

FOR ABIA STATE PUBLIC-PRIVATE PARTNERSHIPS

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EXECUTIVE SUMMARY

The Abia State Public-Private Partnership (PPP) Disclosure Framework establishes a clear and practical approach for making critical information about PPP projects available to the public and relevant stakeholders. It reinforces the government's commitment to transparency, accountability, and effective governance in infrastructure and service delivery.

This framework derives its legal mandate principally from the **Abia State Public-Private Partnership and Investment Promotions Law (2015)**. Specifically:

- **Section 17(7)** empowers the contracting authority to ensure that all relevant project information is made available to stakeholders in a transparent manner.
- **Section 18(16) and (20)** mandate disclosure of project agreements, key decisions, and performance reports to guarantee accountability throughout the PPP lifecycle.
- Section 35(c) vests in the Abia State PPP Council the authority to establish regulatory frameworks and issue regulations consistent with the provisions of the Law, which directly supports the institutionalization of disclosure practices.

The framework is harmonized with other State-level legislation, including the **Public Procurement Law (2012)** and the **Fiscal Responsibility Law (2012)**, which collectively reinforce principles of openness, competitive bidding, and fiscal discipline in public finance management. The Freedom of Information Act (2011), being federal legislation applicable in Abia State, strengthens citizens' rights to access information, thereby complementing the disclosure obligations of the State.

The document is structured around the PPP project lifecycle and includes:

Section 1: Introduction

Section 2: Disclosure Guidelines – Detailed instructions outlining *what, when, and how* to disclose project information across all stages of the PPP lifecycle, including identification, procurement, contract signing, implementation, and project closeout. It also defines responsibilities, timelines, and confidentiality considerations.

Annexures:— These include standardized instruments designed to promote consistency, accountability, and transparency in disclosure practices.

- Annex 1: Disclosure Checklist by Project Stage
- **Annex 2:** Roles and Responsibilities Matrix
- **Annex 3:** Templates for Disclosure Standard formats for presenting project data, contract summaries, financial details, performance updates, and impact evaluations.
- **Annex 4:** Sample Contractual Clauses Model provisions incorporating disclosure obligations into PPP contracts to ensure compliance by all parties.
- **Annex 5:** Confidentiality Review Procedure Steps for assessing and managing confidential information before public disclosure.

Annex 6: Disclosure Portal Requirements – Specifications for uploading, managing, and updating project information on the PPP disclosure platform.

The framework prioritizes proactive and timely disclosure, recognizing that transparency not only strengthens public trust but also enhances investor confidence and accountability. It also emphasizes the importance of using modern digital platforms such as a centralized disclosure portal while ensuring compliance with confidentiality and data protection standards.

By implementing this framework, Abia State aims to set a benchmark for good governance in PPPs, promoting sustainable partnerships that deliver economic growth, social benefits, and long-term value for its citizens.

1. INTRODUCTION

1.1 Background

The Government of Abia State recognizes that transparency, accountability, and public participation are fundamental to successful Public-Private Partnership (PPP) projects. The disclosure of key information throughout the PPP lifecycle is critical for building public confidence, enhancing oversight, and ensuring that PPPs deliver value for money and long-term socioeconomic benefits.

This Disclosure Framework is designed to provide clear guidance on the systematic release of information at every stage of PPP project development and implementation. It is tailored to the unique legal and institutional context of Abia State. It complements the **Abia State PPP Policy and Manual (2025)**, which provides the overarching governance framework for PPPs in the State.

This document also supports Abia State's commitments under the **State Action on Business Enabling Reforms (SABER)** program and aligns with the principles of the **Open Government Partnership (OGP)** initiative.

1.2 Purpose of this Document

The purpose of this framework is to:

- Establish a standard approach for proactive and structured disclosure of PPP information.
- Promote accountability by ensuring that both public authorities and private partners adhere to transparent reporting standards.
- Improve decision-making by making project information readily available to policymakers, investors, and the public.
- Foster stakeholder confidence in PPP processes and outcomes.

This framework serves as a practical guideline for all Ministries, Departments, and Agencies (MDAs), the Abia State Public-Private Partnership and Investment Promotions Office (ASPPPIPO), and other stakeholders involved in PPP projects.

1.3 Legal and Policy Basis

The disclosure obligations outlined in this document are derived from the following laws, regulations, and policy instruments:

- Abia State Public-Private Partnership and Investment Promotions Law (2015).
- Abia State Fiscal Responsibility Law (2012).
- Abia State Debt Management Office Law (2020).
- Abia State Public Procurement Law (2012).
- State Audit Law (2021).
- Freedom of Information Act (2011) (Federal Law applicable in Abia State).
- Public Finance (Control and Management) Law of Abia State.
- Nigeria Data Protection Regulation (NDPR) and NITDA Data Protection Guidelines.

Abia State PPP Policy and Manual (2025).

These laws collectively provide the legal foundation for information disclosure, define the responsibilities of government institutions, and protect sensitive or confidential information.

1.4 Alignment with Global and National Standards

This Disclosure Framework is aligned with:

- The World Bank PPP Disclosure Diagnostic Methodology.
- The Open Contracting Data Standard (OCDS) for structured information disclosure.
- The Infrastructure Concession Regulatory Commission (ICRC) Act (2005) and associated Federal PPP guidelines.
- National climate adaptation and mitigation objectives, including Nigeria's Nationally Determined Contributions (NDCs) and the National Climate Change Policy (2021-2030).

1.5 Scope and Applicability

This framework applies to all PPP projects initiated, planned, or implemented by the Abia State Government and its Agencies. It covers the full PPP lifecycle:

- 1. Project Identification and Development.
- Procurement and Bidding.
- 3. Contract Award and Signing.
- 4. Construction and Operations.
- 5. Performance Monitoring and Project Closeout.

Both solicited and unsolicited proposals are covered, ensuring that disclosure requirements are uniformly applied across all PPP initiatives.

1.6 Structure of the Document

This document is organized into the following sections:

- Section 1: Introduction.
- **Section 2**: Disclosure Guidelines (what, when, and how to disclose, including responsibilities, timelines, and confidentiality rules).
- Annexures: Supporting checklists, tables, and detailed disclosure timelines.
 - Annex 1: Disclosure Checklist by Project Stage
 - Annex 2: Roles and Responsibilities Matrix
 - **Annex 3: Templates for Disclosure**
 - **Annex 4: Sample Contractual Clauses**
 - **Annex 5: Confidentiality Review Procedure**
 - **Annex 6: Disclosure Portal Requirements**

2. DISCLOSURE GUIDELINES

2.1 Introduction

The Disclosure Guidelines outline the principles, processes, and standards for the publication of PPP information throughout the project lifecycle. These guidelines ensure that the public, investors, and oversight bodies have access to reliable, timely, and relevant information on all PPP activities.

2.2 Application

The guidelines apply to:

- All PPP projects implemented or proposed under the Abia State Government.
- All MDAs involved in PPP transactions, including contracting authorities and oversight agencies.
- All project stages: project identification, development, procurement, contract signing, implementation, and closeout.

2.3 Specific Disclosures

Information must be disclosed at each stage of the PPP cycle:

1. Project Identification and Development

- a) Project concept notes and feasibility/pre-feasibility studies.
- b) Outline Business Case (OBC) summaries.
- c) Environmental, Social, and Climate Screening Assessments, including Greenhouse Gas (GHG) emission estimates and alignment with Nigeria's Nationally Determined Contributions (NDCs).
- d) Stakeholder consultation reports and related feedback documentation.

Timeline - within 30 days of approval (see Annexures 1 of this Framework),

2. Procurement Stage

- a) Procurement notices (EOI, RFQ, RFP).
- b) Evaluation criteria, prequalified bidder lists.
- c) Award notices with justifications.

Timeline -

- EOI/RFQ/RFP: on issuance date.
- On issuance date and Award: within 30 days.

3. Post-Contract Signing

- a) Contract summaries, redacted agreements.
- b) Full Business Case (FBC) summaries.

c) Financial structure, risk allocation matrix.

d) KPIs, payment mechanisms.

Timeline: within 21 days of signing.

4. Implementation and Operations

- a) Construction milestone updates.
- b) Annual performance reports, audit summaries.
- c) Renegotiation logs.

Timeline: Annually, or within 30 days of milestone/renegotiation.

5. Closeout

a) Handover reports.

b) Post-project impact assessments (economic, social, environmental).

Timeline: within 30 days of completion.

6. Unsolicited Proposals

a) Objectives, costs, public interest rationale.

b) Feasibility study, evaluation summary.

Timeline: Within 30 days of acceptance decision.

Example: Aba Waste-to-Energy Plant

Objective: 5MW from 500t/day waste.

Proponent: Green Energy Ltd.

Rationale: Supports Nigeria's Net Zero 2060.

7. Climate Screening

a) GHG emissions estimates, mitigation measures.

- b) Adaptation strategies (e.g., flood resilience).
- c) Alignment with Nigeria's NDCs, Net Zero 2060.

Timeline: With project pipeline, updated annually.

2.4 Confidential Information

Certain information shall be deemed confidential if it involves trade secrets, proprietary data, or information protected under applicable laws. In alignment with Section 17(3) and Section 18(16) of the Abia State PPP Law, the Office is empowered to obtain and manage sensitive data relevant to its functions, including investment opportunities and technical project details.

To strengthen confidentiality safeguards, the following elements shall also be considered confidential and excluded from public disclosure:

- a. Bids or proposals submitted by bidders: These contain commercially sensitive information, pricing strategies, and technical solutions that, if disclosed prematurely, could compromise competitive fairness and violate intellectual property rights.
- **b. Technology relating to the security of the State**: This includes infrastructure designs, operational protocols, or digital systems that, if exposed, could pose risks to public safety or national security.

All confidentiality claims must be reviewed and approved by the Abia State Public Private Partnership and Investment Promotions Office (ASPPPIPO). A public summary of the non-sensitive aspects of such information shall be provided to ensure transparency without compromising security or commercial integrity.

2.5 Method of Disclosure

In accordance with the principles of transparency, public accountability, and inclusive governance, the Abia State Public Private Partnership and Investment Promotions Office (ASPPPIPO) shall ensure that all relevant PPP information is disclosed through accessible and reliable channels.

The following platforms shall be used for public disclosure:

- Official ASPPPIPO website and a dedicated PPP disclosure portal: A centralized digital hub for publishing project details, concession agreements, procurement notices, performance reports, and investor guidelines.
- **Abia State e-Procurement platform**: For publishing procurement-related PPP documents, including expressions of interest, bid evaluations, and contract awards.
- Official press releases and newsletters: Distributed through ABS TV, BCA Radio, local newspapers, and community bulletins.
- **Multilingual and accessible formats**: Including Igbo translations, Braille, and audio formats to ensure inclusivity for persons with disabilities and non-English speakers.
- Physical notice boards in MDAs and Local Government offices: For grassroots-level dissemination of PPP opportunities and updates.

2.6 Responsibilities for Disclosure

1. Abia State PPP Implementation and Project Oversight Office (ASPPPIPO): Serves as the primary custodian of PPP information. ASPPPIPO oversees and coordinates all disclosure activities, manages the Abia State PPP Disclosure Portal, and ensures compliance with the transparency requirements of the PPP Law and this Framework. It

conducts periodic updates and reviews of project data, provides ongoing training and capacity-building to MDAs and private sector stakeholders, and appoints a dedicated Disclosure Officer to coordinate disclosure functions across institutions.

- Contracting Ministries, Departments, and Agencies (MDAs): Submit accurate and timely project data to ASPPPIPO for publication. All disclosures must comply with the 30day standard outlined in Section 2.3 and Annexures 1. MDAs are responsible for ensuring that project documentation is complete, validated, and submitted in the prescribed format.
- 3. **Abia State Bureau of Public Procurement (ABPP):** Integrates PPP-related disclosures with the State's procurement and contracting platforms, ensuring transparency and seamless public access to procurement information.
- 4. **Office of the Auditor-General:** Verifies the accuracy and completeness of financial and performance disclosures submitted by MDAs and private partners. This function supports fiscal integrity and reinforces public accountability.
- 5. Private Sector Partners: Submit Key Performance Indicators (KPIs), financial statements, and climate-related data in accordance with the Nigeria Data Protection Regulation (NDPR), 2019. Partners are required to cooperate fully with ASPPPIPO and the Contracting Authority to ensure timely submission and publication of all required information.
- 6. **General Public:** Engages through feedback mechanisms available on the PPP Disclosure Portal and Open Government Partnership (OGP) platforms. Public input contributes to participatory governance and continuous improvement of transparency standards.

2.7 Approval of Information for Publication

All information must be vetted by ASPPPIPO in collaboration with the contracting MDA to ensure compliance with legal, confidentiality, and quality standards before publication.

2.8 Standard Contractual Clauses

All PPP agreements shall include contractual provisions requiring proactive disclosure of key project and performance information. Sample clauses are provided in Section 2.

Additions:

Clause: Private Partner submits climate data (GHG emissions, mitigation) annually.

Clause: NDPR-compliant handling of personal data in disclosures.

ANNEXURES

Annex 1: Disclosure Checklist by Project Stage

PPP Lifecycle	Disclosure Items	Responsible	Corrected Timeline	
Stage		Party		
Identification and Development	- Project concept notes - Outline Business Case (OBC) summaries - ESIA/Climate screening	Contracting MDA, ASPPPIPO	Within 30 days of approval	
	reports (GHG emissions, NDC alignment) - Stakeholder			
Dua avvua va a va t	engagement records	ACDDDIDO	Disales was assisted weithin	
Procurement	 EOI/RFQ/RFP notices Evaluation criteria Shortlist of prequalified bidders 	ASPPPIPO, ABPP	IPO, Disclosure required within 30 days	
Dest October	- Bid award notice	0 1 1	\\\(\frac{1}{2}\)	
Post-Contract Signing	- Contract summary - Risk allocation matrix - Financial structure - Key Performance Indicators (KPIs)	Contracting MDA, ASPPPIPO	A, signing	
Implementation	- Annual performance	Private	Annually, or within 30 days	
and Operations	reports	Partner,	of	
	- Financial audit	Contracting	milestone/renegotiation	
	summaries	MDA		
	- Construction/milestone			
	updates - Renegotiation logs			
Closeout	- Project handover reports	Contracting	Within 30 days of project	
Globboat	- Post-project evaluation	MDA,	completion	
	(economic, social,	ASPPPIPO		
	environmental impacts)			
Unsolicited	- Project objectives	ASPPPIPO	Within 30 days of	
Proposals	- Estimated costs - Public interest		acceptance	
	justification			
	- Feasibility study			
	- Evaluation summary			
Climate	- GHG emission	Contracting	With project pipeline,	
Screening	estimates	MDA, Private	updated annually	
	- Mitigation measures	Partner		
	- Adaptation strategies			
	(e.g., flood resilience) - Alignment with Nigeria's			
	NDCs and Net Zero 2060			

Annex 2: Roles and Responsibilities Matrix

Entity	Key Roles in Disclosure
ASPPPIPO	Coordinates all PPP disclosures, validates information, manages the disclosure portal
Contracting MDAs	Submit accurate data within 30 days, ensure climate screening
ABPP	Oversees procurement-related disclosures and integrates PPP data into e- procurement systems
Auditor-General	Validates financial and performance disclosures, ensures accuracy
Private Partners	Provide reports, cooperate on data sharing, mark confidential information appropriately
Public	Engage via portal, OGP forums, town halls

Annex 3: Templates for Disclosure

Project Identification and Development

Template A: Project Information Sheet	
Field	Details
Project Name	[Enter Project Name]
Sector	[e.g., Transport, Energy, Health]
Location (LGA/City)	[Specify location]
Implementing MDA	[Name of MDA]
Project Objectives	[Brief description]
Estimated Cost	[Amount in Naira/USD]
Expected Outcomes	[Key expected benefits]

Template B: OBC Summary	
Field	Details
Financial Analysis	[Key metrics and projections]
Risk Assessment	[Major risks identified]
Value-for-Money Analysis	[Summary of findings]

Template C: Environmental, Social, and Climate Screening	
Field	Details
Key Findings	[Summary of ESIA/Climate assessments]
Mitigation Measures	[Key mitigation plans]
Alignment with Climate Goals	[Details of alignment with NDC or climate policy]

Template D: Stakeholder Engagement Report	
Field	Details
Consultation Dates	[List consultation sessions]
Key Stakeholders	[Names/Groups consulted]
Feedback and Resolutions	[Summary of issues and resolutions]

Procurement Stage

Template E: Procurement Notice	
Field	Details
Notice Type	[EOI/RFQ/RFP]
Issuance Date	[Date]
Submission Deadline	[Date]
Eligibility Criteria	[Brief summary]

Template F: Evaluation Summary	
Field	Details
Evaluation Criteria	[Criteria applied]
Scoring Summary	[Scores of bidders]
Selection Rationale	[Reason for selection]

Template G: Bid Award Notice	
Field	Details
Award Date	[Date]
Successful Bidder	[Name]
Contract Value	[Amount]
Justification	[Brief rationale]

Post-Contract Signing

Template H: Contract Summary Sheet	
Field	Details
Project Scope	[Summary of scope]
Contract Duration	[Years]
Risk Allocation	[Summary of risk allocation]
Key Performance Indicators	[List of KPIs]
Payment Mechanisms	[Details]

Template I: Commitments	Government	Support	and	Financial	
Field					Details
Type of Support					[Grant/Guarantee/Subsidy]
Amount					[Amount]
Conditions					[Summary of terms]

Implementation and Operations

Template K: Annual Performance Report	
Field	Details
Reporting Period	[Year]
Performance Metrics	[KPIs achieved]
Operational Challenges	[Summary]
Corrective Actions	[Plans/Measures]

Template L: Financial Audit Summary	
Field	Details
Auditor Name	[Name]
Audit Period	[Period]
Key Findings	[Summary of findings]

Compliance Status	[Compliant/Non-compliant]

Template M: Construction/Milestone Progress Tracker	
Field	Details
Milestone Name	[Name of milestone]
Target Completion Date	[Date]
Actual Completion Date	[Date]
Status	[Completed/In-progress]

Template N: Renegotiation Log	
Field	Details
Date of Renegotiation	[Date]
Contract Changes	[Summary]
Reason for Change	[Explanation]

Closeout

Template O: Project Handover Report	
Field	Details
Handover Date	[Date]
Final Deliverables	[List of deliverables]
Lessons Learned	[Summary]

Template P: Post-Project Impact Assessment	
Field	Details
Impact Area	[Economic/Social/Environmental]
Assessment Findings	[Summary]

Annex 4: Sample Contractual Clauses

TRANSPARENCY AND DISCLOSURE CLAUSE

Clause 1: Disclosure of Project Information

- The Private Partner shall provide all non-confidential project information required by the Contracting Authority and ASPPPIPO for public disclosure, including project scope, KPIs, financial commitments, and risk allocation details.
- All information shall be submitted in the formats provided in Annexures of this Framework.

Clause 2: Confidential Information

- Any information marked as confidential by the Private Partner must be accompanied by a written justification, referencing applicable laws (e.g., trade secrets or intellectual property protections).
- ASPPPIPO reserves the right to review and approve confidentiality claims and to disclose redacted summaries where appropriate.

Clause 3: Frequency and Timeliness of Disclosure

- The Private Partner shall submit performance and financial reports to the Contracting Authority at intervals defined in the PPP agreement (minimum annually).
- Any material change in project terms, financial status, or key milestones must be reported within 30 days of occurrence.

Clause 4: Public Access and Publication

To ensure consistency, accuracy, and compliance with the Disclosure Framework, the PPP Office shall serve as the primary custodian of all PPP-related information.

The PPP Office shall be formally mandated to:

- Oversee and manage the Abia State PPP Disclosure Portal
- Ensure full compliance with the PPP Law and Disclosure Framework
- Conduct regular updates and systematic reviews of project data
- Deliver ongoing training and capacity-building programs for MDAs and private sector stakeholders
- Appoint a dedicated Disclosure Officer to coordinate and monitor disclosure activities across institutions

The Private Partner shall cooperate fully with the Contracting Authority to ensure timely and accurate submission of all required information in accordance with the provisions of the Framework.

PERFORMANCE REPORTING CLAUSE

- The Private Partner shall provide detailed performance data against defined Key Performance Indicators (KPIs), including service levels, operational efficiency, and financial performance.
- Failure to provide timely and accurate performance reports will constitute a breach of contract and may result in financial penalties or suspension of payments.

AUDIT AND VERIFICATION CLAUSE

- The Private Partner shall allow independent auditors appointed by the Contracting Authority or ASPPPIPO to review all financial and performance records relevant to the PPP project.
- The audit reports and summaries shall be disclosed in accordance with Annexure templates and made publicly available.

RENEGOTIATION AND CONTRACT AMENDMENTS CLAUSE

- Any renegotiation of contract terms must be documented and disclosed within 30 days, including a summary of changes and their rationale.
- Significant amendments that alter the financial, operational, or risk-sharing structure of the project must be accompanied by an updated disclosure package.

COMPLIANCE CLAUSE

- The Private Partner acknowledges that transparency and disclosure are critical to the success of the PPP and agrees to comply with all requirements outlined in this Framework.
- Persistent failure to comply with disclosure obligations will trigger contract review, potential penalties, or termination.

Annex 5: Confidentiality Review Procedure

- 1. Private Partner submits request for confidentiality with supporting justification (e.g., trade secrets per **FOI Act, 2011**, Sections 14–15).
- 2. ASPPPIPO reviews and determines validity in line with FOI Act and state laws.
- 3. Redacted document and public summary prepared for disclosure.
- 4. Confidentiality status reviewed bi-annually.

Annex 6: Disclosure Portal Requirements

- Centralized, web-based platform managed by ASPPPIPO.
- Mobile-friendly, user-friendly dashboards for accessing project data.
- Machine-readable formats (Excel, CSV) for datasets.
- Integrated with Abia Open Contracting Portal.
- Multilingual (English, Igbo), accessible formats (Braille, audio).
- Regular updates and public notifications for new disclosures.

