Course Description
This course is designed to give legal practitioners and procurement specialists an in-depth overview of the critical legal documents used in public-private partnership (PPP) transactions. Beginning with the concession and PPP agreements, participants will examine several key clauses that are particularly relevant today:
- Project completion deadlines
- Force majeure provisions
- Termination provisions
- Economic and financial equilibrium and supervening events
- Change of law

Students will also examine the financing agreements and explain how they are synchronized with the PPP agreements, focusing specifically on the following clauses:
- Mandatory prepayment
- Intercreditor issues
- Standard clauses for both positive and negative covenants
- Step-in rights of lenders—why are they needed, and how are they drafted in the direct agreement?
- Other elements of creditor security in PPPs, i.e., letters of creditor and bonding

Learning Outcomes
Through successful completion of this course, participants will be able to:
- Understand different types of PPPs and their corresponding use cases
- Draft clear output performance criteria for construction and operation of varying PPP project contracts
- Evaluate economic requirements using PPP concession agreements and offtake agreements
- Design plans for fulfilling contractual license responsibilities for risks related to future events
- Analyze contractual risks and identify solutions regarding contract conclusion and hand-back

Online Learning at its Best
IP3’s two-week online courses allow participants to interact with top instructors and their own peers to develop a more in-depth understanding of the PPP landscape.
These courses “meet” online for live video webinar sessions that deliver students the opportunity to ask questions and receive speedy answers, much like our in-classroom courses. In between sessions, students have access to myriad resources, including video presentations, interactive discussion forums, and quizzes and knowledge checks.

Online Learning Includes
Four 2-Hour Interactive Webinars
Two Hours Self-Paced Online Learning
Continuing Education Unit (CEU) Awarded

Who Will Benefit
- Staff from federal, state, county and municipal governments
- Members of planning organizations and boards
- Regulators and authorities for infrastructure utilities and public services
- Professionals from financial institutions
- Staff of international donor organizations
Course Contents

Types of PPP Contracts and Related Government Agreements

• General PPP contract design issues and types of PPP contracts
• Additional potential government contracts relating to the PPP transaction
• Understanding the project company counterparty

Economic Considerations

• Key economic consideration in designing the PPP contract
• Revenue, demand, and pricing issues
• Addressing risks, and exclusivity and expansion provisions

Basic PPP Contract Terms

• Basic PPP contract drafting considerations
• Establishing obligations of the project company and performance standards
• Handback - PPP contract terms

Managing Future Events

• Certain future events and use of contract stabilizers
• Typical PPP contractual provisions relating to certain future events
• Disputes and workouts

Become a Certified PPP Specialist
Completion of P-16 Designing PPP Legal Agreements is a contributing factor in obtaining IP3’s PPP Specialist Certification.

This program provides an introduction to the core body of knowledge in public-private partnerships taught by IP3, creating a world-class standard in PPP skills development.

Certification requirements include 24 CEUs and successful completion of a PPP Specialist exam.

IP3 is an accredited provider of Continuing Education Units (CEUs) as sponsored by the International Association for Continuing Education and Training (IACET).