

# **Making the convergence between public and private succeed**

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## 1. Introduction<sup>1</sup>

In the public sector services are rendered not only by the government or public services that have been privatized to varying degrees, but also by private parties or by a combination of public and private organizations. In this paper we focus on combined public-private arrangements.

### 1.1 Public-private arrangements

We will review three types of public-private arrangements:

- partnerships between public and private parties and *PPP constructions*
- public-private arrangements within *hybrid organizations*
- partnerships between public and private parties in *policy chains*.

We will discuss various factors for successful partnerships between public and private parties in each arrangement. At the end of the paper, we will reach some general conclusions about success factors that are relevant for every public-private convergence.

### 1.2 Structure, process and culture

We have subdivided these success factors according to

- *Structure*: legislation and regulations
- *Process*: decision-making rules, organizational procedure, operating agreements, partnership formats, distribution of responsibilities
- *Culture*: leadership, “chemistry” between team members.

The distinction between structure and process is not very rigid. “Process” essentially concerns a decision by the organization. The decision by an organization to apply specific internal rules or a certain organizational structure constitutes the process features.

### 1.3 Sources

The paper is based in part on the findings in several Netherlands Court of Audit reports and background studies.

- PPP constructions: the background publication “Belemmerende en bevorderende factoren PPS” to the report “Nieuwe financiële instrumenten in PPS” (2002). This is a meta-study about success and failure factors in PPPs. This background study includes a chart of literature and studies about success and failure factors for projects involving public-private partnerships in the Netherlands.
- Hybrid organizations: “Publiek ondernemerschap; toezicht en verantwoording bij publiek-private arrangementen” (2005). This report addresses the value that market activities may add to public service organizations.

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- Policy chains: this study will be published in 2007. This paper is based on the results of a quick scan of literature about success and failure factors in chains that was performed prior to the research.

## 2. Methodological observations

The paper is a preliminary step toward a systematic comparison of success factors among different types of public-private arrangements. We have written this paper in the hope of discovering whether the success factors in the various public-private arrangements differ substantially or in fact closely resemble one another.

We have two methodological observations about this comparison:

- “Success” varies between the three types of public-private arrangements (see Paragraph 3 and below). The success factors will therefore vary as well. Nonetheless, a comparison is worthwhile, as we believe it will offer a preliminary impression as to whether – regardless of the specific type of “success” – success is primarily about structure, process or culture.
- “Public-private partnerships” and “policy chains” involve partnerships *between* public and private parties, while hybrid organizations involve public-private activities and financing *within* organizations. These variables might seem impossible to compare. Comparing them is indeed worthwhile, however, because we believe that each of the three cases concerns a “market logic” that correlates with a “public logic” (performing a public service). This coincidence may add value only under certain conditions (success factors). Considered from this perspective, comparing the cases is indeed possible in our view.

## 3. Public versus private

Before discussing the substantive outcome of the Court of Audit studies, we will describe briefly the concepts of “public” and “private”.

The terms “public” and “private” lend themselves to various interpretations and may concern different dimensions. Overall, “public” and “private” can be described according to at least seven dimensions (see Table 1).

**Table 1 Dimensions of public and private**

	Dimensions	“Public”	↔	“Private”
1	Legal format	Public law	↔	Private law
2	Ownership	100% government	↔	100% private
3	Autonomy <sup>2</sup>	Dependent	↔	Independent

<sup>2</sup> With respect to democratic representative bodies.

4	<b>Duties/operations</b>	Legal duties (formal)	↔	Market forces
5	<b>Financing</b>	100% government	↔	100% market
	<b>Funding</b>	100% through public funds (government budgets, tariffs and premiums)	↔	100% private
6	<b>Market environment</b>	Monopoly	↔	Full competition
		Supply driven	↔	Demand driven
7	<b>Value orientation</b>	Collective interest	↔	Commercial interest

Public and private are defined differently in each dimension, as the scales indicate. Public-private arrangements may thus “score” differently on each of these dimensions: more public on one dimension, more private on others. Public-private links occur on all dimensions in this article.

## 4. Public-private partnerships (PPPs)

### 4.1 What are PPPs?

Public-private partnerships (PPPs) are partnership arrangements in which the government and corporate industry realize a project together, without compromising their respective identities and responsibilities and based on a clear division of duties and risks. The partnership is expected to yield added value: a superior final product at the same cost or an equivalent final product at a lower cost. Both parties may benefit: in addition to corporate industry obtaining new opportunities on a growing market, corporate industry may contribute to a commercially attractive project; the government generates prospects for superior quality and reduced project costs (Ministry of Finance: PPP knowledge centre).

### 4.2 Analysis of studies about PPPs

Between 1998 and 2002, several studies and analyses were published about success and failure factors in public-private partnerships. We have inferred several success factors for PPPs from the studies performed during this period, supplemented by a few documents from 2005 and 2006. In this paper we settle for the general impression arising from our analysis of these documents.<sup>3</sup>

### 4.3 Success factors

#### Structure

<sup>3</sup> An annex comprising the documents analysed and the notes about each document is available from the authors.

Analysing success and failure factors in PPP constructions reveals that structure features (legislation and regulations) are hardly regarded as contributing to or impeding successful PPPs.

European tender regulations are an exception in this respect. They are considered to be impediments and may present an obstacle to a successful PPP. In a successful PPP, parties need to exchange ideas with each other as early as possible about how to plan, execute and manage a project. The European tender directives make uncertain whether private parties may compete to execute the project in addition to thinking about the planning stage. As a result, thinking about the planning stage entails a risk for private parties.

## Process

By far the most success factors mentioned in the literature concern the process, that is to say the procedures, agreements and organization behind (bringing about) PPP constructions. The box below lists some examples of process-related success factors that we encountered in the literature we examined.

### *Process: PPP success factors*

- good direction or commissioning from the government
- restricted scope and limited number of parties involved in the partnership
- clear distribution of duties and risks in agreements and contracts
- coordination and harmonization *between* public parties prior to teaming up with a private party
- process architecture is designed on time, with consideration for democratic decision-making processes
- mutual dependence on the parties concerned
- clear, common objectives
- a comprehensive approach
- firm public-public agreements about ambitions and available financial means
- plans that are not excessively elaborate and accommodate innovation and creativity
- risks visualized from the project perspective, rather than from the actor perspective
- contracts with built-in incentives
- long-term commitment and less individual policy discretion.

## Culture

The literature also addresses several culture-related success factors: “chemistry” between concerned individuals, an enthusiastic driver, mutual trust, willingness to “give and take” etc. The box below lists some examples of culture-related success factors.

### *Culture: PPP success factors*

- conflict between public and private values
- presence of an enthusiastic “driver”
- personal “chemistry” between those involved
- mutual trust
- straightforward government stand.

In the literature the lists of success factors are significantly longer and more elaborate than those of failure factors. This is remarkable, since, given the number of national PPP projects

that does not materialize, a considerable number of impediments must be encountered as well.

## **5. Hybrid organizations: public-private organizations within an organization**

### **5.1 What are hybrid organizations?**

In hybrid organizations, public and private are intertwined *within the organization*. They may be combined in:

- a *person*: such as a professor or medical specialist with additional duties
- an *organization*: such as universities or polytechnics offering contract research and instruction.

Our focus is primarily on *organizations* combining a public service and public financing with private income and commercial activities. In keeping with the Netherlands Court of Audit (2005a), hybrid organizations entail “sustained and organized convergence of (public) duties and (commercial) market operations and related public and private flows of money.”

### **5.2 Success factors**

In 2005 we conducted a study at three hybrid organizations (a regional training centre, a university medical centre and a knowledge institute) and measured the “added value” of market activities for each organization.

Within and outside the Netherlands, a wealth of literature addresses the expected added value of hybridity, although empirical studies examining the actual added value remain very rare. The Netherlands Court of Audit investigation was one of the first systematic assessments of the actual added value. In this case we are thus unable to refer to previous studies about success factors.

In the Court of Audit investigation, four types of added value were identified:

- financial added value: do market operations generate money?
- added value for public services: do market forces improve public services?
- cultural added value: is hybridity conducive to an optimal mix of a “public culture” and a “culture of entrepreneurs”?
- social added value: is hybridity conducive to a positive social effect? (such as greater innovative power of society)

The investigation comprised several research questions, of which one examined the measure of added value. The reasons why added value did or did not materialize were explored in the investigation as well.

### **Structure**

The investigation revealed that the authorities are at times insufficiently clear about “space” and “direction”. This means that the market activities in which institutions are allowed to engage, or which they are prohibited from performing are not always stipulated. Nor do the

authorities always state clearly the added value that market activities should generate for public and private parties. The “space” granted by the authorities for entering the market determines *whether* market activities may be launched but is not a success factor. Institutions use such space in very different ways. The financial added value at regional training centres, for example, ranges from heavily negative (loss-making market activities) to slightly positive. Nor is the “direction” aspect a success factor in its own right, although it is important for being *able* to determine success or failure. The authorities may provide space, but unless the targets of these market activities are clear (direction), determining whether they are successful is impossible.

### **Process**

In the institutions we examined, positioning of market activities was an important aspect: did public and private exist in separate private limited companies (BVs) or not? The first arrangement presented the risk that the private branch would exist autonomously, and that knowledge and proceeds would not benefit the public branch. And this was exactly what happened at one of the institutions examined. At regional training centres and university medical centres, though, cases exist where although core operations are separate from market activities, staff members work for both the private and the public branch and thus exchange knowledge with others. Where public and private are not channelled through separate entities, added value is more likely, as is the chance that public funds are diverted to loss-making private activities.

The extent to which market activities relate to the core business of the organization is another process-related aspect. Market activities unrelated to the industry will generate little substantive added value and will at best be financially beneficial.

The investigation revealed that each type of added value (financial, cultural, social and added value for public services) requires separate process guarantees. Achieving *financial added value*, for example, requires accommodating market demand. Financial arrangements enabling parties to raise borrowed capital will increase opportunities for new – high-risk – investments. Financial constructions that are attractive from the perspective of market activities (e.g. borrowing and investing) may in fact be very risky from the public service perspective. *Cultural added value*, cross-fertilization of public and private orientation, primarily requires knowledge exchange and close partnerships in multidisciplinary teams. *Social added value* depends on still other success factors. With this type of added value, new products and services developed within a hybrid organization need to be channelled into society. *Added value for public services* (with respect to regional training centres: good education and providing students well-prepared for the job market) calls for – focused on the

school system – good teachers and good connections/contacts with local and regional corporate industry.

## **Culture**

Interviews with staff members and managers revealed that at each of the three organizations examined, the management focused on financial added value. Staff members were highly dedicated to public service, valued public working conditions and were less intent, for example, on “cashing in on” new ideas. Placed in a slightly controversial light, one might say that success has a different meaning for the staff members than it does for the managers.

In addition, orientation toward public service corresponds primarily with calm, continuity and predictability. With market activities, on the other hand, “innovation”, “risk taking”, “coping with uncertainty”, “flexibility” and “cashing in” are key concepts.

And the jury is still out on whether innovation thrives best in public or private settings, even for hybrid organizations in the knowledge industry (such as universities).

## **6. Policy chains**

### **6.1 What are policy chains?**

A policy chain, according to the Ministry of the Interior and Kingdom Relations (BZK, 2003), is a partnership arrangement between parties that are both independent from and dependent on each other, because they perform successive operations, focused on a separate target. In arranging and coordinating activities, the parties keep their “eye on the ball”: clients that experience the “primary process”, consecutive steps in services.

A chain thus comprises several parties: the chain partners. The vertical ones are the State, provinces, municipalities and – public and private – institutions; the horizontal ones are organizations in fields such as welfare, education and justice. These institutions may in turn be public (at all levels) and/or private. Overall responsibility rarely rests with a single organization. The partners in the chain are often separate organizations with their own duties, areas of competence and responsibilities. At the same time, they cannot perform their chain duties without one another.

### **6.2 Analysis of studies about chains**

The Netherlands Court of Audit is presently conducting a preliminary study for a future investigation into the performance of chains. This investigation is intended to examine in depth the observation in the comprehensive Court of Audit study “Tussen beleid en uitvoering” (Netherlands Court of Audit, 2003) that implementing policy in chains often compromises the quality of this process.

The preliminary study includes identifying success and failure factors for chains based on prior research. A quick scan has been performed to this end on selected internal reports, departmental reports and scholarly literature.

The main sources appear in the list of sources.

Please note that the quick scan results have *not* yielded an exhaustive list of success and failure factors for chains.

### **6.3 Success factors**

#### **Structure**

One success factor for good production through a chain is to identify clearly *which service or product* the chain should yield, and which quality standards need to be met. Objectives formulated in legislation and regulations are often too vague. In the chain for mediating and reintegrating the unemployed, for example, the quality standards for customer service are unclear (Netherlands Court of Audit, 2004).

In some cases objectives are formulated for individual chain partners rather than for the chain as a whole, *and* chain partners are financed individually. In this case, separation of political responsibilities may complicate far-reaching coordination within the chain.

Differences in duties, areas of competence and responsibilities established by law often come into play as well. The *individual organization perspective* generally prevails here (Duivenboden *et al.*, 2000).

#### **Process**

Establishing a *straightforward principal-contractor relationship between the chain (the group of chain partners) and the government* may be a success factor for the problem stated in the previous paragraph. The principal (generally the public authorities) reaches a service agreement with a chain and allocates a chain budget to this end. The result is a chain liability, which imposes a chain responsibility on all partners (Van der Aa and Beemer, 2002). All partners thus have an incentive to deliver the chain services as effectively and efficiently as possible together.

*Direction and steering* are an important success factor within a chain. Operating a chain requires a chain director who provides leadership and feels responsible for having the chain produce a service or product (Netherlands Court of Audit, 2005b & BZK, 2003). The chain director's task is to reach binding agreements about partnerships and target services to be delivered by the individual chain partners and to monitor compliance with these agreements. Introducing *performance indicators along the chain* instead of assigning them to individual chain partners may facilitate monitoring the results of the chain (Netherlands Court of Audit, 2004).

## **Culture**

Having the parties forming the partnership adopt a *chain mindset* is a success factor (Van der Aa and Konijn, 2001). Chain partners need to become and remain aware of their role in the process and to realize their purpose. Both the chain as a whole and the individual chain partners need to consider the requirements, needs and areas of competence of clients or the target group.

Chains are perpetuated through *trust* (Boukaert *et al.*, 2003). Such trust is conditioned largely through organizational measures such as contracts, price agreements, formal rules and procedures and certification (Duivenboden *et al.*, 2000). The chain should be composed with regard to differences between chain partners, for example in views and organizational culture.

A *joint knowledge base or language* is another success factor for a fruitful chain partnership (Van der Aa and Beemer, 2002 & BKWI, 2004). Levels of training and expertise need to be synchronized among the chain partners. Encouraging learning may serve this purpose. Familiarize chain partners with the competencies of other partners. Visit each other and share knowledge development, capacity, ICT facilities and professionalization (InAxis, 2005).

## **6.4 Chain assessment instruments**

In March 2006 the British National Audit Office issued a report about public chains. This report introduces an instrument for chain partners to test whether the chain is ready to be delivered (“Are you ready to deliver?”) (NAO, 2006). The instrument is a questionnaire comprising twelve strategic questions. Having each chain partner complete this list and compare the completed questionnaires sheds light on the respective positions and views about the chain overall. Differences should then be accommodated in the chain design. This instrument thus facilitates early identification and resolution of obstacles in the chain.

Such an NAO instrument figures in the Dutch chain practice as well. In 2004, for example, the Bureau Keteninformatisering Werk en Inkomen devised a “*Ketenspiegel*” [chain mirror] (BKWI, 2004). The *Ketenspiegel* is an interactive resource (also a questionnaire) for making partnerships between CWI, UWV and municipalities more effective and assesses how chain partners relate to one another in eight different fields. This assessment provides a foundation for reaching SMART agreements with the chain partners to improve the partnership. Although it is designed specifically for the SUWI chain, this instrument may be useful for other chains as well.

## **7. Conclusions**

Finally, we will consider again whether the success factors in the different forms of public-private arrangements differ substantially from one another or are in fact very similar.

The inventory of success factors among PPPs, hybrid organizations and policy chains reveals that while *structure features* expressed through legislation and regulations are important, they do not intrinsically guarantee success. Clear laws and regulations circumscribing the scope of operations are more important with hybrid organizations than with PPPs or chains. Even with hybrid organizations, however, clear laws and regulations are essential for but do not guarantee success.

*Process features* (organizational procedure, operating agreements etc.) emerge as essential success factors in all public-private arrangements.

With PPPs and chains, the quest for ways of organizing in which the collective interest prevails over that of individual partners is one of the essential success factors.

*Culture* is another major determining factor in all public-private arrangements, although different culture elements also matter in the respective arrangements. With PPPs and policy chains, for example, “trust” is important, as knowing the “market culture” (flexibility, perception of profit and loss etc.) is with hybrid organizations and PPPs.

In all public-private arrangements, assigning hegemony (having a “director” or “leader”) appears to be important. The studies consulted do not elaborate on the features of such a director or the extent to which these criteria may be applied in recruitment. This is an interesting follow-up question in our view.

This outcome is irrelevant for the Netherlands Court of Audit, as it is for other policy researchers, because evaluating public-private arrangements reveals not only that laws and regulations are a success factor, but that process and culture features are as well.

## **8. Final observations**

The final two aspects to be considered in evaluating public-private arrangements are how to define success and failure, and how to quantify them.

### **8.1 What constitutes success and failure?**

In *Realistic evaluation*, Pawson and Tilly have argued that a realistic evaluator asks not so much why a measure or system works or does not work but wonders what works and for whom and under which conditions. Only once these questions have been answered, do Pawson and Tilly believe that knowledge relevant for the future will materialize.

Applying this insight to the public-private arrangements leaves the questions as to *who* will succeed or fail, *and the conditions* that constitute success and failure (i.e. which type of added value do we define as success?).

In PPP constructions, financial added value and gains in efficiency are usually listed as the most important targets, although perhaps a slightly reduced financial added value will enable more lasting and innovative solutions.

In the paragraph about hybrid organizations, we mentioned the different types of added value that hybridity may yield, and that different types of added value will have different types of success factors.

With respect to policy chains, we found that added value and related success factors for individual chain participants may conflict with added value and the corresponding success factors for the chain as a whole. The two perspectives call for different types of actions.

Different types of added value (“success”) may thus be at odds with one another and may have contradictory success factors. This makes determining in advance *which* type of added value is right for *whom* all the more important. The next step is to examine explicitly the conditions for these specific types of added value to arise (success and failure factors for that specific type of added value). Potentially conflicting success and failure factors need to be considered during the design stage.

## **8.2 Are success and failure quantifiable?**

Visualizing and quantifying “success” or “added value” is tricky. The problem may be the lack of a calibration point, or results that are difficult to quantify, as is the case with social added value. In recent years, however, various initiatives have been taken to quantify added value and to stipulate corresponding operating perspectives. We will describe a few for each public-private arrangement.

### **PPPs: the Public Sector Comparator and the Added Value Test**

The Public Sector Comparator (PSC) is an instrument that provides financial-economic insight into the pros and cons of a purely public or a public-private implementation procedure. The instrument helps structure arguments to facilitate decision-making.

The British National Audit Office (NAO) has argued that decisions regarding PPP projects (PFI) should never arise exclusively from a PSC-based comparison. According to the NAO, the PSC errs in its claim to great precision, as the underlying figures usually have a wide margin of error. The importance of the PSC findings should therefore not be exaggerated, especially because the “comparators” do not reflect non-financial factors relevant to the decision process. The NAO therefore cautions against absolute pronouncements about the target added value (Netherlands Court of Audit, 2002a).

Recently (April 2006), the Ministry of Finance’s PPP knowledge centre made the Added Value Test available. This test helps public authorities in deciding whether or not to team up with private parties on a specific project. The Added Value Test is a qualitative test that

reveals the potential added value (in terms of nature and scope) of a partnership, and which partnership model is to be applied in a certain situation. This last decision takes into consideration the practical opportunities and impossibilities associated with a given partnership model (see the PPP knowledge centre website).

**Hybrid organizations: visualizing social benefit**

The 2006 report “Weten en Renderen” lists 17 methods for depicting the social benefits of housing associations, ranging from a public value scorecard and benchmarking to storytelling methods (Deuten and De Kam, 2006). These methods may be applied in other fields as well. Several of these methods also address disclosure of the tension between different types of intended added value (e.g. the tension between financial services and social ones).

**Policy chains: performance indicators**

Committees comprising different chains and chain partners are already contemplating ways to quantify performance and effects of chains through formulating and introducing chain performance indicators. The Bureau Keteninformatisering Werk en Inkomen [work and income chain automation], which has devised several chain performance indicators (KPIs) for the SUWI chain, is a case in point (<http://www.bkwi.nl/content/view/39/45/>).

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