

By: Representative Weathersby

To: Public Property

HOUSE BILL NO. 1109

1 AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND  
2 ADMINISTRATION (DFA), ACTING ON BEHALF OF THE DEPARTMENT OF PUBLIC  
3 SAFETY, TO ENTER INTO AN AGREEMENT TO LEASE ALL OR ANY PORTION OF  
4 CERTAIN STATE-OWNED REAL PROPERTY IDENTIFIED AS THE MISSISSIPPI  
5 DEPARTMENT OF PUBLIC SAFETY HIGHWAY PATROL HEADQUARTERS FACILITY  
6 IN JACKSON, HINDS COUNTY, MISSISSIPPI, TO AN ENTITY SELECTED IN  
7 THE NEGOTIATION PROCESS BY DFA FOR PURPOSES OF REDEVELOPMENT AND  
8 FOR THE CONSTRUCTION OF A NEW MISSISSIPPI DEPARTMENT OF PUBLIC  
9 SAFETY HIGHWAY PATROL HEADQUARTERS FACILITY IN RANKIN COUNTY,  
10 MISSISSIPPI; TO REQUIRE DFA TO CONDUCT A NATIONAL ADVERTISING  
11 CAMPAIGN TO SOLICIT REQUESTS FOR PROPOSALS, SUBJECT TO THE  
12 AVAILABILITY OF FUNDS, AND TO ESTABLISH A DEADLINE FOR THE RECEIPT  
13 OF SUBMITTED PROPOSALS; TO REQUIRE DFA AND THE P3 REVIEW BOARD TO  
14 CONDUCT A PREPROPOSAL CONFERENCE; TO ESTABLISH THE MANNER FOR  
15 WHICH PROPOSALS MUST BE SUBMITTED AND COMPONENTS REQUIRED TO BE  
16 INCLUDED IN THE PROPOSALS; TO PRESCRIBE THE MANNER OF REVIEW FOR  
17 SUBMITTED PROPOSALS; TO REQUIRE DFA AND THE P3 REVIEW BOARD TO  
18 REVIEW AND CONSIDER ALL PROPOSALS; TO REQUIRE THAT CERTAIN  
19 PROCEDURES ARE TO BE FOLLOWED IN THE EVALUATION PROCESS; TO  
20 REQUIRE DFA AND THE P3 REVIEW BOARD TO EVALUATE AND RANK THE  
21 PROPOSALS AND MAKE RECOMMENDATIONS BEFORE ENTERING INTO A  
22 REDEVELOPMENT AND CONSTRUCTION AGREEMENT WITH A CERTAIN PRIVATE  
23 PARTNER, TO REQUIRE DFA AND THE P3 REVIEW BOARD TO SELECT ONE OR  
24 MORE PROPOSALS AND TO ENTER INTO NEGOTIATIONS WITH THE PRIVATE  
25 PARTNER OF THOSE PROPOSALS FOR THE LEASE AND REDEVELOPMENT OF THE  
26 PROPERTY; TO REQUIRE THAT CERTAIN NOTICE BE PROVIDED TO PRIVATE  
27 PARTNER CONCERNING THE REJECTION OR ACCEPTANCE OF PROPOSALS; TO  
28 REQUIRE THAT NOTIFICATION OF INTENT TO ACCEPT A PROPOSAL BY DFA  
29 AND THE P3 REVIEW BOARD BE FILED WITH THE SECRETARY OF STATE; TO  
30 REQUIRE DFA, THE P3 REVIEW BOARD AND THE SELECTED PRIVATE PARTNER  
31 TO ENTER INTO A MEMORANDUM OF UNDERSTANDING SETTING FORTH THE  
32 CONDITIONS TO EXECUTION OF THE AGREEMENT WITHIN A CERTAIN PERIOD  
33 OF TIME AFTER BEING FILED; TO PROVIDE THAT THE FAILURE OF A  
34 SELECTED PRIVATE PARTNER TO EXECUTE THE MEMORANDUM OF



35 UNDERSTANDING WITHIN THE SPECIFIED TIME PERIOD CONSTITUTES A  
36 DEFAULT AND NULLIFIES ANY RIGHTS OF THE PRIVATE PARTNER IN THE  
37 PROPOSAL; TO INDEMNIFY CERTAIN OFFICIALS, EMPLOYEES OR MEMBERS OF  
38 THE GOVERNING BODY OF THE DEPARTMENT, THE P3 REVIEW BOARD OR THE  
39 STATE FROM PERSONAL LIABILITY FOR ANY DEFAULT OR BREACH BY THE  
40 STATE; TO REQUIRE ANY AGREEMENT ENTERED INTO TO COMPLY WITH STATE  
41 PUBLIC PURCHASING AND CONTRACTING LAWS; TO AUTHORIZE AN INSPECTION  
42 OF THE PROPERTY BY PRIVATE PARTNER BEFORE THE SUBMISSION OF THEIR  
43 PROPOSALS; AND FOR RELATED PURPOSES.

44 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

45 **SECTION 1.** For purposes of this act, the following words  
46 shall have the meaning ascribed to them in this section, unless  
47 the context requires otherwise:

48 (a) "Agreement" means the agreement between the State  
49 of Mississippi and a selected private entity that provides for the  
50 construction of a new Mississippi Department of Public Safety  
51 Highway Patrol State Headquarters Facility in Rankin County,  
52 Mississippi, and the redevelopment of the Mississippi Department  
53 of Public Safety Highway Patrol Headquarters Facility in Jackson,  
54 Hinds County, Mississippi, for mixed-use purposes.

55 (b) "Board" means the P3 Review Board established under  
56 Section 31-33-7 as established under House Bill No 794, 2018  
57 Regular Session, to review and approve public-private partnership  
58 agreements and administer the Mississippi Public-Private  
59 Partnership Act of 2018 through the promulgation of guidelines for  
60 the governance of such agreements.

61 (c) "Department" means the Department of Finance and  
62 Administration (DFA).



63 (d) "Property" means the Mississippi Department of  
64 Public Safety Highway Patrol Headquarters Facility in Jackson,  
65 Hinds County, Mississippi.

66 (e) "Proposal" means the document submitted to the  
67 department detailing the projected plans for the construction of a  
68 new Mississippi Department of Public Safety Highway Patrol State  
69 Headquarters Facility in Rankin County, Mississippi, and the  
70 redevelopment of the Mississippi Department of Public Safety  
71 Highway Patrol Headquarters Facility in Jackson, Hinds County,  
72 Mississippi, for mixed-use purposes.

73 (f) "Private Partner" means any natural person,  
74 corporation, general partnership, limited liability company,  
75 limited partnership, joint venture, business trust, public benefit  
76 corporation, nonprofit entity, other private business entity or  
77 any combination thereof submitting the proposal for construction  
78 and redevelopment to the department for selection.

79 (g) "State" means the State of Mississippi.

80 **SECTION 2.** (1) Acting on behalf of the Department of Public  
81 Safety, the Department of Finance and Administration, with the  
82 approval of the P3 Review Board, is authorized to enter into an  
83 agreement to lease of all or any portion of certain state-owned  
84 real property identified as the Mississippi Department of Public  
85 Safety Highway Patrol Headquarters Facility in Jackson, Hinds  
86 County, Mississippi, to an entity selected in the negotiation  
87 process by DFA for purposes of redevelopment for a term to be



88 determined by parties to the agreement. The property shall be  
89 more particularly described in the lease agreement.

90 (2) (a) The property described in subsection (1) of this  
91 section shall be leased for private redevelopment in compliance  
92 with the provisions of this act to result in the highest and best  
93 use as determined by the Department of Finance and Administration  
94 and to ensure that the property is used in a manner that will not  
95 interfere with the operation of the University of Mississippi  
96 Medical Center or the G.V. (Sonny) Montgomery VA Medical Center.

97 (b) It is the intent of the Legislature that the  
98 property will be leased to a private developer selected by the  
99 Department of Finance and Administration and the P3 Review Board  
100 through the process prescribed by this act, for a term not to  
101 exceed fifty (50) years, unless by mutual agreement by the  
102 department and the board to approve a lease for a term not to  
103 exceed seventy (70) years, for the benefit of creating value by  
104 promoting economic growth in the area, and from which the revenue  
105 generated from the tenants occupying the redeveloped property  
106 shall be used to finance the construction of a new Mississippi  
107 Department of Public Safety Highway Patrol State Headquarters  
108 Facility in Rankin County, Mississippi.

109 (c) At the expiration of any lease term established by  
110 the department and the board, the property described in subsection  
111 (1) of this section shall revert to the state, which shall also  
112 maintain all mineral rights in the property during the lease term.



113           **SECTION 3.** (1) The Department of Finance and Administration  
114 shall advertise the availability of the Mississippi Department of  
115 Public Safety Highway Patrol Headquarters Facility and property in  
116 Jackson, Hinds County, Mississippi, described in Section 2 of this  
117 act for lease and redevelopment. Subject to the availability of  
118 funds, the department is authorized to implement and conduct a  
119 national advertising campaign to solicit requests for proposals  
120 for the lease and redevelopment of the property.

121           (2) The department and the P3 Review Board shall establish a  
122 deadline to receive proposals submitted by interested parties.

123           **SECTION 4.** (1) Proposals to lease and redevelop all or any  
124 part of the property described in Section 2 of this act must be  
125 considered by the department and the P3 Review Board. A party  
126 shall submit a lease proposal on the applicable redevelopment  
127 proposal form furnished by the department, accompanied by any  
128 appendices, exhibits, or other materials as the private partner  
129 desires, including the private partner's cost of projections for  
130 the construction of a new Mississippi Department of Public Safety  
131 Highway Patrol State Headquarters Facility in Rankin County,  
132 Mississippi, consistent with the construction documents  
133 commissioned for such project by the department. Proposals shall  
134 be subject to the requirements of each of the documents required  
135 by the department and the board on the forms developed for  
136 proposals.



137           (2) The department and the board shall conduct a preproposal  
138 conference at a time, date and location as agreed upon by both to  
139 be appropriate. Persons desiring notice if the preproposal  
140 conference will be held at a time other than the originally  
141 designated time, date and location, may submit a written request  
142 to receive notice to the department. The preproposal conference  
143 will be a forum to answer questions from potential respondents to  
144 the requests for proposals in a fair and open setting. The  
145 department may schedule one or more additional preproposal  
146 conferences. Parties desiring notice of any additional  
147 preproposal conferences may submit a written request to receive  
148 notice to the department.

149           (3) Each private partner shall submit ten (10) copies of its  
150 proposal to the department no later than 5:00 p.m. on the date of  
151 the deadline established by the department and the board. All  
152 copies shall be in an eight and one-half (8-1/2) inches by eleven  
153 (11) inches format, with graphics not exceeding eleven (11) inches  
154 by seventeen (17) inches. Nine (9) of the ten (10) copies shall  
155 be bound and one (1) of the copies shall remain unbound. All  
156 proposals shall be in an envelope plainly marked "Department of  
157 Public Safety Redevelopment and New Construction Proposal." All  
158 proposals must be received by the department by the deadline set  
159 for receipt of proposals.

160           (4) Each proposal to purchase all or a portion of the  
161 property shall include:



162 (a) A statement that the proposal is to lease and  
163 redevelop all or a portion of the property;

164 (b) A statement indicating whether the proposal is to  
165 lease all or a portion of the property, and if the proposal is  
166 with respect to a portion of the property, a statement identifying  
167 the portion of the property with respect to which the proposal is  
168 made;

169 (c) The lease price and/or other considerations offered  
170 for the property or applicable portion thereof, or the proposed  
171 method for determining the lease terms. Any proposal contingent  
172 upon the department's financing all or part of the lease must  
173 include detailed information concerning the proposed financing  
174 terms and any collateral which will secure such financing.

175 (d) A description of any variations from the form for  
176 the public-private partnership agreement for the lease and  
177 redevelopment of the Mississippi Department of Public Safety  
178 Highway Patrol State Headquarters Facility in Jackson, Hinds  
179 County, Mississippi, which the private partner will request; and

180 (e) A statement evidencing the private partner's  
181 agreement that, if the department and the board determine that it  
182 is in the best interest of the public to accept the proposal, the  
183 private partner will enter into a memorandum of understanding with  
184 the department under which, subject to satisfaction of conditions  
185 set forth in the agreement within time periods specified in the  
186 agreement, the department and the private partner will agree to



187 enter into an agreement. The agreement shall be in substantially  
188 the form set forth by the department and the board, with any  
189 modifications, additions and changes that are specifically set  
190 forth in the proposal or that are mutually acceptable to the  
191 private partner and the department.

192 (5) In addition to the requirements of subsection (4) of  
193 this section, each proposal shall also include, at a minimum, the  
194 following:

195 (a) A description of the development team, including,  
196 as applicable:

197 (i) A description of the primary respondent and  
198 related principals;

199 (ii) A description of team members, including  
200 architects, consultants, contractors and major sub-contractors to  
201 be used for both the redevelopment of the current facilities in  
202 Jackson, Hinds County, Mississippi, and for the new headquarter  
203 facilities in Rankin County, Mississippi;

204 (iii) A description of development and  
205 redevelopment experience of team members and status of current  
206 projects including experiences related to the design,  
207 construction, leasing and management of urban real estate  
208 projects;

209 (iv) A description of similar experiences of team  
210 members in developing and redeveloping properties acquired from  
211 public owners through the public process;





212 (v) The ability to assemble additional property to  
213 increase the magnitude and impact of the proposed project if  
214 applicable; and

215 (vi) A statement showing the private partner's  
216 qualifications and financial responsibility on a form supplied by  
217 the department, which has been approved by the board;

218 (b) Details of the proposed redevelopment of the  
219 property or applicable portion thereof, including information  
220 addressing, without limitation:

221 (i) The project vision;

222 (ii) A development concept including narrative  
223 description and visual depictions;

224 (iii) A proposed redevelopment plan;

225 (iv) The anticipated types of uses;

226 (v) The approximate quantities and square footage  
227 for each use;

228 (vi) A development timeline from execution of a  
229 memorandum of understanding to completion of redevelopment; and

230 (vii) The preliminary project budget and  
231 fifteen-year cash-flow proforma;

232 (c) A comprehensive description of any governmental  
233 assistance or governmental participation in the proposed project  
234 which the private partner will request or require;

235 (d) A comprehensive description of all conditions upon  
236 the private partner's commitment to carry out redevelopment of the



237 property or applicable portion thereof in accordance with the  
238 proposal;

239 (e) A comprehensive description of all conditions upon  
240 the private partner's commitment to carry out construction of a  
241 New Department of Public Safety Headquarters Facility in Rankin  
242 County, Mississippi, in accordance with the proposal; and

243 (f) Any other information as the private partner may  
244 determine to be appropriate to permit the department to determine  
245 the qualifications, experience and abilities of the private  
246 partner and to gain a complete understanding of the private  
247 partner's vision for the property.

248 **SECTION 5.** (1) In reviewing submitted proposals, the  
249 evaluation team selected by the department and the P3 Review Board  
250 shall consider proposals that are contingent upon the Department  
251 of Finance and Administration financing all or part of the lease  
252 price.

253 (2) The department and the board shall review and consider  
254 all proposals in light of all factors deemed relevant, including,  
255 without limiting the generality of its consideration, the  
256 following:

257 (a) The overall qualifications, financial stability,  
258 experience and past performance of the private partner;

259 (b) The experience of the private partner with respect  
260 to activities comparable to those covered by the proposal;



261 (c) The overall qualifications, financial stability,  
262 experience and past performance of the other members of the  
263 development team;

264 (d) The qualification and experience of staff to be  
265 assigned to the project;

266 (e) The proven ability of team members to successfully  
267 design and redevelop high quality, high-density projects in an  
268 urban setting;

269 (f) The legal ability of the private partner to carry  
270 out its proposal;

271 (g) The private partner's ability to secure or provide  
272 sufficient equity and construction and permanent financing for the  
273 proposed undertaking;

274 (h) The proposed use or uses of the property or  
275 applicable portion thereof;

276 (i) The cost, scope and scale of the proposed  
277 redevelopment and the amount of the investment to be made by the  
278 private partner;

279 (j) The projected impact of the proposed redevelopment  
280 on the University of Mississippi Medical Center and the G.V.  
281 (Sonny) Montgomery VA Medical Center, and the likelihood that the  
282 proposed redevelopment will be a catalyst for additional  
283 development and redevelopment;

284 (k) The overall financial attractiveness of the  
285 proposal, and the anticipated net economic effect to the state by



286 the department's acceptance of the proposal, including, but not  
287 limited to:

288 (i) The proposed lease price or rental payments;

289 (ii) The projected tax revenues to be generated by  
290 and as a result of the proposed redevelopment; and

291 (iii) Any public assistance or incentives which  
292 the private partner intends to request.

293 (l) The projected timetable for the redevelopment;

294 (m) Any other specific terms or conditions required or  
295 requested in the proposal.

296 (3) (a) Representatives of the department and the board may  
297 commence review of a proposal at any time after its receipt;

298 (b) At any time after receipt of a proposal,  
299 representatives of the department and the board may request any  
300 additional information from the private partner as may be  
301 necessary to fully evaluate the proposal and the private partner's  
302 ability to carry out the proposal, including information  
303 concerning a private partner's qualifications or financial  
304 responsibility, and may discuss possible modifications to the  
305 proposal;

306 (c) At any time after receipt of a proposal, the  
307 private partner may be invited to make an oral presentation to,  
308 and to respond to questions from the department or the board; and

309 (d) At any time after the submission deadline,  
310 representatives of the department may negotiate with any or all



311 parties submitting proposals concerning modifications to  
312 proposals.

313 (4) Following receipt and review of all proposals and all  
314 discussions and presentations, the department and the board shall  
315 evaluate and rank the proposals and, unless it recommends  
316 rejection of all proposals, may enter into a redevelopment  
317 agreement with the private partner receiving the highest  
318 evaluation or ranking.

319 (5) The department and the board shall select, unless it is  
320 determined to reject all proposals, one or more proposals and  
321 shall enter into negotiations with the party or parties submitting  
322 the proposal or proposals. At that time, all private partners  
323 shall be advised of the party or parties with whom negotiations  
324 are entered. If the department and the board determine to  
325 negotiate with more than one (1) party, the determination as to  
326 whether the redevelopment agreement will be entered into shall be  
327 made on the basis of the factors set forth above.

328 (6) If the department and the board determine not to accept  
329 any of the proposals, all private partners must be advised of that  
330 determination.

331 (7) The department and the board reserve the right:

332 (a) To reject any and all proposals;

333 (b) To waive any and all informalities and  
334 irregularities;



335 (c) To negotiate with any person or persons for  
336 proposals; and

337 (d) To waive clarifications and exceptions.

338 (8) If the department and the board determine that it is in  
339 the best interest of the public to accept a proposal, a  
340 notification of intent to accept the proposal shall be filed with  
341 the Secretary of State. At that time, a copy of the notification  
342 of intent shall also be delivered to the private partner  
343 designated as the "selected private partner." The department  
344 shall determine whether it is in the best interest of the public  
345 to accept a proposal and which proposal, if any, to accept within  
346 ninety (90) days of the submission deadline.

347 (9) Not less than thirty (30) days, and not more than ninety  
348 (90) days, after the date on which the notification of intent is  
349 filed, the department and the selected private partner shall enter  
350 into a memorandum of understanding setting forth the conditions to  
351 execution of a redevelopment and construction agreement, and the  
352 time schedule for determining whether those conditions can be met.

353 (10) The failure of the selected private partner to execute  
354 the memorandum of understanding within the prescribed time period,  
355 or within any extension as may be granted, based upon reasons  
356 determined sufficient by the department and the board, shall  
357 constitute a default, and the selected private partner shall have  
358 no further rights with respect to the proposal.



359 (11) For any selected proposal for the redevelopment-new  
360 development project, the department and the board shall obtain an  
361 independent audit of the proposal, including an assessment of  
362 projected usage and public costs, before the agreement is  
363 executed. The analysis shall be disclosed to the public prior to  
364 execution of a redevelopment-new development agreement. In  
365 addition to disclosing the independent audit to the public, the  
366 responsible public entity shall provide the audit to the chairmen  
367 of the House of Representatives Public Property, Ways and Means  
368 and Appropriations Committees, and to the chairmen of the Senate  
369 Public Property, Finance and Appropriation committees prior to the  
370 execution of an agreement.

371 **SECTION 6.** (1) If one or more proposals are received and  
372 reviewed before the submission deadline, every reasonable effort  
373 will be made to assure the confidentiality of information included  
374 in the proposal or proposals until the submission deadline.  
375 Neither the Department of Finance and Administration, the P3  
376 Review Board, nor any director, employee, agent, attorney or other  
377 representative of either shall be liable for disclosure of any  
378 such information. Records of negotiation are exempt from  
379 disclosure under the Mississippi Public Records Act of 1983.  
380 Other information such as originality of design may only be  
381 protected under this section until a public-private partnership  
382 agreement is reached. Projects under federal jurisdiction or  
383 using federal funds must conform to federal regulations under the



384 Freedom of Information Act. Subject to the foregoing  
385 requirements, the department and the board shall determine what is  
386 exempt from disclosure and shall otherwise comply with the  
387 Mississippi Public Records Act of 1983.

388 (2) If the department and the board and the selected private  
389 partner have not executed a memorandum of understanding within the  
390 time period established by subsection (9) of Section 5 of this  
391 act, or have not entered into a redevelopment and construction  
392 agreement within the time period specified in an executed  
393 memorandum of understanding, the department may undertake  
394 discussions and/or negotiations with one or more other parties  
395 that submitted proposals, with or without terminating any existing  
396 memorandum of understanding. In that event, if the department  
397 determines that it is in the best interest of the public to accept  
398 a different proposal, the department shall proceed with the  
399 actions described in subsections (8), (9), (10) and (11) of  
400 Section 5 of this act with respect to the other proposal.

401 **SECTION 7.** The selected private partner shall represent,  
402 warrant and covenant that no official, employee or member of a  
403 governing body of the State of Mississippi, the Department of  
404 Finance and Administration or the P3 Review Board, and no person  
405 who has been a member of a governing body of the state, the  
406 department or the board during the preceding one-year period, has  
407 or had any personal interest, direct or indirect, in any agreement  
408 entered into under the request for redevelopment proposals or the





409 selected private partner. No official, employee or member of the  
410 governing body of the department, the board or the state shall be  
411 personally liable to the selected private partner or any successor  
412 in interest in the event of any default or breach by the  
413 department or for any amount which may become due to the selected  
414 private partner or successor in interest or on any obligations  
415 under the terms of any agreement entered into under the request  
416 for redevelopment proposals.

417       **SECTION 8.** The State of Mississippi is committed to the  
418 principle of nondiscrimination in public purchasing and  
419 contracting and the ideals of equal business opportunities for all  
420 persons in undertakings in which the state, its agencies and  
421 political subdivisions are involved. Any redevelopment and  
422 construction agreement must include provisions designed to assure  
423 substantive participation by minority business enterprises in the  
424 redevelopment of the property or applicable portion thereof,  
425 consistent with the goals and objectives of the state's public  
426 purchasing and contracting under Chapter 7, Title 31, Mississippi  
427 Code of 1972.

428       **SECTION 9.** Each private partner may inspect the property  
429 before submitting a proposal. Arrangements to enter the property  
430 should be made by contacting the offices of the Department of  
431 Finance and Administration and the P3 Review Board. Upon request,  
432 representatives of the department and the board shall meet with  
433 and make available any information concerning the property to any



434 party who demonstrates an interest in submitting a proposal;  
435 however, no private partner shall rely upon any oral  
436 interpretation of this request for redevelopment and construction  
437 proposals.

438         **SECTION 10.** The Department of Finance and Administration may  
439 modify the documents in any respect at any time before the  
440 submission deadline, including, but not limited to, modifications  
441 to extend the submission deadline at any time either before or  
442 after the initial submission deadline. Every modification must be  
443 in the form of addenda to the documents. All addenda must be  
444 mailed to each person who received documents from the department  
445 and requested notices of addenda, but it shall be the private  
446 partner's responsibility to make inquiry as to the addenda issued.  
447 All such addenda shall become part of the documents and all  
448 private partners shall be bound by the addenda, whether or not  
449 received by the private partner, provided that no private partner  
450 shall be bound by an addendum, except one extending the submission  
451 deadline, which was not issued and placed on file in the office of  
452 the department at least five (5) days before the submission  
453 deadline, unless the private partner received notice of the  
454 addendum before the submission deadline. Any private partner that  
455 has submitted a proposal before the issuance of an addendum shall  
456 be promptly notified of the addendum and offered an opportunity to  
457 make any modifications to the proposal as deemed reasonably  
458 necessary to address the provisions of the addendum. All



459 modifications shall be submitted to the department before the  
460 submission deadline.

461       **SECTION 11.** (1) Before entering into an agreement, the  
462 Department of Finance and Administration, as the responsible  
463 public entity, shall notify affected jurisdictions of such  
464 proposal by furnishing a copy of the proposal to each affected  
465 jurisdiction.

466       (2) Each affected jurisdiction may, within sixty (60) days  
467 after receiving the notice, submit in writing any comments to the  
468 department and the P3 Review Board on the project's potential  
469 impact and compatibility with local and regional budgets and  
470 infrastructure plans.

471       (3) The department and the board shall consider the comments  
472 of the affected jurisdiction before entering into an agreement  
473 with a private partner for the redevelopment and new development  
474 of the properties described in Section 2 of this act.

475       **SECTION 12.** This act shall take effect and be in force from  
476 and after July 1, 2018.

