



VIEIRAREZENDE

ADVOGADOS



INFRASTRUCTURE
2019 YEARBOOK

Introduction

Vieira Rezende is a full-service Law Firm, composed by professionals with a multidisciplinary practice, representing clients in a wide range of sectors in both industrial and services activities in Brazil.

After the consolidation of the Corporate area, enhancing the Firm's capabilities towards a full-service practice, accumulating tremendous experience during the years of privatization and public service concession, participating in historic operations such as the privatization of Vale, the privatization of the electricity sector and the telecommunications sector, as well as the restructuring of the financial and steel sectors.

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Practice Areas

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Main Laws and Provisional Measures

1.

Provisional Measure "MPV"

Dec 27, 2019

Improves the procedures for the management and disposal of the Federal Government's property.

MPV 910/2019

Dec 10, 2019

Amends Law No. 11,952, of June 25, 2009, which provides for land regularization of occupations on lands located in areas of the Federal Government, Law No. 8,666, of June 21, 1993, which establishes rules for public administration bids and contracts, and Law No. 6,015, of December 31, 1973, which provides for public records.

LAW 13.913/2019

Nov 25, 2019

Amends Law No. 6,766/1979, to ensure the right of buildings to remain in the non-building area contiguous to the public highway lanes and to enable the reduction of the extension of said non-building area by means of municipal or district laws.

MPV 906/2019

Nov 19, 2019

Amends Law No. 12,587/2012, which establishes the guidelines for the National Urban Mobility Policy.

LAW 13.903/2019

Nov 19, 2019

Authorizes the creation of the state-owned company NAV Brasil Serviços de Navegação Aérea S.A. (NAV Brazil) and amends Laws 7,783/1989, and 6,009/1973.

MPV 902/2019

Nov 05, 2019

Amends Law No. 5,895/1973, which authorizes the executive branch to transform the autonomous national mint into a state-owned company.

Provisional Measure suspended under a Court Decision of the Federal Supreme Court ("STF") in the Direct Action for the Declaration of Unconstitutionality [ADI 6229](#). Please refer to "Main Decisions of the STF".

LAW 13.879/2019

Oct 03, 2019

Amends Law No. 9,472/1997, to allow for the adaptation of the modality for the grant of telecommunications services from concession into authorization, and Law No. 9,998/2000, and repeals provisions of Law No. 9,472/1997.

Main Laws and Provisional Measures

1.

LAW 13.874/2019 *Sep 20, 2019*

Establishes the Declaration of Rights of Economic Freedom; establishes free market guarantees.

MPV 896/2019 *Sep 06, 2019*

Amends Law 8,666/1993, Law 10,520/2002, Law 11.079/2004, and Law 12,462/2011, to set out the format for the publication of public administration acts.

LAW 13.869/2019 *Sep 05, 2019*

Provides for the crimes of Abuse of Office.

LAW 13.867/2019 *Aug 26, 2019*

Amends Decree-Law No. 3,365/1941, to enable the option for mediation or arbitration for the purpose of defining the amounts of compensation in cases of expropriation for public use.

LAW 13.853/2019 *Jul 08, 2019*

Provides for the protection of personal data and establishes the national data protection authority; among other provisions.

LAW 13.848/2019 *Jun 25, 2019*

Provides for the management, organization, decision-making process and social control of regulatory agencies.

LAW 13.800/2019 *Jan 04, 2019*

Authorizes the Public Administration to execute partnership instruments and agreements for the performance of programs, projects and other purposes of public interest with organizations that manage endowment funds.

Main Decrees 2.

DECREE 10.187/2019 *Dec 20, 2019*

Provides for the qualification of the policy of promoting the basic sanitation industry within the Investment Partnership Program of the Presidency of the Republic.

DECREE 10.161/2019 *Dec 09, 2019*

Regulates the termination of lease contracts for goods linked to partnership agreements in the railway sector and the sale or disposal of unserviceable railway movable property of the National Department of Transport Infrastructure - DNIT, whether leased or not, located in the railroad right-of-way that is the subject matter of the partnership agreement.

DECREE 10.157/2019 *Dec 04, 2019*

Institutes the Federal Policy for Fostering the Collective Interstate and International Road Transportation of Passengers.

DECREE 10.147/2019 *Dec 02, 2019*

Provides for the qualification of conservation units under the Investment Partnership Program of the Presidency of the Republic, and the inclusion thereof in the National Privatization Program.

DECREE 10.138/2019 *Nov 29, 2019*

Provides on the qualification of federal public enterprises of the port and road industries under the Investment Partnership Program of the Presidency of the Republic.

DECREE 10.135/2019 *Nov 29, 2019*

Amends Decree No. 9271, of January 25, 2018, which regulates the grant of concession contracts in the electricity industry associated with the privatization of the holder of a public service concession for electric power generation, pursuant to Law No. 9,074/1995.

DECREE 10.134/2019 *Nov 27, 2019*

Provides for the qualification of the policy for promoting public childhood education facilities under the Investment Partnership Program of the Presidency of the Republic.

Main Decreets 2.

DECREE 10.116/2019 *Nov 19, 2019*

Provides for the qualification of federal public enterprises in the energy and mining industries under the Investment Partnership Program of the Presidency of the Republic.

DECREE 10.117/2019 *Nov 19, 2019*

Provides for the qualification of projects to expand the capacity to recover energy from solid urban waste under the Investment Partnership Program of the Presidency of the Republic.

DECREE 10.104/2019 *Nov 06, 2019*

Amends Decree No. 8,428/2015, which provides for the expression of interest procedure to be complied with upon submitting any projects, surveys, investigations or studies, by individuals or private legal entities, to be used by the public administration.

DECREE 10.067/2019 *Oct 16, 2019*

Provides for the qualification of Telecomunicações Brasileiras S.A. - Telebrás under the Investment Partnership Program of the Presidency of the Republic.

DECREE 10.066/2019 *Oct 16, 2019*

Provides for the qualification of Empresa Brasileira de Correios e Telégrafos - ECT under the Investment Partnership Program of the Presidency of the Republic.

DECREE 10.054/2019 *Oct 15, 2019*

Provides for the qualification of Casa da Moeda do Brasil (the Brazilian National Mint) under the Investment Partnership Program of the Presidency of the Republic, and the inclusion thereof in the National Privatization Program.

DECREE 10.065/2019 *Oct 14, 2019*

Provides for the qualification of Centro Nacional de Tecnologia Eletrônica Avançada S.A. - CEITEC within the Investment Partnership Program of the Presidency of the Republic.

Main Decreets 2.

DECREE 10.055/2019 *Oct 14, 2019*

Provides for the qualification of the policy for the promotion of the socio-educational assistance sector, for the purposes of developing studies of the alternatives of partnerships with the private sector for the construction, modernization and operation of socio-educational units, under the Investment Partnership Program of the Presidency of the Republic.

DECREE 10.050/2019 *Oct 09, 2019*

Amends Decree No. 7,246/2010, which regulates Law No. 12,111/2009, which provides for the electric power service of isolated systems and the international interconnection transmission facilities.

DECREE 10.046/2019 *Oct 09, 2019*

Provides for governance in data sharing within the federal public administration and establishes the citizen base registration and the central data governance committee.

DECREE 10.045/2019 *Oct 04, 2019*

Provides for the qualification of Companhia de Entrepósitos e Armazéns Gerais de São Paulo - CEAGESP under the Investment Partnership Program of the Presidency of the Republic, and the inclusion thereof in the National Privatization Program.

DECREE 10.025/2019 *Sep 20, 2019*

Provides for the arbitration to settle disputes involving the federal public administration in the port, road, rail, waterway and airport transport industries.

DECREE 10.024/2019 *Sep 20, 2019*

Regulates the government acquisition process, in the electronic procurement modality, for the acquisition of goods and the engagement of common services, including common engineering services, and provides for the use of the electronic waiver, within the federal public administration.

Main Decreets 2.

DECREE 10.008/2019 *Sep 05, 2019*

Provides for the qualification of Empresa Gestora de Ativos S.A. - EMGEA under the Investment Partnership Program of the Presidency of the Republic, and the inclusion thereof in the National Privatization Program.

DECREE 10.007/2019 *Sep 05, 2019*

Provides for the qualification of Agência Brasileira Gestora de Fundos Garantidores e Garantias S.A. - ABGF under the Investment Partnership Program of the Presidency of the Republic, and the inclusion thereof in the National Privatization Program.

DECREE 9.999/2019 *Sep 03, 2019*

Provides for the qualification of Companhia Brasileira de Trens Urbanos - CBTU under the Investment Partnership Program of the Presidency of the Republic, and the inclusion thereof in the National Privatization Program.

DECREE 9.998/2019 *Sep 03, 2019*

Provides for the qualification of Empresa de Trens Urbanos de Porto Alegre S.A. - TRENSURB under the Investment Partnership Program of the Presidency of the Republic, and the inclusion thereof in the National Privatization Program.

DECREE 9.984/2019 *Aug 22, 2019*

Provides for the inclusion in the National Privatization Program (Programa Nacional de Desestatização - PND).

DECREE 9.973/2019 *Aug 14, 2019*

Provides for the qualification of federal enterprises in the energy industry under the Investment Partnership Program of the Presidency of the Republic.

Main Decreets 2.

DECREE 9.972/2019 *Aug 14, 2019*

Provides for the qualification of enterprises in the port, airport, road, rail and waterway industries under the Investment Partnership Program of the Presidency of the Republic, and the inclusion thereof in the National Privatization Program.

DECREE 9.957/2019 *Aug 06, 2019*

Regulates the procedure for the re-bidding of partnership contracts in the road, railway and airport industries provided for under Law No. 13,448/2017.

DECREE 9.915/2019 *Jul 16, 2019*

Provides for the qualification of Angra 3 Thermonuclear Power Plant in the Investment Partnership Program of the Presidency of the Republic.

DECREE 9.914/2019 *Jul 11, 2019*

Provides for the qualification of the Electric Power Transmission Facilities that make up Manaus – Boa Vista Interconnection in the Investment Partnership Program of the Presidency of the Republic.

DECREE 9.852/2019 *Jun 25, 2019*

Provides for the qualification of enterprises under the Investment Partnership Program of the Presidency of the Republic, and includes enterprises in the National Privatization Program.

DECREE 9.830/2019 *Jun 10, 2019*

Regulates the provisions of Art. 20 through Art. 30 of Decree-Law No. 4,657/1942, which institutes the Law of Introduction to the Rules of Brazilian Law.

DECREE 9.820/2019 *Jun 03, 2019*

Provides for the inclusion in the National Privatization Program (PND) of the equity debentures issued by Vale S.A. and held by the Federal Government.

DECREE 9.811/2019 *May 30, 2019*

Provides for the inclusion in the National Privatization Program (PND) of the Federal Government's common shares representing the capital stock of IRB Brasil Resseguros S.A.

Main Legislative Proposals

3.

Bill 1292/95 - Proposal of the new Acquisition Law.

[Read more](#)

Bill 4566/19 (attached to Bill 8518/17) - Proposal to discipline the temporary licensing for the installation of telecommunications infrastructure in urban areas.

[Read more](#)

Bill 3261/19 - Proposal of the new regulatory framework for basic sanitation.

[Read more](#)

Bill 7063/17 - Proposal for unification of the Law on Public-Private Partnerships (Law No. 11,079/2014) and of the General Law on Concessions (Law No. 8,987/1995).

[Read more](#)

Bill 261/18 - Proposal for a new regulatory framework for the railway industry.

[Read more](#)

Relevant Decisions Issued by the Federal Accounting Court-TCU

4.

Decision 61/2019

Full Court

The mere participation of a bidder as a micro or small business, or even as a cooperative (Art. 34 of Law 11,488/2007), supported by a misrepresentation as described under the conditions of Complementary Law 123/2006 characterizes bid rigging, and shall give rise to the application of the penalty of Art. 46 of Law 8,443/1992, and it is not necessary, for the characterization of the wrongful act, for the perpetrator to obtain the expected advantage.

[Read more](#)

Decision 183/2019

Full Court

Subject to being held jointly and severally liable for overcharging along with the public agents, bidders shall offer prices that reflect market paradigms, even if the values set by the Administration under the basic budget of the bidding process are beyond that level.

[Read more](#)

Decision 628/2019

Full Court

For qualification purposes, it is illegal to demand the presentation of a Labor Debt Clearance (Certidão Negativa de Débitos Trabalhistas – CNDT) in the name of the majority shareholder of the bidding company, for it is not provided for under Art. 29, of Law 8,666/1993.

[Read more](#)

Decision 1216/2019

Full Court

The Federal Public Administration authorities and entities may accept an insurance policy as a guarantee that contains a clause excluding from coverage any losses and other penalties caused by or related to any acts or facts that violate anti-corruption rules that have been triggered by the insured or its representative, whether individually or along with the principal or its representative. On the other hand, they must refuse any insurance policy that contains a clause excluding from coverage any losses and other penalties caused by or related to any acts or facts that violate anti-corruption rules that have been triggered exclusively by the principal or its representative, without the participation of the insured or its representative.

[Leia mais](#)

Decision 4125/2019

First Chamber

The exchange variation, under a floating exchange system, cannot be considered sufficient to, on its own, support the need for economic-financial recovery of the contract based on Art. 65, II, letter "d", of Law 8,666/1993. In order for the exchange variation to justify the payment of any amounts to the contractor in order to restore the economic-financial balance, it must be unpredictable or with incalculable consequences.

[Read more](#)

Relevant Decisions Issued by the Federal Accounting Court-TCU

4.

Decision 1849/2019 *Full Court*

It is irregular to require that the certification of technical-operational capacity of any company participating in a bidding process be registered or filed with CREA, since Art. 55 of Confea Resolution 1,025/2009 prohibits the issuance of a Specialized Engineering Certificate (Certidão de Acervo Técnico – CAT) on behalf of a legal entity. The requirement of certificates registered before the relevant professional entities must be limited to technical and professional skills, which concern individuals indicated by the bidding companies.

[Read more](#)

Decision 2186/2019 *Full Court*

In the case of exemption from bidding, the legislation does not impose any objective rules regarding the number of companies called to submit bids and the form of selection of the contractor, but rather determines that this choice must be justified (Art. 26, sole paragraph, of Law 8,666/1993).

[Read more](#)

Decision 2279/2019 *Full Court*

State-owned companies and public and private joint stock companies must apply Law 13,303/2016 (the State-Owned Companies Law) to biddings with requests for proposals pending publication, even if the internal phase of the bidding process has started before the limit established in Art. 91 of the aforementioned law (July 1, 2018).

[Read more](#)

Decision 2326/2019 *Full Court*

For the purposes of technical and operational qualification in bidding processes aimed at contracting engineering construction works and services, certificates issued on behalf of the bidder must be required, and the Specialized Engineering Certificates (CAT) or Annotations/Registrations of Technical Responsibility (ART/RRT) issued by the relevant professional supervisory board on behalf of the professionals linked to the said certificates may be requested as a way of checking the authenticity and accuracy to the information contained in the documents issued in the name of the bidders.

[Read more](#)

Relevant Decisions Issued by the Federal Accounting Court-TCU

4.

Decision 2445/2019 *Full Court*

The use of ineligible financial statements with the purposes of demonstrating economic and financial qualification justifies the declaration of ineligibility of the responsible company to participate in bids within the Federal Public Administration (Art. 46 of Law 8,443/1992).

[Read more](#)

Decision 2474/2019 *Full Court*

The requirement for proof of previous experience, for the purposes of technical and operational qualification, in the performance of services that are not, simultaneously, of greater technical relevance and significant value of the subject matter violates Art. 30, paragraph 1, I, of Law 8,666/1993, Art. 14 of Law 12,462/2011 (RDC), and Precedent TCU 263.

[Read more](#)

Decision 2656/2019 *Full Court*

The compliance with the provisions of Art. 49, paragraph 3, of Law 8,666/1993 (adversary proceeding and fair hearing) shall only be enforceable when the bidding procedure, for having been completed with the award of the subject matter, generates subjective rights to the winning bidder, or in cases of revocation or annulment in which the bidder is indicated, whether directly or indirectly, as the party that caused the dissolution of the bidding process.

[Read more](#)

Decision 2573/2019 *Full Court*

Bids for building maintenance services must be preceded by a preventive and corrective maintenance action plan, with the definition of the services and their respective amounts to be demanded in the contractual performance, in compliance with Art. 6, IX, and Art. 7, paragraph 2, II, and paragraph 4, of Law 8,666/1993.

[Read more](#)

Relevant Decisions Issued by the Superior Court of Justice-STJ

5.

PRECEDENT 633

Law no. 9,784/1999, especially with regard to the peremptive period for the review of any administrative acts within the Federal Public Administration, can be applied, secondarily, to states and municipalities, if there is no specific local regulation regulating the matter.

[Read more](#)

PRECEDENT 634

The same statute of limitations provided for public agents under the Law on Misconduct in Public Office shall apply to individuals.

[Read more](#)

DIVERGENCE MOTION 1.281.594 - SP

The statute of limitations for cases of contractual civil liability is 10 years, as set forth under Art. 205 of the Civil Code. Precedent 635 has been issued to this effect: "The statute of limitations provided for under Article 142 of Law n. 8,112/1990 shall begin on the date the competent authority for the opening of the administrative procedure becomes aware of the fact, shall be interrupted with the first valid opening act - a punitive inquiry or disciplinary procedure - and shall restart in its entirety 140 days after such interruption".

[Read more](#)

Relevant Decisions Issued by the Superior Court of Justice-STJ

5.

SPECIAL APPEAL 1.155.590-DF

Free interstate collective public transport for weak people with disabilities. Law 8,899/1994. Inclusion of air transport. Unreasonability. Based on this decision, although Law 8,899/1994 and Decree 3,691/2000 do not specify to which modes of interstate collective public transport the free fare shall be applicable for weak people with disabilities, the STJ decided that it is not up to it to expand the cases of free fare in the interstate collective public transport modes based on the interpretation of the Constitution, under penalty of acting as a positive lawmaker.

[Read more](#)

SPECIAL APPEAL 1.543.465-RS

Interstate road transport. Elderly. Free parking spots. Exemption from toll fees and from the use of road terminals. The guarantee of free transport to the elderly is provided for under Art. 230, paragraph 2, of the Federal Constitution, and under Law 10,741/2003. The legislation guarantees the reservation of 2 free parking spots per vehicle to the elderly with an income equal to or lower than two (2) minimum wages, not establishing any conditions to be followed other than the income criterion. Thus, not only the value of the ticket must be assured to the elderly, but also any costs directly related to transport, which includes toll fees and the use of terminals.

[Read more](#)

Relevant Decisions Issued by the Superior Court of Justice-STJ

5.

SPECIAL APPEAL 1.745.415-SP

Administrative Contract. Ancillary bank-issued guarantee. Consumer Protection Code and Precedent 297/STJ. Non-applicability. Administrative contracts are not subject to the rules of the Consumer Protection Code. A bank-issued guarantee under any administrative contract, thus, is subject to public law, since the contracting of such a guarantee does not arise from freedom to contract, but rather from the position of supremacy that the law confers on Public Administration in administrative contracts. Therefore, STJ Precedent 297 on the application of the Consumer Protection Code to financial institutions is not applicable.

[Read more](#)

SPECIAL APPEAL 1.164.893-SE

Allotment. Regularization. Municipal authority and duty. Limitation to essential infrastructure works. Charging from the developer of the costs of the remedy action. It is up to the Municipality to promote the orderly occupation of urban land, based on Art. 30, VIII, of the 1988 Federal Constitution, ensuring well-being to its inhabitants throughout the territory of the political entity, in accordance with the Master Plan and the applicable urban legislation, pursuant to Art. 182 of the 1988 Federal Constitution. It is also the responsibility of the Municipality to ensure sustainability and avoid land subdivision the guidelines for regularization of allotments as provided for under Art. 40, paragraph 5, of Law No. 6,766/1979 (Urban Land Subdivision Law). Thus, it is the Municipality's responsibility to perform solely the essential works to be implemented, in accordance with the applicable local urban legislation.

[Leia mais](#)

Relevant Decisions Issued by the Superior Court of Justice-STJ

5.

SPECIAL APPEAL 1.770.001-AM

Administrative Law, Civil Law. Criminal trespassing committed by individuals. Infrastructure services by the State. Indirect expropriation. Non-occurrence. Indirect expropriation is not characterized when the State performs only public infrastructure services in land whose invasion by individuals presents a consolidated and irreversible situation.

6 Relevant Decisions Issued by the Federal Supreme Court-STF

WRIT OF MANDAMUS 34939/DF

Performance of logistics service by ECT and waiver of the bidding process. It is illegal for Empresa Brasileira de Correios e Telégrafos (ECT) to contract logistics services directly, waiving the bidding process, based on Art. 24, VIII, of Law 8,666/1993. The possibility of waiving the bidding process does not authorize the Administration to do it. The Administration must carry out an analysis of the context and decide whether or not to start a bidding process.

[Read more](#)

Relevant Decisions Issued by the Federal Supreme Court-STF

6.

ADI 5624 PRECAUTIONARY MEASURE-Ref/DF (Newsletter 943)

Sale of a state-owned company and legislative authorization. The requirement for legislative authorization does not apply to the sale of the controlling interest of subsidiaries and controlled companies of state-owned and private and public joint stock companies. However, the principles of public administration contained in Art. 37 of the 1988 Federal Constitution must be complied with.

[Read more](#)

EXTRAORDINARY APPEAL 1027633/SP

Damage caused by a public agent: action for damages and standing to be sued. The action for damages caused by a public agent shall be brought against the State or against the Legal Entity under private law providing a public service, based on the provisions of Art. 37, paragraph 6, of the 1988 Federal Constitution. A right of recourse against the agent responsible shall be ensured in cases of willful misconduct or fault. It is a judgment of general repercussion (Theme 940).

[Read more](#)

ACTION AGAINST THE VIOLATION OF A CONSTITUTIONAL FUNDAMENTAL RIGHT ("ADPF") 235/TO

Broadcasting and conflict of legislative competent jurisdiction. Declaration of unconstitutionality of Law 416/2008 of the Municipality of Augustinópolis/TO, which authorizes the Executive Branch to grant broadcasting operations, as the challenged law invaded the Federal Government's reserved power to provide for broadcasting, in violation of Art. 21, XII, a, of the 1988 Federal Constitution.

[Read more](#)

EXTRAORDINARY APPEAL 1083955/DF

CADE's decisions and the actions of the Judiciary. The Judiciary's control of administrative decisions within CADE must be limited to examining the legality or abusiveness of administrative acts.

[Read more](#)

Relevant Decisions Issued by the Federal Supreme Court-STF

6.

ADI 6229/DF

Decision of the examination of a precautionary measure suspending the effectiveness of Provisional Measure (MP) 896/2019, which exempts public administration authorities from the publication of invitations to bid, price quotations, tenders and auctions in newspapers with wide circulation.

[Read more](#)

7

Judgments Estimated for 2020

ProAfR in Special Appeal 1.757.385-SC

Judgment in order to standardize the understanding regarding the statute of limitations applicable to indirect expropriations, in the event that the Government has carried out works on the site or attributed the nature of public use or social interest to the property. Discussion on whether the term would be 15 years, as provided for under the caption of Art. 1,238 of the Civil Code, or 10 years, in accordance with the sole paragraph of the same article.

[Read more](#)

Main Projects 2019

8.

Auction for the segment
BR-364/365/GO/MG

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Auction of the Northeast,
Southeast and Center-West
Airport Blocks (12 airports)

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New Energy Auction (LEN)
A-4 of 2019

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North-South Railway - SP to TO

[Read more](#)

AE 10 / AE 11 / AI 01 - Liq-
uid Bulk Lease in the Port of
Cabedelo/PB

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STS 13A - Liquid Bulk Lease in
the Port of Santos/SP

[Read more](#)

STS 20 - Solid Bulk Lease in
the Port of Santos/SP - San-
tos, São Paulo

[Read more](#)

Liquid Bulk Port Terminals in
the Port of Belém/PA -(BEL
02A, BEL 02B, BEL 04, BEL 08
and BEL 09)

[Read more](#)

Main Projects 2019

8.

Cellulose Terminal in the Port of Paranaguá/PR - (PAR01)

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Liquid Bulk Port Terminal in the Port of Vitória/ES

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Liquid Bulk Port Terminal in the Port of Vila do Conde/PA - (VDC 12)

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Exclusive Instant Lottery – LOTEX PPI/PND-2019

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New Energy Auction (LEN) A-6 of 2019

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CPRM Mining Rights-TO - Zinc, Copper and Lead of Palmeirópolis

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Piracicaba Lot Concession - Panorama

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Transmission facilities auction No. 2/2019

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Negotiations of Concession Extensions 2019

9.

EFVM - Vitória-Minas Gerais Railroad

Early extension of the concession contract.

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Rumo Malha Paulista SA

Early extension of the concession contract.

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10. Constant Projects PPI 2020

Public-Private Partnership (PPP) for the Management of the Communications Network - Aeronautics Command - COMAER

(Request for Proposals Published in Aug/2018 - Auction estimated for the 1st Quarter of 2020)

[Read more](#)

Constant Projects

PPI 2020

10.

6th Round of Airport Concessions - South, North I and Central Blocks – Study Phase.

Request for Proposals Estimate: 3rd quarter of 2020

Auction Estimate: 4th quarter of 2020

[Read more](#)

Railway EF-170 - MT/PA - Ferrogrão

Request for Proposals Estimate: 2nd quarter of 2020

Auction Estimate: 3rd quarter of 2020

[Read more](#)

Railway EF-334/BA – West-East Integration Railway FIOL (section between Ilhéus/BA and Caetité/BA)

Request for Proposals Estimate: 2nd quarter of 2020

Auction Estimate: 3rd quarter of 2020

[Read more](#)

Empresa de Trens Urbanos de Porto Alegre S.A. (Trensurb)

Request for Proposals Estimate: 4th quarter of 2020

Auction Estimate: 2nd quarter of 2021

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Companhia Brasileira de Trens Urbanos (CBTU)

Request for Proposals Estimate: 2nd quarter of 2020

Auction Estimate: 4th quarter of 2021

ATU 12 – Solid Bulk Lease in the Port of Aratu/BA

Request for Proposals Estimate: 2nd quarter of 2020

Auction Estimate: 3rd quarter 2020

[Read more](#)

Constant Projects PPI 2020

10.

Privatization - Companhia Docas do Espírito Santo – CODESA

Request for Proposals Estimate: 4th quarter of 2020

Auction Estimate: 2nd quarter of 2021

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Privatization of the Organized Port of São Sebastião/SP - Centro, São Sebastião, São Paulo

Request for Proposals Estimate: 1st quarter of 2021

Auction Estimate: 2nd quarter of 2021

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IQI 03 - Liquid Bulk Lease in the Port of Itaqui /MA – Itaqui, São Luís, Maranhão

Request for Proposals Estimate: 1st quarter of 2020

Auction Estimate: 2nd quarter of 2020

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IQI 11 - Liquid Bulk Lease in the Port of Itaqui/MA – Itaqui, São Luís, Maranhão

Request for Proposals Estimate: 1st quarter of 2020

Auction Estimate: 2nd quarter of 2020

[Read more](#)

IQI 12 - Liquid Bulk Lease in the Porto f Itaqui/MA – Itaqui, São Luís, Maranhão

Request for Proposals Estimate: 1st quarter of 2020

Auction Estimate: 2nd quarter of 2020

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Constant Projects **10.** PPI 2020

IQI 13 - Liquid Bulk Lease in the Port of Itaqui/MA – Itaqui, São Luís, Maranhão

Request for Proposals Estimate: 1st quarter of 2020

Auction Estimate: 2nd quarter of 2020

[Read more](#)

STS 14 - Cellulose Terminal in the Port of Santos/SP

Request for Proposals Estimate: 1st quarter of 2020

Auction Estimate: 2nd quarter of 2020

[Read more](#)

STS 14A - Cellulose Terminal in the Port of Santos/SP

Request for Proposals Estimate: 1st quarter of 2020

Auction Estimate: 2nd quarter of 2020

[Read more](#)

SUA 05 - Container Lease in the Port of Suape/PE

Request for Proposals Estimate: 4th quarter of 2019

Auction Estimate: 1st quarter of 2020

[Read more](#)

Concession of BR-153/282/470/SC and SC-412 Highways

Request for Proposals Estimate: 4th quarter of 2020

Auction Estimate: 1st quarter of 2021

[Read more](#)

Constant Projects PPI 2020

10.

Vehicle Terminal in the Port of Paranaguá/PR - (PAR12)

Request for Proposals Estimate: 2nd
quarter of 2020

Auction Estimate: 3rd quarter of 2020

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Fortaleza Passenger Maritime Terminal

Request for Proposals Estimate: 4th
quarter of 2019

Auction Estimate: 2nd quarter of 2020

[Read more](#)

Concession of the highways BR- 163/230/MT/PA - Section between Sinop/MT and Miritituba/PA

Request for Proposals Estimate: 2nd
quarter of 2020

Auction Estimate: 3rd quarter of 2020

[Read more](#)

Concession of the highways BR- 381/262/MG/ES - Section of BR- 381/MG between Belo Horizonte and Gov. Valadares and BR-262/ MG/ES between João Monlevade/ MG and Viana/ES

Request for Proposals Estimate: 3rd
quarter of 2020

Auction Estimate: 4th quarter 2020

[Read more](#)

Highway – BR-040/495/MG/RJ (Concer) – Juiz de Fora to Rio de Janeiro

Request for Proposals Estimate: 3rd
quarter of 2020

Auction Estimate: 4th quarter of 2020

[Read more](#)

Constant Projects

PPI 2020

10.

BR-101/SC Highway – Paulo Lopes to São João do Su

Highway: 4th quarter of 2019

Auction Estimate: 1st quarter of 2020

[Read more](#)

Highway – BR-116/493/RJ/MG (CRT)

Highway: 3rd quarter of 2020

Auction Estimate: 4th quarter of 2020

[Read more](#)

Highway – BR-116/465/101/SP/ RJ (Dutra) – Rio de Janeiro to São Paulo

Highway: 3rd quarter of 2020

Auction Estimate: 4th quarter of 2020

[Read more](#)

Highway – BR-153/080/414/GO/TO - Aliança do Tocantins to Anápolis

Highway: 2nd quarter of 2020

Auction Estimate: 3rd quarter of 2020

[Read more](#)

Negotiations of Concession Extension 2020

11.

FCA - Ferrovia Centro-Atlântica S.A. - early extension of the concession contract

Amendment Estimate: 2nd quarter of 2020

[Read more](#)

MRS Logística S.A. - early extension of the concession contract

Amendment Estimate: 4th quarter of 2020

[Read more](#)

EFC - Carajás Railroad - early extension of the concession contract
Amendment Estimate: 2nd quarter of 2020

[Read more](#)

Rumo Malha Paulista - early extension of the concession contract

Amendment Estimate: 1st quarter of 2020

[Read more](#)

EFVM – Vitória-Minas Gerais Railroad - early extension of the concession contract

Amendment Estimate: 1st quarter of 2020

[Read more](#)

Possible Privatizations 12.

CODESP

Companhia Docas do Estado de São Paulo*

DATAPREV

Empresa de Tecnologia e Informações da Previdência**

SERPRO

Serviço Federal de Processamento de Dados**

ELETROBRAS

Centrais Elétricas Brasileiras S.A. (PL 5877/2019)

*** Decree no. 10,138/2019, of November 29, 2019 inserted the Studies for Privatization of the Port of Santos in the PPI.** Purpose of the Project: Promotion of the studies for privatization of the Organized Port of Santos/SP and of Companhia Docas do Estado de São Paulo – CODESP. Period Estimated for Contracting the Studies: 4th Quarter of 2019. Approval of the Studies: 4th Quarter of 2020. Public Consultation: 1st Quarter of 2021.

[Read more](#)

**** Direct Action for the Declaration of Unconstitutionality (ADI 6241) filed at the Federal Supreme Court by PDT** - The Democratic Workers Party, questioning the constitutionality of Laws No. 9,491/1997 and 13,334/2016) that govern the National Privatization Program (Programa Nacional de Desestatização – PND), in addition to decrees and resolutions that regulate the sale of six state-owned companies. In this action, PDT also requires an injunction suspending the privatizations. The injunction is pending appreciation.

[Read more](#)

Main State Projects 2020

13.

SP

- ◆ **Anhembi Complex** Area for fairs and exhibitions
- ◆ **Pacaembu Stadium**
- ◆ **São Paulo's Bilhete Único** Electronic ticketing system for public transport. The purpose is to improve the service
- ◆ **São Paulo City Hall Parks** Concession of the management of municipal parks
- ◆ **Ibirapuera Park** Management and maintenance of the city's most important park
- ◆ **São Paulo Municipal Produce Market** Management of the Public Produce Market
- ◆ **Kinjo Yamato Produce Market** Management and concession of stands in the municipal produce market
- ◆ **Parking lots in São Paulo** Management of municipal parking lots and tow trucks
- ◆ **São Paulo Bus Terminals** Concession for the management of 27 bus terminals and construction of commercial buildings
- ◆ **São Paulo Cemeteries** Management and services of municipal public cemeteries
- ◆ **Interlagos Autodrome** Sale of the autodrome, based on the Bidding Process for Abu Dhabi Autodrome
- ◆ **São Paulo Funeral Service** Management of the municipal funeral service
- ◆ **15-silver line (monorail)** Concession for the operation and maintenance of the monorail line
- ◆ **Intercity bus lines** Concession of the intercity line transport system in the 645 municipalities of the state
- ◆ **SP public lighting PPP** 20-year PPP bidding process for the installation of more than 700,000 LED lamps in the city
- ◆ **São Paulo Railway** section between Perus and Manoel Feio to be built by MRS in exchange for the concession renewal
- ◆ **Santo Amaro Municipal Produce Market** operation, maintenance and use of the space
- ◆ **SABESP** Privatization of the state-owned company responsible for sanitation and water supply

Main State Projects 2020

13.

RJ

- ◆ **Audiovisual Complex** Complex of studios with infrastructure for audiovisual production
- ◆ **Street Lighting in Rio de Janeiro** Modernization and energy efficiency of more than 430,000 light fixtures
- ◆ **EDUCARIO** Creation of 55,000 new vacancies in childhood education, through the construction of 130 new school units
- ◆ **New Autodrome in Rio de Janeiro** Construction of a new circuit for major automobile events in Deodoro
- ◆ **Companhia Estadual de Águas e Esgotos do Rio de Janeiro – CEDAE** Sale of the state sanitation company; requirement imposed by the State Tax Recovery Plan

BA

- ◆ **Bahia LRV** linking the Commerce and Rail Suburb regions, with a total of 19 km
- ◆ **CODEBA (Companhia das docas do estado da Bahia)** Revitalization of Codeba's warehouses for the implementation of a Gastronomic Cultural Center

- ◆ **Salvador street lighting** Street lighting modernization, with LED installation and remote management
- ◆ **Sale of public land in Salvador** sale of 9 pieces of land owned by the Municipality of Salvador (partly completed)

CE

- ◆ **Acuario Ceará** Equipment under construction for aquatic life exhibition
- ◆ **Castelão Arena** Stadium with capacity for 67,037 covered seats and 52 boxes. Current PPP expires in December
- ◆ **Ceasa Ceará** Vegetable, fruit and poultry distribution center with a total area of 407,000 m²
- ◆ **Ceará Events Center** Multipurpose equipment for fairs and events with a usable area of 76,000 m²
- ◆ **Northeast Olympic Training Center** Structure aimed at the training of athletes and teams in 26 Olympic modalities, built next to Castelão Arena
- ◆ **Digital Belt of Ceará** Optical fiber network of approximately 3,000 km operated by the State Information Technology Company

Main State Projects 2020

13.

- ◆ **Solar Panels at Eixão das Águas** Implementation of power generation by a solar photovoltaic source on the canal land with 255 km
- ◆ **Fortaleza Subway System** LRV Concession between the neighborhoods of Parangaba and Mucuripe, of Sobral and Cariri LRV, in addition to the Southern Subway Line
- ◆ **Desalination Plant** Construction of equipment to desalinate sea water
- ◆ **Roads of the State Network of Ceará** Transfer of the management of part of the state road network to the private sector
- ◆ **Land of the Government of Ceará** Three pieces of land with a total area of 479,000m²

DF

- ◆ **ARENAPLEX** Areas of Mané Garrincha Stadium, Nilson Nelson Gymnasium, Claudio Coutinho Aquatic Complex and multisport courts
- ◆ **Brasília Autodrome** Renewal of the site with a racetrack and other entertainment and service options
- ◆ **BIOTIC** Technology Park of Brasilia, with environment for the installation of several companies
- ◆ **Guará Sports and Leisure Complex** Estimate of new karting tracks, a club, a stadium and a gymnasium
- ◆ **Street Lighting in the Federal District** Installation of 290,000 light fixtures
- ◆ **New north exit** Project with a fourth bridge over Lake Paranoá
- ◆ **Brasilia City Park** Renovation, maintenance, modernization and operation of the park and creation of kiosks
- ◆ **Popular Shopping Center in Brasilia** Establishment in Brasília Railroad Park
- ◆ **Transbrasiliana road** Creation of a 26-km road between Setor Policial Sul to Samambaia, Guará I and II, Águas Claras, Park Way, Taguatinga and Samambaia
- ◆ **Public parking lots in Brasilia** Government wants to charge for parking in public parking lots
- ◆ **Brasilia National Theater** Government seeks partner to renovate the theater, estimating costs of at least BRL 35 million
- ◆ **Granja do Torto** Renovation of the 74.5-hectare venue; the project includes the creation of a college at the site
- ◆ **North LRV – DF** The project provides for a Light Rail Vehicle connecting the Pilot Plan to Planaltina

Main State Projects 2020

13.

- ◆ **South W3 – DF** Revitalization of the commercial route and construction of a LRV connecting the Pilot Plan to JK Airport
- ◆ **Brasilia Executive Airport** the terminal should replace the current aerodrome, focusing on private, executive or government flights

ES

- ◆ **Carapina Pavilion** The space with 100,000 m2 has been leased and the lease contract expires in December
- ◆ **Cariacica Municipal Sanitation Service** Universalization of the basic sanitation service in the municipality
- ◆ **Modernization of civil identification services in Espírito Santo** Project to increase the production of expert reports and reduce the time for delivery of identity cards
- ◆ **Re-use of Cambur station treated sewage** Project to reuse treated sewage at Camburi station for industrial purposes

GO

- ◆ **Indústria Química do Estado de Goiás S/A (IQUEGO)** Administrative concession of the management, operation and maintenance services of the unit
- ◆ **Multimodal platform of Anapolis** Concession of services for the integration of road, air and rail transport of the platform
- ◆ **Highways GO-010/020/060/070/080/139 E213** Concession of 896 km of toll roads in exchange for maintenance and investments
- ◆ **VAPT VUPT Goiás** Transfer to the private sector of all customer services

MG

- ◆ **CASEMG (Companhia de Armazéns e Silos do Estado de Minas Gerais)** Privatization of the federalized company that has 18 units in MG
- ◆ **CEASAMINAS** Privatization of a company under the supervision of the Ministry of Agriculture and with 6 warehouses in MG

Main State Projects 2020

13.

- ◆ **Peter Lund Caves Route** Exploration and management of Parque do Sumidouro, Monumento Natural Estadual Gruta Rei do Mato and Monumento Natural Estadual Peter Lund
- ◆ **Highway MG-424** Operation of 51.09 km of highway
- ◆ **Highways BR-459, BR-146, MG-290, MG-295, MG-455 and MG-459** Operation of 379.5 km of highways
- ◆ **Construction and maintenance of 128 schools in MG** Implementation, maintenance and operation of public education units in over 50 cities
- ◆ **Yards for vehicles seized in MG** Project for the concession of the service of removal and storage of vehicles seized due to traffic offenses
- ◆ **Criminal Forensic Science Center in MG** Construction and maintenance of a Criminal Forensic Science Center, which will be the new headquarters for authorities
- ◆ **New headquarters of DETRAN-MG** Deployment and management of the infrastructure for the new headquarters of Detran/MG
- ◆ **Vehicle license plates in MG** Concession of the service of deployment and distribution of mirror plates and automotive tags

- ◆ **CODEMIG** Transformation of Companhia de Desenvolvimento Econômico de Minas Gerais into a private and public joint stock company
- ◆ **EXPOMINAS II** Construction and operation of a Convention Center and a Multipurpose and Agricultural Exhibition Park
- ◆ **Sale of CEMIG properties in MG and GO** The state-owned company put up for sale 46 properties in 27 cities of Minas Gerais and Goiás

RS

- ◆ **RIOGRANDENSE sanitation company** – CORSAN Water and sanitation company
- ◆ **ZOOBOT NICA Foundation** Foundation that manages Sapucaia do Sul Zoo
- ◆ **Highways ERS 324, ERS 287 and ERS 020** Study of a partnership with the private sector for road management
- ◆ **BANRISUL** Sale of 49% of the shares of Rio Grande do Sul state-owned bank (partially completed)
- ◆ **Companhia Estadual de energia elétrica - CEEE** Power Concessionaire in the South-Southwest of RS; it is part of the State Tax Recovery Plan
- ◆ **CRM Mineradora** is part of the State Tax Recovery Plan

Main State Projects 2020

13.

- ◆ **SULGÁS** Gas operator. It is part of the State Tax Recovery Plan and must be approved by the National Treasury and voted in the State Legislature
- ◆ **Street Lighting in Porto Alegre** Administrative concession for the performance of street lighting services
- ◆ **DMAE (Municipal Department of Water and Sewage) of Porto Alegre** Administrative concession for the modernization and performance of services in the water and sewage network
- ◆ **DMLU (Municipal Department of Urban Cleaning) of Porto Alegre** Concession for the performance of public services for the management of solid waste from urban cleaning
- ◆ **Porto Alegre Public Produce Market** Project of a partnership for the management of the venue, with the possibility of building a parking lot next to it
- ◆ **Hospital Materno Infantil Presidente Vargas (HMIPV)** Public-Private Partnership for the construction, equipment supply and operation of the new HMIPV
- ◆ **Parks and squares of Porto Alegre** Project of a partnership with the private sector for the management of 9 municipal parks
- ◆ **Parque da Orla do Guaíba** Project of a partnership, followed by a concession, to ensure the management and conservation of part of the park
- ◆ **Digital Electronic Clocks in Porto Alegre** Concession for the operation and maintenance of digital electronic clocks
- ◆ **Street signs in Porto Alegre** Concession project for the installation, maintenance and operation of street signs
- ◆ **Bus shelters in Porto Alegre** Concession for the modernization, operation and maintenance of bus shelters in the city
- ◆ **Events Center in Porto Alegre** Project for the construction, operation and maintenance of the Events Center
- ◆ **Porto Alegre Administrative Center** Concession for the construction and operation of the City Hall Administrative Centre to replace Paço Municipal and Prefeitura Nova
- ◆ **Porto Alegre Bus Station** Concession to the private sector
- ◆ **Parque Harmonia** Concession of Parque Harmonia
- ◆ **Araujo Vianna Auditorium** Renewal of the concession of Araujo Vianna Auditorium

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Full biography here

Claudio Marques

Claudio has extensive experience in litigation and arbitration (civil and corporate), including commercial contracts, civil liability, corporate and corporate disputes. He has extensive experience in administrative law, including bidding, public procurement, concessions and public-private partnerships. He is a partner in the Litigation & Arbitration practice of Vieira Rezende and the Rio de Janeiro State Attorney since 2004.

Full biography here

Cláudio Guerreiro

Cláudio is a member of the board of directors of the firm and the leading partner in the corporate area. He is a reference in advising on aspects related to the use of natural resources, especially mining, water and sanitation. Cláudio has extensive experience in the corporate and administrative areas representing large corporate groups in M&A operations and infrastructure projects.

Full biography here

Marina Aidar

Marina has extensive experience in financing structuring. Advises national and international banks and companies in complex operations, including international lending, project financing in regulated sectors and issuance of debt securities in the capital markets. Marina is recognized for her pro-deal position in negotiations, representing the interests of her clients.

Full biography here