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FHWA Drafts Model Contract Guide on Availability Payment P3s.

The Federal Highway Administration has drafted a guide designed to assist in the development of contracts for availability payment-based highway public-private partnerships. The agency is inviting the public to comment on the draft before it is finalized.

[The Availability Payment Concessions Public-Private Partnerships Model Contract Guide](#) “is designed to provide industry-standard concepts, relevant common tools and mechanisms and situational examples applicable to availability payment-based P3 transactions,” FHWA explains in its introduction to the guide.

The document is similar to the two-part model draft contract guide for toll concession P3s that FHWA released for public review in 2014 and early 2015. The final version of the two drafts will be published as a single document.

These guides are part of a series of documents that describe terms and conditions that P3 concession agreements typically contain and are meant to be educational, not prescriptive.

FHWA has decided to add suggested labor standard best practices recommended by the Department of Labor to both the toll concessions and availability payment guides. As a result, the toll roads concession guide will be finalized after public comments have been received on the availability payments guide draft, the agency said in a Federal Register notice.

Comments on the availability payments guide draft are due Oct. 29.

NCPPP

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