions laws in the 1980s and 1990s on a large scale, and more recently through an ongoing series of PPP reforms.

**The creation of PPP units is a common trend to support the development of PPPs.** As many as 81 percent of the assessed economies have a dedicated PPP unit, which, in most economies, concentrates on promoting and facilitating PPPs. In 4 percent of the economies, however, the PPP unit takes a prominent role in the development of PPPs and acts as the main (or exclusive) procuring authority.



Figure ES1 Procuring Infrastructure PPPs 2018 average scores by income group (score 1–100)




Source: Procuring Infrastructure Public-Private Partnerships 2018.  
 Note: USP = unsolicited proposal.

**Despite the importance of an appropriate consideration of the fiscal implications of PPPs, this is still an uncommon practice.** During the preparation of PPPs, the approval by the Ministry of Finance to ensure fiscal sustainability is not required in 19 percent of the surveyed economies. Moreover, only around one-third of the economies have regulations concerning the accounting and/or reporting of PPPs, and even fewer have introduced some type of regulatory provision regarding the budgetary treatment of PPPs.

**A sound appraisal of the project is crucial to bringing quality projects to the market. However, less than one-third of these economies have adopted specific methodologies that ensure consistency across projects. An even smaller percentage make those assessments available online.** In turn, the private sector often reports a lack of quality projects in the pipeline as a constraint to invest in infrastructure.

**Most economies perform relatively close to recognized good practices in the procurement phase, yet there is still room for improvement.** Transparent interaction between the bidders and the procuring authority helps bidders better understand and fulfill the needs of the procurement authority. While most economies allow bidders to submit clarifying questions during tendering, 14 percent of all economies do not require the answers to be disclosed to the rest of the bidders. Only about half (55 percent) of economies hold pre-bid conferences, and most of them allow information from the conferences to be disclosed. Once the private partner has been selected, it is considered good practice to share both the results and the grounds for selection of the winning bidder. While all the OECD high-income economies in the survey require such disclosure, some regions, including South Asia, fall short in this area.



**Improvements are still needed in PPP contract management. Given the long-term nature of PPPs, the need for renegotiations may arise, but certain limitations are required to prevent opportunistic behavior by participants.**

Fifteen percent of the economies do not even address PPP contract renegotiation in their regulatory frameworks. Thirty-one percent consider it a contractual issue, yet do not use standardized contracts to preserve consistency. When contracts must be terminated before the pre-agreed duration, the grounds for termination and its consequences should be specified to reduce contractual risks. However, 35 percent of economies do not regulate either of the issues.

**Unsolicited proposals (USPs) need to be properly regulated to prevent nontransparent behavior.**

A significant number of economies explicitly allow for (57 percent) or prohibit them (3 percent). However, 10 percent of the assessed economies do not regulate USPs, but USPs still take place in practice. This percentage is the highest in the East Asia region (20 percent). The lack of clarity and transparency in the treatment of USPs may lead to projects that yield low value for money. Moreover, when a competitive process is followed for a USP, in 48 percent of the economies, bidders are granted a minimum time to submit their bids that is shorter than for a PPP that is not originated as a USP. In another 34 percent, the minimum time is not even defined.

**Most economies adhere to international good practices in terms of disclosure of information to the public in the procurement phase, but do not adopt such disclosure practices during the preparation phase and contract management.**

Among the assessed economies, it is common practice to publish and make available online the PPP public procurement notice and the award notice. However, only 48 percent of economies publish the PPP contracts during the procurement phase, and even fewer (30 percent) publish any amendments.

**Publication of project assessments and tender documents online leads to a greater predictability of the pipeline project quality. However, many economies still do not comply with this practice.**

Only 22 percent of the economies surveyed publish PPP proposal assessments online, while 60 percent publish PPP tender documents. Moreover, only one-third of the economies have developed standardized PPP model contracts.

**Making performance information available to the public increases accountability of all the stakeholders and is crucial to promote transparency. However, few economies make this information public.**

Transparency ensures that the project delivers the expected outcomes and quality services. However, only a small fraction (13 percent) of the economies surveyed allow public access to the system for tracking progress and completion of construction works under a PPP contract. Only 10 percent have established an online platform for this purpose. Similarly, only a handful of the procuring authorities (14 percent) allow the public to track contract performance through a designated online platform or by posting the updated documentation online.

## About Procuring Infrastructure PPPs 2018

Robust and reliable infrastructure is a key driver of economic growth and improved standards of living.<sup>1</sup> Public infrastructure such as roads, railways, bridges, tunnels, water supply, sewers, and electrical grids are essential elements in all societies, providing connectivity and creating networks that facilitate business and remove barriers in access to jobs, markets, information, and basic services. Yet every region of the world faces a chronic infrastructure gap. In order to address this gap, governments around the world have turned to public-private partnerships (PPPs) to design, finance, build, and operate infrastructure projects, while also addressing budgetary constraints.<sup>2</sup> While there is no standard, internationally accepted definition of PPPs, the term denotes “any contractual arrangement between a public entity or authority and a private entity, for providing a public asset or service, in which the private party bears significant risk and has management responsibility.”<sup>3</sup> While PPPs are not inherently superior to traditional methods of procuring infrastructure, they possess a set of traits that may make them more suitable for certain projects. Among those traits are a usually long-term relationship among partners; an orientation toward providing appropriate services; and bundling several stages of the project together for more effectively controlling costs and deadlines and permitting the government to focus on its core tasks.<sup>4</sup> From expanding safe drinking water access in Somalia to improving road conditions in land-locked Uganda, PPPs have been providing tangible benefits to people’s lives in countless ways.<sup>5</sup>





As emphasized by the United Nations' Sustainable Development Goals (SDGs), investment in quality infrastructure is crucial to achieving sustainable development and empowering communities around the world.<sup>6</sup> Moreover, under the aegis of the SDGs, the development agenda offers an opportunity to think more broadly about the role of PPPs in increasing investment in quality infrastructure. One of the targets of the SDGs is to “encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships.”<sup>7</sup> Thus, reforms of the regulatory framework specific to PPPs have been implemented around the globe as economies' leaders have recognized that the “enabling of fair and transparent PPP legislation is vital to the development of a market economy.”<sup>8</sup> Furthermore, it has been well documented by academics and multilateral organizations that creating a clear legal framework and solid institutional basis is a “critical success factor” for PPP projects.<sup>9,10</sup> Currently, inefficient and corrupt procurement not only stalls the completion of infrastructure projects but also lowers the quality of infrastructure. Moreover, the design of the procurement process itself affects the ability of governments to take full advantage of the potential benefits of PPPs for delivering infrastructure. This includes their ability to identify which projects are best done as PPPs and to manage contracts in a transparent and effective way.

*Benchmarking PPP Procurement* was initiated in 2015 with the preliminary goal of supporting a better policy-making process by highlighting key aspects of an economy's regulatory framework for procuring PPPs. The exercise was inspired by the methodology of the World Bank Group's *Doing Business* report, which assesses the business climate in 190 economies and has a track record of leveraging more than 3,000 reforms to date. *Procuring Infrastructure PPPs 2018* is a continuation of *Benchmarking PPP Procurement 2017*, scaling up from 82 to 135 economies. It expands upon the 2017 edition by meticulously evaluating the laws and regulations of 135 economies against globally recognized good practices, to offer data to help governments assess the performance of their procurement systems for PPPs, deliver a unique information tool for the private sector and civil society, and fuel academic research in an emerging field. More importantly, the *Procuring Infrastructure PPPs 2018* exercise aims to help governments and others identify areas for reform to achieve more transparent, competitive, and efficient PPP procurement systems and, where appropriate, increase private sector participation in infrastructure and service delivery.

## What Does *Procuring Infrastructure PPPs 2018* Measure?

Since launching the report in 2015, the *Procuring Infrastructure PPPs* team has relied on cutting-edge research on the latest PPP practices around the world, as well as frequent consultations with PPP experts in various economies. As an initial step, the team conducted an extensive literature review to firmly document internationally accepted good practices, as well as understand challenges that governments and private companies face when entering into a PPP project (see Bibliography). The team also consulted with the project's Expert Consultative Group (ECG), which includes seasoned PPP specialists, academics, and individuals from the private sector. By supplementing the extensive literature with the consultations, the team was able to refine the 2018 survey, ultimately producing a set of questions that comprehensively measure global PPP good practices and enable robust cross-economy analysis.

### Thematic Coverage

*Procuring Infrastructure PPPs* provides an analysis of 135 economies with questions pertaining to the procurement of PPPs. The survey instrument includes 55 major questions organized in four thematic areas: preparation, procurement, contract management, and a special module on unsolicited proposals (USP). The questions in the survey were selected and developed taking into account the most recent developments in academic literature and with the guidance of the ECG.

The report, reflecting the content of the survey instrument, is organized in five areas:

- › *Regulatory and institutional framework for PPPs*: This section introduces the report and seeks to identify the extent to which regulations in various economies address PPPs. It presents the various approaches adopted around the world to regulate PPPs. It also attempts to understand the general components of the institutional framework for PPPs, such as who the procuring authorities are or if a specific PPP unit or other government agency exists with similar functions.




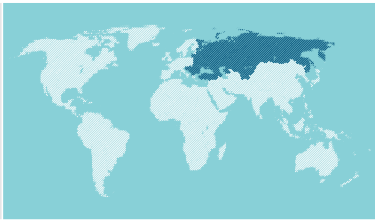
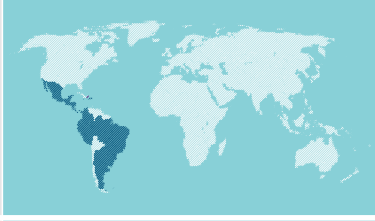
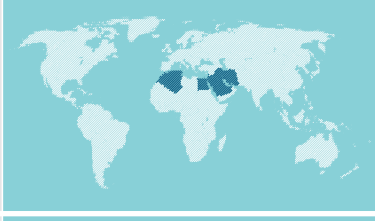
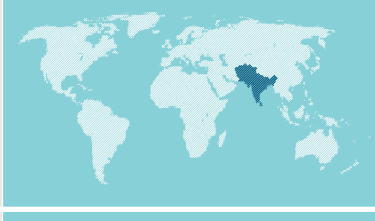
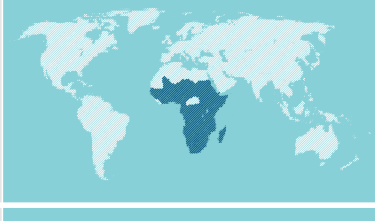
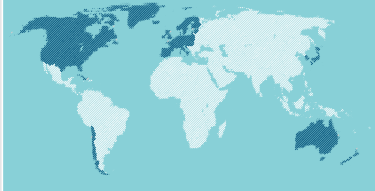
- › *Preparation of PPPs*: This section covers the period and activities that inform the decision of whether to launch a PPP procurement process. This portion of the survey explores whether the identification of a prospective PPP project happens within the broader context of public investments, consistent with other government priorities. It also examines the different types of assessments and the methodologies used to set the rules for these assessments. Furthermore, it considers other activities undertaken before publishing the public tender notice, such as preparing the draft contract and tender documents and obtaining land and permits, that lead to the procurement of the PPP project.
- › *Procurement of PPPs*: This section concentrates on the process for selecting a private partner to take on the responsibility of developing the PPP project. While this section covers a range of topics, it focuses on whether distinct legal and regulatory frameworks around the globe adhere to recognized good practices in terms of choosing the private partner. The major themes covered in this section include the fairness, neutrality, and transparency of the process, as well as specific requirements regarding matters related to lack of competition.
- › *PPP contract management*: This section assesses the contract management framework in place to facilitate the implementation of PPP projects, as well as the existing monitoring and evaluation systems. It also examines the regulatory provisions regarding PPP contract modification and renegotiation, dispute resolution, lender step-in rights, and termination of contracts.
- › *Unsolicited proposals (USPs) for PPPs*: This section begins by defining whether the legal and regulatory framework specifically allows or prohibits the submission of USPs and whether they take place in practice. If pertinent, it also delves into whether a specific process is in place to evaluate the feasibility of the USP and its alignment with other government priorities. This section also inquires about the specific compensation mechanisms in place for USPs, as well as whether a competitive process is required to select the private partner for the PPP project.

## Geographic Coverage

*Procuring Infrastructure PPPs 2018* covers 135 economies. In addition to the 82 countries assessed during *Benchmarking PPP Procurement 2017*, this year's edition includes all emerging markets and developing economies that have had at least one infrastructure PPP project in the last five years. In addition, 18 OECD (Organization for Economic Cooperation and Development) high-income economies were included to have a better representation worldwide. The 135 economies cover seven World Bank Group regions: 15 in East Asia and Pacific (EAP); 21 in Europe and Central Asia (ECA); 18 in Latin America and the Caribbean (LAC); 12 in Middle East and Africa (MENA); 6 in South Asia (SAR); 34 in Sub-Saharan Africa (SSA); and 29 in OECD high-income economies (Figure 1).



Figure 1 Economies covered in *Procuring Infrastructure PPPs 2018*

<b>East Asia and Pacific</b> <b>15 economies</b>	Cambodia China Indonesia Lao PDR Malaysia Mongolia	Myanmar Papua New Guinea Philippines Singapore Solomon Islands Thailand	Timor-Leste Tonga Vietnam		
<b>Europe and Central Asia</b> <b>21 economies</b>	Albania Armenia Azerbaijan Belarus Bosnia and Herzegovina <sup>a</sup> Bulgaria Croatia Georgia	Kazakhstan Kosovo Kyrgyz Republic Lithuania Macedonia, FYR Moldova Montenegro Romania	Russian Federation Serbia Tajikistan Turkey Ukraine		
<b>Latin America and Caribbean</b> <b>18 economies</b>	Argentina Brazil Colombia Costa Rica Dominican Rep. Ecuador	El Salvador Guatemala Haiti Honduras Jamaica Mexico	Nicaragua Panama Paraguay Peru Trinidad & Tobago Uruguay		
<b>Middle East and North Africa</b> <b>12 economies</b>	Algeria Djibouti Egypt, Arab Rep. Iraq Jordan Kuwait	Lebanon Morocco Qatar Saudi Arabia Tunisia United Arab Emirates <sup>b</sup>			
<b>South Asia</b> <b>6 economies</b>	Afghanistan Bangladesh India Nepal Pakistan Sri Lanka				
<b>Sub-Saharan Africa</b> <b>34 economies</b>	Angola Benin Botswana Burkina Faso Burundi Cameroon Chad Congo, Dem. Rep. Congo, Rep.	Côte d'Ivoire Eritrea Ethiopia Gabon Ghana Guinea Kenya Madagascar Malawi	Mali Mauritius Mozambique Niger Nigeria Rwanda Senegal Sierra Leone	Somalia South Africa Sudan Tanzania Togo Uganda Zambia Zimbabwe	
<b>OECD high-income</b> <b>29 economies</b>	Australia <sup>c</sup> Austria Belgium Canada Chile Czech Rep. Denmark Estonia	Finland France Germany Greece Hungary Ireland Italy Japan	Korea, Rep. Latvia Netherlands New Zealand Poland Portugal Slovak Republic Slovenia	Spain Sweden Switzerland United Kingdom United States <sup>d</sup>	

a. Sarajevo Canton | b. Emirate of Dubai | c. State of New South Wales | d. Commonwealth of Virginia

Note: *Procuring Infrastructure PPPs 2018* uses the World Bank Group regional and income group classifications, available at <http://data.worldbank.org/about/country-and-lending-groups>. Regional averages presented in figures and tables in the *Procuring Infrastructure PPPs 2018* report include economies from all income groups (low, lower-middle, upper-middle, and high-income), though high-income OECD economies are assigned the "regional" classification OECD high-income. The scope of the assessment is limited to infrastructure projects developed by procuring authorities at the national or federal level. However, in the cases of Australia, Bosnia and Herzegovina, United Arab Emirates, and the United States, the focus is on subnational units (the State of New South Wales, the Sarajevo Canton within the Federation of Bosnia and Herzegovina, the Emirate of Dubai, and the Commonwealth of Virginia, respectively). PPP = public-private partnership.

## How Are the Data Collected?

### Survey Contributors

The standardized questionnaire that generated the data for *Procuring Infrastructure PPPs* was distributed to approximately 13,000 contributors in the 135 economies included in the report. Data collection, analysis, and validation spanned six months, and ended in November 2017. Once the initial data collection was done, the team conducted a follow-up round of questions via conference calls and written correspondence to address and resolve any contradictions or discrepancies in the data provided by various contributors. The preliminary data were finalized and then shared with the economy's respective governments or the World Bank Group's Country Management Unit (CMUs) for final validation.

The standardized questionnaire was distributed to practitioners who have a wealth of knowledge related to PPP systems. Respondents were selected on the basis of their experience and their availability to contribute meaningfully to the questionnaire. The report's main contributors were law firms that have experience advising clients on PPP transactions, laws, and regulations; public officials involved with PPP processes and transactions; chambers of commerce; consultants; and academics knowledgeable about PPPs.

The following sources were utilized to identify the appropriate pool of contributors:

- › International guides, such as Chambers and Partners guides, the International Financial Law Review (IFLR), The Legal 500, Martindale-Hubbell, HG Lawyers' Global Directory, Who's Who Legal Directory, and Lexadin, as well as country-specific legal directories. The guides allowed the team to identify leading providers of legal services, including their specialization, in each economy.
- › Major international law and accounting or consulting firms that have large, well-connected global networks through partner groups or foreign offices.
- › Members of the American Bar Association, country bar association, and chambers of commerce, as well as other legal membership organizations.
- › Government organizations that undertake PPPs, such as Ministries of Finance, PPP procuring authorities, and specific PPP units.
- › Secondary resources and professional service providers recommended by World Bank staff, as suggested by embassy websites and business chambers.

Lawyers and professional service providers are in an ideal position to provide input for the questionnaire because they can draw upon their extensive experience advising clients, as well as their exposure to recent PPP transactions. Including PPP experts from various sectors of the economy helps ensure the accuracy of the survey's data by decreasing the chance of potential biases held by various contributors. Furthermore, including both the public and private sectors helps shed light on the views and insights of the various contributors involved in the PPP procurement process.

## Standardized Data and Comparability

Standardized and comparable data are invaluable for valid cross-economy analysis, which is the central principle of *Procuring Infrastructure PPPs 2018*. The unique pool of questions used in the questionnaire was sent to each contributor in every economy covered. Moreover, the contributors were referred to a case study for the transportation sector (highways) with standard assumptions to ensure comparability across surveys (Box 1). The use of a standard case study makes data collection easily replicable across economies and can make up for deep structural gaps between economies, which could jeopardize cross-economy contrasts. In addition, the hypothetical case study can be easily applied to an extended set of economies in a seamless manner.

### Box 1. Case study assumptions

- › The private partner (the project company) is a special purpose vehicle (SPV) established by a consortium of privately owned firms that operate in the surveyed economy.
- › The procuring authority is a national/federal authority<sup>a</sup> in the surveyed economy that is planning to procure the design, building, financing, operation, and maintenance of, for example, a national/federal infrastructure project in the transportation sector (such as a highway) with an estimated investment value of US\$150 million (or the equivalent in your local currency) funded with availability payments and/or user fees.
- › To this end, the procuring authority initiates a public call for tenders, following a competitive PPP procurement procedure.

a. Except for Australia, Bosnia and Herzegovina, United Arab Emirates, and the United States, where the focus is on subnational units (the State of New South Wales, the Sarajevo Canton within the Federation of Bosnia and Herzegovina, the Emirate of Dubai, and the Commonwealth of Virginia, respectively).

## Aggregating the Data and Scoring

The *Procuring Infrastructure PPPs 2018* data are aggregated by the following four thematic areas: PPP preparation, PPP procurement, PPP contract management, and USPs. The PPP practices and regulatory frameworks currently recognized as international good practice and in place in the respective economy are the sole areas that are scored and aggregated on the thematic level. Other data collected are used in the report for their value in providing context. The scoring methodology, accessible in Appendix 1, assigns identical weights to all the benchmarks reviewed in the survey.

The possible scores range from 0 to 100. The economies with the highest scores, nearing 100, are considered to have a PPP framework that is closely aligned with international PPP good practices. By contrast, the economies with scores at the bottom (nearing 0) have considerable room for improvement because they do not adhere to international PPP good practices as recognized by this report. While each economy's scores for the four thematic areas appear in the "Economy Data Tables" section in the end of this report, each of them should be assessed individually. Finally, while only the data points scored are presented in the country data tables, all the information collected during the implementation of the survey is publicly available on the project's website: <http://bpp.worldbank.org>.



It is important to note that a significant number of changes were made in the survey instrument between the *Benchmarking PPP Procurement 2017* and *Procuring Infrastructure PPPs 2018* exercises. The 2017 edition was a pilot; thus, comments were received during data gathering and assessment and after the release of the report. Those comments were incorporated to clarify the formulation of questions, as well as to cover areas that were overlooked in the report. Those changes had consequences in the scoring. Some questions that were scored in the *Benchmarking PPP Procurement 2017* were reformulated, and additional questions were included that are scored in the 2018 edition. This implies that the scores of these two editions are not comparable and changes in the scoring are in most cases due to methodological changes and unrelated to regulatory changes. Additional questions introduced and reformulated questions scored in this edition are identified in Appendix 2.<sup>11</sup>

## The Scope and Limitations of the Assessment

Understanding the scope of the data utilized in this report is important to interpreting the report's content. The data have both strong and weak points, which readers should keep in mind.

The procurement of PPPs can be carried out at different levels of governments within each economy and is sometimes carried out along sectoral lines. While the report recognizes the complexity of the process, because of limited resources, it examines only those PPPs in which the procuring authority is either national or federal. However, in Australia, Bosnia and Herzegovina, United Arab Emirates, and the United States, the study focuses on the subnational level, measuring the State of New South Wales, the Sarajevo Canton within the Federation of Bosnia and Herzegovina, the Emirate of Dubai, and the Commonwealth of Virginia, respectively. This approach was adopted to address the fact that federal governments in these economies have limited authority regarding infrastructure; this limitation, along with particular constitutional arrangements, make it unfeasible to evaluate the development of PPPs at the national or federal level. The specifics of each of these four cases are discussed in the description of the corresponding regulatory framework available in the project website: <http://bpp.worldbank.org>.

The regulatory framework to procure PPPs may also differ across sectors, but it is not possible to design a survey that spans all possible types of PPP projects. While most of the answers to the questionnaire may apply to all sectors, the contributors are referred to a case study for the transportation sector (highways) to ensure comparability across surveys (Box 1).



*Procuring Infrastructure PPPs 2018* follows the World Bank definition of PPPs<sup>12</sup> and applies that definition irrespective of the terminology used in the particular economy or jurisdiction (whether PPPs or concessions). In economies where generally applicable and separate regimes exist for concessions (most often defined as user-pay systems) and PPPs (most often defined as government-pays projects), both regimes were evaluated and scored separately to ensure accuracy. The following dual-regime economies were scrutinized for the purposes of this report: Argentina, Brazil, Costa Rica, France, Mauritius, Niger, Senegal, Togo, and Russian Federation. The specifics of each of these cases are further discussed in the description of the corresponding regulatory framework available in the project website: <http://bpp.worldbank.org>.

The assessment of *Procuring Infrastructure PPPs 2018* is based mostly on the regulatory framework in place for the procurement of PPPs. Most questions included in the survey capture the characteristics of laws and regulations that govern PPP procurement. The report, however, adopts a broad understanding of what constitutes the PPP regulatory framework to include any applicable legal texts and other binding documents (PPP policies and PPP standardized transaction documents and contracts), as well as judicial decisions and administrative precedents regarding the process of procuring PPPs.<sup>13</sup> This broad understanding of the PPP regulatory framework helps prevent, to the extent possible, any bias toward a particular legal system (civil law versus common law) or formal configuration of the regulatory framework for PPPs.

To complement the information that is referenced in legal documents, *Procuring Infrastructure PPPs 2018* also captures instances in which economies adhere to recognized good practices on a regular basis, in the contributors' opinion, even if those practices are not based on regulations. The assessment thus differentiates between those economies adhering to internationally recognized good practices with and without a regulatory basis. In addition, for a selected set of questions, the survey aims to capture the extent to which the regulatory framework in place for PPPs in each economy is respected in practice. This type of questions covers contributors' perceptions, based on their exposure to and experience with similar PPP projects. For most economies, however, given the already limited number of expert contributors, the pool of contributors that provided information fell short of constituting a representative sample. Consequently, the assessment, particularly when referring to contributors' perceptions, must be understood in the context of this limitation.

It is important to note that *Procuring Infrastructure PPPs 2018* does not assess individual PPP projects and contracts on a regular basis or treat them as a source of information. The assessment relies mostly on the input provided by the expert contributors. For answers based on regulatory references, the team also crosschecked the information provided with the referenced regulations and followed up with contributors whenever contradictions were identified.



In an effort to keep the report concise, this report does not cover all the regulatory challenges related to PPP procurement and does not consider the capacity of implementing agencies as demonstrated by staffing numbers and other related factors. Moreover, some issues that matter greatly to firms and policy makers, such as macroeconomic stability and the prevalence of corruption in an economy, are not captured in the survey, despite their importance. While *Procuring Infrastructure PPPs 2018* provides an overview of the way regulatory frameworks in different economies address issues that are important to develop PPPs adequately, some relevant factors are not captured. Consequently, *Procuring Infrastructure PPPs 2018* cannot be considered a complete and full assessment that provides a straightforward classification of economies based on their capability to procure PPPs.

Furthermore, since the data were compiled in a rather short time frame, the relevant legal and regulatory provisions noted in the report reflect a particular moment in time. Thus, readers should note that the legal situations may have changed. Specifically, data were collected for *Procuring Infrastructure PPPs 2018* with June 1, 2017 as the cutoff date. Thus, any regulatory reforms enacted and any practice adopted since this date are not taken into consideration in this year's report.

Finally, the report and the data points are meant to be “actionable” to lawmakers and governments because the respective economy's body of law and regulations is well within the sphere of influence of policy makers and able to be amended. Consequently, the report highlights relevant regulatory aspects of PPP legal frameworks in the hope that the governments of the respective economies will seize the opportunity to design reform agendas. However, given the limitations discussed, the report does not attempt to “rank” economies by their capability to procure PPPs.







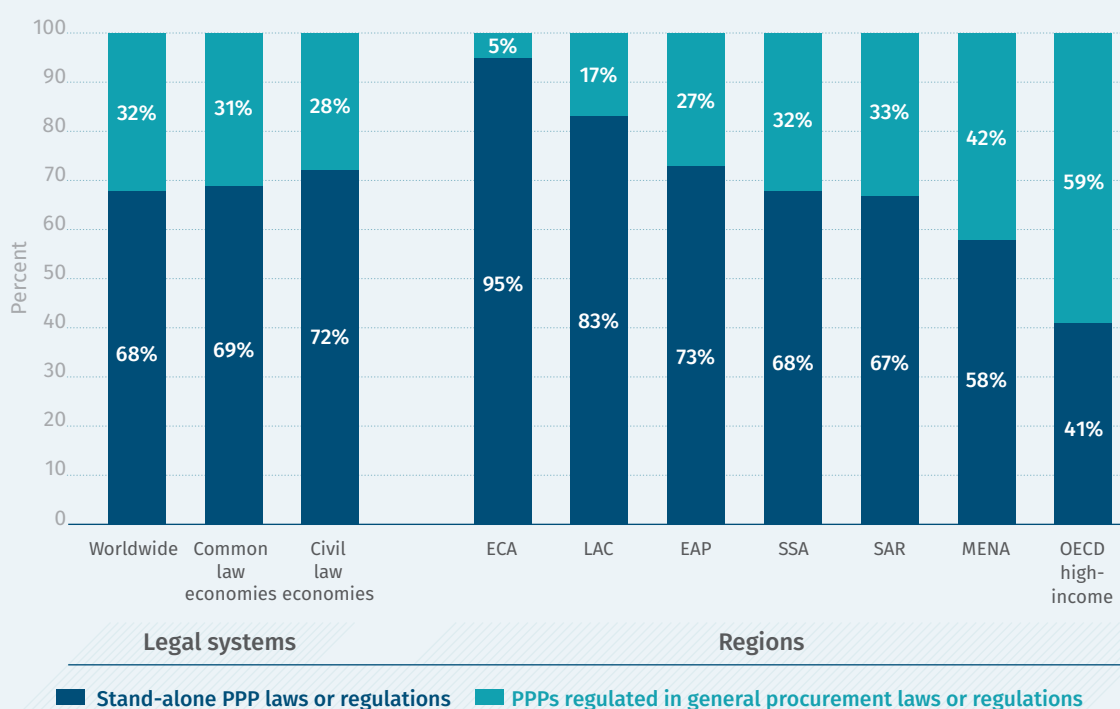
# Regulatory Frameworks and Institutional Arrangements for PPPs

This first section presents a brief overview of the regulatory and institutional arrangements that govern public-private partnership (PPP) projects. *Procuring Infrastructure PPPs 2018* covers a wide range of economies with different legal, regulatory, and institutional systems. While this information is critical to inform all relevant stakeholders and guide them in their decision-making process, the *Procuring Infrastructure PPPs 2018* indicator does not advocate for a specific approach that policy makers should take to set up the regulatory and institutional frameworks for PPPs. Consequently, it does not score economies differently based on what regulatory configuration they adopt. On the contrary, the objective of this initiative is precisely to provide contextual information as well as examine PPP regulatory and institutional frameworks on a much more granular level.

## PPP Regulatory Framework

There is no single prescriptive way of regulating PPPs. Governments have used different approaches and this assessment does not presume that one particular legal configuration is preferable to another. Economies around the world have different legal systems, which could affect the type of PPP regulatory framework they adopt. Whereas civil law economies are generally characterized by codified statutes and regulations, common law economies are traditionally less reliant on them. Legal precedents, judicial rulings, or contracts are instead expected to govern PPP projects in common law economies, and thus these economies could be less likely to adopt stand-alone PPP laws. While a wide discrepancy between the two major legal systems might be expected, the data surprisingly show merely a minor difference in the proportion of economies with stand-alone PPP laws and regulations between common law and civil law economies (69 percent and 72 percent, respectively) (Figure 2).

**Figure 2 Stand-alone PPP laws worldwide, by legal system and region (percent, N = 135)**



Source: *Procuring Infrastructure Public-Private Partnerships 2018*.

Note: ECA = Europe and Central Asia; EAP = East Asia and Pacific; LAC = Latin America and the Caribbean; MENA = Middle East and North Africa; PPP = public-private partnership; OECD = Organisation for Economic Co-operation and Development; SAR = South Asia; SSA = Sub-Saharan Africa.

In the 68 percent of economies that have enacted a stand-alone PPP law, some regional variation emerges. Eastern Europe and Central Asia (ECA) and Latin America and the Caribbean (LAC) have the largest proportion of economies adopting a stand-alone PPP law or regulation (95 percent and 83 percent, respectively), while in the Middle East and North Africa (MENA) this proportion is just 58 percent. Interestingly, the majority of high-income member countries of the Organization for Economic Co-operation and Development (OECD) do not follow this trend. Instead, PPPs are mostly regulated as part of their general procurement laws and regulations. This appears to reflect regionally driven regulatory preferences and possibly the use of PPP stand-alone laws to fill regulatory “gaps.” Notably, the Latin American and Caribbean region undertook a wave of reforms in the 1980s and 1990s adopting concessions laws, and a second wave of reforms adopting PPP laws that is ongoing. On the other hand, instead of adopting individual regulation for PPPs, economies in the European Union have more commonly integrated the regulation of PPPs as one type or modality of public procurement.

Following the definition of PPPs used by the project, this categorization is independent of the legal terminology used in a particular economy or jurisdiction to denominate PPPs. For example, Chile uses the legal term “concessions,” but in the above categorization is considered to have a stand-alone PPP law. On top of this, however, there is a set of economies that have two alternative separate regimes for PPPs and concessions, independently of whether they regulate PPPs in stand-alone law and regulations or within the broader context of public procurement. This is the case in Argentina, Brazil, Costa Rica, France, Mauritius, Niger, Russian Federation, Senegal, and Togo (6 percent of the assessed economies).

There are significant nuances in the distinction between economies with stand-alone PPP laws and those that use their public procurement laws and regulations to enact PPPs. For example, in Canada, Georgia, India, the Netherlands, New Zealand, and the United Kingdom, PPPs are governed by the same laws and regulations as public procurement, but those economies have developed specific guidelines for the preparation of PPPs as well as standard PPP contracts. Botswana, Ghana, and Nigeria have not yet adopted a stand-alone PPP law, but have developed PPP policies that guide the application of the general procurement framework for PPPs.

Among the economies that have adopted stand-alone PPP laws, Colombia, Greece, the former Yugoslav Republic of Macedonia, and Portugal use them only to regulate particular aspects relevant for PPPs and refer to the general procurement laws and regulations for other matters. In Germany, the adoption of a specific PPP law introduced reforms in the existing general procurement laws and regulations that were amended to also regulate the procurement of PPPs specifically. In Azerbaijan, Honduras, and Mali, the PPP stand-alone law expressly excludes the application of the general public procurement laws and regulations for PPPs.

While having a stand-alone PPP law can add clarity to the regulatory framework for the development of PPPs, it is not a guarantee of success. In a similar light, though having a stand-alone PPP law generally has a positive impact on a country’s PPP program, the lack of a stand-alone PPP law will not mean a country cannot have a successful program. For example, while a stand-alone PPP law can simplify the regulatory framework, it may also generate legal vacuums if other public procurement regulations do not apply and create uncertainties if introducing inconsistencies with existing legislation. Moreover, the details of each particular PPP should be regulated in the PPP contract. Thus, any of the described legal configurations could be equally successful in creating an adequate environment for the development of PPPs as long as the relevant elements are covered. While some economies have launched important PPP programs based on a stand-alone PPP law (for example, Colombia and the Philippines), many of the economies with more mature PPP markets rely on general regulations complemented by specific PPP guidelines (for example, Australia and the United Kingdom). This is why instead of focusing on the particular legal configuration, *Procuring Infrastructure PPPs 2018* focuses on the alignment of specific elements of the framework in a particular country with recognized international good practices.



Between January 1, 2016 and June 1, 2017, 64 of the 135 economies assessed undertook some type of regulatory reform affecting the PPP regulatory framework. In 76 economies, reforms were ongoing and/or are planned after the cutoff date of this report (June 1, 2017). While most of the regulatory reforms have limited impact on this assessment, recent major reforms confirm the trend to regulate PPPs with stand-alone PPP laws. For example, Afghanistan, Argentina, and Pakistan have recently enacted new stand-alone PPP laws. Other economies, such as Madagascar, have complemented previously adopted laws with detailed regulations. A few of the most prominent reforms to the PPP regulatory framework undertaken since the publication of the previous edition of this report are discussed in Box 2.

### Box 2 Several recent prominent PPP regulatory framework reforms

**Afghanistan:** The new PPP Law (approved by Presidential Decree No. 103) and the National Policy on Public Private Partnerships, 2017 published by the Central Partnership Authority were enacted specifically to regulate PPPs in Afghanistan. This new framework aims to establish an enabling environment to attract investment in PPPs that can help Afghanistan face such issues as the “lack of infrastructure, congestion and delays in implementing development projects, overreliance on foreign aid, and poor service delivery.” Transparency, accountability, value for money, and affordability are among the principles promoted by the new framework that for example requires using “comprehensive reviews and specific evaluation criteria...to select projects for PPP procurement and to identify the preferred bidder for each project.”<sup>a</sup>

**Argentina:** The new Public-Private Partnership Agreements Law 27,328 and its regulatory decree, Decree No. 118/2017, were approved with the aim of easing and promoting an adequate institutional framework for private investment in infrastructure and services. Among the relevant issues regulated by this new law are the option of establishing alternative dispute resolution mechanisms, including international arbitration, and a more detailed regulation of PPP contract assignment.<sup>b</sup> However, this new framework creates a new regime outside the scope of the existing regulation of administrative contracts (including concessions), and therefore introduces two alternative avenues to undertake PPPs. This new stand-alone PPP law neither revokes nor replaces the preexisting concession regime. While preserving preexisting regimes for PPPs can add flexibility, it can also diminish clarity and add to the opacity of the regulatory framework, which may in turn provide room for opportunistic behavior.

**Madagascar:** While the PPP Law was approved in 2015, its provisions lacked the level of detail to provide a comprehensive PPP framework. In 2017, two decrees that govern the implementation of the PPP Law were adopted: Decree 2017-149, regarding procurement modalities of PPP contracts; and Decree 2017-150, detailing the institutional framework of PPPs. Among the areas newly covered by these decrees are the requirement to prepare a draft PPP contract, an express specification of the minimum period to submit proposals, and a more detailed regulation of renegotiations.

**Pakistan:** The recently enacted Public Private Partnership Authority Bill, 2017 intends to “provide a regulatory and enabling environment for private participation in provision of public infrastructure and related services.”<sup>c</sup> In addition to establishing the independent Public Private Partnership Authority (PPPA) with advising and gatekeeping roles for the development of PPPs, it also provides a stronger legal basis for many of the areas only contemplated in the 2010 Pakistan Policy on PPPs. For example, the requirement to ensure fiscal affordability is now legally codified, and several steps in the procurement process (including the publication of the procurement notice) as well as dispute resolution mechanisms are now specifically regulated for PPPs.

a. Public Private Partnership in Afghanistan: An Alternative to Public Sector Financing, National Policy on Public Private Partnerships 2017, Central Partnership Authority, 4–5, <https://www.pajhwok.com/en/opinions/public-private-partnership-afghanistan-alternative-public-sector-financing>.

b. Argentina: New Legal Framework Allows for International Arbitration and Dispute Boards in Public-Private Partnership Projects, <https://www.lexology.com/library/detail.aspx?g=8b23a3ce-ceb4-4dd0-bbd3-05854920fc7b>; Argentina: Invest in Public-Private Partnership Projects in Argentina, <http://www.mondaq.com/Argentina/x/640672/Government+Contracts+Procurement+PPP/Invest+In+PublicPrivate+Partnership+Projects+In+Argentina>.

c. The Public Private Partnership Authority Act, 2017.



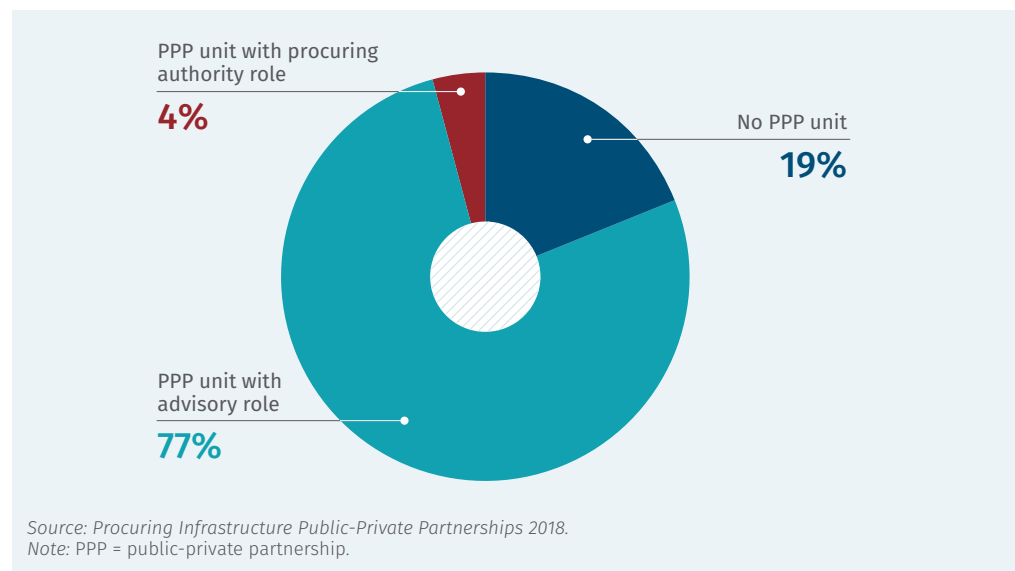
## Institutional Arrangements

Given the complexity and relative novelty of PPPs as an approach to deliver infrastructure, governments may need to create specific institutions to support their development. In many economies, the creation of these institutional arrangements is a relevant component of the PPP regulatory framework. While the economies assessed have adopted diverse institutional arrangements to support the development of PPPs, the creation of PPP units is a common trend. Such units can facilitate the development of PPPs by centralizing PPP expertise in a single government agency. However, as with stand-alone PPP laws, the creation of a PPP unit is not in itself a guarantee of success. Furthermore, the practicality of establishing a single centralized PPP unit is contingent on the size and administrative structure of each economy. Consequently, once again, while this element provides necessary context and a basis for the rest of the analysis, it is not scored.

Eighty-one percent of the assessed economies have a dedicated PPP unit. Some are independent organizations akin to other governmental departments, such as the Public and Private Infrastructure Investment Management Center (PIMAC) in the Republic of Korea and the Infrastructure Concession Regulatory Commission (ICRC) in Nigeria. In other cases, the PPP unit is part of a larger ministerial or departmental structure. In Jamaica, for example, the PPP unit is located within the Development Bank of Jamaica, and in Turkey it is under the General Directorate of Investment Programming, Monitoring and Assessment of the Ministry of Development.

While the role and functions of the PPP units vary, most PPP units have a common set of core tasks: PPP regulation policy and guidance (in 85 percent of the economies with a PPP unit); capacity building for other government entities (in 88 percent); promotion of the PPP program (in 88 percent); technical support in implementing PPP projects (in 80 percent); and oversight of PPP implementation (in 75 percent). These functions are consistent with the PPP unit performing mainly an advisory role supporting the actual procuring authorities (usually the relevant line ministry). In addition, around 59 percent of the PPP units are also required to approve PPP projects, usually through their participation in the PPP feasibility assessment process. Finally, the assessment of the fiscal risks borne by the government in a PPP is not usually a function attributed to the PPP unit but instead left directly to the Ministry of Finance or central budgetary authority.

**Figure 3 PPP unit's role in the procurement of PPPs (percent, N = 135)**



In a handful of economies (4 percent) (see Figure 3), the PPP unit plays a more prominent role in the development of PPP and acts as the main (or exclusive) procuring authority for PPPs. This is the case, for example, in Chile (where Coordinación de Concesiones procures public works concessions in agreement with the line ministries); Honduras (where Coalianza is the main actor in the procurement process for PPPs); Ireland (where procurement of PPPs is centralized through the National Development Finance Agency, NDFA); Peru (where ProInversión acts as procuring authority for large PPP projects); and Kuwait (where the Kuwait Authority for Partnership Projects, KAPP, takes a leading role in the procurement of PPPs identified by line ministries). While this arrangement may support a more efficient development of PPPs by centralizing procurement in a single unit with expertise in PPPs, it may also take that role away from the line ministries that are ultimately responsible for the delivery of infrastructure. About one-third of the existing PPP units participate in the task of identifying and selecting PPP projects, but this task is more commonly undertaken by the procuring authorities themselves.







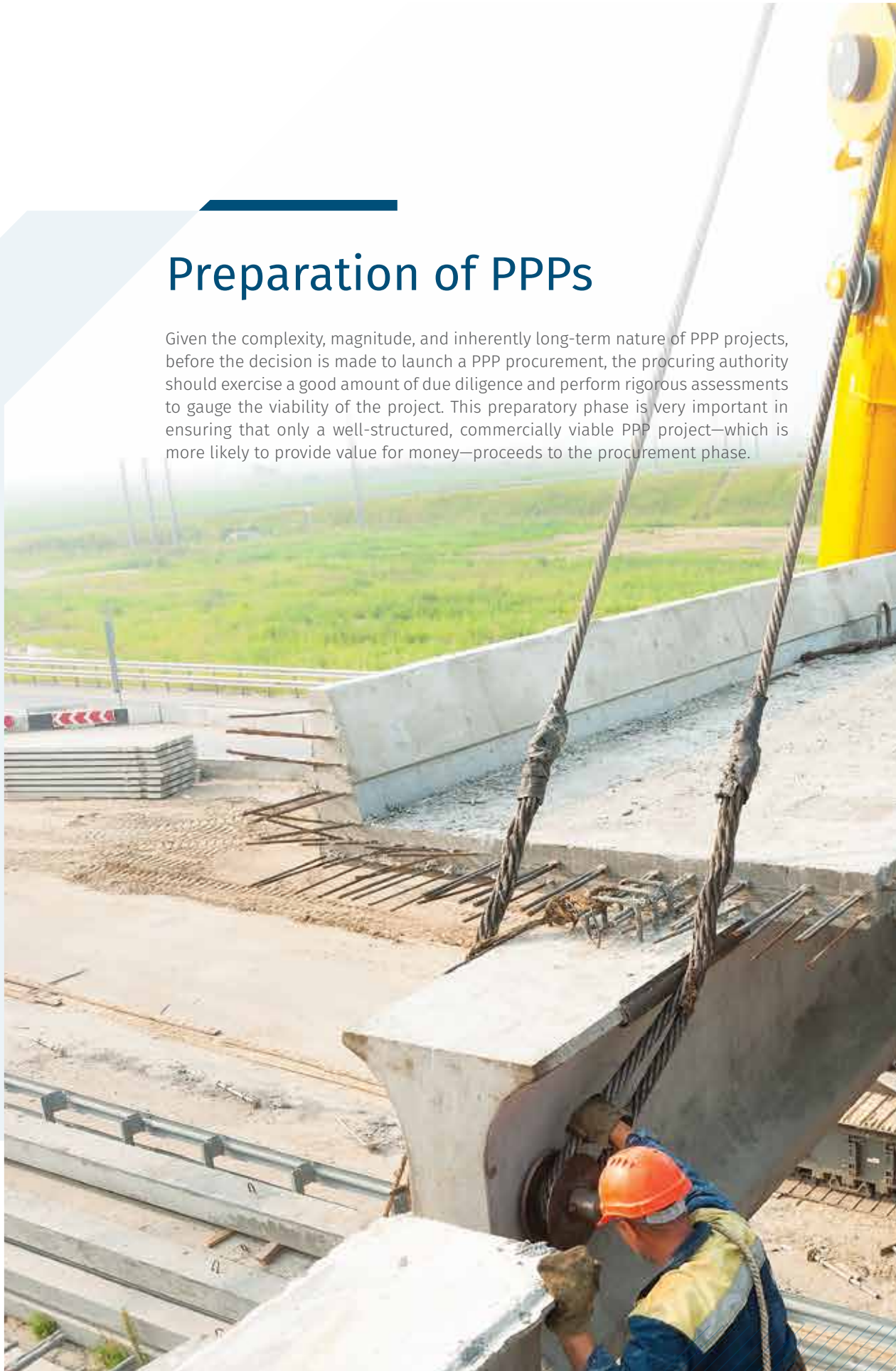


## Thematic Areas Covered and Scored in *Procuring Infrastructure PPPs 2018*



## Preparation of PPPs

Given the complexity, magnitude, and inherently long-term nature of PPP projects, before the decision is made to launch a PPP procurement, the procuring authority should exercise a good amount of due diligence and perform rigorous assessments to gauge the viability of the project. This preparatory phase is very important in ensuring that only a well-structured, commercially viable PPP project—which is more likely to provide value for money—proceeds to the procurement phase.



A sound PPP preparation process comprises several stages, starting with the identification of potential infrastructure projects that could be procured as PPPs. Potential PPPs should be identified and compared with other public investment priorities on the basis of an integrated infrastructure plan and a rigorous economic cost-benefit analysis. The fiscal implications of PPPs should also be established, including their budgetary, accounting, and reporting treatment.

Next, multiple preliminary assessments should be carried out to ensure that a project can succeed as a PPP. Feasibility studies should be undertaken to inform the structure of the PPP project, including assessing and deciding on the allocation of risks, and sounding out the market to gauge its appetite and capacity. Any environmental concerns connected with the identified project should be addressed by conducting an environmental impact assessment. Established good practices call for including the assessments in the request for proposals and/or tender documents, as well as making them accessible to the public.

Finally, after a PPP structure has been defined based on the appraisal process, the procuring authorities should prepare and make public the documentation required to launch the PPP procurement process, including a draft of the PPP contract. Following established good practices, PPP contracts should be standardized and made public for transparency reasons.

The recognized good practices that are undertaken during the PPP project preparation stage are especially important in light of the proliferation of projects that are formulated hastily, often with insufficient financial means or technical reliability. A list of these good practices is presented in Box 3.

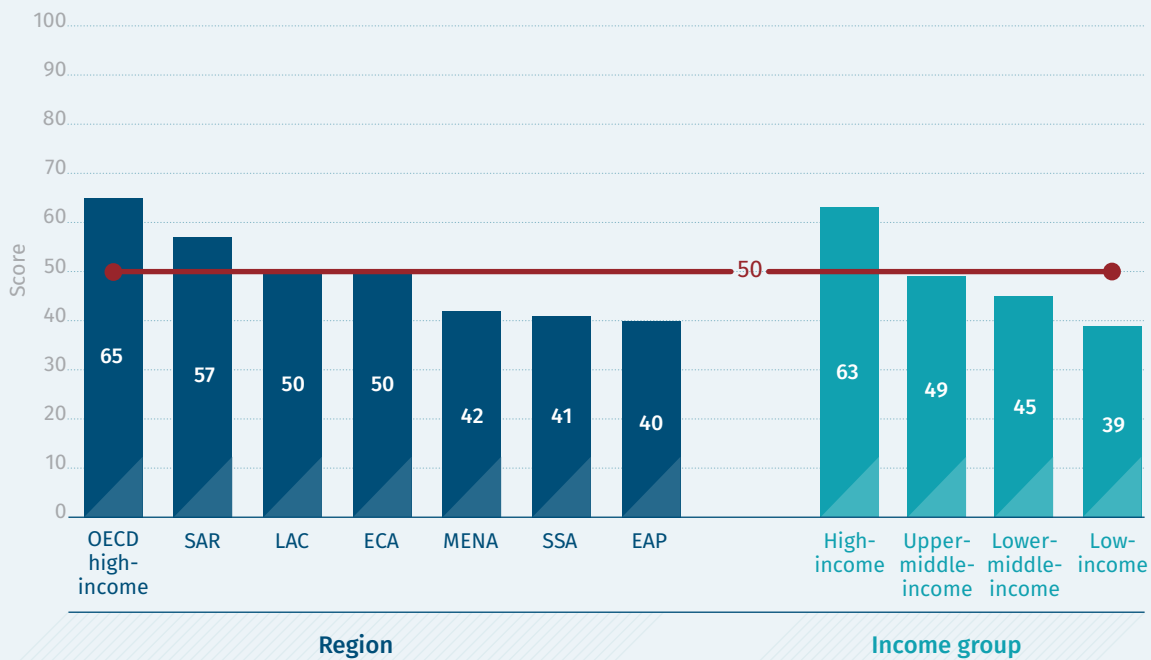
### Box 3 The preparation of PPPs: Good practices scored in *Procuring Infrastructure PPPs 2018*

Good practices that help ensure that the decision to procure a PPP is justified and that the procuring authority is ready to initiate the procurement process include the following:

- › The Ministry of Finance or central budget authority approves the long-term financial implications of the project.
- › There is a specific budgetary and accounting/reporting treatment for PPP projects.
- › The project is assessed and prioritized along with all other public investment projects in the context of the national public investment plans.
- › The project is adequately justified on the basis of:
  - socioeconomic analysis
  - fiscal affordability assessment
  - financial viability
  - risk assessment
  - comparative assessment of PPP versus public procurement
  - market assessment
  - environmental impact assessment.
- › The results of these assessments are included in the request for proposals and/or tender documents and published online, together with the tender documents.
- › The procuring authority prepares a draft PPP contract and includes it in the request for proposals and/or tender documents, and these are published online.
- › The procuring authority has standardized PPP model contracts and/or transaction documents to expedite and guarantee consistency.

The *Procuring Infrastructure PPPs 2018* data reveal regional and income group differences in the average score for the preparation of PPPs (Figure 4). The OECD high-income region is ahead of all the other regions. South Asia, Latin America and the Caribbean, and Europe and Central Asia also score equal to or above the average. Latin America and the Caribbean has the highest intraregional variance, ranging from 2 to 90 points. Disaggregating the data by income level clearly reveals that the lower the income group level, the lower the average scores on project preparation.

**Figure 4 Preparation of PPPs, score by region and income group (score 1–100)**



Source: *Procuring Infrastructure Public-Private Partnerships 2018*.

Note: ECA = Europe and Central Asia; EAP = East Asia and Pacific; LAC = Latin America and the Caribbean; MENA = Middle East and North Africa; PPP = public-private partnership; OECD = Organization for Economic Co-operation and Development; SAR = South Asia; SSA = Sub-Saharan Africa.

The *Procuring Infrastructure PPPs 2018* survey gathers data on a rich set of issues relevant to the preparation of PPP projects. The subsections that follow briefly summarize the study's results related to assessments, disclosure of assessments, and fiscal treatment of PPPs.

## Assessments of PPPs

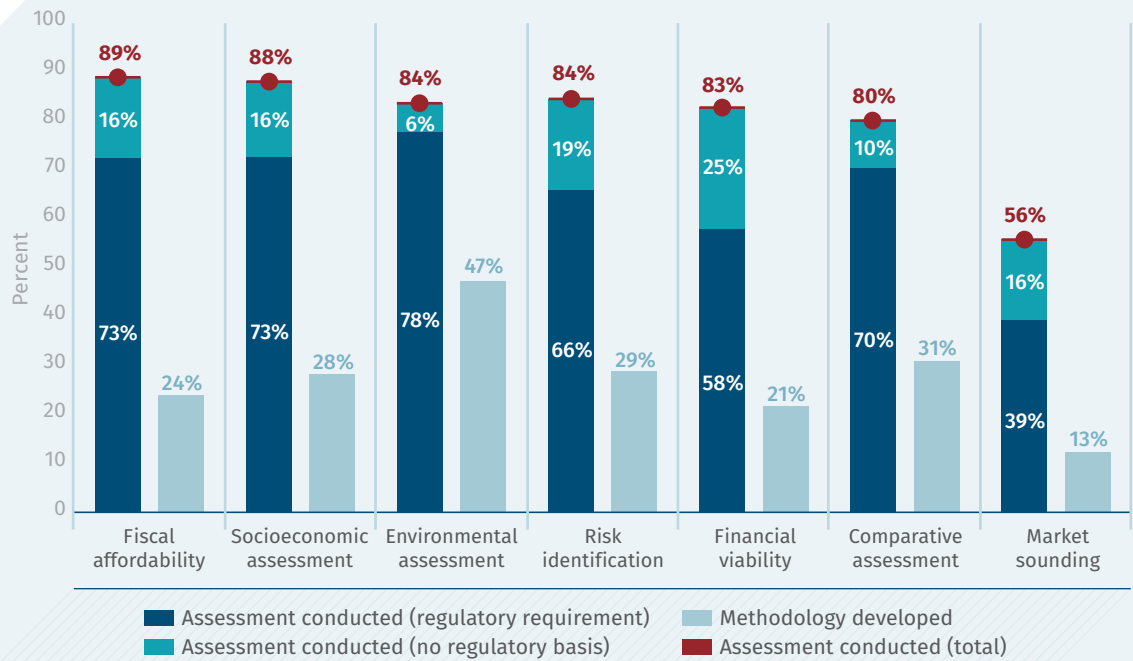
A sound appraisal of a PPP project ensures a project of optimal quality, most likely to attain financial closure and to yield positive results during its implementation. Furthermore, assessments may serve as proof of the procuring authorities' understanding of the key elements of the project, enabling them to properly structure the project and design the draft PPP contract.

Given the importance of appraisals, the *Procuring Infrastructure PPPs 2018* survey inquires whether the following assessments are undertaken during the preparation phase: (1) a socioeconomic analysis;<sup>14</sup> (2) a fiscal affordability assessment; (3) identification, allocation, and assessment of risks; (4) a comparative assessment with traditional procurement alternatives (or value-for-money assessment); (5) a financial viability or bankability assessment; (6) market sounding for potential investors;<sup>15</sup> and (7) an environmental impact assessment. This last type of assessment was introduced in this edition of the report to capture governments' capacity to assess the direct impacts that a potential PPP project might have on the environment.

The *Procuring Infrastructure PPPs 2018* survey not only identifies which assessments are conducted (identifying those cases in which a regulatory requirement is clearly in place) but also whether a methodology has been developed for each of those assessments. A methodology provides guidance and consistency across different PPP projects. It sets objective criteria that are uniform, publicly available, and easy to use for multiple PPP proposals, helping make the government more transparent and building capacity. A methodology may take the form of supporting materials or methodological guidelines, including guides for the design and evaluation of investment projects.



**Figure 5 Assessments during the PPP preparation phase (percent, N = 135)**



Source: Procuring Infrastructure Public-Private Partnerships 2018.  
 Note: Some numbers in the figure may not add up due to rounding

In more than 80 percent of the economies surveyed, six of the seven assessments are performed (the exception is market sounding) (Figure 5). However, less than one-third of the economies have developed specific methodologies for conducting such assessments, and an even smaller percentage of economies (just slightly over 20 percent) make those assessments available online.

Only 11 economies among the 135 economies surveyed provide specific methodologies for all seven assessments measured by the report: Canada, Germany, Ireland, Lithuania, Netherlands, New Zealand, Peru, Philippines, Slovakia, South Africa, and the United Kingdom. On the other end of the spectrum, Somalia does not require any of the assessments to be prepared. This pattern points to considerable room for improvement.

Data compiled for this year’s report identify the fiscal affordability and socioeconomic impact of a potential PPP project as the two assessments most commonly conducted (89 percent and 88 percent, respectively, although only 73 percent of the economies have a regulatory basis requiring the assessments). Through these assessments, the government conducts a cost-benefit analysis that weighs the public interest and social return against the cost of the project and measures the long-term fiscal and budgetary impact. However, only 28 percent and 24 percent of the economies, respectively, have developed a specific methodology for how to perform these assessments. Only in two areas—environmental assessment and the comparative assessment with traditional procurement (sometimes referred to as the value for money assessment)—have more economies developed specific methodologies. A good example of a country that conducts thorough socioeconomic impact assessments is Austria, which enumerates a comprehensive set of variables to be assessed: “In any event, the financial, economic, environmental, consumer protection effects as well as the effects on children and youth and the administrative cost to citizens and to businesses including in social respects and, in particular, also on actual equality of the genders, shall be considered.”<sup>16</sup>



With the environmental impact assessment, the government accounts for environmental externalities that may not have been captured in the economic cost-benefit analysis. Moreover, the exercise allows risk mitigation measures to be identified that could be implemented during the life of the project. A legal requirement to conduct an environmental impact assessment exists in 78 percent of the economies assessed, making it the assessment for which the most economies have introduced a legal requirement. In another 6 percent of economies, including Chad and Haiti, while no regulatory basis requires it, contributors indicated that an environmental impact assessment is also carried out. It is therefore surprising that even in this case, only 47 percent of all economies have developed an environmental impact assessment methodology.

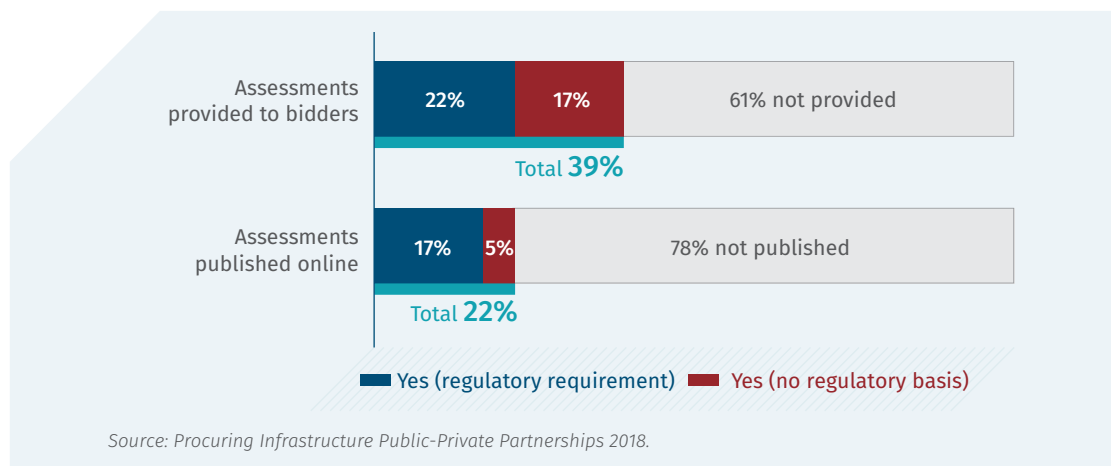
Commonly, environmental impact assessments of PPP projects are elaborated upon in the national environmental laws, which generally apply to PPPs. In some economies, the PPP law explicitly mentions a requirement to conduct environmental assessments, but the details are provided in a separate regulation. For example, in Côte d'Ivoire, the PPP Decree requires that the feasibility study include environmental aspects of a project; and the Environment Code<sup>17</sup> states that every project likely to have environmental consequences shall be preceded by an impact study. The method to assess such impact is provided by a specific decree.<sup>18</sup> In the PPP Law of Burundi,<sup>19</sup> the assessments of a public-private partnership contract can be prepared only if the evaluation conducted by the PPP Agency demonstrates the advantage of the PPP option compared to other procurement alternatives. This evaluation includes measures for the protection of environment and sustainable development.

Market sounding stands out as the least commonly performed assessment among the surveyed economies. It is conducted in only 56 percent of the economies (including 16 percent that do so without a legal requirement). Moreover, only 13 percent have developed a specific methodology for this type of appraisal. For example, in Canada, details of the market sounding are part of the Business Case Development Model. In addition, the Procurement Options Analysis Guide requires the procuring authority to (1) outline the overall strategy for engaging with market

sounding participants; (2) describe the process used to identify market sounding participants to ensure that selected participants are appropriate; (3) describe the process used to conduct market soundings; and (4) provide information on the plan for follow-up consultations and refreshes.<sup>20</sup> Other economies where specific methodologies for this assessment have been developed include Germany, New Zealand, the Philippines, Singapore, South Africa, and the United Kingdom.

The preparation assessments are primarily a source of information for the procuring authorities. However, further disclosure and publication of the assessments allow all stakeholders to fully understand the project. Moreover, the transparency achieved by publishing the assessments is likely to exert pressure on the procuring authority to choose the right project, narrowing the space for inefficiencies and potential corruption. Similarly, disclosing the assessments results to potential bidders through information memorandums or similar documents included in the tender documentation or request for proposal (RFP) can help bidders make an informed bidding decision and submit better prepared bids. For these reasons, this year’s survey also inquired about whether the required assessments are made available to the public and published online, and whether the results of the assessments are included as part of the tender documents shared with potential bidders (Figure 6).

**Figure 6 Disclosure of preparation assessments to bidders and the public (percent, N = 135)**



About 39 percent of the economies include the completed assessments in the documents provided to potential bidders. In 22 percent of the economies, this is done in accordance with an express mandate contained in the regulatory framework, while an additional 17 percent of the economies also include the assessments as part of a general practice recognized by the survey contributors. In Australia, for example, the New South Wales PPP Guidelines consider it a good practice to provide bidders with a summary of the Public-Sector Comparator (PSC) to assist them in preparing their bids.<sup>21</sup> Moreover, the same PPP guidelines require the procuring authority to make the analysis of legislative and regulatory impacts, feasibility studies, land use considerations, geological information, and demand estimates available to the short-listed bidders.<sup>22</sup> Contrary to this commendable example, in over 60 percent of the economies, the assessments are performed exclusively for the benefit of the procuring authority and they are not necessarily shared with the bidders. This may hinder the capacity of some bidders to fully understand the scope and requirements of the project and consequently to prepare the most informed and accurate bids. It may also introduce differences among the bidders if some of them were to obtain better access than others to the analysis prepared by the government.

Similarly, despite the enhanced transparency it provides for stakeholders, only around one-fifth of all surveyed economies publish the results of at least one assessment. Seventeen percent of the surveyed economies have a regulatory provision requiring publication, while in another 5 percent (seven economies), this is done in practice and despite the lack of regulatory requirement, according to the survey contributors. For example, in China, PPP project information should be disclosed during the project identification and preparation phase, including the risk allocation framework, the value-for-money evaluation report, and the financial affordability assessment report.<sup>23</sup> In Paraguay, the PPP law requires the Public-Private Partnership Project Unit at the Technical Secretary of Planning to publish the pre-feasibility and feasibility studies carried out before procuring a PPP.<sup>24</sup> Once again, aside from a few remarkable examples, most economies (over three-quarters of those surveyed) do not consider publishing the assessments required for PPP preparation. At the very least, this implies a missed opportunity to fully engage all potential stakeholders by providing them with the full picture of the scope and implications of the PPP project. Finally, the lack of publication makes it more difficult to ensure that the assessments are meaningfully completed, also making it more difficult to hold the procuring authorities accountable.

## Fiscal Treatment of PPPs

When entering into PPP contracts, governments may incur fiscal commitments such as direct liabilities (like availability payments or shadow tolls) and contingent liabilities (such as guarantees or compensation clauses) whose occurrence, timing, and value depend on some uncertain future events. Without those liabilities being accounted for (through public financial management), PPPs can be used to bypass budgetary and fiscal controls and become a hidden burden to the public sector, affecting the overall fiscal sustainability of the economy.

Despite the relevance of this issue, appropriate assessment of the fiscal implications of PPPs is still not common practice. A large majority of the surveyed economies (81 percent) require an approval by the Ministry of Finance or the central budgetary authority before embarking on the PPP procurement process. However, only 54 percent of all surveyed economies require an additional approval before the PPP contract is signed. This second approval can be important to ensure that the project is still fiscally affordable for the government after any significant changes that may have occurred during the tendering process (Figure 7).

The type of approval by the Ministry of Finance varies across economies. In a majority of the assessed economies that require an approval, the regulatory framework expressly requires the approval of the Ministry of Finance itself (examples include Belarus, Indonesia, and Paraguay). However, in 18 percent of the economies, this approval is only implicit: for example, the Ministry of Finance reviews and approves the PPP project as part of an approval committee (as in Angola, Bangladesh, and Jordan).

In some economies, the approval process is selective. The Ministry of Finance is required to vet a PPP project only when it requires budgetary funds. This is the case, for example, in Albania, Bulgaria, and Mongolia. Such a differentiation tends to create incentives to financially structure PPP in a way that such controls are avoided, instead of structuring them optimally.

Regulations are even less precise when it comes to specific provisions regarding budgetary, accounting, and/or reporting treatment for PPPs. Only 36 percent of the economies have introduced some type of regulatory provision regarding the accounting and/or reporting treatment of PPPs and even fewer (24 percent) have specific provisions about the budgetary treatment for PPPs.





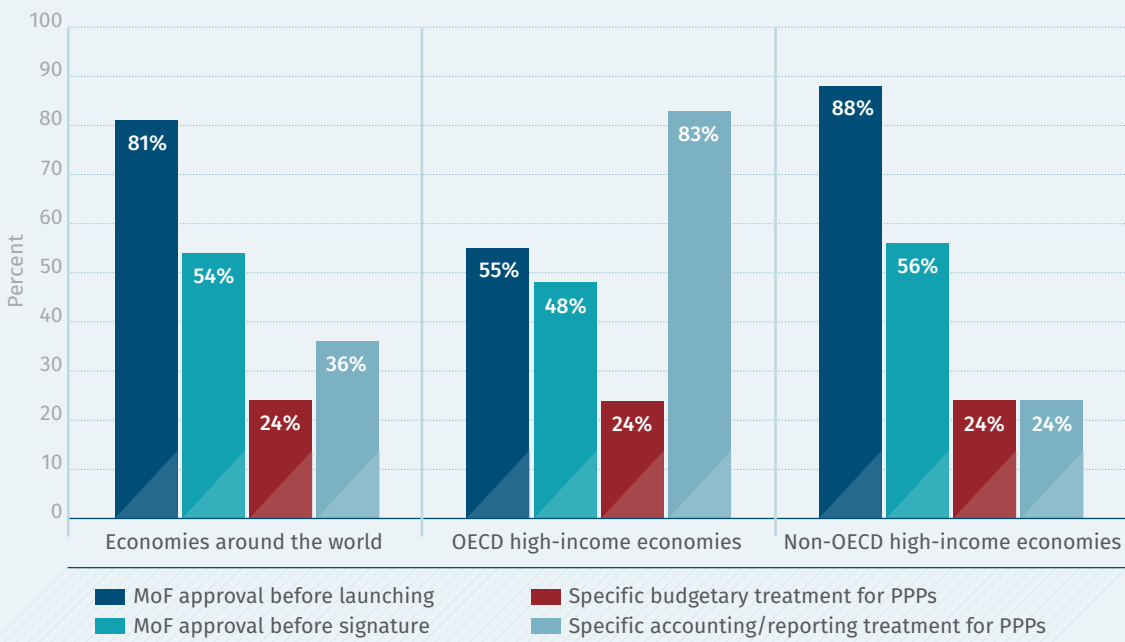
The budgetary treatment provisions take different modalities, but in general they imply an express recognition of the long-term impact of PPP liabilities. For example, in Austria, the Federal Budget Law imposes specific budgetary requisites<sup>25</sup> to execute projects that involve obligations in future fiscal years. Similarly, in Mexico, the future commitments required by the PPP must be defined and calculated following the provisions of the Federal Budgeting and Fiscal Responsibility Law (LFPRH).

Without requiring a specific budgetary treatment for PPPs, a number of economies have developed alternative mechanisms to control the budgetary implications of PPPs. For example, Argentina, Burkina Faso, Colombia, Ecuador, Honduras, Madagascar, and Paraguay have introduced limitations to the total amount of funds that can be committed to PPP projects. While limitations of this type control the potential fiscal impact of PPPs more tightly, they may also impose undue restrictions for the development of necessary and optimal PPP projects. On the other hand, in Afghanistan, Bangladesh, India, the Republic of Korea, and Uganda, the regulatory framework provides for the creation of a viability gap fund. Such funds help PPPs achieve commercial viability and aim to centralize the provision of public support to this end.

Specific provisions for the accounting and/or reporting of PPPs are also uncommon. These provisions regulate, for example, which party assumes the debt related to the PPP on its balance sheet and/or require the government to disclose information on the potential fiscal impact of PPPs. OECD economies that are members of the European Union are subject to the common European System of Accounts (ESA), which provides for a specific treatment of PPPs. This requires the public sector to account for PPP-related debt if it retains a substantial part of the risk in the PPP project. Other than this, only a handful of other economies (less than 5 percent) have adopted the International Public Sector Accounting Standards (IPSAS) as their model for the accounting treatment of PPPs. IPSAS require a PPP to be considered as part of the public sector balance sheet if the public sector retains overall control of the project. This is the case in Chile, Peru, South Africa, and Turkey.

An interesting pattern emerges from the data when comparing high-income OECD economies to developing economies (Figure 7). The regulatory frameworks in non-OECD economies place great emphasis on formal approvals by the Ministry of Finance or the central budgetary authority, leaving less discretion with the procuring authorities but also introducing an extra layer of formal approval. However, in those same economies, provisions concerning budgetary and fiscal treatment are rare. In contrast, in high-income OECD economies, formal approvals by the Ministry of Finance are not as commonly required (leaving more discretion, but also more responsibility with the procuring authorities), but a larger proportion of those economies have adopted specific provisions regarding accounting for PPPs as a fiscal control mechanism.

**Figure 7 Fiscal treatment of PPPs (percent, N =135)**



Source: Procuring Infrastructure Public-Private Partnerships 2018.

Note: MoF = Ministry of Finance; OECD = Organisation for Economic Co-operation and Development; PPPs = public-private partnerships.



## Procurement of PPPs

Once the preparation phase is completed and a decision is made to deliver an infrastructure project as a PPP, the procuring authorities will proceed with the procurement phase. The private partner is usually selected through a public tendering process, with the application of either the general public procurement rules or rules especially tailored for PPP procurement. The long-term success of a PPP depends to a large degree on the choice of the best-suited private partner. Whether the government achieves the target value for money through the PPP is conditioned upon the private partner's capacity for innovation and for achieving efficiency gains. The importance of selecting the right private sector partner is increased by the long-lasting nature of PPP projects and the magnitude and extent of public resources at stake. By choosing the correct private partner, the government can increase the likelihood of creating a trusting relationship and of attaining the outcomes promised by PPP projects. Thus, bidder qualifications and proposals must usually be evaluated thoroughly to ensure the delivery of expected value for money.

Most PPP procurements take more time and are more complex than conventional procurement. The transaction costs for both the public and the private sector partners naturally increase due to these longer and more complicated tendering procedures, which may deter competition. Procuring authorities should take this into account when deciding to use the PPP option. Minimizing the transaction costs should therefore be one of the basic elements to ensure equal treatment of all bidders, alongside the clarity, fairness, and transparency of the procurement process to achieve value for money.



The thematic coverage of procurement by *Procuring Infrastructure PPPs 2018* was conceived to be broad enough to encompass varied aspects of the procurement process, such as bidders' access to procurement-related information, the clarity and comprehensiveness of the procurement documents, the qualification of bid evaluation committee members, the bid selection criteria used, the way governments deal with cases of sole proposals, and the restriction on negotiation during the award phase. The recognized good practices that could be drawn from the areas covered by *Procuring Infrastructure PPPs 2018* in the procurement of PPP projects are summarized in Box 4.

#### **Box 4 The procurement of PPPs: Good practices scored in *Procuring Infrastructure PPPs 2018***

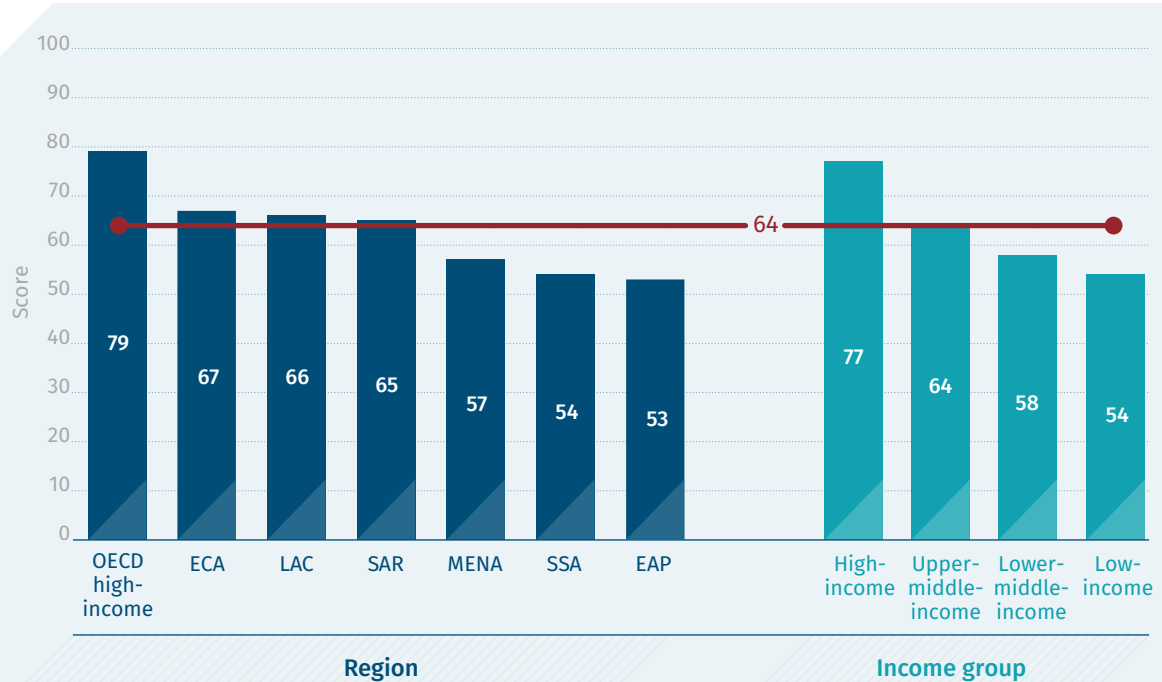
Good practices that help ensure fair competition, value for money, and transparency during the PPP procurement process include the following:

- › The bid evaluation committee members meet minimum technical qualifications.
- › The procuring authority publishes the public procurement notice online.
- › The procuring authority grants at least 30 calendar days to potential bidders to submit their proposals.
- › Foreign companies are not prohibited from participating in PPP procurement processes.
- › The procuring authority can choose among a range of competitive procedures based on their suitability.
- › The tender documents explain in detail the procurement procedure providing the same information to all bidders.
- › The tender documents specify any prequalification/shortlisting criteria, if applicable.
- › Potential bidders can submit questions to clarify the public procurement notice and/or the request for proposals and the answers are disclosed to all potential bidders.
- › The procuring authority conducts a pre-bid conference to further inform potential bidders and the clarifications provided are disclosed to all potential bidders.
- › Bidders prepare and submit a financial model with their proposal.
- › The procuring authority evaluates the proposals strictly and solely in accordance with the evaluation criteria stated in the tender documents.
- › The procuring authority follows a specific procedure to guarantee value for money if only one proposal is submitted.
- › The procuring authority publishes the award notice online.
- › The procuring authority provides all bidders with the results of the PPP procurement process, including the grounds for the selection of the winning proposal.
- › There is a standstill (or pause) period after the intent to award the contract has been shared with the bidders and before the contract is awarded to allow unsuccessful bidders to challenge the award decision, and this period is specified in the RFP documents and intent to award notice.
- › Any negotiations between the selected bidder and the procuring authority after the award and before the signature of the PPP contract are restricted and regulated to ensure transparency.
- › The procuring authority publishes the signed PPP contract and its amendments online.



The Procuring Infrastructure PPPs 2018 data reveal regional and income group differences in the average score for PPP procurement (Figure 8). The OECD high-income region leads in the scoring, followed by Europe and Central Asia, Latin America and the Caribbean, and South Asia. There is a prominent discrepancy between the performance of the best performing region (79 points) and the worst one (53 points). The East Asia and Pacific region not only has the lowest average score, but it also has the greatest intraregional variance by far, with scores ranging from 7 points to 82 points. When disaggregated by income level, the data reveal the following trend: the lower the income level of a country, the lower its the scores on PPP procurement.

**Figure 8 PPP procurement, score by region and income group (score 1–100)**



Source: Procuring Infrastructure Public-Private Partnerships 2018.

Note: ECA = Europe and Central Asia; EAP = East Asia and Pacific; LAC = Latin America and the Caribbean; MENA = Middle East and North Africa; PPP = public-private partnership; OECD = Organization for Economic Co-operation and Development; SAR = South Asia; SSA = Sub-Saharan Africa.

The analysis that follows focuses on the transparency of the PPP procurement process, including scrutinizing the interactions between the procuring authority and the private sector partner, the disclosure of the PPP procurement process results, and the standstill period.

## Interactions between the Procuring Authority and Bidders

During the procurement process, the government needs to define how and to what extent it will interact with bidders as they prepare their proposals. In order to safeguard transparency and fairness, rules governing the process and permissible topics for interaction with bidders should be specified in the tender documents. Such interaction typically involves providing information to the bidders and responding in writing to requests for clarification on the request for proposal (RFP) documents. Pre-tendering communications between bidders and the procuring authority are usually done either through pre-bid conferences<sup>26</sup> or through bidders' inquiry in writing. In the former case, the procuring authority will present the project and respond to

questions from bidders and issue the written minutes of meeting and response to the queries to all bidders that have been/will be issued the RFP documents, whereas in the latter, bidders submit questions related to the public procurement notice as well as the RFP documents and the procuring authority issues clarifications in writing to all the parties that have been issued the RFP documents or will be issued the RFP documents, without identifying the source of the query.<sup>27</sup> These interactions may result in modifications to the tender documents. Consequently, the best practice is to make all questions seeking clarification and the corresponding answers available to all bidders to ensure equal access to information and fairness. This helps potential bidders better understand and meet the needs of the procurement authority, and fully grasp the responsibilities they are expected to fulfill.

Only 4 percent of the economies, in their regulatory frameworks, do not provide bidders with the opportunity to raise questions to clarify the content of the bidding documents during the pre-tendering phase. Economies such as Algeria, the Republic of Congo, Papua New Guinea, and Thailand do not sufficiently regulate interaction between the bidder and the procurement authority, potentially jeopardizing the preparation of solid bids.

Forty percent of the economies allow bidders to submit clarification questions only in writing, including Afghanistan, Bosnia and Herzegovina, Bulgaria, Lebanon, and Myanmar. This system provides an intermediate level of interaction between the procurement authority and the potential private partner. On the other end of the spectrum, 55 percent of economies have regulatory frameworks that not only allow bidders to submit clarification questions, but also enable the procuring authority to conduct pre-bid conferences. Having the procuring authority present the project and answer bidders' questions during pre-bid conferences, in addition to responding to clarification questions about the tender notice and RFP documents, gives bidders the highest level of clarity about the project. Economies where such best practice is followed include Australia, Belgium, Mexico, and Saudi Arabia.

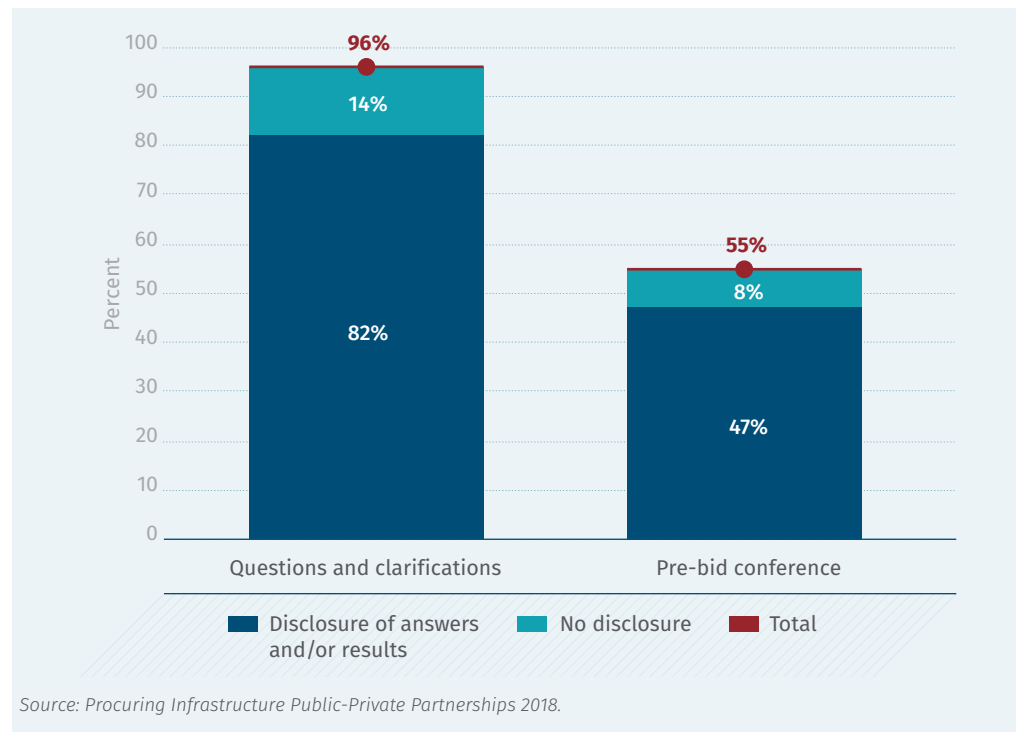
Disparities in information between the parties in a procurement process may lead to opportunistic behavior. To help guarantee fairness for all bidders, the questions, related clarifications, and resulting modifications must be communicated by the procuring authority to all the bidders in writing, without identifying the source of such queries/clarifications. Disclosure of information to all bidders ensures transparency and fairness, which enhances competition and helps achieve better value for money. While confidential information pertaining to the bidders needs to be protected, notification of the clarification questions and the answers to such questions would help bidders better understand the project's requirements. A transparent process could allow bidders to prepare more sustainable proposals, which would ultimately result in a contract with a better chance of success and improved delivery.



As shown in Figure 9, nearly all the economies (96 percent) allow clarification questions to be submitted, and in 82 percent, the procuring authority discloses the outcomes to all bidders. However, in a minority of economies, such as Benin, Cambodia, Iraq, Mongolia, Sudan, and Zambia, authorities are not required to disclose the clarification questions submitted, or the answers to the bidders.

When the procuring authority convenes a pre-bid conference, it is good practice to prepare minutes of meetings containing the requests for clarification of the RFP as well as the responses to those requests. In order to maximize transparency, copies of the minutes should be sent to all the prospective bidders and appended to the RFP documents to be issued to those new set of prospective bidders who obtain such RFP documents after the pre-bid conference. As mentioned, more than half (55 percent) of economies allow pre-bid conferences, and almost half (47 percent) disclose the information provided at these conferences. In a few cases, disclosure of clarifications resulting from the pre-bid conferences is not required, including Japan, Kazakhstan, Mali, Mongolia, and Solomon Islands.

**Figure 9 Access to information during PPP procurement (percent, N=135)**



## Disclosure of the PPP Procurement Process Results

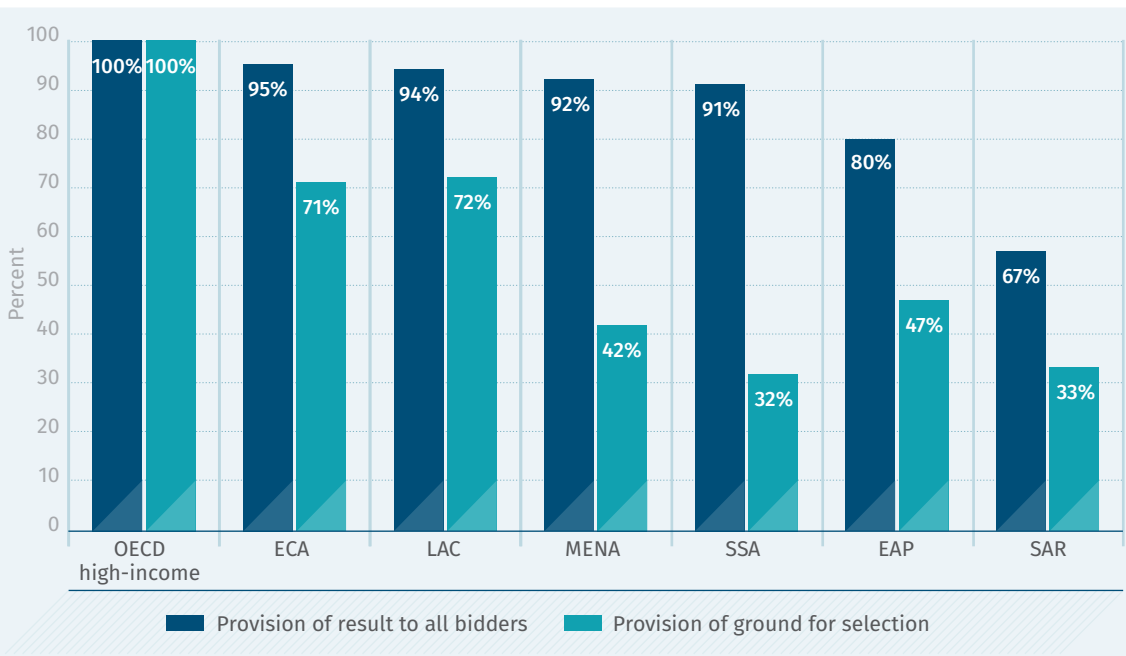
The tendering process concludes with the selection of a winning bidder. Providing information to bidders and publishing decisions helps build confidence in the fairness and transparency of the process while preventing occurrence of fraud and corruption and obtaining value for money through a competitive process. In addition, making data on the outcome of the tendering process readily available to all the bidders by expressly informing them through an intention to award notice has the potential of increasing private sector participation in the oversight process. Finally, when bidders have information concerning the intent to award the contract, including the grounds for awarding the winning bid, they will have a clear picture of the details surrounding the procurement process, which can allow them to file a complaint if they are aggrieved by the decision of procurement authority.

The first step in the disclosure process is to share the intent to award decision notice with all bidders. To ensure full disclosure, the notification of the results should also include the grounds for awarding to the winning bid(s). As seen in Figure 10, the provision of the PPP procurement process results, and information about the grounds for awarding the winning bidder, vary by region. Procuring authorities in all 29 OECD high-income economies share both the result of the procurement process and the grounds for awarding the winning bidder with all bidders who have participated in the tender. The OECD high-income region leads in this area, followed by Europe and Central Asia and Latin America and the Caribbean. On the other hand, only 67 percent of the economies in the South Asia region are required to provide the results of the procurement process to bidders, and only about 33 percent must include the grounds for awarding to the winning bid. Bangladesh, the Democratic Republic of Congo, Kazakhstan, Malaysia, Mongolia, and Zambia are among the economies that are not required to provide such results.

Disaggregating the data by income level clearly reveals that the lower the income group level, the less information about the PPP procurement results is disclosed (ranging from 100 percent in OECD high-income economies to 50 percent in low-income economies).

Failure to include the grounds for awarding to the winning bidder means that not enough information about the relative advantages of the successful tender is disclosed, and therefore, the bidders would have to inquire about the reasons for the rejection of their proposals. This process can be time consuming, impractical, and burdensome for the unsuccessful bidders who wish to challenge the procedure and the result of the procurement process. Afghanistan, Belarus, Côte d'Ivoire, Sri Lanka, United Arab Emirates, and Zimbabwe are among those economies that provide bidders only with the result of the procurement process, without disclosing the grounds for the selection of the winning bid.

**Figure 10 Disclosure of PPP procurement results, and grounds for selection by region (percent, N = 135)**



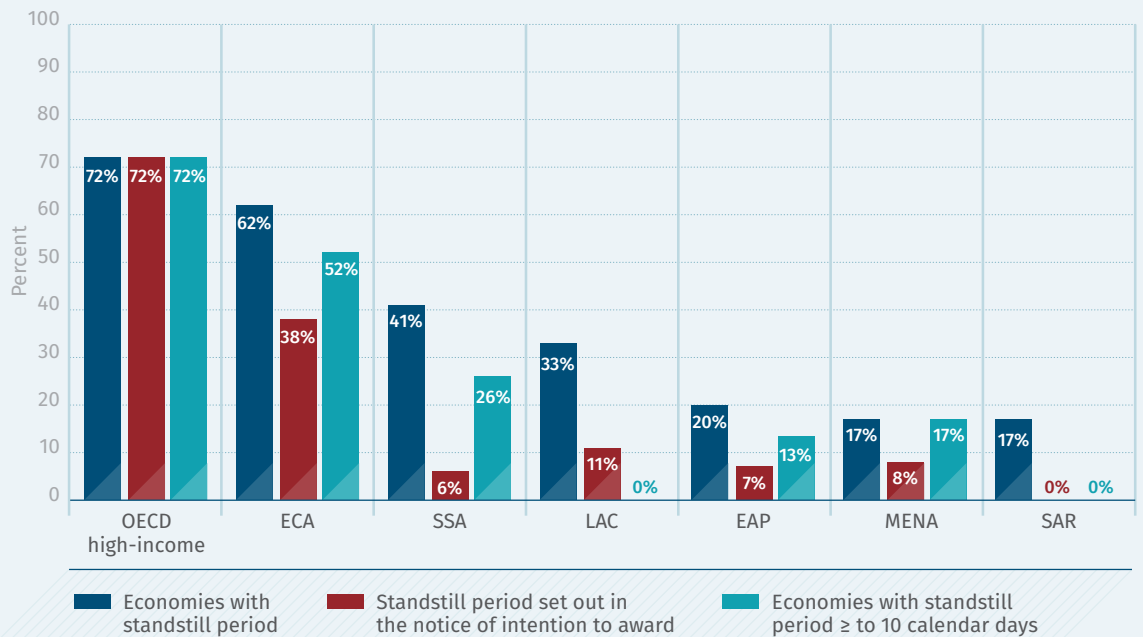
Source: Procuring Infrastructure Public-Private Partnership 2018  
 Note: OECD = Organization for Economic Co-operation and Development; ECA = Europe and Central Asia; LAC = Latin America and the Caribbean; SSA = Sub-Saharan Africa; MENA = Middle East and North Africa; EAP = East Asia and Pacific; SAR = South Asia.



Another important element of the procurement process is the standstill period. Once the intent to award to the winning bidder for a tender is announced, a reasonable period of time must elapse between the time when unsuccessful bidders are notified about the intent to award the contract to the winning bidder and the contract is actually awarded. This allows a window of opportunity for unsuccessful bidders to challenge a contract award before the PPP contract signing and execution phase starts. This is particularly important in economies where an annulment of the PPP contract is not possible, or when a complaint does not trigger a suspension of the procurement process. A reasonable standstill period makes it possible for the unsuccessful tenderer to examine the validity of the award decision as well as any flaws that may have occurred during the evaluation process, and to ensure that a challenge to such an award decision will be effective. Finally, the standstill period is not only beneficial to the bidders for the reasons discussed, but it is also beneficial to the procuring authority because it provides a clearer framework for bidders to challenge the award decision. Although the aggrieved bidders can always initiate a procurement challenge after the contract is awarded, a standstill period usually precludes the possibility of declaring the ineffectiveness down the line, preventing the most serious and costly post-contractual remedy.

The highest number of economies providing a standstill period in their legal and regulatory frameworks are in the OECD high-income region (72 percent), compared to only 17 percent in South Asia (where only Sri Lanka does so). This trend could be explained by the fact that all members of the European Union (EU) are required to have a pause period between the notification of the award decision and the signature of the PPP contract to be compliant with the EU Directives.<sup>28</sup> Outside of the European Union, economies like Armenia, Kenya, and Russian Federation also provide for a standstill period to challenge the award. On the other hand, bidders in economies such as Nigeria, Qatar, Sierra Leone, Vietnam, and Zimbabwe do not have standstill safeguard in their PPP regulatory framework.

**Figure 11 The standstill period (percent, N = 135)**



Source: Procuring Infrastructure Public-Private Partnership 2018

Note: OECD = Organization for Economic Co-operation and Development; ECA = Europe and Central Asia; LAC = Latin America and the Caribbean; SSA = Sub-Saharan Africa; MENA = Middle East and North Africa; EAP = East Asia and Pacific; SAR = South Asia.

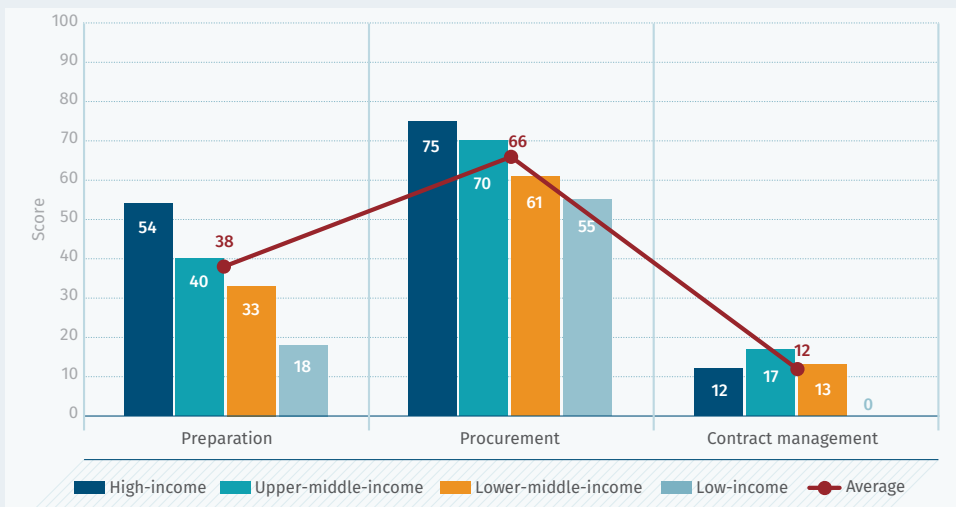
To optimize its effectiveness, the standstill period should be set out in the notice of intention of award, to inform aggrieved bidders about the timeline available for them to challenge the decision of the procuring authority. Seventy-two percent of OECD high-income countries include the standstill period in the intention of award, compared to none of the economies in South Asia. In addition, a reasonable window of time should be available to allow sufficient time for aggrieved bidders to decide whether they want to challenge the award and submit a complaint. A minimum of 10 days is a recognized standstill period, as reflected in judgments by the European Court of Justice, the World Trade Organization’s Government Procurement Agreement, and other binding texts.<sup>29</sup> Legal frameworks that set shorter periods, such as 5 days (Angola, and Nicaragua) or 7 days (Belarus) do not necessarily offer aggrieved bidders enough time to prepare and submit an efficient challenge. The regional comparison reveals an interesting contrast (Figure 11). While 72 percent of the OECD high-income economies provide a standstill period of at least 10 days, all (100 percent) of the economies in the Latin American and Caribbean and South Asia regions have standstill periods of less than 10 days.

### Box 5 Transparency throughout the PPP life cycle

Openness and transparency throughout the life cycle of a public-private partnership (PPP) are essential to maximize efficiency gains in infrastructure and to assure optimal socioeconomic outcomes. The availability of information in the public domain increases predictability, boosts public confidence in PPP projects, reduces the risk of corruption, and ensures alignment of private investments with public interest. Most experts agree that transparency in PPPs can be achieved through proactive disclosure of information to the public.

*Procuring Infrastructure PPP 2018* reveals considerable areas for improvement in the proactive disclosure of information, especially at the preparation and contract management stages of the PPP life cycle. Figure 12 presents the *Procuring Infrastructure PPP 2018* transparency scores by scoring selected questions referred to transparency and aggregating them by thematic areas (Appendix 3).<sup>30</sup> While at the procurement stage, the global average of the *Procuring Infrastructure PPP 2018* transparency score is 66, this global average drops to 38 during the preparation stage and to only 12 points during the contract management stage. This average score indicates that it is relatively easy to obtain information surrounding the bidding process, for example, but project assessments remain mostly unavailable in the public domain and public tracking of PPP contracts performance remains cumbersome or even impossible in many jurisdictions.

**Figure 12 Transparency scores, by area and income-level group (score 1–100)**

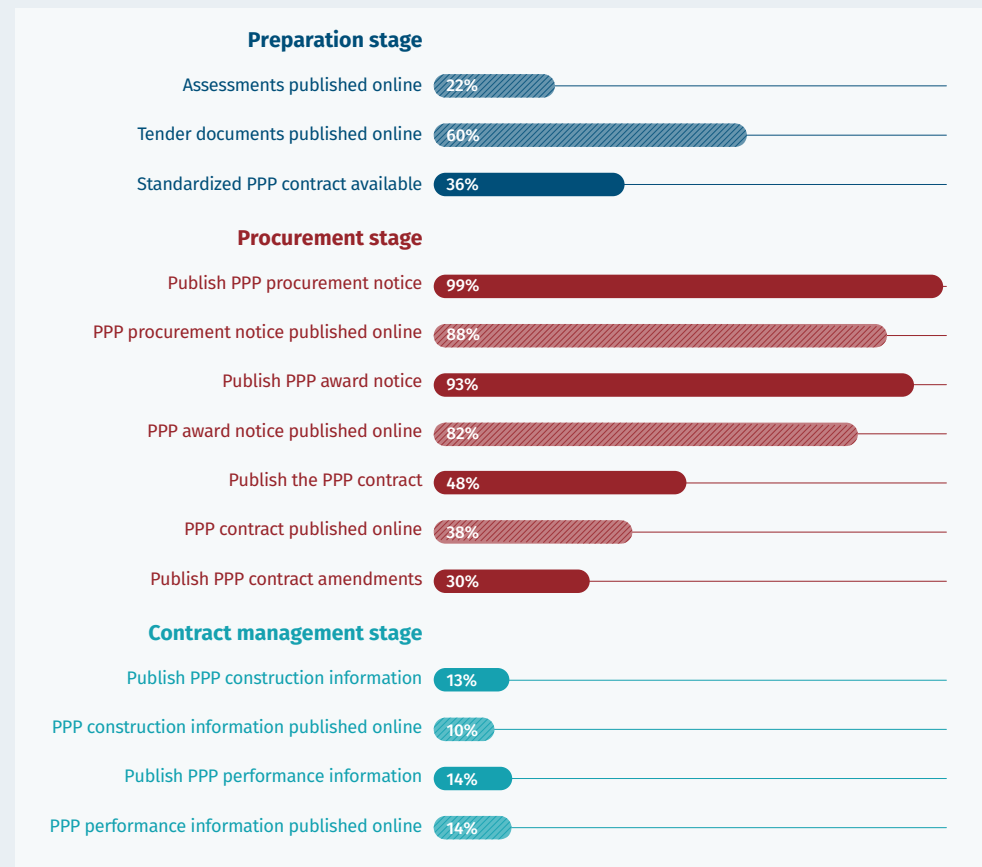


Source: *Procuring Infrastructure Public-Private Partnerships 2018*.  
 Note: PPP = public-private partnership.

There is also a significant divergence in the adherence to the good transparency practices across income levels. Figure 12 shows that the higher the income level of the group, the higher their performance in terms of transparency practices—with significant room for improvement for all income groups in project preparation and contract management. At the preparation stage, high-income economies reach an average transparency score of 54 points, while low-income economies attain only 18 points. The lowest level of transparency across income groups is observed in the contract management phase, where high-income economies score as few as 12 points, upper-middle-income countries score 17, and lower-middle-income countries score 13. None of the low-income economies follow the good practices at the contract management stage.

**At the preparation stage,** publication of project assessments and tender documents online leads to greater predictability of the pipeline project quality, instilling confidence in the public and investors, and thereby minimizing risks. Despite these benefits, only 22 percent of the economies surveyed publish PPP proposal assessments online. Over half of the countries surveyed (60 percent) publish PPP tender documents and only about one-third (36 percent) have developed standardized PPP model contracts and/or transaction documents (Figure 13).

**Figure 13 Transparency in the PPP project cycle (percent, N = 135)**



Source: Procuring Infrastructure Public-Private Partnerships 2018.  
 Note: PPP = public-private partnership.

**At the procurement stage,** transparency and wide dissemination of the main decisions regarding the selection of the private partner enables all stakeholders to be fully informed. Potential bidders will readily know when PPP projects are on the market and know the results of the selection process undertaken. More importantly, this information will also be in the public domain, fostering accountability of the procuring authorities, and thus discouraging corrupt practices and hasty decisions.

All the economies surveyed, with the exception of Papua New Guinea, publish a PPP public procurement notice and 88 percent make it available online. Some 93 percent of the surveyed economies publish the award notice, and, 82 percent make it available online (Figure 13). This relatively common practice of publishing the PPP tender and award notice contrasts with the proportion of economies that publish the PPP contract: only 48 percent of the economies publish the PPP contract, 38 percent make it available online, and even fewer economies (30 percent) publish amendments to the PPP contracts.

**At the contract management stage,** promoting transparency is essential. Making performance information available to the public increases accountability of all the stakeholders. Transparency ensures that the project delivers the expected outcomes and quality services. However, only a small fraction (13 percent) of the economies surveyed allow public access to the system for tracking progress and completion of construction works under a PPP contract. Only 10 percent of them have established an online platform for this purpose. Similarly, only a handful of the procuring authorities (14 percent) allow the public to track contract performance through a designated online platform or by posting the updated documentation online.





# PPP Contract Management

Adequate preparation and procurement are only the first steps on the road to the success of the long-term commitment of a PPP project. Once the PPP contract is signed and financial close is reached, the implementation of the project begins. The success of project implementation will determine whether the project delivers the expected value for money. Therefore, it is crucial to establish a sound PPP contract management system to oversee the implementation of the PPP contract.

Given the long-term nature of PPPs, the contracts should be drafted in a way that addresses any circumstances conceivable at the time of closing, allowing for the resolution of any issues that may arise later, according to the provisions of the contract. However, because not all circumstances are clearly foreseeable by their nature, it may not be feasible to attempt regulating every single potential issue in the PPP contract. Unexpected circumstances should be addressed by means of contract management mechanisms premised on a level of diligence tailored to specific needs and properly regulated renegotiation frameworks clearly defining the grounds and mechanism of such renegotiations. Also, for the purposes of transparency and to provide the parties with grounds for legitimate expectations, it is crucial for methods of dispute resolution to be specified, along with the detailed effects of project termination.



*Procuring Infrastructure PPPs 2018* recognizes the importance of the contract management stage and measures aspects such as the extent to which regulatory frameworks and generally followed practices provide sufficient oversight mechanisms; a framework to manage changes to the structure of the private partner; renegotiations of the PPP agreement; modes of dispute resolution; as well as contract features such as lenders' step-in rights<sup>31</sup> and termination of the contract and its consequences. Recognized good practices applicable during PPP contract management are summarized in Box 6.

#### **Box 6 PPP contract management: Good practices scored in *Procuring Infrastructure PPPs 2018***

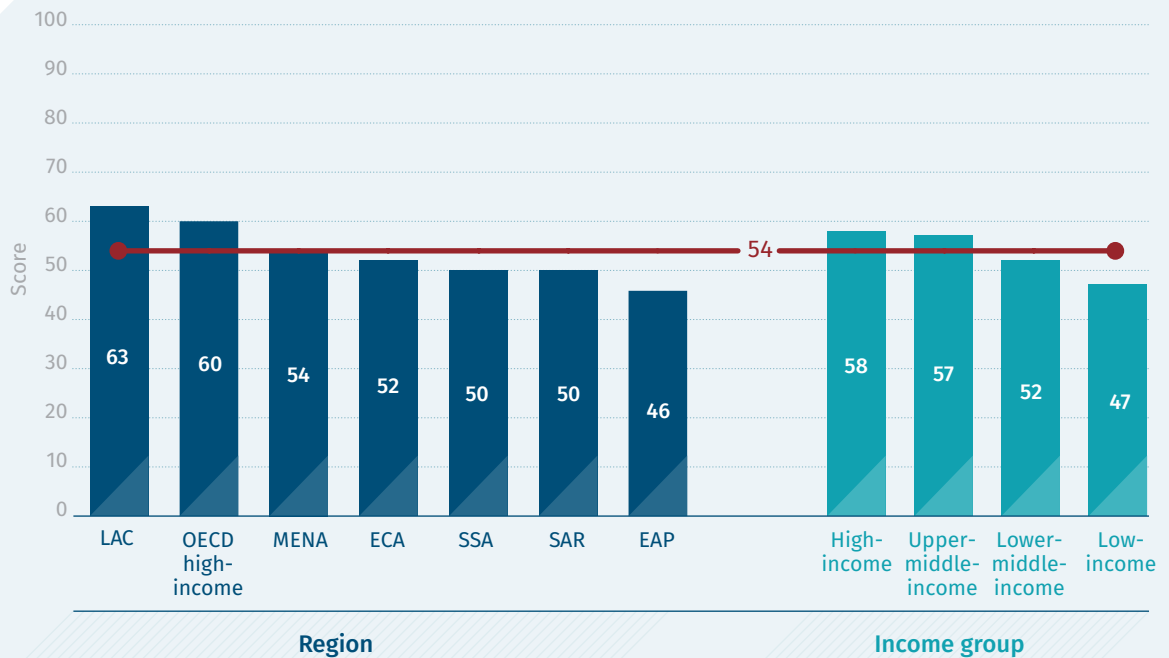
Good practices to ensure a successful implementation and delivery of the PPP project include the following:

- › The procuring authority has a system to manage the implementation of the PPP contract, including establishing a PPP contract management team; involving some contracts management team members in the project starting at the procurement stage; and adopting PPP implementation manuals and risk mitigation mechanisms.
- › The procuring authority establishes a system for tracking progress and completing construction works under a PPP contract, with relevant information made publicly available.
- › Monitoring and evaluation systems are in place to oversee the implementation of the PPP contract after the construction stage, with relevant information publicly available.
- › Foreign companies are not prohibited from repatriating the income generated by the operation of a PPP project.
- › Potential changes in the structure of the private partner are expressly regulated, requiring the replacing entity to be at least as qualified as the original private partner.
- › Modification and renegotiation of the contract are expressly regulated to reduce incentives to use these changes opportunistically by either the private partner or the procuring authority.
- › Specific circumstances (force majeure, material adverse government action, change in the law, refinancing) that may arise during the life of the contract are expressly regulated.
- › Dispute resolution mechanisms are in place allowing the parties to resolve disputes in an efficient and satisfactory manner without adversely affecting the project.
- › Lenders are given step-in rights for cases when the private partner is at risk of default or if the PPP contract is under threat of termination for failure to meet service obligations.
- › Grounds for termination of the PPP contract and its associated consequences are well defined.

The *Procuring Infrastructure PPPs 2018* data reveal regional and income group differences in the average score for PPP contract management (Figure 14). The Latin American and Caribbean region has the highest score, followed by the OECD high-income region. Intraregional variance is high in all regions in this thematic area. For example, scores within the East Asia and Pacific region are as low as 9 points and as high as 88 points. In contrast, there is little variation across regions. The average for the leading region (Latin America and the Caribbean) (63)

is only 17 points ahead of the worst-performing region (East Asia and Pacific). When the data are disaggregated by income level, there is a clear pattern showing that the lower the income group level, the lower the average scores.

**Figure 14 PPP contract management, score by region and income group (score 1–100)**



Source: *Procuring Infrastructure Public-Private Partnerships 2018*.

Note: ECA = Europe and Central Asia; EAP = East Asia and Pacific; LAC = Latin America and the Caribbean; MENA = Middle East and North Africa; PPP = public-private partnership; OECD = Organisation for Economic Co-operation and Development; SAR = South Asia; SSA = Sub-Saharan Africa.

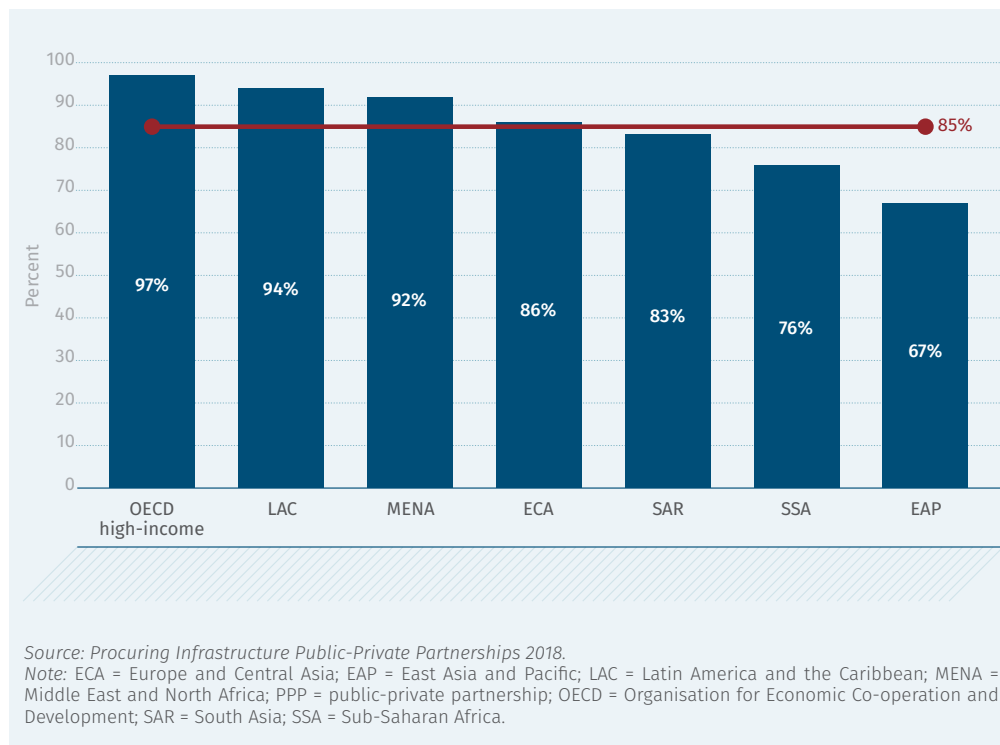
The next section focuses on renegotiation and termination of PPP contracts as key components that must be regulated for projects to be able to deliver their desired outcomes and uphold value for money.

## Renegotiation or Modification of the PPP Contracts

While predictability is important for all parties to a PPP agreement, a degree of flexibility is just as crucial. When elements of the procured project evolve, this flexibility should allow for those changes to be addressed, preferably within the clearly defined internal mechanisms established in the contracts or, when absolutely necessary, by amending the agreement accordingly. The term “renegotiation” refers to changes in the contractual provisions other than through an adjustment mechanism provided for in the contract.<sup>32</sup> The intrinsically incomplete nature of PPP contracts implies that, sometimes, required renegotiations may generate positive results. Nonetheless, renegotiation should be limited to prevent opportunistic behavior.<sup>33</sup> Given the partnership nature of PPP projects, such amendments should be balanced to preserve all stakeholders’ rights and obligations, as well as the public interest. Unilateral contract amendments and arbitrary decisions by the procuring authority undermine the partnership element of PPPs, violating the legitimate expectations of the private partner. This could not only hinder the project at hand but also deter future PPP projects. Thus, strong deterrents for these instances of abuse of power by the procuring authorities should also be contained in the PPP agreement, along with further contract management measures.

Only about 15 percent of the economies measured do not regulate PPP contract modifications.<sup>34</sup> Armenia, Lebanon, Malawi, Papua New Guinea, and Tonga are among the countries where the modification of contracts is left to the discretion of the procuring authority. There are significant regional differences. While in the OECD high-income region 97 percent of the economies regulate PPP contract modification, only 67 percent of economies in the East Asia and Pacific region do so (Figure 15).

**Figure 15 Regulation of renegotiation, by region (percent, N = 135)**

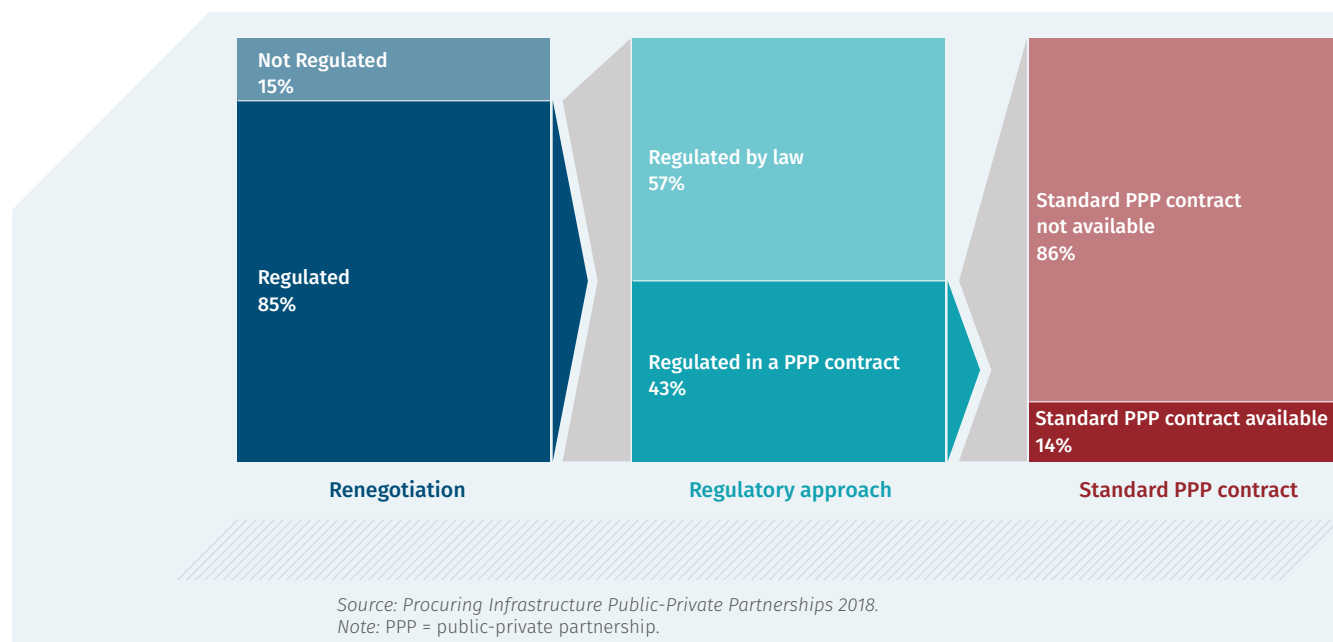


Regulatory approaches with respect to renegotiation vary among the 85 percent of the economies that regulate PPP contract modifications. About 57 percent of those economies have detailed provisions in the regulatory frameworks, such as restrictions to change the scope of the PPP contract or alter its economic balance or amend the agreed risk allocation. Bulgaria, Latvia, Mali, Mexico, New Zealand, Peru, the Philippines, and Serbia are among the economies with detailed provisions. The remaining 43 percent considers renegotiation to be a contractual issue, allowing parties to further regulate its aspects in the contractual agreement. Benin, Burundi, Indonesia, Kyrgyz Republic, Macedonia, Timor-Leste, and Turkey are a few examples of the latter case (Figure 16).

The lack of standard provisions for renegotiations for the parties in the PPP contract could mean that approaches to renegotiation remain ad hoc and consistency is not preserved. This gap may be filled by standardized PPP contracts that guide parties through the renegotiation process while still allowing them flexibility to address the project’s specific needs. However, among the countries that consider renegotiation a contractual issue, only 14 percent clearly use standardized contracts, including India, Japan, Kazakhstan, and South Africa.



Figure 16 Regulatory approach to renegotiation (percent, N = 135)



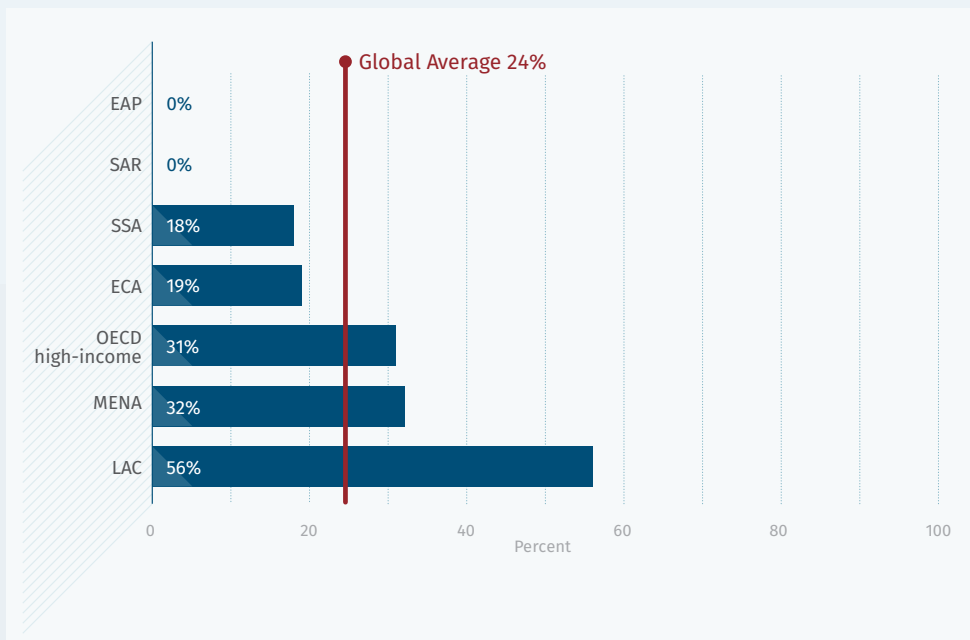
PPP contract modification could also be safeguarded by other means. Sound regulation of any amendment to the PPP contract during execution of the project phase should entail a transparent approval process and collaboration among institutions, which will guarantee that procuring authorities do not have sole discretion over contract renegotiation powers.

Approval measures ensure that the outcomes of the projects are not later disturbed by an unfettered renegotiation process. Of the economies that regulate modifications to the PPP contract, 55 percent require approval of such modifications by a government entity other than the procuring authority. In 35 percent of those economies, approval by the Ministry of Finance is required if the amendments imply that a public body will assume increased direct financial liabilities. This is the case in Croatia.<sup>35</sup> Djibouti goes even further in terms of institutional approvals of amendments to PPP contracts by requiring a preliminary approval by the procuring authority, which must also be submitted for approval to the Council of Ministers after the PPP unit has ensured that such amendments do not change the nature of the project or substantially affect the essential features of the project.<sup>36</sup> In Ecuador, approvals of all amendments are obtained by an inter-institutional Committee called the Comité Interinstitucional de Asociaciones Público-Privadas.<sup>37</sup> And in Nicaragua, because any PPP contract amendment must be approved by law, approval by the National Assembly is also required.<sup>38</sup>

### Box 7 Unilateral modification of PPP contracts

While PPP contract parties may jointly agree to modify the PPP agreement after its signature, regulations may also permit unilateral amendments by the procuring authority. There should be, however, limits and specific circumstances to enact such amendments. These parameters include necessary external approvals, restraints to certain substantive material changes in the contract, and compensation when the private partner incurs damage or costs.<sup>39</sup> Of the 135 economies measured by this assessment, only 24 percent of them (33) permit unilateral amendments to PPP contracts. There are significant regional differences. None of the economies in the East Asia and Pacific and South Asia regions permit unilateral amendments, while 56 percent of the economies in Latin America and the Caribbean do so (Figure 17). While the majority of economies (94 percent) that permit unilateral amendments set limitations to this prerogative, Burundi and Cameroon do not have clear limitations to unilateral contract modification powers or an approval process as a safeguard.

Figure 17 Possibility of unilateral modification of PPP contracts, by region (percent, N = 135)



Source: *Procuring Infrastructure Public-Private Partnership 2018*

Note: OECD = Organization for Economic Co-operation and Development; ECA = Europe and Central Asia; LAC = Latin America and the Caribbean; SSA = Sub-Saharan Africa; MENA = Middle East and North Africa; EAP = East Asia and Pacific; SAR = South Asia.

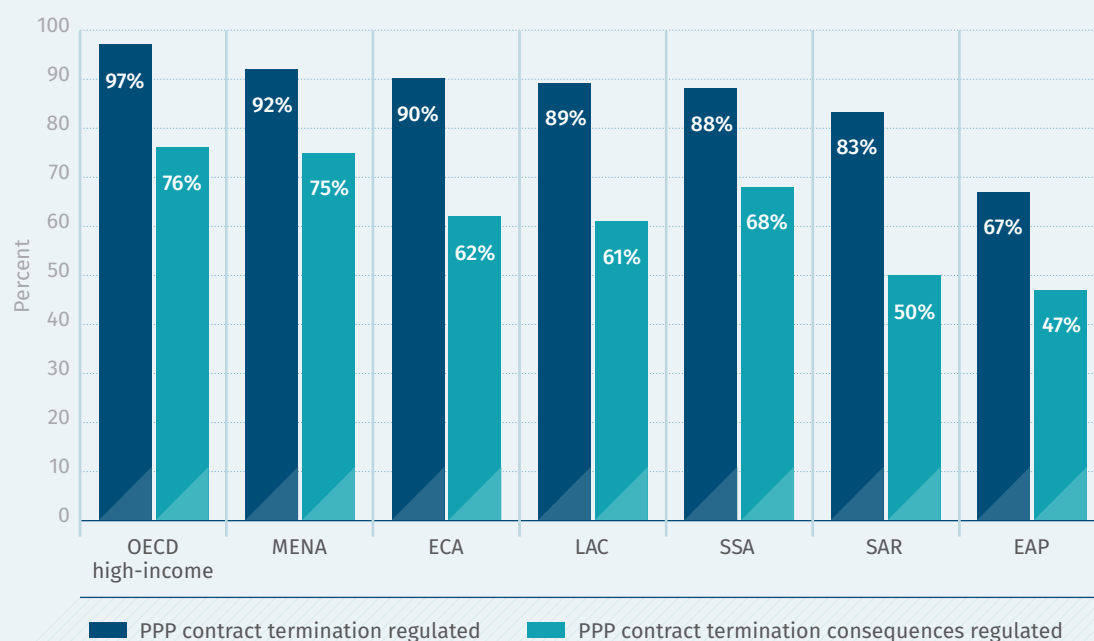
Economies with civil law legal systems, such as Algeria, Colombia, Costa Rica, France, Kazakhstan, and Senegal, often refer to general principles of administrative law that permit such unilateral amendments. In addition, in Uruguay, for example, the PPP contract may provide for the right for the procuring authority to unilaterally modify the PPP contract, within a limit of 20 percent of the original budget of the project.<sup>40</sup> In Togo, such circumstances should consider “an evolution in the procuring authority’s needs, technological innovations or modifications in the financing conditions obtained by the private partner.”<sup>41</sup> Spain, on the other hand, allows unilateral amendments if such amendments serve the public interest, with the requirement of preserving the economic balance of the contract.<sup>42</sup> In Saudi Arabia, amendments to works covered by the contract as well as increasing or reducing the contractor’s obligations are within the “competency of the government authority,” with certain safeguards. When exercising such powers, the procuring authority must ensure that the additional works fall within the scope of the contract, that such modifications serve the public interest, and that the economic balance and nature of the contract will be preserved.<sup>43</sup>

## Termination of PPP Contracts

PPPs come to their regular end when the works are performed in a satisfactory manner and the contract's pre-agreed duration expires. Nevertheless, early termination of the contract can also be an option under some circumstances, including when contractual obligations are not being met by one or both parties and circumstances where neither party is at fault.<sup>44</sup> Grounds for termination in instances of premature and unilateral termination, as well as their consequences, should be specifically identified and set out in the contract. Early termination should be the last resort because it is costly.<sup>45</sup> With the exception of 16 economies (12 percent of the total, including Angola, Myanmar, and Nigeria), termination of PPP contracts is addressed in the regulatory framework across all assessed economies.<sup>46</sup>

The majority of economies (65 percent) not only address the grounds for termination in their regulatory frameworks, but also its consequences, as is the case in Albania, Kyrgyz Republic, Mauritius, Montenegro, Paraguay, and Romania. Economies that do not further regulate these consequences include Belarus, Ecuador, Lao PDR, and Qatar. OECD high-income economies have the highest number of economies that regulate both grounds for the termination of the PPP contract and its consequences, while the East Asia and Pacific region has the lowest number of economies that regulate both issues (Figure 18).

**Figure 18 Regulation of PPP contract termination and its consequences, by region (percent, N = 135)**



Source: *Procuring Infrastructure Public-Private Partnership 2018*

Note: OECD = Organization for Economic Co-operation and Development; ECA = Europe and Central Asia; LAC = Latin America and the Caribbean; SSA = Sub-Saharan Africa; MENA = Middle East and North Africa; EAP = East Asia and Pacific; SAR = South Asia.

In some economies, the PPP agreement is the instrument used to regulate the circumstances for termination and their consequences. This is the case in Argentina, where the law defers to the PPP agreement to regulate the circumstances for termination and its consequences, and outlines only general aspects to be included in such an agreement. Azerbaijan, however, defers to the PPP contract to regulate all aspects of grounds for termination while making no mention of its consequences.<sup>47</sup>

When the issue of termination is of a contractual nature, specific standard contracts may exist to help guide contracting parties. Standard contracts set minimum standards that must be included in the different PPP agreements. Of the 24 economies that clearly defer to the parties of the PPP agreement to regulate termination in the contract, only 25 percent make available standardized contracts to help guide parties while drafting termination clauses. In New Zealand, the Standard Form Public Private Partnership (PPP) Project Agreement specifies grounds for and consequences of termination, whether for purposes related to the public entity or private entity, or if neither party's at fault.<sup>48</sup> The Indian Model Concession Agreement adopts a similar approach and further sets thresholds for compensation payments in cases of termination.<sup>49</sup>

Different circumstances permit PPP contracts to be terminated, and they are usually addressed by economies that specifically regulate termination. These enabling conditions can range from non-fulfillment of obligations by the private partner to the public entity's consistent default in meeting its payment obligations. Other circumstances may not be associated with either party, such as force majeure, but should be addressed. In addition, public order or interest is an often-cited ground for unilateral termination on the part of the public entity. This is the case in economies like Colombia, Gabon, Iraq, Kazakhstan, Mauritius, Niger, and Senegal. However, frequent exercise of such unilateral termination powers may weaken private investors' confidence in the PPP market.<sup>50</sup> Outlining the grounds for termination, as well as their outcomes, in detail in advance boosts the level of trust and reduces uncertainty for PPP project's stakeholders, decreasing risk premiums and providing greater value for money.<sup>51</sup>

Once a contract has been terminated, either on schedule or prematurely, many consequences emerge, such as the requirement to provide monetary compensation or project site handover. The identification of such consequences in the contract ensures, among other things, that the private partner is not put in a disproportionately disadvantaged situation should the public entity decide to end the contract. Moreover, it safeguards the continuation of services to the public in the event of termination. Termination consequences in many economies include transfer of technology, buildings, and equipment; compensation for the fair value of works; and service continuity. This is the case in Benin<sup>52</sup> and Burkina Faso, which even regulates training for the public authority staff in case of early termination.<sup>53</sup> Some economies address compensation in greater detail. In Italy,<sup>54</sup> Paraguay, the Philippines, and Uruguay, compensation calculations for termination are embodied in their regulations. In Colombia, a mathematical formula is established to determine any reciprocal benefits between the parties as a result of the PPP contract's early termination either by mutual agreement or unilaterally.<sup>55</sup>



The background of the page is a photograph of a construction site. In the upper right, a yellow crane is lifting a large, green, curved concrete component. Below, several construction workers wearing yellow safety gear are visible on a steel-reinforced concrete structure. The sky is a pale, hazy blue. A blue geometric shape is overlaid on the left side of the page, partially overlapping the text area.

## Unsolicited Proposals

Unsolicited proposals (USPs) are an alternative to government-initiated infrastructure projects. Instead of the government first identifying and assessing the need and suitability of an infrastructure project as a public-private partnership (PPP), a private sector entity approaches the government with a proposal to develop a specific infrastructure project. USPs have been increasingly used in recent years. According to the World Bank Group's Private Participation in Infrastructure (PPI) Database,<sup>56</sup> approximately 4 percent of infrastructure projects within the economies covered by the *Procuring Infrastructure PPPs 2018* project in low- and middle-income economies are started at the initiative of a private sector entity without an explicit request from a government to do so. Private sector companies, generally developers, suppliers, and/or financiers, finance the studies to establish basic project specifications and then approach the relevant government entity for approval.

Given the nature of USPs, their increasing use as an alternative procurement method comes with considerable concerns for public infrastructure practitioners. Whereas in theory, the use of USPs will allow governments to benefit from the knowledge and innovation of the private sector, USPs can introduce several challenges, such as diverting public resources away from governments' strategic plans and priorities, failing to attract competition, and ultimately leading to opportunities for corruption.<sup>57</sup> With the private sector playing a more prominent role in delivering the billions of dollars in investment needed in infrastructure, a balance needs to be found between allowing the private sector to propose viable and necessary infrastructure projects and the need for those projects to be in the public interest and achieve the best value for money.

To ensure that the potential benefit of USPs is harnessed while the risks associated with them are minimized, governments should follow an established set of good practices. First, governments need to determine whether they will accept USPs as part of their PPP programs. If they decide that USPs shall be employed, it is imperative for governments to set and specify key objectives for USP programs. The responsible government authority should assess the merits of the submitted USP: whether there is demand for the proposed project, whether the project is aligned with national infrastructure priorities and meets a real societal and economic need, and whether the USP is not already a part of a government PPP pipeline.<sup>58</sup> Then, if the USP is justified, the government should initiate a transparent and competitive procurement procedure to select between the USP proponent and other bidders, to ensure achieving the best value for money. A list of good practices concerning USPs is presented in Box 8.

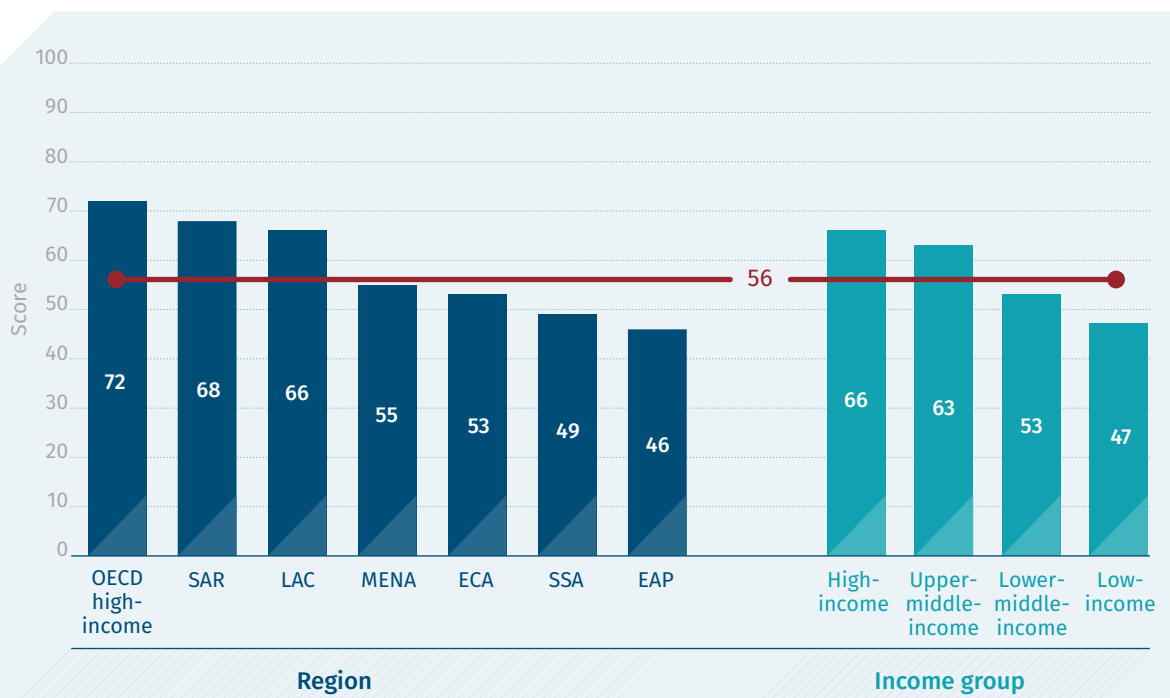
#### **Box 8 Unsolicited proposals of PPPs: Good practices scored in *Procuring Infrastructure PPPs 2018***

Good practices to ensure transparency and competition during the procurement of projects originated as USP include the following:

- › The procuring authority assesses the merits of the USP and ensures that it is aligned with the government's investment priorities.
- › There is a vetting procedure and/or a pre-feasibility analysis before moving forward and fully assessing the unsolicited proposal.
- › If the USP is justified, the procuring authority initiates a competitive procurement procedure to select the private partner.
- › The procuring authority grants at least 90 days to all potential bidders (besides the proponent) to submit their proposals.

The *Procuring Infrastructure PPPs 2018* data reveal regional and income group differences in the average score for USPs (Figure 19). The OECD high-income, South Asia, and Latin American and Caribbean regions stand out from the rest of the regions. East Asia and Pacific has the lowest average score, whereas the Latin America and Caribbean region has the highest variation in scores among economies within the region, ranging from as low as 13 to as high as 100. Disaggregating the data by income level reveals a clear pattern: the higher the income group level, the higher the average scores on USPs.

Figure 19 USPs, score by region and income group (score 1–100)



Source: *Procuring Infrastructure Public-Private Partnerships 2018*.

Note: ECA = Europe and Central Asia; EAP = East Asia and Pacific; LAC = Latin America and the Caribbean; MENA = Middle East and North Africa; PPP = public-private partnership; OECD = Organization for Economic Co-operation and Development; SAR = South Asia; SSA = Sub-Saharan Africa.

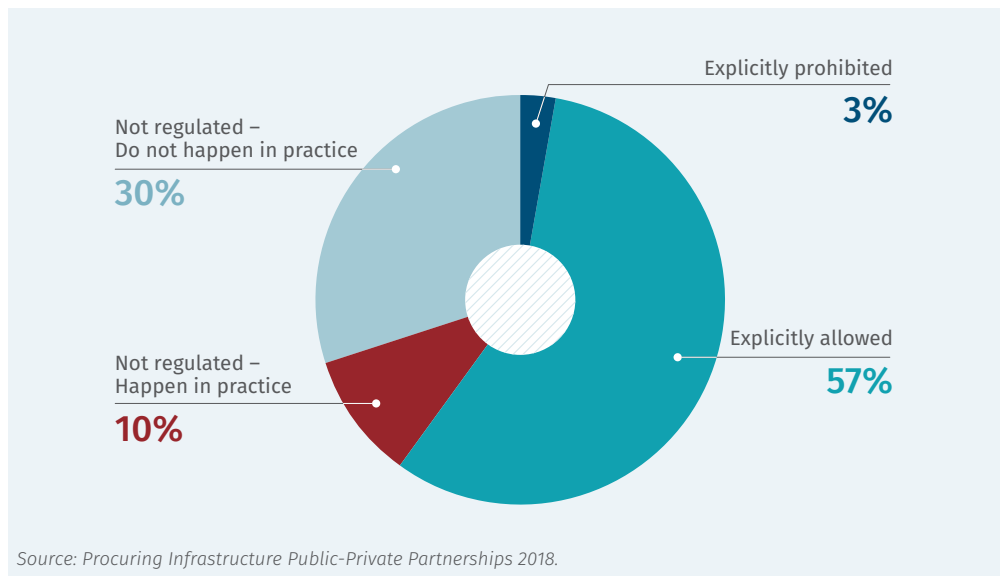
While the scope of *Procuring Infrastructure PPPs 2018* encompasses a wide array of data related to USPs, including USP evaluation by public authorities and mechanisms for compensating the original proponent, this section focuses on two areas of importance. First, it provides an analysis of the different regulatory frameworks that govern USPs. Second, it considers the bidding procedures for USPs and the minimum time limits for potential bidders to prepare and submit their bids.

## The Regulatory Framework of USPs

Among the 135 economies that are covered by the *Procuring Infrastructure PPPs 2018* project, there are significant differences in the manner that USPs are regulated. Figure 20 shows that in 57 percent of economies covered by the project, the regulatory framework explicitly allows and regulates the use of USPs. This is the case in economies such as Australia, Chile, Ghana and Japan. At the other end of the spectrum, in 3 percent of the economies (namely, in Botswana, Croatia, Germany, and India), the use of USPs is explicitly prohibited by the regulatory framework. In 40 percent of the economies covered by the project, the regulatory framework does not discuss or regulate in any way the instances where a private proponent can approach the government with infrastructure proposals. In most of these cases, USPs do not happen in practice, according to local contributors. In fact, while not expressly forbidden in the regulatory framework, the lack of a specific regulation can be construed as a prohibition in practice, since PPP procurement methods are limited to those expressly regulated. This is the case for example in Canada, the United Kingdom, and most other EU economies.

In 24 percent of the economies that do not regulate USPs (or 10 percent of the total), projects originated through USPs still occur, according to local contributors. Examples include Chad, Myanmar, and Trinidad and Tobago. In these cases, the lack of a clear framework applicable to USPs implies that they can become a method to circumvent procurement rules that ensure adequacy, transparency, and fairness. This may result in developing projects that are not in the public interest.

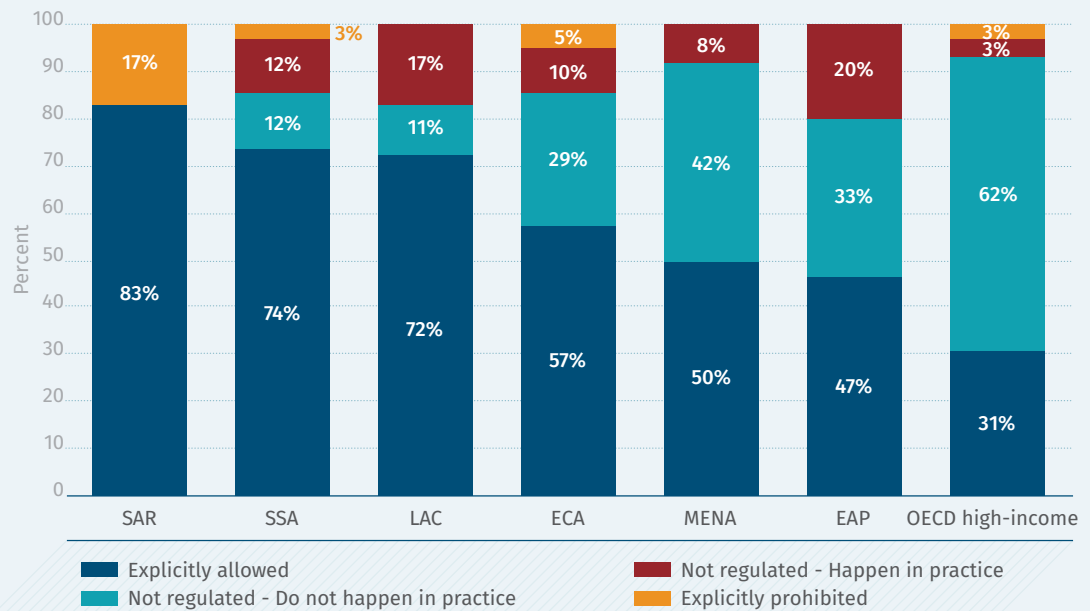
**Figure 20 USP regulatory framework (percent, N = 135)**



USPs are regulated differently across regions. Figure 21 shows that in 83 percent of the economies in South Asia, USPs are explicitly allowed by the regulatory framework. This is in contrast with the East Asia and Pacific and Middle East and North Africa regions, where USPs are explicitly allowed in only 47 percent and 50 percent of the economies, respectively. Moreover, East Asia and Pacific has the largest percentage of economies where USPs happen in practice despite not being regulated (20 percent). According to the *Policy Guidelines for Managing Unsolicited Proposals in Infrastructure Projects* published by the World Bank in 2017,<sup>59</sup> “Many governments lack the technical expertise and experience to develop projects successfully from beginning to end, or they lack the financial resources to hire external advisors to support them in developing and procuring projects. Countries with limited public-sector capacity typically rely on USP proponents to develop the projects, in return for which the USP proponents typically expect the projects to be awarded to them.” Accordingly, it is not surprising to find that low-income economies, such as Afghanistan, Guinea, and Uganda, are more likely to have regulatory frameworks that specifically allow the use of USPs. On the contrary, in the majority (62 percent) of OECD high-income economies, where the regulatory frameworks remain silent regarding this matter, USPs do not take place in practice.



Figure 21 USP regulatory framework by region (percent, N = 135)



Source: Procuring Infrastructure Public-Private Partnerships 2018.

Note: Some numbers in the figure may not add up due to rounding. ECA = Europe and Central Asia; EAP = East Asia and Pacific; LAC = Latin America and the Caribbean; MENA = Middle East and North Africa; OECD = Organisation for Economic Co-operation and Development; SAR = South Asia; SSA = Sub-Saharan Africa; USP = unsolicited proposal.

## Competitive Bidding and Minimum Time Limits

By having a clear and comprehensive competitive procedure in place for evaluating and managing USPs, governments can reduce the pressure from the private sector and special interest groups to accept USPs. In addition, a competitively tendered USP project is more likely to result in a well-structured PPP contract that maximizes value for money.<sup>60</sup> The lack of transparency and not using a competitive procedure carries the risk of increasing corruption and can lead to the development of projects that are unsuitable and low quality, and provide low value for money.<sup>61</sup>

Interestingly, all the economies that either explicitly allow the use of USPs or conduct USPs in practice require a competitive procedure<sup>62</sup> for government-initiated PPP projects. However, only 83 percent of them require that a USP be procured using a competitive mechanism. Some of the economies that do not require a competitive procedure for procuring USPs include the Republic of Congo, Guinea, and Moldova. Moreover, differences among income-level groups are cause for concern; low-income economies and lower-middle-income economies are more likely not to require competitive procedures. Among the economies that do not require USPs to be procured using a competitive procedure are Chad and Rwanda (low-income countries), as well as Djibouti and Vietnam (lower-middle-income countries).

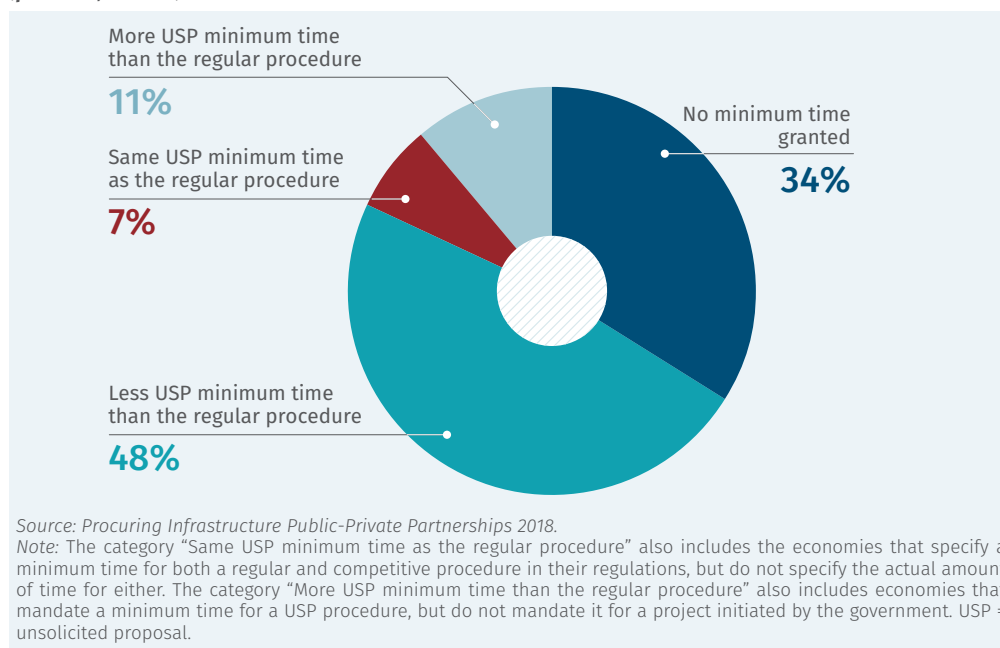
Approximately 66 percent of economies that conduct USPs mandate that some minimum amount of time should be given to additional bidders (those that did not initiate the USP) to prepare and submit their bids, including China, Côte d'Ivoire, Kazakhstan, and the Philippines. It is important to provide bidders with an adequate amount of time to prepare and submit their bids. It is even more important when the project originated as a USP because otherwise, the original proponent has an unfair advantage in the competitive bidding process. Therefore, in such cases, governments, at a minimum, should adopt the same policies/time that they use for the regular procurement procedure. Interestingly, 7 percent of economies that conduct USPs, including Gabon, Papua New Guinea, and Togo, do not provide bidders a minimum amount of time to bid in either a regular procedure or a USP procedure. In Cambodia, the government

provides bidders with a minimum time to prepare their bids for USPs, but the specific period of time is set by the procuring authority.

Even in cases where a minimum amount of time is provided, it must be adequate for additional bidders to submit their bids.<sup>63</sup> According to the World Bank *Policy Guidelines for Managing Unsolicited Proposals in Infrastructure Projects*, a low number of days gives the original USP proponent an advantage when submitting bids and could deter competition by discouraging additional proponents from submitting their bids. Furthermore, the guidelines state that “competing bidders must be given sufficient time to prepare a competitive bid and must have timely and equal access to all relevant information about the project.”<sup>64</sup> The guidelines also note that in some economies that gives 60 days for additional bidders to prepare their bids with a right to match mechanism, such as the Philippines, the majority of the projects that originated as a USP resulted in the original USP proponent winning the bid.<sup>65</sup> Moreover, private entities emphasize that they need at least three to six months to “develop a serious competing proposal.”<sup>66</sup> Still, only 12 percent of economies, such as Jamaica, the Republic of Korea, and Tanzania, provide additional bidders with 90 days or more to submit their bids. The most common option (among 31 percent of economies, including Nigeria, Ukraine, and Uruguay) is to provide a minimum time of between 30 to 59 days. Such a period may not be sufficient for additional proponents to prepare adequate bids. The World Bank guidelines also state that “providing a short period for competing bidders to submit bids (usually less than six months) limits competition.” However, in only one of the economies, Colombia, bidders are granted six months (180 days) as minimum legal time to prepare bids.

Finally, given that the original proponent has a head start in preparing the proposal and bidding documents, the World Bank guidelines recommend that additional proponents should be given at least the same amount of time, if not more, in the case of a USP procedure as compared to a regular PPP procedure. However, as Figure 22 shows, in 48 percent of economies, bidders are granted a minimum time that is shorter when the project originated as a USP procedure than in a regular PPP procurement procedure. These economies include Nigeria (30 days instead of 42 days) and the Philippines (60 days instead of 90 days). Only 11 percent of economies provide more time when the projects were originated as a USP. This includes economies such as Jamaica (90 days instead of 30 days); the United States, Commonwealth of Virginia (120 days instead of 60 days); and Russian Federation (45 days instead of 30 days).

**Figure 22 Comparison of Minimum number of days between regular and USP procedure (percent, N = 90)**



## Conclusions and Next Steps

*Procuring Infrastructure PPPs 2018* reveals that there is significant room for improvement in the PPP regulatory framework of most of the 135 countries assessed during this exercise. Moreover, the lower the income level of the group, the lower the performance in the four assessed thematic areas: preparation, procurement, contract management, and management of USPs. However, it is important to note that preparation and contract management are the weakest performing areas across all income level groups and they are also the weakest areas with respect to adopting good transparency practices.

The average performance also varies greatly by region. The high-income economies of the OECD and the Latin American and Caribbean regions perform at or above the average in all thematic areas. In contrast, Sub-Saharan Africa and the East Asia and Pacific region have the lowest average scores across thematic areas.

Many of the economies assessed undertook some type of reform affecting the PPP regulatory framework in the past decade and in many others, efforts are underway to improve PPP regulations. In 76 of the 135 economies assessed, reforms were ongoing and/or are planned after the cutoff date of this report (June 1, 2017).

The *Procuring Infrastructure PPPs 2018* exercise aims to help governments by identifying areas of improvement to achieve more transparent, competitive, and efficient PPP procurement systems, and by providing a global assessment to learn from other countries' experience.

The methodology of the 2018 edition has incorporated inputs received during the dissemination of the previous edition and it is expected that it will continuously be improved in the hope of making the analysis in the next edition of this report even more robust. Methodology changes are anticipated in future editions of this report, and the team welcomes feedback on the methodology used in this year's report.

The thematic scope of the report could be expanded in future years. For example, better consideration could be given to subnational projects and data collection from outside the transportation sector (the current case study of the survey).

Expanding the geographic scope of economies covered is always desirable. However, this year's edition included all emerging markets and development economies that have had at least one infrastructure PPP project in the last five years. Thus, expanding beyond these economies may prove difficult because of the lack of contributors with sufficient experience with the procurement of PPPs.

Finally, while this report assesses the PPP regulatory framework, the ultimate aim is to ascertain the impacts of that framework on infrastructure investments. Measuring such impacts is a challenge because of the lack of data on outcome indicators. This remains an area for future research.









# Economy Data Tables

## Economy Data Tables

This section presents the individual Economy Data Tables, which include the scores for each of the four thematic areas measured by the report: preparation of public-private partnerships (PPPs), procurement of PPPs, contract management, and unsolicited proposals (USPs). In addition, the areas assessed and included in the scoring within each of the four thematic areas are displayed in the Economy Data Tables to facilitate the identification of areas of improvement. Table 1 summarizes the areas assessed and scored in *Procuring Infrastructure PPPs 2018*.

Scores range between 0 and 100. Higher scores signify that an economy's regulatory framework is in greater compliance with internationally recognized good practices in an area. Lower scores indicate that there is considerable room for improvement because of less adherence to international good practices measured by *Procuring Infrastructure PPPs 2018*. All benchmarks in the assessment are given an identical weight by the scoring methodology. A detailed description of the scoring methodology is contained in Appendix 1.

Not all the data collected in the preparation of *Procuring Infrastructure PPPs 2018* are scored. Only regulations and practices that are internationally recognized as good practices receive scores. Therefore, those regulations and practices for which no international consensus exists are not scored; this information is collected only for purposes of providing context. For a selected set of questions, clearly identified in the scoring methodology (Appendix 1), scoring includes the extent to which the regulatory framework is respected in practice, according to the expert contributors who helped devise and refine the survey. It is thus important to note that the assessment reflected in the scores relies on the information provided by the expert contributors. The *Procuring Infrastructure PPPs 2018* team also crosschecked answers based on regulatory references with the referenced documents. Other answers reflect the opinion expressed by the expert contributors. For most economies, however, given the already limited number of expert contributors, the pool of contributors does not constitute a representative sample. Consequently, the assessment, particularly when referring to the contributors' perceptions, must be understood in the context of this limitation.

Moreover, *Procuring Infrastructure PPPs 2018* is still perfecting its methodology. There have been significant changes in the scope of the exercise in comparison with *Benchmarking PPP Procurement 2017*. New questions have been added and several other questions have been heavily reformulated. Additional questions and reformulated questions scored in this edition are identified in Appendix 2. Therefore, changes in the scores should be interpreted with caution because they may be unrelated to regulatory reforms and depend only on changes in the scope of the assessment. Therefore, the scores contained in *Procuring Infrastructure PPP 2018* are not comparable with the ones from the *Benchmarking PPP Procurement 2017* report.

All the data points employed in the scores for each thematic area, along with all the non-scored data points, are publicly available on the project's website (<http://bpp.worldbank.org>). The website provides a full dataset for each economy, including all the answers to the questions and sub-questions of the survey instrument. In addition to providing greater context, the data on the website provides, when applicable, the detailed regulatory basis for each assessed item. This can deepen the understanding of each economy's regulatory framework and practice related to PPP procurement.

**Table 1 Areas assessed and scored by Procuring Infrastructure PPPs 2018**

Preparation of PPPs	Procurement of PPPs	Contract management of PPPs	Unsolicited proposals (USPs)
Approval by the Ministry of Finance or central budgetary authority	PPP evaluation committee meets specific qualifications	PPP contract management system	Regulation or prohibition of USPs
Fiscal treatment of PPPs (budgetary, accounting, and reporting treatment of PPPs)	Publication of the PPP procurement notice, award notice, and PPP contract (including subsequent amendments)	System for tracking progress and completion of construction works under a PPP contract	Evaluation of USPs
Consistency of PPP within other public investment priorities	No prohibition of foreign companies participating in the PPP bidding process	PPP contract monitoring and evaluation system of the PPP contract implementation after construction	Vetting procedure and/or pre-feasibility analysis.
Assessment of PPP feasibility: Socioeconomic impact	Legal minimum period of time granted to prepare PPP bids	No prohibition of foreign companies from repatriating the income resulting from the operation of PPPs	Consistency of USPs with other government priorities
Assessment of PPP feasibility: Fiscal affordability	Procurement procedures available when procuring PPPs	Change in the structure of the special purpose vehicle (SPV)	Requirement for competitive procedure to award USPs
Assessment of PPP feasibility: Risk identification	Inclusion in the tender documents of details of the PPP procurement process	Modification or renegotiation of PPPs	Legal minimum period of time granted to prepare alternative proposals
Assessment of PPP feasibility: Comparative assessment (value for money)	Inclusion in the tender documents of prequalification/ short-listing criteria (when applicable)	Force majeure, material adverse government change, change in the law, refinancing, and subcontracting	
Assessment of PPP feasibility: Bankability	Questions, clarifications, pre-bidding conference, and disclosure of answers and results	Dispute resolution mechanisms	
Assessment of PPP feasibility: Market sounding/assessment	Inclusion of financial model in the proposals	Lenders' step-in rights	
Assessment of PPP feasibility: Environmental impact assessment	Evaluation according to evaluation criteria stated in tender documents	Grounds for and consequences of PPP contract termination	
Inclusion of assessments in the request for proposals and/or tender documents	Treatment of sole proposals		
Inclusion of draft PPP contract in the request for proposal	Notification to all bidders of the results of the PPP procurement process		
Publication of assessments and tender documents online	Establishment of a legal standstill period		
Standardization of PPP contracts	Restriction of negotiations between the time of the award and the signature of the PPP contract		

Note: PPP = public-private partnership; USP = unsolicited proposal.

## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
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	No	
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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		Open procedure (single-stage tendering). Competitive dialogue and/or multi-stage tendering
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 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	No	
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	

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## PPP Contract Management

System to manage the implementation of the PPP contract	No	
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	No	
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	30 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments also available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## 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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	7 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the risk allocation
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	30 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	No	
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	No	
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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	No	
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	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

### Preparation of PPPs

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Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

### Procurement of PPPs

50

Evaluation committee members required to meet specific qualifications	No	
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	20 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 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 included
Standstill period	Yes	5 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

### PPP Contract Management

56

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Refinancing
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

### Unsolicited Proposals

NR

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

## Preparation of PPPs

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Central budgetary authority's approval	No	
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	Yes	No specific methodology developed
Risk Identification	No	
Comparative assessment (value for money analysis)	No	
Financial viability or bankability assessment	Yes	No specific methodology developed
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	

## Procurement of PPPs

63

Evaluation committee members required to meet specific qualifications	No	
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	20 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 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	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	3 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

## PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	
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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Subcontracting
Dispute resolution mechanisms	Yes	
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

## Unsolicited Proposals

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Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	20 calendar days

## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	Yes	Only specific budgetary 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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments also available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	60 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 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	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	5 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	60 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	No	
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 also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	40 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 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	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	10 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	No	
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	No	
Modification/renewal of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

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## Unsolicited Proposals

Regulation of USPs		Not regulated but do happen in practice
Assessment to evaluate unsolicited proposals	No	
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	No	
Minimum period of time to submit the bids	No	

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## 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 established
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	No specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments also available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Personnel training programs. Risk mitigation mechanism. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	Minimum time provided but not explicitly specified

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## 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	Specific methodology developed
Fiscal affordability assessment	Yes	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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	52 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before contract signature
Fiscal treatment of PPPs	Yes	Only specific budgetary treatment
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	Yes	
Fiscal affordability assessment	No	
Risk Identification	Yes	No specific methodology developed
Comparative assessment (value for money analysis)	No	
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	No	
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	

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### 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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Re-tendering required
Publication of award notice	No	
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	

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### 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	
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	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

## Preparation of PPPs

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

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## 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	56 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	No	
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	No	
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
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	56 calendar days

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## Preparation of PPPs

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

## Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	No	
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	42 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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	7 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Not available online. Amendments not published

## PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	No	
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. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	

## Unsolicited Proposals

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Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	No	

### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before contract signature
Fiscal treatment of PPPs	Yes	Only specific 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	No	
Comparative assessment (value for money analysis)	No	
Financial viability or bankability assessment	No	
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	No	
Standardized PPP model contracts and/or transaction documents	Yes	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	35 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before contract signature
Fiscal treatment of PPPs	Yes	Only specific budgetary treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	No	
Standardized PPP model contracts and/or transaction documents	No	

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## 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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Not available online. Amendments also published

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Participation of the team in procurement. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Private partner provides periodic information. Procurement authority gathers 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	No	
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. Material adverse government action. Change in the law
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
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	45 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	Yes	No specific methodology developed
Risk Identification	No	
Comparative assessment (value for money analysis)	Yes	No specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	No	
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## 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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online.

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## 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	
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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## 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	45 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	Yes	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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	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	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	42 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). 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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
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	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Personnel training programs. Risk mitigation mechanism. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly prohibited
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

EP



## Preparation of PPPs

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

## Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

## PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

## Unsolicited Proposals

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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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	45 calendar days

## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	No	
Assessments included in the RFP and/or tender documents	Yes	Assessments also available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	45 calendar days

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### 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 established
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 also available online
Standardized PPP model contracts and/or transaction documents	No	

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### 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	35 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	14 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	Yes	Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### 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	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	35 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents not available online
Standardized PPP model contracts and/or transaction documents	No	

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## 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	45 calendar days
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Not available online. Amendments also published

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the economic balance; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	45 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	No	
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	Yes	Assessments also available online
Draft PPP contract included in the RFP	No	
Standardized PPP model contracts and/or transaction documents	No	

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## 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	90 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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	Yes	Results not publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	20 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. 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/renewal of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible
Circumstances that may occur during the life of the PPP contract regulated	Yes	Material adverse government action. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
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	90 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	No	
Fiscal affordability assessment	No	
Risk Identification	No	
Comparative assessment (value for money analysis)	No	
Financial viability or bankability assessment	Yes	No specific methodology developed
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	No	
Standardized PPP model contracts and/or transaction documents	No	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	No	
Availability of various procurement procedures for PPPs		
Direct negotiation not discretionary	No	
Tender documents detail the procurement procedure	No	
Tender documents specify prequalification/shortlisting criteria (if apl.)	No	
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	No	
Publication of award notice	No	
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	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Approval by an additional government authority required. Regulations about changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Not regulated but do happen in practice
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
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	Minimum time provided but not explicitly specified

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### Preparation of PPPs

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Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	No	
Standardized PPP model contracts and/or transaction documents	Yes	

### Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Not 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	Yes	
Publication of contract	No	

### PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible
Circumstances that may occur during the life of the PPP contract regulated	Yes	Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

### Unsolicited Proposals

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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	Minimum time provided but not explicitly specified

## Preparation of PPPs

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

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online.

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Personnel training programs. Risk mitigation mechanism. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

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### Preparation of PPPs

Central budgetary authority's approval	No	
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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	No	
Standardized PPP model contracts and/or transaction documents	No	

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### 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	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	Yes	60 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering)
Direct negotiation not discretionary	Yes	
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	No	
Publication of award notice	Yes	Not 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	

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### 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. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Not regulated but do happen in practice
Assessment to evaluate unsolicited proposals	No	
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	No	
Minimum period of time to submit the bids	No	

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	No specific methodology developed
Comparative assessment (value for money analysis)	No	
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## 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	90 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 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	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Risk mitigation mechanism. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	60 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
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	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
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 also available online
Standardized PPP model contracts and/or transaction documents	No	

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### 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	21 calendar days
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	10 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	No	
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	21 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments also available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	180 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	No	
Risk Identification	Yes	No specific methodology developed
Comparative assessment (value for money analysis)	Yes	No specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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	No	
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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		Open procedure (single-stage tendering). Competitive dialogue and/or multi-stage tendering
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	No	
Publication of award notice	Yes	Not available online
Notification of the result of the PPP procurement process	No	
Standstill period	Yes	5 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	No	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

## Preparation of PPPs

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

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
Public procurement notice of the PPP issued by procuring authority	Yes	Not 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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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	No	
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	Detailed procedure not regulated
Publication of award notice	Yes	Not available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	No	
Modification/renewal of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated but do happen in practice
Assessment to evaluate unsolicited proposals	No	
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	No	
Minimum period of time to submit the bids	No	

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents not available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	63 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Procurement authority gathers information. Performance information is published online
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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the economic balance; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	63 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	21 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). 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 publicly disclosed
Pre-bidding conference	Yes	Results not publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	
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	Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the economic balance
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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)	No	
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	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	

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### 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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
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	Yes	Not available online. Amendments not published

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Participation of the team in procurement
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Change in the law
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### 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	45 calendar days

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## 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	No	
Fiscal affordability assessment	Yes	No specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	35 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Personnel training programs. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly prohibited
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

EP

## 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	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	No	
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	25 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Abatement of payments for non-performance. Performance information is published online
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	
Grounds for termination of a PPP contract	Yes	

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

### Preparation of PPPs

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

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	35 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	10 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	No	
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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in the economic balance; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR



### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	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	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
Public procurement notice of the PPP issued by procuring authority	Yes	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	No	
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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 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	No	
Publication of award notice	Yes	Not available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	15 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria
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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the economic balance; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

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

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## Preparation of PPPs

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

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	60 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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## 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	60 calendar days

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## Preparation of PPPs

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

## Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	No	
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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering)
Direct negotiation not discretionary	Yes	
Tender documents detail the procurement procedure	Yes	
Tender documents specify prequalification/shortlisting criteria (if apl.)	No	
Clarification questions for procurement notice and/or the RFP	Yes	Answers 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	No	
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	Yes	Available online

## PPP Contract Management

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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	
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	Approval by an additional government authority required. Regulations about: changes in the scope
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

## Unsolicited Proposals

58

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	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	Minimum time provided but not explicitly specified

## Preparation of PPPs

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

## Procurement of PPPs

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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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
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	Yes	
Publication of contract	No	

## PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the economic balance; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

## Unsolicited Proposals

NR

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

### 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	No	
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	No specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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### 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	14 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	5 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Risk mitigation mechanism. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	60 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
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	Yes	No specific methodology developed
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	Yes	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not regulated
Public procurement notice of the PPP issued by procuring authority	Yes	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	Yes	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	No	
Tender documents detail the procurement procedure	Yes	
Tender documents specify prequalification/shortlisting criteria (if apl.)	No	
Clarification questions for procurement notice and/or the RFP	Yes	Answers 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	Detailed procedure not regulated
Publication of award notice	No	
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	5 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

### Preparation of PPPs

Central budgetary authority's approval	No	
Fiscal treatment of PPPs	Yes	Only specific 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	No	
Comparative assessment (value for money analysis)	No	
Financial viability or bankability assessment	No	
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	52 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	14 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	No	
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in the economic balance; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	No	
Risk Identification	No	
Comparative assessment (value for money analysis)	Yes	No specific methodology developed
Financial viability or bankability assessment	No	
Market sounding and/or assessment	Yes	No specific methodology developed
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	No	
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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 publicly disclosed
Pre-bidding conference	Yes	Results not publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	7 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Personnel training programs. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria
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	No	
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action
Dispute resolution mechanisms	Yes	
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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## Unsolicited Proposals

Regulation of USPs		Not regulated but do happen in practice
Assessment to evaluate unsolicited proposals	No	
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	45 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	No	
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	35 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	14 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs	Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals	
Vetting procedure and/or pre-feasibility analysis of USPs	
Evaluation of consistency of USPs with other government priorities	
Competitive PPP procurement procedure for USPs	
Minimum period of time to submit the bids	

NR

## Preparation of PPPs

Central budgetary authority's approval	No	
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	No	
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	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	16 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Not available online. Amendments also published

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the risk allocation; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	
Lenders' step-in rights	Yes	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR



## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	16 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the risk allocation; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration
Lenders' step-in rights	Yes	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	No	
Risk Identification	No	
Comparative assessment (value for money analysis)	No	
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	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	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
Public procurement notice of the PPP issued by procuring authority	Yes	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	No	
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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	No	
Publication of award notice	Yes	Not available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	15 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
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	No	

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## Preparation of PPPs

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Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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	No	
Standardized PPP model contracts and/or transaction documents	No	

## Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	No	
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	15 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
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	Yes	Available online

## PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Procurement authority gathers 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	No	
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required
Circumstances that may occur during the life of the PPP contract regulated	Yes	Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

## Unsolicited Proposals

NR

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

## Preparation of PPPs

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

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	10 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Risk mitigation mechanism. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly prohibited
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

EP

## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	Yes	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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	No	
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## 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	43 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
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	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Procurement authority gathers 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	No	
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

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## 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	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	No	

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific 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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	35 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Risk mitigation mechanism. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR



## Preparation of PPPs

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Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	Yes	Only specific budgetary 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)	No	
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

## Procurement of PPPs

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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	60 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	5 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

## PPP Contract Management

68

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	Changes in the private partner during an initial period regulated
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

## Unsolicited Proposals

NR

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

## Preparation of PPPs

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Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific budgetary 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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	No	
Standardized PPP model contracts and/or transaction documents	No	

## Procurement of PPPs

61

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	58 calendar days
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

## PPP Contract Management

52

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	

## Unsolicited Proposals

13

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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	No	
Minimum period of time to submit the bids	No	

## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents not available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## 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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
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	Yes	Not available online. Amendments not published

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Elaboration of a PPP implementation manual. Personnel training programs
System for tracking progress and completion of construction works	Yes	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated but do happen in practice
Assessment to evaluate unsolicited proposals	No	
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	45 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	No	
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	17 calendar days
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 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	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

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## 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	30 calendar days

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## Preparation of PPPs

13

Central budgetary authority's approval	No	
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	No	
Fiscal affordability assessment	No	
Risk Identification	No	
Comparative assessment (value for money analysis)	No	
Financial viability or bankability assessment	No	
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

## Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	35 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	10 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

## PPP Contract Management

58

System to manage the implementation of the PPP contract	No	
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. Procurement authority gathers information. Performance information is published online
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

## Unsolicited Proposals

NR

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

## Preparation of PPPs

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

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	No	
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Elaboration of a PPP implementation manual. Personnel training programs. Risk mitigation mechanism. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the economic balance
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs	Expressly prohibited
Assessment to evaluate unsolicited proposals	
Vetting procedure and/or pre-feasibility analysis of USPs	
Evaluation of consistency of USPs with other government priorities	
Competitive PPP procurement procedure for USPs	
Minimum period of time to submit the bids	

EP



### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents not available online
Standardized PPP model contracts and/or transaction documents	Yes	

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### 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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results not publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	7 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	
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	Changes in the private partner during an initial period regulated
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
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	No	

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## Preparation of PPPs

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

## Procurement of PPPs

42

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	Not 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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

## PPP Contract Management

42

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	No	
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Material adverse government action
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

## Unsolicited Proposals

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Regulation of USPs		Not regulated but do happen in practice
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	No	
Minimum period of time to submit the bids	No	

## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	Yes	Both budgetary and accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	Specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	35 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	16 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Elaboration of a PPP implementation manual. Risk mitigation mechanism
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

**Preparation of PPPs**

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

**Procurement of PPPs**

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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	35 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	35 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

**PPP Contract Management**

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System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Elaboration of a PPP implementation manual. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

**Unsolicited Proposals**

83

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	35 calendar days

## Preparation of PPPs

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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 established
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	No specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	Specific methodology developed
Environmental impact analysis	No	
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	No	
Standardized PPP model contracts and/or transaction documents	No	

## Procurement of PPPs

59

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
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	Yes	
Publication of contract	Yes	Not available online. Amendments not published

## PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Procurement authority gathers 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	No	
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

## Unsolicited Proposals

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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	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	90 calendar days

## Preparation of PPPs

Central budgetary authority's approval	No	
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments also available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results not publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Elaboration of a PPP implementation manual. Personnel training programs. Risk mitigation mechanism
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	No	

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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	

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## 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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
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 included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Elaboration of a PPP implementation manual. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the risk allocation; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	No	

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### 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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	No	
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents not available online
Standardized PPP model contracts and/or transaction documents	Yes	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results not publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	No	
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	

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### 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	60 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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 also available online
Standardized PPP model contracts and/or transaction documents	No	

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## 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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	15 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Approval by an additional government authority required. Regulations about: changes in the risk allocation; changes in the economic balance
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. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	

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## Unsolicited Proposals

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

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### Preparation of PPPs

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

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	90 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Not available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Elaboration of a PPP implementation manual
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	90 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	20 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
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 included
Standstill period	Yes	10 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Private partner provides periodic information. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	Yes	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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	Specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	90 calendar days
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Not available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	15 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Elaboration of a PPP implementation manual
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the economic balance; changes in the price or tariff
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. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## 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	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	90 calendar days

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## 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	

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## 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	

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## 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

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## 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

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
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	No	
Comparative assessment (value for money analysis)	No	
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	No	
Standardized PPP model contracts and/or transaction documents	No	

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### 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	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	Yes	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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	No	
Publication of award notice	No	
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	No	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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### Unsolicited Proposals

Regulation of USPs	Not regulated and do not happen in practice	
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

## 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 established
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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 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	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	10 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Not available online. Amendments also published

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## PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

### Preparation of PPPs

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Central budgetary authority's approval	No	
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	No	
Fiscal affordability assessment	No	
Risk Identification	No	
Comparative assessment (value for money analysis)	No	
Financial viability or bankability assessment	No	
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	No	
Standardized PPP model contracts and/or transaction documents	No	

### Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	No	
Public procurement notice of the PPP issued by procuring authority	Yes	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	Yes	15 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	No	
Tender documents detail the procurement procedure	No	
Tender documents specify prequalification/shortlisting criteria (if apl.)	Yes	
Clarification questions for procurement notice and/or the RFP	Yes	Answers 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	Detailed procedure established
Publication of award notice	No	
Notification of the result of the PPP procurement process	No	
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

### PPP Contract Management

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System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	No	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

### Unsolicited Proposals

NR

Regulation of USPs	Not regulated and do not happen in practice	
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	Specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	52 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Risk mitigation mechanism. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in the economic balance; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	52 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	Yes	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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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### 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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	12 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	
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. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR



## 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 established
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	Yes	No specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	No specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents not available online
Standardized PPP model contracts and/or transaction documents	No	

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## 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	40 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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 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	Yes	20 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Risk mitigation mechanism. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

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

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	No	
Standardized PPP model contracts and/or transaction documents	No	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 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	No	
Publication of award notice	Yes	Not available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Refinancing
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
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	No	

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
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	Specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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	

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### 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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	No	
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	
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	Changes in the private partner during an initial period regulated
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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### Unsolicited Proposals

Regulation of USPs		Not regulated but do happen in practice
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	Minimum time provided but not explicitly specified

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific budgetary treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents not available online
Standardized PPP model contracts and/or transaction documents	No	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not regulated
Public procurement notice of the PPP issued by procuring authority	Yes	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	Yes	45 calendar days
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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	Yes	Results not publicly disclosed
Financial model submitted with proposal	Yes	
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 included
Standstill period	Yes	15 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Not available online. Amendments not published

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Personnel training programs
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Private partner provides periodic information. Procurement authority gathers 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/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the economic balance; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
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	45 calendar days

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## Preparation of PPPs

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

## Procurement of PPPs

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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	No	
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	No	
Notification of the result of the PPP procurement process	No	
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Not available online. Amendments not published

## PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Risk mitigation mechanism. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about changes in the price or tariff
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. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

## Unsolicited Proposals

NR

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	Specific methodology developed
Environmental impact analysis	Yes	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	

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## 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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	7 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about changes in the price or tariff
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. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	30 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	Yes	Both budgetary and accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	28 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
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	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	No specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## 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	60 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
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	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about changes in the risk allocation.
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated but do happen in practice
Assessment to evaluate unsolicited proposals	No	
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	No	
Minimum period of time to submit the bids	No	

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## Preparation of PPPs

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

## Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	60 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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	Yes	Results not publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	No	
Notification of the result of the PPP procurement process	No	
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

## PPP Contract Management

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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. Performance information is published online
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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Regulations about changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

## Unsolicited Proposals

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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	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	60 calendar days

### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents not available online
Standardized PPP model contracts and/or transaction documents	No	

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### 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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

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### 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	
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	Same qualifications legally required for the replacing entity
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
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### 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

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents not available online
Standardized PPP model contracts and/or transaction documents	No	

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### 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	40 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 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	No	
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	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the risk allocation; changes in the economic balance
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
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	40 calendar days

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## Preparation of PPPs

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

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## 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	21 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
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	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Risk mitigation mechanism
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Regulations about changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## 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	No	

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## Preparation of PPPs

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

## Procurement of PPPs

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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	No	
Minimum period of time to submit the bids	Yes	30 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering)
Direct negotiation not discretionary	Yes	
Tender documents detail the procurement procedure	No	
Tender documents specify prequalification/shortlisting criteria (if apl.)	No	
Clarification questions for procurement notice and/or the RFP	Yes	Answers not publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

## PPP Contract Management

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System to manage the implementation of the PPP contract	No	
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	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

## Unsolicited Proposals

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Regulation of USPs		Not regulated but do happen in practice
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	No	
Minimum period of time to submit the bids	No	

### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific budgetary 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)	No	
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	No	
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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### 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	45 calendar days
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
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 included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Abatement of payments for non-performance. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in duration
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. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	45 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	No	
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	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	Specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	20 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Risk mitigation mechanism. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated but do happen in practice
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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	45 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	Specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	140 calendar days
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Personnel training programs. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

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

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	Yes	Only specific budgetary 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	No	
Comparative assessment (value for money analysis)	Yes	No specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments also available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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### 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	120 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	5 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Elaboration of a PPP implementation manual. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about changes in the scope
Circumstances that may occur during the life of the PPP contract regulated	Yes	Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	
Grounds for termination of a PPP contract	Yes	

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	120 calendar days

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## Preparation of PPPs

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Central budgetary authority's approval	Yes	Only before contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	No	
Fiscal affordability assessment	No	
Risk Identification	No	
Comparative assessment (value for money analysis)	No	
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	No	
Standardized PPP model contracts and/or transaction documents	Yes	

## Procurement of PPPs

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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	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	No	
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 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	No	
Publication of award notice	Yes	Not available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	5 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

## PPP Contract Management

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System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	Yes	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	No	
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

## Unsolicited Proposals

NR

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		



## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	Yes	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	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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	No	
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not regulated
Public procurement notice of the PPP issued by procuring authority	Yes	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	Yes	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). 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 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	No	
Publication of award notice	Yes	Not 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	Yes	
Publication of contract	Yes	Not available online. Amendments not published

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Personnel training programs
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible. Regulations about: changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	Minimum time provided but not explicitly specified

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	42 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). 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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
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	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	No	

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## 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	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	30 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
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	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	No specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	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	Yes	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Not available online. Amendments also published

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Risk mitigation mechanism
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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/renewal of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	No	
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
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	No	

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## Preparation of PPPs

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

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	40 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	No	
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the economic balance; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated but do happen in practice
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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	Minimum time provided but not explicitly specified

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## Preparation of PPPs

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Central budgetary authority's approval	No	
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	Yes	No specific methodology developed
Fiscal affordability assessment	No	
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	Yes	No specific methodology developed
Environmental impact analysis	No	
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	

## Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	No	
Public procurement notice of the PPP issued by procuring authority	No	
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	No	
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
Tender documents detail the procurement procedure	No	
Tender documents specify prequalification/shortlisting criteria (if apl.)	No	
Clarification questions for procurement notice and/or the RFP	No	
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	No	
Publication of award notice	No	
Notification of the result of the PPP procurement process	No	
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

## PPP Contract Management

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System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	No	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	No	
Dispute resolution mechanisms	No	
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

## Unsolicited Proposals

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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	No	

## 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	Specific methodology developed
Fiscal affordability assessment	Yes	No specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments also available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## 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	60 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the economic balance; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	60 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	Specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Risk mitigation mechanism
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance information is published online
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	150 calendar days

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## 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 established
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	Specific methodology developed
Environmental impact analysis	Yes	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	Yes	

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## 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	90 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). 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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Elaboration of a PPP implementation manual. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	60 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	Yes	Only specific 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	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	10 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	
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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	47 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
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 included
Standstill period	Yes	10 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

### Preparation of PPPs

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

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
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 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	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### 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	Abatement of payments for non-performance
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible. Regulations about changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	Yes	Both budgetary and accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments also available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	10 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Personnel training programs. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	Yes	Abatement of payments for non-performance
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR



## Preparation of PPPs

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Central budgetary authority's approval	Yes	Only before contract signature
Fiscal treatment of PPPs	No	
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	No	
Comparative assessment (value for money analysis)	No	
Financial viability or bankability assessment	No	
Market sounding and/or assessment	Yes	No specific methodology developed
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	No	
Standardized PPP model contracts and/or transaction documents	Yes	

## Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	No	
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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	No specific period of time regulated. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

## PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Procurement authority gathers information. Performance information is published online
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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

## Unsolicited Proposals

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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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	45 calendar days

## Preparation of PPPs

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

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
Public procurement notice of the PPP issued by procuring authority	Yes	Available online
Foreign companies permitted to participate in PPP bidding	No	
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	Yes	
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 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	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	10 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Procurement authority gathers information. Performance information is published online
Foreign companies permitted to repatriate income	No	
Change in the structure (stakeholder composition) of the private partner and/or assignment of the PPP contract regulated	Yes	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about changes in the economic balance
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	45 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific 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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	No	
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
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	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Elaboration of a PPP implementation manual. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	No	
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	No	
Minimum period of time to submit the bids	No	

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### Preparation of PPPs

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

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	60 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering)
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Abatement of payments for non-performance. 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	Unilateral modification by the procuring authority possible. Regulations about: changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

## Preparation of PPPs

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

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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	No	
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	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	30 calendar days

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## Preparation of PPPs

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Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	No	
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	

## Procurement of PPPs

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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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	No	
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	Yes	Not available online. Amendments also published

## PPP Contract Management

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System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Procurement authority gathers 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	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

## Unsolicited Proposals

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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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	No	



## Preparation of PPPs

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

## Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	60 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

## PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

## Unsolicited Proposals

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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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	60 calendar days

### Preparation of PPPs

Central budgetary authority's approval	No	
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	No specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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### 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	42 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Personnel training programs. Risk mitigation mechanism. PPP contract management team requires qualifications without specific detail
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	Regulations about: changes in the economic balance; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Change in the law
Dispute resolution mechanisms	Yes	International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	42 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	Specific methodology developed
Environmental impact analysis	No	
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## 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	40 calendar days
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Risk mitigation mechanism. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

## Preparation of PPPs

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

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	16 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the economic balance; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

## Preparation of PPPs

Central budgetary authority's approval	No	
Fiscal treatment of PPPs	Yes	Only specific 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	No	
Comparative assessment (value for money analysis)	Yes	No specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	52 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 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	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	52 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
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)	No	
Financial viability or bankability assessment	Yes	No specific methodology developed
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	

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## 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		Open procedure (single-stage tendering). 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 publicly disclosed
Pre-bidding conference	Yes	Results not publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
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	

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## PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	No	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	No	
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

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## Unsolicited Proposals

Regulation of USPs	Not regulated and do not happen in practice	
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR



### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	No	
Fiscal affordability assessment	No	
Risk Identification	No	
Comparative assessment (value for money analysis)	No	
Financial viability or bankability assessment	No	
Market sounding and/or assessment	No	
Environmental impact analysis	No	
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	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not regulated
Public procurement notice of the PPP issued by procuring authority	Yes	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	Yes	42 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
Tender documents detail the procurement procedure	No	
Tender documents specify prequalification/shortlisting criteria (if apl.)	Yes	
Clarification questions for procurement notice and/or the RFP	Yes	Answers publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	14 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### 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	No	
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	No	
Modification/renewal of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	No	
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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### Unsolicited Proposals

Regulation of USPs		Not regulated but do happen in practice
Assessment to evaluate unsolicited proposals	No	
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	No	
Minimum period of time to submit the bids	No	

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	Specific methodology developed
Environmental impact analysis	Yes	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	Yes	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	21 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
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	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Personnel training programs. Risk mitigation mechanism. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
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	21 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	Yes	Only specific 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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments also available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## 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	52 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	21 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Subcontracting
Dispute resolution mechanisms	Yes	
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	52 calendar days

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## Preparation of PPPs

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

## Procurement of PPPs

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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	90 calendar days
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	9 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

## PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Procurement authority gathers 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	No	
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

## Unsolicited Proposals

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Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	90 calendar days

## Preparation of PPPs

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Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
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)	No	
Financial viability or bankability assessment	Yes	No specific methodology developed
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	No	
Standardized PPP model contracts and/or transaction documents	No	

## Procurement of PPPs

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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	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	Yes	7 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). 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	No	
Publication of award notice	Yes	Not 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	

## PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Personnel training programs. Risk mitigation mechanism. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Private partner provides periodic information. Procurement authority gathers 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	No	
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the economic balance; changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

## Unsolicited Proposals

NR

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

## Preparation of PPPs

Central budgetary authority's approval	No	
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	No	
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	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	35 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 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	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	15 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	No	
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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR



## Preparation of PPPs

51

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure not regulated
Economic analysis assessment	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	No	
Standardized PPP model contracts and/or transaction documents	No	

## Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	40 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

## PPP Contract Management

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System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	No	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	No	
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

## Unsolicited Proposals

NR

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	No	
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents not available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 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	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

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## 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	Procurement authority gathers 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	Regulations about changes in duration
Circumstances that may occur during the life of the PPP contract regulated	Yes	Material adverse government action. Change in the law
Dispute resolution mechanisms	Yes	International arbitration
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
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	28 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	No	
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	No	
Standardized PPP model contracts and/or transaction documents	No	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	90 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). 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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
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 included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
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. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	90 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	No	
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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	

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### 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	No	
Minimum period of time to submit the bids	Yes	60 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	No	
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
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	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Elaboration of a PPP implementation manual. Detailed membership and/or qualifications of the PPP contract management team regulated
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. Procurement authority gathers 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	Approval by an additional government authority required. Regulations about: changes in the scope; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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 also available online
Standardized PPP model contracts and/or transaction documents	No	

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### Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria
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	Same qualifications legally required for the replacing entity
Modification/renewal of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about changes in the economic balance
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
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	No	

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## Preparation of PPPs

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Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
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	No	
Comparative assessment (value for money analysis)	No	
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	No	
Standardized PPP model contracts and/or transaction documents	Yes	

## Procurement of PPPs

64

Evaluation committee members required to meet specific qualifications	No	
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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 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	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	19 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

## PPP Contract Management

58

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about changes in the scope
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

## Unsolicited Proposals

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Regulation of USPs		Not regulated but do happen in practice
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	45 calendar days



**Preparation of PPPs**

22

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
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	No	
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	No	
Standardized PPP model contracts and/or transaction documents	No	

**Procurement of PPPs**

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Evaluation committee members required to meet specific qualifications	No	
Public procurement notice of the PPP issued by procuring authority	Yes	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	No	
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	No	
Tender documents detail the procurement procedure	Yes	
Tender documents specify prequalification/shortlisting criteria (if apl.)	No	
Clarification questions for procurement notice and/or the RFP	No	
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	No	
Publication of award notice	No	
Notification of the result of the PPP procurement process	No	
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

**PPP Contract Management**

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System to manage the implementation of the PPP contract	Yes	
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Unilateral modification by the procuring authority possible
Circumstances that may occur during the life of the PPP contract regulated	Yes	Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

**Unsolicited Proposals**

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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	No	

### Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
Economic analysis assessment	No	
Fiscal affordability assessment	Yes	No specific methodology developed
Risk Identification	No	
Comparative assessment (value for money analysis)	No	
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 also available online
Standardized PPP model contracts and/or transaction documents	No	

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### 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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	14 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	No	
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	No	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	No	
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

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## Preparation of PPPs

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Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
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	Yes	No specific methodology developed
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	No	
Standardized PPP model contracts and/or transaction documents	No	

## Procurement of PPPs

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Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	No specific period of time regulated
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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	Yes	Results not publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	No	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection not included
Standstill period	Yes	No specific period of time regulated. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Not available online. Amendments not published

## PPP Contract Management

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System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	No	
Monitoring and evaluation system of the PPP contract implementation	Yes	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	No	
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	No	

## Unsolicited Proposals

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Regulation of USPs		Not regulated but do happen in practice
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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	No	
Minimum period of time to submit the bids	No	

## Preparation of PPPs

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

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## 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	20 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 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	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Detailed membership and/or qualifications of the PPP contract management team regulated
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about: changes in duration; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	20 calendar days

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### Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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### 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	45 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). 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 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	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	10 calendar days. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	No	
Publication of contract	No	

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Elaboration of a PPP implementation manual. Personnel training programs. Risk mitigation mechanism. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
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
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

## Preparation of PPPs

Central budgetary authority's approval	Yes	Only before tendering
Fiscal treatment of PPPs	Yes	Both budgetary and accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
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	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments also available online
Draft PPP contract included in the RFP	Yes	Tender documents not available online
Standardized PPP model contracts and/or transaction documents	No	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	No	
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Competitive dialogue and/or multi-stage tendering
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure not regulated
Publication of award notice	Yes	Not 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	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Personnel training programs. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers 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	Approval by an additional government authority required. Regulations about: changes in the risk allocation; changes in the economic balance
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Refinancing
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

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

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## Preparation of PPPs

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

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## 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	Yes	
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	Detailed procedure not regulated
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	No	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	No	
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	No	
Change in the structure (stakeholder composition) of the private partner and/or assignment of the PPP contract regulated	No	
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	Material adverse government action. Change in the law. Refinancing
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	30 calendar days

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
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	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	No specific period of time regulated
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Not 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	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	No	
Modification/renewal 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. Subcontracting
Dispute resolution mechanisms	Yes	Local administrative review body. Domestic arbitration. International arbitration
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	No	
Minimum period of time to submit the bids	No	

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	Yes	Only specific accounting/reporting treatment
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	Specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	Yes	Assessments also available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	Yes	Detailed membership and/or qualifications not 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	35 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	10 calendar days. Standstill period set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Changes in the private partner during an initial period regulated. Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Regulations about: changes in the scope; changes in the risk allocation; changes in the economic balance; changes in the price or tariff
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Not regulated and do not happen in practice
Assessment to evaluate unsolicited proposals		
Vetting procedure and/or pre-feasibility analysis of USPs		
Evaluation of consistency of USPs with other government priorities		
Competitive PPP procurement procedure for USPs		
Minimum period of time to submit the bids		

NR

## Preparation of PPPs

Central budgetary authority's approval	No	
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	Yes	Detailed procedure established
Economic analysis assessment	Yes	Specific methodology developed
Fiscal affordability assessment	Yes	Specific methodology developed
Risk Identification	Yes	Specific methodology developed
Comparative assessment (value for money analysis)	Yes	Specific methodology developed
Financial viability or bankability assessment	Yes	Specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
Environmental impact analysis	Yes	Specific methodology developed
Assessments included in the RFP and/or tender documents	No	
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	Yes	

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## Procurement of PPPs

Evaluation committee members required to meet specific qualifications	No	
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	60 calendar days
Availability of various procurement procedures for PPPs		Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Participation of the team in procurement. Elaboration of a PPP implementation manual. Risk mitigation mechanism
System for tracking progress and completion of construction works	Yes	Performance information is published online
Monitoring and evaluation system of the PPP contract implementation	Yes	Private partner provides periodic information. Procurement authority gathers information. Performance information is published online
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	No	
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. Material adverse government action. Change in the law. Refinancing. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	To be regulated as part of a direct agreement or in the PPP contract
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure established
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	120 calendar days

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### 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	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	Specific methodology developed
Financial viability or bankability assessment	Yes	No specific methodology developed
Market sounding and/or assessment	Yes	No specific methodology developed
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 also available online
Standardized PPP model contracts and/or transaction documents	No	

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### 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	90 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage). Competitive dialogue and/or multi-stage tendering
Direct negotiation not discretionary	Yes	
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 publicly disclosed
Pre-bidding conference	No	
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	Yes	No specific period of time regulated. Standstill period not set out in the award notice
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Available online

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### PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. Elaboration of a PPP implementation manual
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Performance assessment against established criteria. Abatement of payments for non-performance. Private partner provides periodic information. Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Unilateral modification by the procuring authority possible. Regulations about: changes in the scope; changes in the economic balance
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Material adverse government action. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	Yes	
Minimum period of time to submit the bids	Yes	45 calendar days

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## Preparation of PPPs

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

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## 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	90 calendar days
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). 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 publicly disclosed
Pre-bidding conference	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	Yes	Detailed procedure established
Publication of award notice	Yes	Available online
Notification of the result of the PPP procurement process	Yes	Grounds for selection included
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	No	

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	Procurement authority gathers 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	Same qualifications legally required for the replacing entity
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	Yes	Approval by an additional government authority required. Regulations about changes in the scope
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure. Change in the law. Subcontracting
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	

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## 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	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	No	
Minimum period of time to submit the bids	No	

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## Preparation of PPPs

Central budgetary authority's approval	Yes	Both before tendering and contract signature
Fiscal treatment of PPPs	No	
PPPs' prioritization consistent with public investment prioritization	No	
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	Yes	No specific methodology developed
Market sounding and/or assessment	No	
Environmental impact analysis	No	
Assessments included in the RFP and/or tender documents	Yes	Assessments not available online
Draft PPP contract included in the RFP	Yes	Tender documents also available online
Standardized PPP model contracts and/or transaction documents	No	

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## 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	Not available online
Foreign companies permitted to participate in PPP bidding	Yes	
Minimum period of time to submit the bids	Yes	No specific period of time regulated
Availability of various procurement procedures for PPPs		Open procedure (single-stage tendering). Restricted procedure (competitive procedure with prequalification stage)
Direct negotiation not discretionary	Yes	
Tender documents detail the procurement procedure	No	
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	Yes	Results publicly disclosed
Financial model submitted with proposal	Yes	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Not available online
Notification of the result of the PPP procurement process	No	
Standstill period	No	
Negotiations with the selected bidder restricted	Yes	
Publication of contract	Yes	Not available online. Amendments not published

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## PPP Contract Management

System to manage the implementation of the PPP contract	Yes	Establishment of a PPP contract management team. PPP contract management team requires qualifications without specific detail
System for tracking progress and completion of construction works	Yes	
Monitoring and evaluation system of the PPP contract implementation	Yes	
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	Regulations about: changes in the economic balance; changes in duration; changes in the price or tariff
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. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	Yes	Expressly established in the regulatory framework
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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## Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
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	No specific period of time regulated

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### Preparation of PPPs

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

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### 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	Not 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		Open procedure (single-stage tendering). 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 publicly disclosed
Pre-bidding conference	Yes	Results not publicly disclosed
Financial model submitted with proposal	No	
Proposals solely evaluated in accordance with published criteria	Yes	
Treatment when only one proposal is received	No	
Publication of award notice	Yes	Not 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	Yes	
Publication of contract	No	

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### 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	
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	No	
Modification/renegotiation of the PPP contract (once the contract is signed) regulated	No	
Circumstances that may occur during the life of the PPP contract regulated	Yes	Force majeure
Dispute resolution mechanisms	Yes	Domestic arbitration. International arbitration. Investor-State Dispute Settlement (ISDS)
Lenders' step-in rights	No	
Grounds for termination of a PPP contract	Yes	Consequences of termination expressly regulated

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### Unsolicited Proposals

Regulation of USPs		Expressly regulated
Assessment to evaluate unsolicited proposals	Yes	
Vetting procedure and/or pre-feasibility analysis of USPs	Yes	
Evaluation of consistency of USPs with other government priorities	Yes	Detailed procedure not regulated
Competitive PPP procurement procedure for USPs	No	
Minimum period of time to submit the bids	No	

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## Scoring Methodology

Thematic area	What is measured	How it is scored
Preparation of PPPs	The Ministry of Finance or central budgetary authority approves the PPP project before launching the procurement process.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	A second approval by the Ministry of Finance or central budgetary authority is required before signing the PPP contract.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	Fiscal treatment of PPPs (budgetary, accounting and/or reporting treatment of PPPs). <sup>+</sup>	<b>A score of 0.5</b> if there is a specific budgetary treatment of PPPs, based on a regulatory provision. <b>A score of 0.25</b> if yes based on a recognized practice. <b>A score of 0.5</b> if there is a specific accounting and/or reporting system for PPPs, based on a regulatory provision. <b>A score of 0.25</b> if yes based on a recognized practice.
	Prioritization of PPP projects with all other public investment projects (for example, in the context of a national public investment system) to ensure consistency of PPPs with other public investment priorities. <sup>a</sup>	<b>A score of 1</b> if a specific procedure is detailed in the regulatory framework. <b>A score of 0.5</b> if consistency is required only as a general principle. <b>A score of 0.25</b> if yes based on a recognized practice.
	Socioeconomic analysis (cost-benefit analysis of the socioeconomic impact of the project). <sup>a</sup>	<b>A score of 1</b> if required and a specific methodology has been developed. <b>A score of 0.5</b> if required but no specific methodology has been developed. <b>A score of 0.25</b> if conducted according to a recognized practice but without a specific methodology developed.
	Fiscal affordability assessment, including the identification of the required long-term public commitments (explicit and implicit). <sup>a</sup>	<b>A score of 1</b> if required and a specific methodology has been developed. <b>A score of 0.5</b> if required but no specific methodology has been developed. <b>A score of 0.25</b> if conducted according to a recognized practice but without a specific methodology developed.
	Risk identification, allocation, and assessment (risk matrix). <sup>a</sup>	<b>A score of 1</b> if required and a specific methodology has been developed. <b>A score of 0.5</b> if required but no specific methodology has been developed. <b>A score of 0.25</b> if conducted according to a recognized practice but without a specific methodology developed.
	Comparative assessment to evaluate whether PPP is the best option as compared with other procurement strategies (value for money analysis, public sector comparator). <sup>a</sup>	<b>A score of 1</b> if required and a specific methodology has been developed. <b>A score of 0.5</b> if required but no specific methodology has been developed. <b>A score of 0.25</b> if conducted according to a recognized practice but without a specific methodology developed.
	Financial viability or bankability assessment. <sup>a</sup>	<b>A score of 1</b> if required and a specific methodology has been developed. <b>A score of 0.5</b> if required but no specific methodology has been developed. <b>A score of 0.25</b> if conducted according to a recognized practice but without a specific methodology developed.

Thematic area	What is measured	How it is scored
Preparation of PPPs (cont'd)	Market sounding and/or assessment (showing evidence of investors' interest in the market for the project). <sup>a</sup>	<p><b>A score of 1</b> if required and a specific methodology has been developed.</p> <p><b>A score of 0.5</b> if required but no specific methodology has been developed.</p> <p><b>A score of 0.25</b> if conducted according to a recognized practice but without a specific methodology developed.</p>
	Environmental impact analysis. <sup>a +</sup>	<p><b>A score of 1</b> if required and a specific methodology has been developed.</p> <p><b>A score of 0.5</b> if required but no specific methodology has been developed.</p> <p><b>A score of 0.25</b> if conducted according to a recognized practice but without a specific methodology developed.</p>
	Assessments included in the request for proposals and/or tender documents. <sup>+</sup>	<p><b>A score of 1</b> if yes based on a regulatory provision.</p> <p><b>A score of 0.5</b> if yes based on a recognized practice.</p>
	Assessments published online. <sup>b +</sup>	<p><b>A score of 1</b> if yes based on a regulatory provision.</p> <p><b>A score of 0.5</b> if yes based on a recognized practice</p>
	Draft PPP contract included in the request for proposals.	<p><b>A score of 1</b> if yes based on a regulatory provision.</p> <p><b>A score of 0.5</b> if yes based on a recognized practice.</p>
	Tender documents published online. <sup>b +</sup>	<p><b>A score of 1</b> if yes based on a regulatory provision.</p> <p><b>A score of 0.5</b> if yes based on a recognized practice.</p>
	Standardized PPP model contracts and/or transaction documents developed.	<b>A score of 1</b> if yes.
Procurement of PPPs	Bid evaluation committee members are required to meet specific qualifications.	<p><b>A score of 1</b> if a specific qualifications are detailed in the regulatory framework.</p> <p><b>A score of 0.5</b> if qualifications are required without specific detail.</p> <p><b>A score of 0.25</b> if yes based on a recognized practice.</p>
	The procuring authority issues a public procurement notice of the PPP.	<p><b>A score of 1</b> if yes based on a regulatory provision.</p> <p><b>A score of 0.5</b> if yes based on a recognized practice.</p>
	PPP public procurement notice is published online. <sup>b</sup>	<b>A score of 1</b> if yes.
	Foreign companies are allowed to participate in the PPP bidding process. <sup>+</sup>	<p><b>A score of 1</b> if no prohibition is in place.</p> <p><b>A score of 0</b> if foreign companies are prohibited from participating in a PPP bidding process.</p>
	The procuring authority grants potential bidders a minimum period of time to submit their bids.	<p><b>A score of 1</b> if yes based on a regulatory provision.</p> <p><b>A score of 0.5</b> if yes based on a recognized practice.</p>
	Legally required minimum period of time in calendar days.	<p><b>A score of 1</b> if the legally required minimum period of time is at least 60 calendar days.</p> <p><b>A score of 0.5</b> if the legally required minimum period of time is at least 30 calendar days.</p>
	Procurement procedures are available when procuring PPPs. <sup>+</sup>	<p><b>A score of 0.33</b> if open procedure (single-stage bidding) is available.</p> <p><b>A score of 0.33</b> if restricted procedure (competitive procedure with prequalification stage) is available.</p> <p><b>A score of 0.33</b> if either Competitive dialogue or multi-stage bidding process (other than prequalification) is available.</p>

Thematic area	What is measured	How it is scored
Procurement of PPPs (cont'd)	Direct negotiation with one or more than one candidate. <sup>+</sup>	<b>A score of 1</b> if neither is available at the full discretion of the procuring authority.
	The tender documents detail the procedure of the procurement process, providing the same information to all the bidders.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	If applicable, the tender documents specify the prequalification/shortlisting criteria in order to make them available to all the bidders. <sup>a</sup>	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	Interested parties/potential bidders can submit questions to clarify the public procurement notice and/or the request for proposals.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	Notwithstanding confidential information, the procuring authority discloses those questions and clarifications to all the potential bidders. <sup>a</sup>	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	Besides questions and clarifications, the procuring authority can conduct a pre-bid conference. <sup>+</sup>	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	Notwithstanding confidential information, the procuring authority discloses the content and the results of the pre-bid conference to all bidders. <sup>a</sup>	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The procuring authority requires the bidders to prepare and present a financial model with their proposals.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The procuring authority evaluates the proposals strictly and solely in accordance with the evaluation criteria stated in the tender documents.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	When only one proposal is submitted (sole proposals), the procuring authority follows a special procedure before awarding the PPP.	<b>A score of 1</b> if a specific procedure is detailed in the regulatory framework. <b>A score of 0.5</b> if sole proposals are considered valid as long as they meet the conditions outlined in the tender documents, based on a regulatory provision. <b>A score of 0.25</b> if sole proposals are considered valid as long as they meet the conditions outlined in the tender documents, based on a recognized practice.
	The procuring authority publishes the award notice.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The public procurement award notice is published online. <sup>b</sup>	<b>A score of 1</b> if yes.
	The procuring authority provides all the bidders with the result of the PPP procurement process.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The notification of the result of the PPP procurement process includes the grounds for the selection of the winning bid.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.

Thematic area	What is measured	How it is scored
Procurement of PPPs (cont'd)	There is a standstill period before contract award and before signing the contract in order to allow unsuccessful bidders to challenge the award decision. <sup>+</sup>	<b>A score of 1</b> if there is a standstill period. <b>A score of 0.5</b> if yes based on a recognized practice.
	The standstill period is at least 10 days. <sup>+</sup>	<b>A score of 1</b> if yes.
	The standstill period is set out in the notice of intention to award. <sup>+</sup>	<b>A score of 1</b> if there is a standstill period. <b>A score of 0.5</b> if yes based on a recognized practice.
	The regulatory framework restricts negotiations with the selected bidder between the award and the signature of the PPP contract. <sup>a</sup>	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The procuring authority publishes the PPP contract.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The PPP contract is published online. <sup>b</sup>	<b>A score of 1</b> if yes.
	The procuring authority also publishes any subsequent amendment made to the PPP contract. <sup>+</sup>	<b>A score of 1</b> if the amendments are published. <b>A score of 0.5</b> if yes based on a recognized practice.
PPP contract management	The procuring or contract management authority establishes a system to manage the implementation of the PPP contract.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	PPP management tools are available.	<b>A score of 0.2</b> if a regulatory provision includes the establishment of a PPP contract team. <b>A score of 0.1</b> if the establishment of a PPP contract team happens as a recognized practice. <b>A score of 0.2</b> if a regulatory provision includes the participation of the members of the PPP contract management team in the PPP procurement process. <b>A score of 0.1</b> if such participation happens as a recognized practice. <b>A score of 0.2</b> if a regulatory provision includes the elaboration of a PPP implementation manual or an equivalent document. <b>A score of 0.1</b> if such manual or equivalent document is elaborated as a recognized practice. <b>A score of 0.2</b> if a regulatory provision includes the adoption of a risk mitigation mechanism. <b>A score of 0.1</b> if such mechanism is developed as a recognized practice. <b>A score of 0.2</b> if a regulatory provision includes the establishment of personnel training programs. <b>A score of 0.1</b> if such personnel training programs are done as a recognized practice.
	PPP contract management team members are required to meet specific qualifications. <sup>+</sup>	<b>A score of 1</b> if specific qualifications are detailed in the regulatory framework. <b>A score of 0.5</b> if qualifications are required without specific detail. <b>A score of 0.25</b> if yes based on a recognized practice.
	The procuring or contract management authority establishes a system for tracking progress and completion of <i>construction works</i> under a PPP contract. <sup>+</sup>	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.



Thematic area	What is measured	How it is scored
PPP contract management (cont'd)	The procuring or contract management authority makes PPP construction information available to the public.	<b>A score of 1</b> if a regulatory provision mandates the availability of the PPP construction information to the public. <b>A score of 0.5</b> if such PPP construction information is available to the public as a recognized practice.
	The PPP construction performance information is available online. <sup>b</sup>	<b>A score of 1</b> if yes.
	The procuring or contract management authority establishes a monitoring and evaluation system of the PPP contract implementation after construction.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	Mechanisms included in the PPP contract's monitoring and evaluation system.	<b>A score of 0.2</b> if the regulatory framework provides for performance to be assessed against evaluation criteria set in the tender documents and the contract. <sup>+</sup> <b>A score of 0.1</b> if performance assessment against established criteria happens as a recognized practice. <sup>+</sup> <b>A score of 0.2</b> if the regulatory framework establishes the possibility of abating (reducing) payments for non-performance of operating obligations. <sup>+</sup> <b>A score of 0.1</b> if abatement of payments for non-performance happens as a recognized practice. <sup>+</sup> <b>A score of 0.2</b> if a regulatory provision mandates the private partner to provide periodic operational and financial data. <b>A score of 0.1</b> if provision of such data happens as a recognized practice. <b>A score of 0.2</b> if a regulatory provision mandates the procuring or contract management authority to periodically gather information on the performance of the PPP contract. <b>A score of 0.1</b> if such periodic gathering of information happens as a recognized practice. <b>A score of 0.2</b> if a regulatory provision mandates the availability of the PPP contract performance information to the public. <b>A score of 0.1</b> if such PPP contract performance information is available to the public as a recognized practice.
	The PPP contract performance information is available online. <sup>b</sup>	<b>A score of 1</b> if yes.
	Foreign companies are prohibited from repatriating the income resulting from the operations of PPP contracts. <sup>+</sup>	<b>A score of 1</b> if no prohibition is in place. <b>A score of 0</b> if foreign companies are prohibited from repatriating the income resulting from the operations of PPP contracts.
	The regulatory framework (including standard contractual clauses) expressly regulates a change in the structure (stakeholder composition) of private partner and/or assignment of the PPP contract.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The regulatory framework (including standard contractual clauses) specifically regulates the following circumstances regarding the change in the structure ( stakeholder composition) of private partner and/or assignment of the PPP contract:	<b>A score of 0.5</b> if any change in private partner during an initial period is regulated (e.g. construction and first five years of operation). <b>A score of 0.5</b> if a change affecting the controlling interest requires the replacing entity to meet the same technical qualifications as the original operator.
	The regulatory framework (including standard contractual clauses) expressly regulates the modification or renegotiation of the PPP contract (once the contract is signed).	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.

Thematic area	What is measured	How it is scored
PPP contract management (cont'd)	Modification or renegotiation of the PPP contract requires approval from a government authority, other than the procuring authority is required. +	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The regulatory framework specifically regulates the following circumstances regarding modification or renegotiation of the PPP contract:	<b>A score of 0.2</b> if a change in the scope and/or object of the contract is expressly regulated or <b>a score of 0.1</b> if based on a recognized practice. <b>A score of 0.2</b> if a change in the risk allocation of the contract is expressly regulated or <b>a score of 0.1</b> if based on a recognized practice. <b>A score of 0.2</b> if a change in the investment plan or duration of the contract is expressly regulated or <b>a score of 0.1</b> if based on a recognized practice. <b>A score of 0.2</b> if a change in the financial and/or economic balance of the contract is expressly regulated or <b>a score of 0.1</b> if based on a recognized practice.+ <b>A score of 0.2</b> if a change in the agreed price or tariff is expressly regulated or <b>a score of 0.1</b> if based on a recognized practice.+
	The procuring authority can unilaterally modify the PPP contract.+	<b>A score of 1</b> if unilateral modification without approval from a government authority other than the procuring authority is not possible.
	The regulatory framework (including standard contractual clauses) expressly regulates circumstances that may occur during the life of the PPP contract.	<b>A score of 0.2</b> if force majeure is expressly regulated or <b>a score of 0.1</b> if based on a recognized practice. <b>A score of 0.2</b> if material adverse government action is expressly regulated or <b>a score of 0.1</b> if based on a recognized practice. <b>A score of 0.2</b> if change in the law is expressly regulated or <b>a score of 0.1</b> if based on a recognized practice. <b>A score of 0.2</b> if refinancing is expressly regulated or <b>a score of 0.1</b> if based on a recognized practice. <b>A score of 0.2</b> if subcontracting is expressly regulated or <b>a score of 0.1</b> if based on a recognized practice. +
	The regulatory framework (including standard contractual clauses) allows for administrative and/or contractual complaint review mechanisms to address disputes arising from the implementation of PPP contracts.+	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	Resolution mechanisms available for disputes arising from the implementation of PPP contracts. +	<b>A score of 0.25</b> if a local administrative review body is available. <b>A score of 0.25</b> if domestic arbitration is available. <b>A score of 0.25</b> if international arbitration is available. <b>A score of 0.25</b> if Investor-State Dispute Settlement (ISDS) is available.
	The regulatory framework (including standard contractual clauses) allows the lenders to take control of the PPP project (lender step-in right) if either the private partner defaults or if the PPP contract is under threat of termination for failure to meet service obligations.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	Regulation of lender's step-in rights.	<b>A score of 1</b> if they are expressly regulated by the regulatory framework. <b>A score of 0.5</b> if they are expressly required to be regulated in the contract or <b>a score of 0.25</b> if based on a recognized practice. <b>A score of 0.5</b> if a direct agreement is expressly required to be signed with the lenders or <b>a score of 0.25</b> if based on a recognized practice.

Thematic area	What is measured	How it is scored
<b>PPP contract management (cont'd)</b>	The regulatory framework (including standard contractual clauses) expressly establishes the grounds for termination of a PPP contract.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The regulatory framework (including standard contractual clauses) also establishes the consequences for the termination of the PPP contract.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
<b>Unsolicited proposals</b>	The regulatory framework prohibits unsolicited proposals (thus not requiring any regulation).	<b>Not scored</b> (and expressly stated) when not regulated and not used in practice and when explicitly prohibited.
	The procuring authority conducts an assessment to evaluate unsolicited proposals.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The procuring authority conducts a vetting procedure and/or pre-feasibility analysis before fully assessing the unsolicited proposal. <sup>+</sup>	<b>A score of 1</b> if there is a vetting procedure. <b>A score of 0.5</b> if yes based on a recognized practice.
	The evaluation assessment ensures that the unsolicited proposal is consistent with the existing government priorities.	<b>A score of 1</b> if a specific procedure is detailed in the regulatory framework. <b>A score of 0.5</b> if the regulatory framework sets such goal without establishing specific procedures to achieve it. <b>A score of 0.25</b> if yes based on a recognized practice.
	The procuring authority initiates a competitive PPP procurement procedure when proceeding with the unsolicited proposal.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The procuring authority grants a minimum period of time to additional prospective bidders (besides the proponent) to prepare their proposals.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	Legally required minimum period of time in calendar days.	<b>A score of 1</b> if the legally required minimum period of time is at least 90 calendar days. <b>A score of 0.5</b> if the legally required minimum period of time is at least 60 calendar days.

*Note:*

a. An additional score of 1 is given if the regulatory requirement is respected in practice, according to contributor's opinion.

b. Questions referring to online availability are not scored when, according to contributors' opinion, projects have not been developed under the assessed PPP regime.

+ New questions or reformulated question introduced in *Procuring Infrastructure PPPs 2018*.

# Changes Introduced in *Procuring Infrastructure PPPs 2018*

*Procuring Infrastructure PPPs 2018* is still refining its methodology. There have been significant changes in the scope of the questionnaire in comparison with last year's *Benchmarking PPP Procurement 2017*, with new questions added and several others reformulated.

These changes in the survey imply that aggregated scores at the thematic level are not comparable between *Procuring Infrastructure PPP 2018* and *Benchmarking PPP Procurement 2017*. Therefore, changes in the scores should be interpreted with caution because they may be unrelated to regulatory reforms and depend only on changes in the scope of the assessment (and minor corrections from last year's edition).

The questions reformulated or added that are scored in this edition are identified in Appendix 1 with the symbol "+". The main changes in scoring by thematic area are the following:

**Preparation of PPPs:** Budgeting for PPPs; accounting and/or reporting for PPPs; environmental assessment and methodology; inclusion of assessments in request for proposals/tender documents; online publication of the assessments; and online publication of the tender documents.

**Procurement of PPPs:** Foreign companies prohibited (negative score); availability of procurement procedures; discretionary direct negotiation possible (negative score); pre-bid conference and disclosure of information about it; standstill period and information about the standstill period in the award notification.

**PPP contract management:** Qualifications of the contract management team; system for tracking progress and completion of the construction works; availability of information on construction to the public and online; two new sub-questions about monitoring and evaluation (regarding performance criteria and abatement of payments); foreign companies prohibited from repatriating income (negative score); approval by an additional government authority in case of renegotiation; two new sub-questions about specific regulations for renegotiation (economic balance and change in the tariff); unilateral modification (negative score if an additional government authority is not required to approve the renegotiation); new sub-questions in the question regarding circumstances of the contract (refinancing and subcontracting); availability of alternative dispute resolution mechanisms (question reformulated).

**Unsolicited proposals:** Vetting/pre-feasibility analysis.

## Procuring Infrastructure PPPs 2018 Transparency Scores

Considering the importance of transparency through the PPP life cycle, several questions were included in the survey instrument to assess whether economies adhere to international good practices in terms of disclosure of information to the public in the preparation, procurement, and contract management phases.

In the 2018 edition of the report, transparency scores were compiled by aggregating the scores for selected survey questions related to transparency and online publication of PPP materials in each of the three thematic areas: preparation, procurement, and contract management. The scores are presented on a range from 0 to 100, with economies with the highest scores considered to comply with international disclosure good practices.

Transparency is not an unequivocal concept and several other questions in the survey are also related to other forms of transparency. In particular, several questions refer to the transparency and fairness of the process regarding the information provided to the bidders. Those questions were not included in the transparency score.

The following questions were included and scored in calculating these cross-sectional transparency scores:



## Transparency Scoring Methodology

Thematic area	What is measured	How it is scored
Preparation of PPPs	Assessments are published online. <sup>a</sup>	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	Tender documents are published online. <sup>a</sup>	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	Standardized PPP model contracts and/or transaction documents have been developed.	<b>A score of 1</b> if yes.
Procurement of PPPs	The procuring authority issues a public procurement notice of the PPP.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	PPP public procurement notice is published online. <sup>a</sup>	<b>A score of 1</b> if yes.
	The procuring authority publishes the award notice.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The public procurement award notice is published online. <sup>a</sup>	<b>A score of 1</b> if yes.
	The procuring authority publishes the PPP contract.	<b>A score of 1</b> if yes based on a regulatory provision. <b>A score of 0.5</b> if yes based on a recognized practice.
	The PPP contract is published online. <sup>a</sup>	<b>A score of 1</b> if yes.
	The procuring authority also publishes any subsequent amendment made to the PPP contract.	<b>A score of 1</b> if the amendments are published. <b>A score of 0.5</b> if yes based on a recognized practice.
PPP contract management	The procuring or contract management authority makes PPP construction information available to the public.	<b>A score of 1</b> if a regulatory provision mandates the availability of the PPP construction information to the public. <b>A score of 0.5</b> if such PPP construction information is available to the public as a recognized practice.
	The PPP construction performance information is available online. <sup>a</sup>	<b>A score of 1</b> if yes.
	The procuring or contract management authority makes PPP contract performance information available to the public.	<b>A score of 0.2</b> if a regulatory provision mandates the availability of the PPP contract performance information to the public. <b>A score of 0.1</b> if such PPP contract performance information is available to the public as a recognized practice.
	The PPP contract performance information is available online. <sup>a</sup>	<b>A score of 1</b> if yes.

*Note:*


a. Questions referring to online availability were not scored when according to contributors' opinion, projects have not been developed under the assessed PPP regime.



## Notes

- 1 Trebilcock and Rosenstock 2015, 335.
- 2 Leviakangas, Ojala, and Toyli 2016, 10.
- 3 World Bank, <http://ppp.worldbank.org/public-private-partnership/overview/what-are-public-private-partnerships>.
- 4 Cruz and Marques 2013.
- 5 Trebilcock and Rosenstock 2015, 336.
- 6 United Nations, Sustainable Development Goals, <http://www.un.org/sustainabledevelopment/infrastructure-industrialization/>.
- 7 <https://sustainabledevelopment.un.org/sdg17>.
- 8 Zverev, 1.
- 9 Mouraviev and Kakabadse 2015, 182.
- 10 Moszoro et al. 2014.
- 11 Further details on the methodological changes are described in the project website at <http://bpp.worldbank.org>.
- 12 See glossary for the complete definition, also referenced at the beginning of this section.
- 13 See the glossary for the complete definition.
- 14 This assessment could be undertaken either through a cost-benefit analysis (CBA), a cost-effectiveness analysis, or multicriteria analysis, as appropriate, or other relevant methodologies.
- 15 Although interlinked, financial viability and market sounding refer to different aspects of the commercial viability of a project. The financial viability or bankability assessment compares the cost to operate, maintain, and replace assets with the benefit of the project using market prices, while market sounding evaluates the appetite for the project in the market, looking for evidence of investors' and private operators' interest in the project.
- 16 According to Section 17. (1) of the Federal Budget Law.
- 17 Law No. 96-766 of 3 October 1996, promulgated the Environment Code.
- 18 Article 7.2 of Decree No. 2012-1151 of December 19, 2012, relating to Public Private Partnerships contracts; Decree No. 96-894 of September 8, 1996, related to the rules and procedures applicable to environmental impact study of development projects.
- 19 Law No. 1/14 of April 27, 2015, related to the general regime of public-private partnership contracts.
- 20 Section 3.0, Step 4 of the Business Case Development Model; Section 3 of the Procurement Analysis Guide.
- 21 Section 4.3.3 of the New South Wales PPP Guidelines.
- 22 Section 5.2.1 of Volume 2 of the National PPP Guidelines.
- 23 Article 5 and 6 of the Circular on Issuing the Interim Measures for Administration of Information Disclosure for Public-Private Partnership Integrated Information Platform (Caijin [2017] No.1), published January 23, 2017. See <http://www.cpppc.org>.
- 24 Art. 26 of Decree 1350/14.
- 25 Section 60. (1) of the Federal Budget Law states that the competent line ministry shall reach agreement with the Federal Minister of Finance for the execution of any project [sec. 57 (1)] and creation of the related liabilities, the settlement of which upon maturity shall require expenditures by the Federal Government in multiple fiscal years or at least in a single future fiscal year (future obligations). The Federal Minister of Finance shall in the context of his or her collaboration take particular care to ensure that the prerequisites under sec. 58 (1) have been met and that the requisite report is submitted pursuant to sub-sec. 3 or that the required federal statutory authority under sub-sec. 4 is obtained.
- 26 Terminology and practice in this area vary across jurisdictions (pre-bid/pre-proposal/pre-tender). *Procuring Infrastructure PPPs 2018* emphasizes that when this type of interaction with the bidders is regulated or is generally done, there is also a requirement or recognized practice to disclose the results of such interactions to all bidders.
- 27 Some governments impose limits on when clarifications can be sought, to avoid revealing information close to the bid deadline that could benefit some bidders over others. When circumstances force the procuring authority to reveal information close to the bid deadline, the deadline should be extended to provide bidders enough time to reflect any new information in their proposals.

- 28 Pursuant to Article 46 (2) (a) of the EU Directives, a contract may not be concluded following the decision to award a contract falling within the scope of Directive 2014/24/EU or Directive 2014/23/EU before the expiry of a period of at least 10 calendar days with effect from the day following the date on which the contract award decision is sent to the tenderers and candidates concerned if fax or electronic means are used or, if other means of communication are used, before the expiry of a period of either at least 15 calendar days with effect from the day following the date on which the contract award decision is sent to the tenderers and candidates concerned or at least 10 calendar days with effect from the day following the date of the receipt of the contract award decision.
- 29 The Alcatel mandatory standstill period is a period of at least ten calendar days following the notification of an award decision in a contract tendered via the Official Journal of the European Union, before the contract is signed with the successful supplier(s). Its purpose is to allow unsuccessful bidders to challenge the decision before the contract is signed. It is named after a pair of linked cases in the European Court of Justice that are jointly known as the Alcatel case (Alcatel Austria v Bundesministerium fuer Wissenschaft und Verkehr, Case C-81/98). Within the United Kingdom, it was introduced by the Office of Government Commerce in 2005. The timelines in the discussion that follows are the minimum (of at least 10 days) under the Alcatel mandatory standstill period and show the days by which specific actions must be undertaken by the tenderer (a request for additional debriefing within the standstill period), and the contracting authority (notifying all tenderers of the award decision and completing any requested additional debriefing) in order to comply with the minimum period before entering into a contract (assuming no legal challenges are formally notified).
- 30 A more detailed description of the methodology, identifying the questions included in the Procuring Infrastructure PPP transparency scores, is provided in Appendix 3.
- 31 Lender step-in rights refer to a power under the PPP contract or in the applicable legislation for the lender to take control of the project in certain situations. Step-in rights are appropriate for limited recourse financing, where the lender is limited in its recovery of the project assets.
- 32 World Bank PPP Reference Guide 3.0, 3.6.3, Dealing with Change, p. 184.
- 33 Guasch 2004.
- 34 Armenia; Azerbaijan; Bosnia and Herzegovina; Chad; Congo, Rep.; Eritrea; Gabon; Guatemala; Lebanon; Malawi; Malaysia; Myanmar; Pakistan; Papua New Guinea; Rwanda; the Solomon Islands; Somalia; Switzerland; Tonga; and Zimbabwe.
- 35 Article 19 of the Croatian PPP Act. A similar approval is also required in the Czech Republic according to Article 186(1) of the Public Procurement Act.
- 36 Article 43 of the Djibouti PPP Law. Cabinet approval is also required in Jordan (Article 14 of the PPP Law) and Uganda (Section 26(8) of the PPP Act).
- 37 Article 8 of the Ecuador PPP Regulations.
- 38 Articles 54 and 55 of the Nicaragua PPP Regulation.
- 39 In Romania, if the modification or withdrawal incurs injury, the private partner is entitled to fair compensation according to the rules laid down in the public-private partnership contract. See Article 35 (3) of the PPP Law.
- 40 Article 47 of the Uruguay PPP Law.
- 41 Article 21 (12) of the 2014 Law of Togo.
- 42 Article 249 of the Law TRLCSP (complemented with Article 250).
- 43 Article 58 of the Implementing Procurement Regulation.
- 44 PPP Reference Guide 3.0, 3.6 Managing PPP Contracts, 155–56, 186–87.
- 45 EPEC 2011.
- 46 Sixteen economies do not explicitly regulate PPP contract termination: Angola, Armenia, Bangladesh, Georgia, Ghana, Honduras, Malawi, Myanmar, Nigeria, Papua New Guinea, Saudi Arabia, Solomon Islands, Switzerland, Timor-Leste, Tonga, and Trinidad and Tobago. In addition, Austria, Croatia, Eritrea, Estonia, Ethiopia, Malaysia, and Sri Lanka regulate PPP contract termination as a general practice, but have no regulatory basis for such a circumstance.
- 47 Art. 3.1.20 of the Order of Azerbaijan.
- 48 Part 19 of the New Zealand Government Treasury Standard Form Public Private Partnership (PPP) Project Agreement.

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- 49 Article 37 of the Indian Model Concession Agreement.
- 50 Termination and Force Majeure Provisions in PPP Contracts, European PPP Expertise Centre (March 2013), at 20.
- 51 Termination and Force Majeure Provisions in PPP Contracts, European PPP Expertise Centre (March 2013), at 10.
- 52 Sections 3.2.2 and 7 of the Benin PPP Guidance Note (Decree No 2014-349 of 2 June 2014).
- 53 Article 63 of the PPP Decree of Burkina Faso.
- 54 For Italy, see Article 176 (4) of the Public Contracts Code.
- 55 Article 32 of the Colombia PPP Law.
- 56 Private Participation in Infrastructure Database (<https://ppi.worldbank.org/>).
- 57 World Bank 2017b.
- 58 World Bank 2017b.
- 59 World Bank 2017c.
- 60 World Bank 2017b.
- 61 Hodges and Dellacha 2007.
- 62 World Bank 2017b.
- 63 Hodges and Dellacha 2007; World Bank 2017b.
- 64 World Bank 2017b, 2017c.
- 65 World Bank 2017b, 2017c.
- 66 Further details on the methodological changes can be found in the project website at <http://bpp.worldbank.org>.

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