# Rethinking Public – Private Sector Partnerships in Developing Countries: Lessons from Kenya

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# OUTLINE

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- Introduction
- Theoretical Framework
- Findings: Overview of PPPs
- Discussion: Policy Evaluation
- Conclusion
- Recommendations

# Introduction

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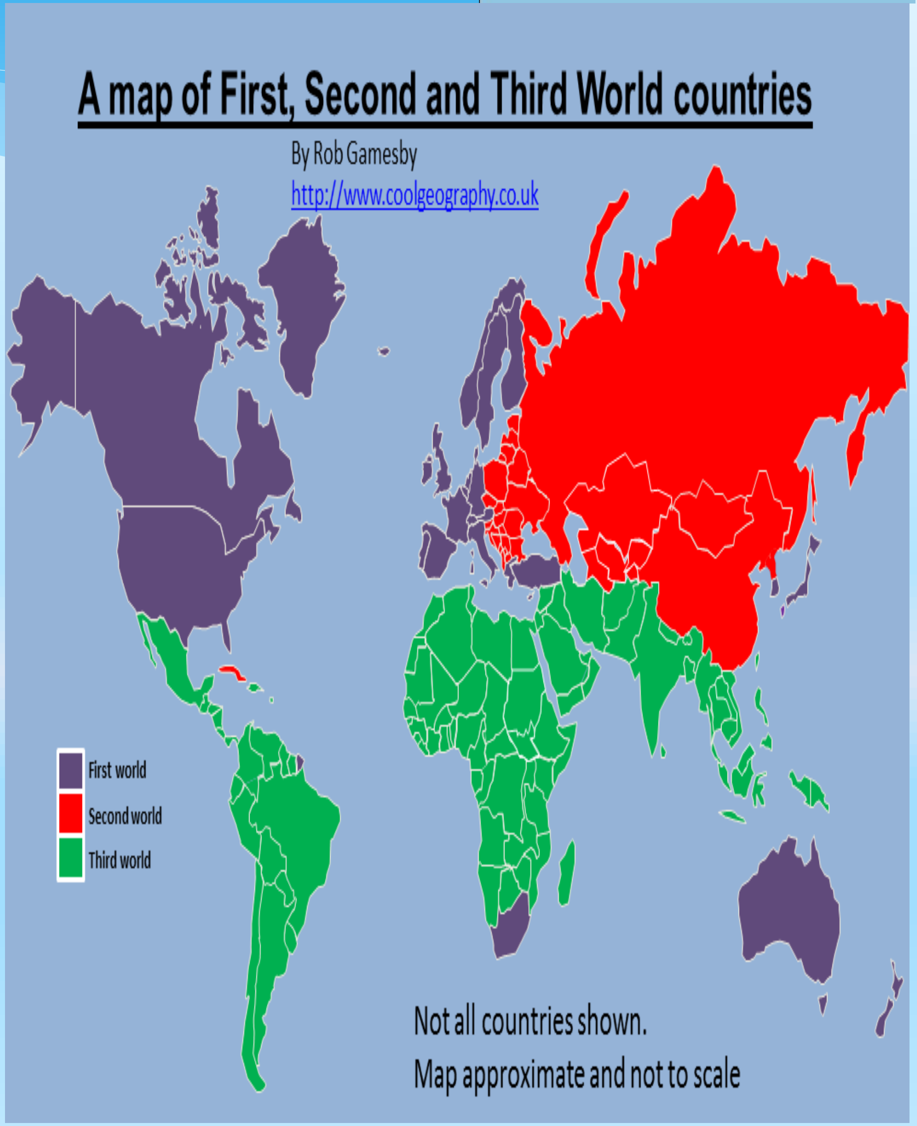
- Internationally, governments are in search for new models of improving and sustaining public service delivery. This is in response to globalisation and increased competition.

- However, it has turned difficult to meet the infrastructure needs and overall public services delivery with the national resource, resulting to Public-Private Partnerships (ppps).

# Cont.

- PPP is the long-term participation of a private sector undertaking a project on behalf of a state of which on completion, the state is entitled to the asset (Tshombe & Molokwane, 2016).
- The high-income countries' experience has been one of search for value for money (VFM).
- The UK experience from 1992 (recession) was in support for the off-balance sheet accounting procedures and improving previously underfunded infrastructure development (Vicker, 2004).



# Cont.

- The Australian government experience began with the government access to private capital and the transfer of public service delivery fully to the private sector. The Sydney Harbour Tunnel completed in 1988 is a good example of this contracting approach where build own and operate was applied (Tshombe & Molokwane, 2016).

- Currently, the approach is more structured with specific policies, procedures, guidelines, and steering mechanisms (Taseska 2008:80)

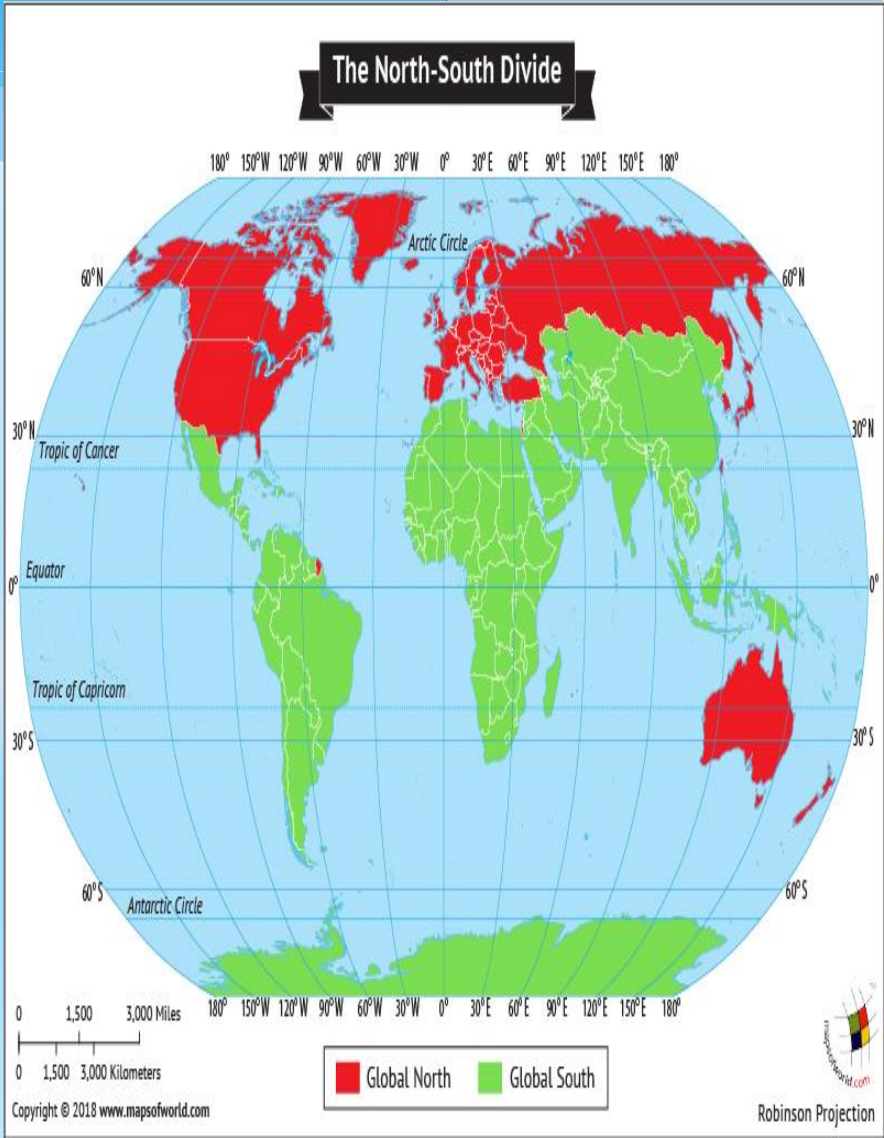
# Cont.

- The Asian countries have also had an encounter with PPPs for instance China introduced the approach in late 1990s before which most projects were carried out by Chinese public enterprise companies.

- The fast growth of both public and private sectors in China is suitable for adoption of PPPs (Xie & Stough, 2002:16) . Public financial decentralisation creates an incentive for local governments cooperation with private and other nonstate sectors in urban economic development.

# Cont.

- Developing countries have been forced to partner with private sector for improving public service delivery efficiency and create synergies for increased financial revenues while reducing  state financial deficits. Same to need for faster market development, foreign investments, and increased competition.
- PPPs compared to procurement have advantage of accessing private capital thus deferring the impact on public budgets of any related up-front expenditures.



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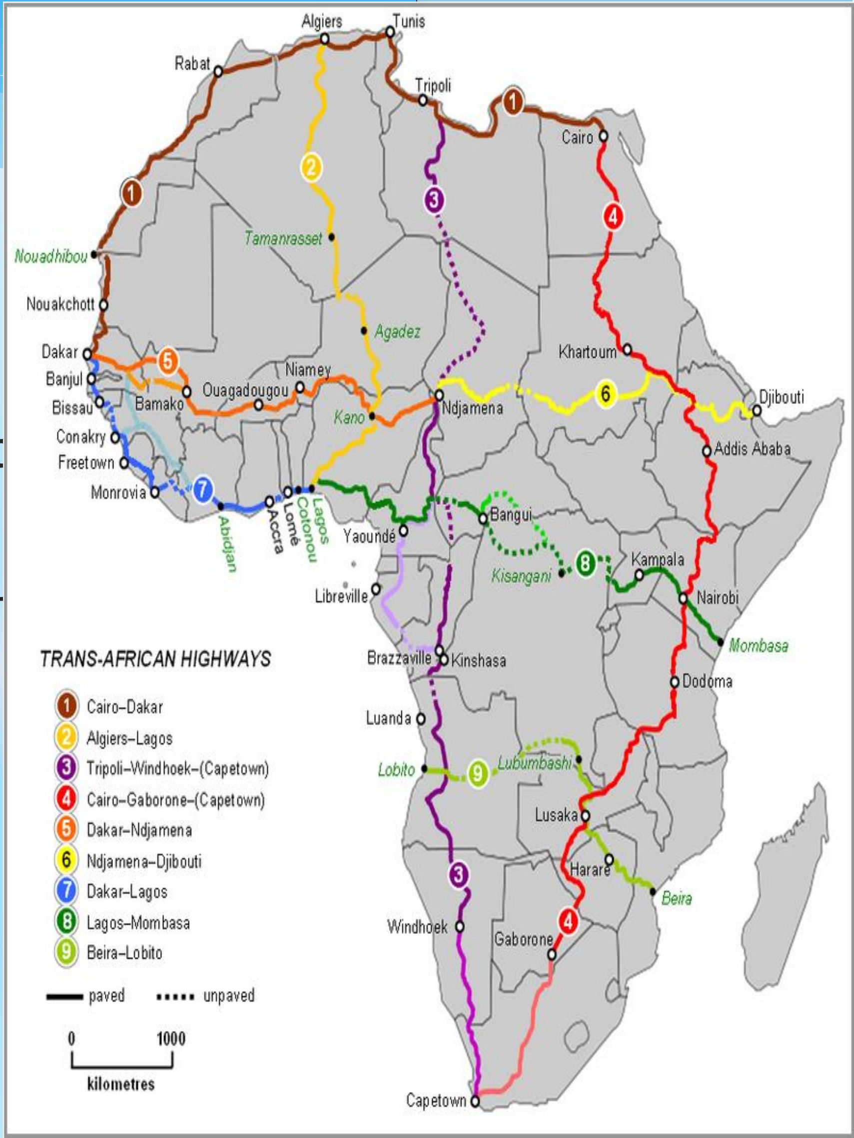
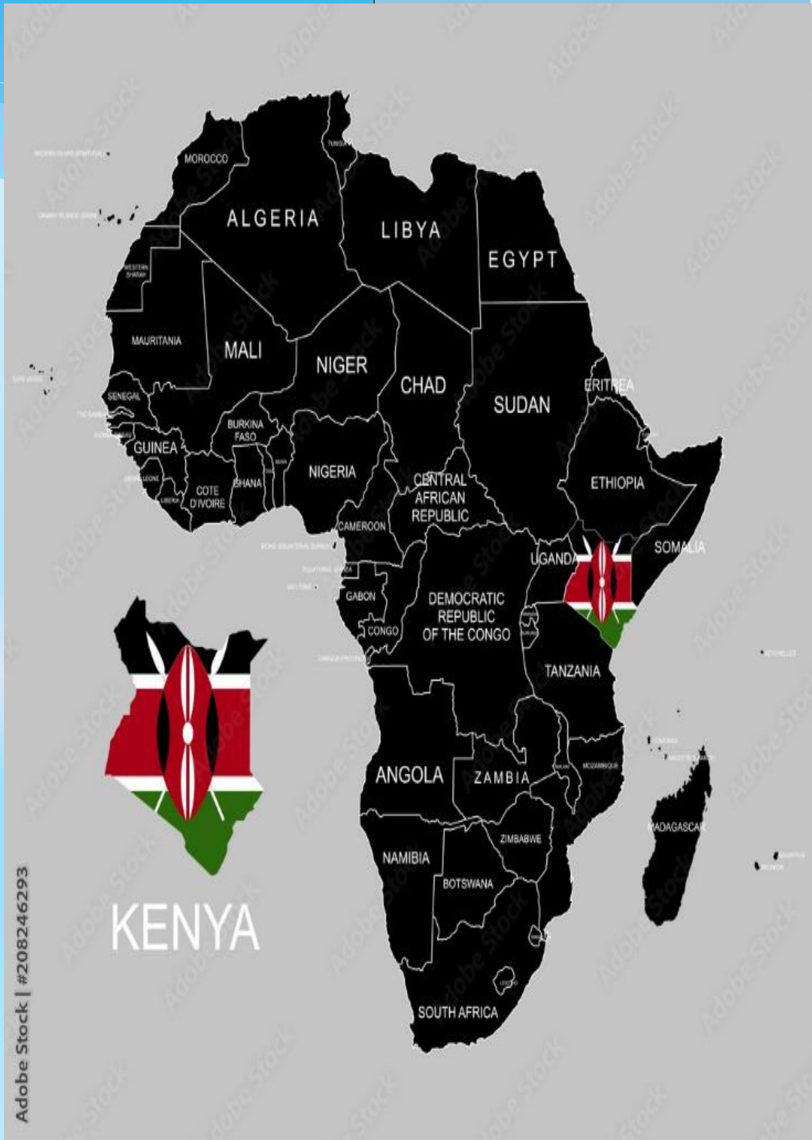
- The World Bank report on infrastructure (2020), indicated a great gap in Africa on infrastructure development. The African Development Bank (AfDB) estimates the continent's infrastructure needs at $130–$170 billion annually, with a $68–$108 billion annual funding deficit (UN-Economic Commission for Africa, 2023).
- To mitigate this funding gap the African countries opted for PPPs in an attempt to improve public service delivery.



# Cont.

- Kenya has significant infrastructure needs as per Kenya's Vision 2030 Agenda; to transform the country into an industrialized middle-income economy; key priority sectors are:- ports, roads, health, urban mobility, housing, power transmission, water, sanitation, blue economy
- PPPs are assisting to meet this demand and bridge budget shortfall. Estimated PPP initiatives total around $200 billion over the next ten years (UN-ECA,2023).
- However, research on evaluation of  the PPPs' policy process and outcomes is limited and Evaluation criterion seems to be unclear and marred with politics.



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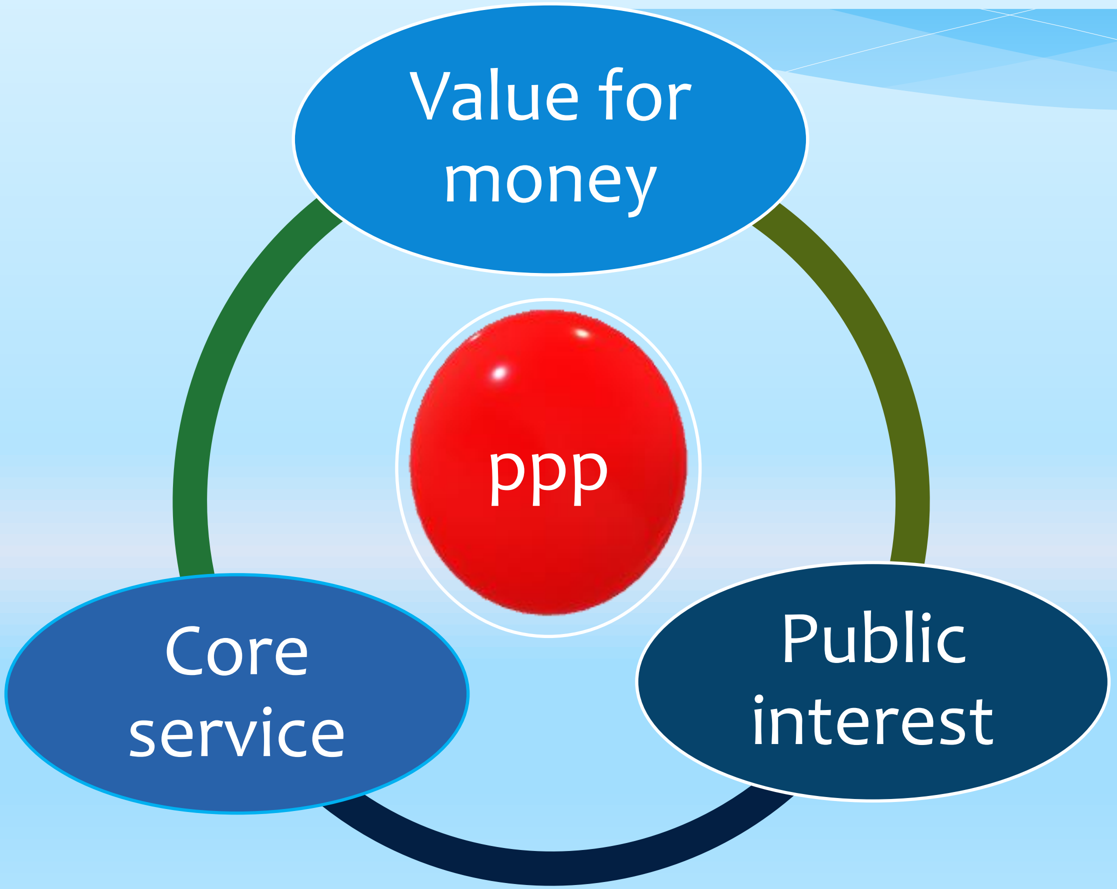
- Therefore, on this background, this desktop study delves to discuss policy evaluation of PPPs in developing countries taking a case study of Kenya. Data was collected through desk examination of thematic literature purposively sampled from Kenya, the International Monetary Fund (IMF), the World Bank and the AfDB and other related literature.
- The discussion will utilise Grimsey and Lewis (2004) Three Criteria PPPs Policy evaluation criterion to identify the evaluation gaps and propose benefit-challenge analysis criterion to highlight factor for or against PPPs adoption.
- Finally, there will be a conclusion and recommendations.

# Three Criteria PPPs Application Policy Evaluation Criterion (Grimsey and Lewis 2004)



# Cont.

**CORE SERVICE**

- Roads
- Health
- Education
- security

**PUBLIC INTEREST**

- Patronage
- Values & principles
- Ethnicity, Nepotism
- Rushed Decisions
- Increased Budgets
- Competition

**VALUE FOR MONEY**

- Cost-benefit analysis
- Cost as a normal government funding vs PPP funding

PPP

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# Limitations

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- The criterion believe that policy evaluation should concentrate on explanation and prediction
- Thereby, Ethics and values are then treated as an afterthought.
- Normative theories of value:-
  - certain kinds of actions are inherently right.
  - certain actions are right as they result in good valuable ends
  - reflective moral action as a process for discovering the criteria on which values and ethics may be known
- Meta ethical theories- to answer: According to what criteria can we determine whether public actions are right or wrong?
- To what extent are public interests public; Elites ideas?

# Study Findings

- Overview of PPPs
- PPPs vs privatization
- Models of PPPs
- Kenyan Experience

# Overview of Public-Private Sector Partnerships in Developing Countries

- PPPs as the name suggest involves the private sector as partners in the delivering of public goods and services in response to the citizen demand from a particular public sector.
- The private sector is entrusted with certain parts or whole of the service delivery for a longer period of time on some specified terms and conditions.
- This is different from other public private cooperation which are usually on shorter timelines, scale and magnitude.

# PPPS VERSES PRIVATIZATION

| PPPs | Privatization |
|---|---|
| Transfer funding, designing and implementation of the services for a specified period of time | Transfers entire control and ownership plus funding resulting to, contracting out, de-regulation self-management and denationalisation |
| Government finance and owning the public good. | Forms a case for liberalising the market and the sale of state assets. |
| Shared risks between government and private partner | Transfer risks fully to the private partner |

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# Cont.

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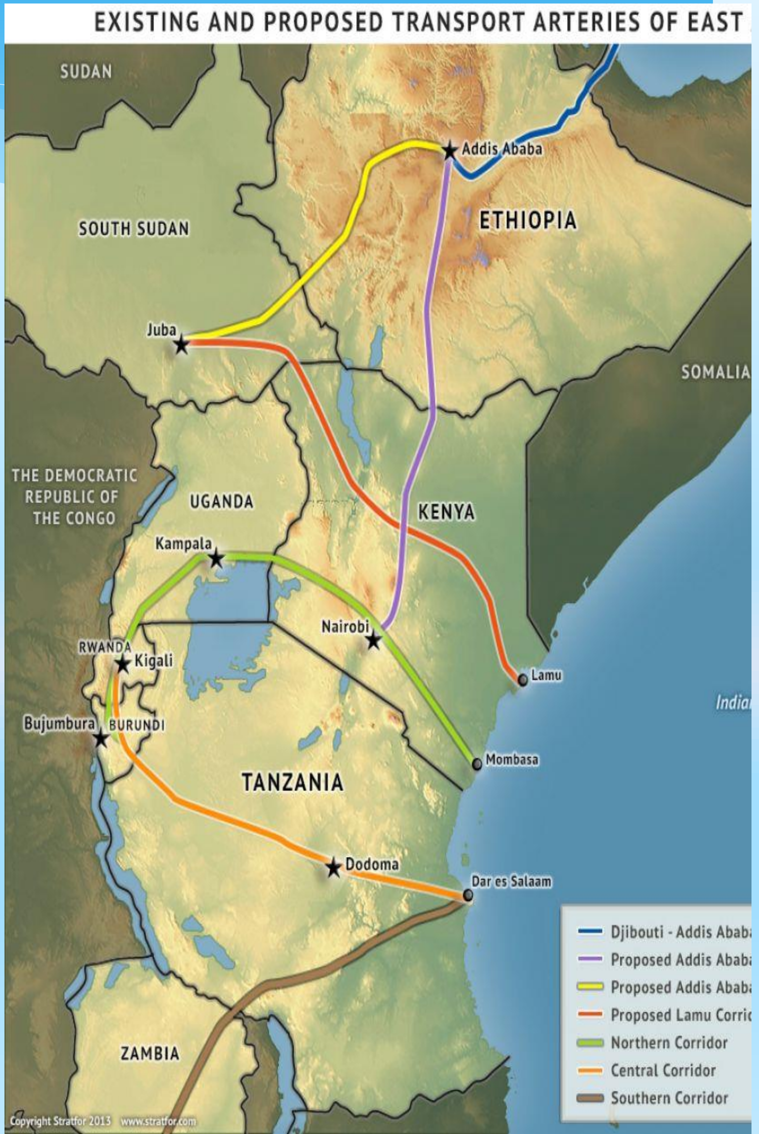
| Types of PPPs model | Modality |
|---|---|
| Operation and management contracts | The private sector operates and manages a publicly owned asset. Revenues for the private party are linked to performance targets. The public sector bears financial and investment risks. |
| Service Contracts | The private company procures, operates and maintains an asset for a short period of time. The public sector bears financial and management risks. |
| Leasing-type contracts<br>• Buy-build-operate (BBO)<br>• Lease-develop-operate (LDO)<br>• Wrap-around addition (WAA) | The private sector buys or leases an existing asset from the government, renovates, modernises, and/or expands it, and then operates the assets. Where the asset is bought by the private party, usually there is no obligation to transfer ownership back to government |

# Kenyan PPPs Experience

- Kenya is an East African country covering an area of 582,646 square kilometres, with a population of 53.77 million and a life expectancy of 66.7 years; (KNBS, 2020) .
- Estimated GDP at $98.84 billion, with a GDP per capita of $1,838.21 and growth rate averaged at 5% a year over the last decade. Real forecasts predicted  grow of 4.7 per cent in 2022, 5.1 per cent in 2023 and 5.7 per cent in 2024. (World Bank, 2020)
- Kenya's Vision 2030 Agenda links the country with the Global sustainable development goals. As a result, the government and the private sector have collaborated to create the ideal climate for implementing PPP projects. Over the last decade, investment has averaged 19.6 per cent of Kenyan real GDP.



# Cont.

- Kenya has a history of PPPs; Nyali bridge 1959.
- The Public Private Partnerships Act, 2013 established the framework for designing, development, implementation and evaluation of PPP projects in the country.
- The last decade has witnessed an increased appetite for PPPs.1990 and 2014, 25 PPP projects in Kenya with a total investment commitment of $9.3 billion completed financial closure. Currently, 71 projects on the national priority list of PPP projects have been approved.
- These projects span various sectors; transportation, energy, education, housing and health; at preliminary cost estimates at around $200 billion over the next ten years.

# Kenyan PPPs examples

| Project name | Sector | Financial Closure year | Investment ($US M) | Status |
|---|---|---|---|---|
| Nairobi Expressway | Roads | 2020 | $575.97 | Complete and operational |
| New Standard Gauge Railway line | Railway | 2017 | $3800.00 | Complete and operational |
| The Lake Turkana Wind Power Project | Electricity | 2014 | $762.94 | Complete and operational. |
| Kwale Sugar plantation | Electricity | 2013 | $200.00 | Indeterminate; no evidence on site |
| Aeolus–Ngong Wind Project | Electricity | 2013 | $171.00 | Complete and operational |
| Athi River Diesel Power Plant | Electricity | 2013 | $156.00 | Complete and operational. |
| Rabai Power Plant | Electricity | 2008 | $155.00 | Complete and operational. |
| Telkom Kenya | ICT | 2007 | $390.00 | The transfer is done but struggling. |
| Kenya-Uganda Railways | Railways | 2006 | $404.00 | Unsuccessful |
| Ormat Olkaria III Geothermal Power Plant | Electricity | 1999 | $324.00 | Complete and operational. |
| Kinangop Power Project | Electricity | 2004 | $514.00 | Unsuccessful |

# Study Discussion

- PPPs Evaluation

# Public-Private Partnerships Policy Evaluation

- Evaluation refers to the production of information about the value or worth of policy outcomes (Dunn, 2018).
- An evaluator's main activity is to measure the impact or effects of an intervention so that policy makers can decide:-
  - whether the program intervention is worth supporting and
  - whether the program should be continued, expanded, or disbanded (World Bank, 2010).

# Why Evaluation?

- **Provides reliable and valid information about policy performance** –the extent to which needs, values and opportunities have been realized.

- **Contributes to clarification and critique of values that underlie the selection of goals and objectives**

- **Contributes to the application of other policy-analytic methods, including** problem structuring **and** prescription

# Kenyan Evaluation Criteria

- The Kenyan PPPs Act, 2013 establish an implementation performance framework that use various criteria including; appropriate risk allocation, compliance with technical specifications of time, quality and functionality, project social benefit, financial performance indicators and environmental factors.
- The main goal for evaluation is ensuring PPPs are affordable and fiscally sustainable.
- However, there exist multi stakeholder expectations, difficulty in defining performance output, inability to measure total cost-benefit of projects, political influence and communication, planning, accountability challenges all of which influence performance measurement.

# Cont.

- The Grimsey and Lewis (2004) Three Criteria PPPs Policy evaluation criterion is in a position to mitigate some of these identified challenges.

- In this regard therefore, this study proposes the benefit-challenge criteria as an additional criteria in addressing the challenges. This encourage multi stakeholder and value consideration through the project live.

# The benefit-challenges Evaluation Criterion

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| S/N | Value for Analysis | Concerns-High/ Medium/ Low | Process/Outcome indicators | Kenyan Example |
|---|---|---|---|---|
| 1 | **Effectiveness** | How valuable is the intervention? | Unit of service<br>Quality of service | Services standard and continuity |
| 2 | **Efficiency** | How much extra effort was applied to meet the need? | Unit cost<br>Operation costs<br>Break even timelines | Cost of borrowing<br>Opportunities to allow & maintain growth |
| 3 | **Adequacy** | Has the need being met? | Fixed effectiveness<br>Performance output | Sustainability<br>Expertise |
| 4 | **Equity** | Are beneficiaries satisfied? | Public satisfaction<br>Elite/mass interests | Political stability / marginalised |
| 5 | **Responsiveness** | Does the process and outcomes in sync? | Consistency with Citizen preferences | Public participation in Deciding |
| 6 | **Appropriateness** | Are desired outcomes worthy or valuable? | Public priority, Value for money, Equitable efficient planning | Good governance |

# The benefit-challenges Evaluation Model

# Thika super highway

Part of Thika super highway, one of the recent developments through ppps.

The road is located at the very heart of Kenya's economic engine.

The Nairobi Metropolitan Area is the most dynamic locomotive of growth and employment creation in Kenya accounting for more than 30 per cent of the national GDP.

Size- 50 KM (6 plus lanes)

Cost-$360 M

# The benefit-challenges Evaluation Criterion

| S/N | Value for Analysis | Concerns-High/ Medium/ Low | | Process/Outcome indicators | Kenyan Example |
|---|---|---|---|---|---|
| 1 | **Effectiveness** | How valuable is the intervention? | High | Unit of service<br>Quality of service | Services standard and continuity |
| 2 | **Efficiency** | How much extra effort was applied to meet the need? | Low | Unit cost<br>Operation costs<br>Break even timelines | Cost of borrowing<br>Opportunities to allow & maintain growth |
| 3 | **Adequacy** | To what extend has the need been met? | High | Fixed effectiveness<br>Performance output | Sustainability<br>Expertise |
| 4 | **Equity** | What is the level of beneficiaries satisfaction? | High | Public satisfaction<br>Elite/mass interests | Political stability / marginalised |
| 5 | **Responsiveness** | To what extend are the process and outcomes in sync? | High | Consistency with Citizen preferences | Public participation in Deciding |
| 6 | **Appropriateness** | Are desired outcomes worthy or valuable? | High | Public priority, Value for money, Equitable efficient planning | Good governance |

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# The benefit-challenges Evaluation Criterion: Thika super Highway

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| S/N | Value for Analysis | Concerns-High/ Medium/ Low | | Process/Outcome indicators | Kenyan Example |
|---|---|---|---|---|---|
| 1 | **Effectiveness** | How valuable is the intervention? | High | Unit of service<br>Quality of service | Services standard and continuity |
| 2 | **Efficiency** | How much extra effort was applied to meet the need? | Low | Unit cost<br>Operation costs<br>Break even timelines | Cost of borrowing<br>Opportunities to allow & maintain growth |
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# The Kenya standard gauge Railway line

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Part of the Standard Gauge Railway-Phase one of the project was commissioned in 2020.

Voted to have eased industrial goods and passengers  transport from the Mombasa port to Nairobi.

Reduced travel hours by three hour at a similar cost in comparison to road transport.

Size- 480 Km

Cost-$ 3.8b


# The benefit-challenges Evaluation Criterion: Kenya Standard Gauge Railway phase 1

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# Phase 2A of Kenya's Standard Gauge Railway (SGR)

- 120km from Nairobi to Naivasha cargo train rail.
- Cost- $ 2.7b
- High operational costs and dwindling revenues saw the SGR post a loss of $205.4m in the 2020–21 financial year.
- Its viability depends on completion of Phase 2B from Naivasha to Kisumu which is yet to secure partnership and phase 3 which is from Kisumu to malaba and into Uganda whose planning has been stalled.
- Kenya Chinese debt stock has increased from $8.8bn to $38.1bn is pleading for debt relief, waiver and restructuring.
- Been referred to as "rail to no where" due to lack of connectivity and some parts have started to wear out due to lack of usage.

# The benefit-challenges Evaluation Criterion: The Kenya standard gauge Railway line – Phase 2A

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| S/N | Value for Analysis | Concerns-High/ Medium/ Low | Process/Outcome indicators | Kenyan Example |
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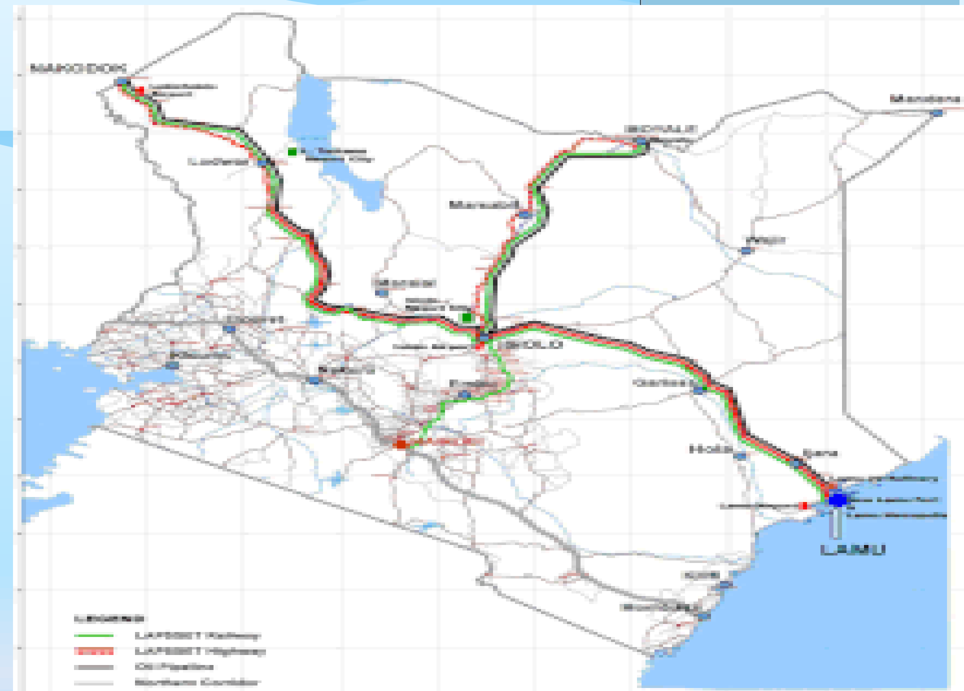
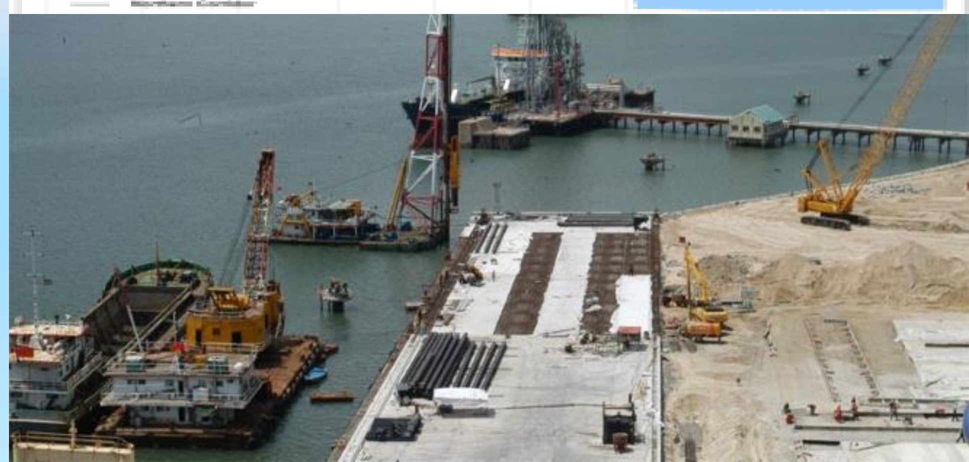
**Lamu Port-South Sudan-Ethiopia-Transport** (LAPSSET) A transport and infrastructure project having main components of ports, pipelines, roads, railways is currently ongoing with construction of the first berth at Lamu Port completed in October 2019; the progress is slow as per expectation owing to Insecurity and political instability, having more commercially viable alternative pipeline options through Ethiopia or Tanzania and the oil prices since 2015 also affect LAPSSET's commercial prospects.

No clear timelines, began in 1975 but was put on hold, revived in 2009 as a flagship project of the vision 2030.

Cost- $ 29.24b

Government expected to spend about 6% of the country's Gross Domestic Product or 16% of its annual budget on the project and in turn to gain additional 3% increase in Kenya's GDP by 2020 from the project; not the case due to unforeseen delays.



# The benefit-challenges Evaluation Criterion: LAPSSET

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# Western Kenya Power Transmission Project

- **A power transmission project in western Kenya to build transmission lines.**
- Signed between India's state-owned Power Grid Corporation of India and Africa50, an infrastructure investment platform set up by the African Development Bank (AfDB) and African states.
- The two partners will develop, finance and operate the 400 kV in western Kenya.

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# The benefit-challenges Evaluation Criterion: LAPSSET

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| S/N | Value for Analysis | Concerns-High/ Medium/ Low | Process/Outcome indicators | Kenyan Example |
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| 1 | **Effectiveness** | How valuable is the intervention? | Unit of service<br>Quality of service | Services standard and continuity |
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# Conclusion

- The dwindling government ability to finance new projects or maintain the aging infrastructure coupled with stringent terms on capital from traditional alternative sources like World Bank and IMF occasioned the search for alternative sources public sector financing for most developing countries.
- Consequently, many governments have resorted to PPPs financing where the government role has been reduced to a facilitator in a private sector-steered infrastructure and economic growth and development with the main goal of ensuring sustained efficiency in the public service delivery.

# Cont.

- PPPs have advantages and disadvantages which vary in scope and magnitude depending on context and have been used in this presentation to argue the case for or against the approach.

- Most of these disadvantages emanate from governments lack of expertise and experience in policy evaluation for proper management.

- In developing countries, basing on the lessons from Kenya, significant strong and wholistic policy evaluation is wanting.

# Cont.

- Government officials dealing with PPPs require sharpening their competencies to the understanding of PPPs.
- Expertise coupled with research on evaluation will aid in controlling the individual policy makers and actor in PPPs actions and enable them to be properly guided to avoid poor decision-making, error and fraud and illegal transactions leading to inappropriate project implementation, poor VFM and or project failure.

# Recommendations

- Appropriate evaluation and regulatory frameworks are essential for success of PPPs in regulations affairs as well as potential political risks. This study recommends the application of wholistic policy process and outcome evaluation criteria that enables the policy makers to make the right policy interventions through PPPs.

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