GENERAL INFORMATION


LEGAL AND INSTITUTIONAL FRAMEWORK

PPP Law
- Law No14/2016 of 2 May 2016 for Governing PPPs in Rwanda (LPPP)
- PPP Guidelines, 2018 (the “Guidelines”)
- Rwanda Vision 2020
- Rwanda Vision 2050
- Law No62/2018 Of 25/08/2018 Governing Public Procurement

Other Applicable Sectoral Laws
- The Law No 21/2011 of 23/06/2011 governing Electricity in Rwanda (Electricity Law) and the Law N°52/2018 of 13/08/2018 Modifying Law No21/2011 OF 23/06/2011 Governing Electricity in Rwanda as Modified to Date
- Law n° 55/2011 of 14/12/2011 governing roads in Rwanda

PPP Unit
Rwanda Development Board (“RDB”)

Definition
“[A PPP] is a long-term contract between a public party and a private party, for the development and/or management of a public asset or service, in which the private party bears significant risk and management responsibility through the life of the contract, and remuneration is significantly linked to performance, and/or the demand or use of the asset or service.”

“PPP agreement: a written contract concluded between a Contracting Authority and a partner recording the terms of a PPP project”

General Principles
Promote competition and transparency, fairness and non-discrimination, efficiency and effectiveness, protection of public property and public interest, accountability.

Tendering and contracting procedures / Choice of the private partnership
- Competitive Bidding Process: procurement in the form of a two-stages process comprising (i) a pre-qualification and (ii) a final selection stage.
- Unsolicited Proposals: (Ch. 4, Guidelines)
Project Evaluation
(Ch. 3-4, Guidelines)
(Art. 13, LPPP)
Prior to a tender notice, the Contracting Authority undertakes a detailed feasibility study of the proposed project, by assessing its technical, environmental, social, economic, financial, risk, fiscal affordability, value for money, legal and marketability dimensions.

Negotiation and Signature of PPP Contracts
(Ch. 2.8, Guidelines)
(Art. 28, LPPP)
The Rwanda Development Board leads negotiations with the Private Partner. The Contracting authority signs a PPP agreement after Cabinet approval.

Rights and Obligations of the public partner
(Chapter 2.2.1, Guidelines)
Responsibilities include identifying, assessing, negotiating, managing, and reporting on PPP Projects.

Rights and Obligations of the private partner
No provision in the Act.

Obligations of both public and private partners
No provision in the Act.

Applicable Law
No provision in the Act.

Dispute resolution
The PPP agreement must provide dispute resolution mechanisms
(Art. 12, LPPP)

EXAMPLES OF PROJECTS STRUCTURED AS PPP

Energy
Akanyaru Valley Peat-fired Power Project
Agahozo-Shalom Youth PV Solar Plant
Kivuawatt

Transport (airport)
Bugesera Airport