

P3 Legislative Snapshot

DELAWARE

State P3 Legislative Status: Transportation-related P3 authority.

1. Does this state have broadly-enabling P3 legislation?

The Delaware Department of Transportation (DEDOT) is authorized to entertain, solicit, evaluate, negotiate and administer agreements to build privately-funded transportation systems and facilities through innovative agreements with the private sector.

2. Does this state allow for Unsolicited Proposals?

Yes.

3. What is this state's P3 Review Process (i.e., multi-step: RFI, RFQ, RFP – even for unsolicited proposals)?

Projects, whether selected through an RFP or unsolicited proposal, must be reviewed for approval by a project committee (within DEDOT), as well as the directly affected metropolitan planning organization(s) and the Council on Transportation and the Co-chairs of the Joint Bond Bill Committee of the Delaware General Assembly.

4. Does this state have a Centralized Agency dedicated to P3?

Delaware Department of Transportation (DEDOT).

5. Is this a Home Rule state, with limitations or opportunities for P3?

No.

6. What Projects or Asset Classes are eligible for P3 in this state?

Any transportation project that has been specifically authorized by the General Assembly.

7. Are there Projects where the P3 procurement method has been applied?

Toll roads, and transportation facilities related to DEDOT operations. Dover Mall Road Project; Wilmington Transit Center; Port of Wilmington.

8. What is the legislative foundation for P3s in this state?

[DE. Code Ann. Title. 2. §§ 2001 to 2012](#)

