

Public Private Partnership-Negotiating & Managing PPP

Cape Town (South Africa)

21 - 25 October 2024

UK Traininig

PARTNER



Public Private Partnership-Negotiating & Managing PPP

Code: OC28 From: 21 - 25 October 2024 City: Cape Town (South Africa) Fees: 3700 Pound

Introduction

In this Public Private Partnership-Negotiating & Managing PPP Training Course, we examine PPP from first principles to real-world examples, learning from the success and failure of PPP projects around the world. We introduce, demonstrate and test best practice recommendations for project evaluation, contractual drafting, procurement and contract management. In this Blackbird training Course, we dispel some common myths and misconceptions concerning PPP, and we address crucial practical issues such as community and stakeholder engagement, incentivizing or compelling contractual performance and dealing with requests for variation or renegotiation of contract terms.

PPP can mobilize private sector investment and expertise to provide much-needed infrastructure and public services. It can transform government departments and contracting authorities from being owners and operators of assets into knowledgeable purchasers of services from the private sector. However, with more than 110 countries competing for PPP funding and expertise, success depends on the development of public and private sector capacity and understanding of PPP.

Course Objectives of Public Private Partnership-Negotiating & Managing PPP

- Analyze and evaluate project proposals to decide whether they are suitable for PPP
- Apply best practice in procurement, promoting transparency, fairness and "bankability"
- Understand where contractual disputes are most likely to arise, and how to deal with them
- Decide how best to respond to problems, and how to rescue a PPP
- Determine how to secure and maintain political and public confidence in PPP

Public Private Partnership-Negotiating & Managing PPP Course Outlines

Day 1

PPP IN A GLOBALLY COMPETITIVE MARKET

- PPP and the "infrastructure gap"
- Global Competition for Funds and Expertise
- PPP vs. Privatization - dispelling the myths and misconceptions
- PPP Models and Structures
- What makes a "bankable" PPP?
- Using PPP for Social Benefit and Economic Empowerment
- Lessons from around the world - What can we learn from successful and failed PPPs?

Day 2



THE BENEFITS OF A STRONG PPP UNIT

- PPP is one approach, not the only approach
- Feasibility and Project Evaluation
- Assessing and Managing demand risks
- Community and Stakeholder Engagement - dispute avoidance, not dispute resolution
- Principles of Good PPP Procurement
- Dealing with unsolicited Project Proposals

Day 3

DRAFTING AND NEGOTIATING PPP CONTRACTS

- The Anatomy of a PPP
- Parties, Roles and Structures
- Regulating Assignment and Change of Control
- Governing Law and Jurisdiction
- Insurance and Guarantees
- Specifications, Deliverables, Service Levels and KPIs
- Using Payment Mechanisms to Incentivize and Enforce Performance

Day 4

MANAGING CRITICAL EVENTS IN PPP

- Termination for Cause
- Termination for Convenience or National Interest
- Compensation and Orderly Termination
- Rescuing a PPP: Exercising Step-in or Substitution Rights
- Force Majeure or Relief Events - keeping your PPP on track

Day 5

CONTRACT MANAGEMENT TO ENSURE LONG-TERM SUCCESS

- Understanding where Disputes are most likely to arise
- Monitoring Performance and ensuring actionable data
- Understanding Dates, Deadlines and Contractual Formalities
- Understanding and Avoiding the Risk of Wrongful Termination
- Managing Contractual change Mechanisms, Variation and Renegotiation



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