



PORT & INTERMODAL

Finance & Investment Summit

April 16-18, 2013 | Miami, FL

Pre-Summit Workshop

April 16, 2013

SUCCESSFUL PARTNERSHIPS FOR PORT & INTERMODAL INVESTMENTS

Draft Agenda

Before successful investment partnerships can be achieved, there are a wide variety of risks that must be addressed and surmounted. Only by reaching a common understanding over these issues can a solid structure be formulated to develop solutions that work and turn risks into reward. To provide the basis for such an understanding, the workshop will address three areas. The first will be “Background & Context” in which a pertinent history of the port and intermodal environment will be explored and explained. The second, “Identifying Risk,” will examine five of the most prevalent and challenging areas of risk. The final portion of the Workshop will address the most current “Financial Structures & Considerations” and how they can best be employed to secure a successful investment partnership.

9:00 – 9:05 Introduction by the Chairperson

9:05 – 9:30 **BACKGROUND & CONTEXT**

Port and intermodal investments will occur within a unique environment which must be properly appreciated for a successful financing to be established. Issues to be addressed will include:

- Port and intermodal historic development
- Port ownership and operations
- Intermodal ownership and operations
- Regulatory and legal framework
- Political and stakeholder influences

Franc J Pigna, CRE FRICS CMC, Managing Director, AEGIR LLC

9:30 – 2:45 **Identifying, Mitigating and Allocating Risk**

Five of the most challenging risks will be examined and, for each one, the following elements will be explored:

- The nature of the risk
- The quantification of the risk
- The allocation of the risk
- The mitigation of the risk (natural, external or contractual)

9:30 – 10:15 **Economic/Financial (Global/Country)**

10:15 – 11:00 **Contractual Risk**

Susan L. Barry, *Attorney at Law*, ORRICK, HERRINGTON & SUTCLIFFE LLP

11:00 – 11:15 *Refreshment Break*

11:15 – 12:00 **Regulatory Risk**

Paul M. Heylman, *Partner*, SAUL EWING LLP

12:00 – 12:45 **Foreign Investment Risk**

Ignacio Barandiaran, *Principal*, ARUP'S AMERICAS TRANSACTION ADVICE

12:45 – 2:00 *Luncheon*

2:00 – 2:45 **Environmental Risk**

Dan Knepper, *Managing Associate*, ORRICK, HERRINGTON & SUTCLIFFE LLP

2:45 – 4:30 **Financial Structures & Considerations**

The Workshop concludes with an examination of the most current tax considerations and innovative financial structures. In addition to exploring alternative financial models it will review the criteria necessary to select the appropriate one (including but not limited to project finance, public private partnerships or concession finance) in light of the attendant risk.

2:45 – 3:30 **Tax Considerations**

Richard Chirls, *Partner*, ORRICK, HERRINGTON & SUTCLIFFE LLP

3:30 – 3:45 *Refreshment Break*

3:45 – 4:30 **Financial Structures**

Dr. John C. Martin, *President*, MARTIN ASSOCIATES