

## ICRC HEADQUARTERS

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**INFRASTRUCTURE  
CONCESSION  
REGULATORY  
COMMISSION**

The Presidency



**2018**  
**ANNUAL**  
**REPORT**  
& ACCOUNTS



**A REPORT  
OF THE ACTIVITIES  
OF THE  
INFRASTRUCTURE CONCESSION REGULATORY  
COMMISSION  
AND  
THE AUDITED ACCOUNTS  
FOR THE YEAR ENDED 31ST DECEMBER, 2018**

**Infrastructure Concession Regulatory Commission**  
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**ICRC  
ESTABLISHMENT  
ACT 2005**

In order to harness private sector technical and financial resources for the provision of public infrastructure and service, the FGN enacted the ICRC Act in 2005 and inaugurated the Governing Board in November 2008.

Since inauguration, the Commission has been providing MDAs with the necessary guidance to successfully execute infrastructure projects through the PPP arrangement.

**ICRC  
MANDATE**

The ICRC Act, 2005 bestows on the Commission the functions and powers to:

- Provide general policy guidelines, rules and regulations;
- Take custody of every concession agreement;
- Monitor and inspect PPP projects; and
- Ensure efficient execution of any concession agreement or contract entered into by the Federal Government.

**ICRC  
STRATEGIC  
OBJECTIVE**

The strategic objective of the Infrastructure Concession Regulatory Commission (ICRC) is to accelerate private investments in national infrastructure by enabling the Federal Government of Nigeria through its Ministries, Departments, and Agencies (MDAs) to establish and implement effective Public Private Partnerships (PPPs).

## EXECUTIVE MANAGEMENT TEAM

▪ Engr. Chidi K. C. Izuwah	-	Ag. Director General/CEO
▪ Engr. Chidi K.C. Izuwah	-	Executive Director, Support Services Dept
▪ Mr. Joe A. Mike Ohiani	-	Director, PPP Resource Department
▪ Mr. Mohammed A. Bamalli	-	Director, Contract Compliance Department
▪ Mr Dada Hammed Togunde	-	Director, Internal Audit Department
▪ Mr Emmanuel Onwodi	-	Director, Transport Infrastructure Dept

## GENERAL MANAGEMENT TEAM

▪ Engr. Chidi K.C. Izuwah	-	Ag. Director General /CEO
▪ Engr. Chidi K.C. Izuwah	-	Executive Director, Support Services Dept
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▪ Mr. Mohammed A. Bamalli	-	Director, Contract Compliance Dept
▪ Mr. Dada Hammed Togunde	-	Director, Internal Audit Dept
▪ Mr. Emmanuel Onwodi	-	Director, Transport Infrastructure Dept
▪ Mr. Jobson Ewalefoh	-	Deputy Director/Head, ICT SSD
▪ Dr Evelyn Alaye-Ogan	-	Deputy Director, Project Implementation Unit
▪ Mr. Odili Onu	-	Deputy Director/Head, Social & Urban Infrastructure P3RD
▪ Dr. Felix Ogbera	-	Deputy Director/Head, Policy and Regulation CCD
▪ Mr Emmanuel Chorio	-	Asst Director/Project Finance DG's Office
▪ Mr. Olusa Busari	-	Asst Director/Head, Energy & Urban Infrastructure P3RD
▪ Mr. Mohammed Barma	-	Asst Director/Head, Finance and Accounts SSD
▪ Mr. Ahmed Abdulrazaq	-	Asst Director/Head, Monitoring & Compliance CCD
▪ Mall. Shehu S. Danmusa	-	Assistant Director, P3RD
▪ Mrs. Deborah Okafor	-	Assistant Director, Ag Head, Planning & Research Dept
▪ Mr. Olusola Ogunsola	-	Assistant Director, P3RD
▪ Engr. Amanze Okere	-	Asst Director/Ag. Head, Special Projects P3RD
▪ Mrs. Halima Tukur-Modibbo	-	Asst Director/Ag. Head, Human Resource & Administration SSD
▪ Engr. Muktar Usman	-	Asst Director/Ag. Head, Procurement DG's Office
▪ Adamu Umar	-	Asst Director, Transport Infrastructure Dept
▪ Akwu Okolo	-	Asst Director, P3RD
▪ Yusuf Haruna	-	Asst Director, Transport Infrastructure Dept
▪ Mrs. Manji Yarling-Zwalda	-	Asst Chief Admin Officer/Ag. Head, Media & Publicity
▪ Ms. Hauwa Kelo	-	Asst Chief Legal Officer/Ag. Head, Legal & Governance

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# Glossary of Terms

AfDB	African Development Bank
AI	African Infrastructure
AAA	Australia Awards Africa
ALC	Aviation Leasing Company
AIIC	Abuja Infrastructure Investment Center
AGF	Attorney General of the Federation
BPE	Bureau of Public Enterprises
PEBEC	Presidential Enabling Business Environment Council
CA	Concession Agreement
CCD	Contract Compliance Department
CBN	Central Bank of Nigeria
COE	Contingent Owned Equipment
COREN	Council for the Regulation of Engineering in Nigeria
CMD	Chief Medical Director
CRSG	Cross River State Government
CHEC	China Harbour Engineering Company
CRCCI	China Railway Construction Company International
DFBOT	Design, Finance, Build, Operate & Transfer
DBOT	Design-Build-Operate and Transfer
DFIs	Development Finance Institutions
DFI	Direct Foreign Investment
DFID	Department for International Development
DG	Director-General
DMO	Debt Management Office
DICON	Defence Industries Corporation of Nigeria
ED	Executive Director
EMC	Executive Management Committee
ECOWAS	Economic Communities of West African States
EoI	Expression of Interest
FAAN	Federal Airports Authority of Nigeria
FBC	Full Business Case
FCT	Federal Capital Territory
FCTA	Federal Capital Territory Administration
FCDA	Federal Capital Development Authority
FEC	Federal Executive Council
FUG	Federal University Gusau
FGN	Federal Government of Nigeria
FHA	Federal Housing Authority
FIRS	Federal Inland Revenue Service
FRCN	Federal Radio Cooperation of Nigeria
FMARD	Federal Ministry of Agriculture & Rural Development
FMBNP	Federal Ministry of Budget & National Planning
FMoD	Federal Ministry of Defense
FMoEnv	Federal Ministry of Environment



# Glossary of Terms

FMoF	Federal Ministry of Finance
FMoI	Federal Ministry of Interior
FMoJ	Federal Ministry of Justice
FMoPH	Federal Ministry of Power Works & Housing
FMITI	Federal Ministry of Industry, Trade and Investment
FMYSO	Federal Ministry of Youth and Sports Development
FERMA	Federal Road Maintenance Agency
FMoT	Federal Ministry of Transport
FMoH	Federal Ministry of Health
FSS2020	Financial Systems Strategy 2020
GAT	General Aviation Terminal
GIB	Global Infrastructure Hub
GE	General Electric
HMF	Honorable Minister of Finance
HRA	Human Resource and Administration
ICD	Inland Container Depot
IDCU	Infrastructure Delivery Coordination Unit
ICRC	Infrastructure Concession Regulatory Commission
ICT	Information and Communications Technology
IP3	Institute for Public Private Partnerships
KPI	Key Performance Indicator
MDAs	Ministries, Departments and Agencies
MMA	Murtala Mohammed Airport
MMA2	Murtala Mohammed Airport Terminal 2
MoU	Memorandum of Understanding
MRO	Maintenance, Repairs and Overhaul
NGF	Nigerian Governors Forum
NIAF	Nigerian Infrastructure Advisory Facility
NIMASA	Nigerian Maritime Administration and Safety Agency
NIWA	National Inland Waterways Authority
NHF	National Housing Fund
NADDC	National Automotive Design Development Council
NABTEB	National Business And Technical Examinations Board
NEPA	National Electric Power Authority
NSF	National Sports Festival
NESG	Nigerian Economic Summit Group
NAMEL	Nigeria Agriculture Mechanization and Equipment Leasing Limited
N4P	National Policy on Public Private Partnership
NERC	Nigerian Electricity Regulatory Commission
NIIMP	National Integrated Infrastructure Master Plan
NCAA	Nigerian Civil Aviation Authority
NNPC	Nigerian National Petroleum Corporation
NPA	Nigerian Ports Authority
NCC	Nigerian Communications Commission
NPPPN	Nigerian PPP Network

# Glossary of Terms

NIS	Nigerian Immigration Service
NRC	Nigerian Railway Corporation
NPS	Nigerian Prisons Service
NPF	Nigerian Police Force
NSC	Nigerian Shippers' Council
NSIA	Nigerian Sovereign Investment Authority
NAICOM	National Insurance Commission
OBC	Outline Business Case
OHCSOF	Office of the Head of the Civil Service of the Federation
O&M	Operations and Maintenance
PDT	Project Delivery Team
PSC	Project Steering Committee
PSR	Project Structuring Report
PICI	Presidential Infrastructure Champion Initiative
PEBEC	Presidential Enabling Business Environment Council
PPP	Public Private Partnership
P3RD	Public Private Partnership Resource Department
PPDC	Public & Private Development Centre
PenCom	Pension Commission
PASAN	Parliamentary Staff Association of Nigeria
RBDA	River Basin Development Authority
RfP	Request for Proposal
ROT	Rehabilitate, Operate and Transfer
SGF	Secretary to the Government of the Federation
SAN	Senior Advocate of Nigeria
SIF	Sustainable Infrastructure Foundation
SEC	Securities and Exchange Commission
SDGs	Sustainable Development Goals
SWIP3	Strengthening Women's Involvement in PPPs
SMEDAN	Small and Medium Enterprises Development Agency of Nigeria
SIWES	Students Industrial Work Experience Scheme
SPV	Special Purpose Vehicle
TBS	Tafawa Balewa Square
TSGP	Trans-Saharan Gas Pipeline
TA	Transaction Adviser
TBSMB	Tafawa Balewa Square Management Board
TWG	Technical Working Group
TICTL	Tin Can Inland Container Terminal Limited
TIB	The Infrastructure Bank
TCN	Transmission Company of Nigeria
UCH	University College Hospital
UBRDA	Upper Benue River basin Development Authority
VGF	Viability Gap Fund



HIS EXCELLENCY

**MUHAMMADU BUHARI** GCFR

PRESIDENT, COMMANDER-IN-CHIEF OF THE ARMED FORCES  
FEDERAL REPUBLIC OF NIGERIA



HIS EXCELLENCY

**PROF. YEMI OSINBAJO** GCON, SAN

VICE - PRESIDENT  
FEDERAL REPUBLIC OF NIGERIA



**Engr. Chidi K.C. Izuwah**

AG. DIRECTOR GENERAL/CEO

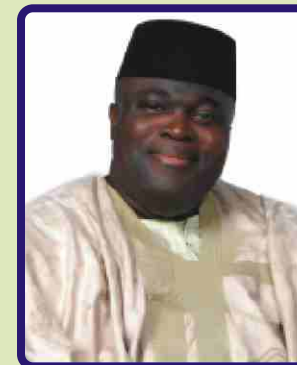
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## ICRC Executive Management Team



**Engr. Chidi K.C. Izuwah**

Ag. Director General/CEO



**Engr. Chidi K. C. Izuwah Snr.**

ED Support Services Department



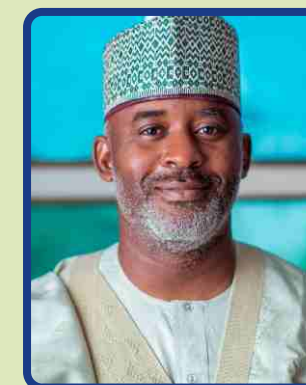
**Mr Dada Hammed Togunde**

Director, Internal Audit Department



**Mr. Mike Joe Ohiani**

Director, PPP Resource Department



**Mr. Mohammed A. Bamalli**

Director, Contract Compliance Department



**Mr Emmanuel Onwodi**

Director, Transport Infrastructure Dept



## Director-General's Statement



### Reflections on ICRC's 10th Anniversary

2018 was quite significant for us in the Commission, as it marked a decade of ICRC's existence and sustained efforts on our part to fulfill its mandate of regulating and facilitating the public private partnership (PPP) endeavors of the Federal Government of Nigeria. The first five years were impactful in terms of creating a legal, regulatory and institutional PPP environment, and institutionalizing the framework through enlightenment and advocacy activities on the PPP procurement model. The last five years had been devoted to strengthening the processes to ensure the actual realization of the current pipeline of PPP projects now at various phases of

development, procurement and implementation. Similarly, much effort went into building requisite skills and mobilizing domestic and international interest needed to deliver PPP projects.

ICRC's tenth anniversary in 2018 therefore provided the opportunity to retrospect and introspect on the essential elements of the Nigerian PPP programme, such as its processes, operations, achievements/successes and constraints/challenges. Most especially we sought internally to develop a scorecard on our ten years of operation and where we stood before our stakeholders, the Nigerian nation, the African region and the world. Has PPP been sufficiently utilized to upscale national infrastructure and close the deficit? In facilitating infrastructure projects delivery, have we been faithful to the PPP principles of affordability, quality and value for money? Is our regulatory process in conformity with the PPP principles of fairness, excellence, transparency and competitiveness and international best practices? So far has the PPP attracted the requisite investments to the economy and the added benefits?

Providing frank and objective responses to these questions has tasked us extremely and given us the courage to face our weaknesses and re-jig our processes and operations towards optimum achievement. Also, as part of stock taking, we noted the many milestones achieved by the Commission over the review period:

#### Tracking Progress 2008 -2018

- In 2009, the ICRC, with the Federal Executive Council's approval, issued the National Policy on Public Private Partnership (N4P). The N4P outlines

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the federal government's objectives and commitment to the creation of an enabling environment for PPPs to thrive in Nigeria.

- Our ongoing collaboration with the Office of the Head of Civil Service of the Federation led to the establishment of PPP Units in Ministries, Departments & Agencies (MDAs) to facilitate infrastructure service delivery through viable and bankable PPP projects. The PPP Units were inaugurated in 2013 and most are well developed and manned by professionals trained overtime through the Commission's capacity building efforts.

- Our efforts to broaden PPP knowledge amongst infrastructure MDAs led to the inauguration of the PPP Unit Consultative Forum (3PUCF) in 2013. The forum holds quarterly knowledge experience-sharing sessions for Heads of PPP Units in Federal MDAs.

- We launched the PPP Contracts Information Disclosure Web Portal in 2017 in Abuja the first of its kind in the world. The main objective of the portal is to entrench accountability, integrity and transparency in PPP transactions in Nigeria.

- The Commission championed the formation of the Nigerian Public Private Partnership Network (NPPPN) in 2011 as part of its mandate to institute a harmonized framework for PPPs in the country. The Network whose membership comprises States PPP agencies was re-launched in 2018 in collaboration with the Nigerian Governor's Forum to give it added impetus.

- ICRC has continued to align its processes to achieve government's bid to create a suitable environment for investments in infrastructure and boost President Muhammadu Buhari administration's Ease of Doing Business in Nigeria policy. It therefore got approval from the Federal Government to discontinue fee payment for Outline Business Case and Full Business Case Certificate's of Compliance, to accelerate delivery of PPP projects..

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- The Commission was given the Africa Infrastructure Regulator of the Year award in 2018 at the African Infrastructure (Ai) Investment Awards ceremony in Mauritius. A similar award was given in 2010.

- In 2017 and 2018, ICRC came first in the Freedom of Information compliance ranking for its proactive disclosure of public finance expenditure information on its website. About 187 Nigerian public service institutions were assessed by the Public & Private Development Centre (PPDC). It equally won the PPPDC Award for its PPP Disclosure Web Portal in 2018.

- ICRC collaborated with the Global Infrastructure Hub to host the first PPP Risk Allocation and Contract Management Tool workshop in Abuja which attracted regional participants.

- Currently, ICRC has about one hundred and eleven (111) projects in key economic sectors such as agriculture, energy, trade/investment, urban development, ports, security, health, ICT, aviation, rail, etc either undergoing development or procurement. It equally has 51 PPP concessions under its custody, covering about 13 sectors of the economy undergoing implementation. These contracts, valued at over N3.2 trillion, are constantly monitored to ensure efficient execution.

### 2018: Creating a Sustainable Environment for PPP Projects Delivery

In all of these, what is fundamental to us is that Nigeria is in dire need of basic infrastructure in all the socioeconomic sectors of the economy for it to effectively harness its abundant resources. So, this year is the beginning of our five-year goal towards an infrastructure sufficient nation using PPP methodology. It is a message I carry with me to every local and international forum and one my colleagues in ICRC has keyed into. In addition to what we have done previously, this year we have further leveraged on the ease of doing business initiative of the present administration of His

Excellency President Muhammed Buhari GCON to minimize our processes to fast-track the 101 projects in our pipeline by focusing on the low hanging fruits. The totality of these endeavours has led to the following accomplishments in our pre-contract activities in 2018:

Fast-tracking of PPP transactions to get traction: Several projects in various phases of development, procurement and implementation witnessed significant progress as a testament to our revised processes, our excellent regulatory oversight and the hard work of the MDAs who own the projects. The procurement process for the Concessions and Leasing of Grain Storage Facilities (20 Silos across the country) has been concluded with the emergence of preferred bidders; the same applies to the Warehouse in Box project in Lagos and Abuja aimed at facilitating the storage/release of medical supplies, Ibom Deep Seaport in Akwa Ibom State, the Solar Power Generation facilities at Power House Maitama, and the Development of power at existing Small and Medium Dams across the country. The procurement process for the ECOWAS Biometric Identity Cards project and the concessions of the Kirikiri Lighter Terminals I & II in Lagos, as well as the Federal Coastal Fishery Terminals in Akwa Ibom and Rivers States had also been concluded. All projects have been granted FBC compliance certificates and are awaiting final negotiations to sign the contracts and reach commercial close.

The Commission also supervised the MDAs towards the successful development of various projects in the transport and defence sectors leading to the conclusion of their Outline Business Cases and imminent procurement process. These included Truck Transit Parks with facilities for short-term breaks and long-term parking services, River Ports, the four international airport terminals in Lagos, Abuja, Kano and Port-Harcourt, and the Prisons shoe factory in Aba, among others. It is

worthy to note that the shoe factory is a privately initiated proposal and in view of similar proposals coming on board, we have developed guidelines to make the process smoother and remove any encumbrances.

**Disclosure of Contract/Projects Information:** In all of our processes, we have not compromised our principles for fairness, transparency, competitiveness and best practices. Our goal in any PPP transaction is to ensure we stay true to these articles of faith binding us with our public and private partners. Part of our transparency initiative is the PPP Disclosure Online Web Portal established in 2017. It continues to attest to our willingness to subject our regulatory process to scrutiny. Updated information on national PPP projects is provided regularly.

**Regulatory Oversight:** 2018 witnessed intense efforts on our part to provide technical assistance to MDAs by hand-holding them and guiding them through our processes leading to the successful development of projects in the pipeline. Our regulatory oversight resulted in granting of 20 OBCs and 12 FBCs certificates of compliance signifying these projects are either ready for procurement or implementation. Oversight

**Building PPP Expertise:** Our capacity building programme was tweaked to ensure the development of expertise in structuring PPP transactions a challenging area for PPP practitioners in the public sector. In view of this, trainings targeted at developing the requisite skills were organized with the support of donor institutions and international PPP institutes. The PPP risk allocation and contract tool management workshop was hosted by the Commission in collaboration with Global Infrastructure Hub and welcomed participants from the region.

**Engagement with Stakeholders:** The year was

momentous because of our successful engagement with key stakeholders whose support is significant to our operations. Such strategic alliances are crucial to the Commission's success as a whole and the PPP programme in particular. We: continued our partnerships with World Bank on developing other components of the web portal; collaborated with Global Infrastructure Hub on capacity building programmes, signed MoU with NESG on strengthening advocacy activities to mobilize private investments, worked with Infrastructure Bank on project development fund, actively collaborated with Australian High Commission and IP3 Washington on PPP training, engaged with Federal Ministry of Budget & National Planning, Bureau of Public Procurement, Bureau of Public Enterprises on streamlining PPP processes and mobilizing the market. These engagements were fruitful and provided us with the resources and drive to continue our advocacy for an infrastructure sufficient Nigeria.

These accomplishments and initiatives were made possible by the unwavering support and trust of the PPP stakeholders in the country and to whom we extend our appreciation. These include the various oversight and implementing agencies, development and institutional partners, private sector, media, and the public

### Targets for 2019

The Commission's target as already mentioned above is to ensure:

- rapid delivery of PPP projects utilizing our streamlined processes;
- further institutionalization of the Nigerian PPP program by strengthening the legal, regulatory and institutional framework that is critical to its success. We will continue to push for amendments to the ICRC Establishment Act 2005 currently before the National Assembly;

- improved regulatory environment through laid down regulations and guidelines that accord with international best practices.
- Strengthening of the domestic market capacity to invest in infrastructure. The Commission will work with MDAs to ensure that projects in the pipeline are viable and bankable;
- Establishing a world class Infrastructure and PPP Academy and building productive alliances with institutions to close the existing knowledge gap amongst PPP practitioners in the country.
- Establishment of the PPP Project Finance Office in Lagos as world class reference PPP institutional components

### Appreciation

I would like to graciously thank HE President Muhammadu Buhari, GCFR for the opportunity to serve; His Excellency Vice President, Professor Yemi Osinbajo, SAN for gracing our Global Infrastructure Hub Risk Workshop and his continued support; the Secretary to the Government of the Federation - Mr Mustapha Boss, for his overwhelming support and exemplary leadership.

My gratitude is immense towards all our stakeholders the Head of Civil Service of the Federation, MDAs, National Assembly and Donor Agencies, etc - for their unalloyed support to the Commission. The successes of 2018 are as a result of the exceptional drive of all ICRC staff. I sincerely thank them for sharing my vision for an infrastructure sufficient Nigeria. The Commission completely aligns with the Federal Government that holistic change is inevitable and we must embrace it to deliver critical infrastructure for Nigerians.

*Signed*

**Engr K. C. Izuwah**

Ag. Director General/CEO



# Executive Summary

## Economic Outlook for 2018 Fiscal Year

2018 was as a year of fiscal stability and consolidation as the administration of President Muhammadu Buhari, GCFR directed efforts at stabilizing the economy and improving the general wellbeing of the citizens. The government continued to attract Direct Foreign Investment (DFI) into the country. In the area of anti-corruption, the anti-graft agencies were repositioned for more effectiveness.

In terms of revenue generation, the 2018 fiscal year witnessed some marginal decline in the inflow of government revenue from oil and non-oil exports due to a variety of reasons occasioned by the downward trend in oil prices and the general volatility associated with commodity prices. Central Bank 2018 Fourth Economic Report states that as at third quarter of 2018, actual aggregate revenue was ₦2.84 trillion, representing 40% of the planned annual revenue of ₦7.17 trillion for the year. The Infrastructure Concession Regulatory Commission was also affected by the economic recovery measures put in place by the government, as its funding capacity was greatly reduced and some of the programmes planned for the year towards enhancing its regulatory functions remained largely unattainable.

However significant achievements were recorded in general sectors. The transport sector witnessed key infrastructure development activities this year - with the official flag-off to commence the construction of Lekki Deep Seaport project in March, followed by the commissioning of the Port Harcourt and Abuja airport terminals later in the year by President Muhammadu Buhari GCFR. Both projects are significant in terms of their socio-

economic impact on the nation's transport business, and further attests to the progress being made in the implementation of the Executive Order on the Ease of Doing Business. The airport terminals, whose operations and maintenance will eventually entail PPP arrangements, have a combined capacity of 22 million passengers annually - as stated by President Buhari at the occasion. The Lekki Deep Seaport which is already a PPP is envisaged to change the face of port activities in Nigeria when operations commence.

## Planned Activities for 2018

The Commission's planned programme for 2018 covered both pre- and post-contract regulatory activities; PPP advocacy and market development.

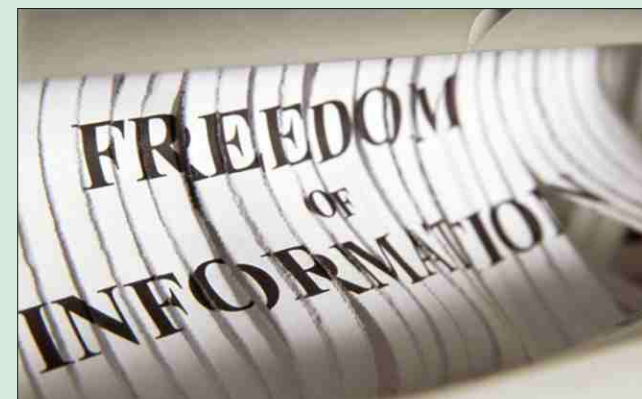
The key targets for the year were to:

- Establish a credible PPP Project Pipeline and develop a robust PPP market.
- Develop and implement strategy to deliver first mover PPP transactions in rail, road, airport, seaport; leisure & tourism, ICT, health and security sectors of the economy.
- Support MDAs to fast-track projects in various phases of development, procurement and implementation in line with agreed milestones.
- Build capabilities in ICRC, MDAs & Private Sector in transaction advisory services such as structuring bankable PPP transactions.
- Develop adequate tools to monitor compliance of all on-going PPP contracts to ensure their efficient implementation within the confines of the laws, policy and regulations.
- Develop project performance monitoring and analytics components of the Contract Disclosure Web Portal for real time management and maintenance of a centralized database of PPP projects on the website.
- Finalise the peer-review of developed PPP Policies, Regulations & Guidelines for subsequent issuance/publications.

## Highlights of Accomplishments



Issued 20 OBC and 10 FBC certificates



Came First in the Freedom of Information Compliance Ranking of Nigerian Public Institutions.



Concluded Procurement of Warehouse in a Box Project - central storage hubs in Lagos and Abuja for public health commodities



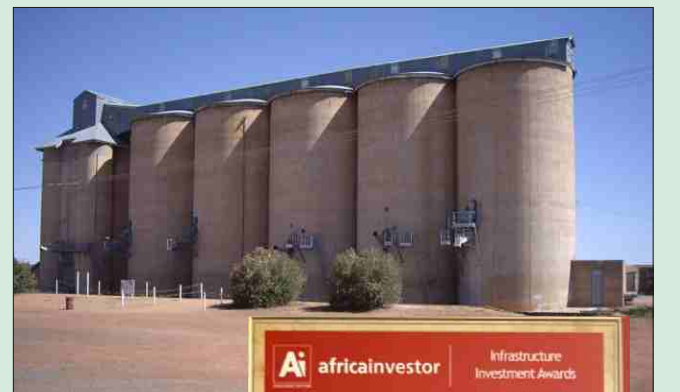
Flag-Off of the construction of the Lekki Deep Seaport by the President



Successful procurement of the Ibom Deep Seaport with emergence of a

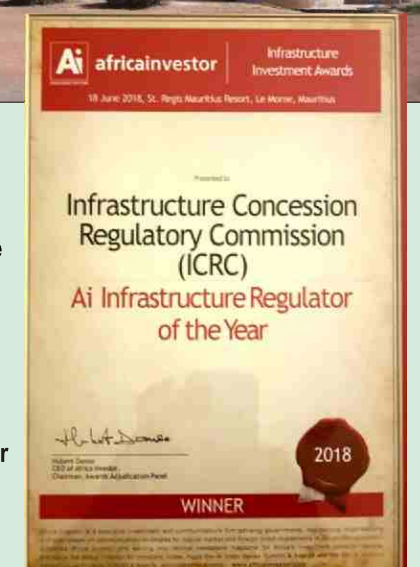


Hosted the first PPP Risk Allocation and Contract Management Tool workshop in Africa in collaboration the Global Infrastructure Hub



Successful procurement of concessionaires for the 20 Grain Silos in different parts of the country.

Received Africa Infrastructure Regulator of the Year Award





## ICRC Governance

The Executive Management Committee met regularly during the period under review to provide strategic leadership to the Commission, on key governance activities geared towards strengthening its internal processes. Some of the key issues were the Annual Work Plan, Annual Monitoring Plan; PPP Projects Work Plan, 2018 Budget Plan, Internally Generated Revenue; Staff Promotion; Staff capacity building programme, performance assessment among others.

The Commission's Amendment Bill The Public Private Partnership Commission Bill, as renamed, is with the National Assembly and has gone through second reading. The final report of the House Committee on the Bill is being awaited.

The Commission submitted the 2017 Annual Report and Audited Accounts to the President in line with Section 26(1) of the ICRC Act.

Policy Guidelines/Circulars and Strategic Initiatives The Commission has developed the following draft guidelines to guide the PPP process:

- A comprehensive review of the National Policy on Public Private Partnerships (N4P) to include aspects - such as: Hiring Transaction Advisers and Joint Venture in PPP Transactions, among others.
- A Guideline for PPP Contract Management by MDAs to guide project managers in the MDAs for effective monitoring of project implementation.
- A guideline for Extension/Renewal of Port Concessions.
- Draft process for implementation of PPP transaction at the local government level.

The Commission had collated stakeholders' inputs and comments, which were subjected to a peer review process for their finalization following focused group discussions with stakeholders.

## Stakeholder Engagements

The Commission engaged various segments of its stakeholders - MDAs, local and international bodies, States and the National Assembly on diverse issues in its efforts to strengthen the institutional and regulatory framework for the PPP programme in Nigeria.

- Attended the World Bank Workshop on the World Bank's New Environmental and Social Framework on 3rd April, 2018 at World Bank Country Office
- Participated in the meetings of the Committee on Executive Order 08 on the Voluntary Offshore Assets Regularization Scheme (VOARS) and the Pending Establishment of the Nigeria Infrastructure Fund in Switzerland
- Participated as a resource person at the 3-day Nigeria Diaspora Investment Summit organised by the Office of the Senior Special Assistant to the President on Diaspora and Foreign Affairs in collaboration with the (NIDAN)
- Collaborated with the Australian High Commission to explore better ways of advancing bilateral knowledge and experience sharing opportunities between both countries. Through the Australia Awards Africa, ICRC had begun the "Strengthening Women's Involvement in PPPs (SWIP3)" project.
- Conducted the quarterly meetings of the PPP Units Consultative Forum towards knowledge exchange and experience sharing amongst PPP personnel in MDAs.
- Engaged the National Assembly on its various areas of oversight on the Commission's activities and the PPP programme in Nigeria.
- Collaborated with the Governor's Forum to reactivate and reinvigorate the Nigerian Public Private Partnership Network (NPPPN) a forum targeted at harmonizing Federal and States PPP framework.

## Human Resource

In line with the Commission's policy of rewarding hard work and supporting staff career progression, the 2017 promotion exercise was successfully concluded and 18 staff who met the criteria for elevation received their promotion letters, following approval from the Office of the Secretary to the Government of the Federation.

## Finance and Accounts

During the year ended 31st December 2018, the Commission received a total of N102,718,268.22, representing 58% of the total overhead expenditure budget of N176,088,460. In addition, it received a Capital budget of N53,431,924 out of the budgeted N534,310,245.

## Challenges

- The Commission experienced funding constraints that hampered overall effectiveness in the conduct of its operations and regulatory activities in the realization of set goals and objectives.
- Lack of dedicated funding to develop, promote and implement PPP projects presented serious setbacks and slowed down the process.
- Capacity gap in the MDAs to prepare bankable projects ready for the PPP market
- Lack of adequate enforcement powers over PPP contract agreements and disputes. A bill to address identified gaps in the existing law of the Commission is pending before the National Assembly. The proposed amendment seeks to rename the ICRC as PPP Commission and expand its powers to impose appropriate sanctions, to ensure compliance with the provisions of the Act and regulations thereof;

## Conclusion

The year 2018 witnessed efforts by the new leadership of the Commission to increase the

awareness of PPPs in infrastructure delivery and raising awareness on ICRC's mandate and essential elements of the Nigerian PPP framework. There was also increased cooperation with MDAs to push more projects through to procurement and implementation phases. To this end, spirited and continuous efforts were made to engage crucial stakeholders, share the PPP success stories and challenges in local and international forums, publish vital information on PPP projects under the Commission's custody through the web portal, and embark on more capacity building activities to increase PPP knowledge and develop core competencies in the country.

The leadership constantly engaged staff and motivated them to achieve planned goals and objectives for the year. It promoted deserving staff and ensured a conducive work environment. The Commission remained committed to working with all critical stakeholders, especially implementing MDA's and private sector partners in fast-tracking the development and implementation of major road, agriculture, port, health, rail and aviation projects that would bring about inclusive growth and sustainable development.

In line with its mandate, the Commission would continue to maximize the potential of PPPs for the development of the country and for the benefit of the Nigerian people. For the coming year, it targets to achieve even more, powered by the collective strength of its staff, as well as all individuals, institutions and agencies involved in the Nigerian PPP process.

## SECTION 2: Mandate & Role

**2.1. In order to harness private sector** technical and financial resources for the provision of public infrastructure and service, the FGN enacted the ICRC Act in 2005 and inaugurated the Governing Board in November 2008 leading to the commencement of the Commission's operations, subsequently.

**2.2. The ICRC Act confers on the Commission the powers to:**

- Provide general policy guidelines, rules and regulations;
- Take custody of every concession agreement;
- Monitor and inspect PPP projects; and
- Ensure efficient execution of any concession agreement or contract entered into by the Federal Government.

**2.3. The Act also provides for MDAs to enter** into contracts with or grant concession to any duly pre-qualified private sector proponent for

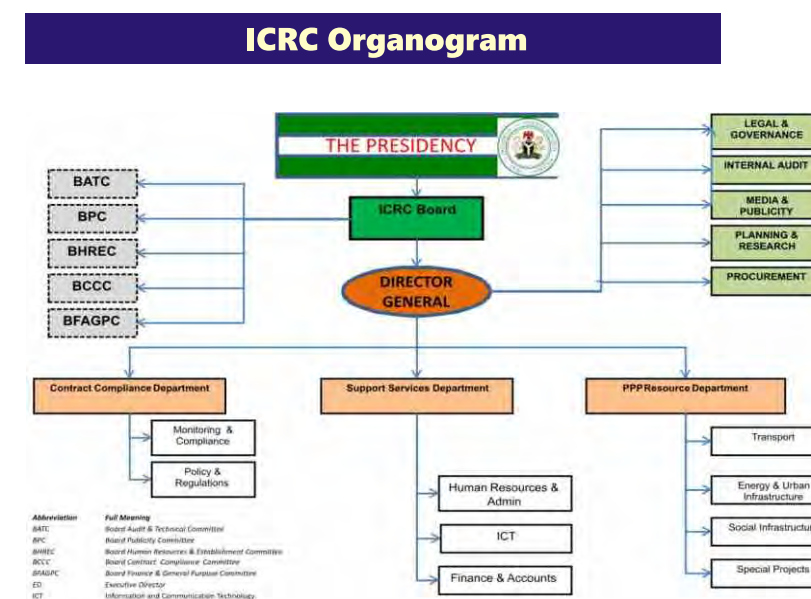
the financing, construction, operation, and maintenance of any infrastructure that is financially viable or any development facility of the Federal Government.

**2.4. Deriving from this mandate, the role of the ICRC consists of four main components:**

- Promoting, facilitating, supporting, coordinating and implementing a sound PPP Process; while ensuring that the principles of good governance are applied to all of the functions that form part of it;
- Providing transaction support and building capacity in all Federal Government MDAs for project development, tendering, negotiation and contract execution;
- Developing guidelines for monitoring contract compliance during construction, operation and contract termination; and
- Collaborating with other agencies, including similar State-level PPP Units, to implement an integrated national regulatory environment that is conducive to private sector investment in infrastructure projects.

## SECTION 3: Institutional Structure & Governance

### 3.1. Structure and Functions



The Governance and Organizational Structure of the ICRC is designed to facilitate the delivery of the Commission's mandate. The ICRC Act provides for the establishment of a Governing Board for policy formulation and other statutory functions. Table 1 below shows the Governing Board Structure:

**Table 1: ICRC Governing Board Structure**

S/No	Status	
1	Chairman	Chairman
2	Secretary to the Government of the Federation (SGF)	Ex-Officio Member
3	Attorney General to the Federation (AGF)	"
4	Hon Minister of Finance (HMF)	"
5	Governor, Central Bank of Nigeria (CBN)	"
6	Rep South-South	Member
7	Rep South-West	"
8	Rep North-East	"
9	Rep North-Central	"
10	Rep South-East	"
11	Rep North-West	"
12	Director General, ICRC	Member/Secretary

The previous Board constituted the following five committees to aid its functions:

- Contract Compliance Committee (oversees activities of the Contract Compliance Department);

- Audit and Technical Committee (oversees the activities of the PPP Resource Department);
- Human Resource and Establishment Committee (oversees issues of human resource, governance, institutional relations, etc.);
- Finance and General Purpose Committee (oversees finance-related matters); and
- Media and Publicity Committee (oversees communication related matters)

However, within the review period, all matters relating to the Board were brought to the attention of the SGF which provided oversight on the Commission's operations in the absence of the Board.

### 3.2. Executive Management

Reporting directly to the Director General (DG) are Directors manning the various directorates comprising: PPP Resource

Department, Contract Compliance Department, Internal Audit, and Research & Planning. The DG and all Directors, as well as the Head Legal and Governance constituted the Executive Management Committee (EMC) of the ICRC, which



met regularly during the period under review. Some of the key issues the EMC discussed and acted on were the Annual Monitoring Plan for the Commission, Internally Generated Revenue, Staff Promotion, Internal Business Rules, Staff Handbook and Conditions of Service, performance incentives among others.

### 3.3 General Management

The General Management Team comprises all Heads of Departments and Units. In addition to the Directors, Heads of Media & Publicity, Information & Communication Technology, Procurement and Human Resource & Administration are members. Other members are Heads of Monitoring & Compliance, Policy & Regulations, Legal & Governance, Finance & Accounts, Special Projects, Transport, Energy & Urban Infrastructure, and Social Infrastructure.

The General Management Team met several times during the year to deliberate on the general administration of the Commission.

### 3.4 2017 Annual Report & Audited Accounts

The Commission submitted the 2017 Annual Report and Audited Accounts to the President in June in line with Section 26(1) of the ICRC Act.

### 3.5 Quarterly Reports to the Secretary to the Government of the Federation (SGF)

The Commission prepared mandatory quarterly reports of activities within the year for the SGF's office. On the whole it submitted four reports within the quarters

## SECTION 3: Key Activities in 2018

Some of the Commission's key activities during the period included providing pre- and post-contract regulatory guidance to MDAs in the following areas:

- (a) Supported MDAs in prioritizing projects in the pipeline in order to fast-track their development, procurement and implementation.
- (b) Provided technical support to MDAs in preparing and structuring PPP projects in accordance with work plans and agreed milestones.
- (c) Provided regulatory guidelines for MDAs to deliver public infrastructure services in line with best practices.
- (d) Conducted capacity building programmes for staff of ICRC and PPP Units of MDAs aimed at building competencies to prepare, manage, and execute projects.
- (e) Monitored PPP projects under implementation and ensured compliance with the contract terms and conditions within the confines of the laws, policy, regulations and other best practices.
- (f) Sustained advocacy and engagement of stakeholders on the Nigerian PPP framework, process and programme

(g) Mediated between parties over disputed projects.

(h) Sustained the advocacy for and engagement of stakeholders on PPP procurement methods.

### 4.0 Major Achievements in 2018

2018 marked the tenth year anniversary of the Commission, and the decision by the leadership to embark on a re-visioning process that required it to take stock, make objective and frank assessments and refocus the organization to deliver PPP projects that would impact on the people, and bring the nation closer to achieving its goal of being infrastructure sufficient. It also provided an opportune time to for the Commission to review its regulatory process and align it with the ease of doing business initiative of the present administration, being championed by the Office of the Vice-President.

The Commission's overall goal to position itself as a proficient PPP regulator and utilize its capabilities towards maximizing the PPP potentials of the Federal Government was realized. It targeted projects in the power, transport, health, ICT and security sectors that it considered to be low hanging fruits and worked diligently with the MDAs to fast-track them. As the Commission strived in this endeavour, it met successes, had new insights, learnt lessons and faced challenges. However, it remained focused on the end-goal and continued to perform its mandate credibly as the main facilitator of the PPP program and projects in the country.

The following achievements were efforts by both ICRC's internal and external stakeholders to make the PPP programme a success. ICRC has one hundred and eighteen (118) projects at various stages of development or procurement (pre-contract) covering various sectors and sub-sectors

of the economy, including agriculture, energy, trade/investment, urban development, ports, security, health, ICT, culture, aviation, rail, etc.

(a) Fast-tracking development of PPP projects in the pipeline

The Commission issued 20 Outline Business Case (OBC) and 10 Full Business Case (FBC) Certificates. The OBC certificates issued covered various projects in the agriculture, education, power, transport, and gas sectors of the economy which were undergoing preparation for PPP procurement. The procurement processes for the concession of 24 Silo Complexes across the country, Hydroelectric Power for six existing Small and Medium Dams, Solar Power Generation at Power House Maitama, Federal Coastal Fishery Terminals in Akwa Ibom and Rivers States had been completed and FBC certificates granted. The Ibom Deep Seaport, Warehouse in a Box, and Truck Transit Parks projects are at their final stages with the emergence of preferred bidders in each of these cases and finalization of their draft concession agreements and FBC.

(b) Disclosure and Transparency

The Commission came first for the second time consecutively in the Freedom of Information compliance ranking of the Public & Private Development Centre (PPDC), in recognition of its leadership in proactive disclosure of public finance expenditure information on its website. ICRC came first out of 187 Nigerian public service institutions assessed by the PPDC. Also ICRC won the Public Service Innovation Award for the globally acclaimed ICRC PPP Disclosure Web Portal. This award was given by the Public & Private Development Centre (PPDC). The Portal, which was successfully launched with support from the World Bank PPP team the previous year, provides detailed information on all PPP projects of the Federal Government of Nigeria under the Commission's



custody, as part of its disclosure process. Since then the portal has generated interest in the Nigerian economy and enhanced the country's regulatory framework.

(c) Regulatory Excellence

The Commission was named the Africa Infrastructure Regulator of the Year at the African Infrastructure (Ai) Investment Awards ceremony, hosted in conjunction with the Ai/Africa 50 CEO Infrastructure Project Developers Summit held in June 2018 in Mauritius.

(d) Capacity Building

The ICRC collaborated with the Global Infrastructure Hub to host PPP practitioners within the African region to the first Public Private Partnership (PPP) Risk Allocation and Contract Management Tool workshop in Abuja. This is the first of its kind within the African continent, had in attendance, His Excellency, the Vice President, Prof. Yemi Osinbajo GCON, SAN. The Commission also partnered with International Monetary Fund, Institute of Public Private Partnership and Islamic Development Bank to develop capacities of its staff and MDAs on PPP transactions. A total of 19 capacity building programmes were conducted on PPP during the year; this was apart from other staff development trainings.

(e) Staff career growth

As part of the Commission's plan to reward performing staff and elevate deserving ones to higher positions of responsibility, it successfully concluded the 2018 promotion exercise which saw 18 staff elevated to senior, middle management and management levels.

(f) Ease of Doing Business in PPP Procurement

The Commission, in its bid to remove encumbrances to projects development has reduced its PPP process to 4 steps which reduced the approvals by the Federal Executive Council to

the FBC stage. This was sequel to approval from the Federal Government and has, as expected, given an additional push to the ease of doing business in Nigeria policy of HE President Muhammadu Buhari, GCFR by eliminating a major bottleneck that discouraged PPP investments and constrained the use of PPP procurement by MDAs.

(g) Regulatory Oversight

The Commission provided regulatory guidance and oversight on 117 projects submitted to the Commission by the MDAs.

#### 4.1 2017 Pre-Contract Activity

The P3RD and the newly created Transport Infrastructure Department (TID) undertook the pre-contract regulatory functions of the Commission in 2018. These functions included the review of Outline and Full Business Case documents and issuance of compliance certificates where they were merited; capacity building for internal and stakeholders; co-ordination of the activities of the PPP Units Consultative Forum (3PUFC) and Nigeria PPP Network; and periodic updates of PPP projects within the various MDAs going through development and procurement phases under ICRC's regulatory oversight.

During the review year, the Commission resolutely championed the efficient delivery of infrastructure and development services across the country via well-structured and commercially viable PPP projects. Anchored on His Excellency Muhammed Buhari's administration's socioeconomic strategy of increasing infrastructure spending, and propelled by the Ag. DG ICRC's vision of an "infrastructure sufficient Nigeria", the Commission doubled its efforts in 2018 to facilitate PPPs and contribute to the infrastructure development of the country. Building on the gains made in the past few years, the Commission ended 2018 with a pipeline of 117 national projects in different stages

of development, procurement and implementation, which is a testament to its steadfast commitment to pursue its mandate.

##### 4.1.1 Targets for the Year 2018

The key targets for the ICRC in terms of pre-contract regulatory activities:

- Develop an enhanced PPP market in Nigeria.
- Provide enabling regulatory guidance to facilitate the delivery of key projects in the 2018 projects pipeline.
- Guide MDAs on how to successfully navigate the various phases of the PPP processes in structuring their transactions.
- Provide knowledge and experience sharing to MDAs and other stakeholders through the quarterly PPP Units Consultative Forum.
- Simplify some of the PPP processes to enable the ease of doing business and further attract needed investments to critical infrastructure development.
- Produce PPP pre-contract governance documents.
- Initiate collaborations with NCAT, NITT, IATA on short-term capacity building for critical stakeholders managing projects.
- Strengthen relationships with sector regulators to ensure smooth flow of the PPP process.
- Carry out physical due diligence exercises to project sites.
- Collaborate with the Infrastructure Delivery Coordination Unit (IDCU) of the Federal Ministry of Budget & National Planning to fast-track project preparation, procurement, and negotiations.

However the efficient delivery of the projects was challenged by:

- Poor quality of transaction advisory services
- Lack of project development funds
- MDA's delays in the supply of vital information required on projects
- Poor understanding of the PPP legal and

regulatory framework

- Lack of adequate budgetary provisions to support activities within the ICRC

##### 4.1.2 Activities of PPP Resource Department (P3RD)

The P3RD oversees the projects categorized under Social Infrastructure (hospitals, education, sports and entertainment, IT and etc) and Energy and Urban Infrastructure (power, oil and gas, water resources, agriculture etc). The Department also coordinates other special projects involving capacity building on PPP, supporting and monitoring PPP Units, and rendering technical assistance to States to develop a PPP framework, among others.

2018 witnessed the procurement of vital projects in the health, agriculture and power sectors which had finished undergoing development and had gone through transparent and competitive bidding processes leading to the emergence of preferred bidders.

The procurement of concessionaires for the 20 grain storage (silos) complexes across the country ended successfully with the approval of the Full Business Case by the Federal Executive Council in September. The signing of the concession agreement is the next stage towards the long awaited implementation of the project. The silos which have combined storage capacity of about 1 million metric tonnes are designed to store grains like maize, millet, rice, beans etc. The essence of partnering with the private sector in the financing, management and operations of the facilities was to improve the efficiency and quality of the storage methods to achieve the administration's agriculture transformation.

The FBC certificates for the five small and medium dams in Ikere Gorge, Bakalori, Omi-Kampe, Jibiya and Zobe were approved by FEC signaling the beginning of the implementation phase. The dams would generate about 15 MW of hydro-electric

power. Also the PPP management contract for the Warehouse in a Box Project was successfully procured with the approval of the FBC by the Federal Executive Council. The contract is undergoing vetting by the Office of the Attorney General and Minister of Justice before the final signature. The project consists of insulated warehouses located in Abuja and Lagos fitted for refrigeration and distribution of health commodities like vaccines, drugs, etc.

Other projects that made significant progress during the review period included Gurara 1 Multi-Purpose Dam in Kaduna which generates 30mw of electricity, of which a preferred bidder emerged in July to manage the operations and maintenance; the development of 23 Industrial Development Clusters across the 6 geopolitical zones, of which six - located in Idu, Maiduguri, Owerri, Ikorodu, Port Harcourt and Sokoto - have been granted OBC certificates. It is hoped that when fully implemented, these projects would contribute to national growth and development.

See Appendix 2 for the full list of projects in the pipeline that recorded progress in 2018. See the ICRC's website [www.icrc.gov.ng](http://www.icrc.gov.ng) to view the 2018 pipeline of PPP Projects.

#### 4.1.3 Outline Business Case and Full Business Case Compliance Certificates

ICRC received Outline/Full Business Cases from MDAs which and following reviews, Compliance Certificates were issued. Table 2.1 and 2.2 show a summary of Compliance Certificates issued by the Department in 2018.

**4.1.4 A major challenge to the PPP Consultative Forum** is the inability to carry out the annual monitoring and evaluation plan prepared by the Committee made up of the ICRC, Office of Head Civil Service of the Federation, Federal Ministry of Finance and Federal Ministry of

Budget and National Planning. With PPP becoming an integral part of government public infrastructure service delivery, it is essential the effectiveness of the process is maintained by periodic visits to PPP Units and project sites for on the spot assessment of their activities and challenges.

#### 4.1.5 Nigeria Public Private Partnership Network (NPPPN)

The Commission, in collaboration with the Nigerian Governors Forum (NGF) successfully re-activated the NPPPN in Abuja on 27th September 2018. Highlight of the event was the signing of MoU by the ICRC and Nigeria Governors Forum (NGF) to actively drive the PPP programme at the sub-nationals. The NPPPN was established as a collaborative platform for knowledge and experience-sharing amongst PPP agencies at the Federal and States. The network provides capacity building on PPPs and champions the development of a standardized and harmonised PPP framework for use by federal/state government practitioners. The Key Objectives of the MoU included:

- Regular convening of the Nigerian Public Private Partnership Network (NPPPN).
- Knowledge sharing and capacity development on infrastructure/PPP at the sub national level.
- Policy analysis and strategy development, including issuance of case studies and policy papers on infrastructure/PPP.
- Engaging with government - national and states, private sector, and civil societies on infrastructure, PPP issues and economic policies in Nigeria.
- Actively driving impactful economic and social infrastructure projects in Nigeria via PPPs.

#### 4.1.6 Global Infrastructure Hub Joint West African Regional Workshop

The workshop on PPP Risk Allocation and PPP Contract Management Tool held on 16th and 17th

**Table 2:** Summary of Outline Business Case Compliance Certificates Granted in 2018

1	Federal Ministry of Interior (FMol)/ Nigerian Immigration Service (NIS)	Establishment of Nigerian passport application support centers in the US, Canada, UK, China etc	11 <sup>th</sup> Jan 2018
2	Federal Ministry of Water Resources	Development of 220MW River Mada Medium hydropower plant in Nasarawa State	23 <sup>rd</sup> Feb 2018
3	National Commission for Museums and Monuments	Development of Filling Station on Lease of Land at National Museum, Jos.	27 <sup>th</sup> Feb 2018
4	Federal Ministry of Power, Works & Housing (FMPW&H)	Development Of Abuja-Ibadan Expressway Project (Unsolicited proposal by TIB)	14 <sup>th</sup> March, 2018
5	Federal Ministry of Education	University of Benin 15MW Solar Project (Unsolicited Proposal)	19 <sup>th</sup> March, 2018
6	Federal Ministry of Agriculture & Rural Development	Interim PPP Certificate for deployment of 10,000 tractors and other mechanized equipment	10 <sup>th</sup> May 2018
7	Federal Ministry of Transportation (Aviation)il	Establishment of a Maintenance, Repairs and Overhaul (MRO) Facility	21 <sup>st</sup> May 2018
8	Federal Ministry of Transportation (Aviation)	Establishment of an Aviation Leasing Company (ALC)	21 <sup>st</sup> May 2018
9	Federal Housing Authority (FHA)	Development of Federal Housing Authority (FHA) Shopping Complex, Gwarimpa, Abuja	12 <sup>th</sup> June 2018
10	Federal Ministry of Finance	Development, Deployment and Management of Import Duty Exemption Certificate and Imported Vehicle Identification Number Registration	Conditional 12 <sup>th</sup> June, 2018
11	Federal Ministry of Transportation (Aviation)	Establishment of a National Carrier	6 <sup>th</sup> July, 2018
12	Federal Ministry of Health	Development of Photovoltaic System for University of Benin Teaching Hospital	2 <sup>nd</sup> August, 2018
13	Nigerian Shippers' Council	Concession of Truck Transit Park in Obollo-Afor Enugu State	16 <sup>th</sup> August, 2018
14	Federal Ministry of Power, Works & Housing (FMPW&H)	40 MW Kashimbila Dam Hydropower Station	15 <sup>th</sup> October 2018
15	Federal Ministry of Power, Works & Housing	Makurdi Hydropower Project	15 <sup>th</sup> October
16	Federal Ministry of Trade, Industry & Investment	SMEDAN – Industrial Development Clusters (IDCs)	23 <sup>rd</sup> October, 2018
17	Federal Ministry of Industry Trade and Investment	Development of Small & Medium Enterprise (SME) Portal Project	24 <sup>th</sup> October 2018
18	Office of Head of Civil Service of the Federation	Development of Ground floor Block A and Multi Level Car Parking lots of the Federal Secretariat complex phase II	24 <sup>th</sup> October 2018
19	Nigerian Shippers' Council	The Development of Ibadan Inland Dry Port, Oyo State	24 <sup>th</sup> October 2018
20	Nigerian Shippers' Council	Concession of Truck Transit Park, Lokoja	24 <sup>th</sup> October 2018



Table 3: Summary of Full Business Case Compliance Certificates Granted in 2018

1	Federal Ministry of Power, Works & Housing (Power)	Solar Power Generation Facilities at Power House, Maitama	27 <sup>th</sup> Feb 2018
2	Federal Ministry of Agriculture and Rural Development	Federal Coastal Fishery Terminal, Ebughu, Akwa Ibom State	28 <sup>th</sup> Feb 2018
3	Federal Ministry of Agriculture and Rural Development	Federal Coastal Fishery Terminal, Borokiri, Rivers State	28 <sup>th</sup> Feb 2018
4	Federal Ministry of Interior	Production of ECOWAS Biometric Identity Cards	24 <sup>th</sup> May 2018
5	Federal Ministry of Agriculture and Rural Development (FMARD)	Concession and Leasing of Grain Storage Facilities (20 Silos across the country)	12 <sup>th</sup> June 2018
6	Federal Ministry of Health	Warehouse in a Box	6 <sup>th</sup> Sept 2018
7	Federal Ministry of Defence	Rehabilitation of the Nigerian Naval Dockyard Lagos	11th Sept 2018
8	Federal Radio Corporation of Nigeria	Development of 10 hectares of land into a mixed-use facility	24th October 2018
9	Federal Ministry of Power, Works & Housing (Power)	Development of Hydroelectric power at existing Small & Medium dams across the Country	29 <sup>th</sup> October 2018
10	Federal Ministry of Transportation	(i) Development of Abuja-Warri Railway Line with Branch Line and Extensions from Jakura-Lokoja and Agbarho-Warri (ii) Warri New Sea Port	27th November 2018

October, 2018 with a goal to develop practical guidance that could be used by government teams responsible for the oversight of a PPP. Informed by 250 PPP projects that reached financial close, the final tool is an evidence-based, practical reference document based on experience in real projects.

The workshop which was declared open by the Vice President His Excellency Prof Yemi Osinbajo, GCON, SAN; involved several presentations and interactive sessions had PPP personnel from Senegal, Namibia, Liberia, Kenya, Sierra Leone, Ghana and Gambia share their peculiar experiences. The Chairman, Senate Committee on Works and Chairman, House Committee on Special Duties; as well as representatives of the Secretary to the Government of the Federation and Head of the Civil Service of the Federation among other dignitaries were in attendance.

4.1.7 Capacity Building

The Commission undertook several Capacity Building programmes on in-house and external basis, and where necessary, partnered with relevant agencies, such as the Institute of PPP (IP3) and Global Infrastructure Hub (GIH) to deliver PPP knowledge based trainings, as can be seen in the table below:

4.1.8 P3RD Projects Progress Updates/Status

At the end of 2018, there were 85 projects in the pipeline based on MDAs submissions, and ICRC facilitated the progress of all the projects to various stages of development and procurement and gave regular updates on their status. See appendix 1 for status of all PPP projects under social, power and urban infrastructure.

4.1.9 Activities of Transport Infrastructure

Quarter	MDA (Host)	Activities
1st Quarter - 10th May 2018	Federal Ministry of Mines & Steel Development	i. Fiscal Risks from Public-Private-Partnerships & The PPP-Fiscal Risk Assessment Model by the International Monetary Fund.  ii. A case study of the concession of the silo complexes in Nigeria (owned by the Federal Ministry of Agriculture and Rural Development) by the PPP Resource Department, ICRC
2nd Quarter – 26th July 2018	Nigerian Shippers’ Council (NSC)	i Hospital Modernization – A case of two countries (Kenya and Nigeria) by the International Finance Corporation  ii. Concession of the Ibom Deep Sea Port (IDSP), Akwa Ibom State – the journey so far; by Transportation Infrastructure Department, ICRC.  iii. The concession of Henri Konan Bedié Bridge by Association of African Development Finance Institutions – A Case Study, by the Director General, ICRC
3rd Quarter – 4th October 2018	Federal Ministry of Agriculture and Rural Development	i. PPPs in the Transportation Sector, by the World Bank  ii. Concession of the Warehouse in a Box project – the journey so far, by PPP Resource Department, ICRC
4th Quarter – 6th December 2018	Ministry of Budget & National Planning	i. Australia Awards Africa (AAA), PPP opportunities by AAA Alumni  ii. Overview of the Concession programme for generation of Hydroelectric Power from 6 existing Small and Medium Dams across the Country by the PPP Resource Department,

guidance during the review period. It was a testament to both the MDAs and ICRC's efforts to fast-track projects and gain sufficient traction by year end considering the huge gap in the provision of transport infrastructure. The Federal Government's aim to procure concessionaires to rehabilitate and upgrade KiriKiri Lighter Terminals I & II was finally being achieved with the emergence of a preferred bidder. ICRC expects a successful conclusion of current negotiations and submission of the Full Business Case (FBC) for necessary approvals. Funding for the project development and procurement was under the International Development Association (IDA) Credit for PPP support to the Federal Government of Nigeria.

Department (TID)

The TID provides requisite PPP regulatory guidance to MDAs in preparation, procurement, and negotiation of PPP projects categorized under transport infrastructure. These include roads, railways, aviation, defence, marine. At present, there are 39 active PPP projects domiciled in various MDAs under the ICRC purview actively managed by the Department.

4.1.10 TID Projects Progress Updates/Status

Several projects reached significant levels of development and procurement under the ICRC

The procurement process for Ibom Deep Seaport project in Akwa Ibom State was successfully concluded and a preferred bidder selected. Necessary due diligence on the preferred bidder would follow next, followed by negotiations and the submission of the Full Business Case (FBC) to ICRC for the issuance of a compliance certificate, and to FEC for approval. The proposed project is an integrated, multi-purpose deep sea port and is being jointly developed the Federal/State Governments and private investors.

The Onitsha River Port project located in Anambra State attained a milestone with the emergence of a preferred bidder. Negotiations are expected to



**Table 5:** 2018 PPP Capacity Building Programme

SN	Programme/Activity	Sponsor/MDA	Participants	Date
1	Global SOURCE training on PPP project management	Sustainable Infrastructure Foundation (SIF) / Islamic Development Fund	ICRC & MDA	14 <sup>th</sup> - 15 <sup>th</sup> Mar 2018
2	Capacity Building Programme	ICRC	ICRC staff	16 <sup>th</sup> Mar 2018
3	Capacity Building Programme	Office of Head of Civil Service of Federation	Staff of OHCSF	16 <sup>TH</sup> Mar 2018
4	Capacity Building Programme	Nigerian Air Force	Top Management of NAF Holding Company	19 <sup>th</sup> Mar 2018
5	Capacity Building Programme	Federal Ministry of Mines and Steel Development	Staff of Federal Ministry of Mines and Steel Development	20 <sup>th</sup> Mar 2018
6	Capacity Building Programme	Nigerian National Petroleum Corporation (NNPC)	Staff of NNPC	12 <sup>th</sup> Apr 2018
7	PPP fiscal risk assessment model (PFRAM) training	International Monetary Fund	Staff of MDAs & ICRC	26 <sup>th</sup> Apr 2018
8	Capacity Building Programme	Federal Ministry of Science and Technology	Staff of FMOs&T and other Agencies	7 <sup>th</sup> May 2018
9	Capacity Building Programme	Nigerian Prisons Service	Staff of NPS	16 <sup>th</sup> - 17 <sup>th</sup> May 2018
10	Inauguration of Project Delivery Team (PDT)	Federal Radio Corporation Nigeria	FRCN PDT	21 <sup>st</sup> May 2018
11	PPP Capacity Building Programme	Public and Private Development Centre (PPDC)	Staff of PPDC	24 <sup>th</sup> May 2018
12	PPP Capacity Building Programme	University of Benin	Staff of University of Benin	11 <sup>th</sup> - 12 <sup>th</sup> Jul 2018
13	PPP Capacity Building Programme	Institute of PPP (IP3)	Staff of MDAs & ICRC	16 <sup>th</sup> - 20 <sup>th</sup> Jul 2018
13	PPP Capacity Building Programme	Institute of PPP (IP3)	Staff of MDAs & ICRC	16 <sup>th</sup> - 20 <sup>th</sup> Jul 2018
14	PPP Capacity Building Programme (Diaspora Knowledge Sharing)	Dr. Abdullahi Umar PMP	MDAs & ICRC	9th Aug 2018
15	PPP Capacity Building Programme (Diaspora Knowledge Sharing)	Dr. Dozie Uzoma.	MDAs & ICRC	28th Aug 2018
16	PPP Capacity Building Programme		PDT Members at University of Port Harcourt Teaching Hospital	28 <sup>th</sup> Sep 2018
17	PPP Risk Allocation and Contract Management Tool workshop	ICRC & Global Infrastructure Hub	MDAs & ICRC	16 <sup>th</sup> - 17 <sup>th</sup> Oct 2018
18	PPP Capacity Building Programme	I CRC	Kaduna Polytechnic	29 <sup>th</sup> Nov 2018
19	PPP Capacity Building Programme	Nigeria Civil Aviation Authority (NCAA)	Staff of NCAA	3 <sup>rd</sup> Dec 2018

commence for the eventual submission of a Full Business Case (FBC) for ICRC ratification and FEC approval. The project which is being funded under the IDA Credit will serve as a pilot scheme for the concession of other river ports - Lokoja, Baro and Oguta - under PPP arrangements.

Another area of activity within the year was the truck transit parks projects which the Nigerian Shipping Company had earmarked for development through PPP in various geopolitical zones. The project is now in its procurement phase. The proposed transit parks are located in Obollo-Afor - Enugu State, Lokoja - Kogi State, Aviele - Edo State, Illela Sokoto State, and Benin Bye-Pass Edo State. These would have facilities for short-term breaks and long-term parking services, where truck drivers could refuel, eat, rest, refresh and get basic supplies and maintenance services and other value added services.

The Contingent Owned Equipment (COE) PPP project for the Nigeria Police Force made steady progress during the year with the commencement of the procurement process; while the Full Business Case for the Supply Own and Operate Equipment for Peace Keeping Missions in Central African Republic, South Sudan, Somalia, Darfur (Sudan) and Liberia had been concluded and awaiting FEC's approval.

The OBC for the concessions of 4 International Airports in Abuja, Lagos, Kano and Port Harcourt has been forwarded to the Commission for review and granting of Certificate of Compliance. The PPP model for the operations and maintenance is being proposed being that they are newly constructed airports. Other aviation projects, including the Development of a Maintenance, Repairs and Overhaul (MRO) Facility and Establishment of an Aviation Leasing Company (ALC), are in their procurement phases. The ECOWAS Biometric Cards project - which proposes the adoption of smart card and

biometric technology to secure the identification of persons migrating and enhance regional security was approved by FEC in November and has proceeded to contract signing. The unsolicited proposal for the Rehabilitation, Expansion and Operation of the Nigerian Prisons Service Shoe Factory in Aba, Abia State is undergoing technical and financial proposals leading to the selection of a preferred bidder.

See Appendix 3 for the list of all projects under Transport Infrastructure for their current status. ICRC will continue working with the MDAs and other critical stakeholders to bring them to fruition.

#### 4.1 2018 Post-Contract Activity

Section 20 (functions of the Commission) of the ICRC (Establishment, etc) Act 2005 empowers the Commission to regulate contracts entered into with project proponents (private sector). The Contract Compliance Department performs the following roles on behalf of the Commission:

- take custody of every concession agreement made under the ICRC Act and monitor compliance with the terms and conditions of such agreement;
- ensure efficient execution of any concession agreement or contract entered into by MDA on behalf of the Federal Government of Nigeria (FGN);
- prepare and issue regulations and guidelines on PPP transactions in the country; and ensure compliance with the provisions of the ICRC Act and the National PPP Policy (N4P) by MDAs and private parties.

In performing these functions, the Commission undertakes the following:

- register signed contracts and update the Commission's contracts database;
- review all contract received against administrative, fiscal and operational obligations of parties to the contracts. as well as key performance indicators (KPIs), output specifications and service

requirements;

- analyse new Government policies and laws that affect contractual obligations and advise parties accordingly,
- liaise with parties on issues of non-compliance to contractual obligations;
- request for periodic performance report from parties and review in line with the provisions of the contracts;
- conduct joint inspections of Federal Government assets under concession with the relevant Ministries Departments and Agencies as required by section 10 of the ICRC (Establishment, etc) Act 2005;

The Commission within the year engaged with project proponents, MDAs and other stakeholders to conduct site monitoring of some PPP contracts in its custody. Project locations visited included Lagos, Port-Harcourt, Onne, Calabar and Abuja, during which the Commission witnessed some operational activities in compliance with the contracts, as well as issues of non compliance on the part of Government and Concessionaires. There were other challenges such as right of way and new government policies which affected the efficient execution of some of the contracts. The monitoring activities provided an important avenue for the Commission, MDAs, concessionaires and other stakeholders to share knowledge and experience on the implementation of PPP projects. Furthermore, the information gathered from the visits was reviewed with the aim of providing solutions to contractual challenges.

#### 4.2.1 Projects under ICRC's Custody

S/No	Sectors/Projects	Number of Projects	% PPPs by Sector
1.	Aviation Concessions	3	6
2.	Sea Port Terminals	27	53
3.	Inland Container Depot (ICDs)	6	12
4.	Social Infrastructure (Complexes)	3	6
5.	Information Technology	2	4
6.	Power Sector Projects	3	6
7.	Telecommunication Infrastructure	2	4
8.	Urban and District Engineering Infrastructure	1	2
9.	Health Care Delivery Service	1	2
10.	Marine Security concession project	1	2
11.	Housing Development Project	1	2
12.	National Iron Ore Mining	1	2
	Total	51	100

The Commission within the year 2018 maintained the same number of projects recorded as in the previous year 2017. Fifty one PPP contracts are currently in its custody, comprising: 3 Aviation, 27 Ports, 6 Inland Container Depots, 2 Information Technology, and 3 Social Infrastructure (complexes). Others are 3 Hydro Electric Power, 2 Telecommunication Infrastructure, 1 Healthcare, 1 Urban District Infrastructure, 1 Marine Security, 1 Housing Development, and 1 Iron Ore Mining. Out of this total number of concessions, 4 have been terminated, namely 2 National Identity Card, 1 Port Terminal, 2 Social Infrastructure (Complexes) and 2 Aviation. Additionally, 1 concession on Maritime Security has been temporarily suspended. These

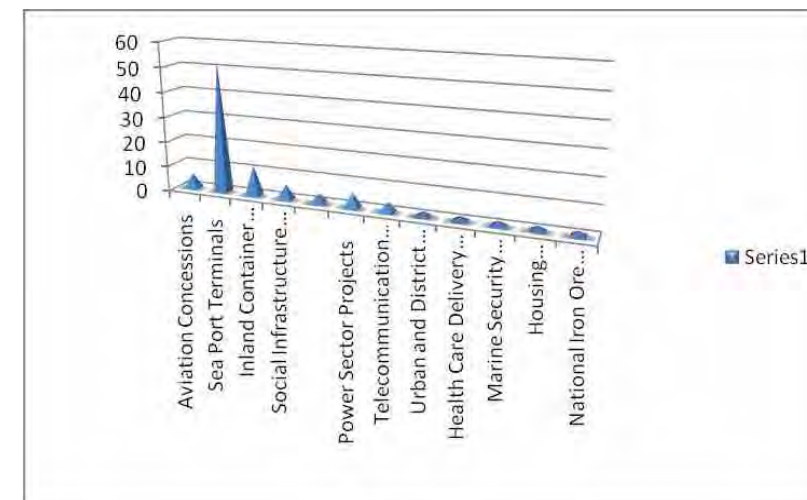
contracts are valued at over N3.2 trillion, representing private capital investment in the provision of public infrastructure.

From the tabular presentation below, sea port projects rank the highest in terms of sectors with PPP projects, followed by inland container depots.

#### 4.3 Other Post-Contract Activities in 2018

##### 4.3.1 Official Flag-off of the Lekki Deep Seaport

The Lekki Deep Seaport project construction was officially flagged off by His Excellency, President Muhammadu Buhari, GCFR on March 28, 2018.



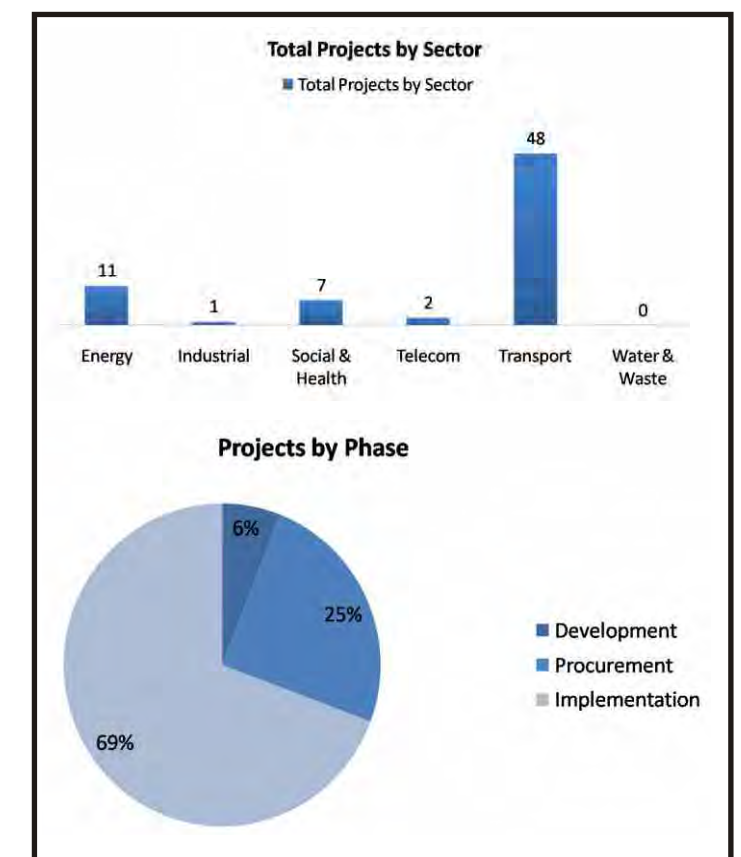
#### 4.3.3 Inter-Agency Committee on the Review of Port Concessions

The Commission was actively represented on the Inter-Agency Committee for the review of port concessions. Several interventions were made by the ICRC's team to effectively guide the Committee on the review exercise. The Inter-Agency Committee received technical support from MBTS Ltd of the Netherland through the

The project which is about US\$2 billion investment with the capacity to handle 2.7 million TEU per annum is expected to rank among the deepest seaport in West Africa. It is also expected that the port will handle 16.7 million tonnes liquid cargo per annum with a capacity to berth up to 160,000 DWT vessels. It is projected that over 169,972 jobs will be created and about US\$201 billion revenue from taxes, royalties and duties generated once the seaport commences operations. The Aggregate impact of approximately US\$361bn is expected on the Nigerian economy with a multiplier effect of more than 230 times of total cost of the projects.

#### 4.3.2 Lilypond Container Terminal Contract Expiration

Within the year, the NPA set up a Committee comprising of the ICRC and NPA staff to review the contract expiration and hand-back process of the Apapa Port Terminal operated by AP Moller Finance/Lilypond Container Depot. At the contract's expiration in February, 2017, the Operator had made a fresh proposal to use the terminal as a multi-purposed agro-allied export hub in the West African sub-region under a new contract agreement that will last for 25 years. The Committee which met severally had concluded its assignment and made recommendations to NPA on the way forward.



World Bank Group towards the review exercise. The terminal operators made submissions to the Committee on areas of concerns in the agreements and were subsequently invited to make presentations to the Committee for consideration. The review exercise will be concluded in 2019.

#### 4.3.4 ICRC PPP Disclosure Web Portal

The Disclosure Web Portal is a single platform with a user-friendly, integrated back end for use by multiple entities, with a hierarchy of roles related to



uploading, validation and disclosure of information. It equally has a user-friendly front end with structured content and regular updates to registered users. Its main objective is to create an enhanced framework to improve disclosure of all Federal Government PPP contracts in Nigeria, to ensure greater transparency and accountability. The equally provides an avenue to de-risk the ICRC's process. The Disclosure Web Portal was launched in 2017, in compliance with the Executive Order on ease of doing business in Nigeria. The portal is operational at [ppp.icrc.gov.ng](http://ppp.icrc.gov.ng).

In 2018, ICRC maintained the functionality of the web portal through these various ways:

- obtained periodic information on projects undergoing pre/post contracts regulations from MDAs and Concessionaires to ensure regular update;
- continued with capacity building for managers of PPPs in MDAs to sustain its operations: Building capacity on the Portal's operations seeks to achieve real time updates of project information and ensure synchronized data is displayed once available;

#### 4.3.5 Capacity Building on Contract Management Tools

Within the review year ICRC was able to create awareness at different fora on Contract Management and Effective Project Implementation. MDAs and Concessionaires were also enlightened at the various monitoring visits on how to track and resolve issues before they turned into conflict. The Commission seized every opportunity to educate the public on the ICRC web portal and how it could be used to attract needed investments to develop the nation's infrastructure. The Commission also continued to develop capacity in MDAs in the area of contract management and risk allocation through the PPP Units Consultative Forum (3PUCF) and in collaboration with the World Bank Group and the

Global Infrastructure Hub, Australia.

#### 4.3.6 Development of Regulations and Guidelines

The Commission continued the process of reviewing regulations and developing guidelines on PPPs toward achieving efficient execution of PPP contracts. In 2018, ICRC also expanded involvement of her stakeholder groups in the review process and their inputs were collated towards a proposed focus group discussion to finalise the documents and issue them subsequently. However, this final stage of the consultation has been impeded by funding challenges in the Commission.

The Guidelines updated in 2018 included:

- Guidelines for Contract Management
- Guidelines for Extension of PPP Contracts
- Guidelines for Monitoring PPP contracts by MDAs
- Guidelines for PPP Contracts hand-back
- Standard PPP Contract Clauses
- Sector specific standardized PPP Contracts
- Guidelines for implementing Unsolicited Proposals
- PPP Process Manual (Review)
- Guidance Note on Value for Money
- Guidance Note on Managing Project Risk
- Guidance Note on PPP Procurement Process
- PPP Projects Appraisal Guide
- Investment Appraisal Guide for PPPs.

#### 4.3.7 PPP Manual for Nigeria

The Draft PPP Manual for Nigeria, which was developed by the Nigeria Infrastructure Advisory Facility, was uploaded onto the ICRC website to obtain comments from her stakeholders and the general public. The manual is scheduled for a subsequent review in 2019 for its optimization; after which it would be finalized and published by the 2nd quarter of 2019.

#### 4.3.8 Challenges to the Attainment of Post-Contract Goals in 2018

#### i. Funding Issues:

Over the years, one of the core mandates of the Commission, to efficiently monitor PPP projects executed by MDAs on behalf of the Federal Government, has been repeatedly hindered by funding challenges. This major regulatory oversight function is targeted at ensuring compliance with the terms and conditions of the contract agreements. The funding challenge hindered the Commission from executing most of its programmes planned for the 2018 fiscal year such as:

- Monitoring visits to all PPP projects sites located outside Abuja
- Sensitization of MDAs on project management and contract compliance
- Procurement of monitoring tools and equipment
- Capacity building for monitoring staff
- Research and development activities
- Finalizing regulations and guidelines

#### 4.3.8 Key Projections for the Year 2019

- Monitor PPP Contracts in accordance with the terms and conditions of the signed contracts.
- Leverage on already developed capacity building programmes (CP3P) to enhance staff and MDAs skills;
- Design and implement capacity building for the web portal
- Mediate over concessions with disputes using defined dispute resolution process/guidelines
- Enforce penalties as contained in the contract
- Finalize and issue PPP Policies, Regulations and Guidelines;
- Monitor effective implementation of the Contract Disclosure Framework and ensure continuous operations of the web portal;
- Finalize monitoring templates for effective management of PPP Contracts and update

as necessary; and

- Maintain a comprehensive data base for all projects in the Commission's custody as stated in Section 20(a) of the ICRC Act 2005.

#### 4.3.9 Pictures of Some Post-Contract Activities

#### 4.4 Policy and Strategic Engagements



ICRC Visits the Lekki Deep Water Port project to inspect ongoing construction work - 26<sup>th</sup> January 2018



Engr. Chidi Izuwah Ag. DG, ICRC with FAAN & Bi-Courtney Staff interacting with some travellers at MMA 2 Terminal during a monitoring visit in 2018





Ag DG ICRC and team with Bi-Courtney Officials at MM2



Joint Inspection by ICRC, NEMZA and NERC of Shiroro Hydro Station after the flooding of the Lower Levels of the Power Station 29th February, 2018



Four-Star Hotel and Conference Centre Structures inspected by ICRC's monitoring team at MMA2 in 2018



ICRC's Ag DG welcoming the Vice President Prof. Yemi Osinbajo SAN GCON at the Official Flag-off of the Lekki Deep Seaport Project 29th March, 2018



#### 4.4.1 Financial System Strategy 2020

The Commission participated actively in the FSS2020 sub-Committee for Infrastructure Financing using Pension Funds. Members were drawn from relevant institutions Securities and Exchange Commission (SEC), Debt Management Office (DMO), National Pension Commission (PenCom), Central Bank of Nigeria (CBN), Nigeria Sovereign Investment Authority (NSIA), National Insurance Commission (NAICOM) and the FSS2020 which served as the Secretariat of the Committee. The Committee was set up to study, review and proffer solutions on the challenges facing infrastructure financing and the difficulties in utilizing pension funds for infrastructure investment in Nigeria. The Committee has finished its assignment and submitted a report which will strengthen the pension-to-infrastructure proposals. As proffered by the Committee, these included:

- Mainstreaming the National Integrated Infrastructure Master Plan (NIIMP) by making the planning document the major basis for introducing infrastructure into the PPP or Bond market.
- Creating the Project Preparation Fund.

#### 4.4.2 Federal Ministry of Budget & National Planning

The Commission engaged with the Ministry on infrastructure development and planning issues such as the review and implementation of the NIIMP. It participated as a key stakeholder at the Ministry's annual workshop on the review and validation workshop on the 2016 National Infrastructure Report. The report is aimed at providing periodic review of current infrastructure development in all assets classes and reviews the extent of implementation of the infrastructure projects within the budget year and other related policy initiatives.

#### 4.4.3 Federal Ministry of Finance

The Commission worked closely with the Federal Ministry of Finance on the framework for the Voluntary Offshore Asset Regularization Scheme (VOARS) under the Inter-agency Committee set up for that purpose. Its key recommendation was the creation of a fund from the scheme for PPP project development and contract compliance activities. The recommendation if considered will improve infrastructure development, attract foreign direct investment and accelerate national development.

#### 4.4.4 Nigerian Economic Summit Group (NESG)

An MoU was signed between NESG and ICRC to collaborate on enhancing the accelerated delivery of infrastructure in Nigeria through PPP and other forms of private sector participation in infrastructure delivery. This would entail deepening the infrastructure conversation through public-private dialogues, research and analysis, knowledge and capacity building, etc.

#### 4.4.5 Presidential Enabling Business Environment Council (PEBEC)

The Commission collaborated with PEBEC in implementing the Federal Government's ease of doing business reforms to attract needed investments for economic growth. Based on request by PEBEC, it has reviewed its process to eliminate barriers to ease of doing business and has made submissions to the proposed Omnibus Bill.

#### 4.4.6 Stakeholders Communication

The Commission initiated major communication efforts to keep stakeholders and partners updated with the latest PPP project information and activities. It submitted quarterly reports to the Office of the Secretary of the Government of the Federation to update it on the Commission's activities. It also sent projects update to Ministers of key infrastructure MDAs to engage them

meaningfully on the projects status and the way forward.

Part of the Commission's strategy for increased awareness of its programmes was to maintain strong collaboration with the media. It therefore involved media partners in its various activities and issued media releases on milestones recorded on some PPP projects. ICRC newsletter - e-Bulletin and important information/updates on projects, activities and events were placed on the ICRC website. Stakeholders were equally engaged on the Commission's social media platforms.

#### 4.4.7 Engagement with Development Partners

The Commission engaged with international development partners on PPP capacity building programs that would enhance MDAs' skills in structuring PPP transactions;

##### World Bank

The Commission participated in the Bank's workshop on New Environmental and Social Framework in Abuja. It also held a meeting with the World Bank Transport Team (Potential Brain Storming) at ICRC office in Abuja.

##### Australian High Commission in Nigeria

ICRC, in collaboration with its staff who are Alumnus of the Australia Awards Africa, secured an Australia Awards Africa Small Grant to implement a project called "Strengthening Women's Involvement in PPPs (SWIP3)". The Small Grants project seeks, primarily, to strengthen involvement of women in PPPs in Nigeria, build capacity in female professionals and heads of PPP Units on Transaction Advisory roles and Gender and PPPs. The project will ultimately result in the development of guidelines toward promoting gender considerations in all phases of the PPP life cycle. The project will also help to align ICRC's

operations and guidelines with the Sustainable Development Goals of Gender, Water and Sanitation (SDGs Numbers 5 and 6).

#### 4.5 Support Activities

##### 4.5.1 Overview

The following Units provided support to the operations of the Commission during the year:

Human Resource and Administration:

The ICRC values its employees and provides them with opportunities for career advancement. In 2018, 16 employees were promoted. They were selected based on the ICRC scheme of service approved criteria for promotion of staff which included job performance evaluation and written and oral examinations. In performing this, the Commission strictly observed the principles of merit.

The continued implementation of the Strategic Performance Management System to enable the efficient appraisal of employees which began in 2016 continued within the review year. The tool paved the way toward ensuring the alignment of departments and units, and individual performance goals, commitments, and measurements to the mandate and strategic priorities of the Commission. It also served as a tool in recognizing individual performance and identifying individual training needs.

The Commission organized sensitization health sessions for Staff on how to make informed decisions that could impact positively on their health. Sessions to provide opportunities to share health information were organized in conjunction with the Commission's HMO (Hygeia Ltd.) on 11th October, 2018 and with Amazing Physiotherapy Clinic, on 19th December, 2018.

Provision of housing for Staff was also of paramount concern to the Commission. On 30th

April, 2018, Abuja Property Development Company Ltd and FHA Homes were in the Commission to sensitize Staff on the beneficial services they can render to Staff specifically in areas of house ownership, affordable mortgage and project financing with highlights on mortgage loan products, and the use of the National Housing Fund (NHF).

The Commission successfully registered three (3) members of staff of the Commission who retired from Public Service for the retirement and pension process with PENCOM.

### Training

Investing in its employees was one of the Commission's priorities in 2018. Putting premium on the growth of all employees, the management laid out an enabling environment to develop skills and competencies, enhance capabilities, and address the competency gaps as a conscious and continuing endeavor. Employees underwent various training and development activities that targeted improvement in PPP knowledge and skills. Also during the year, the HR maintained its strategy of providing an attractive workplace by offering avenues for the staff to enhance and sustain their personal, career and professional development and to keep them engaged and motivated at all times. Various trainings/briefings were conducted to address issues on health, safety & security, social issues, and other aspects of professional development on home ownership, public finance, and interpersonal relations, among others

The Commission through the training arm of the Human Resources and Administration (HRA) and Special Projects Unit facilitated a total of 17 in-house and external training programs mostly on fundamental, intermediate and advanced PPPs,

and a few on other specialized areas of operation. Over 300 staff and MDAs personnel benefitted from the training targeted at building skill sets needed to be effective and professional in handling job responsibilities. To address knowledge gap on managing pre-contract and post-contract activities the Commission partnered with renown international PPP trainers that offer more specialized training on risk assessment, contract management, project management, structuring transactions, etc. There was, equally, industry expert-led knowledge sharing sessions. Two senior employees benefitted from the Australian three month program intended to hone their leadership and managerial skills.

### Procurement:

The Procurement Unit provides support services under the Director General's Office. It provides support in the procurement of goods, works and services needed by all the various Units and Departments of the Commission created to help the Commission achieve its mandate. In the approved 2018 Budget, the Commission had the following sums allocated to the four different procurement categories as indicated below: However, because of insufficient and untimely disbursements due to delay in passing the budget into law, the Commission could not carry out its

**Table 8: Goods, Works and Services Procured in 2018**

S/N	Category	Amount
1	Goods	313,300,000.00
2	Works	59,900,000.00
3	Consulting Services	55,200,000.00
4	Non-Consulting Services	12,200,000.00
	Total	440,600,000.00

procurement plan effectively. However, the following activities were procured within the per

### 4.5.2 Key Activities Recorded within the Year 2018

1. Supply of Diesel	-	2,240,000.00
2. Supply of Books	-	61,837.50
3. Printing of Letterhead Paper	-	219,626.82
4. Repair of fire equipment	-	166,950.00
5. Maintenance of Office air conditioners	-	651,525.00
6. Procurement of ICT Equipment (Laptops)	-	2,483,775.00
7. Repair of 400KVA Perkins Generator	-	474,075.00
8. Supply of Diesel	-	2,600,000.00
9. Printing of 2015 and 2016 Annual Report	-	1,050,000.00
10. Renewal of Generator Maintenance	-	1,258,425.00
11. Supply of Store Shelves	-	2,486,925.00
12. Procurement of 3 Honda Accord cars	-	47,234,250.00
13. Supply of Diesel	-	2,403,464.00
14. Procurement of Office Equipment(Photocopiers)	-	2,488,500.00
15. Procurement of 5 Pool Vehicles	-	43,837,500.00
16. Procurement of ergonomic chairs	-	1,102,500.00
<b>TOTAL</b>	<b>-</b>	<b>110,759,353.32</b>



## SECTION 5:

# Challenges and Constraints

### 5.1. Inadequate Funding

A key challenge militating against the Commission's effective discharge of its functions within the review period was inadequate funding to carry out its operations and regulatory activities. Prominent amongst these included funding to monitor the efficient execution of contracts; and finalize the preparation of PPP guidelines, manuals and primers intended to guide MDAs on the PPP procurement process. Although the Commission had developed these documents internally, they still required substantial technical and peer review before their publication. The Commission's efforts to generate revenue internally within the mandate of its Establishment Act, 2005 was unsuccessful, as the Special Concession Account required to achieve this objective was undergoing the process of activation.

As mentioned earlier, there were 51 PPP Concession Agreements, valued at over USD 9 billion, that the Commission had taken custody of, and there were expectations that more PPP contracts would likely emerge from projects

currently under development. The ICRC is mandated by law to visit these projects, together with experts engaged by it, to monitor their efficient execution according to contract terms and conditions.

The funding challenge also prevented the Commission from executing many of its other pre and post-regulatory programmes planned for the 2018 fiscal year such as:

- Stakeholders' engagement and PPP sensitization/awareness activities.
- Procurement of Monitoring Tool & equipment for the Commission/
- Capacity building for the Commission's staff, MDAs PPP personnel, key government functionaries, media and critical stakeholders to close the knowledge gap and build competencies in managing PPP projects.
- Research and development activities, etc.

### 5.2. Regulatory & Institutional Environment

A Bill to address the identified gaps in the existing law had been pending before the National Assembly. The proposed amendment seeks to rename the Commission as PPP Commission and expand its powers to:

- Impose appropriate sanctions to ensure compliance with the provisions of the Act and regulations thereof;
- Establish a process for direct invitation and direct appointment for protection of national interest and national security;
- Setting up a PPP Approval Committee
- Caused to be established a Special PPP Account which seeks to centralise all funds received from
- Establish thresholds for PPP projects to ease to the PPP approval process
- Establish a process for unsolicited proposals.

These amendments are designed to ensure the entrenchment of a robust and sustainable PPP regime. Accelerated hearing and swift passage of the Bill would be required from the National Assembly.

Equally before the National Assembly waiting for urgent passage were sub sector specific Bills which would encourage and strengthen private sector participation in infrastructure. These included:

- Inland Waterways Reform Bill
- Ports and Harbour Reform Bill
- Railway Reform Bill
- Road Sector Reform Bill, and
- National Transport Commission Bill

### 5.3. Long Term Finances for Infrastructure Development

Limited access to long-term finances has remained a major challenge to sustainable infrastructure delivery in Nigeria. The Commission has developed a concept note towards the establishment of a Project Development Fund to facilitate the preparation of viable PPP projects in readiness for the market. It is collaborating with the Federal Ministry of Budget and National Planning to bring the proposal to fruition. Even though the Committee set up for its actualization met a number of times the previous year, not much progress was recorded this year.

### 5.4. Integrating PPP Projects into National Planning Framework

The non-implementation of the NIIMP document continued to pose a challenge in realizing this vital goal. During the year a lot of effort was put into updating the NIIMP document, developing an implementation framework, and consulting stakeholders on the framework. The Commission expected all of these to have concluded and the document to become operational as soon as possible. Planning

## PHOTO STORY OF SOME ICRC's 2018 ACTIVITIES



President Muhammadu Buhari GCFR with Engr. Chidi Izuwah at the Enyimba Economic City agreement signing ceremony in Abuja - 7th December 2018



The Vice President Prof. Yemi Osinbajo (GCON) flanked by Ag. DG ICRC Engr. Chidi Izuwah and Morag Baird of Global Infrastructure Hub (GIH) at the Regional PPP workshop in Abuja 17 October, 2018.



Ag.DG ICRC Engr. Chidi Izuwah Snr. with DG Governors Forum A. B. Okauru, Esq at the 2018 Nigerian PPP Network(NPPN).





MOU signing with Captain Jack Fong MD Global Maritime and Port Services Pte Ltd (GMAPS) in Singapore 17 09 18



Presentation of FBC by Ag. DG ICRC to Perm. Sec Fed Min of Defence Mrs. Nuratu Batagarawa for the Nigerian Navy Dockyard Project on September 12, 2018



Ag. DG ICRC Engr Chidi Izuwah with Mr. Yusuf Haruna Asst Director (ICRC) at the Farnborough International Airshow United Kingdom 17th July 2018



Cross Section of participants at the 4th quarter PPP Units Consultative Forum (3PUCF) held at Federal Ministry of Budget and Planning on 6th /12/2018



Ag DG Engr. Chidi K C Izuwah Presentating The African Investment Award to the Secretary to Government of the Federation Mr. Boss Mustapha on the 29th July 2018



Presentation of OBC by Ag. DG ICRC to Minister of Aviation Hadi Sirika for the Establishment of an Aviation Leasing Company (ALC) Project on May 21st , 2018



ICRC exhibiting at the Nigeria -Canada Investment summit held on the 5th Nov 2018



## SECTION 6:

### 2019 Outlook

Foremost in the Commission's agenda is the need to ensure the sustainability of the Nigerian PPP programme by strengthening the legal, regulatory and institutional framework that is critical to its success. It will continue to push for the amendments to the ICRC Establishment Act 2005 currently before the legislature as the PPP Commission Bill, which aims to lay down the needed foundation in terms of legal, policy and institutional arrangements for genuine partnerships with the private sector. The power to enforce the contents of the Act is vital to the Commission's successful piloting of the PPP programme.

As part of the government's new policy directions and strategies for growth anchored on rapid infrastructure development, the ICRC's efforts are focused on several key initiatives:

- It will continue to provide guidance to the MDA's in project development, procurement and implementation. Most importantly structuring PPP transactions that are bankable and viable and that will attract needed investments will be its priority.
- ICRC will give special attention to high

impact projects that will benefit a greater proportion of the citizens especially in the roads and transport sector, as well as health and education sectors, while at the same working hard to deliver projects with low hanging fruits.

- The Commission is concerned about the obvious knowledge gap evident in PPP practitioners and will continue to push for resources and partnerships to provide the appropriate capacity to PPP stakeholders and promote PPPs. It would engage and collaborate with more institutions to build competencies in the public and private sectors of the economy. In this case proposals are in place both for establishing a PPP Academy and PPP cadetship in the MDAs.

- The formulation and issuance of guidelines, regulations and other knowledge materials to guide stakeholders and make the PPP process more efficient and accessible is crucial. Likewise, it will work resolutely with concerned officials in the executive and legislative branches of the government to enhance the PPP learning curve among government practitioners.

- Project development and monitoring assistance is a continuous priority for ICRC as it is desirous of establishing a project fund for this purpose that will be judiciously managed to attain its objectives of funding high-quality feasibility studies for projects with PPP potential. Parallel to these efforts of adding more projects to the PPP pipeline, and providing capacity to more government agencies and instrumentalities to participate in the PPP Program, the Commission will continue to monitor the progress of projects which have been awarded or completed. This is to ensure that contractual obligations are being met, and to work with these parties in resolving issues that may arise.

- The Commission would ensure that sufficient support and incentive for the private sector to partner with government is present through the provision of sweeteners in the form of

contingent liability fund and other such long tenor financial instruments. It hopes to continue working closely with the Central Bank of Nigeria, Federal Ministry of Finance, Nigerian Sovereign Investment Agency, Securities and Exchange Commission, PENCOM, amongst others in achieving this.

- Close coordination with development partners will also continue to be undertaken to ensure that the Commission is adequately equipped to respond to the needs of its stakeholders. Accomplishing this requires having a competent and highly capable workforce. Hence, it will continue to build up its human resources and staff capabilities in the form of training programs and new learning, among others.

Overall, the ICRC will continue its significant role in the government's effort to address the infrastructure needs of the country and deliver quality and affordable infrastructure to its teeming population through effective PPPs. We see 2019 and beyond as an era of opportunities for the Commission and the national PPP program to significantly contribute to the next level agenda of the government through the development of high priority projects. We are confident that the initiatives undertaken and other ongoing efforts, reinforced by strong government commitment and support from the private sector and development agencies, will surely sustain the program.

#### 6.1 Key Projections for the Year 2019

- To effectively regulate PPPs by creating a sound regulatory environment.
- To support the MDAs in the development, procurement and implementation of PPP projects on the pipeline. In this case structuring transactions to ensure bankability is a prerequisite.
- Activate the PPP concession account and ensure PPP monies due to government are properly accounted for.

- Build the broad stakeholder groups and network needed to intensify advocacy on strengthening the framework for a successful PPP program in Nigeria.

- Finalize and issue PPP policies, regulations and guidelines needed to guide practitioners to proper understanding and effective application of the process in developing and delivering projects;

- To support States and Local governments to develop the framework for implementation of viable PPP projects. The ICRC will collaborate with the Governor's Forum secretariat to make the Nigerian PPP Network active and functional in order to drive this process. The signed MoU will ensure collaborations in realizing this objective.

- Leverage on already developed capacity building programmes (eg CP3P and Monitoring & Evaluation) to enhance staff and MDA skills. Engagements with development agencies and other PPP institutions for needed technical assistance and funding would be paramount in this regard. The establishment of a PPP academy will further help to mobilize the required competencies and skills needed in making this a reality.

- Monitor effective implementation of the Contract Disclosure Framework; design and implement capacity building and stakeholders engagement plan for the effective and continuous operations of the web portal;

- Strengthen existing relationship with MDAs and Private Sector;

- Effectively monitor the implementation of all PPP contracts to ensure compliance with terms of contract. The Commission would be proactive in fulfilling this aspect of its mandate by using designed monitoring tools and ensure potential problem areas are nipped in the bud. Strategic engagements with stakeholders would be employed to arrest areas of possible strife in the partnership. Where there are already issues it would be resolved in an impartial and transparent manner.

## SECTION 7: Financial Summary

### 7.1 Finance and Accounts

In line with the Federal Executive Council approval on IPSAS implementation framework and time line, the commission has fully complied with the IPSAS accrual based accounting reporting system with effect from 2017 financial year. Consequently, the 2018 financial statements is in line with the accrual bases IPSAS0.

During the year ended 31st December 2018, the Commission received a total of N102,718,268.22, representing 58% of the total overhead expenditure budget of N176,088,460. In addition, it received a Capital budget of N53,431,924 out of the budgeted N534,310,245.

INFRASTRUCTURE CONCESSION  
REGULATORY COMMISSION  
ABUJA

# FINANCIAL STATEMENTS

FOR THE  
YEAR ENDED  
DECEMBER 31, 2018



**PKF PROFESSIONAL SERVICES**  
[CHARTERED ACCOUNTANTS]  
ABUJA, NIGERIA



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## Management & Professional Advisers

### INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

#### MANAGEMENT AND PROFESSIONAL ADVISERS

##### Governing Board

The board of the commission was dissolved in July, 2015. The board is yet to be reconstituted. The Commission is currently being supervised by the Office of the Secretary to the Government of the Federation in line with the established practice in the federal public services.

##### Management

Engr. Chidi .K.C.Izuwah Snr	Ag. Director General
Mr. J.A.M. Ohiani	Director, Public Private Partnership Resource Department
Mr. Mohammed A. Bamalli	Director, Contract Compliance Department
Dr. Chinedu Ndubisi Bertram	Director Planning & Research/Technical Adviser to DG
Mr. Dada H. Togunde	Director, Internal Audit Department
Mr. Emmanuel Onwodi	Director, Transport Infrastructure Unit
Mr. Jobson Ewalefor	Head, ICT
Dr. Evelyn Alaye-Ogan	Deputy Director, Project Implementation Unit
Mr. Odili Onu	Head, Social/Urban Infrastructure Unit
Dr Felix Ogbera	Head Policy and Regulation Unit
Mr. Chorio Emmanuel Philip	Assistant Director/Senior Financial Strategist DG's Office
Mr. Olusa Busari	Head, Energy & Urban Infrastructure Unit
Mr. Mohammed Barma	Head, Finance and Account Unit
Mr. Ahmed Abdulrazaq	Head, Monitoring & Compliance Unit
Mall. Shehu S. Danmusa	Assistant Director, P3RD
Mrs. Deborah Okafor	Assistant Director, Planning & Research
Mr. Olusola Ogunsola	Assistant Director, P3RD
Engr. Amanze Okere	Ag. Head, Special Projects Unit
Mrs. Halima Tukur-Modibbo	Ag. Head, Human Resource & Administration Unit
Engr. Muktar Usman	Ag. Head, Procurement Unit
Adamu Umar	Assistant Director/Transport
Yusuf Haruna	Assistant Director/Transport
Akwu Okolo	Assistant Director/P3RD
Mrs. Manji Yarling	Ag. Head, Media & Publicity Unit
Ms. Hauwa Kelo	Ag. Head, Legal & Governance Unit

##### Office

Plot 1270 Ayangba Street,  
Area 11 Garki,  
Abuja.

##### Bankers

Central Bank of Nigeria, Abuja

##### Auditors

PKF Professional Services,  
(Chartered Accountants)  
Mukhtar El- Yakub Place (2nd Floor),  
Zakariyah Mai Malari Street,  
Central Business District,  
Abuja.

# Financial Highlights

INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

FINANCIAL HIGHLIGHTS

FOR THE YEAR ENDED DECEMBER 31, 2018

	2018 N'000	2017 N'000
Personnel and Overhead Subvention	975,016	802,094
Deficit for the year	(50,734)	(133,565)
Capital Expenditure	9,829	25,463
Total Assets	1,067,119	1,477,893
Capital Grant	1,550,809	24,549

# ICRC Mandate

The Infastructure Concession Regulatory Commission - ICRC Establishment Act 2005 was enacted to address the huge infrastructure deficit in Nigeria and the poor state of our existing infrastructure. The Act, which established the Infrastructure Concession Regulatory Commission (ICRC), also empowers Federal Ministries, Departments and Agencies (MDAs) to utilize Public Private Partnerships (PPP) as a procurement vehicle of choice where suitable, to rapidly turn around our infrastructural insufficiency. The Act envisages the ICRC to serve as the primary driver agency to catalyze and facilitate engagement of the private sector by MDAs of Federal Government in initiating, developing and implementing PPP projects in a fit-for-purpose, transparent, competitive and sustainable manner that would ensure value for money for the Nigeria economy while putting in place world-class infrastructure for use by Nigerians.

The ICRC Act imbues the Commission with functions and powers to:

- 1 Provide general PPP policy guidelines, rules and regulations
- 2 Take custody of every concession agreement
- 3 Ensure efficient execution of any concession agreement or contract entered into the Federal Government, and the compliance of the parties.

The Act also provides for MDAs to enter into contracts with or grant concession to any duly pre-qualified private sector proponent for the Financing, Construction, Operation, and Maintenance of any infrastructure that is financially viable or any development facility of the Federal Government.

Deriving from this mandate, the role of ICRC consists of four main components:

- 1 Promoting, Facilitating, Supporting and Coordinating the implementation of sound PPP process, while ensuring that principles of good governance are applied to all of the functions that form part of it;
- 2 Providing transaction support and building capacity in all Federal Government Ministries, Agencies and Department (MDAs) for project development, tendering, negotiation and contract execution;
- 3 Developing guidelines for monitoring contract compliance during construction, operation and contract termination and supporting as appropriate the MDAs assigned to this task;
- 4 Collaborating with other agencies, including similar state-level PPP units, to implement a cohesive national legal, policy and regulatory environment that is conducive to private sector investment in Nigeria's infrastructure projects.



## To The Members of Infrastructure Concession Regulatory Commission

### Opinion

We have audited the accompanying financial statements of **Infrastructural Concession Regulatory Commission (the Commission)** set out on pages 5 to 17 which comprise the Statement of financial position as at **31 December, 2018**, and the Statement of financial performance, statement of cash flows statements, statement of comparison of budgeted and actual amount and notes to the financial statements including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Commission as at **31 December, 2018**, and its financial performance and cash flows for the year then ended in accordance with the Financial Reporting Council of Nigeria Act, No 6, 2011.

### Basis for Opinion

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Commission in accordance with the International Ethics Standards Board for Accountants' Code of Ethics for Professional Accountants (IESBA Code) together with the ethical requirements that are relevant to our audit of the financial statements in Nigeria, and we have fulfilled our other ethical responsibilities in accordance with these requirements and the IESBA Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Other Information

The Management are responsible for the other information. The other information comprises the Management' Report, Corporate

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

### Responsibilities of the Management and Those Charged With Governance for the Financial Statements

The Management are responsible for the preparation and fair presentation of the financial statements in accordance with the Financial Reporting Council of Nigeria Act, No 6, 2011 and for such internal control as the management determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the management are responsible for assessing the Commission's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the management either intend to liquidate the Commission or to cease operations, or have no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Commission's financial reporting process.

### Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the directors.

- Conclude on the appropriateness of the management' use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Commission to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the Company audit. We remain solely responsible for our opinion.

### Report on Other Legal and Regulatory Requirements

In accordance with the sixth Schedule of Companies and Allied Matters Act Cap C20, Laws of the Federation of Nigeria, 2004. We expressly state that:

- We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purpose of our audit;
- The Company has kept proper books of account, so far it appears from our examination of those books.
- The Company's financial position and its statement of profit or loss and other comprehensive income are in agreement with the books of account and returns.



**O.P.S. Adaji, FCA**  
**FRC/2014/ICAN/00000006846**  
 For: **PKF Professional Services**  
**Chartered Accountants**  
 Abuja, Nigeria

Dated: 7<sup>th</sup> June, 2019





## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

STATEMENT OF FINANCIAL PERFORMANCE  
FOR THE YEAR ENDED DECEMBER 31, 2018

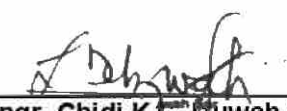
	Notes	31 Dec, 2018 N'000	31 Dec, 2017 N'000
<b>Revenue</b>			
Recurrent Subventions	5	975,016	802,094
<b>Total Revenue</b>		<b>975,016</b>	<b>802,094</b>
<b>Expenses</b>			
Salaries and Allowances		872,311	699,468
Travel and Transport	6	30,225	25,462
Utilities	7	19,902	13,421
Materials and Supplies	8	6,237	9,335
Maintenance Services	9	12,247	14,987
Trainings		-	14,455
Other Services	10	9,487	9,663
Consulting and Professional Fees	11	5,372	5,238
Fuel and Lubricants	12	10,918	7,305
Financial Charges	13	2,274	6,672
Miscellaneous Expenses	14	17,741	13,928
Depreciation Charges	18	39,037	115,727
<b>Total Expenses</b>		<b>1,025,750</b>	<b>935,661</b>
Deficit for the year		<b>(50,734)</b>	<b>(133,567)</b>

The notes on pages 60 to 67 are an integral part of these Financial Statements.

## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

STATEMENT OF FINANCIAL POSITION  
AS AT DECEMBER 31, 2018

	Notes	31 Dec, 2018 N'000	31 Dec, 2017 N'000	1 Jan, 2017 N'000
<b>Assets</b>				
<b>Current Assets</b>				
Cash and bank balances	16	53,431	12,950	16,095
Receivables	17	-	15	-
		<b>53,431</b>	<b>12,965</b>	<b>16,095</b>
<b>Non-Current Assets</b>				
Property, Plant & Equipment	18	1,011,238	1,464,927	1,555,192
Other capital projects	19	2,450	-	-
		<b>1,013,688</b>	<b>1,464,927</b>	<b>1,555,192</b>
<b>Total Assets</b>		<b>1,067,119</b>	<b>1,477,893</b>	<b>1,571,287</b>
<b>Liabilities</b>				
<b>Current Liabilities</b>				
Other payables	20	27,292	15,623	-
<b>Net Assets</b>		<b>1,039,828</b>	<b>1,462,270</b>	<b>1,571,287</b>
<b>Net assets/ Equity</b>				
<b>Contributed by:</b>				
Capital Grant		1,550,809	1,498,037	1,473,488
Accumulated Surplus/(Deficit)		(510,981)	(35,766)	97,799
<b>Total Net Assets/Equity</b>		<b>1,039,828</b>	<b>1,462,270</b>	<b>1,571,287</b>

  
 Engr. Chidi K. C. Izuah Snr  
 Ag. Director General

  
 Mr. Mohammed Barma  
 Head, Finance & Account

The notes on pages 60 to 67 are an integral part of these Financial Statements.



## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

## STATEMENT OF CHANGES IN NET ASSETS/ EQUITY

	Capital Grant	Accumulated Surplus/ (Deficit)	Total
	N'000	N'000	N'000
Balance as at 1st January 2017	1,473,488	97,799	1,571,287
Capital Subvention receipt during the year	24,549	-	24,549
Deficit for the year	-	(133,565)	(133,565)
Balance At 31 December, 2017	1,498,037	(35,766)	1,462,271
Balance as at 1st January 2018	1,498,037	(35,766)	1,462,271
Translation adjustments	-	(424,481)	(424,481)
Restated balance	1,498,037	(460,247)	1,037,790
Changes in Net Assets/ Equity for 2018			
Capital Subvention receipt during the year	53,431	-	53,431
Transferred to CRF in the year	(659)	-	(659)
Deficit for the year	-	(50,734)	(50,734)
Balance At 31 December, 2018	1,550,809	(510,981)	1,039,828

The notes on pages 60 to 67 are an integral part of these Financial Statements.

## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

CASH FLOW STATEMENTS  
FOR THE YEAR ENDED DECEMBER 31, 2018

	Note	31 Dec, 2018 N'000	31 Dec, 2017 N'000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>Inflows</b>			
Recurrent Subventions		975,016	802,094
<b>Outflows</b>			
Salaries and wages		(872,311)	(699,468)
Overhead cost		(100,443)	(98,185)
Finance cost		(2,274)	(6,672)
Net cash flows from operating activities	15	(12)	(2,231)
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
Review of concession agreement		(2,450)	-
Purchase of Plant and equipment		(9,829)	(25,463)
Net cash flows from investing activities		(12,279)	(25,463)
<b>CASH FLOWS FROM FINANCIAL ACTIVITIES</b>			
Capital Grant received		53,431	24,549
Transfer to CRF		(659)	-
Net cash flows from Financing Activities		52,772	24,549
Net increase/ (decrease) in cash and cash equivalents		40,481	(3,145)
Cash and cash equivalents at January 1		12,950	16,095
Cash and cash equivalents at December 31		53,431	12,950
Represented by:			
CBN TSA Capital account balances		53,431	12,950

The notes on pages 60 to 67 are an integral part of these Financial Statements.



INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA  
STATEMENT OF COMPARISON OF BUDGETED AND ACTUAL AMOUNT  
FOR THE YEAR ENDED DECEMBER 31, 2018

	31 Dec, 2018				31 Dec, 2017			
	Budgeted N'000	Actual N'000	Variance N'000	%	Budgeted N'000	Actual N'000	Variance N'000	%
<b>Personnel Cost</b>								
Personnel Cost	831,798	872,311	(40,512)	(5)	708,536	699,468	9,068	1
<b>Other Recurrent Costs</b>								
Travel & Transport	45,108	30,225	14,883	33	29,839	25,462	4,377	15
Utilities	16,110	19,902	(3,792)	(24)	18,910	13,421	5,489	29
Material & Supplies	19,300	6,237	13,063	68	11,337	9,335	2,002	18
Maintenance Services	14,900	12,247	2,653	18	20,044	14,987	5,057	25
Training	9,770	-	9,770	100	14,570	14,455	115	1
Other Services	10,350	9,487	863	8	19,264	9,663	9,601	50
Consulting & Professional Services	10,200	5,372	4,828	47	22,725	5,238	17,487	77
Fuel & Lubricants	11,700	10,918	782	7	5,824	7,305	(1,481)	(25)
Financial Charges	9,000	2,274	6,726	75	10,200	6,672	3,528	35
Miscellaneous	29,650	17,741	11,909	40	23,377	13,928	9,449	40
<b>Capital Expenditure</b>								
<b>Purchase of Fixed Assets</b>								
Purchase of Office Buildings	102,000	-	102,000	100	-	2,524	(2,524)	(100)
Purchase of Motor Vehicle	165,000	-	165,000	100	-	14,648	(14,648)	(100)
Purchase of Office Furniture and Fittings	12,000	2,729	9,271	77	-	-	-	-
Purchase of Computers	15,000	2,199	12,801	85	-	8,231	(8,231)	(100)
<b>Rehabilitation / Repairs</b>								
Rehabilitation / Repairs of Fixed Asset	45,000	4,901	40,099	89	-	-	-	-
Rehabilitation / Repairs of Office Buildings	-	-	-	-	-	-	-	-
<b>Other Capital Projects</b>								
Research and Development	-	-	-	-	31,250	-	31,250	100
Monitoring and Evaluation	195,310	9,817	185,494	95	3,060	-	3,060	100
	<b>1,542,197</b>	<b>1,006,358</b>	<b>535,839</b>	<b>35</b>	<b>918,935</b>	<b>845,337</b>	<b>73,598</b>	<b>8</b>

INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

Notes to the Financial Statements

1 Reporting entity

The Infrastructure Concession Regulatory Commission - ICRC Establishment Act 2005 was enacted to address the huge infrastructure deficit in Nigeria and the poor state of our existing infrastructure. The Act, which established the Infrastructure Concession Regulatory Commission (ICRC), also empowers Federal Ministries, Departments and Agencies (MDAs) to utilize Public Private Partnerships (PPP) as a procurement vehicle of choice where suitable, to rapidly turn around our infrastructural insufficiency. The Act envisages the ICRC to serve as the primary driver agency to catalyze and facilitate engagement of the private sector by MDAs of Federal Government in initiating, developing and implementing PPP projects in a fit-for-purpose, transparent, competitive and sustainable manner that would ensure value for money for the Nigeria economy while putting in place world-class infrastructure for use by Nigerians.

The ICRC Act imbues the Commission with functions and powers to:

- 1 Provide general PPP policy guidelines, rules and regulations
- 2 Take custody of every concession agreement
- 3 Ensure efficient execution of any concession agreement or contract entered into the Federal Government, and the compliance of the parties.

The Act also provides for MDAs to enter into contracts with or grant concession to any duly pre-qualified private sector proponent for the Financing, Construction, Operation, and Maintenance of any infrastructure that is financially viable or any development facility of the Federal Government.

Deriving from this mandate, the role of ICRC consists of four main components:

- 1 Promoting, Facilitating, Supporting and Coordinating the implementation of sound PPP process, while ensuring that principles of good governance are applied to all of the functions that form part of it;
- 2 Providing transaction support and building capacity in all Federal Government Ministries, Agencies and Department (MDAs) for project development, tendering, negotiation and contract execution;
- 3 Developing guidelines for monitoring contract compliance during construction, operation and contract termination and supporting as appropriate the MDAs assigned to this task;
- 4 Collaborating with other agencies, including similar state-level PPP units, to implement a cohesive national legal, policy and regulatory environment that is conducive to private sector investment in Nigeria's infrastructure projects.

2 Basis of preparation

(a) Statement of compliance

These financial statements have been prepared in compliance with International Public Sector Accounting Standards (IPSAS) as issued by the International Public Sector Accounting Standards Board (IPSASB).

IPSAS 33, First time adoption of accrual basis has been applied in preparing these financial statements.

For all periods up to and including the year ended 31 December, 2017, the commission prepared its financial statements under the Modified Cash basis of accounting. These financial statements for the year ended 31 December, 2018 are the first the commission has prepared with IPSAS. Note 4 present information on how the commission adopted IPSAS including the effect of the adoption on the reported deficit and changes in equity/assets of the commission.

(b) Basis of measurement

The financial statements have been prepared under the historical cost convention. These financial statements are presented in Naira (N) and all values are rounded to the nearest thousands except when otherwise indicated.

(c) Functional and presentation currency

These financial statements are presented in Naira, which is the Commission's functional currency.

(d) Use of judgments and estimates

The preparation of the financial statements in conformity with IPSAS requires management to make judgments, estimates and assumptions that affect the application of accounting policies and the reported amounts of assets, liabilities, revenue and expenditures. Actual results may differ from these estimates.

Estimates and underlying assumptions are reviewed on a going concern basis. Revisions to accounting estimates are recognized in the period in which the estimates is made if the revision affects only that period of the revision and the future periods if the revision affects both current and future periods.

(e) Critical accounting estimates and judgements

In preparation of the financial statements there were no areas that involved a high degree of judgement or complexity and no areas where assumptions and estimates are significant to the financial statements



## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

## Notes to the Financial Statements

## 3 Significant accounting policies

The accounting policies set out below have been applied consistently to all the years presented in these financial statements.

## (a) Revenue

Revenue comprises of subventions received from the Federal Government of Nigeria during the year net of transfers to consolidated Revenue Fund, and other internally generated revenue.

## (b) Expenses

All expenses are reported on an accrual basis, expenses are recognised in the period they are incurred or when the related services are enjoyed, irrespective of when the payment is made.

## (c) Cash and cash equivalents

Cash and cash equivalents includes cash balances on hand, held in bank accounts and demand deposits.

## (d) Receivables

Receivables comprises fees, taxes and fines as well as social benefits receivables that do not arise out of a contract.

## (e) Property, plant and equipment

## (i) Recognition and measurement

All property, plant and equipment are stated at historical cost less accumulated depreciation and any impairment losses. Historical cost includes expenditure that is directly attributable to the acquisition of the asset.

Where an assets (other than land) is acquired in a non exchange transaction for nil or nominal consideration, the asset is initially recognised at fair value, where fair value can be reliably determined and as income in the statement of financial performance (unless there are restrictions on the asset's use in which case income is deferred)

## (ii) Subsequent costs

The cost of replacing a component of an item of property, plant and equipment is recognized in the carrying amount of the item if it is probable that the future economic benefits embodied within the component will flow to the Commission and its cost can be measured reliably. The carrying amount of the replaced component is derecognized. The cost of day-to-day servicing of property, plant and equipment are recognized in statement of financial performance as incurred.

## (iii) Depreciation

Depreciation is calculated over the depreciable amount, which is the cost of an asset, less its residual value. Depreciation is recognized in the statement of financial performance depending on the utilization of the respective assets on a straight-line basis over the estimated useful lives of each part of an item of property, plant and equipment which reflects the expected pattern of consumption of the future economic benefits embodied in the asset.

The estimated useful lives for the year are as follows:

Asset Class	Basis %
Land	Lease period
Land and buildings	2
Motor Vehicles	25
Office furniture & equipment	25
Computer and IT Equipment	25
Plant and machinery	15
Library and books	25

## (f) Payables

These are monies payables to third parties in respect of goods and services received.

Accrued expenses for which payments is due in the next 12 months shall be classified as current liabilities. Expenses for which payment is due in the next 12 months shall be classified as current liabilities. Where the payments are due beyond the next 12 months, it shall be accounted for as Non- Current Liabilities

## (g) Capital Grant

Capital grants are receipts from the Federal Government of Nigeria net of transfers to consolidated Revenue Fund for capital projects of the commission

## (h) Reserves

Reserves are classified under equity in the statement of financial position and include: Statement of financial performance surplus/ (Deficit) and the revaluation reserve.

## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

## Notes to the Financial Statements

## 4 Transition to IPSAS

## 4.1 Explanatory notes on transition to IPSAS

These notes is the Commission's first financial statements prepared in accordance with IPSAS. The Commission has applied IPSAS 33 in preparing these financial statements and the accounting policies set out in note 3 have been applied in preparing the financial statements for the year ended 31 December, 2018, the comparative information presented in these financial statements for the year

## 4.2 Reconciliation of Modified Cash basis to IPSAS

## i. Statement of financial performance

	Effect of transition to IPSAS as at 01/01/2017			Effect of transition to IPSAS as at 31/12/2017		
	Modified cash basis N'000	IPSAS Adjustment N'000	IPSAS N'000	Modified cash basis N'000	IPSAS Adjustment N'000	IPSAS N'000
<b>Revenue</b>						
Recurrent Subventions	783,887	-	783,887	802,094	-	802,094
<b>Total Income</b>	<b>783,887</b>	<b>-</b>	<b>783,887</b>	<b>802,094</b>	<b>-</b>	<b>802,094</b>
<b>Expenditure</b>						
Salaries and Allowances	656,637	-	656,637	699,468	-	699,468
Travelling and Accommodation Expenses	a. 11,674	(11,674)	-	22,402	(22,402)	-
Travel and Transport	a. -	11,674	11,674	-	25,462	25,462
Office Materials and Supplies	c. 1,749	(1,749)	-	-	-	-
Vehicles Running Cost	h. 2,154	(2,154)	-	5,625	(5,625)	-
Plant/Generator Fuel Cost	h. -	-	-	1,680	(1,680)	-
Maintenance: Furniture/ Equipt.	d. 130	(130)	-	3,464	(3,464)	-
Maintenance: Computers and ICT Equipt	d. 2,105	(2,105)	-	794	(794)	-
Maintenance: Motor Vehicles	d. 4,508	(4,508)	-	3,454	(3,454)	-
Maintenance: Office Building	d. 3,642	(3,642)	-	2,485	(2,485)	-
Maintenance: Plants/Generators	d. 8,413	(8,413)	-	3,592	(3,592)	-
Maintenance: Other services	d. 714	(714)	-	1,198	(1,198)	-
Uniform and Clothings	c. 7,930	(7,930)	-	-	-	-
Postages, Telephone and Internet Services	b. 8,272	(8,272)	-	5,326	(5,326)	-
Printing and Stationery	c. 2,039	(2,039)	-	4,260	(4,260)	-
Insurance	i. 7,710	(7,710)	-	6,410	(6,410)	-
Printing Of Non Security Documents	c. -	-	-	4,829	(4,829)	-
Electricity and Water Rates	b. 7,645	(7,645)	-	8,095	(8,095)	-
Training Expenses	e. 18,110	(18,110)	-	14,455	(14,455)	-
Trainings	e. -	18,110	18,110	-	14,455	14,455
Bank /GIFMIS Charges	i. 153	(153)	-	262	(262)	-
Refreshment & Meals	j. 3,069	(3,069)	-	4,263	(4,263)	-
Monitoring and Compliance Validation Visits	a. -	-	-	3,060	(3,060)	-
Newspaper, Magazines and periodicals	c. -	-	-	246	(246)	-
Depreciation	-	-	-	115,727	-	115,727
Subscription	j. 812	(812)	-	797	(797)	-
Security expenses	f. 7,362	(7,362)	-	3,640	(3,640)	-
Medical/Welfare Expenses	j. 3,593	(3,593)	-	6,030	(6,030)	-
Cleaning and Fumigation Expenses	f. 7,226	(7,226)	-	6,023	(6,023)	-
Board Expenses	j. 1,290	(1,290)	-	1,000	(1,000)	-
Publicity and Advert	j. 5,168	(5,168)	-	1,838	(1,838)	-
Audit fees and Expenses	g. 2,888	(2,888)	-	1,444	(1,444)	-
Consultancy Fees	g. 8,621	(8,621)	-	3,794	(3,794)	-
Utilities	b. -	15,917	15,917	-	13,421	13,421
Materials and supplies	c. -	11,718	11,718	-	9,335	9,335
Maintenance services	d. -	19,512	19,512	-	14,987	14,987
Other services	f. -	14,588	14,588	-	9,663	9,663
Consulting and professional fees	g. -	11,509	11,509	-	5,238	5,238
Fuel and lubricants	h. -	2,154	2,154	-	7,305	7,305
Financial charges	i. -	7,863	7,863	-	6,672	6,672
Miscellaneous expenses	j. -	13,932	13,932	-	13,927	13,927
	<b>783,614</b>	<b>-</b>	<b>783,614</b>	<b>935,659</b>	<b>-</b>	<b>935,659</b>
<b>(Deficit)/Surplus of Income over Expenditure</b>	<b>273</b>	<b>-</b>	<b>273</b>	<b>(133,565)</b>	<b>-</b>	<b>(133,565)</b>



## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

## Notes to the Financial Statements

## 4.2 Reconciliation of Modified Cash basis to IPSAS

## ii. Statement of financial position

	Effect of transition to IPSAS as at			Effect of transition to IPSAS		
	Modified cash basis N'000	Adjustments N'000	IPSAS N'000	Modified cash basis N'000	Adjustments N'000	IPSAS N'000
<b>Assets</b>						
Property, plant and equipment	a. 1,555,192	-	1,555,192	1,464,928	(424,481)	1,040,447
<b>Total non-current assets</b>	<b>1,555,192</b>	<b>-</b>	<b>1,555,192</b>	<b>1,464,928</b>	<b>(424,481)</b>	<b>1,040,447</b>
<b>Current assets</b>						
Trade and other receivables	b. -	-	-	15	(15)	-
Receivables	b. -	-	-	-	15	15
Cash and Cash equivalents	16,095	-	16,095	12,950	-	12,950
<b>Total current assets</b>	<b>16,095</b>	<b>-</b>	<b>16,095</b>	<b>12,965</b>	<b>-</b>	<b>12,965</b>
<b>Total Assets</b>	<b>1,571,287</b>	<b>-</b>	<b>1,571,287</b>	<b>1,477,893</b>	<b>(424,481)</b>	<b>1,053,413</b>
<b>Equity</b>						
Capital Subvention	c. 1,473,488	(1,473,488)	-	1,498,037	(1,498,037)	-
Capital Grant	c. -	1,473,488	1,473,488	-	1,498,037	1,498,037
Retained earnings	d. 97,799	(97,799)	-	(35,766)	35,766	-
Accumulated Surplus/(Deficit)	d. -	97,799	97,799	-	(460,247)	(460,247)
<b>Total equity</b>	<b>1,571,287</b>	<b>-</b>	<b>1,571,287</b>	<b>1,462,271</b>	<b>(424,481)</b>	<b>1,037,790</b>
Trade and other payables	e. -	-	-	15,623	(15,623)	-
Other payables	e. -	-	-	-	15,623	15,623
<b>Total current liabilities</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>15,623</b>	<b>-</b>	<b>15,623</b>
<b>Total liabilities</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>15,623</b>	<b>-</b>	<b>15,623</b>
<b>Total Equity and Liabilities</b>	<b>1,571,287</b>	<b>-</b>	<b>1,571,287</b>	<b>1,477,894</b>	<b>(424,481)</b>	<b>1,053,413</b>

## 4.3 Note to the reconciliation of Statement of Financial performance and statement of financial position

Adjustments that have arisen due to the transition to IPSAS are explained below

## i. Statement of Financial performance

## a. Travel and Transport

Travelling and accommodations expenses, monitoring and compliance validation visit have been renamed as travel and transport in the statement of financial performance with no net effect on the Accumulated Surplus/ (Deficit).

## b. Utilities

Postages, telephone and internet services, electricity and water rates have been reclassified to Utilities in the statement of financial performance with no net effect on the Accumulated Surplus/ (Deficit).

## c. Materials and supplies

Office materials and supplies, uniform and clothings, printing of non security document, newspapers, magazines and periodicals have been reclassified to Materials and supplies in the statement of financial performance with no net effect on the Accumulated Surplus/ (Deficit).

## d. Maintenance services

of Office building, Maintenance of Plants/ generators and Maintenance of other services have been reclassified to Maintenance services in the statement of financial performance with no net effect on the Accumulated Surplus/ (Deficit).

## e. Trainings

Trainings expenses has been renamed as trainings in the statement of financial performance with no net effect on the Accumulated Surplus/ (Deficit).

## f. Other services

Security, cleaning and fumigation expenses have been reclassified to Other services in the statement of financial performance with no net effect on the Accumulated Surplus/ (Deficit).

## g. Consulting and professional fees

Audit fees and expenses and consultancy fees have been reclassified to Consulting and professional fees in the statement of financial performance with no net effect on the Accumulated Surplus/ (Deficit).

## h. Fuel and lubricants

Vehicle running cost and plant/ generator fuel cost have been reclassified to Fuel and lubricants in the statement of financial performance with no net effect on the Accumulated Surplus/ (Deficit).

## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

## Notes to the Financial Statements

## i. Financial charges

Bank/GIFMIS charges and insurance have been reclassified to Financial charges in the statement of financial performance with no net effect on the Accumulated Surplus/ (Deficit).

## j. Miscellaneous expenses

Refreshment and meals, subscription, board expenses and medical /welfare expenses have been reclassified to Miscellaneous expenses in the statement of financial performance with no net effect on the Accumulated Surplus/ (Deficit).

## ii. Statement of financial position

## a. Property, plant and equipment

Assets purchased by the commission from inception has been fully depreciated based on the asset depreciation policies, accumulated depreciation has been computed based on the commission depreciation policy and effected in the transition adjustments and the net effects has been effected to the accumulated surplus/ deficit in the statement of changes in net

## b. Receivables

Trade and other receivables has been renamed as Receivables in the statement of financial position with no net effect on the Accumulated Surplus/ (Deficit).

## c. Capital Grant

Capital subvention has been renamed as capital grant in the statement of financial position with no net effect on the Accumulated Surplus/ (Deficit).

## d. Accumulated Surplus/ (Deficit)

Retained earnings has been renamed as Accumulated Surplus/ (Deficit).

## e. Other payables

Trade and other payables has been renamed as other payables in the statement of financial position with no net effect on the Accumulated Surplus/ (Deficit).



## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED DECEMBER 31, 2018

	31 Dec, 2018 N'000	31 Dec, 2017 N'000
<b>5 Recurrent Subventions</b>		
<b>5.1 Overhead Subvention</b>		
Received during the year	102,718	102,718
Transferred to CRF in the year	(13)	(92)
	<u>102,705</u>	<u>102,626</u>
<b>5.2 Personnel Subvention</b>		
Received during the year	872,311	699,468
Transferred to CRF in the year	-	-
	<u>872,311</u>	<u>699,468</u>
	<b>975,016</b>	<b>802,094</b>
<b>6 Travel and Transport</b>		
Local travel and transport - Training	-	3,815
Local travel and transport - Others	30,225	18,587
Monitoring and compliance validation visit	-	3,060
	<u>30,225</u>	<u>25,462</u>
<b>7 Utilities</b>		
Electricity Charges	10,144	8095
Telephone charges	983	-
Internet access charges	7,209	5,326
Water rates	1,566	-
	<u>19,902</u>	<u>13,421</u>
<b>8 Materials and Supplies</b>		
Office stationeries and computer consumables	1,663	4,260
Books	59	-
Newspaper	1,401	246
Printing of Non security documents	3,114	4,829
	<u>6,237</u>	<u>9,335</u>
<b>9 Maintenance Services</b>		
Maintenance of Motor Vehicles	4,423	3,454
Maintenance of Office Furniture	-	3,464
Maintenance of Office Building	3,521	2,485
Maintenance of Office and ICT Equipment	798	794
Maintenance of Plants /Generators	2,767	3,592
Other Maintenance Services	738	1,198
	<u>12,247</u>	<u>14,987</u>
<b>10 Other Services</b>		
Security services	2,860	3,640
Cleaning and Fumigation services	6,627	6,023
	<u>9,487</u>	<u>9,663</u>

## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED DECEMBER 31, 2018

	31 Dec, 2018 N'000	31 Dec, 2017 N'000
<b>11 Consulting and Professional Fees</b>		
Financial consulting	3,263	3,794
Information technology consulting	555	-
Legal services	35	-
Engineering services	-	-
Auditing of Accounts	1,519	1,444
	<u>5,372</u>	<u>5,238</u>
<b>12 Fuel and Lubricants</b>		
Vehicles Running Cost	3,586	5,625
Plant/ Generator Fuel Cost	7,332	1,680
	<u>10,918</u>	<u>7,305</u>
<b>13 Financial Charges</b>		
Bank Charges	240	262
Insurance	2,034	6,410
	<u>2,274</u>	<u>6,672</u>
<b>14 Miscellaneous Expenses</b>		
Refreshment and Meals	2,679	4,263
Publicity and Advertisement	5,666	1,838
Postages and Courier Services	583	-
Welfare packages	7,232	6,030
Subscription to professional bodies	1,581	797
Board Expenses	-	1,000
	<u>17,741</u>	<u>13,928</u>
<b>15 Reconciliation of Net cash Flows from Operating Activities</b>		
Deficit per statement of financial performance	(50,734)	(133,567)
<b>Non-Cash Movements</b>		
Depreciation	39,037	115,728
Increase in payables	11,669	15,623
Decrease in receivables	15	(15)
<b>Net cash flows from Operating Activities</b>	<u>(12)</u>	<u>(2,231)</u>

## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

## NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

								31 Dec, 2018 N000	31 Dec, 2017 N000	1 Jan, 2017 N000
<b>16 Cash and bank balance</b>										
CBN TSA Capital								53,431	12,950	16,095
<b>17 Receivables</b>										
Staff Advances								-	15	-
<b>18 Property, Plant and Equipment</b>										
	Land & Buildings N'000	Plant & Machinery N'000	Motor Vehicles N'000	Office Equipments N'000	Furniture & Fittings N'000	Library & Books N'000	Total N'000			
<b>Cost:</b>										
<b>Balance at 1 January, 2017</b>	1,212,420	-	133,811	56,879	146,691	5,391	1,555,192			
Additions during the year	2,524	-	14,648	8,231	-	60	25,463			
<b>Balance at 1 January, 2018</b>	1,214,944	-	148,459	65,110	146,691	5,451	1,580,655			
Additions	4,901	-	-	2,199	2,729	-	9,829			
Translation Adjustments	-	-	(122,261)	(54,063)	(121,119)	(4,958)	(302,401)			
Reclassification	-	21,324	-	-	(21,324)	-	-			
<b>Balance at 31 December, 2018</b>	1,219,845	21,324	26,198	13,246	6,977	493	1,288,083			
<b>Depreciation:</b>										
<b>Balance at 1 January, 2017</b>	-	-	-	-	-	-	-			
Additions during the year	24,299	-	37,115	16,278	36,673	1,363	115,728			
<b>Balance at 1 January, 2018</b>	24,299	-	37,115	16,278	36,673	1,363	115,728			
Additions	24,372	3,199	6,549	3,220	1,574	123	39,037			
Translation Adjustments	176,982	16,713	(24,790)	(12,247)	(33,487)	(1,092)	122,080			
<b>Balance at 31 December, 2018</b>	225,653	19,912	18,874	7,251	4,760	394	276,845			
<b>Carrying Amount</b>										
<b>At 31 December, 2018</b>	994,192	1,412	7,324	5,995	2,217	99	1,011,238			
<b>At 31 December, 2017</b>	1,190,645	-	111,344	48,832	110,018	4,088	1,464,927			
<b>At 1 January, 2017</b>	1,212,420	-	133,811	56,879	146,691	5,391	1,555,192			
								31 Dec, 2018 N000	31 Dec, 2017 N000	1 Jan, 2017 N000
<b>19 Other Capital Projects</b>										
Review of concession agreement								2,450	-	-
<b>20 Other payables</b>										
Professional Fees								2,963	1,444	-
Staff claims								9,817	14,179	-
Vendors								14,513	-	-
								27,292	15,623	-

## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

FOR THE YEAR ENDED DECEMBER 31, 2018

Other Disclosures



## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

STATEMENT OF ACTUAL RECEIPTS AND PAYMENTS  
FOR THE YEAR ENDED DECEMBER 31, 2018

	2018 N'000	2017 N'000
<b>RECEIPTS</b>		
Cash and bank balances at 1/1/2018	12,950	16,095
Capital Subvention	53,431	24,549
Overhead Subvention	102,718	102,718
Personnel Subvention	872,311	699,468
	<b>1,041,410</b>	<b>842,830</b>
<b>PAYMENTS</b>		
Addition to Land and Building	4,901	2,524
Addition to Motor Vehicles	-	14,648
Addition to Furniture and fittings	2,729	-
Computer and IT equipment	2,199	8,231
Cession Agreement reviews	2,450	-
Addition to Books & journals	-	60
Salaries & Allowances	872,311	699,468
Travelling & accomodation	-	22,402
Office Materials and supplies	-	-
Vehicle running costs	3,586	5,625
Maintenance: Furniture & equipment	-	3,464
Maintenance: Computer & IT equipment	798	794
Maintenance: Motor vehicles	4,423	3,454
Maintenance: Office building	3,521	2,485
Maintenance: Plant & Generators	2,767	3,592
Maintenance: Other services	738	1,198
Postages, Telephone & Internet	8,776	5,326
Printing & Stationery	1,663	4,260
Electricity & Water rates	11,710	8,095
Training expenses	30,225	14,455
Bank/ GIFMIS charges	240	262
Refreshment & Meals	2,679	4,263
Newspaper, Magazines and periodicals	1,460	246
Subscription	1,581	797
Board expenses	-	1,000
Advert and publicity	5,666	1,838
Cleaning & fumigation expenses	6,627	6,023
Audit fees and expenses	1,519	1,444
Carry forward	<b>972,568</b>	<b>815,953</b>

## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

STATEMENT OF ACTUAL RECEIPTS AND PAYMENTS CONTINUED  
FOR THE YEAR ENDED DECEMBER 31, 2018

	2018 N'000	2017 N'000
<b>Brought forward</b>	972,568	749,227
Consultancy fees	3,853	3,794
Uniform and Clothing	-	-
Security expenses	2,860	3,640
Medical/Welfare Expenses	7,232	6,030
Insurance	2,034	6,410
Staff Loans and Advances	-	15
Plant/Generator Fuel Cost	7,332	1,680
Monitoring and Compliance Validation Visits	-	3,060
Overhead Transferred to CRF	13	92
Capital transferred to CRF	659	-
Printing Of Non Security Documents	3,114	4,829
Accrued expenses	(11,686)	(15,623)
<b>Total payments</b>	<b>987,979</b>	<b>829,880</b>
	<b>53,431</b>	<b>12,950</b>
<b>Represented by:</b>		
Central Bank of Nigeria balance	<b>53,431</b>	<b>12,950</b>

## INFRASTRUCTURE CONCESSION REGULATORY COMMISSION, ABUJA

### Five Year Financial Summary

	31 Dec, 2018 N'000	31 Dec, 2017 N'000	31 Dec, 2016 N'000	31 Dec, 2015 N'000	31 Dec, 2014 N'000
<b>Recurrent Subventions</b>	<b>975,016</b>	<b>802,094</b>	<b>783,887</b>	<b>962,233</b>	<b>754,475</b>
<b>Employment of funds</b>					
Property, plant and equipment	1,016,166	1,464,928	1,555,192	1,554,363	1,519,913
Net current assets	991,324	(2,657)	16,095	7,672	5,108
<b>Net assets</b>	<b>2,007,490</b>	<b>1,462,271</b>	<b>1,571,287</b>	<b>1,562,035</b>	<b>1,525,021</b>
<b>Funds employed</b>					
Capital Grant	1,550,809	1,498,037	1,473,488	1,459,159	1,439,160
Retained earnings	(506,053)	(35,766)	97,799	102,876	85,861
	<b>1,044,756</b>	<b>1,462,271</b>	<b>1,571,287</b>	<b>1,562,035</b>	<b>1,525,021</b>

## APPENDIX I: NIGERIA PPP PROCUREMENT PROCESS

A PPP over any Federal Government Infrastructure would typically follow the steps below:

### PPP Project Identification Phase

1. Project identification by Ministries Departments and Agencies (MDA).
2. MDA should consult and engage with the FMoF prior to commencing PPP projects, in order to minimize the risk and contingent liabilities arising from such projects.
3. MDA should involve and engage with the Infrastructure Concession Regulatory Commission (ICRC) prior to commencing any PPP to ensure viability and bankability of proposed projects.

### PPP Project Development and Preparation Phase

4. MDA would engage a Transaction Adviser (TA) through a competitive bidding process as required under the Public Procurement Act of 2007, to produce the report that would show the bankability of the project. This report is called an Outline Business Case (OBC).
5. The MDA would thereafter forward the OBC to the ICRC for review. Subject to assessment, ICRC would issue an OBC Certificate of Compliance to the MDA or decline issuance and advise the MDA accordingly.
6. The MDA would then submit the OBC along with ICRC OBC Certificate of Compliance to the Federal Executive Council (FEC) through the line Minister for approval.

### PPP Procurement Phase

7. If the project is approved by FEC, the MDA's TA would commence a procurement process leading to a competitive bidding process, from which a preferred PPP Project Proponent (Investor) will emerge.
8. Negotiations would thereafter ensue, leading to the conclusion of a Full Business Case (FBC) document and submission of the FBC to ICRC for review. Subject to assessment, ICRC would issue an FBC Certificate of Compliance to the MDA or decline issuance and advise the MDA accordingly.
9. The MDA would again submit the FBC along with the ICRC Certificate of Compliance to FEC, through the line Minister, for Approval.
10. If the FBC is approved by FEC, this would be followed by the signing of a contract between the MDA and the preferred PPP Project Proponent (Investor). ICRC will thereafter take custody of the contract as required under the Section 20 of the ICRC Act.

### PPP Implementation Phase

11. Eventually, for the project to take off, the preferred PPP Project Proponent (Investor) must achieve Financial Close.
12. The MDA is required under Section 12 of the Act to supervise the project diligently. On the other hand the ICRC and the MDA are required, under Section 10 of the Act, to conduct regular joint inspections of the project until the end of the contract.

<sup>1</sup>Outline Business Case: A document prepared by the MDA's TA that aims to establish the need for the project and its outline parameters and scope, including costs and bankability demonstration.

<sup>2</sup>Full Business Case: A document prepared by the MDA's TA prior to financial closure and award of contract, which provides all the information needed to support a decision to award a contract and commit actual funding, as well as provide a basis for the necessary project management, monitoring evaluation and benefits realization.

<sup>3</sup>Financial Close: The time when the financial documentation and covenants have been executed with lenders to the project, and conditions precedent have been satisfied or waived. It is now permissible to draw money for project execution



## APPENDIX 2: STATUS OF P3RD PROJECTS UNDER DEVELOPMENT & PROCUREMENT IN 2018

PROJECT STATUS AS AT 31 <sup>ST</sup> DECEMBER, 2018			
SN	PPP PROJECT	MDA	STATUS
1	<u>20 Silo Storage Complexes</u> (Solicited Proposal): This involves the Concession of 20 grain storage (silos) complexes across the Country.	Federal Ministry of Agriculture and Rural Development (FMARD)	-The Federal Executive Council (FEC) approved the FBC on September 13 <sup>th</sup> , 2018. -Awaiting date for Concession Agreement signing ceremony. -The Commission granted an FBC Certificate of Compliance on June 12 <sup>th</sup> , 2018
2	<u>Solar Power Generation Facilities</u> Development of Electrical Solar Power at Power House, Maitama. 750KW daytime on the rooftop.	Federal Ministry of Power, Works & Housing.	-FEC approved the project FBC on September 13 <sup>th</sup> , 2018. -A PDT meeting was held on October 31 <sup>st</sup> , 2018 to discuss project implementation and financial close.
3	<u>Trans-Nigeria Gas Pipeline: Nigerian</u> (Solicited Proposal): The project involves the construction of 614km gas pipeline from Ajaokuta to Kano with off take Gas Stations in Abuja, Kaduna and Kano.	National Petroleum Corporation (NNPC)/ Federal Ministry of Petroleum	-Federal Executive Council (FEC) granted approval on 13 <sup>th</sup> December, 2017. -Segments 1 and 2 are being negotiated by the EPC contractors, the Chinese financial institutions and the NNPC for financial close
4	<u>Small &amp; Medium Dams:</u> Project Description (Solicited Proposal): This involves Ikere Gorge, Bakalori, Doma, Omi-Kampe, Challawa, Tiga, Jibiya and Zobe dams.	Federal Ministry of Power, Works & Housing (FMPWH)	The Commission granted FBC Compliance Certificate on October 29 <sup>th</sup> , 2018 -The Commission granted eight (8) OBC Certificates of Compliance for the projects. Thereafter the Ministry presented six (6) of the certificates (excluding Challawa and Tiga dams) to the FEC in November 2016 which were approved.

5	<u>Warehouse in a Box Project</u> The WIB Project seeks to provide physical infrastructure – an insulated warehouse, made up of pre-engineered modular components (prefabricated insulated expanded polystyrene sandwiched panels) – as well as the fittings and operating components, including offices, furnishings, racking, kitting, security and office equipment (Lagos and Abuja), for refrigeration of health commodities like vaccines etc and subsequent distribution to needed locations.	Federal Ministry of Health	FBC was approved by FEC on November 28 <sup>th</sup> , 2018  A Project Monitoring Committee (PMC) meeting held on December 17 <sup>th</sup> , 2018. Awaiting the approval of the contract by the Attorney General of the Federation/Minister of Justice.  The Commission granted FBC Compliance Certification on September 6 <sup>th</sup> , 2018.
6	<u>Development of World Class Training Centre of Excellence:</u> (Solicited Proposal): The National Automotive Design Development Council wishes to develop a World Class Training Centre of Excellence through a PPP.	Federal Ministry of Industry Trade and Investment/ National Automotive Council	Joint OBC / FBC Certificate granted to NADDC on May 28, 2018 Meeting held on June 26, 2018 at NADDC to get a progress report on the project and resolve the Independent-Engineer issues.
7	<u>Gurara 1 Multi-Purpose Dam, Kaduna State:</u> (Solicited Proposal): This involves the Operations and Maintenance of 30MW hydroelectric power from Gurara 1 multi-purpose dam, Kaduna State. The construction has been completed, while the evacuation facilities are at advanced stage.	Federal Ministry of Water Resources	North-South Power emerged as Preferred Bidders following successful financial bid opening.  Preferred Bidders Guarantee has been submitted by the preferred bidder on 20 <sup>th</sup> July, 2018.  PDT have conducted 2 <sup>nd</sup> -level negotiations with North-South Power.
8	<u>IGR Automated Platform for AEPB:</u> (Solicited Proposal): To provide an automated system for managing revenue collections, via an ePayment platform that incorporates Mobile POS devices and a powerful AEPB office revenue administration and monitoring platform.	Federal Capital Territory/ Abuja Infrastructure Investment Center (AIIC)	Evidence of competitive bidding process and all documentation and approvals during the process were sent by AIIC to the Commission on October 3, 2017  Next Step: The Commission is awaiting FBC submission by MDA for review.

9	<u>Establishment of Nigerian Passport Application Support Centers in the US, Canada etc</u> (Solicited Proposal): This project has been designed by the Nigeria Immigration Service (NIS) to alleviate the hardship, difficulties and inconvenience experienced by Nigerians living in USA, United Kingdom, Continental Europe, Asia and South America in their bid to procure or renew their international passports. The Passport Application Support Centers will be equipped with appropriate facilities and data capture equipment with servers linked electronically to the Nigerian Embassies in the selected locations.	Federal Ministry of Interior/ Nigeria Immigration Service	The Commission issued an OBC Certificate of Compliance on January 5, 2018  Next Step: Awaiting FEC approval
10	<u>COREN Head Office Project</u> (Solicited Proposal): The proposal will involve the Construction of COREN head office complex in Abuja using PPP procurement methodology.	Federal Ministry of Power, Works and Housing/ Council for the Regulation of Engineering in Nigeria	The Commission granted an OBC Certificate of Compliance on November 8, 2016 for the project COREN has been advised to proceed to procurement.
11	<u>Development of Recreational Park within the Museum premises, Enugu.</u> (Unsolicited Proposal): An unsolicited proposal submitted to the National Commission for Museums & Monuments to develop recreational park in Enugu, within the Museum premises.	National Commission for Museums & Monuments/ Federal Ministry of Information & Culture	OBC Certificate of Compliance granted on October 16, 2017. EoI has been prepared for advert. The Project being an unsolicited proposal shall go through Swiss Challenge procurement to ensure competition and Transparency Next Step: Submission and Evaluation of EoIs.
12	<u>National Theatre</u> (Solicited Proposal): The project involves the development of 65 hectares of the 134 hectares fallow land around the National Theatre by building 5-star hotel, office buildings, leisure Park, shopping mall and Multi Level car park.	Federal Ministry of Tourism and Culture	Full Business Case (FBC) Certificate of Compliance revalidation has been granted by ICRC.  Next Step: Awaiting FBC approval by FEC
13	<u>ECOWAS Biometric ID Cards System</u> This project involves the adoption of smart card and biometric technology to secure the identification of documents as a prerequisite for managing migration and to enhance regional security, which is the outcome of the deliberation of ECOWAS Heads of Governments in order to meet the challenges posed by migration.	Federal Ministry of Interior	The Ministry was issued an FBC Certificate of Compliance on May 24, 2018.  FEC approval for the project 28 <sup>th</sup> November, 2018  Next Step: Contract signing (Commercial Close)
14	<u>Rehabilitation, Management and Operation of the National Trade and International Business Centre, Lagos (NTIBC)</u> The development of the NTIBC was conceived against the background of the FGN's desire to develop one-stop investment hubs in order to sustain economic growth by encouraging export, enterprise and investments. The Independence building was built in 1959. The building consists of 25 floors, has approximately 8,100 square meters and a separate parking lot directly opposite with an area of 2,650 square meters. The proposed NTIBC building will be a mixed-use facility to cater for businesses on a let basis, provide space for TBSMB and also residential usage. The proposed facility will be multi-functional, to include: i. Office for agencies under the FMITI ii. Offices for other government MDAs iii. Information hub on trade & investment in Nigeria iv. Office for Blue-Chip companies v. Conference & meeting rooms vi. Exhibition and banquet halls vii. Restaurants & lounge bar	Federal Ministry of Trade & Investment / Tafawa Balewa Square Management Board (TBSMB)	Bid opening and evaluation took place on September 6th, 2018 in Lagos. Four (4) bidders have qualified to go to Request for Proposal (RfP) Stage.

15	<u>Establishment of the Mechanic's Villages</u> The mechanics' villages' project is an initiative of NAC, a body established pursuant to the National Automotive Council Act, Cap N8, Laws of the Federation of Nigeria, with responsibility for the development of the automotive industry in Nigeria. The objective for the establishment of the mechanic's villages is, among other things, to stimulate the growth and development of the mechanic business in a specialized and orderly manner. The project is aimed at developing the automotive value chain via the provision of 6 pilot modern mechanic villages in the nation's 6 geopolitical zones.	Federal Ministry of Trade & Investment / National Automotive Council (NAC)	Transaction Adviser has been procured and has prepared an Outline Business Case (OBC). Awaiting submission for review
16	<u>Development of 23 Industrial Development Clusters (IDCs)</u> The objective of the project is to redevelop 23 Industrial Development Centers (IDCs) into Industrial Clusters across Nigeria (in 6 geopolitical zones) using the PPP Model.	Federal Ministry of Trade & Investment / Small and Medium Enterprises Development Agency of Nigeria (SMEDAN)	OBC Certificate of Compliance was granted on October 23rd, 2018 for six (6) identified IDCs namely; Idu, Maiduguri, Owerri, Ikorodu, Port Harcourt and Sokoto.
17	<u>Federal Ministry of Industry Trade and Investment Abuja Head office Building Project</u>  The Federal Ministry of Industry Trade and Investment is desirous to build their Abuja Head Office through a PPP Procurement method. Project Conceptualization is currently on-going.	Federal Ministry of Industry Trade and Investment	Project Conceptualization is currently on-going.
18	<u>Gurara 2 Greenfield Multi-Purpose Dam</u> The Concession of the Gurara 2 Greenfield multi-purpose Dam, Niger State includes 300MW of hydropower components of the dam.	Federal Ministry of Water Resources	The project is currently in Development Phase. The project land is encumbered and the Ministry is resolving the issue. Thereafter, the Outline Business Case is expected to be forwarded to ICRC. ICRC has written to the Ministry seeking updates on the project. Awaiting the Ministry's response
19	<u>Owena Multi-Purpose Dam water supply – Unsolicited Proposal</u> The project will provide about 1.5kwh of electricity to the national grid.	Federal Ministry of Water Resources	The Commission granted OBC Certificate of Compliance on March 10, 2017. The Ministry is expected to present the OBC certificate to FEC for approval.
20	<u>Development of 9MW Oyan Dam Unsolicited</u> This involves the Operations and Maintenance of 9MW hydroelectric power.	Federal Ministry of Water Resources	The Commission revalidated the OBC Compliance Certificate (which expired on March 8, 2018) since all key parameters remain the same and directed the Ministry to submit it to FEC for approval, upon which procurement process would commence.



21	<u>Development of 220MW River Mada Medium hydropower plant in Nasarawa State</u> This involves the Operations and Maintenance of 220MW hydroelectric power.	Federal Ministry of Water Resources	The Commission reviewed the updated OBC and issued a Compliance Certificate on February 23, 2018.
22	Other PPP Projects: i. Development of Tede Dam for Hydro power and other purposes. ii. Concession of Oturkpo Dam for Hydro Power and other purposes. iii. Development of Dasin Hausa Dam for Hydro power and other purposes.	Federal Ministry of Water Resources	The Ministry has been advised to procure a Transaction Adviser that will prepare a bankable OBC report for the project.
23	<u>Ajaokuta Steel company Ltd &amp; National Iron Ore Mining Company (NIOMCO)</u> Rehabilitation, completion, management and operation of Ajaokuta Steel Company and National Iron Ore Mining Company (NIOMCO) through PPP Concession agreement.	Federal Ministry of Mines and Steel	-Monitoring visit took place to Ajaokuta Steel Complex and National Iron Ore Mining Corporation, Itakpe (from 24 <sup>th</sup> - 26 <sup>th</sup> April 2018.) -Selection of Transaction Adviser for the concession of Ajaokuta Steel Company (ASCL) is ongoing.
24	Other Projects, involving PPPs on: i. Federal Coastal Fishery Terminal, Ebughu, Akwa Ibom State ii. Federal Coastal Fishery Terminal, Borokiri Rivers State iii. Fish Processing Centre, Jebba, Kwara State iv. Agro Aviation Hangar, Kaduna	Federal Ministry of Agriculture and Rural Development	The Commission has granted joint OBC/FBC Compliance Certificates for the Akwa Ibom and Rivers State Coastal Fishery Terminals on February 28, 2018.  Monitoring Visit to the Egbu Federal Fishery Terminal, held from April 26-27 2018.
25	Construction of staff housing estate, shopping complex and new House Officers' (Doctors') quarters	Federal Ministry of Health / University of Port Harcourt Teaching Hospital (UPTH)	The PDT met on October 24, and November 1 2017 to review the Draft Full Business Case prepared by the Consultants. Awaiting submission of the FBC.
26	<u>Abuja Medical Mall/City</u> This involves the development of a tertiary medical facility (Medical Mall/City) on a greenfield site in Abuja to harness the potential of the private health sector and provide high quality alternatives to Nigerians who require specialist medical care in the country.	Federal Ministry of Health	The Ministry is in the process of procuring a Transaction Adviser (TA) to prepare an Outline Business Case (OBC) to determine project viability and bankability.
27	<u>Development of Oncology Centre of Excellence for Cancer Care in 8 Teaching Hospitals across the Geopolitical zones Federal Ministry of Health</u> The FGN through the Federal Ministry of Health seeks to procure and manage Oncology equipments in Federal Teaching Hospitals across the Country.	Federal Ministry of Health	The PDT has adopted the option of Traditional Procurement / Leasing where payment is tied to equipment management and service/the continuous function of the machine on service delivery. Awaiting further steps from the Ministry.
28	<u>Upgrade of the 3rd Phase of Teaching Hospital Rehabilitation Project</u> The contracts for rehabilitation and modernization of select Federal Teaching Hospitals (8 in phase 1 and 6 in phase 2) were awarded in November 2002 and September 2006 respectively to VAMED Engineering Ltd and a Presidential Project Implementation Committee was set up to monitor proper and timely execution of the projects. The remaining 7 Teaching hospitals were supposed to be rehabilitated and modernized through PPP and a Technical Working Group (TWG) with membership drawn from FMOH, NSIA, ICRC, and four members from private sector was set up to deliberate and agree with VAMED/CPL Group on the most suitable PPP model to be adopted for phase 3.	Federal Ministry of Health	Facilicomm Nig. Ltd has been appointed as TA to the project.  1)The CPL has notified the Commission on the appointment of a Consortium of additional TAs to lead the final preparation of the OBC.  2) VAMED has withdrawn their participation from the 3rd Phase of the PPP Project. Henceforth the project will be captioned "FGN/CPL/GEHC Special Presidential Intervention Projects in the Tertiary Health Sector-Phase 3 PPP"
29	<u>Orthopedic Hospital, Dala- Kano</u> The proposed PPP seeks to construct staff quarters within the premises, conversion of existing bungalow within the hospital premises to commercial guest house, equipping of the Hospital mortuary building and Equipping, Furnishing and Operation of a Private wing of the Hospital.	Federal Ministry of Health	The Ministry is in the process of procuring a Transaction Adviser (TA) to prepare an Outline Business Case (OBC) to determine project viability and bankability.

39	<u>Computer Based Test Centre (National Business And Technical Examinations Board)</u> The Computer Based Test (CBT) Centre project is to enhance efficiencies of candidates in Technical and Vocational Education through Information and Computer Technology.	Federal Ministry of Education	The Project is currently functional but the NABTEB has been asked by the Commission to forward relevant documents on the project to the Commission. The Business Case and Executed Contract Agreement were reviewed and it was found that it did not satisfy the key features of PPP contracts. The Commission requested additional documents to incorporate the issues raised.  The Board has been advised to submit a Joint OBC/FBC for review.
40	<u>Development of National Council for Arts and Culture's land through PPP</u> The Council is desirous of developing an edifice on its parcel of Land located at Central Business District, Abuja through PPP that will comprise the following: i. Culture and Arts Theatre ii. Office Development for use by NCAC iii. Conference and event exhibition hall; and i. Shopping Mall	Ministry of Information and Culture	The Ministry is required to engage a Transaction Adviser (TA) to prepare an Outline Business Case (OBC) to determine project viability and bankability.
41	<u>Development of Commercial Hub at National Open University of Nigeria (NOUN)</u> The National Open University of Nigeria is desirous of building a commercial hub for the University Community within the campus at Jabi, Abuja using the PPP arrangement. The complex will have the following facilities Banking malls, Supermarket, Restaurants, Bookstore, retail shops etc	Federal Ministry of Education	Issued an OBC Certificate of Compliance on the October 7, 2017
42	PPPs on the following: i. Establishment of Federal Ministry of Environment's Clean and Green Campaign to end open defecation in public areas by 2019 by providing Public Toilets nationwide. Pilots to be in FCT public schools, motor parks and market places; and extended to the 36 States. ii. Framework for Plastic Industry and other private sector companies to take plastic waste off the streets by 2019 iii. Development of a New Head Office for the Federal Ministry of Environment (to be completed in 2018)	Federal Ministry of Environment (FMOE)	Meeting with the Ministry held on May 9, 2018 on listed projects.  The Ministry's representative is to meet with the Permanent Secretary to have more accuracy on the number of projects.  Awaiting response from Ministry of Environment.
43	<u>Development of Okerete Transnational Border Market at Saki West LGA, Oyo State</u> The Ministry intends to establish transnational border markets to promote regional integration, create employment in rural areas and reduce high incidence of smuggling across Nigeria's borders. The intention is to create them at 6 geo-political zones of the country starting with Okerete, in South West region.	Federal Ministry of Industry, Trade and Investment	The Ministry is in the process of procuring a Transaction Adviser to prepare an Outline Business Case to determine project viability and bankability.  It was unanimously agreed at the Technical Committee meeting that the road leading to the site should be graded and tarred as well as include the construction of a bridge that will link Nigeria and the Republic of Benin.
44	<u>Development of Students Hostel at University of Abuja</u> The University intends to build hostels for its teeming students as well as staff housing estate using PPP	Federal Ministry of Education/ University of Abuja	Project development is currently ongoing.
45	<u>Upgrade and Concession of Properties through PPP methodology</u> Public Service Institute of Nigeria is desirous of using PPP procurement methodology to upgrade and concession to private party its 108 rooms female hostel and another 27 rooms purpose built guest chalet.	Public Private Partnership for upgrade and concession of hostel at Public Service Institute of Nigeria	The project is currently in development phase. The Institute is working with consultants to prepare an Outline Business Case (OBC) to determine project viability and bankability.
46	<u>Establishment of Anti-Snake Venom Production Facility in Nigeria through PPP</u> The Ministry seeks the Establishment of Anti-Snake Venom Production Facility through PPP.	Federal Ministry of Health (FMOH)	The proposal is an unsolicited proposal and will be subjected to Swiss Challenge process. The Commission wrote the Ministry on May 28 2018 advising that a Project Structuring Report (PSR) be prepared and the PSR should demonstrate that the project is of unique national interest/emergency.



47	<u>Transformer Repair Services</u> The project is an unsolicited proposal submitted by Kilowatt Electrics Limited (KWEL) to the NEMSA. KWEL is proposing a joint venture partnership with NEMSA to operate the transformer repairs workshop in Ijora Lagos and construction of transformer repair workshops in Port Harcourt and Kaduna centers. The partnership will also include the role of electrical inspection, testing and certification of all electrical installation hitherto performed by NEMSA.	Federal Ministry of Power, Works & Housing / Nigerian Electricity Management Services Agency (NEMSA)	OBC Compliance Certificate granted 16th August 2017  EOI Bid opening took place on 29th October, 2018 and EOI Evaluation exercise was carried out on the 7th November, 2018 for Swiss Challenge participants.  Awaiting submission of formal evaluation report from Nigerian Electricity Management Services Agency (NEMSA)
48	<u>Small Hydropower Embedded Power from the Wupa Water Treatment Plant Effluent Discharge</u> Wupa Water Treatment Plant Project on a Build Operate and Transfer (BOT) PPP model to produce electric power from the effluent discharge from the plant. Power generation capacity is estimated at 3.346.29kW/day which would power the WWTP and also provide the input for the production of fertilizer and plastics. The power plant is expected to sell excess power to the national grid.	Federal Capital Territory/ Abuja Infrastructure Investment Center (AIIC)	Draft OBC sent by MDA and reviewed by the Commission August 8, 2017  Meeting held with project stakeholders on August 16, 2017
49	<u>Concession of 1.2MW Grid Connected PV Solar Power Plant</u> Concession of 1.2MW Grid Connected PV Solar Power Plant at Lower Usuma Dam, Abuja under the Japanese Grant-In-Aid to the FGN	Federal Ministry of Power, Works & Housing.	OBC Certificate of Compliance was issued on 13th September, 2017. An updated project Concept Note is being awaited from FMPW&H.
50	<u>Development of Shopping Mall, University College Hospital (UCH), Ibadan</u> UCH seeks to develop a Shopping Mall through PPP Procurement.	Federal Ministry of Health/UCH, Ibadan	Sensitization workshop and Inauguration PDT meeting held on October 17 & 19, 2017 at the Hospital premises
51	<u>Establishment of a bamboo value chain</u> Establishment of a Bamboo Value Chain Business including maintaining, managing and scaling up the Bamboo factory in Lokoja, Kogi state under PPP	Federal Ministry of Environment	Awaiting the submission of an updated OBC by the Ministry.
52	<u>NNPC Refineries Rehabilitation Project</u> The project will involve the rehabilitation of refineries across the country.	Federal Ministry of Petroleum Resources	Inter-Ministerial Steering Committee Meeting on Rehabilitation of Nigeria's Refineries took place on October 17, 2017. Awaiting project update from Ministry
53	<u>Development of hostel facilities and supermarket</u> FCE Bichi (Technical) seeks guidance to develop hostel accommodation.	Federal Ministry of Health\ Federal College of Education (Technical) Bichi, Kano State.	The submitted document has been reviewed and the College has been asked to submit additional documents. The Commission is awaiting response from FCE Bichi.
54	<u>Development of hostel facilities and accommodation for Staff and Students</u>	Federal University, Wukari/Federal Ministry of Education	The submitted document has been reviewed and the University was advised to prepare an OBC for the project Awaiting the University's response.
55	<u>Students &amp; Staff residential accommodation</u> Unsolicited proposal for the Design, Build, Manage and Transfer of Students & Staff residential accommodation within the premises (Proposed by PETROBARA).	University of Calabar Teaching Hospital, Federal Ministry of Health	Review of Document in Progress

56	<u>ONEX through Mpape-Gurku-Ado/Gurku-Nyanya in the Federal Capital Territory (FCT), Abuja. FCTA</u> The project involves the construction, operation and maintenance of Dual Carriage way from Outer Northern Express Way (Murtala Mohammed Way) through Mpape to Gurku, through Ado/Gurku. The project was designed to ease congestion on Nyanya road and its surrounding axis.	Federal Capital Territory (FCT), Abuja. FCTA	The project is at development phase involving procurement of Transaction Adviser and preparation of Outline Business Case (OBC).
57	<u>Light Rail Lot 2 PPP Project</u> The proposed Abuja Light Rail PPP project includes the financing, designing, construction, operation and maintenance of the rail transit network route. The covering distance is 54.1 kilometers from Garki Area 11 passing through the interchange centre at Eagle Square to Gudu and down to Nyanya, Karu axis, in Abuja. It also connects to sector Centre D through Hilton Hotel, Gwarimpa FHA Estate and the light railway Lot 1 (Blue line currently under construction)	Federal Capital Territory	A meeting was held on December 22, 2017 at the SGF's office where the private proponent (IRMG) made another presentation on the way forward with the project. No conclusive agreements were reached, due to absence of some stakeholders. The meeting was adjourned to a later date. New date to be communicated to the Commission.
58	<u>Construction Of LPG And Ethanol/Methanol Plants At Emede Uzere Delta State (On PPP Basis)</u> The construction of an LPG and Ethanol/Methanol Plant at Emede Uzere, Delta State from Everlinksourcing Ltd to the Ministry of Petroleum Resources.	Federal Ministry of Petroleum Resources	Project site inspection was conducted by the Commission.
59	<u>Lease of Land at National Museum, Jos for the development of Filling Station</u> The National Commission for Museums and Monuments seeks to develop part of its land via PPP	National Commission for Museums and Monuments	The Commission granted an OBC Certificate of Compliance on February 27, 2018
60	<u>Operation and Management of Sugarcane Bio-Factory, Zaria</u> The Council is proposing a PPP procurement in the Management and Operation of the facility to make it more efficient and productive after sinking in so much money with little output.	National Sugar Development Council	PDT met on March 23, 2018. ICRC has advised the Council of the need to procure a TA that will guide in the conduct of the Swiss Challenge procurement and also prepare a RFQ and RFP documents.
61	<u>Development of CMD Headquarters, Abuja</u>	Centre for Management Development	Profile of two contractors sent to the commission by CMD. The Commission reminded through letter of March 27, 2018 to develop and submit Project Structuring Report.
62	<u>Development of Multipurpose Facility at National Stadium, Abuja</u> The Federal Ministry of Sports & Youth Development seeks to develop Multipurpose Facility at National Stadium Abuja through PPP	Federal Ministry of Youth and Sports	Meeting on a proposal for Long Lease of Part of the Public Parking Lot in the National Stadium, Abuja held at the Federal Ministry of Youth & Sports Development (FMYSO) on March 27, 2018
63	<u>Deployment of 2,000 units of tractors and other mechanized equipment</u> to Federal Ministry of Agriculture and Rural Development through SMART total mechanization package.	Federal Ministry of Agriculture and Rural Development	On April 16, 2018 representatives of FMARD and Nigeria Agriculture Mechanization and Equipment Leasing Limited (NAMEL) made a presentation to the Commission on the proposed PPP arrangement titled 'Solutions for Sustainable Food Production'
64	FMPWH (Power) have sent concept notes to the Commission and are keen to develop the following projects; i. Concession and development of 25MW Katsina Wind Farm ii. Concession and development of 215MW Kaduna Power Plant iii. Concession and development of 10MW lake Chad Basin Development Authority, Borno. iv. Concession and development of 1.2MW Solar facilities at Lower Usuma Dam.	Federal Ministry of Power Works and Housing (Power)	The Commission received concept notes on April 12, 2018 and are currently under review.
65	<u>University of Benin 15MW Solar Project (Unsolicited Proposal)</u> The project is a 15MW PV Solar power to be sited on a 30Hectare parcel of land at the University of Benin Ugbowo Campus.	Federal Ministry of Education	OBC Certificate of Compliance was granted on March 19, 2018.



66	Development of Hydro power from Kiri Dam	Federal Ministry of Water Resources	Meeting held on November 12 <sup>th</sup> , 2018 at office of the SGF with officials of ICRC, Federal Ministry of Water Resources, Upper Benue River basin Development Authority (UBRBDA) and the project proponent – Messrs PPP Consortium Ltd to discuss the way forward on the project.
67	<u>Development of Student Hostels at Federal College of Education Abeokuta, Ogun State</u> Federal College of Education Abeokuta seeks guidance to develop hostel accommodation using PPP procurement process.	Federal Ministry of Education / Federal College of Education, Ogun State	After review of the Project Structuring Report (PSR) the Commission sent the Ministry a letter on May 25, 2018 requesting additional information and necessary documents.
68	<u>Development of Federal Housing Authority (FHA) Shopping Complex, Gwarinpa, Abuja</u> FHA currently has a site office located on 2,500sqm along 3rd Avenue Gwarinpa. There is an existing bungalow housing the Annex office of the Federal Housing Authority on the land. The building will be demolished to give way for a modern shopping complex. The FHA Annex office will be relocated to a temporary location in Gwarinpa. On completion of the plaza, some of the offices will be retained for the FHA Annex	Federal Housing Authority	OBC Certificate of Compliance was granted on June 12 <sup>th</sup> , 2018  Bid opening held on July 11 <sup>th</sup> , 2018 with two (2) proposals submitted for evaluation  Bid evaluation held and none of the bidders met the requirements of the RfQ  Awaiting detailed report from FHA on the procurement process.
69	<u>Energizing Education Program</u> Electrification Program of Tertiary Institutions initiated by the FMPW&H to develop off-grid power plant projects in order to provide uninterrupted and dedicated power supply to forty (40) Federal Universities and neighboring University Teaching Hospitals across the Federation	Federal Ministry of Power, Works & Housing	The FMPW&H is to prepare a structuring report and submit to ICRC
70	<u>400 Room Students Hostel</u> The project consists of 2 hostels to comprise 400 rooms on a 1.9 Hectares land within the University premises estimated to cost N1,326,000,000; with a completion period of 9 months. Each Hostel will house 1,600 students, making a total of 3,200 students for the 2 Hostels.	University of Calabar/ Federal Ministry of Education	-OBC and FBC were submitted to the Commission by UNICAL requesting for Certificate of Compliance. -A letter was sent by ICRC to the Vice Chancellor of University of Calabar requesting for a meeting on August 2 <sup>nd</sup> , 2018. -Awaiting response from University of Calabar
71	<u>Gurara Facility Management</u> The project involves procurement of Facility Manager to manage, operate and maintain all infrastructure facilities and services in Gurara dam.	Federal Ministry of Water Resources	A meeting between the ICRC, Ministry and the Preferred Bidder took place on November 28 <sup>th</sup> , 2018 to renegotiate the structure of the project into a PPP model.  Response from the Preferred Bidder is expected in 2 weeks to ensure sustainability of the project.
72	<u>Solar Power Off-Grid Rural Electrification</u> The project involves the provision of off-grid solar power to the remote rural communities in Taraba, Gombe, Niger, Kogi, Ebonyi, Oyo, Ogun, Edo, Akwa Ibom, Katsina and Kebbi states	Federal Ministry of Power, Works & Housing/ Rural Electrification Agency	-Joint OBC/FBC Compliance Certificate has been granted -Request for Proposal (RfP) has been sent to qualified bidder. Evaluation of the RFP has been concluded

73	<u>40 MW Kashimbila Dam Hydropower Station</u> Kashimbila Dam is a 32m high composite dam with a 40 MW hydropower station located on the Katsina-Ala River, Taraba State, a tributary of the Benue River, approximately 20 km downstream of the Nigeria-Cameroon border. It comprises a zoned rockfill embankment with a central mass gravity ogee spillway, an outlet works which consist of multi-level intakes and outlet structure.	Federal Ministry of Power, Works & Housing	The Commission granted OBC Compliance Certification on October 15 <sup>th</sup> , 2018.
74	<u>Makurdi Hydropower Project</u> The Makurdi Hydropower Project (Makurdi HPP) was originally conceived as part of the Plan for Electric Power System Development issued by the then National Electric Power Authority [NEPA] in 1974. The planned dam site is located on the Benue River, the primary tributary of the Niger River in Nigeria, about 10 ~ 15 km upstream of Makurdi, the capital of Benue State.	Federal Ministry of Power, Works & Housing	The Commission granted OBC Compliance Certification on October 15 <sup>th</sup> , 2018.
75	<u>Sponsorship And Promotion Of The National Sports Festival (NSF)</u>	Federal Ministry of Youth and Sports	Attended the MOU signing ceremony for sponsorship, marketing and promotion of National Sports Festival on 11 Jul 2018.  Following request by the Ministry through letter on 6/09/18 for a waiver to allow Abuja National Stadium to bear the name 'GLO' for the next two years, the Commission replied requesting for the draft Agreement to be forwarded to it and Federal Ministry of Justice (FMJ) for review before execution.
76	<u>Radiotherapy and Oncology Centre and Operation of Oxygen Gas Plant at Aminu Kano Teaching Hospital, Kano</u> The management of Aminu Kano Teaching Hospital, Kano wrote to the Honourable Minister proposing the implementation of the following projects through PPP: Establishment of Radiotherapy/Oncology Centre and Operation of Oxygen Gas Plant.	Federal Ministry of Health	A PDT meeting was held on September 12 <sup>th</sup> , 2018.
77	<u>Development of SME Portal</u> A technology enabled platform project that will encourage more MSMEs to be attracted into the formal sector. The project is currently in Development Phase.	Federal Ministry of Trade, Industry & Investments	OBC Certificate of Compliance was granted on October 24 <sup>th</sup> , 2018  PDT Meeting held on December 12 <sup>th</sup> , 2018.
78	The National Assembly's commitment to acquire housing for their civil service staff under the steer of the Parliamentary Staff Association of Nigeria (PASAN)	National Assembly/ PASAN Staff Housing	The Inaugural PDT meeting took place on Friday, November 16 <sup>th</sup> , 2018 at the National Assembly with CIO (Urban) nominated as the member on behalf of the Commission.  NASS to procure a TA and send a Project Structuring Report to the Commission for review



79	<b>Kaduna Polytechnic Development of Infrastructure</b> In line with the desire to bridge the infrastructural gap in Kaduna Polytechnic, the Institution is committed to develop solutions for its infrastructural decay and to solicit for financiers for the institution's infrastructure development Projects identified for development include: 1. 6000 bed space students hostel across the campuses 2. 2MW solar power plant 3. A hotel, retail outlet and Guest Inn for revenue generation 4. Sports and recreational activities center.	Kaduna Polytechnic / Ministry of Education	The Inaugural PDT meeting took place on Thursday November 30 <sup>th</sup> , 2018 with Ag. DG and DP3RD as members of the PSC and HE&U and SAO (Urban) as members of PDT.  Capacity Building Training was also held for the KadPoly team at the inauguration of the PDT.
80	<b>Babanna Transnational Border &amp; Regional Market Project</b> Integration of informal trade with the formal sector, Elimination of smuggling, Revenue generation, Enhancement of bilateral integration and trade, Enhancement of security along the border are all aspects of this Transnational border project.	Federal Ministry of Industry, Trade, & Investments and Niger State	Meeting held on the November 22nd, 2018
81	<b>International Gateway Implementation (IGW) Project</b> International Gateway Implementation Project: Nigerian Communications Commission (NCC) intends to provide a single platform in a Data Centre that will manage all telecommunications statistics for international traffic both for voice and internet usage and will connect all International Interconnection Points with the IGW Data centre through PPP	Federal Ministry of Communications/Nigeria Communications Commission (NCC)	NCC sent a business plan and financial model for the International Gateway Implementation Project for review and issuance of OBC Certificate.  ICRC has concluded review and in the process of issuing OBC certificate of compliance
82	<b>FRCN Land Lease, Owerri, Imo State.</b> The Federal Radio Corporation of Nigeria is interested in constructing and developing mixed-use development on 14 Hectares of its 21.11 Hectare landed property at Km-15 Umuahia Road, Owerri, Imo State. The project consists of a high-end luxury estate with recreational support facilities, luxurious hotel and office blocks for commercial purposes.	Federal Radio Corporation of Nigeria (FRCN)	The Commission has reviewed the submitted OBC and has advised the Corporation accordingly.
83	<b>Federal Radio Corporation of Nigeria Properties</b> The Radio Corporation are desirous to develop its 10-Hectares of land into a mixed-use facility in Lagos.	Federal Radio Corporation of Nigeria (FRCN)	The Commission has reviewed the FBC and granted a FBC Compliance Certificate.
84	<b>Deployment of Thermal Health Scanners at the entry and exit points in Nigeria</b> In Compliance with International Health Regulations 2005 (IHR 2005) for the prevention and spread of diseases the Ministry of Health is desirous of deploying thermal health scanners at entry/exit points of the country.	Federal Ministry of Health	The Commission has reviewed the Project Structuring Report and sent a letter to the Ministry stating ICRC comments and recommendations.
85	<b>Development of Senior Police Officers quarters at Ikeja, Lagos through PPP arrangement</b> The redevelopment of 6.750 hectare of land at Ikeja into senior police officer's housing units using 2.1 hectares of the land and use of 4.65 hectares for the development of 130 four-bedroom duplex housing units.	Nigeria Police Force	The Outline Business Case is currently under review at ICRC to ensure compliance.

### APPENDIX 3: STATUS OF TRANSPORT & SECURITY PROJECTS UNDER DEVELOPMENT & PROCUREMENT IN 2018

S/N	PROJECT NAME	MDAS	STATUS
<b>PORTS</b>			
1	<b>KIRIKIRI LIGHTER TERMINALS I&amp;II (KLT 1&amp;II)</b>  The Federal Government aims to procure concessionaires to rehabilitate and upgrade these terminals in continuation of the port reform programme.	Federal Ministry of Transport/ Nigerian Ports Authority	<ul style="list-style-type: none"> <li>Tin Can Island Container Terminal Limited (TICT) emerged as the preferred bidder for Terminal II.</li> <li>Negotiations in progress between NPA and TICT under the regulatory guidance of ICRC.</li> <li>Terminal I procurement process is on hold pending the resolution of some social issues.</li> </ul>
2	<b>IBOM DEEP SEA PORT</b>  Ibom Deep Seaport (DSP) is an integrated, multi-purpose deep seaport proposed by Akwa Ibom State Government (AKSG) and to be developed jointly with the FGN, AKSG and private investors through Public Private Partnership.	Federal Ministry of Transport/ Nigerian Ports Authority	<ul style="list-style-type: none"> <li>The consortium of Bollore Africa Logistics &amp; Power China International Group Limited emerged as preferred bidder.</li> <li>China Harbour Engineering Company Ltd. (CHEC) emerged as the reserved bidder.</li> <li>Arrangement is being put in place to commence negotiations.</li> </ul> <p>Next Steps:</p> <p>Due diligence on the preferred proponent after which a Full Business Case (FBC) will be submitted by the FMO to ICRC for the issuance of an FBC compliance certificate. The FBC compliance certificate will be presented for FFC for approval</p>
3	<b>The Development of the Bakassi Deep Sea Port</b>  The Cross-river State Government (CRSG) as part of its maritime infrastructure development plan intends to develop a seaport at Bakassi under a PPP arrangement.	Federal Ministry of Transportation & CRSG	Feedback Infrastructure Services Limited has been appointed as consultant to prepare an Outline Business Case (OBC) report.  Next step: Preparation of OBC report.
4	<b>Onitsha River Port project</b>  Onitsha River Port, located in Anambra State, is designed as a pilot scheme under PPP arrangements.	Federal Ministry of Transport (FMOt)/ National Inland Waterways Authority (NIWA)	Universal Elysium Consortium emerged as the preferred concessionaire.  PPP contract negotiations yet to commence.  Next steps  Submission of Full Business Case (FBC) to ICRC for review and certification.
<b>Inland Container Depots (ICDs) &amp; Truck Transit Parks (TTPs)</b>			
5	<b>Development of Inland Container Depot (ICD) in Benin, Edo State</b>  The Benin Dry Port is proposed to act as a port of origin and destination. The primary objective of the propose project is to provide a one stop cargo reception and clearance facility to boost exports and imports.	Federal Ministry of Transportation / Nigeria Shippers Council (NSC)	The Commission has written to the NSC on 26 <sup>th</sup> October 2018 and give its support for the project to be implemented under the following guidelines: <ul style="list-style-type: none"> <li>NSC to give all necessary permits for the operation of the facility as an inland Dry Port</li> <li>NSC to seek all necessary Ministerial approvals and set a date for negotiation.</li> </ul>
6	<b>The Development of Inland Container Depot (ICD) in Dagbolu, Osun State</b>  The propose Dagbolu ICD when developed will provide cargo storage and handling facilities for exports and imports of materials thereby ease the congestion being experienced in Lagos and Tin Can Island Ports.	Federal Ministry of Transport/ Nigerian Shippers Council	OBC Compliance Certificate issued for the project.  Next step:  Advertisement in the print media for the selection of preferred concessionaire.
7	<b>The Development of Inland Container Depot (ICD) in Onitsha, Anambra State</b>  The proposed ICD has a modular design that consists of an annual 5,000 TEUs capacity facility. The site	Federal Ministry of Transport/ Nigerian Shippers Council	<ul style="list-style-type: none"> <li>Project Steering Committee inaugurated</li> <li>OBC Compliance Certificate issued for the project.</li> </ul> <p>Next step:</p>



## APPENDIX 4: STATUS OF PPP CONTRACTS UNDER IMPLEMENTATION

Western Ports – Lagos – Apapa Ports and Tin-Can Ports		
Contracts/Duration	MDAs/Concessionaire	Activities
<p>Concession for the Development, Finance, Maintenance, Operate and Transfer of 12 Port terminals</p> <p>Terminals: 6 in Apapa, 1 in Ijora, and 5 in Tin Can Island</p> <p>Duration 10 -25 years</p>	<p>MDA: Federal Ministry of Transportation/Nigerian Ports Authority (NPA)</p> <p>Concessionaires: Apapa Port</p> <ul style="list-style-type: none"> <li>Apapa Bulk Terminals Limited for Terminals A &amp; B</li> <li>ENL Consortium for Terminals C &amp; D</li> <li>Greenview Development Nigeria Limited for Terminal E</li> <li>APM Terminals Limited for Container Terminal</li> <li>AP Moller Finance for Lilypond Container Depot, Ijora</li> </ul> <p>Tin-Can Island Port</p> <ul style="list-style-type: none"> <li>Five Star Logistics Limited</li> <li>Ports and Terminal Multi-Services Limited</li> <li>Ports And Cargo</li> <li>Handlings Services Limited</li> <li>Tin-Can Island Container Terminal Limited</li> <li>Josepdam Ports Services Limited</li> </ul>	<p>Status: Concessions are Under Implementation</p> <p>The Commission within the year 2018 monitored the performances of port Terminals in Apapa to ensure parties compliance with the terms and conditions of the contracts.</p> <p>Improvements were reported on dredging at Apapa and Tincan Island water channel.</p> <p>Operators reported enhanced provision of port facilities by the Grantor</p> <p>High rate of compliance with payment of lease fees was also reported</p> <p>Challenges</p> <ul style="list-style-type: none"> <li>Terminal Operators within Apapa and Tincan listed the following challenges</li> <li>Poor condition of access roads to the port</li> <li>Erratic power supply and other utilities</li> <li>Foreign Exchange problem</li> <li>Insecurity at the water front</li> <li>Federal Government policy on car importation</li> </ul>
Eastern Ports – Calabar, Port Harcourt, Onne and Warri Ports		
Contracts/Duration	MDAs/Concessionaire	Activities
<p>Concession for the Development, Finance, Maintenance, Operate and Transfer of Port terminals in Calabar, Warri, Onne and Port Harcourt</p> <p>Terminals: 4 terminals in Warri 2 Terminals in Port Harcourt 4 Terminals in Onne 3 Terminals in Calabar</p> <p>Duration 10 -30 years</p>	<p>MDA: Federal Ministry of Transportation/Nigerian Ports Authority (NPA)</p> <p>Concessionaires:</p> <p>Port Harcourt Port</p> <ul style="list-style-type: none"> <li>Bua Ports and Terminals Ltd</li> <li>Port &amp; Terminals Operators Nig Ltd</li> </ul> <p>Onne Port</p> <ul style="list-style-type: none"> <li>Brawal Oil Services Ltd</li> <li>Intels Nigeria Ltd – FLT</li> <li>Intels Nigeria Ltd – FOT</li> </ul>	<p>Status: Concessions are Under Implementation</p> <p>As part of its regulatory functions, the Commission in 2018 visited the Port Harcourt, Onne, Calabar and Warri Ports.</p> <p>Some of the visits were supported by the World Bank Group.</p> <p>Terminal operators reported increase in export of agricultural produce within the year</p> <p>High rate of compliance with the payment of Lease Fees was reported for terminals in Warri, Port Harcourt, Onne and Calabar with the except for Shoreline Logistics Ltd in Calabar port which experienced low volume of business within the year.</p> <p>Challenges</p> <ul style="list-style-type: none"> <li>Operators in the Eastern ports complained of the shallow draft of the ports and high level insecurity within the region.</li> <li>The poor condition of access roads, high rate of insecurity and poor supply of power were also reported by the operators.</li> </ul>

## Other Concession Contracts

Contracts/Duration	MDAs/Concessionaire	Activities
<p>Concession for the Operation and Management of the Garki District Hospital to provide Primary, Secondary and Tertiary Health Care in an efficient and commercially viable manner.</p> <p>Duration 15 Years March 20 2007 – March 19 2022</p>	<p>MDA: Federal Capital Territory Administration (FCTA)/Health Secretariat</p> <p>Concessionaire: NISA Premier Hospital Ltd</p>	<p>Status: Under Implementation</p> <p>The Commission visited Garki Hospital Concession.</p> <p>The Hospital Management highlighted the following achievements within the year:</p> <ul style="list-style-type: none"> <li>Restoration of public confidence in public health care system;</li> <li>Rate of client encounter has grown from 10,301 patients when they started to over 155,172;</li> <li>Investment of about N4.6 billion has been made in procurement of modern medical equipment/facilities upgrade</li> <li>Established a fully Equipped &amp; Functional Neurosurgery Dept, Sickle Cell Clinic and In-Vitro Fertilisation (IVF) Clinic;</li> <li>Have successfully carried out 25 Kidney Transplant surgeries and 43 Open Heart Surgeries, etc.</li> <li>Reported fulfillment of financial obligations to the Grantor</li> </ul> <p>Challenges</p> <p>Exodus of Doctors and nurses quitting he their jobs for foreign job er abroad.</p> <p>Non-payment of medical fees by in indigents</p>
Contracts/Duration	MDAs/Concessionaire	Activities
<p>Contract to Finance, Maintain, and Develop Building Complexes/Trade Centres (Lagos) Tafawa Balewa Square (TBS)</p> <p>Duration 30 years June 29 2007 – June 28 2037</p>	<p>MDA: Federal Ministry of Industry, Trade and Investment/Tafawa Balewa Square Management Board</p> <p>Concessionaire: S International Limited</p>	<p>Status: Contract Terminated – November 2018</p> <p>The Commission in the first quarter 2018 visited the TBS concession project and held meetings with the parties.</p> <p>The Commission wrote to the Federal Ministry of Industry, Trade and Investment and requested for the audit report conducted on the TBS Concession.</p> <p>The Commission also wrote to the Secretary to the Lagos State Government for intervention in granting approval for the project development plan.</p> <p>Challenges</p> <ul style="list-style-type: none"> <li>Protracted court cases impacting the implementation of the contract;</li> <li>Inability to obtain necessary permits from the Lagos State Government.</li> </ul>
<p>Inland Container Depots (ICD) Concessions in Abia State (Isiala-Ngwa), Oyo State (Erunmu-Ibadan), Plateau State (Heipang), Kano State (Zawachiki), Katsina State(Funtua), Borno State (Jauri).</p>	<p>MDA: Federal Ministry of Transportation/Nigerian Shippers Council (NSC)</p> <p>Concessionaires:</p> <ul style="list-style-type: none"> <li>Eastgate Inland Container Depot Ltd</li> <li>Catamaran Logistics Ltd</li> <li>Duncan Maritime Ventures Nigeria Ltd</li> <li>Dala Inland Dry Port Nig. Ltd</li> <li>Equatorial Marine Oil and Gas Company Ltd</li> <li>Migfo Nigeria Limited</li> </ul>	<p>Status: Under Implementation.</p> <p>The Inland Container Depot at Funtua, Katsina State achieved major milestones in construction work;</p> <p>The ICDs in Plateau State and Abia State were reported to have recorded some level of progress.</p> <p>The Plateau State ICD construction was reported as nearing completion;</p> <p>Challenges</p> <ul style="list-style-type: none"> <li>The Concessionaires reported challenges with sourcing of long-term funding for the project;</li> </ul>
<p>Concession for the Design, Construct, Install, Operate and Maintain the Dadin Kowa</p>	<p>MDA Federal Ministry of Water</p>	<p>Status: Under Implementation</p> <p>The ICRC team in the second quarter, 2018 (4<sup>th</sup> -6<sup>th</sup> April, 2018)</p>



<p>Concession for the Development and Operation of a Deep Water Port in Lekki Free Trade Zone at Ibeju-Lekki, Lagos.</p> <p>Duration 45 Years April 21<sup>st</sup> 2011 – April 20<sup>th</sup> 2056</p>	<p>MDA: Federal Ministry of Transportation/Nigerian Ports Authority/ Lagos State Government.</p> <p>Concessionaire:  <ul style="list-style-type: none"> <li>Lekki Port LFTZ Enterprise</li> </ul> </p> <p>Key Project Information</p> <ul style="list-style-type: none"> <li>The project has a duration of 45 years and is on a Build, Own, Operate and Transfer (BOOT) model;</li> <li>Parties to the project and equity holdings: Lagos State Government 20%, Nigerian Ports Authority 5%, Tolaram (LPIH) 75% with the Lekki Port LFTZ Enterprise serving as the Special Purpose Vehicle (SPV)</li> </ul>	<p>Status: Under Implementation</p> <p>The Commission within the year 2018 visited the Lekki Deep Water port project.</p> <p>The Developer was encouraged to attain financial close by the new extended deadline of September, 2019.</p> <p>Developer had achieved major milestone in the construction of the port breakwater and weigh bridge.</p> <p>In December, 2018 the NPA forwarded the revised contract to the Commission;</p> <p>Challenges</p> <ul style="list-style-type: none"> <li>Developer yet to attain financial close</li> <li>Need to improve on evacuation plan by providing alternative access road and other modes of transportation to the port in order to boost investors' confidence.</li> </ul>
<p>Concession to Design, Develop, Finance, Construct, Complete, Test, Commission, Operate, Manage, Maintain and Transfer of the MMA2 Terminal (Lagos)</p> <p>Duration 36 years</p>	<p>MDA: Federal Ministry of Transportation /Federal Airports Authority of Nigeria</p> <p>Concessionaire:  <ul style="list-style-type: none"> <li>Bi -Courtney Aviation Services Ltd</li> </ul> </p>	<p>Status: Under Implementation</p> <p>The Commission within the year 2018 visited the MMA2 concession project..</p> <p>The Commission took the following decisions:</p> <p>That the parties should forward to the Commission relevant information to enable it initiate a dispute resolution process.</p> <p>Encouraged the parties to seek an out of court settlement on the project disputes.</p> <p>Airport terminal is fully operational</p> <p>Improved service delivery to passengers recorded.</p> <p>Challenges</p> <ul style="list-style-type: none"> <li>Protracted court cases with the Grantor on the duration period of the contract, cost and operational rights over the General Aviation Terminal (GAT), Lagos.</li> <li>Problem of electricity supply to the terminal still persist.</li> </ul>
<p>Concession for the Acquisition, Installation, Operation and Management of World Class Integrated System in Designated Airports (MMA – Lagos, Abuja &amp; Kano)</p> <p>Duration 10 years Oct, 2007 – Oct, 2017</p>	<p>MDA: Federal Ministry of Transportation / Federal Airports Authority Nigeria</p> <p>Concessionaire:  <ul style="list-style-type: none"> <li>Maevis Nigeria Ltd</li> </ul> </p>	<p>Status: Contract Terminated – mediation in progress</p> <p>The Commission commenced the mediation process with the parties to and resolve the dispute and reach an amicable settlement.</p> <p>Ernst &amp; Young Professionals have been selected by the Parties to conduct an audit the contract.</p> <p>Challenges</p> <ul style="list-style-type: none"> <li>Parties have not agreed on the areas and scope of the audit</li> </ul>
<p>Concession for the Development of Engineering Infrastructure for Katampe District Phase II (FCT – Abuja)</p> <p>Duration 5 years Oct, 2010 - Oct, 2015</p>	<p>MDA: Federal Capital Territory Administration(FCTA)/Federal Capital Development Authority(FCDA)</p> <p>Concessionaire:  <ul style="list-style-type: none"> <li>Deanshanger Project Ltd</li> </ul> </p>	<p>Status: Implementation stalled due to Administrative, Fiscal and Operational reasons:</p> <p>An Inter-Ministerial Committee was set up to review the challenges of implementing the contract</p> <p>The Commission within the period was invited to make presentation to the Inter-Ministerial Committee</p> <p>Challenges</p> <ul style="list-style-type: none"> <li>Inter-Ministerial Implementation Committee awaits further directives on how to restructure the contract.</li> </ul>