



Association for the Improvement
of American Infrastructure

P3 Snapshot: **New Hampshire**

SUMMARY OF P3 LEGISLATIVE STATUS:

Transportation enabled.

1. Does this state have broadly enabling P3 legislation?
P3-enabling authority is specifically focused on transportation.
2. Does the state allow for **Unsolicited Proposals**?
Statutory authority does allow for the submission of unsolicited proposals, and review in accordance qualification criteria and evaluation standards.
3. What is the state's **P3 Review Process**?
There is a general framework for P3 contracts and a process for the submission and evaluation of qualifying, eligible projects and forms to enable bidders to comply with the requirements, including terms and conditions, as outlined in solicitation documentation.
4. Does the state have a **Centralized Agency** dedicated to P3?
There has been established a public-private partnership transportation infrastructure oversight commission to recommend and advise on requests for P3 proposals.
5. Is this a **Home Rule state**, with limitations or opportunities for P3?
New Hampshire employs Dillon's Rule; which allows the state legislature to control local government structure, methods of financing its activities, procedures and authority.
6. Does this state have programmatic requirements for P3 participation (ie MWDBE or labor)?
In accordance with Federal funding guidelines, procurement processes in New Hampshire ensure compliance with provisions for DBE participation. Miller Act compliance mandates payment and performance guarantees for public works.
7. Are P3 projects in this state eligible for other financing programs?
Qualified projects are eligible for funding and financing support of state transportation projects, including other states who might participate in a project, as well as private investment capital. This includes RRIF, TIFIA and PABs, as applicable.
8. What Projects or Asset Classes are eligible for P3 in this state?
Eligible projects include those which would otherwise be approved as part of the state's 10-year transportation improvement program.
9. Are there Projects where the P3 procurement method has been applied?
According to Governor Maggie Hassan, the P3 Law is expected to play an important role in advancing New Hampshire's transportation goals, including, among other projects, bringing commuter rail from Boston to Nashua and Manchester, New Hampshire.
10. What is the legislative foundation for P3s in this state?
New Hampshire Senate Bill 549, 2016 established AN ACT relative to public-private partnerships for transportation infrastructure projects and establishing the public-private infrastructure oversight commission.

D: Design | **B:** Build | **F:** Finance | **O:** Operate | **M:** Maintain