

McV ALERT
September 3, 2009

**PUERTO RICO PUBLIC PRIVATE PARTNERSHIPS AUTHORITY'S
BOARD OF DIRECTORS APPOINTED; REGULATIONS PUBLISHED FOR
COMMENTS**

Puerto Rico Governor Luis G. Fortuño announced the members of the Puerto Rico Public Private Partnerships Authority's ("PPPA") Board of Directors. The Chair of the Board will be Carlos García, President of Government Development Bank for Puerto Rico ("GDB"). The other members are: Juan Carlos Puig (Secretary of Treasury), Héctor Morales (Planning Board President), Luis Berríos-Amadeo and Dr. Hernán Padilla. Mr. Berríos, recommended by Senate President Thomas Rivera Schatz, is an attorney in private practice. Dr. Padilla, recommended by House of Representatives Speaker Jennifer González, served as Mayor of San Juan between 1977 and 1984.

In its first meeting yesterday, the Board of Directors approved for public comment the proposed *Regulations for the Procurement, Evaluation, Selection, Negotiation and Award of Public-Private Partnerships under Act No. 29 of June 8, 2009*. The regulations will be available for comment for twenty days starting today on the PPPA website at www.p3.gov.pr.

The PPPA was created by Puerto Rico Act No. 29 of 2009, known as the Puerto Rico Public Private Partnerships Act ("PPP Act"), which adopts as a public policy of the Government of Puerto Rico the creation of public private partnerships. The PPP Act establishes a uniform legal framework for the formation of public private partnerships for the design, construction, management, and concessions of new or existing public facilities or services, among others.

The PPP Act includes a description of public services and facilities deemed as priorities and suitable for public private partnerships, comprising, among others, solid waste facilities, including waste-to-energy and recycling facilities; water and energy infrastructure, including renewable energy projects; transportation infrastructure; healthcare, educational, law enforcement, and penitentiary facilities; low income housing; communications infrastructure; and recreational, cultural, and tourism facilities.

The PPPA's Board of Directors will approve a project inventory and will determine whether a Convenience and Desirability Study is necessary in order to decide whether a public private partnership is convenient for a specific project. Once a proposed public private partnership is deemed convenient, the PPPA's Board of Directors will appoint a Partnership Committee that will be responsible for issuing an initial request for qualifications and to guide the selection and approval proceedings required by the PPP Act.

If you have any questions or comments, or wish additional information regarding the matters discussed herein, please contact any of the attorneys listed below.

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