



Circulação de conhecimento e políticas de planejamento: Ideias, interesses e instituições no programa de requalificação urbana ‘Porto Maravilha’

Circulating knowledge and planning policy analysis: Ideas, interests and institutions in the making of the *Porto Maravilha* programme

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ABSTRACT

After more than three decades of studies, committees and proposals, the ongoing regeneration of the port area of Rio de Janeiro could well be framed as ‘an idea whose time has come’. Since the second half of the 20th century the area experienced a slow process of decline facilitated by changes in shipping technology, decreasing public investments and planning decisions that further isolated it from the surrounding region. The large-scale urban programme encompasses an area of five million square meters aimed to provide features familiar to waterfront projects found elsewhere: office towers, residential condos, modern transport networks and tourist attractions. However, framing the operation as a stance of ‘serial reproduction’ of iconic landscapes obscures more than reveals how circulating policy ideas are ‘grounded’ and institutionalized. To this effect, this paper suggests a complementary approach to the literatures of policy mobilities and the new institutionalism strand focusing on the role of ideas in the public policy process. An analytical framework is then applied to the case study in order to examine the ideas, interests and institutions shaping the emergence of the regenerated port area of Rio de Janeiro. The paper concludes with an assessment of the experience as a potential urban model to be rolled out in other localities and the recent implications from corruption scandals.

Keywords: policy model; public policy process; waterfront regeneration; Rio de Janeiro

INTRODUCTION

After decades of studies, lobbying and proposals the regeneration of the port area of Rio de Janeiro was announced in June 2009 in an official ceremony attended by president Lula da Silva, the governor of the state of Rio, Sergio Cabral, and the Mayor Eduardo Paes. The presence of the political leaders symbolized the coalition among their governments to overcome jurisdictional barriers and turn the project in a reality. The Porto Maravilha program aims to regenerate 5 million square meters of docklands, rail yards and warehouses into a new mixed-use neighbourhood. Signature buildings by renowned figures of the global architecture system such as Santiago Calatrava and Norman Foster are profoundly changing the waterfront landscape with office towers, residential condos, museums, an aquarium and a renewed public space. Despite not featuring any prominent Olympic facility the program is being heralded as the main legacy of the 2016 Games.

Once made official there was an effort to position the operation alongside waterfront regenerations programmes elsewhere. A publication titled 'Porto Maravilha + 6 Successful Case Studies of Waterfront Renewal' was edited by the municipality in 2010 comparing the experiences of Baltimore, Barcelona, Buenos Aires, Cape Town, Hong Kong and Rotterdam. The programme was presented as 'one of the most important urban experiences of our times, a true historic mark in the development of Latin American port cities' (Dias, 2010, p. 231).

However, for all the inter-referencing efforts and previous attempts that incorporated foreign exemplars more explicitly, it was from a nearby experience that Rio's Porto Maravilha modelled itself from. Complying with the norms of federal law 10.251, known as 'the City Statute', the programme incorporated a series of features learned from São Paulo's Urban Operation experiences. As the proponents of the project have found, rather than the aesthetic visioning appealing to interventions in other places, it was the institutional and the financial modelling the key drivers to make the proposal a reality. In this sense, the Porto Maravilha programme can be seen both as an example of the 'serial reproduction' of waterfront regeneration schemes worldwide and an intrinsically 'home made' solution to the challenges imposed by the national and local contexts.

This paper is structured in four sections apart from the introduction and conclusion. The first section reviews the literatures of policy mobilities recently developed by urban scholars and the strand of new institutional analysis known as constructivist institutionalism. It argues that in adopting a socio-constructivist stance to the analysis of policymaking and the circulation of policy ideas the literatures can be complementary in the examination of how urban models are 'grounded' and institutionalized. The second section discusses the historical context of Rio de Janeiro's regeneration programme highlighting the learned lessons of previous proposals. The third section examines the making of the Porto Maravilha programme through the three key elements in the policy process: ideas, in the proposal of an urban operation; interests, in the convergence among the main stakeholders; and institutions, in the articulation of the delivery and financing of the operation. The fourth section provides a preliminary analysis of some of the outcomes in the discussion of an emerging model of urban regeneration and the relationship between public and private institutions before the concluding section.

CIRCULATING URBAN MODELS AND THE POLICY PROCESS

Policy makers have long drawn on experiences from other political settings to formulate policies for local problems but contemporary policy-making seems to be an ever-present search for and an emulation of 'ideas that work' (Peck, 2002, p. 349). Taking a relational perspective to the 'making up' of local policies, the urban studies literature on policy mobilities suggests that greater attention should be given to the practices and processes through which contingent specific experiences are rendered as policy models to be circulated, promoted and grounded in new political landscapes. As McCann (2010:108) notes "intercity, cross-scale circulation of policy knowledge... are long-standing but increasingly important aspects of the production of cities, yet they have not been adequately studied or theorized" (2010, p. 108). Three core elements are present in the analysis of policy mobility: the involved actors, policy objects and the mobilisation process.

First, adopting a social constructivist approach, the literature is concerned with critically examining the role and behaviour of policy actors. It considers the social processes in which ideas, policies and models were framed in the first instance. This involves a consideration of wider tracks of knowledge circulation including multi-scalar "networks of professionals, consultants, global agencies, national and local players searching for ideas" (Cochrane and Ward, 2012, p. 6).

Second, it argues that the policy models that acquire greater mobility are those which extend dominant ideologies and consolidate powerful interests. Some models have explicit geographical references, in a way that the cities where particular practices were articulated become the signifier for a certain way of policy-making. Among those are cities whose urban regeneration projects acquired international reputation for reverting economic decline, including Baltimore's redevelopment of the waterfront, the 'Bilbao effect' of iconic architecture and the 'Barcelona model' of event-led urban transformation. These are cities whose experience "policy-makers and practitioners continue to read about, hear about, discuss, perhaps visit, and consider whether to emulate" (Cook, 2008, p. 775).

Third, as policy-makers engage in fact-finding trips to evaluate the application of a determined policy, they are informed both by their personal ideologies and by the context of the political landscape where they originate. In the process, emphasis is given by their hosts and their attention is turned unevenly to, selected aspects which are of great interest for both parties. At the time the mobilised policy is adopted in a new context, it has already been transformed (Peck and Theodore, 2010), by the processes of interpretation, selective translation and addition of new features to enable its application in a different landscape. In this way, rather than leading to homogeneous political landscapes, the proliferation of models and best-practices evolves unevenly into combinations ultimately conditioned by the new local setting.

While the policy mobility literature has directed close scrutiny to the practices and dynamics that enable policy ideas to circulate, less attention has been paid to the processes of 'grounding' and the institutionalization of these ideas. Staying close to the speed of ideas may run the risk of fetishizing policies and confer them an intrinsic persuasive power. Just as important to trace and interrogate the rise and travels of policy models is the way they come to have an influence on local policymaking. Seeing in this perspective there are overlapping concerns with that of the new institutionalist strand of constructivist institutionalism.

Developed in reaction to other strands of the new institutionalism literature that had arguably over emphasised the role of material interests (rational choice) and institutional (historical

institutionalism) and cultural frames (sociological institutionalism) constraining behaviour, constructivist institutionalism considers ideas as the prime object of analysis in public policy inquiry (Blyth, 2002; Hay, 2006; Schmidt, 2008; Gofas and Hay, 2010; Béland and Cox, 2011). Whereas the other approaches are seen as suitable to explain processes of stability (e.g. explain policymaking on the terms of actors pursuing interests or by the influence of historically constructed institutional constraints or cultural framing), the ideational approach is formulated toward understanding policy change, that is, how new ideas are championed, lobbied, resisted and transformed. For Béland and Cox (2011) this is an imperative corrective measure as they argue that at the core of politics “is the way ideas are packaged, disseminated, adopted, and embraced. The muddle of politics is the muddle of ideas” (p.13).

Cautious to not replicate the constraints found in the other strands, ideational institutionalists balance the emphasis of an idea-centred analysis with an examination of their relationship with interests and institutions. Ideas, broadly defined as to denote a continuum ranging from specific programmes to encompassing paradigms – “a framework of ideas” that besides solutions specifies “the very nature of the problems they are meant to be addressing” (Hall, 1993, p. 279) – are understood as the medium through which interests are identified and communicated, reasoned according to one’s world view and to the constraints presented by institutions. In this sense, Hay (2011, p. 69) recognises that actors’ ability to ponder what is “feasible, legitimate, possible, and desirable” is influenced both by “the institutional environment in which they find themselves and by existing policy paradigms and worldviews”. Institutions then are more than simply the background where interests are articulated and ideas promoted. Berman (2013) argues that true to its institutional genealogy, the ideational approach has to be concerned with the study on how ideas become embedded in institutions and come to influence future behaviour. Ideas do not enter an ideological vacuum when pressed on institutions, but find historically formed practices that influence their acceptability unless there is also pressure from higher levels of authority.

A combinatory perspective drawn from the policy mobilities and constructivist institutionalism literatures reasoned on a socio-constructivist approach offers the opportunity to acknowledge the influence of ideas in circulation while paying close attention to the processes through which they are localised, transformed and institutionalised in policy outputs. As new institutionalists have noted (Thelen and Steinmo, 1992; Blyth, 2002; Béland and Cox, 2011), such approach has to be attentive to the mutual constitutive relationship between ideas, interests and institutions, or the three I’s, which provide the analytical framework employed to examine the case study. Nevertheless, it is important first to note the historical legacies of previous proposals for the redevelopment of the port area of Rio de Janeiro.

PROPOSALS FOR THE REGENERATION OF RIO DE JANEIRO’S PORT AREA

The inadequacies of the port of Rio de Janeiro to adapt to the new container technology since the 1960s and the construction of the Port of Itaguaí in 1982 led to the decline of activities and to the dereliction of the urban landscape. Plans for urban renewal came in succession but were not able to overcome conflicting public interests, institutional resistance on the part of the port authority, and insufficient demand from private investors. Whereas previous plans failed to progress from the study phase or to produce minor interventions, the Porto Maravilha programme was facilitated by very favourable circumstances. An analysis of previous proposals serves to highlight what the main challenges were and how the current programme was able to overcome them.

WATERFRONT RENEWAL AND THE TELEPORT CONCEPT

The first coordinated attempt to develop a proposal for the regeneration of the port area came from businesses in the foreign trade industry at the beginning of the 1980s. Having the Chamber of Commerce of Rio de Janeiro (ACRJ) as a focal point of activity, initiatives were put forward to lobby for the proposal and to draw experiences from abroad.

During the first half of the decade proposals ranged from the creation of a Special Economic Zone to the replication of many of the features of regenerated ports elsewhere, most noticeably that of Baltimore's inner harbour. In the announcement of a design competition for the proposal it was specified that

The project demands the creation of a show-room; hotels tailored to executives in the import-export trade; a world trade centre; leisure areas; shopping malls; marina; aquarium; museum; and the preservation of residential areas directly related to the region, [to be conceived] on the same basis as to what has been achieved recently by the port of Baltimore in the USA (Revista ACRJ, 1982, p. 11).

International seminars were organized annually to promote the industry and to discuss the proposal of the regeneration programme with experts from abroad. In the mid-1980s the main references shifted to Asian cities as Japanese consultants helped to spread the concept of Teleports, a "complex for port areas with advanced telecommunication technology with transmission of information via satellite, connecting the city with the world with more efficiency and speed for the foreign trade" (Revista ACRJ, 1985:26).

Toward the end of the decade the business lobby waned. For all the efforts to set a vision to transform the port area four issues stood in the way. First, residents with the support of architects, planners and heritage institutions initiated a movement to request the preservation of the historic houses of the neighbourhoods of Saude, Gamboa and Santo Cristo as a response to fears of eviction, finally granted by the municipality in 1988 (Sampaio, 1994). Second the Port Authority, Companhia Docas do Rio de Janeiro (CDRJ), offered an ambiguous support that constrained the progress of the project. The then federal institution was the major landowner of the area and despite the decline in port activities it was reluctant to forego part of the docks and warehouses and fully embrace the proposed plans (O Globo, 1983a, 1983b; Ministerio das Cidades, 2005). Third, the complex land ownership of the area involved the municipality, state, federal government and related institutions and only a coordination of the diverse array of interests would see the regeneration project moving forward, as one of the business leaders explained.

[The main problem] was land ownership. Therefore, you needed the support at the federal, state and municipal levels to intervene in that area. At that time Rio de Janeiro enjoyed the reputation of having the municipal government run by a party, the state by another and both being loathed by the federal government, which was another party, other channels, other dealings, there was no way of organizing anything with the three government levels (interview, 9/12/2013).

Finally, the economic crisis that marked most of the 1980s *lost decade* was far from positive in attracting the support from investors to a large-scale development programme. The Teleport project dwindled until the first Cesar Maia term at the city hall when its label was used to designate an intelligent office development at *Cidade Nova* far removed from the original infrastructure-intensive concept. It would be only in the early 2000s that other coordinated attempts were made to spur the regeneration of Rio's port area.

CULTURE-LED REGENERATION

In the early 2000s the municipality produced a series of studies about interventions in the area. Elaborated by the secretariat of urbanism and the Pereira Passos Institute (IPP) it contained proposals for small to medium-sized interventions to renovate public spaces, convert buildings into cultural institutions and improve mobility in the region. In the presentation of the study, the secretary justified the programme as a need to catch up with other places around the world.

‘The city centre needs a revitalization process similar to the centres of other great cities in the world ... Several port cities in the world have successful projects of revitalization of their old docks into new uses for leisure, offices, commerce, culture and residences. London, Baltimore, New York, Buenos Aires, Barcelona. Why not Rio?’ (Sirkis, 2001).

However, for Mayor Cesar Maia the regeneration programme would only be feasible with a major intervention that could provide a catalyst effect to attract interest. Influenced by the experience of the city of Bilbao the municipality entered in talks with representatives of the Guggenheim museum, who were at that time prospecting new sites to expand the museum operations. Between 2001 and 2003 consultants produced studies about the creation of an iconic museum at the Maua pier designed by celebrated architect Jean Nouvel.

The study prompted a campaign by opposition councillors to stop negotiations due the level of financial commitments on the part of the municipality. A civil public action was moved and the Court of Public Treasury determined the suspension of the contract. It concluded that it created financial commitments that were not foreseen in the municipal budget; that it would have to be carried beyond the current mayoral mandate; and that the existence of clauses requiring confidentiality in the arbitration of potential conflicts was against principles of sovereignty (O Globo, 2003). The case was seen as a defeat for Mayor Maia and had a direct implication in the wider regeneration programme, as the secretary of urbanism explained.

‘[the mayor] asked to see me, when we were ready for many infrastructural works to be tendered, with the envelopes about to be opened. He said to me “Listen Sirkis! Without this Guggenheim thing, it won’t work because there is no catalyst and I won’t do a damn thing in the port area”. He ordered to suspend everything, all the process of tendering, everything ... but the projects stayed’ (interview 2/12/2013).

The study identified three essential elements for the integrated development of the port area. First was the importance of reaching an agreement and work together with the federal government and its institutions as they owned most of the available land and properties. In that sense discussions progressed slowly with a federal working group being established to analyse the proposals, lines of public funding, the institutional arrangement and financing (Ministério das Cidades, 2005). Second was to attract the middle class, as the secretary concluded that the chances to create a mixed-use area would only prosper if wealthier residents were convinced to live in the area. Finally, was the need to coordinate all the programs in a separate and dedicated institution, an urban development corporation, following the experience of Buenos Aires and Paris.

‘The studies that still need to be done are those relating to the private property market and institutional modelling that would allow for the constitution of a public-private authority that is able to carry out the revitalization program quickly and continuously unaffected by the limited cycle of the municipal and federal terms ... The legal-political-institutional

engineering for such project is one the greatest challenges of the next years' (Sirkis, 2005).

It was exactly this kind of engineering foresaw by the secretary that would be the focus of a study carried by some of Brazil's largest construction companies that finally pushed for the regeneration program to be launched.

THE PORTO MARAVILHA REGENERATION PROGRAMME

The regeneration of the port area became a priority in the political agenda of Mayor Eduardo Paes, elected in late 2008. Two days after the result of the general elections, Paes met Governor Sérgio Cabral and President Lula da Silva in Brasília. The meeting sealed the symbolic alliance between the three levels of government and signalled full political support to the programme. The alliance was portrayed as an 'unprecedented event' compared with the hostile relationship between the municipal and state cabinets in the previous decades.

Between 2009 – when Paes was sworn into office – and 2011 – when Porto Maravilha became a reality – the programme was carefully designed to overcome the barriers identified in previous plans. The sections below examine how ideas, interests and institutions were assembled to give the form and content to the program.

IDEA

Based on the legal instrument *Procedimento de Manifestação de Interesse* (procedure for demonstration of interest) present in the federal law that regulates public-private partnerships (PPP), the municipality published an open call for expressions of interest to study the regeneration programme of the port area in 2006. Accordingly, private companies are invited to carry feasibility studies for a PPP at their own expense. This was envisioned as a way to leverage expertise and shorten the technological gap between the public and the private sector, and facilitate the former with analyses and information for decision-making.

A single manifestation of interest was expressed by some of the largest Brazilian construction companies forming the consortium Rio Mar e Vila – OAS, Odebrecht, Andrade Gutierrez (that later left the consortium) and Carioca Christiani-Nielsen. The study was carried out in 2007, and the consortium had access to municipal reports and data with the support of a task group formed by representatives of the secretariats of treasury, urbanism and IPP.

The final report focused on establishing a financial and institutional architecture to facilitate the regeneration programme (Rio Mar e Vila, 2007). It advocated strongly to two core premises. First, to characterise the programme as an Urban Operation (*Operação Urbana Consorciada, OUC*). In accordance to the specifications of the federal law known as 'the City Statute', this model of urban intervention gives the basis for planning controls in a delimited area to be reviewed and financially leveraged by the state ('public value capture') to be used exclusively to finance the operation. The Rio Mar e Vila financial proposal was thus based entirely on the sale of certificates of building rights that allowed the construction of towers above existing height limits – known as Certificates of Additional Construction Potential (CEPAC) – to cover all the necessary works in infrastructure and the delivery of public services.

Second, it stressed the need to establish a special purpose vehicle (SPV) responsible for the delivery of the programme, composed by the state and municipal governments. Such institution would have its assets formed by the transfer of public-owned land and the sale of CEPACs.

The financing of the programme was thus dependent on real estate interest to which the report confidently forecasted a demand of 24.5 million square meters until 2024 in 'a conservative scenario' (p.76). In justification for the option for the urban operation the report was explicit in having the experience of São Paulo as reference.

After the [enactment of the] City Statute only two urban operations involving the issuing of CEPACs were developed, both in São Paulo. The results obtained were positive, especially considering that it was a pioneering experience. São Paulo's successful experience indicates that its model should be followed. Any different arrangement will be noticed by investors and thus compromise the attractiveness of the certificates (Rio Mar e Vila, 2007, p. 62-3).

The modelling of the programme thus needed to be carefully crafted to replicate the features of São Paulo's urban operations and to adapt to urban regulations in Rio. The issue was further stressed, alongside the attractiveness for investment.

For a new security such as CEPAC, the main causes of concern are certainly that of legal nature. For this reason, we have always pointed in this study to the most cautious institutional modelling... It concerns simply of considering as an absolute priority the interest of investors, whom the financing of the operation is dependent upon (Rio Mar e Vila, 2007p. 63).

Differently from previous regeneration studies, the focus of the Rio Mar e Vila report was on the financial and institutional modelling of the urban operation rather the aesthetics of the programme. It argued that the projects on which the scenarios were based incorporated the studies of urban intervention developed by the municipality in previous years. This position further was explained by one of the general managers of the secretariat of urbanism who assisted the study.

When the [construction] companies sat with us to prepare their proposals, the study was refined. [They said they] did not have interest in the operation from an urban perspective. "We are construction companies, so what we want? We want to put our trucks in movement, our machines in operation and the workforce to work." That was it... They started the studies, saw that it was feasible, that it could be sustained and it worked out. It really blossomed (interview 19/112013).

According to the City Statute the constitution of an urban operation has to be foreseen in the municipal statutory plan (*plano diretor*) when listing areas of potential urban intervention. This provides the basis for a detailed proposal to be made by the executive office and voted in the municipal chamber. The report of the consortium Rio Mar e Vila put a strong emphasis on the need to include the programme as an urban operation in Rio de Janeiro's *plano diretor*. As a result, the debate moved to other spheres as the city council engaged in the delayed review of the *plano diretor* while the city prepared itself for the municipal elections of 2008.

INTERESTS

Different interests converged to the materialization of the Porto Maravilha. Central to the process were the changes in the oil and gas industry that caused a rise in demand for office spaces in Rio combined with the high rates of economic growth that the Brazilian economy was experiencing in the late 2000s. Politicians, international developers, and construction companies identified in the programme opportunities to further their interests.

The regeneration programme epitomized the alliance between two of the main political parties – PT and PMDB – controlling the federal and the state governments. The election of Eduardo Paes for the city hall signalled a novel situation of cross-scalar political alignment capable of galvanising support to the regeneration of the port area. A rising political actor, Paes made the regeneration programme and the preparations for the 2016 Olympic Games his main policy priorities. As previous proposals found out, land ownership was key for any coordinated attempt to pursue a regeneration programme. The largest areas for the negotiations of CEPACs are public land belonging to the federal government (62%), state government (6%) and the municipality (6%) with the remaining 25% being private properties (CDURP, 2010). The full political support from the federal government was able to overcome the entrenched interests of the port authority and release land for real estate. Late in 2009, having an ample support in the city council, Paes had approved his request to include Porto Maravilha and the creation of the Urban Development Company of the Port Area of Rio de Janeiro (CDURP) in the *plano diretor*.

The rising demand for office spaces in Rio de Janeiro was the turning point for the chances of the regeneration programme. According to a study by Colliers International in 2009 the city had a vacancy rate of 0.64%, the lowest in the world among the markets studied by the international real estate company (2009, p. 1). The strong demand put a particular pressure in the city centre mostly from companies having the state-run oil company Petrobrás and other Federal Government agencies as clients. The report concluded that Rio had the highest average price by square metre of top corporate space in the country. The contribution of the oil and gas industry to the regional GDP grew from 1.25% in 1995 to 12.03% in 2005 and 17.65% in 2012 (Ceperj, 2014). In 2006 a large oil basin was detected along the pre-salt layer of the south-eastern coast of Brazil, with an estimated potential of generating four times more oil than the then national production and elevate the country to the position of the 6th largest producer by 2035 (IEA, 2013).

This marked change in the industry and the pressure on office space caught the municipality planners by surprise. According to general manager of the secretariat of urbanism a study of demand commissioned in the early 2000s to evaluate the chances of a regeneration programme did not show promising perspectives.

The study concluded that [new building] Torre Almirante would absorb, if I'm not wrong, demand in the centre for some five years... We said "damn, they are saying there is no demand". Then it happened exactly the opposite because Petrobrás came and rented the whole building. We said "How come? There is something changing" ... [then] other companies linked with the oil industry turned up (interview, 19/112013).

During the second half of the 2000s a host of new developments and the retrofitting of existing stock were delivered in Central Rio. In 2005 was inaugurated the above mentioned *Torre Almirante* by North American developer Hines and rented exclusively to Petrobrás. Tishman Speyer, another US-based company, delivered in 2010 the office towers *Ventura Corporate* having the Brazilian

Development Bank (BNDES) as main tenant and in 2011 concluded the retrofitting of *Virtus Corporate Offices* sold to the utilities company State Grid Corporation of China.

The favourable results in the corporate market encouraged the companies to evaluate other development opportunities. During the studies of financial modelling that followed the approval of the urban operation, the chairman of CDURP prospected the interest of potential investors on the CEPAC certificates to which Tishman Speyer positioned as a key investor.

we were planning [a piecemeal operation] but when the gentleman from Tishman came here in 2011... he said "I put BRL 1 billion in this fund with shares if I am given the preference over the land around Francisco Bicalho [avenue]". We said... "great you will have the preference, we will include this in the design of the real estate fund so you sit there during the auction [of CEPACs] and you can table a bid of BRL 1 billion". However, we still needed 3.5 billion (interview 15/01/2015).

At this stage Rio's urban operation pointed to a different financing dynamic than that experienced in São Paulo where the sale of CEPACs was carried over a long period of time and negotiated on a single development basis. Interest from investors in Rio encouraged the sale in large batches. The feasibility of this strategy was secured when the state-run Federal Savings Bank (CEF) was attracted to the programme investing the funds of the Employee Severance Indemnity Fund (FGTS) to buy the totality of CEPACs. The auction organized in 2011 secured the funding needed to pay the construction companies chosen in a PPP tendering that took place in the previous year. The selected proposal was that of consortium Porto Novo, formed by the same companies of the Rio Mar e Vila study.

The interest of the construction companies that developed the Rio Mar e Vila proposal was motivated by two factors. First by the delivery of the civil engineering works previously studied for the area – such as the construction of tunnels, express ways and the upgrading of the utilities infrastructure. According to Porto Novo's manager of institutional relations, the extent of foreseen works was attractive to the companies of the group.

the largest Brazilian engineering companies, saw that it was not possible to the usual... tendering of large projects. So they realized the opportunities in the change of law to organise themselves to study and propose projects, to be involved in long term projects... it is a project with a high volume of investment, so it has obviously stirred the interest of OAS, as it has stirred Odebrecht's, as it has stirred Carioca's (interview 15/01/2015).

Second, the programme also included the delivery of urban services over the course of 15 years renewable to another 15, including street cleaning; waste collection; maintenance of roads and public areas; street lighting; traffic management; and landscaping. Despite the experience of the companies in some of these areas the integrated delivery of all services concentrated in one company was a pioneering factor.

The provision of services in an integrated model under the responsibility of a single company as it is done here, is an innovative model, it doesn't exist... we are not aware of other companies in this way. Obviously there are private concessions where you see waste collection, management of highways, so, things that are already part of the scope of our work. But when you put everything as a single responsibility... then it became an innovation, a pioneering one (interview 15/01/2015).

The payment for the delivery of works and services was sustained by the single sale of all the CEPACs that secured the viability of the urban operation, one of the main premises championed in the Rio Mar e Vila report. The other was the creation of an institution separate from the structure of the municipal government to coordinate the delivery of the programme.

INSTITUTIONS

After the 2008 municipal elections, the construction companies responsible for the Rio Mar e Vila report proposed to revisit and refine the original study while Mayor Paes garnered the support of the state and the federal governments. A task group was formed with the participation of representatives of the municipality and the state of Rio, the federal Ministry of Planning and BNDES. According to CDURP's former chairman 'there was no legal modelling, not even financial, economic or institutional arrangements, it was zero' (interview 15/01/2015). The initial idea was to have all three levels of government as partners in the urban development company responsible for coordinating the programme.

In the study of the [complementary] law there was a modelling, that did not happen, that was the creation of a company that could have from the beginning, as partners of the company, the municipality, the state and the federal government. Why? Because the most valuable asset was the land... So the state government was cool we had already agreed becoming partners but it was essential that the federal government agreed (interview 15/01/2015).

This multi-level partnership in a development company did not materialise. For CDURP's former chairman the federal government was cautious to institutionalize its participation.

I credit more to the ideological stance of who was there in that moment for not accepting the federal government as partner understanding, mistakenly in my opinion, that we were going to pass public land on to real estate speculation. It was nonsense because the land was being sold by the amount evaluated by Caixa. Actually it was the sale of these lands that allowed the construction potential to be consumed by the emission of CEPACs. So, as they did not accept we moved on in having the municipality making the project to happen on its own (interview 15/01/2015).

Carrying the project on its own meant the constitution of CDURP and the elaboration of the financial modelling, but the federal government remained essential to cut through the red tape. As CDURP's former chairman recognises 'there was a lot of help, there were executive orders that made life easier, there were presidential decrees that made life easier but it would be much easier if they were in' (interview 15/01/2015). The statement serves as evidence of the political coalition enabling the urban operation, which despite not formalising itself in an institutional body, guaranteed for measures to be taken within their respective jurisdictional boundaries. CDURP's current chairman explained how this willingness operated in practice.

the municipality came to feature, to take care of this process almost exclusively, pressuring the federal government and the state government at certain points and moments, particularly in the land question, but still not as partners in the strict sense of the project, but in support. Without a doubt this articulation was important, especially for constituting an institutionalization that went beyond the lines of a political agreement and became... an institutional feature that gave stability to the process (interview 27/11/2013).

After the approval of the urban operation efforts were directed to the creation of CDURP and the financial modelling. An analysis of each of these steps demonstrate how the idea of the urban operation was institutionalized, as illustrated in figure 1.

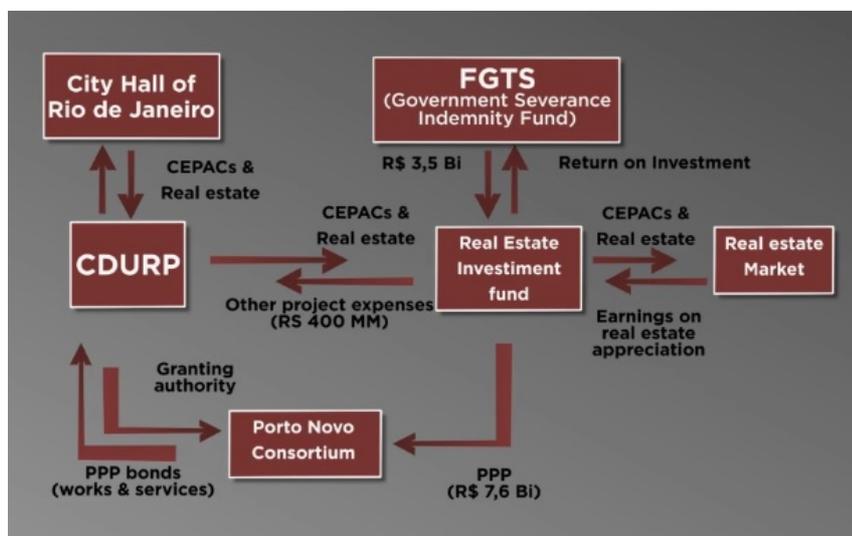


Figure 1. Financial and institutional model of the Porto Maravilha urban operation

CDURP was created as a semi-public development company with shares that were owned by the municipality. The company recruited key personnel from outside the municipal staff, most noticeably executives with a relationship with the pension fund of CEF employees, the third largest in the country. According to a head of division from CDURP this was an important feature to gain the confidence from investors and the real estate market.

[A] point that contributed a lot to the success that we see in the operation is the language of the market. Today our internal staff do not talk with the real estate market in different languages. We talk the language of the real estate market. We did a feasibility study, for instance, on CEPAC that pointed to [the certificate price of] 545 reais. It was an economic analysis of real estate. So, when the market comes to question it is not me who decides... it is because there is a technical study giving support to this and here are people fully prepared who know the market to deal with the market (interview 11/12/2013).

Following the recommendation of Rio Mar e Vila report to ‘segregate’ the delivery company from ‘risk’, a key feature of CDURP’s institutionalization was to create a real estate fund to which the company’s assets composed of public land and CEPACs were subscribed. This fund, the Real Estate Investment Fund of the Port Region (FIIRP), of which CDURP is the sole shareholder, was created in 2010 and administered by CEF. The fund constituted the official channel of CDURP with the market as one of his heads of division explained.

What instruments do we understand that talk the market language?... The market didn’t know CDURP. It thinks ‘gosh, a relationship with a municipal company, well there is a risk in this’. Everyone adds this to their evaluations. How can we minimise this? How can this be a little more palatable for the

market? So before we made CEPAC we put all our assets, which are land and CEPAC, and we allocated in FIIRP which has CDURP as single shareholder (interview 11/12/2013).

Institutionalising the relationship among the different actors via real estate regulation served to address both the fundamental issues of credibility and risk, as the representative of the company further elaborated.

The relationship with the winner of the auction is not directly with CDURP but with this fund which I am shareholder. Looking at it today one may say 'it doesn't make a difference, it could be CDURP...' From a perspective of the structure this person is right but from a credibility point of view it is not (interview 11/12/2013).

The estimated costs of BRL 8 billion of the operation had to be financed by the sale of assets from CDURP to investors. As discussed in the previous section all the CEPACs were auctioned in a single offer won by CEF paying BRL 3.5 billion in the application of resources from FGTS. According to the terms and conditions of the auction CEF assumed all the costs of the programme operationalised via the constitution of another investment fund, the *Porto Maravilha Real Estate Investment Fund (FIIPM)*. In this fund CDURP subscribed the assets of FIIRP – CEPACs and land – in return for the payment of the operation. In its turn, FGTS subscribed BRL 3.5 billion with a contractual agreement of return on investment (ROI) of 6% AER above Brazil's Extended National Consumer Price Index (IPCA). CEF's role, as detailed by the regional manager, is to generate surpluses from the negotiation of CEPACs and land to investors as to pay for all the programme costs and the ROI to FGTS.

FGTS subscribes to FI Porto Maravilha BRL 3.5 billion and this BRL 3.5 billion will serve to make all the payments of the operation. But this is the key issue, the operation doesn't cost 3.5 billion, the operation costs around BRL 8 billion, and is this difference between the 3.5 and the 8 billion that the [FII] Porto Maravilha has to perform in order to pay the operation while also returning the investment to FGTS (interview 09/12/2013).

The relationship among the actors involved in the operation are thus centred on the real estate investment funds and their decisions constrained by commitments on ROI and performance indicators. *The delivery of the urban operation is thus intrinsically tied with the dynamics of the real estate market while the risk of the operation is underwritten by CEF and FGTS. CEF is thus positioned as the main interlocutor with investors and developers with whom it is expected to extract profit in the negotiation of CEPACs and land.*

Via the management of FIIPM CEF detains the strongest bargaining power and is therefore positioned to exert the largest influence in the future of the urban operation. The next section examines the delivery of the Porto Maravilha programme six years on.

MODELLING PORTO MARAVILHA

Between 2012 and 2015 a series of new developments were announced, projects speculated and foreseen interventions delivered. This initial phase confirmed the interest from the real estate market and gave confidence to the promoters of the programme. The subsections below discuss two of the main outcomes of the programme in its first years. First it examines the relationship between ideas and interests in order to analyse how the consortium of construction companies

have sought to leverage the experience with Porto Maravilha to higher ambitions. Second it assesses the relationship between ideas and institutions as to evaluate the proximity between public and private interests in the delivery of the programme and how the urban landscape has been transformed as a consequence of the real estate rationale 'locked in' in the urban operation model.

A NEW URBAN REGENERATION MODEL?

The Porto Maravilha programme is the most significant exercise in urban operation since the enactment of the City Statute. Its importance is attested not only by its scale but also by the concerted application of a range of planning instruments and for the institutionalization of planning actors in a complex financing architecture. The satisfactory experience so far, in the view of the urban development company and of the construction companies part of the PPP, suggests the formation of an urban regeneration model with the potential to be implemented elsewhere.

The construction companies grouped at the Porto Novo consortium can be portrayed as the 'policy entrepreneurs' of the regeneration programme. In the call for PMI they identified the institutional and financial modelling as the key factors for the viability of the programme. Given the long timeframe that a large-scale project would entail they pressed for the idea of an urban operation that could guarantee the funding of the envisioned urban interventions and service delivery while establishing a delivery company that would concentrate all the assets and institutional channels. A solution for the coordinated intervention in the area was thus 'attached' to the long standing institutional and funding problems.

However, as experienced in previous plans the complex pattern of land ownership meant that the political sphere was of fundamental importance to any concerted attempt. The political alignment between the three levels of government offered the opportunity for a favourable agreement among the parts. The proposal of the Rio Mar and Vila report was welcomed by the mayor and revisions were made that gave the basis of the urban operation proposal sent to and approved by the municipal chamber. It was not possible from the interviews conducted to establish direct relationships between the companies and the political actors. However, two observations can be inferred.

First, due to the nature of funding of electoral campaigns in Brazil it is common for some of the largest business groups to provide generous donations to running candidates and parties. This is the case of construction companies, particularly OAS, Odebrecht and Andrade Gutierrez that have provided some BRL 165 million between 2002 and 2012 to PT and PMDB in national, regional and local campaigns (Belisário,2014). If not a direct evidence of the lobby for projects in their interest it is safe to assume that being major donors, they would have access to running candidates to expose their ideas. This may be the case of Mayor Paes in taking the programme as one of his policy priorities and basing the proposal of the regeneration on the project developed by the construction companies.

Second, as this research was being carried out a large corruption scandal was unfolding involving top government officials, the state-run oil company Petrobrás, and a host of construction companies. At the centre of the kickback scheme construction companies won tendered contracts from the oil company at inflated prices with part of the money channelled to political parties to finance electoral campaigns. Several top executives were arrested and evidence collected. Among the evidences found the newspaper Folha de São Paulo reported in 7 December 2014 that written

notes dating back to 2007 in which the OAS chairman communicates that both the president and the governor were aware of the regeneration programme and were taking the necessary steps for it to happen (Folha de S. Paulo, 2014). At that time OAS, as part of Rio Mar e Vila consortium were developing the regeneration proposal. More recently, executives of Carioca Engenharia declared after signing a plea agreement to have paid bribes to the speaker of the lower house of the Brazilian Congress to lobby for the use of FGTS funds to finance the operation (Época, 2015). The charge is yet to be processed by the courts but it stands as an evidence of the proximity between the country's largest construction companies and top officials when it comes to public mega-projects.

As analysed above the construction companies identified in the programme opportunities to guarantee their presence over a long time frame in the delivery of infrastructural projects while also gaining experience in the integrated delivery of public services. As the head of public relations conceded, the Porto Maravilha programme can be understood as a laboratory of a potential regeneration model that can be possibly rolled out to other Brazilian cities.

Here, companies see a laboratory of this business model. It has the potential of being applied in several cities... we often receive missions from other cities... Niterói for example, São Paulo, cities from São Paulo's state, Porto Alegre, Florianópolis, Salvador. It has stirred interest from a lot of people (interview 15/01/2015).

At the heart of this model is the idea of urban operation, an extensive list of infrastructural developments and service delivery, its financing via CEPACs and the possible guarantee from a state actor such as CEF to assume the risks of the operation. Institutionalizing the relationships in real estate funds shields the operation from the vagaries of the electoral cycle while securing the payment for works and services. The involvement of the companies in the design and implementation of this model gives recognized advantages in future prospects.

The companies have created a new business model ... They are at the forefront because they already have the experience, obviously in other occasions other companies will participate, present proposals, you already possess knowledge of how to do things, you become more competitive (interview 15/01/2015).

The delivery of Porto Maravilha evidence the limitations of previous proposals that defined clear references in other cities while arguing for the need to catch up. The achievement of the construction companies was to focus on finding a suitable financial and institutional reference within the Brazilian context while leaving to the municipal bodies the concern with aesthetic questions. Their proximity to the high ranks of political channels enabled the championing of the project directly to key decision makers.

PUBLIC-PRIVATE COOPERATION AND THE EMERGING LANDSCAPE

The novel feature of the urban operation made in Rio de Janeiro was the negotiation upfront of all the CEPACs to guarantee all the funding needed to pay for works and services in the first fifteen years of the programme. As examined, CEF assumed all the risks of the operation in the application of FGTS funds. The bank is the second largest state-run financial institution in Latin America and the federal government's main structure to implement infrastructure, housing and sanitation programs. Rather than a politically-motivated investment, the use of FGTS to pay for the CEPACs of Porto Maravilha was defended by an executive manager of CEF as an opportunity for investment with great returns.

the keystone was the return on investment for FGTS. We believed that Rio's real estate market would absorb well the urban operation, would absorb well the project, and we believed the FGTS could potentially maximize returns in taking part of the operation. This is one thing. Another is the role of CEF, as an agent of public policies, so this whole history is sort of entangled (interview, 09/12/2013).

The statement gives evidence to the unmistakably property-led character of the operation. Nonetheless, the executive admits that the integrated urban character of the operation is important from a business perspective.

"Our main analysis, no doubt about it, is financial because we have to give return to FGTS ... that's the basic premise. Now, given the scale of the operation we cannot be averse to the local urban issues. We have learned that it was necessary to induce a certain kind of organised growth in the port region so we could have the mix of residential and commercial and not have what you see there in Canary Wharf and other places around the world (interview, 09/12/2013).

The idea of mixed-use have thus been incorporated in many proposals over the years and mobilized as evidence in the experience of waterfront regenerations from around the world. The emerging landscape of Porto Maravilha attest the ubiquitous presence of waterfront promenades, museums and modern transport structures. However, the approach taken in the programme leaves the market to define the uses of the available land, as the CEPACs are sold to interested parties. Not surprising, corporate towers have been the overwhelming majority of the developments announced so far reflecting the heated market of office spaces in Rio and the wide margin of profits to be gained. The head of division of CDURP defended the position of the municipality for not determining land uses.

To transform the area as a mixed-use zone; don't create a defined masterplan for the area, to leave this for the market to work out and, as the operation progress, if it is not according to what the municipality imagines, we create instruments to shape this (interview 11/12/2013).

The instrument alluded is the possibility of making the price of acquisition of CEPACs cheaper in the case of residential developments. In this sense, the municipality has passed incentives to make residential developments more attractive.

As the operation evolves if it is not as the municipality would like we can create instruments to influence this. How? I can approve an amendment in the law; I can create another inductor through a residential law, as we are doing now ... We have questioned 'there are too many commercial what about the residential? It won't happen?' ... 'What do the investors need to make it happen?' 'The numbers are too tight'. 'If we concede this incentive will it work?' 'Numbers look better now, so let's go this way' (interview 11/12/2013).

The relationship between the municipality, construction companies and developers was 'encased' in this institutional design of the programme. The municipality recognizes the sole importance of real estate profit for the viability of the project. Construction companies guarantee that the volume of available CEPAC has demand and can pay for works and services while developers have access to prime public land for developments in a heated market. The developments announced in the first years was for the head of division at CDURP an evidence of the achievement of the operation.

When I see the level of investment in the area today [I know] this was the right decision. Our operation generated credibility and people are positioning. When I saw Donald Trump coming here saying that he would do a development that has some R\$1.5 billion or R\$ 2... I say 'There is something good to be here, really'. You see the real estate market fighting over Gasometro, which means an investment of R\$ 3.5 billion, so the operation really worked from a real estate perspective (interview 11/12/2013).

However, having the regeneration programme institutionalized this way meant exposing it to the market dynamics. The recent slump in oil prices since and the economic crisis affecting the Brazilian economy have seriously impacted the development of Porto Maravilha. Since 2015 no further developments have been made. Nonetheless the delivery of works and services has been guaranteed while CEF was left with the risk of the CEPAC negotiations.

CONCLUSION

At a first sight the landscape emerging in the Porto Maravilha regeneration programme resembles that of waterfront renewal schemes found elsewhere. Over the years, proposals envisioned the transformation of the derelict urban space into transformed spaces combining work, living and leisure after experiences abroad. This has led to the study of several interventions made by the municipality staff and that were incorporated by the current programme. However, as this paper has argued, this analysis of a 'serial reproduction' provides only a cursory view of the dynamics of the making of the programme.

While there are explicit efforts to position Porto Maravilha among other regeneration experiences an analysis of the making of the programme provides a richer understanding on the role of ideas in policymaking. In this case, the circulating model of waterfront renewal was secondary to the more fundamental issues of institutional and financial modelling, a lesson duly learned in previous proposals. Therefore, it was only when construction companies primarily motivated by civil engineering works and the delivery of services that the idea was advanced. To this effect contributed a favourable economic climate and real estate demand while these companies were able to mobilise their networks with top government officials. The alignment of the multi-scale government coalition was able to overcome institutional barriers and release public land for real estate development.

In the preliminary analysis of the outcomes of the programme, two features of the Rio de Janeiro's experience were highlighted. First, it was demonstrated how the companies' interests were articulated through an ingenious institutional and financial architecture to reduce the risks of the operation in order to guarantee the payment for works and services. Moreover, such opportunity was further leveraged as to experiment with a delivery model with the potential to be rolled out in other locations. Second, the entangled relationship between the public and private institutions in the delivery of a mega-project gives evidence to the particular nature of the Brazilian development dynamic, one in which large national capitals have proximity with major decision makers to propose and secure contracts while public agencies assume the risks of the operation.

This paper has sought to combine the perspectives of the policy mobilities and constructivist institutionalism approaches in order to contribute to current agendas concerned with the analysis of the grounding of ideas and their institutionalisation in the policy process. The examination of the case study demonstrated the need for a closer analysis of the reproduction of urban models

beyond their cosmopolitan veneer as it may lie more fundamental issues of the transformation of mega-project delivery and the arrangements between public and private parties.

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