

DISCLOSURE GUIDELINES FOR PUBLIC-PRIVATE PARTNERSHIPS (PPP) IN OYO STATE, NIGERIA



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Introduction

Public-Private Partnerships (PPP) are crucial for the development of infrastructure and services in Oyo State, Nigeria. Transparency and accountability in PPP projects are essential to ensure public trust and successful project outcomes. This report outlines the disclosure guidelines for PPPs in Oyo State, focusing on the key principles, legal framework, required disclosures, and best practices.

Key Principles of PPP Disclosure

1. **Transparency:** Ensuring that comprehensive and accurate information about PPP projects is accessible to all stakeholders.
2. **Accountability:** Establishing clear mechanisms to hold all parties responsible for their roles and responsibilities.
3. **Public Participation:** Engaging the public and stakeholders in the decision-making process and providing avenues for feedback.

Legal Framework for PPP Disclosure in Oyo State

Oyo State Public-Private Partnership Law (2014)

- **Purpose:** Establishes the legal basis for PPPs in the state, defining the roles of government and private partners.
- **Disclosure Provisions:** Mandates the publication of information related to PPP projects, including contracts, project milestones, and performance reports.

Oyo State Public Procurement Law (2010)

- **Purpose:** Provides a framework for public procurement processes, ensuring transparency and value for money.
- **Disclosure Provisions:** Requires the publication of procurement plans, contract awards, and audit reports.

Required Disclosures for PPP Projects

Project Identification

- **Project Description:** Detailed information on the nature, scope, and objectives of the project.
- **Feasibility Studies:** Results of feasibility studies, including economic, environmental, and social impact assessments.
- **Project Rationale:** Justification for selecting the PPP model and the expected benefits.

Procurement Process

- **Procurement Notices:** Public announcement of procurement opportunities, including requests for proposals (RFPs) and invitations to bid.
- **Selection Criteria:** Clear and transparent criteria for evaluating bids and selecting the preferred bidder.
- **Bidding Process:** Detailed description of the bidding process, including timelines and procedural requirements.

Contract Information

- **Contract Summary:** Summary of the PPP contract, highlighting key terms, conditions, and obligations of the parties involved.
- **Full Contract Text:** Full text of the signed PPP contract, with sensitive information redacted if necessary.
- **Financial Terms:** Detailed information on the financial arrangements, including funding sources, payment mechanisms, and risk allocation.

Performance Monitoring

- **Project Milestones:** Regular updates on project milestones and progress against established benchmarks.
- **Performance Reports:** Periodic performance reports, including key performance indicators (KPIs) and compliance with contractual obligations.
- **Issue Resolution:** Documentation of any issues or disputes that arise and the measures taken to resolve them.

Financial Reports

- **Annual Financial Statements:** Annual financial statements of the PPP project, including income statements, balance sheets, and cash flow statements.
- **Audit Reports:** Independent audit reports providing an unbiased assessment of the project's financial health and compliance with regulatory requirements.

Best Practices for PPP Disclosure

1. **Open Data Portals:** Establish and maintain online portals where all relevant PPP information can be accessed by the public.
2. **Stakeholder Engagement:** Conduct regular consultations with stakeholders, including civil society organizations, to gather feedback and ensure public interests are considered.
3. **Independent Audits:** Commission independent audits of PPP projects to provide unbiased assessments of project performance and compliance.
4. **Public Awareness Campaigns:** Increase public awareness of PPP projects and the importance of transparency through targeted communication campaigns.
5. **Continuous Improvement:** Regularly review and update disclosure guidelines to incorporate emerging best practices and address any gaps or challenges.

Conclusion

Oyo State has made significant strides in establishing a comprehensive disclosure framework for PPP projects. By adhering to these guidelines and continuously improving transparency measures, the state can enhance public trust and ensure the successful implementation of PPP projects. Effective disclosure practices are vital for achieving the desired outcomes of PPP initiatives and fostering sustainable development in Oyo State.

Recommendations

1. **Enhance Online Disclosure:** Improve the accessibility and user-friendliness of online portals for PPP information.
2. **Regular Training:** Provide continuous training for public officials and private sector partners on best practices in PPP disclosure and transparency.
3. **Public Awareness Campaigns:** Increase public awareness of PPP projects and the importance of transparency through targeted communication campaigns.
4. **Strengthen Legal Provisions:** Review and update the legal framework to address emerging challenges and incorporate international best practices in PPP disclosure.

By implementing these recommendations, Oyo State can further solidify its commitment to transparency and accountability in public-private partnerships, ultimately fostering a more inclusive and sustainable development environment.



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