

Leveraging Maryland's Public-Private Partnership (P3) Legislation for Investment in Transportation Technology

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Towards a More Comprehensive P3 Approach



Maryland's P3 Definition

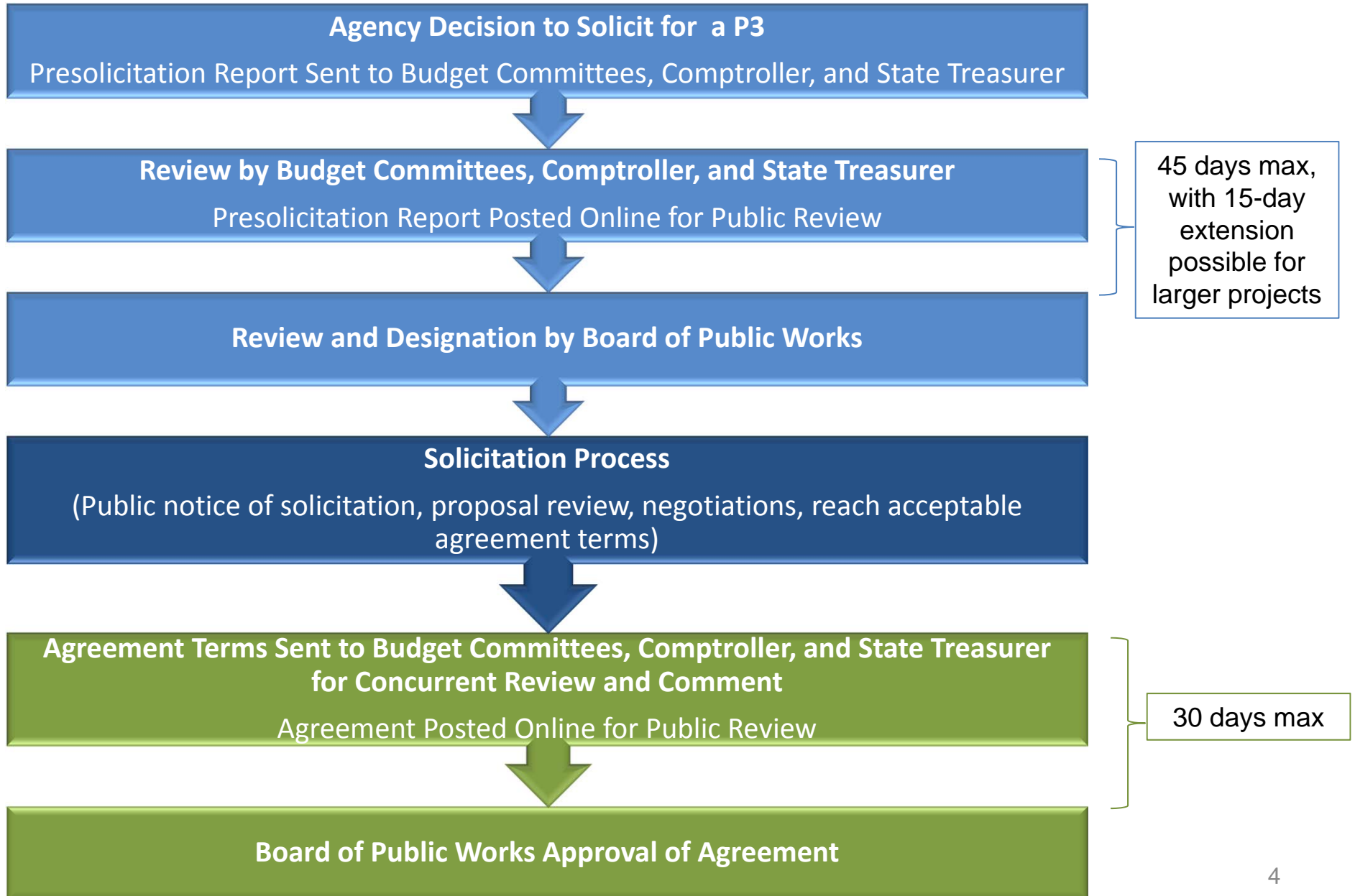
Method for delivering public infrastructure assets using a **long-term, performance-based agreement** between a Reporting Agency and a Private Entity where appropriate risks and benefits can be allocated in a cost-effective manner between the contractual partners in which:

- Private Entity performs **functions normally undertaken by the government**, but the Reporting Agency remains ultimately accountable for the public infrastructure asset and its public function; and
- State may retain ownership in the public infrastructure asset and the private entity may be given additional decision-making rights in determining how **the asset is financed, developed, constructed, operated and maintained over its lifecycle.**
- Does **not** include an asset sale or a short-term operating space lease.

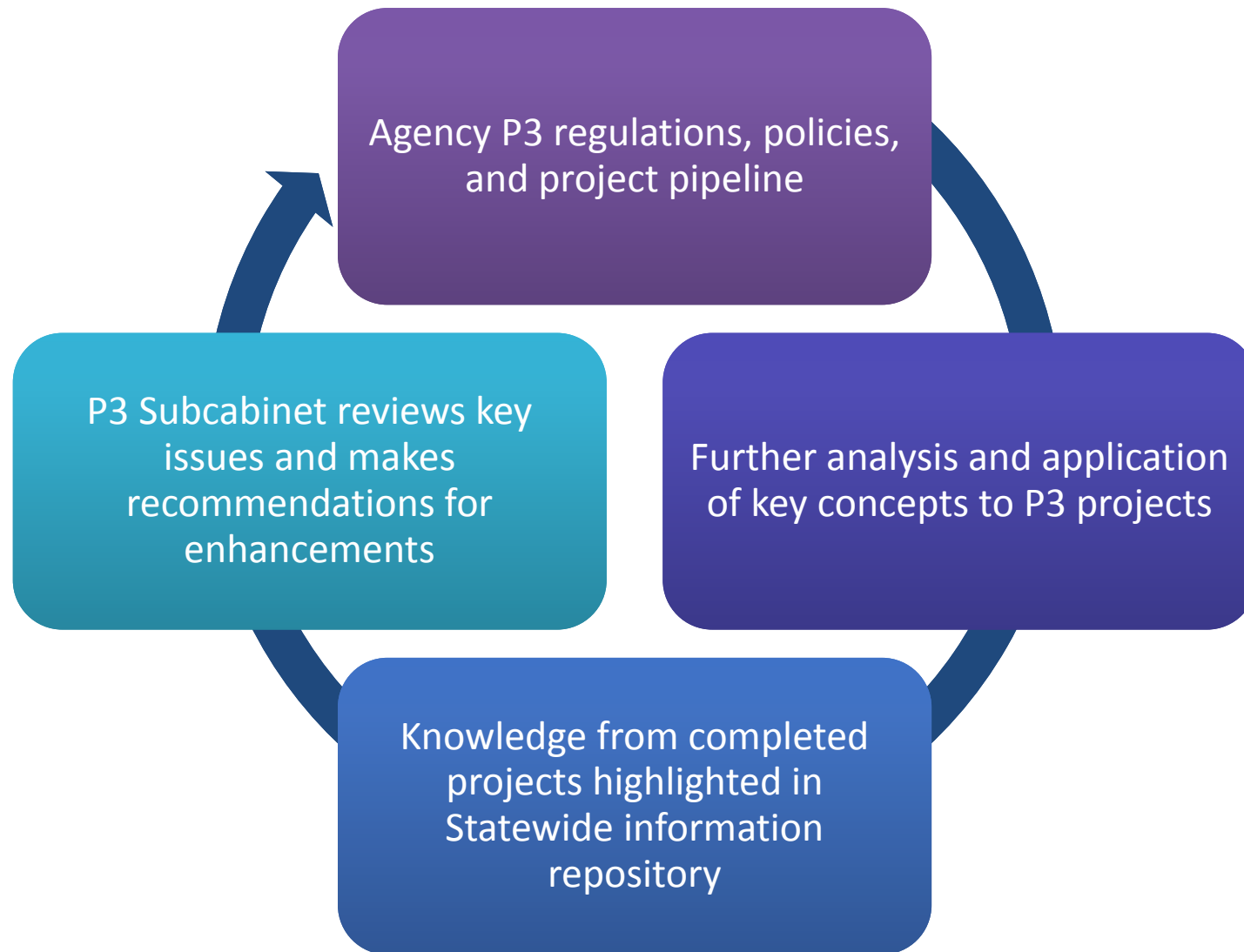
Key Details of P3 Law

- **Creates predictable, transparent, and streamlined approach, incorporating best practices and lessons learned from other states, while addressing the needs of Marylanders**
- **Allows agencies to consider unsolicited proposals for potential competitive solicitations**
- **Outlines key requirements for competitive solicitation processes**
- **Exempts P3s from state procurement (Division II of State Procurement Article)**
- **Requires that reporting agencies promulgate regulations for the development, solicitation, evaluation, award, and delivery of future P3 projects**
- **Requires that the Board of Public Works (BPW) review and designate any potential P3, ensuring that future P3 projects receive the highest level of scrutiny BEFORE the State seeks bids from potential partners**
- **Outlines key terms and provisions that should be part of a P3 Agreement**

Maryland's P3 Oversight Process



Executive Order established P3 Subcabinet and framework for collaboration and knowledge sharing



P3 Regulations

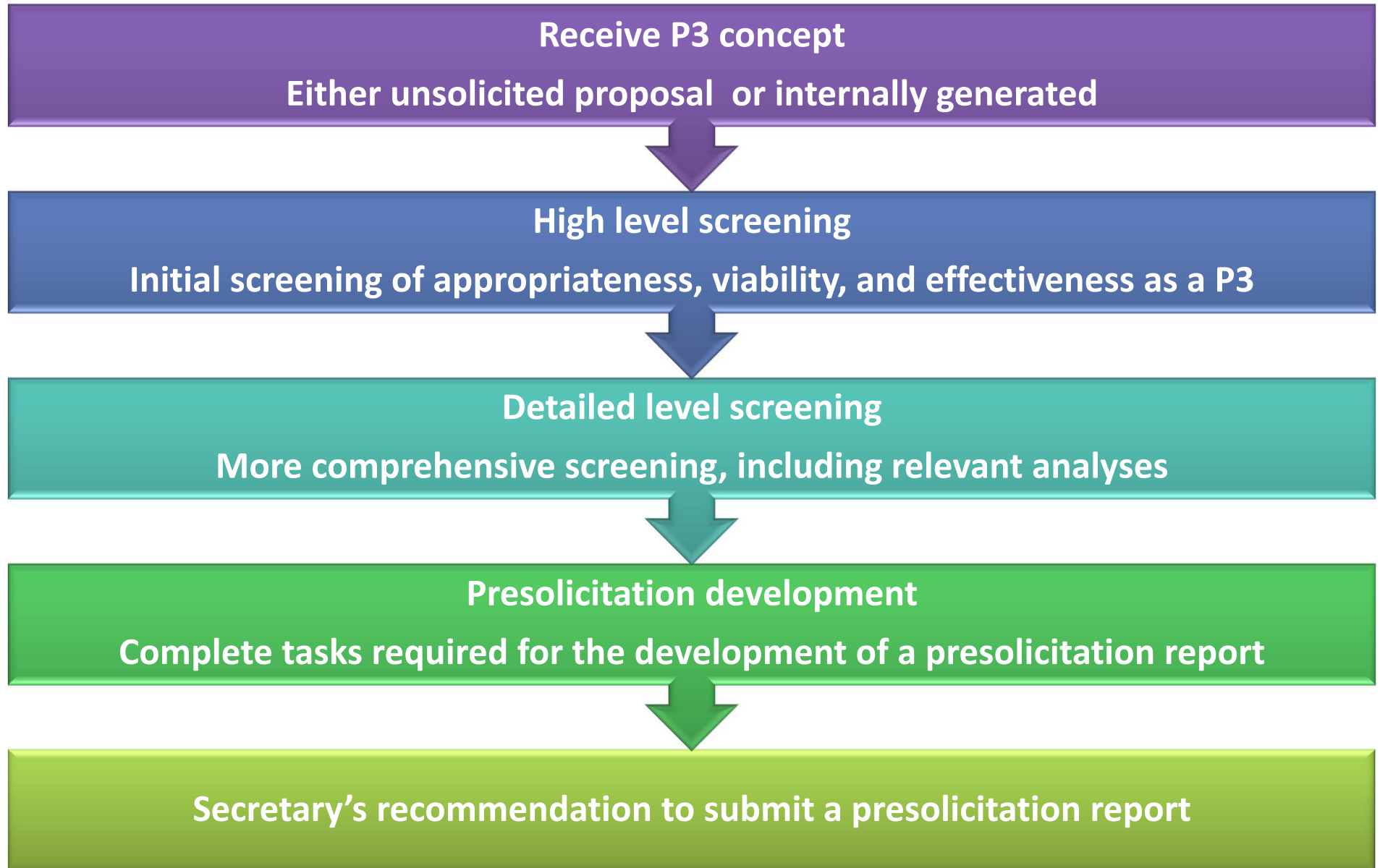
- **Processes for identification, screening, and advancement of P3 concepts, including:**
 - Process for unsolicited proposals
 - High level and detailed level evaluations of potential P3 concepts
 - Presolicitation report development
- **Components of a multi-phase solicitation process, including:**
 - Requests for Qualifications
 - Requests for Proposals (draft and final)
 - Information availability during solicitation process
 - Industry review meetings
- **Details regarding potential reimbursements**
- **Framework for evaluation, negotiation, and award of P3s**
- **Timeline for Regulations:**
 - Department of Transportation/Transportation Authority: Summer/Fall 2013
 - Department of General Services: Winter 2013
 - University System: Spring 2014

P3 Unsolicited Proposals

Should contain key information required to conduct high-level screening of proposed P3 concept including, but not limited to:

- **Preliminary ideas of scope, schedule, and project lifecycle considerations**
- **Preliminary qualitative evaluation of relevant benefits and cost**
- **Preliminary description of financial concepts**
- **High-level description of financial feasibility**
- **Relevance to other transportation facilities/public infrastructure assets**
- **Rationale for a P3 delivery method relative to a conventional project delivery approach**
- **Clear indication of any proprietary information that should be protected**

Evaluating Potential of P3 Concepts



Contact Information

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