

BENCHMARKING PPP PROCUREMENT 2017 IN PAKISTAN

Regulatory and Institutional Framework for PPPs	
Does the regulatory framework in your country allow procuring PPPs?	Yes
Yes. If yes, please specify the relevant regulatory framework and the year of adoption:	<p>Pakistan is a Federation comprising Provinces as its federating units. The Federal Government has not yet promulgated any public-private partnerships law. However, the Pakistan policy on public-private partnerships, Private Participation in Infrastructure for Better Public Services as approved by Economic Coordination Committee of the Cabinet dated January 26, 2010 (hereinafter the "Policy") provides a comprehensive guideline on PPPs. Considering the study's scope, the following analysis will in priority be based on that policy.</p> <p>Additionally, PPRA instruction No.2/1/2008/PPRA-RA.III states PPRA Ordinance and Rules are applicable to PPPs in which the Federal Government and the private party have joint equity or ownership through a corporate body and procurement are made by such body but are not applicable to PPP projects in which the Federal Government does not have any equity of ownership and procurement are made by the private party. The Public Procurement rules included in the procurement code realized by the public procurement regulatory authority provide a framework of procurement of goods and/or services. The procurement code's contents are as follow: the Public Procurement Regulatory Authority Ordinance, 2002; the Public Procurement Rules, 2004; the Public Procurement Regulations, 2008; the Public Procurement Regulations, 2009; the Procurement of Consultancy Services Regulations, 2010; the Public Procurement Regulations, 2011 and the PPRA Instructions.</p>
and provide a link to a government-supported website where the mentioned regulatory framework is available or provide an electronic copy of it:	http://www.ipdf.gov.pk/prod_img/PPP%20Policy%20FINAL%2014-May-2010.pdf ; http://www.ppra.org.pk/Rules.asp
Besides national defense and other matters of national security, does the regulatory framework explicitly prohibit or restrict PPPs in any of the following sectors? Transportation.	No
If yes, please provide the relevant legal/regulatory provisions:	n/a
Water and irrigation	No
If yes, please provide the relevant legal/regulatory provisions:	n/a
Energy generation and distribution	No
If yes, please provide the relevant legal/regulatory provisions:	n/a

Telecom	No
If yes, please provide the relevant legal/regulatory provisions:	n/a
Health	No
If yes, please provide the relevant legal/regulatory provisions:	n/a
Education	No
If yes, please provide the relevant legal/regulatory provisions:	n/a
Other	No
If yes, please provide the relevant legal/regulatory provisions:	n/a
Please identify the PPP procuring authorities in country_name and provide their website(s) (if available):	The PPP policy indicates that "Line Ministries, Federal bodies and provincial and local authorities as well as State Owned Enterprises (SOEs) are the contracting parties on behalf of government of Pakistan with private parties."
In addition to the PPP procuring authorities listed above, is there a specialized government entity that facilitates the PPP program (PPP Unit)?	Yes
If yes, please indicate its name, and its website (if available):	Infrastructure Project Development Facility, Ministry of Finance(www.ipdf.gov.pk)
If yes, what are the main responsibilities of the PPP Unit (check all that apply). PPP regulation.	No
PPP policy guidance and capacity building for other public authorities.	Yes
PPP promotion among the public and/or private sectors in national and international forums.	Yes
Technical support in implementing PPP projects.	Yes
Gatekeeping (approval of PPP projects).	Yes
Procurement of PPPs.	No
Oversight of PPP implementation.	Yes
Other	No
please specify:	n/a
Preparation of PPPs	Score: 67

Does the Ministry of Finance or Central Budgetary Authority approve the PPP project before launching the procurement process?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Pursuant to K. i. c. of the Policy, projects will be screened, reviewed and evaluated by the appropriate public institutions, including the Ministry of Finance if public financial obligations are involved.
If yes, is a second approval by the Ministry of Finance or Central Budgetary Authority required before signing the PPP contract?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Pursuant to K. ii. Of the Policy, is required an approval of Project Structuring and draft concession contract before tendering by the Ministry of Finance if public financial obligations are involved, and an approval of any final public financial commitments by MoF.
Besides the procuring authority and the Ministry of Finance or Central Budgetary Authority, does any other authority(s) approve the PPP project before launching the procurement process?	Yes
If yes, please specify the relevant authority	Planning Commission
and provide the relevant legal/regulatory provisions (if any):	K. i. of the Policy indicates that projects will be screened, reviewed and evaluated by the appropriate public institutions : a. Planning Commission to ensure consistency with GOP infrastructure policy /strategy
If yes, is a second approval by the same authority required before signing the PPP contract?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	According to K. ii. of the policy, approval of Project Structuring and draft concession contract before tendering is required as above, i.e. the IPDF.
Does the government integrate the prioritization of PPP projects with all other public investment project prioritization? (e.g. in the context of a national public investment system)?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	The Policy (K. i.) indicates that projects will be screened, reviewed and evaluated by the appropriate public institutions, including (a.) Planning Commission to ensure consistency with Government of Pakistan infrastructure policy /strategy
If yes, which of the following options best describes the way your government prioritizes PPP projects? (Please select only one). The regulatory	No

framework provides for the inclusion of PPPs in the national public investment system and/or details a specific procedure to ensure the consistency of PPPs with other public investment priorities.	
If yes, please specify:	n/a
The regulatory framework prescribes the need for PPPs to be consistent with all other investment priorities without establishing a specific procedure to achieve that goal.	Yes
The regulatory framework does not include any provisions.	No
Other	No
please specify:	n/a
Among the PPP projects procured within the last two (2) years, how many of them were prioritized along with all other public investment projects? Please elaborate:	Some of the projects
Which of the following assessments are conducted when identifying and preparing a PPP? (check all that apply): 10.1. Socio-economic analysis (cost-benefit analysis of the socio-economic impact of the project)	Yes
Relevant legal/regulatory provision (if any)	<p>According to IV J. of the Policy, the Government of Pakistan is committed to ensure that each project is delivered through a contractual relationship with the private sector under this policy which shall have positive impact upon the public interest. The following issues will be addressed in PPP transactions:</p> <ul style="list-style-type: none"> • Safeguard to users in local communities, particularly those falling in the vulnerable groups; • Ensuring public health, safety, social safeguards and protection of environment; • Providing adequate protection of users' rights to privacy; • Providing information to the public about the obligations of the private sector and the government relating to PPP projects; • Setting affordable user charges and tariff structures.
Is there a specific methodology?	No
If yes, elaborate.	n/a

Affordability assessment, including the identification of the required long term public commitments (explicit and implicit)	Yes
Relevant legal/regulatory provision (if any)	According to IV J. of the Policy, the 2nd step consists in an Initial Viability Analysis: preparation of a Pre-Feasibility Study including (...) an initial indication whether the project is likely to be viable and affordable.
Is there a specific methodology?	No
If yes, elaborate	n/a
Risk identification, allocation and assessment (risk matrix)	Yes
Relevant legal/regulatory provision (if any)	According to IV J. of the Policy, the 4th step consists in a Risk, Affordability and Value for Money test. The government assesses through information in Step 3 whether the proposed project is robust and meets GOP criteria for risk (...)
Is there a specific methodology?	Yes
If yes, elaborate	Pursuant to III. I. of the Policy, the general risk process, which will be followed by PPP institutions when developing PPP projects, is described under the following headings. a) Risk Identification; b) Risk Allocation; c) Risk Mitigation; d) The Debt Policy Coordination Office; e) Risks and the Concession Contract; f) Guarantees.
Financial viability or bankability assessment.	Yes
Relevant legal/regulatory provision (if any)	According to IV J. of the Policy, the 4th step consists of a Risk, Affordability and Value for Money test. The government assesses through information in Step 3 whether the proposed project is robust and meets GOP criteria for risk, viability, bankability, affordability and value for money. This includes estimates of viability gap and the need for subsidies.
Is there a specific methodology?	No
If yes, elaborate	n/a
Comparative assessment to evaluate whether a PPP is the best option when compared to other procurement alternatives	Yes
Relevant legal/regulatory provision (if any)	The first step identified by the policy (IV. J) is a Project Needs Options Analysis. Government/Agencies conduct Needs and Options Analysis to determine the best solution to provide the service / build infrastructure i.e. traditional public procurement or PPP route.
Is there a specific methodology?	No
If yes, elaborate	n/a
Market assessment (showing evidence of enough interest in the market for the project)	Yes
Relevant legal/regulatory provision (if any)	The fifth step of the analysis is market sounding: Transaction Advisor continuously conducts market sounding to determine under which conditions the market is willing to

	competitively tender for the services. IPDF can assist the contracting authority in undertaking the market sounding and the need for viability gap and other funding support by IPFF and determine the final PPP design parameters (Policy, IV. J).
Is there a specific methodology?	No
If yes, elaborate	n/a
Among the PPP projects procured within the last two (2) years, for how many of them were all of the required assessments conducted? Please elaborate:	All of the projects
Does the procuring authority include a draft PPP contract in the request for proposals?	No
If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
If no, please elaborate (provide examples):	No provision explicitly requires a draft PPP to be included in the request for proposals.
Have standardized PPP model contracts and/or transaction documents been developed?	Yes
If yes, please specify and provide a government-supported website where the mentioned standards are available or provide an electronic copy of them:	Bidding documents are available at: http://www.ppra.org.pk/ and in the PPR of 2009 it appears furthermore that IPDF has developed standardized contractual provisions, which are however not public.
Does the procuring authority obtain the permits necessary to develop and operate the PPP project before calling for tenders in any of the following areas? Environmental permits.	No
If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
Urban and zoning permits.	No
If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
Other permits.	No
If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
Does the procuring authority make available to PPPCo the necessary land or right of way to develop the PPP project (if any)? Land	Yes

If yes, please provide the relevant legal/regulatory provisions (if any):	Practice
If no, please elaborate (provide explanation):	n/a
Does the procuring authority make available to PPPCo the necessary land or right of way to develop the PPP project (if any)? Right of way	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Practice
If no, please elaborate (provide explanation):	n/a
Does the regulatory framework establish any exceptions where the preparation process described above does not apply or allows for a “fast track” procedure?	No
If yes, please provide the relevant legal/regulatory provisions:	n/a
What is the average number of calendar days that the procuring authority spends on each of the following activities to prepare a PPP project? Conducting the required assessments:	52.5
Obtaining the required approvals from other relevant authorities:	60
Preparing the draft PPP contract:	45
Obtaining any permits, land and/or right of way that the procuring authority must provide according to the regulatory framework:	204.5
PPP Procurement	Score: 55
Are the bid evaluation committee members required to meet specific qualifications?	No
If yes, please specify and provide the relevant legal/regulatory provisions (if any)	n/a

If no, please elaborate (provide examples):	The members of the bid evaluation committee become members by virtue of their designation. They are generally senior members of the line Ministry.
If yes, which of the following options best describes the required qualifications of the committee members? (Please select only one). The regulatory framework details the qualifications required and/or the specific membership of the bid evaluation committee.	n/a
If yes, please specify:	n/a
The regulatory framework requires generally sufficient qualification without detailing the specific qualifications required to be a member of the bid evaluation committee.	n/a
The regulatory framework does not include any provisions.	n/a
Other	n/a
please specify:	n/a
Does the procuring authority issue a public procurement notice of the PPP?	Yes
If yes, please specify the means of publication and provide the relevant legal/regulatory provisions (if any):	<p>Pursuant to Section 12 of the PPR:</p> <p>(1) Procurements over forty thousand rupees and up to the limit of one million rupees shall be advertised on the Authority's website in the manner and format specified by regulation by the Authority from time to time. These procurement opportunities may also be advertised in print media, if deemed necessary by the procuring agency.</p> <p>(2) All procurement opportunities over one million rupees should be advertised on the Authority's website as well as in other print media or newspapers having wide circulation. The advertisement in the newspapers shall principally appear in at least two national dailies, one in English and the other in Urdu.</p> <p>(3) In cases where the procuring agency has its own website it may also post all advertisements concerning procurement on that website as well.</p> <p>(4) A procuring agency utilizing electronic media shall ensure that the information posted on the website is complete for the purposes for which it has been posted, and such information shall remain available on that website until the closing date for the submission of bids.</p>
If yes, is the public procurement notice published online?	Yes
If yes, please specify the website:	http://www.ppra.org.pk/
Does the procuring authority grant the potential bidders a	Yes

minimum period of time to submit their bids?	
If yes, please provide the relevant legal/regulatory provisions (if any):	<p>Section 13 of the PPR provides for the Response time- (1) The procuring agency may decide the response time for receipt of bids or proposals (including proposals for pre-qualification) from the date of publication of an advertisement or notice, keeping in view the individual procurement's complexity, availability and urgency. However, under no circumstances the response time shall be less than fifteen working days for national competitive bidding and thirty working days for international competitive bidding from the date of publication of advertisement or notice. All advertisements or notices shall expressly mention the response time allowed for that particular procurement along with the information for collection of bid documents which shall be issued till a given date, allowing sufficient time to complete and submit the bid by the closing date provided that no time limit shall be applicable in case of emergency.</p> <p>(2) The response time shall be calculated from the date of first publication of the advertisement in a newspaper or posting on the web site, as the case may be.</p> <p>(3) In situations where publication of such advertisements or notices has occurred in both electronic and print media, the response time shall be calculated from the day of its first publication in the newspapers.</p>
and the time in calendar days :	45
Do the tender documents detail the stages of the procurement process?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Practice
If no, please elaborate (provide examples):	n/a
Does the procurement process include a pre-qualification stage to select a number of qualified bidders to present the full proposal?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	<p>Annexure A of the Policy provides for pre-qualification and approval of bidder and PPP structure (IPDF/Line Ministry/Relevant Department)</p> <p>Pursuant to Section 15 (1) of the PPR, a procuring agency, prior to the floating of tenders, invitation to proposals or offers in procurement proceedings, may engage in pre-qualification of bidders in case of services, civil works, turnkey projects and in case of procurement of expensive and technically complex equipment to ensure that only technically and financially capable firms having adequate managerial capability are invited to submit bids. Such pre-qualification shall solely be based upon the ability of the interested parties to perform that particular work satisfactorily.</p>
If yes, do the tender documents specify the prequalification criteria in order to make them available to all of the bidders?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Pursuant to section 16. (1) of the PPR, the procuring agency engaging in pre-qualification shall announce, in the pre-qualification documents, all information required for pre-qualification including instructions for preparation and submission of the pre-qualification documents, evaluation criteria,(...)

Among the PPP procurement processes conducted within the last two (2) years that had a prequalification stage, how many of them included prequalification criteria in the tender documents? Please elaborate	All of the projects
Can interested parties/potential bidders submit questions to clarify the public procurement notice and/or the request for proposals?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Practice
If yes, does the procuring authority disclose those questions and clarifications to all of the potential bidders?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Practice
Among the PPP procurement processes conducted within the last two (2) years where questions were submitted, in how many were the questions and clarifications disclosed to all of the potential bidders? Please elaborate:	Most of the projects
Besides questions and clarifications, can the procuring authority conduct other types of dialogue with the potential bidders?	No
If yes, please specify and provide the relevant legal/regulatory provisions (if any):	n/a
If yes, does the procuring authority disclose the content and the results of the dialogue to all of the potential bidders?	n/a
If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
Among the PPP procurement processes conducted within the last two (2) years where any other type of dialogue was	n/a

conducted, in how many was the content and the result of the dialogue disclosed to all of the potential bidders? Please elaborate:	
Does the procuring authority require the bidders to prepare and present a financial model with their proposals ?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Practice
If no, please elaborate (provide examples):	n/a
Does the procuring authority evaluate the proposals strictly and solely in accordance with the evaluation criteria stated in the tender documents?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Pursuant to Section 30 (1) of the PPR, all bids shall be evaluated in accordance with the evaluation criteria and other terms and conditions set forth in the prescribed bidding documents. Save as provided for in clause (iv) of sub-rule (3) of rule 36 no evaluation criteria shall be used for evaluation of bids that had not been specified in the bidding documents.
Among the PPP procurement processes conducted within the last two (2) years, in how many of them was the evaluation of the bidders conducted in accordance with the criteria stated in the tender documents? Please elaborate:	All of the projects
In the case where only one proposal is submitted (sole proposals), does the procuring authority follow any special procedure before awarding the PPP?	No
If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
If yes, what of the following options best describes the way the procuring authority deals with sole proposals? (Please select only one). The regulatory framework details a specific procedure that the procuring authority must follow before awarding a PPP	n/a

contract where only one proposal is submitted.	
Please specify:	n/a
The regulatory framework considers sole proposals valid as long as they meet the conditions outlined in the tender documents.	n/a
The regulatory framework does not allow the award of a PPP contract if only one proposal is submitted.	n/a
The regulatory framework does not include any provisions.	n/a
Other	n/a
please specify:	n/a
In practice, what is the average number of calendar days between the initial publication of the PPP public procurement notice and the award of the PPP? Number of calendar days:	180
Does the procuring authority publish the award notice?	Yes
If yes, please specify the means of publication and provide the relevant legal/regulatory provisions (if any):	According to Section 35 of the PPR, procuring agencies shall announce the results of bid evaluation in the form of a report giving justification for acceptance or rejection of bids at least ten days prior to the award of procurement contract. Moreover, as soon as a contract has been awarded the procuring agency shall make all documents related to the evaluation of the bid and award of contract public (section 47).
If yes, is the public procurement award notice published online?	Yes
If yes, please specify the website:	www.ppra.org.pk
Does the procuring authority provide all the bidders with the result of the PPP procurement process?	No
If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
If no, please elaborate (provide examples):	Concerned authority just publishes the result of bidding on the website of PPRA.
If yes, does the notification of the result of the PPP procurement process include the grounds for the selection of the winning bid?	n/a

If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
Does the regulatory framework restrict or regulate in any way negotiations with the selected bidder between the award and the signature of the PPP contract?	Yes
If yes, please provide the relevant legal/regulatory provisions:	Section 40 of the PPR is related to Limitation on negotiations- Save as otherwise provided there shall be no negotiations with the bidder having submitted the lowest evaluated bid or with any other bidder: Provided that the extent of negotiation permissible shall be subject to the regulations issued by the Authority.
Among the PPP procurement processes conducted within the last two (2) years, in how many of them were the terms and conditions changed between the award and the signature of the PPP contract? Please elaborate:	Some of the projects
Does the procuring authority publish the PPP contract?	No
If yes, please specify the means of publication and provide the relevant legal/regulatory provisions (if any):	n/a
If yes, is it published online?	n/a
If yes, please specify the website:	n/a
Does the regulatory framework establish any exceptions where the procurement process described above does not apply or allows for a “fast track” procedure?	Yes
If yes, please provide the relevant legal/regulatory provisions:	Section 42 of the PPR makes provision for direct contracting and negotiated tendering. (c) direct contracting- a procuring agency shall only engage in direct contracting if the following conditions exist, namely:- (i) the procurement concerns the acquisition of spare parts or supplementary services from original manufacturer or supplier: (ii) only one manufacturer or supplier exists for the required procurement: (iii) where a change of supplier would oblige the procuring agency to acquire material having different technical specifications or characteristics and would result in incompatibility or disproportionate technical difficulties in operation and maintenance: (iv) repeat orders not exceeding fifteen per cent of the original procurement; and (v)in case of an emergency: (d) negotiated tendering.- (iii) for reasons of extreme urgency brought about by events unforeseeable by the

	<p>procuring agency, the time limits laid down for open and limited bidding methods cannot be met. The circumstances invoked to justify extreme urgency must not be attributable to the procuring agency:</p> <p>Provided that any procuring agency desirous of using negotiated tendering as a method of procurement shall record its reasons and justifications in writing for resorting to negotiated tendering and shall place the same on record.</p> <p>Moreover, Section 12 of the PPR indicates that no time limit [minimum time between the publication of a tender notice and bids submission] shall be applicable in case of emergency.</p>
Unsolicited proposals	Score: 25
Does the regulatory framework allow for the submission of unsolicited proposals? (if no, skip to section F)	Yes
If yes, please provide the relevant legal/regulatory provisions:	Unsolicited proposals are allowed and are regulated in Pakistan by the Policy, which indicates that the Government's policy on unsolicited proposals aims to balance its desire to stimulate innovation and to create new opportunities for the private sector, with the need to ensure that the Government and consumers get value for money in PPP transactions. However, there is the additional consideration that such unsolicited projects may edge out higher priority solicited projects (Policy L.).
If yes, please specify, to the best of your knowledge, the percentage of PPP investments in your country approved as unsolicited proposals during the last five (5) years:	5.5
Does the procuring authority conduct an assessment to evaluate unsolicited proposals?	Yes
If yes, please specify and provide the relevant legal/regulatory provisions (if any):	Innovation, reasoned analysis, a demonstrated appreciation of the requirements of the country and a project's likely inability to be implemented by other means should be the minimum considerations of an unsolicited proposal. (...) In general, the Government would verify project performance including viability with the assistance of independent transaction advisors. In all circumstances, unsolicited infrastructure projects will be subject to a value for money test. In some cases, the GOP may require competitive bidding that will take into account the interest of the initiating private entity. (Policy, L.)
If yes, does it ensure that the unsolicited proposal is consistent with the existing government priorities?	No
If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
If yes, which of the following options best describes how unsolicited proposals are	n/a

evaluated against existing government priorities? (Please select only one). The regulatory framework details a specific procedure to ensure the consistency of PPPs with other public investment priorities.	
If yes, please specify:	n/a
The regulatory framework requires unsolicited proposals to be among the existing government priorities without establishing specific procedures to achieve that goal.	n/a
The regulatory framework does not include any provisions.	n/a
Other	n/a
please specify:	n/a
Among the unsolicited proposals approved within the last two (2) years, how many of them were a part of the existing government priorities? Please elaborate:	Some of the projects
Does the procuring authority initiate a competitive PPP procurement procedure when proceeding with the unsolicited proposal?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Practice
Does the procuring authority grant a minimum period of time to additional prospective bidders (besides the proponent) to prepare their proposals?	No
If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
and the time in calendar days:	n/a
Does the procuring authority use any of the following mechanisms to reward/compensate the presentation of unsolicited proposals? (check all that	No

apply): Access to the best and final offer.	
Developer's fee (reimbursing the original proponent for the project development cost).	No
Bid bonus.	No
Swiss challenge (If unsuccessful, the original proponent has the option to match the winning bid and win the contract).	No
Other	No
please specify:	n/a
Please provide the relevant legal/regulatory provisions (if any):	n/a
PPP Contract Management	Score: 25
Has the procuring or contract management authority established a system to manage the implementation of the PPP contract?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any)	Section J of the policy identifies, as a step of the PPP Project Life Cycle for government originated projects: Project Monitoring by Institution (Construction and Operational Periods), and monitoring of milestone based disbursements if subsidies/annuities are involved.
If yes, which of the following tools does it include (check all that apply)? Establishment of a PPP contract management team.	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Practice
Participation of the members of the PPP contract management team in the PPP procurement process.	No
If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
Possibility to consult with PPP procurement experts when managing the PPP contract.	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Practice
Elaboration of a PPP implementation manual or an equivalent document.	No

If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
Other	No
please specify:	n/a
If there is a contract management team, in how many of the PPP projects procured within the last two (2) years did the management system and tools fully inform the contract management team? Please elaborate:	Some of the projects
Does the procuring or contract management authority establish a monitoring and evaluation system of the PPP contract?	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Section J of the policy identifies, as a step of the PPP Project Life Cycle for government originated projects: Project Monitoring by Institution (Construction and Operational Periods), and monitoring of milestone based disbursements if subsidies/annuities are involved.
If yes, which of the following tools does it include (check all that apply)? PPPCo must provide the procuring or contract management authority with periodic operational and financial data.	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Practice
The procuring or contract management authority must periodically gather information on the performance of the PPP contract.	Yes
If yes, please provide the relevant legal/regulatory provisions (if any):	Practice
The procuring or contract management authority must establish a risk mitigation mechanism.	No
If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
The PPP contract performance information must be available to the public.	No

If yes, please provide the relevant legal/regulatory provisions (if any):	n/a
Other	No
please specify:	n/a
Is PPP contract performance information publicly available online?	No
If yes, please specify the website:	n/a
Does the regulatory framework expressly regulate a change in the structure (i.e. stakeholder composition) of PPPCo?	No
If yes, please provide the relevant legal/regulatory provisions:	n/a
If yes, which of the following circumstances are specifically regulated? (check all that apply): Any change in PPPCo during an initial period (e.g. construction and first five years of operation).	n/a
If yes, please provide the relevant legal/regulatory provisions:	n/a
In case of a change affecting the controlling interest, the replacing entity must meet the same technical qualifications as the original operator.	n/a
If yes, please provide the relevant legal/regulatory provisions:	n/a
Flexibility to substitute non-controlling interest after the initial period.	n/a
If yes, please provide the relevant legal/regulatory provisions:	n/a
Does the regulatory framework expressly regulate the modification or renegotiation of the PPP contract (once the contract is signed)?	No
If yes, please provide the relevant legal/ regulatory provisions:	n/a

If yes, which of the following circumstances are specifically regulated? (check all that apply): A change in the scope and/or object of the contract.	n/a
If yes, please provide the relevant legal/regulatory provisions:	n/a
A change in the risk allocation of the contract.	n/a
If yes, please provide the relevant legal/regulatory provisions:	n/a
A change in the investment plan or duration of the contract.	n/a
If yes, please provide the relevant legal/regulatory provisions:	n/a
Does the regulatory framework expressly regulate the following circumstances that may occur during the life of the PPP contract? (check all that apply): Force Majeure.	No
If yes, please provide the relevant legal/regulatory provisions:	n/a
Material Adverse government action.	No
If yes, please provide the relevant legal/regulatory provisions:	n/a
Change in the Law.	No
If yes, please provide the relevant legal/regulatory provisions:	n/a
Refinancing.	No
If yes, please provide the relevant legal/regulatory provisions:	n/a
Other.	No
If yes, please specify and provide the relevant legal/regulatory provisions:	n/a
Does the regulatory framework establish a specific dispute resolution mechanism for PPPs?	Yes

If yes, please specify and provide the relevant legal/regulatory provisions	<p>Section 49 of the PPR is related to arbitration- (1) After coming into force of the procurement contracts, disputes between the parties to the contract shall be settled by arbitration.</p> <p>(2) The procuring agencies shall provide for a method of arbitration in the procurement contract, not inconsistent with the laws of Pakistan.</p>
If yes, which of the following options best describes the dispute resolution mechanism for PPPs? (Please select only one). The regulatory framework details specific resolution mechanisms for disputes arising during the implementation of the PPP.	<p>No</p>
If yes, please specify:	<p>n/a</p>
The regulatory framework prescribes that a dispute resolution mechanism should be regulated in the contract.	<p>No</p>
The regulatory framework provide the parties with recourse to arbitration but no other alternative dispute resolution mechanism.	<p>Yes</p>
Other	<p>No</p>
please specify:	<p>n/a</p>
Does the regulatory framework allow for the lenders to take control of the PPP project (lender step-in right) if either PPPCo defaults or if the PPP contract is under threat of termination for failure to meet service obligations?	<p>No</p>
If yes, please provide the relevant legal/regulatory provisions:	<p>n/a</p>
If yes, which of the following options best describes the lender step-in right? (Please select only one). The regulatory framework expressly regulates the lender step-in rights.	<p>n/a</p>
If yes, please specify:	<p>n/a</p>
The regulatory framework prescribes that the lender step-in rights should be regulated in the contract.	<p>n/a</p>

The regulatory framework prescribes that a direct agreement should be signed with the lenders.	n/a
Other	n/a
please specify:	n/a
Does the regulatory framework expressly establish the grounds for termination of a PPP contract?	No
If yes, please specify:	n/a
and provide the relevant legal/regulatory provisions:	n/a
If yes, does the regulatory framework also establish the consequences for the termination of the PPP contract?	n/a
If yes, please provide the relevant legal/regulatory provisions:	n/a
Are you aware of any reforms (in practice or in laws, regulations, policies, etc.) related to PPPs that: Took place in 2015, are ongoing and/or are planned to be adopted BEFORE June 1, 2016?	Yes
Please describe:	Public Private Partnership Bill was tabbed in Parliament and is pending approval.
Are you aware of any reforms (in practice or in laws, regulations, policies, etc.) related to PPPs that: 50.2. Are ongoing and/or are planned to be adopted AFTER June 1, 2016?	No
Please describe:	n/a