

Strategy of Transport Infrastructure Development in Poland as a EU member

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요약

폴드와 타 동유럽국가들이 내년에 유럽연합(EU)에 가입할 예정이다. EU에 가입한 후 폴란드는 도로분야의 투자에 박차를 가할 것이며 2005년까지 도로망을 보수할 것이다. 현재 폴란드 정부가 도로의 모든 건설투자 비용을 충당할 수 없으므로 민·관 협력에 기초하여 프로젝트 자본조달에 관한 새로운 방법을 발전시키고자 한다. 고도로 개발된 도로 교통망 없이는 국가 경제측면에서 경쟁력을 제고할 수 없으므로 EU 전체의 도로 교통망을 도입 하고자 한다. 도로 교통망의 성공적인 확대는 폴란드와 같이 아직 EU에 소속되지 않은 동유럽 국가의 교통 기반시설의 기초가 될 것이며 이것은 전체유럽의 이익을 가져 올 것이다.

키워드: EU (European Union), TEN (Trans European Network), ISPA (Instrument for Structural Policies for Pre-Accession), PPP (Private-Public Partnership)

1. Introduction

The Polish Toll Motorway Construction Program (MCP) is one of the biggest investment challenges after the Second World War of the Central and Eastern Europe.

The lack of road network of adequate standard appears nowadays as the critical barrier to the country development, limiting the potential of Polish economy competitive advantages such as geographical position and market size. The condition of Poland's roads hampers the international trade with EU and the other neighbouring countries, and has a negative impact on foreign direct investments and mobility of labour force. Those negative factors result in decreasing Polish economy competitiveness and create a barrier to the development and innovative processes in Poland.

Ensuring of effective connections of Poland with EU and new member countries through TEN is of great importance to take advantage of the enlargement of the Common Market.

2. Transport development strategy premises

The quality of transport infrastructure is one of the most important criteria of assessment of the country socio-economical development level and a very important factor stimulating the economic development. Poor quality of the transport infrastructure, resulting from the investments backlog in this sector, is a burden for the national economy, limiting its competitiveness and economic development possibilities. All transport modes are facing serious infrastructure investment needs.

The existing system of transport network, even if considered as proper from a spatial point of view, due to the lack of the complex system of motorways (total length of motorways in Poland is 404 km), express road, high-speed train network, it doesn't provide for an effective allocation of industries and services, and doesn't ensure a proper quality of passenger and cargo traffic services.

Due to the poor condition of road network, improvement of its standard is one of the Poland's development priorities. As many as 34% of the national roads require an immediate modernisation and additional 37% should be modernised in the nearest future. The main reason of

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the poor technical quality of roads is the increase of traffic movements (doubled in the last ten years) combined with pavements standard not adjusted for the heavy trucks movements.

This situation results in bottlenecks and traffic safety decrease, which in turn leads to a rising of the economic, social and ecological costs of road transport. Road transport is the most dangerous and most expensive in terms of the human life. In the 1990s accident ability rate in Poland exceeded 6 fatalities per 10 000 vehicles (passenger cars, trucks, buses) and was almost 3 times higher than average in EU. 60 thousand road accidents are recorded each year in Poland, in which almost 6000 people are killed and 55 thousands are injured. Social costs of the road accidents are estimated at 2,7% of GDP per year, not including the external costs, which double the losses.

The main urban centres (Warsaw and Silesian agglomerations), because of the underdevelopment of urban transport infrastructure, are particularly affected by the congestion and the environmental pollution. Therefore, additional efforts of supporting public transportation must be taken. The activity should be also oriented towards improvement of the transport infrastructure in the main cities administering the sections of the national roads, which are within the city areas.

3. Transport development strategy objectives and its implementation programme.

The main objectives of this strategy is the improvement of Poland's transport accessibility; in first instance:

- to 2006 through improvement of connections of Warsaw with European capitals;

in second instance:

- to 2013 through improvement of connections with main country regions. Investments (projects) realised according to these priorities will enable to accomplish the following goals:

- Ensuring of effective road connections needed for intensification of trade turnover within the Common Market,
- Improvement of accessibility of main urban areas in Poland, constituting vital centres of economic development,
- Support of the regional development,
- Improvement of road traffic safety and elimination of high social and economic costs of road accidents,
- Reduction of environmental protection costs owing to more sustainable development of transport sector,

- Development of the inter-modal systems

These goals are taken into consideration in preparation of transport infrastructure projects, co-financed by Cohesion Fund and European Regional Development Fund (ERDF) funds.

The activities in the road sector focused on the most important road and railroad lines are undertaken within the Cohesion Fund and SOP Transport Programmes will be accompanied by the activities within the IROP (Integrated Regional Operation Program). IROP investments will support the investment concentration, especially on the voivodship roads co-financed by European Regional Development Fund, serving the strengthening of the potential development of the regions and in the first place enabling the creation of the extended and modernised road networks of a national importance, with main economic centres of the regions.

Realisation of the Strategy objectives, in relation to the great urban agglomerations requires taking into account the transport infrastructure needs. In the case of Warszawa, there is a necessity to utilise experiences gathered thanks to the Warsaw Transport Node study, financed by ISPA. All the projects realised within the strategy will fulfil the criteria of economic effectiveness and minimise adverse effects on environment. They will improve competitiveness of Polish economy on the Common Market and ameliorate Poland's connection with EU country. They will allow for realisation of EU transport policy stemming from the White Paper of the European Commission.

4. Sources of financing

4.1 Traditional financing

The basis for the realisation of this strategy in the years 2004-2006 is: Cohesion Fund Strategy 2004-2006, Sectoral Operational Programme Transport 2004-2006 and the transport part of the Integrated Operational Programme for Regional Development 2004-2006.

This strategy will be financed from the following sources: public funds, funds deriving from planned fuel charge, EU funds (ISPA, Cohesion Fund, Structural Funds), EIB and another International Financing Institution (IFI) loans, as well as from concessionaires resources. It is planned to establish the National Road Fund, which will be leading institution in the process of the road infrastructure development financing in Poland. Cohesion Fund resources will be concentrated on road projects located on TEN.

4.2 Financing using the Private - Public Partnership (PPP) system

The financing of motorways using the PPP system, involves the issuance to the concessionaire, which is a private investor, a concession for the construction and operation (or only operation) of motorway sections. The PPP system is a very broad term, which includes almost all financing methods. From the fully private financing approach to the traditional financing (based on the budgetary resources). The parties share the costs in proportion depending on the split of the risks and obligations related to the pursued project.

The appropriate volume of the forecasted traffic, which allows to anticipate the future revenues and the risk of investing into such a big project, is the most critical factor, governing the possibility to obtain financial resources from commercial institutions. Prior to the commencement of construction works, the concessionaire normally must achieve the so-called "financial closing", that is the preparation of the project financing plans for the construction and operation periods.

The Toll Motorways Act contemplates that the concessionaire may seek support from the Government through the National Motorway Fund (NMF). The contingent financial support of the concessionaire with respect to particular motorway sections under the MCP includes:

- (1) assurance of covering temporary cash deficiencies in the initial stages of operation,
- (2) participation in financing part of the construction cost in form of donations or non-interest bearing loans in order to facilitate the achievement of the financial closing for the project by the concessionaire and to improve the financial liquidity of the project

The National Motorway Fund has been established in Bank Gospodarstwa Krajowego (BGK) and is subject to the banking supervision procedures.

The revenues of the Fund include, among others:

- (1) funds provided by the State budget in the amount constituting part of the planned budgetary revenues from the excise tax on vehicles.
- (2) proceeds from the Fund's investments in the securities issued by the State Treasury or the National Bank of Poland and the securities defining the monetary benefits, guaranteed or warranted by the State Treasury or the National Bank of Poland,
- (3) revenues from owned or disposed shares in companies, transmitted by the State Treasury to BGK,
- (4) financial resources from the tolls collected on the

- motorway and other amounts paid by the concessionaire,
- (5) proceeds from loans taken by the Agency or bonds issued by the Agency,
- (6) proceeds from other public sources.

Such a structure of financing the MCP should provide fully flexible adjustment of the financing method to specific projects, and in consequence, should significantly facilitate the acquisition of the necessary funds for the implementation of such projects.

5. Tender procedure

The tender procedure for the selection of a concessionaire is defined in the Toll Motorways Act. According to the provisions of the Act, the concessionaire is selected by way of a three-stage tender procedure, which includes:

- (1) prequalification
- (2) limited tender for the bidders prequalified to submit a proposal
- (3) concession agreement negotiations

After approval of the Council of Ministers with respect to the proposed principles of providing financial support from the resources of the National Motorway Fund (if such support is anticipated), the Agency places an announcement in the domestic newspapers and in the Official Journal of the European Communities related to the invitation to prequalification.

In accordance with the Act, the tender procedure is dedicated to joint stock companies having their seat in the Poland, with share capital not less than an equivalent of EURO 5 million, whose sole objective of enterprise is, pursuant to their Statutes, construction or operation of motorways at the prequalification stage, the participants may request from the Agency further clarifications related to the issues contained in the prequalification terms of reference. Also, the Selection Commission may require that the participant of the tender procedure provide additional clarifications to further explain the information included in their submitted prequalification documents.

The Selection Commission evaluates the proposals submitted by the participants selected to the second stage of the tender procedure and presents to the Minister competent for the transport affairs and to the President of the Agency, the protocol of the tender procedure, at the same time notifying the participants of the results of the tender procedure.

The final stage of the tender procedure, which involves negotiations of the concession agreement provisions, is carried out with the company, which proposal has been found most advantageous. Negotiations may proceed simultaneously with more than one company, if their proposals have been found comparable.

The Act contemplates that the negotiations should be completed and the provisions of the concession agreement agreed upon within nine months. If such deal is not met, the President of the Agency, after obtaining acceptance from the Minister competent for the transport affairs, may consider the tender procedure ineffective or carry out negotiations with a company, whose proposal was next in the classification list.

Upon completion of the negotiation process, the Minister competent for the transport affairs grants a concession. The tender procedure is finalised with the execution of the concession agreement between the parties not later than within 30 days after the granting of the concession.

6. Tasks of the concessionaire

The concessionaire, who obtained a concession for the construction and operation of a particular motorway section, shall prepare, in consultation with the Agency for Motorway Construction and Operation, the final design (the final plans and specifications), based on the provided technical documentation of the toll motorway and the conditions attached to the location decision issued by the Voivode having jurisdiction over the affected area.

Upon completion of the construction works, the basic tasks of the concessionaire include among others:

- (1) motorway maintenance:
 - routine maintenance
 - to ensure uninterrupted traffic ability and access to the motorway throughout the year
 - performance of heavy maintenance and replacement of facilities to ensure adequate comfort and safety for the motorway users,
 - upgrading and expansion
 - works related to changes and expansion of the motorway including all civil and utility works
- (2) tolling - the concessionaire is obligated to develop the tolling stations and to provide all utilities required for the motorway operation within specified tolling system.
- (3) ensuring safety on the motorway
 - the concessionaire shall work together with the Agency and obtain approval from the (motorway) traffic

Police and the competent rescue services to define the principles of the actions to be taken on the motorway in the case of road accidents and disasters,

- the concessionaire shall cause effective removal of vehicles or other objects, which may obstruct the traffic on the motorway and shall undertake appropriate actions to protect people and vehicles,
- the concessionaire shall from time to time, carry out routine controls of the motorway technical conditions,
- the concessionaire shall ensure telephone communication along the motorway, which the emergency telephones installed each two kilometres on both sides of the motorway.
- the concessionaire shall sign with the traffic Police an agreement defining the scope of competence and the obligations of either party, as well as the principles of financing.

Conclusion

To improve economy in Poland, the construction of access-controlled roads network (motorways and express roads), reconstruction of national roads, construction of city bypasses improving road traffic safety are required. Road infrastructure investments allow to minimize the number of accidents, in other words to mitigate risks of both the travellers and inhabitants of the road side areas and as a consequence, reduction of the relating costs. At the same time, it requires considerably less important expenditures, in terms of the saving effects they generate. Accession of Poland to European Union and adaptation of Trans European Network will help to achieve this goal.

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