

Date: December 18, 2006

MEMO

**Re: Canadian Council for Public-Private Partnerships –  
Partnerships BC 2005-06 Consultation Outcomes**

In 2005, Partnerships BC and the Canadian Council for Public-Private Partnerships jointly consulted with the B.C. members of the Council, who represent market participants and public sector project sponsors in the public private partnership market in B.C.

The result of this consultation was a report, Responsible PPP Procurement for B.C., which identified a number of areas for further consultation and consideration. Following this report, the Council and Partnerships BC identified priority areas and developed a consultation process involving representatives from both organizations. The purpose of the consultation process was to provide input into Partnerships BC's positions on these priority topics. By developing and communicating consistent positions, Partnerships BC expects to improve the efficiency of procurement processes for all parties, and increase consistency within the public private partnership market in the province.

Volunteers formed working groups to provide guidance to Partnerships BC as it developed position papers on each of these priority areas. Position papers were developed for the following key commercial terms:

Supervening Events (in progress)  
Change in Law  
Insurance  
Compensation on Termination  
Long Stop Dates

And for the following key procurement process issues:

Partial Compensation and Break Fees  
Financial Commitment  
Relationship Review Guidelines (conflict of interest and unfair advantage)

Partnerships BC and the Council would like to thank all of the working group participants (see attached list) for their time and their valuable input into the position papers.

A primary objective for Partnerships BC is the development of a strong, vibrant and competitive market for public private partnerships. As the market continues to develop, positions will also evolve. Future procurement processes and project agreements will always reflect the outcome of project-specific objectives and negotiations.

The position papers are available to interested parties, upon request to Partnerships BC. Please email your request to [Lisa.Cherney@partnershipsbc.ca](mailto:Lisa.Cherney@partnershipsbc.ca)

### **Working Group Members**

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Brian Ast, Partnerships BC  
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Rob Bennett, Partnerships BC  
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Patrick Boocock, Plenary Group  
Ron Bozzer, Borden Ladner Gervais  
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