

CONCEPTUAL ELEMENTS AND CHARACTERISTICS CONCERNING PUBLIC-PRIVATE PARTNERSHIP*

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Abstract

Public-private partnerships are forms of cooperation between the public and, respectively, private sector, in order to achieve infrastructures or services, through which there are expected to optimize the experiences of the two entities.

Knowledge of the collaboration between the two sectors is important from the perspective of the contribution to promote economic development, regeneration of urban areas, in the context of the participation of a wide range of actors belonging to central/local governments, private actors.

The emergence of this new form of cooperation, in the last period, can be considered, among others, as a consequence of governments'constraint on avoiding the growth of public spending, paying attention to new forms of financing.

The paper proposes a brief presentation of the defining elements about the concept of public-private partnership, respectively, its motivation and objectives, the history of the emergence of partnership forms and their evolution until the modern age, the definition and characteristics of the concept, as expressed in the opinions of some theoreticians or international bodies.

Key words: *partnership, public sector, private sector, concept.*

Jel classification: H41; H42; H44

1. INTRODUCTION

PPPs are forms of cooperation between public and, respectively private sectors, to achieve infrastructures or services through which is also expected to optimize the experiences of the two entities.

The objectives of the partnership belong to a wide range of economic and social activity, with political support and constituting the target of authorities' concern at all levels:

- *supranational* - support by the European Union, to promote PPP in the Member States, to achieve the objectives (CEC-1996)²;

- *national* - governmental administrations choose, often, version to lower volume of services achieved through the public system and directing their provision through public-private partnerships or private sector;

- *local* - PPP practice is carried out by public, private actors, non-governmental organizations as a result of financial difficulties faced by local governments, but also the awareness, at local authorities level, of the potential benefits of the partnership (Leach et al. 1994)³.

Trends and forms of PPP manifestation are developing in the context of each country regulations and practices and depend on its historical, economical, political and social conditions.

2. History of Public-Private Partnership development

The analyse of cooperation between public and private sectors is important from the perspective of knowledge the contribution to promote economic development, urban and rural areas regeneration, in the context of participation of a large range of actors belonging to central/local governments, private actors.

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²Ronald W.McQuaid quotes CEC - 1996, in 1 "The theory of partnership Why have partnerships?", in „Public Private Partnership Theory and practice in international perspective” Osborne P. Stephane ed., p. 9;

³Ronald W.McQuaid quotes Leach et. al. 1994, in 1 "The theory of partnership Why have partnerships?", in "Public Private Partnership Theory and practice in international perspective” Osborne P. Stephane ed., p.9;

Adopting this formula to ensure the provision of public activities is not new, in history, forms of cooperation between public and private sectors have shown since antiquity, continuing and evolving until the modern era.

The first and most known form of PPP - the concession - has been practiced for development of infrastructures or other economic services. On the Roman Empire territory, to serve the vast road system of Empire, it has developed a network of post offices built and managed by private partners based on contracts with administration, for a limited period, which, also, forecast the associated road maintenance. These offices were located near warehouses, workshops, military barracks.

In the Middle Ages, France has practiced, since the 12-13th centuries, the procedure of partnership forms, by leasing construction/development of fortified cities, as well as of provinces.

The practice continued in 16th and 17th centuries, France, like other monarchies of Europe, but also, America, Japan expanded the forms of public-private partnership in the guise of concession of construction of public works (canals, roads) as well as other utilities (lighting and public transport), postal services.

Urban sprawl as a result of industrialization in the 19th century, was accompanied by the expansion of the public works construction in transport, water supply, sewerage, etc., works, usually performed through public actions delegated to private entrepreneurs, based on concession contracts.

The economic damages caused by the wars in the first part of the 20th century, felt in most European countries have driven to an increase in the role of state and its intervention in socio-economic development: a series of concessions were canceled, state companies arose, the size of public administration increased, significantly.

The concept of Public-Private Partnership was used after the 70th years of the last century, in the context of diminishing economic governmental performance and New Public Management procedures getting through. Diminishing the role of state was produced due to the privatization of public services or their outsourcing, respectively, achievement in partnership with the private sector, favouring efficiency increase in public administration. (Savas, 1982).

At the end of the last century and beginning of 21st century, there has been a trend of consolidation of the forms of public-private partnership in the industrialized and developing countries and their entrance on new markets. At EU level, there are developed countries that already have its tradition, in various sectors of activity (United Kingdom, France, Germany, Ireland, Italy), others that approached it, later, but have progressed significantly (Spain, Portugal) as well as other states that are testing in this direction.(Luxembourg, Sweden).

In Romania, although the notion of partnership was used, as such, after 1990, this form was practiced a long time ago, the manifestation form materializing, especially in concessions, since the beginning of last century.

The introduction of this concept, after the year 1990, was favored by the gradual transition to the market economy, the public sector becoming interested in privatization of activities of utilities and the private sector showing availability of taking over such responsibilities.

3. Conceptual elements

At present, in democratic countries and, generally, in the world, there are frequent references on public-private partnership in relation to public sector reform and the importance that it shows in the efforts to enhance service delivery quality (Ryan, 2001, p. 104)¹.

¹Roger Wettenhall, "The Rhetoric and Reality of Public-Private Partnerships", p. 78, quotes Ryan (2001), p. 104;

Faced with the need for investment efforts and, also, subject to constraints to avoid public spending growth, commitment of public loans, governments attention has focused on identifying new sources of funding. Orientation was towards public-private partnerships, argued by the availability of private resources, towards finance some services and infrastructure works in the context of continuous monitoring and governmental control. Thus, PPP can be considered as one of the possibilities to reduce the gaps in infrastructure, to increase efficiency and quality of provision of infrastructures and services.

However, in dealing with partnerships, it should consider the levels to which this notion is reported:

- a new paradigm of development oriented towards favoring cooperation with the private domain of economic life in the context of stagnation or decrease of the public contribution to development, PPP being considered an instrument able to mobilize new resources that enable proximity to the objectives of millennium;

- a new distribution of roles and responsibilities between the two sectors (public-private) on running issues of development, elder, they were belonging to the resort of the state.

At European Union level, the theme of partnership was promoted by the need of reducing public spending as a result of budget constraints imposed by the Maastricht Treaty (1992), for the achievement of public works of major importance (transport infrastructure, liberalization of public services at European level), the solution being the achievement of investments through cooperation with the private sector.

For the public sector, the option for public-private partnership practice relates to the interest of government to balance its capital, optimize resource allocation, to gain managerial experience; the availability of private sector depends on the offer of public services and on the perspective of profit achievement. The common objective is to provide, efficiently, service to community.

In clarifying the concept of public-private partnership appear different shades and opinions

- some authors insist on mutual obligations and trust between partners (Muetzelfeldt, M, 2001);
- others insist on the commercial dimension of the partnership (Chalmers J. et Davis, 2001);
- or consider an intermediate process in that “fill a space between traditionally procured government projects and full privatization”.¹ (Grimsey and Lewis, 2005, p. 346).

Generally, the definitions given to public-private partnerships are distinguished depending on the share of ownership referring to assets, the level of risks and responsibilities assumed by partners, interorganizational relationships, as they appear in the opinions of some authors mentioned below:

- „a dynamic relationship among diverse actors, based on mutually agreed objectives, pursued through a shared understanding of the most rational division of labour based on the respective comparative advantages of each partner. Partnership encompasses mutual influence, with a careful balance between synergy and respective autonomy, which incorporates mutual respect, equal participation in decision making, mutual accountability and transparency”² (Brinkerhoff, 2002, p. 21);

- “ongoing agreements between government and private sector organizations in which the private organization participates in the decision-making and production of a public good or service that has traditionally been provided by the public sector and in which the private sector shares risk of that production”³ (Forrer, et.al, p. 476, 2010);

¹ Jomo KS; Anis Chowdhury; Krishnan Sharma; Daniel Platz “Public-Private Partnerships and the 2030 Agenda for Sustainable Development: Fit for purpose?”, DESA Working Paper No. 148 ST/ESA/2016/DWP/148, February 2016, p.3, quote Grimsey and Lewis, 2005, p. 346, quoted in OECD, 2008, p.16;

²Jennifer M. Brinkerhoff (2002). “Government–Nonprofit Partnership: a defining framework” pp. 19–30, p. 21;

³ John, Forrer; James Edwin Kee; Kathryn E. Newcomer; Eric Boyer (2010). “Public-Private Partnerships and the Public Accountability Question”. *Public Administration Review*, Volume 70, Issue 3 May/June 2010, pages 475–484, p. 476;

- “a legally-binding contract between government and business for the provision of assets and the delivery of services that allocates responsibilities and business risks among the various partners”¹ (Partnerships British Columbia, 2003, p. 2).

- “a relationship that consists of shared and/or compatible objectives and an acknowledged distribution of specific roles and responsibilities among the participants which can be formal or informal, contractual or voluntary, between two or more parties. The implication is that there is a cooperative investment of resources and therefore joint risk-taking, sharing of authority, and benefits for all partners”² (Lewis, 2002);

- “a relationship involving the sharing of power, work, support and/or information with others for the achievements of joint goals and/or mutual benefits”³. (Kernaghan, 1993).

Similarly, also, the international bodies expresses a range of views on the concept of partnership, such as, for example, that made by the Organisation for Economic Cooperation and Development: “an agreement between the government and one or more private partners (which may include the operators and the financiers) according to which the private partners deliver the service in such a manner that the service delivery objectives of the government are aligned with the profit objectives of the private partners and where the effectiveness of the alignment depends on a sufficient transfer of risk to the private partners.”⁴ (OECD, 2008, p. 12) It can reveal a shade of public-private partnership reported to concessions that include the risk of private provider, whose source of income is taxes laid on users and that paid by government.

Public-Private Partnership requires an intense cooperation and joining mutual benefits between the two sectors, public-private, first, being responsible for covering the needs of society and spending public financial resources; the latter should prove competence, efficiency.

The stake of a good development of the partnership process is the compatibility of partners’ interests, coordination of actions as well as the ability of both parties to contribute with the resources needed to the expected objective.

At engagement in a partnership, *the purposes* of participants can be different, depending on the position in which they occurs, for example:

→ *Private sector*:

- obtaining revenues and maximization of profits from the sale of goods and services;
- entering on new markets and the possibility to control them;

→ *Public sector*:

- obtaining certain products at advantageous costs in areas where the public authority is not interested in acting, but where the private sector is proving effective;
- reducing public debt by transferring certain expenditures, through PPP.

4. Conclusions

Trends and forms of manifestations of public-private partnership are developing in the context of regulations and practices of each country and depend on their historical, political, economical and social conditions.

Call for public-private partnership favours penetration of private sector management techniques in the traditional formulas of public administration, contributing to administrative performance increase and optimizing resource allocation.

¹Partnerships British Columbia (2003). “An Introduction to Public Private Partnerships”, June 2003, p. 2;

²Jens K. Roehrich; Michael A. Lewis; Gerard George (2014). “Are public - private partnerships a healthy option? A systematic literature review”, *Social Science & Medicine Journal* p. 112, quote Lewis, 2002;

³Jens K. Roehrich; Michael A. Lewis; Gerard George (2014). “Are public - private partnerships a healthy option? A systematic literature review”, *Social Science & Medicine Journal* p. 112, quote Kernaghan, 1993;

⁴Jomo KS; Anis Chowdhury; Krishnan Sharma; Daniel Platz “Public-Private Partnerships and the 2030 Agenda for Sustainable Development: Fit for purpose?”, DESA Working Paper No. 148 ST/ESA/2016/DWP/148, February 2016, Annex 1, p. 26, quote OECD, 2008, p.12.

Experimentation this mode of cooperation has expanded in a large number of countries, with applicability to the most various economic and social fields, motivation being on the potential benefits it can bring, such as: cost savings in projects achievement, growth of rate of investments operationalizing, conjugation of participating actors experiences, with favourable effects on the quality of services provided to community.

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