



## Director's Office

One Capitol Hill | Providence, RI 02908 | (401) 222-2280

Jonathan Womer, Director

March 13, 2025

The Honorable Representative Evan Shanley  
Chairperson, House Committee on State Government & Elections  
Rhode Island House  
82 Smith Street  
Providence, RI 02903

**Re: House Bill No. 5870– An Act Relating to Public Property and Works – State Purchases**

Dear Chairperson Shanley,

Thank you for providing the Department of Administration (The Department) the opportunity to submit comments in response to House Bill No. 5870, which defines public-private partnerships and legislates a process for the State to enter into agreements to establish public-private partnerships.

Public-private partnership agreements give the State another innovative method of contracting for the development of new state-owned physical assets. The State's current portfolio of owned assets is aging and increasingly expensive to rehabilitate or replace. At the same time, the demand for new developments to bolster the State's infrastructure continues to challenge shrinking capital budgets. This proposal formalizes the State's ability to deliver high-quality projects that meet demand at potentially lower costs, both for construction and ongoing operations and maintenance.

Public-private partnership agreements work when incentives between the respective partners are aligned. Critically, the private partner in any agreement must share in the long-term risk associated with the project. A byproduct of this risk-sharing is the mutual interest in controlling costs and maintaining quality. This benefits the State - and the public - as the payer and the user, as well as the owner, of the asset. The private partner must also respect the State's plan to consider project labor agreements for any associated construction work, as well as acknowledge the Privatization of State Services Act as stated in R.I. Gen. Laws Chapter 42-148.

The long-term nature of the public-private partnership agreements requires responsible oversight throughout the process. The schema established by the legislation is careful to vet the appropriateness of this type of contracting method compared to others that could be considered. Among other important protections, any project contemplating a public-private partnership will require justification from a subject-matter expert to validate the economic and operational rationale. Further, detailed plans for financing, operations, and oversight practices will need to be included in any proposal. Making this method of contracting endemic to the State's existing procurement practices embeds more oversight while alleviating additional friction that could further delay projects, adding time and cost to delivery.



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This legislation reflects a responsible and effective method to contract public-private partnerships in the best interest of the State's financial and infrastructure needs and formalizes a procurement mechanism that the state has used in times past.

The Department appreciates the opportunity to share our support for this legislation with the Committee. If there are any questions, please feel free to contact my office at your convenience.

Sincerely,

Jonathan Womer  
Director, Department of Administration

cc: The Honorable Members of the House Committee on State Government & Elections  
The Honorable John G. Edwards  
Nicole McCarty, Chief Legal Counsel to the Speaker of the House  
Lynn Urbani, Director of House Policy  
Steven Sepe, Committee Clerk