

Pennsylvania Public Private Transportation Partnerships (P3)

Act 88 of 2012

Signed by Governor Tom Corbett on July 5, 2012

Act 88 of 2012 authorizes public private transportation projects in the Commonwealth. This tool will allow PennDOT and other transportation authorities and commissions in the Commonwealth to enter into agreements with the private sector to participate in delivery, maintenance and financing of transportation related projects.

What is a P3 Project?

- Contractual Agreement between a Public Entity and Private Entity;
- Transfers responsibility of engineering, construction, operation and/or maintenance of a facility to the private sector for a defined period of time; or
- Allows the Private Sector to perform by contract a service previously provided by the Public Sector;
- The private firm receives payments either from existing revenue sources or through the collection of new tolls or user fees;

There are two basic P3 project types:

- New Build Facilities – Adding capacity to the system by building something new.
- Existing Facilities – Improving capacity or performance of the current system through a P3 arrangement.

Public Private Transportation Partnership Board:

- Purpose: To approve potential Public-Private Transportation Projects.
- 7 Members include:
 - The Secretary of Transportation (Chair)
 - The Secretary of Budget
 - Governor's Appointee
 - Four Legislative Appointees (one from each caucus)
- Must meet and report its actions to the General Assembly at least annually; and
- Must adopt guidelines for receiving and reviewing solicited and unsolicited proposals.