

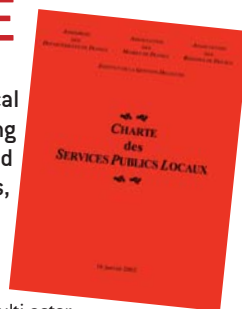
FOUNDING MEMBERS OF IGD

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► PUBLIC MANAGEMENT AND GOVERNANCE

With its second program, for 2001-2006, the IGD has aligned its activities with the commitments of the Local Public Services Charter, a document drafted in collaboration with associations of elected officials representing municipalities, départements, and regions. Since its signature, on January 16, 2002, the Charter has added about twenty adherents among organizations of public-service actors (elected officials, operators, consumers, families). The Charter's principles and objectives are the following:



Clarification of roles: public authorities define missions for local public utilities and sets organizational rules; users are at the center of the service.

Definition of missions: using a study of needs and an inventory of patrimony, the public authority determines the operating rules.

Freedom of choice and reversibility: the public authority freely chooses the kind of management used for services, after comparative analysis.

Emulation through comparison: comparing kinds of management through performance indicators contributes to a competitive and economically stimulating regulation of services.

Confidence and partnership: the creation of multi-actor networks allows for feedback pooling, fosters increased competencies, and develops shared expertise.

Transparency and fairness: expenses, notably in terms of sustainable development, as well as performance gains, should be shared among actors with full transparency.

Evaluation and local democracy: it is indispensable to keep the public informed and active, through public debates and the Local Public Services Consultative Committee, for a pluralistic evaluation of service quality and its development.

► PPPs IN FRANCE AND IN EUROPE

1. Public-service delegation.

Contract through which a public corporation entrusts the management of the public utility under its charge to a delegatee. The delegatee's remuneration is substantially tied to service operating results. Several economic schemes are possible: third-party management, leasing, and concession.

In France, DSPs are regulated mostly by the law of January 3, 1993, called the "loi Sapin." The attribution of DSPs is subject to a transparent procedure. Every year, the delegatee submits a report on the contract's execution. The IGD proposes performance indicators for a growing number of sectors, to contribute to the regulation of such contracts.

In the European Union, DSPs fall under the category of concessions (contractual PPPs).

2. Partnership contract.

Contract through which a public corporation entrusts to a third party a global mission to carry out a public-utility project, for which the authority retains responsibility. The contract covers financing, construction or transformation, maintenance, operations, or the management of a construction project, an infrastructure, or a service. It may include project conception.

In France, partnership contracts are subject to the ordinance of June 17, 2004, modified by the law of July 28, 2008. The awarding of such contracts is subject to prior evaluation, which should state their advantages over traditional kinds of public contract. There are other contracts similar to the PC: emphyteutic leases for public administrations or public health-care facilities, AOT-LOA leases (which allow the public sector to lease public land temporarily and give the State a right of return or purchase).

In the European Union, PCs fall under the category of procurement contracts (contractual PPPs).

3. Semi-public company.

A semi-public company (société d'économie mixte, or SEM) is a public company in which the State or local authorities hold majority stakes and whose chief purpose is to carry out projects of public interest. Private stakeholders contribute financing and/or operational expertise.

In France, semi-public companies are regulated by the modified law of July 7, 1983. Depending on federation, there are about 1,200 such companies in France. Local public companies (sociétés publiques locales) constitute a form of semi-public company whose only stakeholders are public corporations.

In the European Union, semi-public companies fall under the category of local private limited companies (institutionalized PPPs).

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INSTITUT DE LA GESTION DELEGUEE

Governance and performance of public utilities



A rigorous, multi-actor
 approach ...

- Legislative proposals
- Contract models
- Performance indicators
- Feedback
- Win-win association of actors



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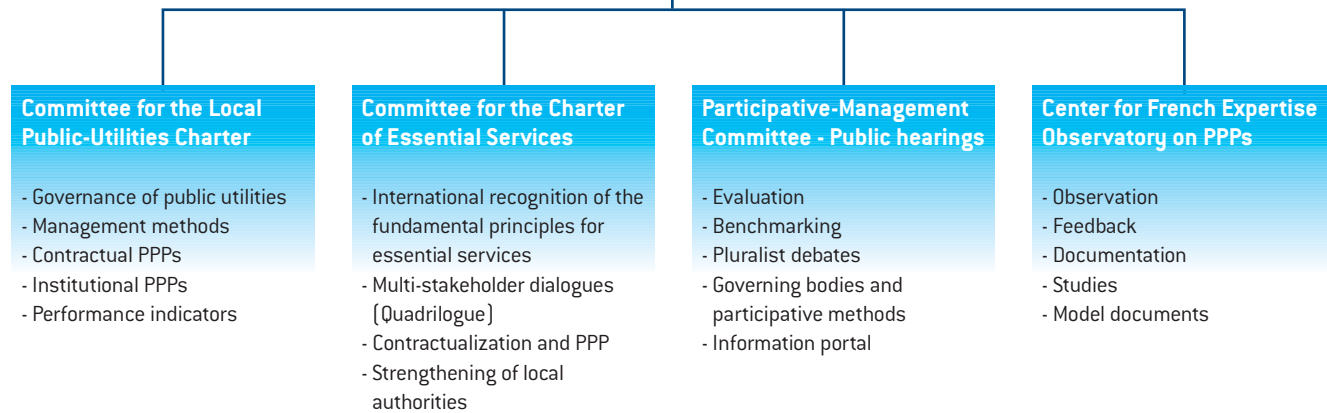
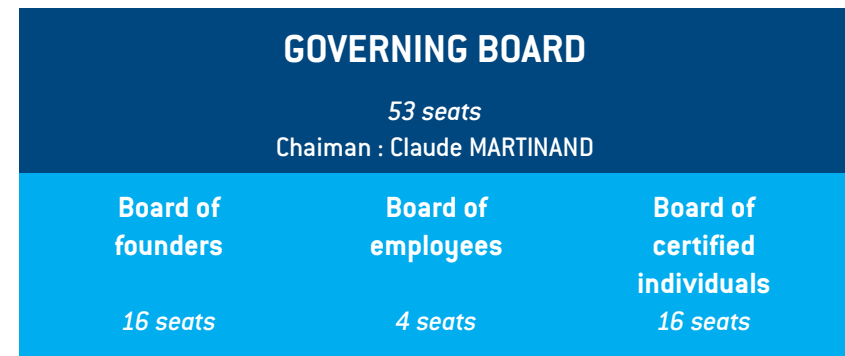
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▶ THE FRENCH INSTITUTE FOR PPP, A PUBLIC-PRIVATE FOUNDATION SERVING THE PUBLIC INTEREST

GOVERNING BODIES OF IGD

LEGAL STATUS

PROGRAM



Founded in 1996 through the initiatives of public authorities and public-service operators, the French Institute for PPP (IGD) is a business foundation regulated by the law of January 4, 1990. This legal status confers upon the Institute a duty to "carry out works of public interest." In the Institute's case, this means improving management practices for public utilities and infrastructures, especially in public-private partnerships. To achieve its objective, the Institute gathers together all the relevant actors: elected officials, administrations, professionals, users, personnel. Its principle activities _ information, training, setting up dialog, reflecting on issues, and providing expertise _ are non-profit. The Foundation's program must be renewed every five years.

The Institute's funding is drawn from its founding members: public and private enterprises that operate public utilities, banks and financial institutions, contractors, et al. Their financial contributions are guaranteed for the program's five years, allowing the Institute broad independence to pursue its activities for the benefit of all its members. Public administrations, which participate fully in the decisions of the Board of Governors, contribute freely (2% in 2007, 3% in 2008) to the works program set out by the founders.

Founding members commit to a five-year program of activities. IGD's third program (2006-2011) is organized around the following objectives:

- The efficient and constructive association of all participants in the implementation of services of public economic interest.
- The value of the charter approach and of regulation by means of emulation through comparison
- The distinction of public-management and operational activities
- The analysis of all kinds of management
- The promotion of the content, scope, and image of delegated management of PPPs
- The analysis of contractual mechanisms, their diversity, and their adaptability
- The analysis of multiple-player projects and the extent to which they can find support in partnerships that respond fully to needs



RESEARCH CENTER

With contributions from the MAPPP, the IGD has established a substantial collection of books, studies, reports, and periodicals on the subjects of public utilities and public-private partnerships. The center is open to the public.

Online catalog:
<http://centredoc.fondation-igd.org>



THESIS PRIZE

Every year, the Orientation and Evaluation Committee rewards academic work that makes an original contribution in the IGD's field of activity, preferably through an interdisciplinary approach.

Rules available online:
www.fondation-igd.org/html/prix/



LOCAL PUBLIC SERVICES OBSERVATORY

The CEF-0-PPP, co-founded with the MAPPP in 2006, is a circle of professionals in the public and private sectors dedicated to the observation and improvement of practices for partnership and public contracts. It has about thirty members.

Website:
www.cefoppp.org