



Legal and administrative environment for ppp in Czech republic

Filip Drapák, PPP Centrum of Czech republic
Bruxelles, October 2006

D47 DEVELOPMENT AFTER D47



AFTER D47

- NO LEGISLATION PPP SPECIFIC
- NOT EVEN LEGISLATIVE OPTIMISATION
- NO REGULATION PPP SPECIFIC
- NO COMPETENCE
- NO FORMAL PROCEDURE
- NO ECONOMIC/RISKS EVALUATION METHODOLOGY
- NO KNOWLEDGE WITHIN PUBLIC/PRIVATE SECTOR
- „PPP LAW“ ON COCESSIONS
- LEGAL FEASIBILITY, SOME LEGISLATIVE OPTIMISATION
- REGULATOR SET UP WITHIN MF
- PPP CENTRUM SET UP AS COMPETENCE CENTRE
- FORMAL PROCEDURE METHODOLOGY DELIVERED
- METHODOLOGY DEVELOPED
- PUBLIC AND PRIVATE KNOWLEDGE ENHANCED

AFTER D47 IN DETAIL



1. **LEGISLATION** under Act 139/2006 about concession agreement
2. Government approved **POLICY** on ppp (decision numb.7 from 7.1.2004)
 - Definition of procedures, institutions and goals
3. 2004 March **Regulator set up in MF**, control procedures and approval procedures under regulator supervision
4. **May 2004 PPP Centrum set up and 100% owned by MF**, project management, methodology and knowledge support
6. **All ppp projects procured** according to Act 139/2006 under UHOS

Applicable only for central government bodies

7. **Test on VFM** are mandatory by Act 139/2006 and under direct control of MF

PROCEDURES IN PPP APPROVAL FOR PILOT PROJECTS



Gateways of control procedure

1. Strategic fit
2. Economic advantage
3. Procurement strategy
4. Investment decision
5. Availability control
6. Evaluation of benefits

Steps of project preparation and execution

1. Project selection
2. Feasibility
3. Procurement preparation
4. Concession procurement
5. Contract conclusion
6. Project management

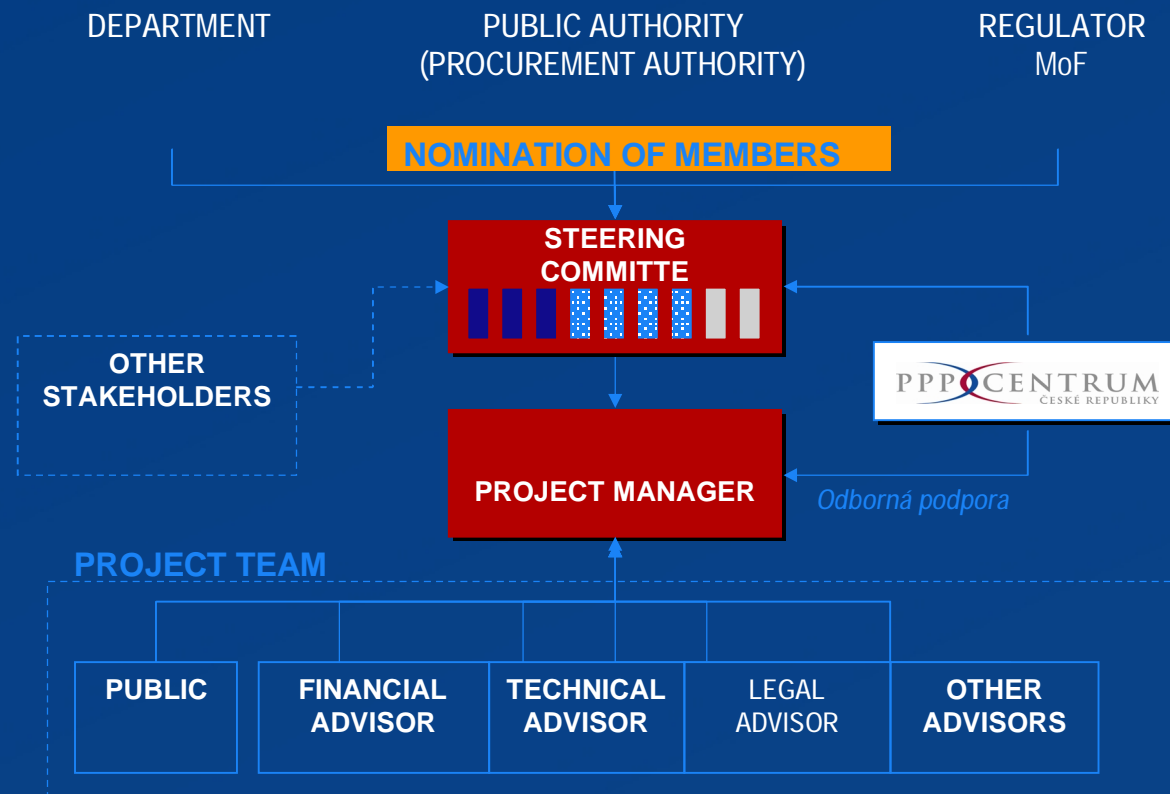
Approval procedure by the concession law

- I. Approval of concession project
- II. Approval of concession agreement

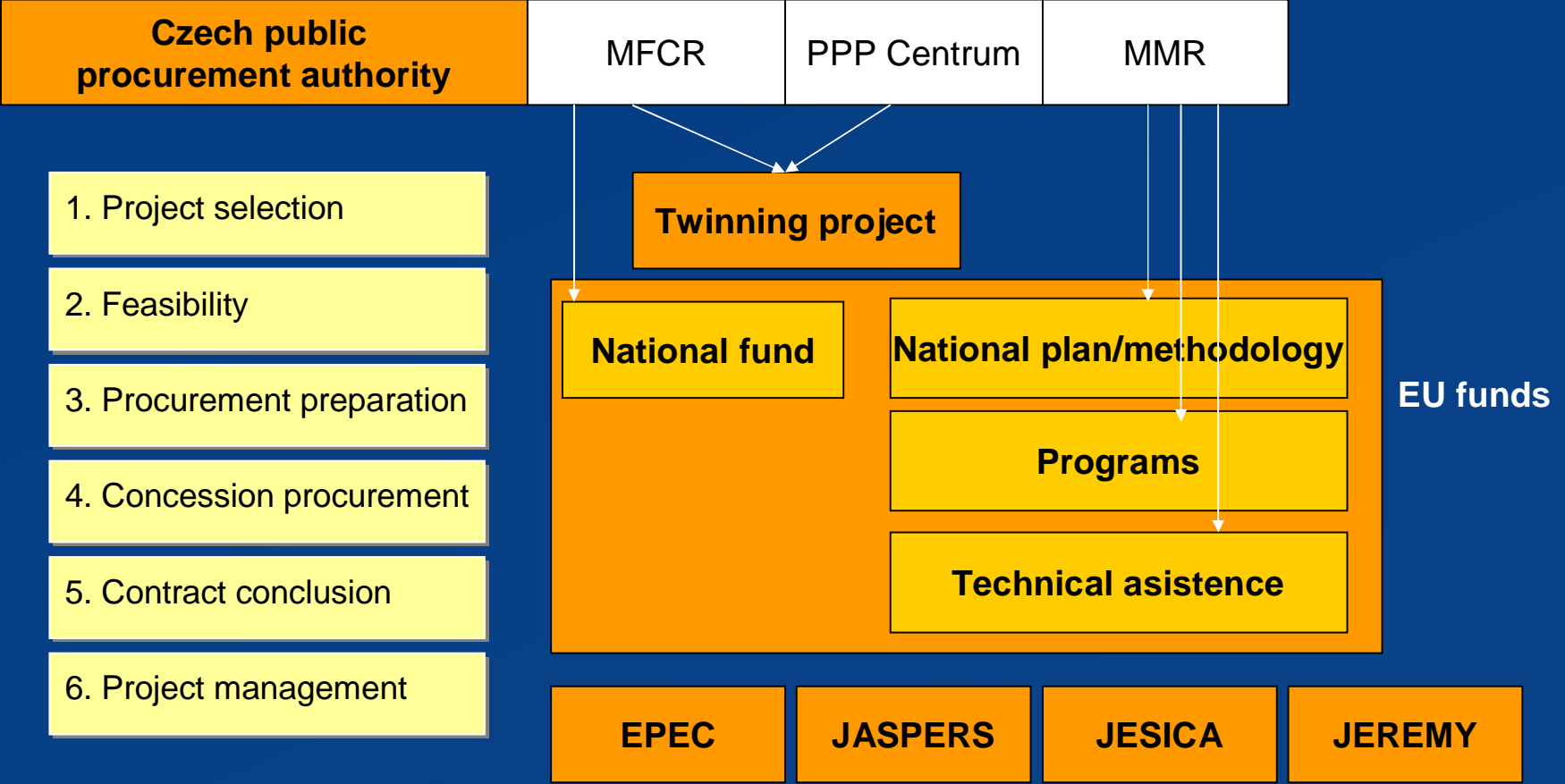
PROJECT GOVERNANCE



PROJECT MANAGED



EU CONTEXT



EU CONTEXT



1. Project selection

2. Feasibility

3. Procurement preparation

4. Concession procurement

5. Contract conclusion

6. Project management

EPEC – EIB

STRATEGY, KNOWLEDGE AND POLICY

JASPERS – EIB/EBRD

PROJECT SUPPORT IF EU FUNDED PROJECT

JESICA – EIB

SPECIFIC CONDITIONS FOR URBAN DEVELOPMENT PROJECTS

PILOT PROJECTS: SUMMARY



Project	Authority Department	(mil. euro) CAPEX
Prison	Justice	40
Courts of Justice	Justice	30
Military Hospital Accommodation	Defense	20
Highway D3	Transport	380
AirCon rail	Transport	510
<i>University Campus UJEP</i>	<i>Education</i>	<i>80</i>
<i>Brno Sport Hub</i>	<i>City of Brno</i>	<i>90</i>
<i>Hospital Pardubice Accommodation</i>	<i>RegionPardubice</i>	<i>50</i>
<i>Hospital Homolka Accommodation</i>	<i>Healthcare</i>	<i>22</i>

Contact



PPP CENTRUM

§ Na Příkopě 3-5, Praha 1, tel: 22014 5363, info@pppcentrum.cz

§ Ing. Filip Drapák

- výkonný ředitel, tel: 602 656 780, filip.drapak@pppcentrum.cz