

Kalikova & Associates' Public-Private Partnership Projects Portfolio

Kalikova & Associates (K&A) regards its Public-Private Partnership (PPP) practice area as a top priority. Since 2010, K&A has been actively involved in promoting PPPs in the Kyrgyz Republic through participation in various initiatives: from drafting the PPP acts to implementing and monitoring the first PPP projects.

K&A's most representative projects in the area of PPPs include the following:

1. Kyrgyz medical rehabilitation PPP project (2019 - 2021)

Jointly with IFC and a consortium of international financial and technical consultants, K&A assisted the Ministry of Health of the Kyrgyz Republic to prepare a feasibility study for the PPP project for financing, equipping, refurbishing and operating public medical rehabilitation facilities in the Kyrgyz Republic. The scope of services included conducting the legal due diligence, preparing the legal analysis section of the feasibility study, structuring the transaction, advising the Ministry of Health on the PPP legislation, preparing tender documentation (Project initiation proposal, RfQ, RfP, PPPA). The project is suspended by decision of IFC due to results of the financial analysis.

2. PPP project for construction and maintenance of schools in Bishkek and Osh (2019 – 2021).

Jointly with IFC and in a consortium with international financial and technical consultants, K&A assisted the Ministry of Education and Science of the Kyrgyz Republic to prepare a feasibility study for the PPP project for construction and maintenance of 20 schools in Bishkek and Osh cities. The scope of services included conducting the legal due diligence, preparing the legal analysis section of the prefeasibility study, structuring the transaction, drafting the tender documents, including the PPP agreement, advising the Ministry of Education and Science on the PPP legislation, as well as providing legal support at tender stage and when concluding the PPP agreement with the private partner. Currently the project is suspended by decision of IFC due to absence of appropriate land plots for construction of schools in Bishkek and Osh.

3. PPP project for the improvement of dialysis services, post-transaction advisory services (2017- 2019)

Jointly with IFC, K&A assisted the Ministry of Health of the Kyrgyz Republic to deliver the first PPP project in the Kyrgyz Republic for the organization of dialysis services in the cities of Bishkek, Osh and Jalal-Abad under the PPP agreement between the Ministry of Health and Fresenius Medical Care GmbH signed in August 2017. The scope of services included communicating with the Ministry of Health and the private partner on various practical aspects of delivering the PPP project, including advising on the legislation of the Kyrgyz Republic, drafting the addendum to the PPP agreement and other necessary documents, and holding meetings and conference calls with representatives of the Ministry of Health and the private partner.

4. Assessing transaction structuring options for healthcare PPP project (2017-2018)

Jointly with IFC and in a consortium with international financial and technical consultants, K&A prepared a prefeasibility study for two potential healthcare PPP projects in the Kyrgyz Republic: one for the creation of a reference laboratory in Bishkek and another for the reconstruction and modernization of a rehabilitation center in Vorontsovka village. The project was successfully completed in April 2018. The scope of services included identifying, analyzing and summarizing applicable legal requirements for potential PPP projects; identifying gaps and risks associated with potential PPP projects and proposing solutions and alternative options feasible under existing legislation of the Kyrgyz Republic; advising on appropriate amendments to applicable legislation to make potential PPP projects feasible; and developing a roadmap indicating selected potential PPP projects, key stakeholders, approval process and necessary documents.

5. Drafting the 2019 PPP Act of the Kyrgyz Republic (2017-2018)

Jointly with the Ministry of Economy of the Kyrgyz Republic, K&A drafted a new PPP Act based on lessons from the first PPP project in the Kyrgyz Republic for the improvement of hemodialysis services. The scope of services included analyzing the current PPP legislation of the Kyrgyz Republic and comparing it with foreign PPP laws; drafting, reviewing and revising the new PPP Act; participating in meetings with the public authorities to present and discuss the draft of the new PPP Act.

6. PPP project for the installation of computerized tomography scans in healthcare organizations (2017-present)

Jointly with Rebel Group International BV and Avanco Consulting LLC, K&A assisted the Ministry of Health of the Kyrgyz Republic to prepare a feasibility study for the PPP project for the installation of computerized tomography scans in healthcare organizations of the Kyrgyz Republic. The scope of services included conducting the legal due diligence, preparing the legal analysis section of the feasibility study, structuring the transaction, advising the Ministry of Health on the PPP legislation, preparing the tender documents for the Project (Project initiation proposal, RfQ, RfP, PPPA) as well as providing legal support at tender stage and when concluding the PPP agreement with the private partner. Currently the project is at a tender stage.

7. PPP project for the improvement of public dialysis and laboratory services (2016-2017)

Jointly with IFC and in a consortium with Dentons law firm and Rebel Group International BV, K&A assisted the Ministry of Health of the Kyrgyz Republic to structure and procure two PPP projects for the organization of (i) centralized medical laboratory services, and (ii) hemodialysis services. In August 2017, the Ministry of Health and the private partner concluded the first PPP agreement in the Kyrgyz Republic for the organization of hemodialysis services in Bishkek, Osh and Jalal-Abad. The centralized laboratory services project is currently at the feasibility study stage. The scope of services included conducting the legal due diligence, preparing the legal analysis section of the feasibility studies, structuring the transaction, drafting the tender documents, including the PPP agreement, as well as providing legal support at tender stage and when concluding the PPP agreement with the private partner.

8. Bishkek street lighting project (2014-2015)

In a consortium with international consultants and with support from Cities Development Initiative for Asia, GIZ and ADB, K&A prepared a pre-feasibility study for the Bishkek City Street Lighting project. The scope of services included providing an overview of legal requirements for street lighting works and services, use of energy-efficient street lighting technologies, and design and construction of street lighting facilities. K&A also provided legal analysis of status, functions and interactions of street lighting organizations, made recommendations on the most appropriate project delivery methods (including the PPP model), developed a detailed action plan and implementation timeline specifying legal risks and options for their mitigation.

9. Drafting the 2012 PPP Act of the Kyrgyz Republic (2011-2012)

The PPP Act of the Kyrgyz Republic, enacted in 2008, was widely criticized by both the public and the international experts for being half-baked and not in conformity with the best international practices in the area of PPPs. Jointly with the working group formed by the Ministry of Economy of the Kyrgyz Republic, K&A actively participated in drafting the new PPP Act with the aim of creating an enabling legal environment for PPPs development in the country to meet the best international practices in this area. The scope of services included reviewing foreign PPP laws and other regulatory acts, UNCITRAL legislative guides, various reports and articles; drafting a new PPP Act and analyzing it in terms of compliance with other laws and regulations of the Kyrgyz Republic; assisting the Ministry of Economy to arrange the Kyrgyz Parliament's public hearings on the draft PPP Act and a number of roundtables for representatives of private and public sectors, financial institutions, international organizations, and mass media.

10. Drafting secondary legislation in the area of PPPs in the Kyrgyz Republic (2012)

The project was aimed to create secondary legislation in the area of PPPs in the Kyrgyz Republic. The secondary PPP legislation consists of policies, procedures and regulations for preparation of tender rules and tender documents, formation of tender commission and its functions, PPP models, etc. The scope of services included assisting the Ministry of Economy to draft, review and revise the Procedure for preparation of tender rules and tender documents for PPP projects and to draft amendments to a number of Kyrgyz laws; organizing meetings with various ministries and ADB consultants to discuss amendments to relevant legal acts.

11. The UNECE PPP Assessment in the Kyrgyz Republic (2012)

K&A assisted the UNECE to conduct assessment of legal and regulatory framework for PPPs and to organize a number of meetings with key stakeholders involved in promoting PPPs in the Kyrgyz Republic (including ministries and agencies, financial institutions, private enterprises and representatives of intergovernmental organizations). K&A completed PPP regulatory policy questionnaires and provided oral and written advice on PPP regulatory policy in the Kyrgyz Republic on a regular basis. K&A assisted the UNECE to conduct seminars and stakeholder meetings on promotion and financing of innovative green technologies through the PPP model.

12. K&A's other PPP experiences (2010-present)

K&A regularly assists in planning, organizing and conducting seminars, conferences and workshops, and publishes articles in mass media dedicated to the promotion of the PPP model in the Kyrgyz Republic. Other K&A's PPP experiences include assisting JICA to conduct a seminar on PPPs and economic development for public and municipal officials, and assisting the UNECE Secretariat to prepare the country report as part of the Comparative Review of the CIS legislation related to PPPs.

For any inquiries or questions regarding PPPs, please contact:

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