

# **A Conceptual Process Framework for the Development of Briefs in Public Private Partnership Projects**

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## **Abstract**

The use of Public Private Partnerships (PPPs) as a strategy for developing infrastructure projects has been well-practiced internationally. Briefing is considered one of the important stages in any PPP project development. The briefing process is the process by which the client's needs are investigated, developed, crystallized, and communicated to all stakeholders of the PPP project. A review of the literature reveals that there are very limited numbers of studies focusing on the process of developing of briefs for PPP infrastructure projects. The aim of the research presented in this paper is to develop a framework for the conceptual process of such development. The study is guided by a comprehensive literature on PPP briefing and a comparative analysis of the briefing processes in the top three countries of the PPP Market Maturity chart. The developed process framework is broken down into three key phases: the Strategic, Feasibility and Procurement phases, with 13 main sub-processes covering the most common sub-processes within the PPP briefing stage. The developed framework is developed further through a case study analysis and interview sessions with practitioners and experts from the PPP environment in the UAE in order to develop and validate a strategic model for developing PPP briefs with special reference to the PPP environment in the UAE.

## **Keywords**

Public Private Partnerships (PPPs); Briefing; PPP maturity; Process Framework; PPP Market Maturity

## **1.0 Introduction**

Public Private Partnership (PPP) is a procurement method that employs a long-term contractual arrangement between the public sector and the private sector with the intention of developing a public facility. It uses private sector finance and best practice to achieve value for money in the public services provided. The emergence of PPPs as a major approach for delivering infrastructure projects has increased substantially in the last two decades (Li et al., 2005b, Alfen, 2009). There has been significant growth in the PPP model throughout the world. According to Jamali (2004), the growing appreciation of the importance of the market mechanism, coupled with the success of a privatization approach in various countries, has increased interest in the continuously emerging phenomenon of PPP. Several factors have served to increase the interest and popularity of the PPP approach in different countries. The demand for PPPs can be generally explained in terms of their expected

benefits, including access to private finance in order to expand services, clearer objectives, new ideas, flexibility, better planning, improved incentives for competitive tendering, and finally greater value for money in public projects (Jamali, 2004).

The early briefing stages of any construction projects are often the most important in determining a successful outcome where the briefing process is the process by which the client's needs are investigated, developed, crystallized, and communicated to the different project stakeholders. According to Othman (2010), the briefing process is considered the keystone for achieving client satisfaction, because of its crucial role in "eliciting and communicating the client's requirements to the design and construction teams." Most of the significant decisions made during the briefing stage of any project will have a far-reaching impact throughout the project's life cycle. For this reason, the briefing is a vital aspect of every project and must be well-planned and responsive to the client's needs.

The stakeholders involved in the briefing for any PPP project are individuals or organizations which either affect or are affected by the development of the project. Therefore, it is important to capture their input and determine their views and concerns in order to make it easier to develop a project that meets the needs of those different parties. A review of the literature reveals that only a very limited number of current studies focus on the briefing process of PPP projects.

The work presented in this paper is part of an ongoing research project aiming to develop a framework for guiding the briefing process of PPP projects in the UAE. This paper reports on its first stage, which focuses on developing a generic/initial process framework in which briefs for PPP projects can be developed. The paper starts by providing a background on project briefs, their processes, and problems. The concept of the Market Maturity of PPP projects is then presented. Following this, the briefing processes in the top three matured PPP markets are comparatively analyzed and discussed. A conceptual processes framework for PPP briefing is presented. Finally, the paper ends with a conclusion and suggestions for future work.

## **2.0 Briefing: A Review**

The briefing stage was defined by Kelly and Duerk (2002) as "the process of gathering, analyzing, and synthesizing information needed in the building process in order to inform decision-making and decision implementation." Despite the importance of briefing as an important stage of PPP projects, however, as noted above, little has been written about it.

### **2.1 The Stages of Briefing**

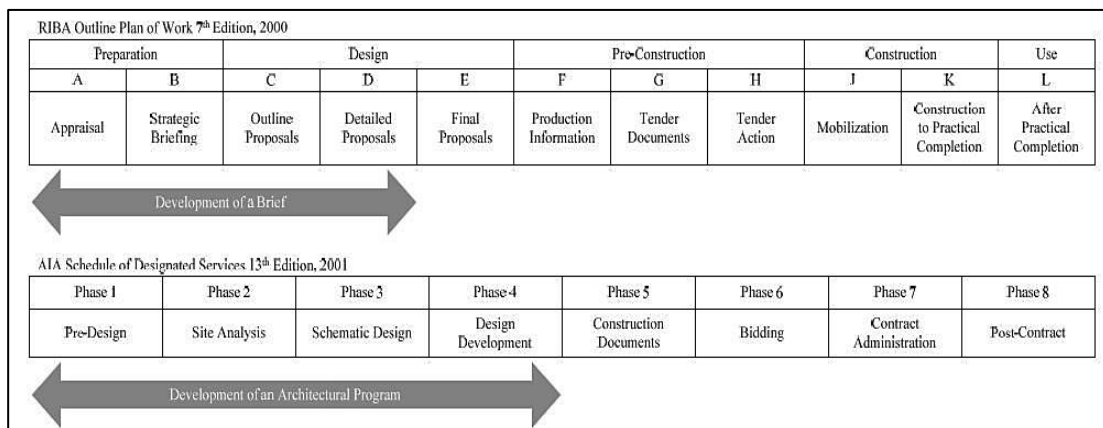
In construction projects, the briefing process can be divided into two stages: strategic briefing and project briefing (Yu, 2007, Kamara et al., 2002, Kelly and Duerk, 2002). According to Yu (2007), a strategic briefing study should describe the mission of the business project and its strategic fit with the corporate objectives of the client organization. He suggests that the corporate objectives should be explicit in terms of commercial objectives and should usually be implicit in terms of cultural values, the client's value system being formed by a combination of corporate objectives and cultural values.

A range of options for delivering the business project should also be explored in a strategic briefing study to help the strategic management to reach the best decision by providing them with information in a clear and unambiguous manner. The project brief then translates the strategic brief into executive terms and specifies the performance requirements for each of the project elements. Yu (2007) considers the project brief as the "construction industry's response to the client requirements expressed in the strategic brief." Project requirements contain several requirements, including those to do with the client, user, site, environment, regulations, requirements, design, construction, and life-cycle (Kamara et al., 2000).

## 2.2 Briefing Processes

According to the above definitions, the primary work of briefing is carried out in the early stages of a project development process. However, in construction projects, the client requirements are captured in briefing documents, which record them in documentary form. Briefing documents, in the interaction between client and architect, are the means of communication. For architects, and others involved in a construction project, the brief should give a clear overview and understanding of the accommodation needs and ambitions of the client organization. The Royal Institute of Architects (RIBA) outlines a framework in which the briefing is intertwined with the design (Luo, 2010) as shown in Figure 1, below.

In the PPP context, Tang (2011) has developed a PPP briefing framework process. This framework entails three components: deliverables, briefing activities, and procedures for briefing documentation. According to Tang (2011), validation using case studies shows that the implementation of the framework can enable both the public and private sector to implement the briefing process systematically, and can ensure that important procedures and issues are not overlooked. However, this briefing framework was developed and validated for two regions only—Hong Kong and Australia—where construction practices were almost compatible. Thus, it is difficult to generalize the developed framework to other regions such as that of the Gulf Cooperation Council (GCC).



**Figure 1 : Briefing in a project development process—Source: (Luo, 2010)**

## 2.3 Problems Associated with Briefing

A wide range of weaknesses in briefing practice has been identified in the scholarly literature. These studies have suggested that the client's brief document is often inadequate, vague, or insufficiently explicit (Yusuf, 2004). These drawbacks may be due to a poor reflection of the client's requirements, a lack of robust experience of construction projects on the part of the client, or lack of ability to identify the client's true needs (Barrett and Stanley, 1996, Barrett et al., 1999). However, many studies have been conducted to remedy such weaknesses. Much of this work has centered on the linked issues of understanding the client, client-industry interaction, communication and team building.

The problems that accompanied the briefing process of construction projects have drawn special concern and increasing investigation (Luo, 2010). Male et al. (2007) identify five areas of the problems surrounding the briefing process: the client's experience with the building industry; representation of client interest groups; identification of the client's needs; interpretation of the client's needs in building terms; provision of sufficient time for briefing. Furthermore, Yu (2007) identifies four potential problems during the course of briefing, namely, lack of a comprehensive framework; failure to identify client requirements; inadequate involvement of all the relevant parties in a project; inadequate communication between those involved in briefing.

## 2.4 Briefing Considerations for PPP Projects

In regard to PPP projects, Tang (2011) asserts that the existing briefing models for conventional projects cannot be effectively applied, because: i) these models are not specifically designed for PPP projects; and ii) these models are too general, making it hard for project managers to follow when they undertake briefing.

An intensive literature survey of PPP based construction projects reveals that there are major differences between carrying out the briefing process for a conventional project and for a PPP project, where many important considerations at the briefing stage need to be clearly understood. These include the following:

- a) Certain procurement-related steps are unnecessary in a conventional project, but needed in the briefing of PPP projects (such as preparing a public sector comparator, or PSC, which is used by a government to make decisions by testing whether a PPP proposal offers value for money (VfM) in comparison with the most efficient form of public procurement; it also enables bids to be compared and allows for the imputed cost of government borrowing) (South Africa National Treasury, 2004, Victorian Government, 2001, Tang, 2011);
- b) A feasibility study should be more focused in a PPP project than in a conventional project (Daube et al., 2008, Ng et al., 2012, Shen et al., 2006). Amponsah (2010) highlights that problems and delays during negotiation and procurement can be obviated by performing comprehensive feasibility studies with strong financial and economic analyses. In many countries, the public sector must not definitively choose a PPP approach before it develops the feasibility study; until then, a PPP is still merely a possible procurement choice. After the feasibility study and once the PPP approach has been chosen, the most efficient financing model for the PPP project can be selected (Daube et al., 2008);
- c) In the PPP briefing process, the special financial and risk-related issues are considered in greater detail than in a conventional project. A considerable number of risks come from the complexity of the arrangements required for PPP projects, such as documentation, financing, taxation, technical details and agreements. A proper risk identification and assessment process should be implemented from day one of the project. During the risk response stage, unlike those in conventional procurement methods, the risks in PPP projects are allocated to the party which is best able to manage them (Seader, 2004, Allan, 1999, UNIDO, 1996). Therefore, as a part of the planning process of a PPP project, a proper risk transfer strategy should be developed, wherein the risks best managed by the private sector are transferred to it, and those best managed by the public sector are retained by it (Li and Akintoye, 2003);
- d) The PPP business case is scarcely ever used exclusively as a client brief, because the disclosure of some confidential financial information contained within the business case could be prejudicial to the tendering process (Akintoye and Donnelly, 2003). In PPP projects, the business case not only defines the scope of the project and its relationship with the institution's activities, but it also contains an assessment of alternative methods of procurement that could be chosen to meet the needs of the public sector services other than the PPP path. The PPP's business case deals with affordability and financial issues (Victorian Government, 2001);
- e) The client brief of a PPP project must provide effective and robust output specifications. Zeegers and Ang (2007) assert that the output specifications in a PPP represent a very important element of the contract since they are the basis of the whole project and require much attention. They also argue that a good set of output specifications for PPP projects is important so as to achieve value for money, innovation, risk transfer, whole life asset performance, with a clear abatement regime, and the effective linkage of performance criteria to the payment mechanism;
- f) The client brief must provide an indication of the way in which the performance-related payment in a PPP project will be addressed by the public sector. Payment mechanisms and schedules, include one or a combination of the following: availability of the service, performance quality of the service, use made of the service and sale of the asset at the end of the service agreement.

### 3.0 PPP Briefing in the Mature Markets

#### 3.1 PPP Market Maturity

Various stages of understanding and sophistication in using innovative partnership models are required to bring a country's PPP program or market to maturity level. Around the world there are several diverse potentials in different countries, which take their own path in developing infrastructure PPP, depending on the local geography, political climate, the sophistication of the capital market, the forces driving the formation of partnerships and the factors favoring their creation. In 2006, Deloitte published *Closing the Infrastructure Gap: The Role of Public-Private Partnerships* (Eggers and Startup, 2006). This paper included a worldwide "maturity" analysis of PPP programmers. It compared the maturity of different countries' PPP markets, using typical success factors and based on levels of sophistication and activity. In 2011, Deloitte has reviewed and updated its maturity analysis (New Zealand Office of the Auditor-General, 2011). In general, PPP maturity worldwide can be seen to fall into three distinct stages. Figure 2 illustrates them as follows: 1) Stage one: the developing PPP market, 2) Stage two: the active PPP market and 3) Stage three: the well-functioning and mature PPP market. The curve analysis of the PPP mature market in 2011, compared with the 2006 curve, generated the following findings:

- The international landscape of the PPP has changed due to the global finance crisis in 2008 and its later consequences.
- The UK and Australia are the most mature adopters of the PPP model, outdoing many industrial countries in reaching Stage three, whereas the Canadian market has moved towards Stage three in giant steps.
- Many European countries are either improving their position in relation to the advanced stages or are starting their journey to the maturity stages.

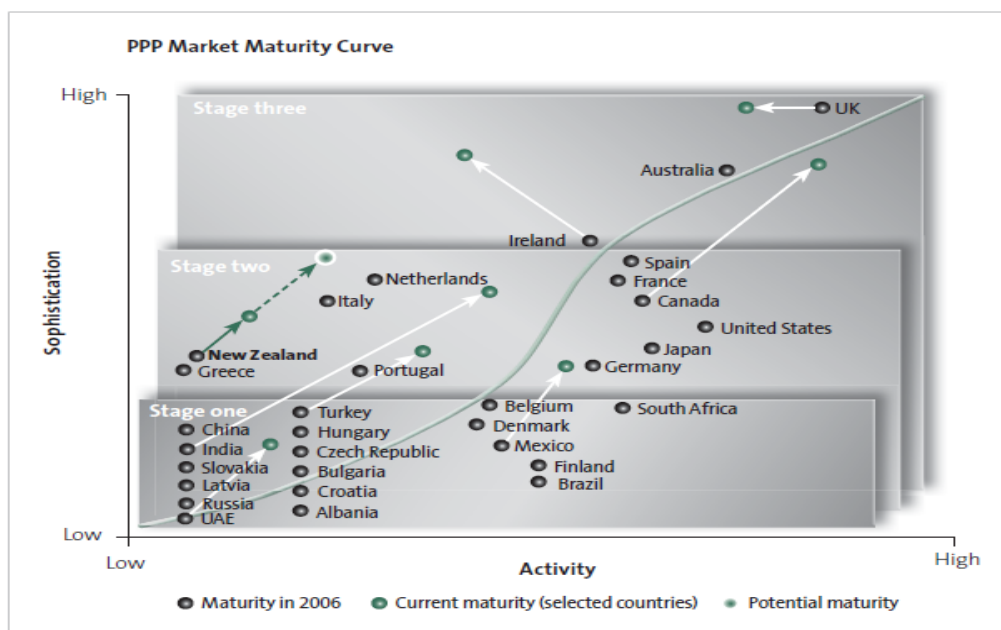


Figure 2: PPP Market Maturity Curve - Source: (New Zealand Office of the Auditor-General, 2011)

#### 3.2 Briefing Processes in PPP Mature Countries

According to the definition of briefing introduced in the previous section, the briefing process is carried out in the early stages of the project development process. In the PPP context a briefing session in PPP projects is usually scheduled for approximately halfway through the bid preparation period (Tang, 2011). In essence, to develop the proposed framework, the whole PPP process, including the briefing stage, in the three most mature countries is studied and analyzed, in order to

divide them into major stages that can be subdivided into phases. Then the relevant main processes within these phases, their inputs and their expected outputs, are identified.

### 3.2.1 The United Kingdom

According to above maturity curve, the UK is for infrastructure development considered the most mature country in the implementation of PPPs. PPPs in the UK have developed mainly through the Private Finance Initiative (PFI) model; various studies by UK researchers have indicated the high success rate of this procurement model in the UK (Ke et al., 2009). The total capital spending on PPPs between 1992 and 1999 amounted to almost £10 billion (Chou and Pramudawardhani, 2014, Li et al., 2005b, Brown, 1999). In 2002, PPP projects represented 11% of all UK investment in public infrastructure (Li et al., 2005b, Robinson, 2001). Li et al. (2005a) believe that efficient communication between the involved parties regarding risk allocation is behind this high success rate of the country's PPPs. Figure 3 represents the Outline Plan of Work for a PPP/PFI project; it addresses the activities involved in PFI, in four main stages, namely, i) the Preparation stage; ii) the Tender/Negotiations stage; iii) the Construction stage; and iv) the use stage. This Plan of Work, based on the Office of Government Commerce (OGC) PFI model, was issued in 2008 by the Royal Institute of British Architects (2008). Its stages contain 14 sub-stages (Treasury Taskforce, 1997). As shown in Figure 3, the briefing stage is located within the preparation and tender/negotiations stages. Those two stages examine such technical and financial issues as preparing the business case for the project, invitation and pre-qualification of potential bidders, design, finding solutions, evaluation of bids to determine value for money and affordability, selection and negotiation of a contract with the preferred bidder, financial close and developing the full business case for the PFI project. The UK segments the various phases of PPP projects through gateways (OGC) from 1 to 5, where the briefing stage covers the first three gateways. In the initial phase of Gateway-1, a strategic assessment is made to ensure the business needs of the project. In Gateway-2, the business justification is evaluated and recommendations for improvements are offered. Gateway-3 is the procurement strategic phase which gauges the project's potential and ability to succeed.

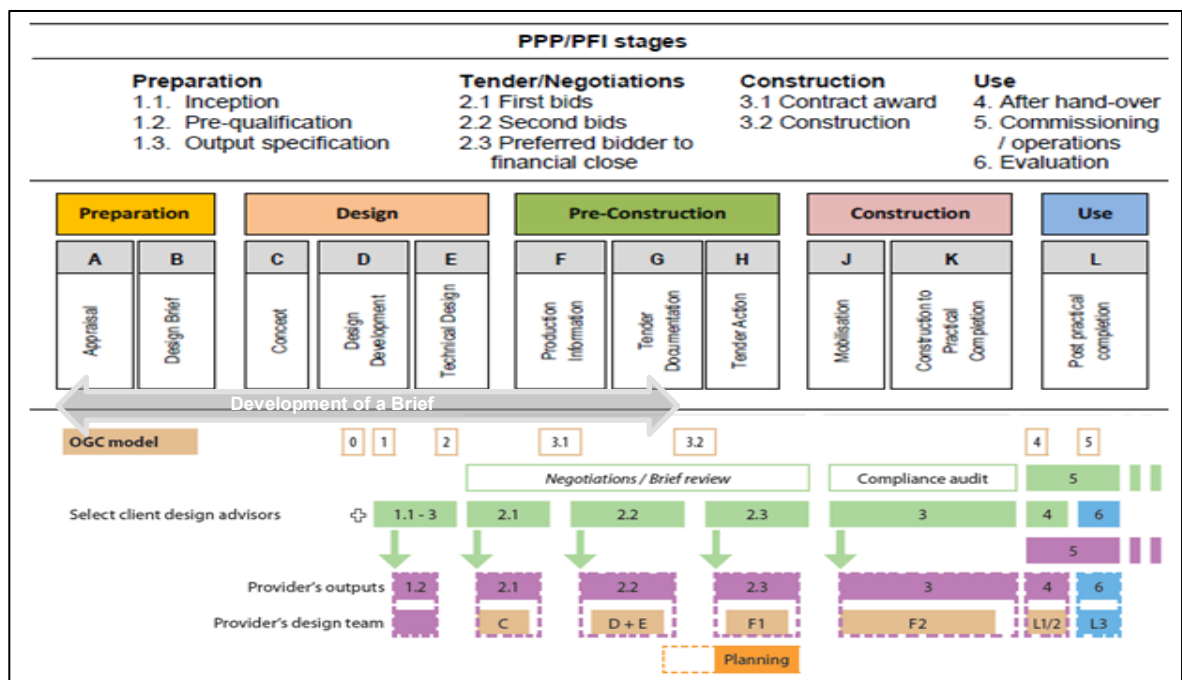
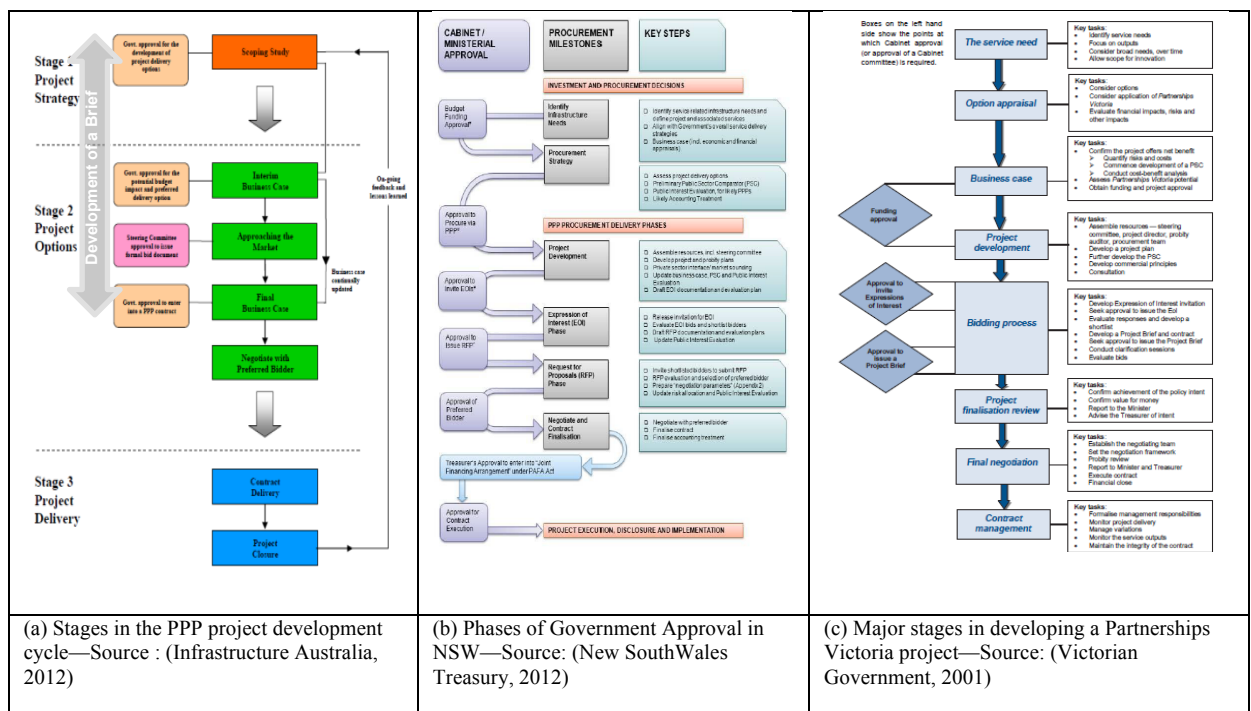


Figure 3: The RIBA Outline Plan of Work 2007—developed on the basis of (Mustapa, 2013, Royal Institute of British Architects, 2008)

### 3.2.2 Australia

The Australian PPP market is not as large as the UK's PFI market; however, it is amongst the most sophisticated PPP markets in the world (Raisbeck et al., 2010). PPP in Australia has become an integral part of the Federal and State Governments' procurement strategies. A\$35.7 billion worth of

PPP projects were contracted between 1980 and 2005 (Javed et al., 2013, Allen Consulting Group, 2007), while about A\$400 billion is expected to be spent on infrastructure provision in Australia over the next 10 years. Thus, PPP is likely to be a major future project delivery approach in Australia. According to Duffield (2001), most PPP projects are undertaken in the States of New South Wales (NSW), Victoria and Queensland. Moreover, New South Wales and Victoria have taken quick action to profit from their accumulated experiences in PPP infrastructure projects, compared with Western Australia which preferred to use more PPPs with an alliance agreement (Tang et al., 2012, Peter et al., 2008). According to *Infrastructure Australia* (2008) which forms part of the Australian National Public Private Partnership Policy and Guidelines, Victorian Government (2001), and *Infrastructure Australia* (2012) New SouthWales Treasury (2012), [not sure if this is what you meant], the PPP project development cycle process generally comprises three main stages: i) the project strategy stage; ii) the project options stage; iii), and the project delivery stage. The PPP process content of the activities of *Partnerships Victoria* and the NSW are the same, and the major differences between the processes relate to the timing of the activities.



**Figure 4: Phases and activities of the PPP delivery process in Australia**

According to the definition and timing of the process, the development of a brief in Australia should be in operation from the time of identifying a set of service needs until the bidding process. For example, the PPP briefing process according to Partnerships Victoria should occupy five major phases. They are identifying the services needed, optional appraisal, preparation of a business case, project development and half the distance to the bidding process. During the briefing process, a “gateway” approval of the PPP (by special committee) is required for three major decisions: i) project selection in order to proceed with the development of the business case; ii) before issuing the requests for expressions of interest; and iii) before issuing project briefs and a contract. In analyzing this process it is evident that high priority is given to clear communications to all stakeholders, in particular to the bidders, in order to ensure that all variations are well understood in good time.

### 3.2.3 Canada

Since the mid-1990s, Canadian governments, like those in Europe and Australia, have been most involved in PPP in capital-intensive infrastructure sectors, such as transportation (roads, airports and bridges), water and wastewater, hospitals, recreation facilities, power and energy, and for other facilities. Moreover, PPP has been used to provide many other smaller projects (Vining and Boardman, 2008, Vining et al., 2005).



Like Australia, Canada has a worldwide reputation for its procurement process, in terms of efficiency and its track record of taking transactions through the procurement process to a financial close. Figure 5 depicts the entire Canadian Public-Private-Partnership process, which has three key phases in the PPP implementation, namely, i) planning (the pre-procurement) stage; ii) procurement; and iii) contracts management (operation), as extracted from The Canadian Council for Public Private Partnerships (2011). The briefing process can be mapped from the project scoping phase where the actual needs analysis is conducted and all possible solutions are identified and prioritized with possible economic implications, execution and time frame, all the way to releasing a request for proposals (RFP) and a final project brief.

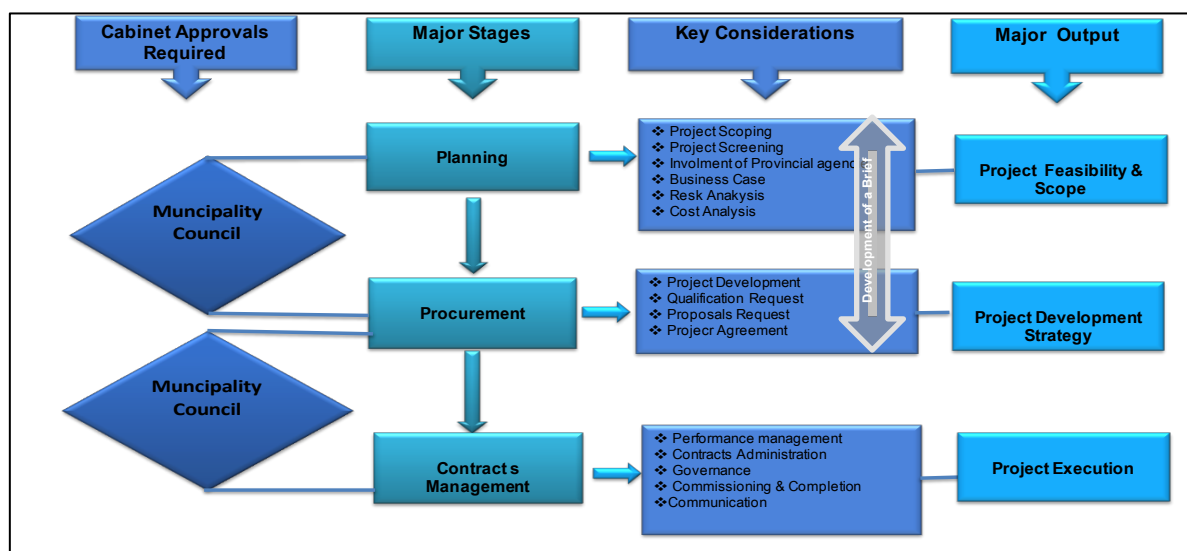


Figure 5: Overall Canadian PPP delivery process - developed based on (The Canadian Council for Public Private Partnerships, 2011)

#### 4.0 Comparative analysis of Briefing processes in the three Mature PPP Markets

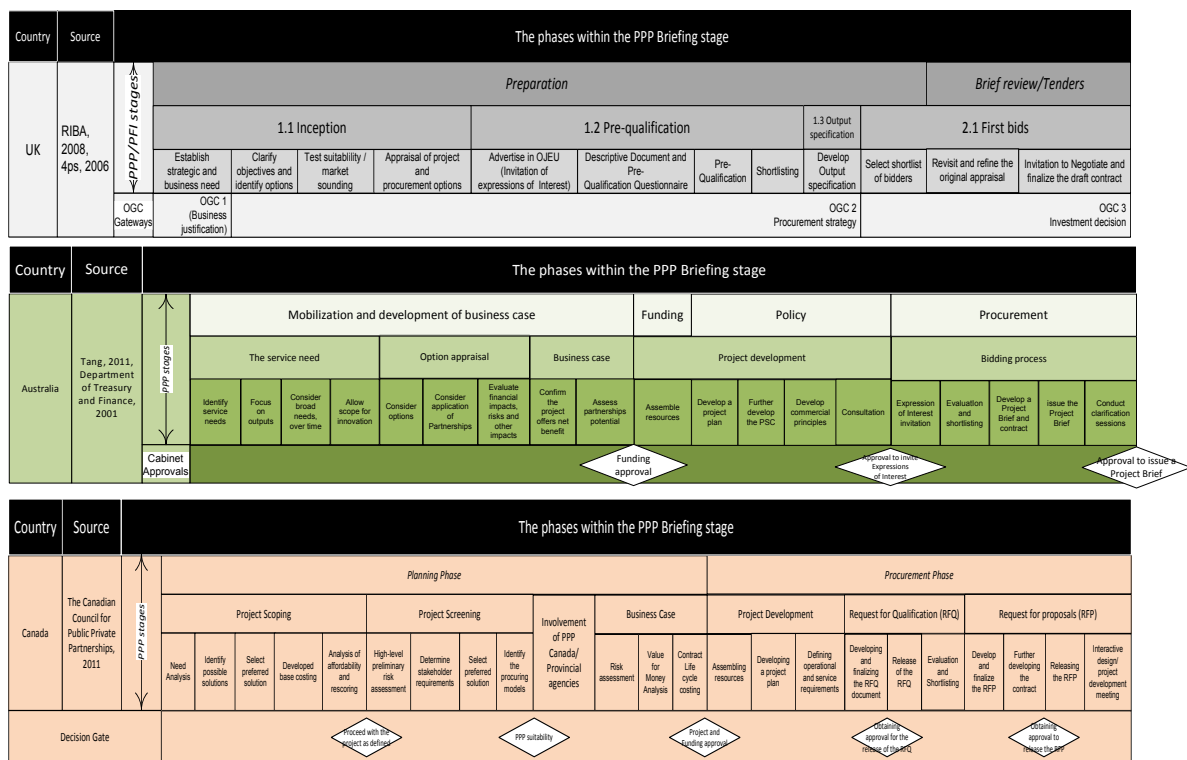
According to (Kamara et al., 2002), briefing is “a process which constitutes of a set of linked activities that take an input (information) and transform it to create an output (brief)”. Therefore, the discussion of the PPP briefing processes in mature countries will be in terms of comparing those interrelated activities which translate inputs to outputs. For the purpose of comparison, it is necessary to map the briefing stages in the three countries discussed above to define the various phases, stages, main processes and activities that constitute the briefing process. To this end, inputs and outputs should also be identified, because if the inputs or the information are inconsistent, inadequate or incorrect, then it is very likely that the activity/process and its outputs will also be deficient. Furthermore, the process content, decision gates and who takes control, within the briefing processes of the three countries are also compared.

The procedure used in the three most mature countries to conduct the whole PPP process, including the briefing stage, is studied and analyzed, in order to discern the main stages, which were subdivided into phases. Then the main relevant processes within these phases, their inputs, expected outputs and decision gates and who takes control are identified and analyzed.

The comparison of briefing processes in the above three countries is shown in Figure 6. It is evident from the review of the processes applied during the PPP briefing process in the three countries under review that:

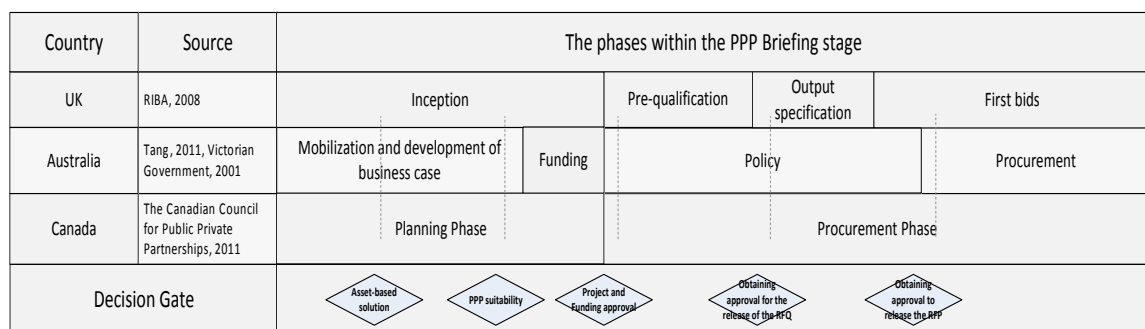
- The management and control of PPP briefing in the above mentioned countries are wholly in the charge of the public party (the client body).





**Figure 6: The overall briefing stage in detail (main stages and sub-tasks) for the three countries**

- In spite of differences in the titles of the main phases in the three countries, the phases have almost the same content in their sub-processes and also share the same decision gates.
- The content of activities in the reviewed processes is almost identical, and the main differences between the processes relate to the timing of the briefing activities.
- Generally, there are three vital decision gates, which can be recognized through the briefing processes of the three countries. These are: i) the decision on the need of physical assets/infrastructure to meet the identified business and organization needs; ii) decision on the PPP's suitability; and finally iii) the decision whether to issue the final project brief.
- In the UK process, the negotiation task precedes the evaluation of bids, whereas in Australia and Canada the RFP process allows for negotiation after the preferred proponent is selected.
- Generally, the UK, Canada and Australia use the same multi-stage procurement process, consisting of an EOI stage, an RFP stage involving interaction with bidders, the selection of a preferred bidder and pre-award contract negotiations.



**Figure 7: Main phases and decision gates within the PPP briefing stages in the 3 most mature countries**

In this review, the above presented analysis has mainly been used to reflect the generality of the PPP briefing processes in the three countries being studied. A comprehensive literature review was conducted to establish the findings from the previous sections about the main phases, sub-processes, their inputs and outputs of the PPP briefing process in the most mature PPP Markets. Process mapping was used to display all the sub-processes within this stage.

## 5.0 The conceptual process framework for PPP briefing

The developed conceptual process framework presented in this paper, is shown to consist of three main phases, in which the PPP is iteratively developed and appraised through the briefing stage. At each main phase, a key decision is required in the PPP briefing process. This is due to the considerable cost of developing PPP projects; thus an early and well-defined PPP briefing process can ensure that development budgets are well spent. Moreover, such a framework enables oversight agencies to be involved in approving projects in good time. It can also provide a clear mechanism for identifying and precisely representing all the stakeholders' requirements in the briefing stage of PPP projects. These phases are as follows:

- i) the Strategic phase, where a list of reasonable alternative options is composed, based on an analysis of actual strategic and business needs and the decision to proceed with the asset-based solution is made.
- ii) the Feasibility phase, where alternatives are analyzed and the decision on the PPP's suitability is made.
- iii) the Procurement phase, where the preferred option is defined and the decision to proceed with the project is made.

Reflecting what happens in practice, the developed conceptual Process Framework includes 13 main sub-processes covering the most common sub-processes within the PPP briefing stage. The main sub-processes to be considered the key processes in the PPP briefing stage are: needs analysis, Output and scope, option appraisal, project due diligence, risk assessment, PSC affordability, value for money, market testing and bankability, stakeholder's consultation, funding, project development and EOI and RFP.

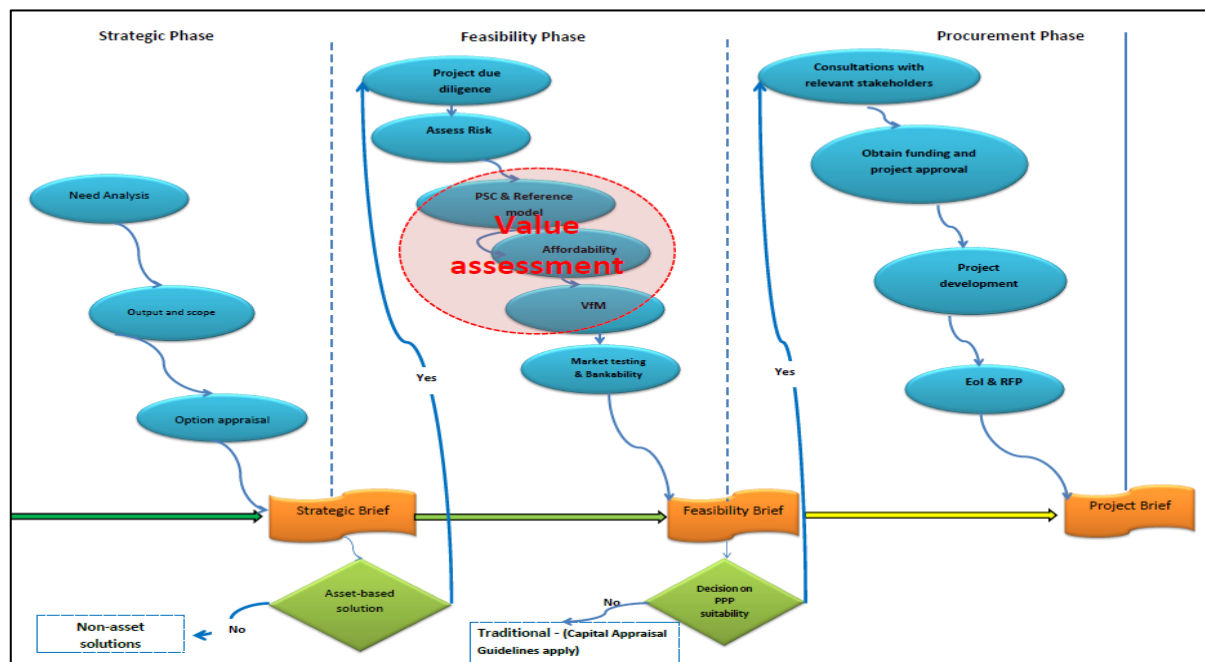


Figure 8: The conceptual process framework for PPP briefing

## 6.0 Conclusion and Future Work

Briefing is considered one of the most important stages in developing any PPP project. An extensive literature review has shown that too few studies focus on the development of the briefing process for PPP infrastructure projects. The aim of the current paper was to develop a conceptual process framework for PPP briefing in infrastructure projects. The analysis of the briefing development processes in the most mature countries regarding PPP showed the generality of their briefing processes. In spite of having different titles for the main phases in the three countries, these phases have almost the same content in their sub-processes and also share the same decision gates. The content of the activities of in these processes is almost identical, the main differences between them related only to the timing of some activities.

A briefing framework with 13 main sub-processes covering the most common sub-processes within the PPP briefing stage is developed and presented on the basis of a literature review and the analysis of the PPP processes discussed above. It has three main phases: a strategic phase; feasibility phase; and procurement phase. At each main phase, a key decision is required in the PPP briefing development process.

Future work will involve the development of “a Preliminary Process Framework for PPP briefing” by conducting semi-structured interviews with PPP professionals and a case study analysis from the UAE’s PPP projects. The main aim of these two methods is to investigate the briefing development processes for PPP construction projects in the UAE; to investigate the role of local government authorities and the private sector in the briefing process; and to explore the briefing development processes for PPP construction projects in the UAE. Furthermore, a structured interview will be held to develop and validate this preliminary Process Framework.

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