

## **PRESS RELEASE**

28 May 2009

### **PPP Guideline for Municipalities**

**Cologne, 28 May 2009 - Luther Rechtsanwaltsgesellschaft and Ernst & Young have, together with the Hessian PPP Competence Centre, compiled the guideline "PPP in Hesse - An Opportunity - Guideline for Municipalities". The editor, the Hessian Finance Ministry, primarily wishes to address municipalities and their decision-making bodies with the new, practically-oriented manual.**

In an environment characterised by the tense economic and financial market situation, the municipalities need to implement required investments in an economical and efficient manner. Many decision-making bodies within the municipalities still opt for conventional procurement methods, i.e. for implementing and financing investments on their own. However, there are definitely ways to optimise operational processes and save costs by including private capital and know-how. One such way is the alternative procurement method in the form of a public private partnership (PPP).

The new guideline was presented during the annual PPP conference. Karlheinz Weimer, Hessian Finance Minister, underlined the excellent experience the Hessian State Government has had with PPP projects since 2004, calling the new guideline a practically-oriented aid for municipalities when preparing a PPP project.

"PPP in Hesse - An Opportunity - Guideline for Municipalities" is the first manual which specifically addresses the Hessian municipalities. With

this guideline, the decision-making bodies at the municipal level are given compact, practical instructions and a decision-making aid for carrying out PPP projects. The guideline contains detailed information and check lists for the evaluation of a project's PPP suitability, as well as an overview of the required services to be obtained from external advisors.

The clear presentation of the various stages of a PPP project is meant to encourage municipalities to identify and consider a real alternative to conventional implementation methods. Whereas previous manuals dealt with the different stages of the profitability review above all from a technical point of view, the new guideline describes all aspects of the PPP procurement process, taking into account the practical experience gained from PPP projects already implemented in Hesse.

The introduction, in which the reader is informed of the basic principles regarding public private partnerships, is followed by a detailed description of the PPP procurement process. The reader is then provided with information about possible project organisation structures and frequently used financing methods.

With Luther Rechtsanwaltsgesellschaft, the Hessian PPP Competence Centre has won experienced co-authors as members of their team.

Luther has provided advice in numerous PPP projects at national and local levels in the past.

Authors on the part of Luther

Carolin Tetzl, Luther Eschborn (leader and coordinator of the team of advisors from Luther and Ernst & Young) and Henner-M. Puppel, Luther Essen.

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### **Brief profile of Luther Rechtsanwaltsgesellschaft mbH**

Luther Rechtsanwaltsgesellschaft mbH employs about 280 lawyers and tax advisors in Germany. The firm provides legal and tax advice in all economically relevant fields, operating from its own offices at 13

German locations and in Brussels, Budapest, Istanbul, Shanghai and Singapore. Our clients include medium-sized enterprises and large corporations, as well as the public sector. Luther is part of PMLG (Pinsent Masons Luther Group), an international group of law firms, and is the German member of Taxand, a worldwide network of independent tax firms.

Luther is a law firm with an entrepreneurial approach: our innovative awareness aspires us to provide our clients with customised legal advice that addresses individual needs and delivers the greatest possible economic benefit. Our interdisciplinary teams develop optimised solutions for our clients and implement them efficiently.

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