



ACTION 5.3

Output: Comparative Analysis Report- Questionnaire (to be elaborated by FB3)

Subject: Public and Private Partnership (PPP)

Contents:

- Projects identified to be included in the questionnaire as a reference point
- The proposed questionnaire for Adrifort Project

1.1 Projects identified to be included in the questionnaire as a reference point

1.1.1 The Ascend (Interreg IIIC) Project

Added value: economic impact of cultural heritage

Description:

Achieving the Socio-Economic Re-use of Military Land and Heritage (ASCEND) was an outstanding European project uniting eight regions affected by cutbacks within their national military forces.

The project, that ended in March 2008, was focused on designing a model management framework for the re-use of redundant military heritage. It includes 28 best practice case study examples that can be used to help regions throughout Europe faced with a large-scale military withdrawal. The case study examples are supported by a process model, setting out the key stages of a military regeneration initiative, as defined by ASCEND partners.

Led by Medway Council, ASCEND studied the topic under three component themes:

- converting military heritage sites to civilian use – management mechanisms, land-use planning procedures and community consultation requirements
- transforming abandoned military built heritage into proven tourism assets
- establishing former military sites as clusters of knowledge-based economic activity (universities, research and development, small and medium-sized enterprises).

For each ASCEND partner, military installations and bases have historically been significant contributors to the local economy – both as employers and as consumers of local goods and services. Each partner is at a different stage in the process of managing this major change, therefore a variety of viewpoints and perspectives are represented within the framework.



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The partners are united in a firm belief, however, that by adopting the right strategy, local and regional authorities can capitalise and rely on their military heritage to generate new economic activity, improve the quality of life for local residents and attract new businesses to the area.

Main Outputs to be considered for the Adrifort Project purposes:

PPP Case studies (in particular the one of Forte Marghera and of the fortified system of Venice Lagoon)

The Venetian Fortification's System (Piazza di Difesa Marittima) is an extensive variety of Modern and Contemporary Ages fortifications and buildings until the beginning of 20th century. It lies across the territory of six municipalities: mainly within the Venice Municipality itself but also Chioggia, Cavallino, Mira, Spinea and Marcon.

From the early Middle Ages, towers, fortifications and castles increasingly appeared on the lidos, defending the port openings and inner canals of Venice.

These buildings created the framework for the defence system which grew to include nearly 70 sites divided into an entrenched field on the dry land (Campo Trincerato di Mestre: developed since 1882 around the Napoleonic Fort Marghera), and a complex coastal defence line around the lagoon area. Nowadays it covers an area of 580 km² and it represents one of Italy's most important defence systems.

It includes many typologies of military architecture: it ranges from the most prestigious 16th century Sant'Andrea fort until World War One buildings.

The majority of the Modern Age defence system is located at the port openings and it was built between the 15th and 16th centuries. Between the 17th and 18th centuries lagoon batteries were added to defend the navigable canals.

During the 19th century the system was reinforced and enlarged by the French and Austrian armies. This was particularly evident during the second Austrian domination (1815-1866). The system was enlarged and completed during the 19th and 20th centuries by the Italian kingdom.

Today, the easiest to use buildings are on the entrenched field, and some have already been regenerated. The most important site, Forte Marghera, is undergoing detailed planning for re-use. The combined surface area of the entrenched field is 153 hectares, with a built surface area of 42 hectares. The fortification system presents a strong opportunity to create new cultural routes in Venice, offering sustainable alternatives to the usual tourist routes. The dry land fortifications constitute an important green belt within a chaotic urban development.

Since the 1970s the army has abandoned several fortifications. Many buildings were not maintained, and this has been a major contributor to their decay. In the mid 1990s, to groups of volunteers were granted the temporary use of part of these forts, after nearly twenty years of lobbying they succeeded to demonstrate their great potential for re-use. Thanks to this process seven of the 12 dry land forts have been purchased by the Venice Municipality.

The Venice Lagoon and the historic centre were granted World Heritage Site status in 1987. The development of the area is ruled by regional, provincial and municipal planning regulations, and in many cases the buildings are protected by the National Act 1089/39. The whole system is protected by the Special



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Act for the Safeguarding of Venice. The area is included in a Lagoon Master Plan and in the main Master Plan on regional development.

The Arsenale is a monumental complex of exceptional value, a symbol of the military, political and trading power of the Venice Republic, today covering one seventh of the whole city area (48 hectares). Activities related to shipbuilding (especially military) have characterised the site for eight centuries. Today the Arsenale is state owned, (62% by the Italian Navy, 2% by the Ministry of Transport and 36% State Property Board).

Shipbuilding ceased during the two World Wars and the Arsenale's military function is today reduced to the training of naval officers. Part of the military area was used for the celebrated Biennale exhibition, which made the restoration and re-use of the ancient ropery possible. Restoration has saved the most important buildings, but the complex needs greater investment to be completely re-used and given back to Venice.

The Venice Municipality, having defined the main objectives of an area plan in 2001, completed the Master plan for the Arsenale in 2005, foreseeing scientific research and production in the northern area, and cultural/exhibition activities in the southern area. The "civilian" northern area is managed by an agreement between the Municipality and State Property Board, and some production and ship refitting activities still exist. About 400 people work today in the dockyard. In addition the National Centre for Research will settle its headquarters in the Arsenale, through the restoration of ancient structures. The regeneration of the Arsenale today constitutes one of the main challenges for the future of Venice.

Model of re-use to capitalized in Adrifort Project

The ASCEND process model, intended to demonstrate the key stages in developing a socio-economic re-use for a site or building leaving military ownership, took shape over several months. It was originally foreseen as a flow diagram, or a series of flow diagrams that led the reader to a selection of possible uses for a former military facility.

However, ASCEND partners noted that key stage (2) in the process - 'understand your context' could not be adequately weighted in a flow chart.

Furthermore, matters such as "heritage worth" are much more difficult to quantify than I allowed by a flow diagram, with its restriction to 'yes' and 'no' answers (weighted matrices were considered, but rejected as not adequately simplifying the process for the reader, and potentially likely to introduce bias).

Finally, we opted to avoid the implication that our flowchart could provide the answers, or that a single specific solution could easily emerge from a uniform set of options. What the ASCEND process model provides is the context, or framework for defining and narrowing possibilities.

The model is designed to be used by anyone responsible for a piece of former military land or heritage, whether in the public or private sector. It can be used to test a proposal for re-use, to broaden options for re-use, or to provide considered inspiration if no concrete proposals have been made.

The process model is a working model - at several stages, readers are prompted to re-enter the triangle at a higher stage: mainly to verify that assumptions and findings hold true in practice, and to accommodate new information or stakeholders. Key stage (9) however, should be revisited at regular periods agreed by the management plan / management group. Whilst preserving and re-using military land and heritage requires



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tremendous effort in the theoretical sphere - devising, planning, conceptualising and integrating to list but a few of the activities involved - heritage is firmly rooted in the physical, practical world and complacency in equating the two (by relying on a static correlation) may detract from the optimum outcome.

The main premise that underpins the model is that whenever possible, military heritage must pay its way. We live in a world with increasing numbers of sites of great significance - from military, industrial, religious, natural, cultural and many other spheres - and sustaining each and every one in a display case is both highly impractical and frequently undesirable. These sites once breathed life and generated their own, often substantial, wealth - to deny them the chance to do this again may seem at least unfair, if not overbearing. Allowing them to integrate once more with their surrounding land and community restores their importance and potential, and gives them a renewed purpose.

The ASCEND process model takes as its starting point a site that is clear of contamination (pollutants and residual arms / mines etc), and is environmentally safe for re-use. Readers who are at an earlier stage, needing still to address these issues, are invited to consult the many publications produced by the NATO Committee on the Challenges of the Modern Society on these subjects. (A full list can be found at www.nato.int/ccms/publi-2.htm)

It should be noted at an early stage that the costs of decontamination can often outweigh the commercial value of the site. These costs must however be considered alongside the cost implicated in simply making the site safe and secure, and the quality-of-life and environmental impact of leaving redundant brownfield land (and thereby forcing new development onto greenfield land). Furthermore, varying levels of decontamination can be considered appropriate

(fit for purpose) depending upon circumstance.

The key stage of the model to be considered in ADRIFORT

(1) Assess Heritage Worth:

Aim: *To determine what aspects of a site need to be preserved due to historic, architectural or other, significance, and to what extent. This allows preliminary scoping of re-use options.*

(2) Understand your Context:

Aim: *To set significance within parameters that allow the information to be translated into a provisional set of ideas.*

(3) Vision / Options Appraisal:

Aim: *To funnel the information gained from key stages (1) and (2) to produce a set of viable re-use options for comparison.*



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(4) Assemble Stakeholders - Consult Community

Aim: To ensure that a chosen course of action is approved by all those with a legitimate interest, and to refine plans based on additional knowledge from the community.

(5) Feasibility Analysis:

Aim: To explore in depth a limited set of re-use alternatives, to facilitate optimum approach and to provide guidelines and a context for the development of a master plan (action plan and business plan).

(6) Conservation Management Plans and Identifying Resources

Aim: To ensure that the significance of the site is respected and reflected in development plans for the site and for the region, and thereby preserved for future generations. To provide a tool for the implementation of plans, and for the presentation of objectives to funders. To define key development constraints.

(7) Agreement:

Aim: To convert the expertise gained and the vision formulated into a formal contract or partnership agreement that establishes the roles, responsibilities and timescales for all actors in the project.

(8) Implement:

Aim: To translate the results of the theoretical exercises into the practical realm, and begin to realise the vision.

(9) Evaluation:

Aim: To ensure that activity is achieving the goals desired within the agreed parameters (time, cost etc). To determine whether the project is unfolding as predicted, and in the best interests of all concerned. To verify if the work plan remains the most appropriate course of action. To see if any areas of the project could be improved by an alternative approach....



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1.1.2. The ACT4PPP (Central Europe) Project

Usefulness: schemes for the contractual organisation and cooperation between Public and Private Actors

Description:

Many cities and regions in Europe are increasingly challenged by their responsibilities to provide public services and infrastructure, to offer social housing or to develop brownfield sites etc. To increase their capacities and the efficiency of public actions they search for private partners for co-operation, joint actions and institutionalised public private partnerships (PPP). ACT4PPP provides a platform for cities and regions from all over Central Europe to exchange experiences and know-how and assist them in applying more and better targeted public private co-operations.

Only in few European countries the PPP approach has become an established development vehicle, whereas in most cities and regions, PPPs are viewed curiously, if not cautiously. By now there is neither an officially standardised and European wide valid definition of PPP nor does PPP serve as a 'one-size-fits-all' solution. There is the need to set individual solutions for each single planned measure. Thus, ACT4PPP helped to enable the project partners to develop specific strategies for the public private realisation of their single public service or infrastructure as well as complex site developments.

For this reason, the project outlines different kinds of cooperation of public authorities with private companies.

The ACT4PPP project, gathering 17 partners from seven different countries in Central Europe, explores different fields of PPPs in the upcoming years. The transnational cooperation project is elaborating complementary results and tools for PPPs realisation, containing practical work, theoretical background, information and good practice examples with training and expertise elements. Beside, **pilot projects** on local and regional level will have a high impact on the local PPP development, but will also be fruitful sources of experiences and know-how for the transnational work. **PPP framework know-how** on legal and planning issues will serve as a theoretical guide for the pilot activities on PPP within this network and external actors. The results of these pilot activities will be brought together in the **PPP compendium** a general guidebook, helpful for external interested actors wanting to get hints how to structure a successful and sustainable public private partnership. As a practical long-lasting tool the ACT4PPP network will elaborate a **PPP training module**, giving detailed experience on crucial elements for PPP implementation. This training module will be elaborated and tested during the ACT4PPP lifetime but will be available later on for the broad public. ACT4PPP will hold public forums like the one in Ostrava regularly during the project lifetime. These broad discussions are open to all interested bodies and will emphasise crucial PPP topics. To share the results and experiences with actors interested in PPP, the project will set up a **PPP competence network**, gathering PPP experts from various public and private levels, backgrounds and regions. With this tool, starting during the ACT4PPP project lifetime, experiences and know-how will remain accessible also after the project end and further regions and cities can benefit from the expertise being concentrated in PPP.



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ACT4PPP is co-funded by the European transnational cooperation programme CENTRAL Europe an INTERREG IVB project which will generate an additional benefit by generating knowledge through exchange. The results are not only limited to participating partners, in contrary, the outcomes and solution of this transnational collaboration will be as well a great value for other cities in Central Europe. Also the German and Italian ministries.

Keyfacts:

- Partnership – 17 project partners from 7 countries working on 12 pilot projects
- Duration – 3 years from October 2008 until December 2011
- Project budget – 3.8 Mio. €
- Implementation – through the CENTRAL EUROPE programme co-financed by the ERDF

Main Outputs to be considered for the Adrifort Project proposes:

PPP Case studies (in particular that of Forte Marghera)

Forte Marghera is a former military complex totally included in the territory of the Municipality of Venice and located in the part of the mainland of the city close to the industrial area. Forte Marghera is part of a larger system of fortresses around Venice, which partly functions as exhibition areas and for other public uses. At the end of the cold war the interest in this military infrastructure decreased, as a consequence the Italian Army left Forte Marghera in 1996.

Afterwards, a provisional management was set up by the Municipality of Venice and Forte Marghera was used by associations or for public events. In 2003 Venice decided to purchase Forte Marghera from the Ministry of Defence. Marco Polo Systems geie was appointed by the Municipality of Venice to do an evaluation of Forte Marghera and its future development. First guidelines for the recovery and the reuse have been set up and a plan for a territorial marketing through the involvement of private actors has been elaborated. In June 2008 the Municipality of Venice has published a “Call for Manifestation of Interest” for private actors to the use of areas of Forte Marghera in the frame of urban and architectonic valorisation of the former military complex. The fort was bought by the Municipality of Venice from the Ministry of Defence for EUR 9m in 2009.

The aim of the pilot project in the frame of ACT4PPP is the re-utilization of the Forte Marghera complex through PPP. Therefore a masterplan for the urban recovery of Forte Marghera will be prepared and it will be defined the most effective tool for a sustainable PPP path.

Marco Polo Systems (MPS) proposed the town council to carry out preliminary studies and the tender procedure within ACT4PPP.

The following activities have been carried out already in the frame of the pilot project (to be used in Adrifort Project):

- analysis concerning the reuse and possible management structures as well as examination of the objective material conditions of Forte Marghera;



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- elaboration of a mathematic model for the calculation of the investments and their profitability (cash-flow analysis);
- communication and marketing strategy
- definition of the most effective tool for a sustainable PPP path

Results Act4PPP to be capitalized and included in the Adrifort questionnaire/analysis

Experience, approaches and results be capitalized

An expert team consisting of 2 spatial planners, 4 architects, 3 engineers, 2 attorneys and 1 economist was set up with MPS in order to work on the project. The topics they had to deal with at the beginning were related to town planning, mobility, environment, ecology and climate, soil and groundwater pollution, architecture and cultural heritage management, barrier-free planning and construction, energy efficiency and renewable energy, economic and financial feasibility study, public tender procedure and contract agreement and process management of the redevelopment.

Concerning the cultural heritage management it was clear that some of listed buildings on the area are heavily in need for rehabilitation, which will be very expensive. Moreover, the project development of the area faces additional restrictions due to the fact that the cultural identity of the whole complex has to be retained. That means physical transformations are very limited and need to be approved by the authorities.

According to legal regulations the whole area has to primarily serve public functions because the area was bought under the rule of precedence purchase by public authorities. This limits the possible functions of Forte Marghera over the next 30 years. Moreover, contamination of soil and groundwater puts further constraints to the project development. The costs for soil and groundwater reclamation may be up to EUR 100m and the time needed to complete the reclamation can be 10 or more years.

The usage of the area could also lead to an increase of the individual motorized mobility, which the area is not capable of. For that reason, collective or non-motorised means of transport should be planned and put in use.

Furthermore, an economic and financial evaluation of different development scenarios has been carried out. For this purpose a cash-flow analysis with a Monte-Carlo Simulation has been used. The first scenario which was looked at was the “conservative” scenario where everything is retained as it is today, but with a restoration of existing buildings and the localization of new functions. The second scenario is named “moderately innovative” and includes restoration only in some areas and demolition and new construction for other areas. The “innovative” third scenario is



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similar to the second scenario but with additional buildings also in the central redoubt. The result of the analysis for the next 30-40 years has shown that not even the third scenario has proven to offer a reliable investment perspective for a private investor, because the costs for purchasing, reclamation, transformation and management are too high compared to the possible achievable revenues. The public administration would have to contribute at least EUR 80m – EUR 100m. For that reason, the public owner, the City of Venice has to subsidize the development by a private investor or needs to find other ways for more publicly oriented ways for the development.

One strategy could be a public approach where the municipality bears the development risks and costs itself and can get in return a more intensive public use of the area. For example, the area could be used by the University of Venice. Secondly, another strategy of “auto-redevelopment” could be followed where the current users of the area slowly develop parts and contribute to the redevelopment costs. That is the strategy which is been used at the moment and might lead to a further collapse of some of the houses.

At the moment, the idea of searching a private investor was abandoned because the City of Venice would have to subsidize the project further to make it feasible for a private investor while fearing that the public interest in the area could not be preserved

Recommended next steps for the project

- Search for usages/functions for single buildings and provide public support for basic functions of the area.
- Think about a different PPP model where parts of the (external) costs for historical preservation and reclamation of the contamination are covered by the public authorities and private partners are given incentives and freedom to develop project ideas
- Promote transnational cultural activities on the area and use EU funding possibilities as well as sponsorship or donations to pay off for the external costs

Lessons learnt within ACT4PPP

- There is a political risks to PPP approaches because they depend heavily on public commitment
- For historical buildings it is often very difficult to find a suitable future use and, thereby, secure the preservation of these buildings. Often they have no commercial usage or involve higher costs because of preservation regulation, so that public funding is necessary

Lessons to take and schemes of PPP to adopt

The most perceived definition of PPP could be as follows “ PPP is a general term for the cooperation of the public and private sectors, established in order to utilize sources and capabilities of the private sector in securing



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public infrastructure and public services. Individual PPP variants, if professionally and successfully applied, improve the quality and effectiveness of public services, including the performance of state administration, and speed up implementation of significant infrastructural projects with a positive impact on the development of the economy.” But it is also evident that it is not a mathematic formula that finds a constant and immediate application, but instead it requires the deepening of a series of elements very rarely easily replicable with different socio-economic contexts. The PPPs, in the form of agreements or ventures between one or more public agencies on one side and one or more private enterprises on the other, have become increasingly popular as an effective way to provide services for the use of the general public in various areas. Starting from a broader perspective of cooperation, it is undoubtedly advantageous to have an opportunity to share knowledge gained through successful PPP projects amongst neighbouring countries. Not only is such experience PPP more accessible in general, but it is usually based on similar baseline conditions, such as a common legal heritage and the overall legal system, or level of economic development. These experiences being based in similar environments are consequently in most cases directly relevant. Furthermore, regional co-operation creates a more attractive investment climate, either because it increases the number of national projects, or because it creates more regional PPP projects, such as those relating to energy, transport, ecology or other fields that have a possible regional impact. Success in PPPs in the region activates an endogenous positive process and everyone in the region benefits. Both regionally and at a national level the model becomes more sustainable. In the scientific literature of the PPP it is unanimously acknowledged that PPPs are set up because there is a mutual benefit both for the public and the private sector through their joint actions. The pillar of the PPP construction is that both the public and the private sector have specific qualities, and if those qualities are combined, then the final result will be an asset for all the actors involved. The ground of this is the cooperation that will achieve a new product or service that no one would have predicted if either the public or private actor would have followed by themselves their specific roadmap. In this framework the PPP partnership is featured by a long term joint commitment that is synonymous of a long-lasting contract endorsed by a synergic cooperation. A significant definition of PPP is done by the Dutch public management scholars van Ham and Koppenjan who define a PPP as “cooperation of some sort of durability between public and private actors in which they jointly develop project activities and goals and services and share risks, costs and resources which are connected with these products”. This definition highlights some key-points: A) it underlines the long-term length of the cooperation in the framework of an overall contract; B) it emphasizes risk sharing as a pivotal component and other



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factors to be shared as well; C) both public/private parties in a partnership agree together on equal terms in the sense that both have to bear parts of the risks involved; D) a PPP process tackles a comprehensive range of type of risks, starting from the most immediate ones that are the financial risks, but also the so called democratic and political risks must be taken into account. Last but not least they must be considered also the substantive risks connected to the subject matter at hand; E) the achievements and the final results of the PPP process are either products or services that will benefit all the participant public and private parties.

A further specific feature of the cooperation in a PPP process is the organisational framework that can take place in mutually built organisations like a joint venture company or a purpose built organisation. The starting point of the organizational aspect of the PPPs is its double dimension:

- 1) the finance dimension : how are public and private actors engaged financially in PPPs? This feature is deepened in the thematic report of WP4;
- 2) the organisational dimension

Webb and Pulle define the PPPs as “partnerships between the public and private sectors for the financing, design construction operation and maintenance, and/or provision of assets or infrastructure and associated services to be provided by the private sector”. The ground of the partnership is a negotiated contract finalised by the relevant public/private actors participating in a whole PPP process. The finalisation of PPP contracts is a complex and extremely complicated process due to the difficulty to cover in detail all the effects and the risks associated with large and long-term PPP projects. It may therefore take a long time to negotiate all the contract terms which increases the costs and prolongs the project time in the introductory phase. PPP agreements are typically viewed as being particularly prone to contractual incompleteness. Consequently PPPs often present risks that can make hold-up to become an issue. A welfare-maximising public partner should offer renegotiations and higher compensation to avoid the hold-up problem in the public procurement of specific goods when necessary innovations drive cost increases that were unforeseeable by both actors. Another way of managing the non-fulfilment of a PPP contract would be for the procuring entity to ask for safeguards like surety bonds when negotiating the project. This can provide a guarantee against interrupted delivery or complete withdrawal due to financial distress, e.g. by assuring commitment from company owners. However, its applicability is probably very dependent on the



context of the PPP-project. Surety bonds seem to work well in the construction industry, where the aim is to make sure that a building or any type of construction is completed. In a transportation sector PPP that includes both a construction stage and an operational stage, a loss-making firm may regard the surety bond as a sunk cost and exit the contract. In addition to non-opportunistic hold-ups it also happens that actors consciously provide incomplete or distorted disclosure of information to gain an advantage in a complex transaction. These types of hold-ups are much more difficult to handle with simple rules as they thrive on opportunistic behaviour. They may only gradually become apparent to the other actors involved in a long-term project as they acquire information about the project's functioning and effects. We can witness a reduced flexibility with long-term contracts and lock-ins. In fact many PPP projects presume long-term commitment from all parties, which may create lock-ins and reduced flexibility. Lock-ins may sometimes be exploited strategically, as in the case of hostage-taking. This refers to when one party has made a sunk investment in a second party, an investment that presumes that the relationship continues. The second party may use this sunk cost as a hostage to hold up the first party, ensuring that a sequence of transactions takes place or seeking renegotiations in its favour. In case a project is profit-making the actor in control of costs and revenues can continue to manage the project as long as it wants. However, if the project is loss-making the actor in control can either demand a renegotiation – see the discussion above – or dissociate itself from the project by accepting any sunk costs. This means that the public partner is in a potentially disadvantageous position. All profitable projects will continue without renegotiations and all loss-making projects stand the risk of being renegotiated or terminated. There is not a clear rule on the definition of the parts on the contract and their type of application. Each PPP process and their contract have unique features due to several endogenous and exogenous elements that differs in each case.





1.2 The proposed questionnaire for Adrifort Project

In order to highlight the required information/experiences in the field of PPP, we propose the following questionnaire to be filled up by Adrifort Partnership.

*Is there a law that regulates PPP in your country?
(if there is an English version available, please send it)*

When it was adopted? (year)

As far as you are informed, is the law functional?

Is there a specific public body supervising / responsible for the PPP?

Are you familiar with PPP best practice examples in the field of cultural heritage in your country?

Are local public authorities in your territory involved in PPP projects? (Are these projects heritage-related?)

Briefly summarize your experience in PPP projects focus on:

- *Purpose of the PPP project*
- *The reasons that encouraged to discuss / implement PPP schemes*
- *Financial flows implicated*
- *Advantages / disadvantages detected*
- *Type of private partner involved*
- *Type of agreement with the private sector (PPP scheme) adopted*
- *Involvement of external technical support*
 - *Long-term effects*



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