



## Government Contracting

Our government contracting clients, whether they be in the public or private sector, must contend with ever-changing laws and rules and regulations, including procurement, data protection and, of course, Brexit.

This, coupled with the intense pressure on governments to tackle major budget deficits and debt burdens, means that both running and participating in major projects, whether they be related to organisational change, competitions for contracts or otherwise, can be incredibly complex.

The procurement gauntlet can often be complicated and the timescales imposed are often a challenge (particularly when internal pressures require a project to be completed in very short timelines). From a supplier perspective, competition is often fierce, bid costs are high and the financial terms imposed on contractors are demanding.

To help our clients, from both sides of the fence, meet these varied challenges, our government contracting practice has grown to become one of the largest of its kind in the world. Unlike many others, we act for both governments and global contractors on major projects, including on contracting and procurement requirements.

We have been a longstanding and leading advisor on major change projects in government and are proud to have worked alongside government at the forefront of a number of major innovative projects and deals over recent years.

We provide tailored advice and legal services on virtually every aspect of government contracting and public procurement, from bid strategy through to potential challenge. These services include preparation of strategic alliance agreements and teaming arrangements; bid protests and challenges; and contract administration and claims. Our lawyers also litigate contract disputes and claims involving contractors.

In the UK, DLA Piper is delighted to have been appointed as a Tier 1 strategic legal advisor to Central Government and its non-departmental public bodies on the Crown Commercial Services General Legal Services Framework.

More information on our government contracting service in the UK.

In the UK, we have a broad team of over 100 lawyers who bring best of breed experience in a number of areas and sectors. A small example of our experience includes:

- **Contracts** - we lead the market in advising Government on major contracts, such as outsourcing, shared service and joint ventures. We have advised Cabinet Office and other Departments on three complex outsourcing shared services projects by way of joint venture (i) Shared Services Connected Limited - a pan-HMG back office joint venture service delivery vehicle to transform existing services to a shared platform for over 12 Government Departments; (ii) Integrated Debt Services Limited - provision of a one-stop-shop for Government providing debt analysis and collection; and (iii) Crown Hosting - establishment of a portfolio of "on demand" hosting services at different levels of accreditation. We have also advised on many day-to-day contracts such as advice to on management services agreements by which Government companies provide services to third parties. We have also advised a Government Department for many years on the establishment of multiple and varied frameworks, including travel services, non-permanent staff, energy metering, consultancy services, fleet and office supplies.

This included advice on precedent contracts and variations, transfers and interpretation of contract provisions.

- **Competition law** - Our Competition team has been on hand to advise a variety of public sector clients over recent years on a range of competition law issues which arise during the course of Government projects. We act on a full range of non-contentious and contentious Competition/Antitrust matters, including commercial agreements, abuse of dominance, behavioural and strategic advice, multi-jurisdictional and national merger control, competition investigations and enforcement, including cartel related work, compliance audits and programs, including dawn raid training, competition litigation, competition regulatory matters and State Aid.
- **Corporate** - Our intimate knowledge of corporate law is applied with significant Government sector knowledge. We are trusted advisors to Government, having acted on some of the most complex and innovative transactions undertaken in the public sector in recent years, including we on a multi-million pound acquisition of a designer and supplier of specialist vehicles and protection system integrations to various Government Departments.
- **Dispute Resolution** - We have worked with Government over many years and therefore we bring, for both public and private sector clients, a deep understanding of how Government litigates and how it decides when not to litigate. Our team has very close links to our commercial and contracting colleagues to provide seamless advice if on-going contracts become contentious. Above all, we have access to the resource and expertise of one of the largest dispute resolution practices in the world.
- **Employment** - Our team advises both public and private sector employers on a daily basis on the application of TUPE (and COSOP where appropriate) in the context of first and subsequent generation outsourcings, as well as on sales and acquisitions and a multitude of other projects in between. We have a wealth of experience in dealing with complex redundancy and restructuring programmes for many of our clients. We are used to dealing with a high level of media and employee/trade union scrutiny on the way in which these exercises are handled. We frequently advise on strategy for managing changes to terms and conditions of employment, in both unionised and non-unionised environments, and have particular expertise in the options for dealing with changes in the shadow of a TUPE transfer. We are experienced in handling industrial relations issues and are proud to work on ground-breaking projects.
- **Real Estate** - We have a wide range of experience in advising on core Real Estate, Real Estate Finance and Real Estate Litigation matters. We have previously advised various Government Departments on the acquisition and fit out of properties, projects to make buildings available for use by SMEs, sales and advising on shared space/collaborative agreements.

## NEWS

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### DLA Piper berät die TRATON SE beim Erwerb der Loom Technologies GmbH

28. Juli 2021

DLA Piper hat die TRATON SE, einen weltweit führenden Nutzfahrzeughersteller, und ihre Tochtergesellschaft TB Digital Services GmbH beim Erwerb des Logistiksoftware-Anbieters Loom Technologies GmbH beraten.

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### DLA Piper advises Azrieli Group on acquisition of Norwegian data centre developer

21 July 2021

DLA Piper has advised Israeli real estate investor Azrieli on its acquisition of Green Mountain, a Norwegian data centre developer, for NOK7.6 billion.

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### DLA Piper berät Knorr-Bremse beim Erwerb der EVAC Group

3. Juni 2021

DLA Piper hat Knorr-Bremse, Weltmarktführer für Bremssysteme und führender Anbieter weiterer Systeme für Schienen- und Nutzfahrzeuge, beim Erwerb der EVAC Group, einem weltweit führenden Hersteller vollständig integrierter Sanitärsysteme für Passagierzüge, beraten. Über den Kaufpreis wurde zwischen den Parteien Stillschweigen vereinbart.

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### DLA Piper berät die Darlehensgeber bei der Refinanzierung des Warnowtunnel in Rostock

26. Februar 2021

DLA Piper hat die Darlehensgeber bei der 115 Millionen Euro Refinanzierung des Warnowtunnel in Rostock, auch bekannt als Warnowquerung, beraten.

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### **DLA Piper berät Lufthansa Group als Hauptgläubigerin im Insolvenzverfahren der ZIM Flugsitz GmbH**

11. Januar 2021

DLA Piper hat die Lufthansa Group mit ihren Gesellschaften Deutsche Lufthansa AG, Lufthansa Technik AG und SWISS als Hauptkunde und Hauptgläubiger erfolgreich im Insolvenzverfahren der ZIM Flugsitz GmbH beraten.

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### **DLA Piper berät Lufthansa Technik AG beim Verkauf ihrer Mehrheitsanteile an Lufthansa Bombardier Aviation Services**

7. Januar 2021

DLA Piper hat die Lufthansa Technik AG beim Verkauf ihrer Mehrheitsanteile an der Lufthansa Bombardier Aviation Services GmbH an den kanadischen Business Jet-Hersteller Bombardier beraten.

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### **Over three-quarters of investors expect Fibre to the Premises (FTTP) investment to increase over next 24 months**

3 December 2020

- **Nearly one quarter (23%) of investors believe pandemic has led to a higher FTTP project roll-out**
  - **Germany, the UK and Poland are the most attractive locations for future FTTP investment, with low penetration levels, high end-user demand, and government incentives**
  - **84% of respondents expect infrastructure funds to be most active in acquiring FTTP operators over the next 24 months**
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### **DLA Piper berät HOYER beim Erwerb der panasiatischen Kerry-ITS Holding**

12. November 2020

DLA Piper hat die HOYER Group („HOYER“) bei der Akquisition von Kerry-ITS Holdings Pte. Ltd. („Kerry-ITS“) in Singapur sowie ihrer Tochtergesellschaften in Singapur, China, Vietnam und Thailand beraten. Mit dieser strategischen Akquisition verstärkt HOYER seine Präsenz im wichtigen asiatischen Markt und verfolgt konsequent seine internationale Wachstumsstrategie hin zu einem vollintegrierten, globalen Logistikkonzern.

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### **DLA Piper berät CCR Logistics Systems AG im Gesetzgebungsverfahren zum neuen Batteriegesezt**

23. September 2020

DLA Piper hat die CCR Logistics Systems AG im Gesetzgebungsverfahren zum neuen Batteriegesezt beraten, das am 17. September 2020 vom Bundestag verabschiedet wurde und zum 1. Januar 2021 in Kraft treten soll.

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## **DLA Piper appointed as trustee in Jet Time bankruptcy proceedings**

27 August 2020

DLA Piper is advising Danish airline Jet Time A/S as the company filed for bankruptcy at the Maritime and Commercial Court in Copenhagen on 21 July 2020.

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## **DLA Piper advises Hitachi Rail Limited on acquisition of railway technology firm Perpetuum**

19 August 2020

DLA Piper is advising Hitachi Rail Limited in connection with the acquisition of Perpetuum, a technology firm that is pioneering digital technology to optimise railway operations, offering improved efficiency, safety and quality of service.

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## **DLA Piper advises Katoen Natie on the acquisition of Nijhof Wassink**

7 July 2020

DLA Piper has advised Katoen Natie, an international logistics service provider and port operator, on the acquisition of the warehousing activities of Nijhof-Wassink in Poland, a family-owned company specialising in logistics.

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## **DLA Piper announces partnership promotions for 2020**

30 April 2020

DLA Piper is proud to announce that 67 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2020 in the United States and May 1, 2020 for EMEA and Asia Pacific. The promotions have been made across many of the firm's practice areas in 35 different offices throughout 13 countries.

Across the firm's practices globally, Corporate saw the largest intake of new partners with 19 promotions, followed by Litigation and Regulatory with 15. Intellectual Property and Technology and Finance and Projects had ten and eight promotions respectively, while there were six in Real Estate. Tax and Employment both had four, and there was one in Restructuring.

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## **DLA Piper berät Konsortium um Eiffage und JOHANN BUNTE beim größten deutschen ÖPP-Autobahnprojekt**

14 April 2020

DLA Piper hat das Konsortium A3 Nordbayern mit den Gesellschaftern Eiffage S.A. und JOHANN BUNTE Bauunternehmung GmbH & Co. KG erfolgreich bei der Finanzierung des bislang größten ÖPP-Projekts im Autobahnbereich in Deutschland beraten.

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## **DLA Piper lawyers named Acritas Stars**

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

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## **DLA Piper vertritt Stadt Gelsenkirchen in Gerichtsverfahren über die Rechtmäßigkeit des Luftreinhalteplans Ruhrgebiet**

3 March 2020

DLA Piper hat die Stadt Gelsenkirchen in einem Gerichtsverfahren über die Rechtmäßigkeit des Luftreinhalteplans Ruhrgebiet (LRP), betreffend das Stadtgebiet Gelsenkirchen, vor dem Oberverwaltungsgericht Münster vertreten. Klägerin war die Deutsche Umwelthilfe e.V. und Beklagte das Land Nordrhein-Westfalen, das den LRP aufstellt. Die Stadt Gelsenkirchen war als Beigeladene am Verfahren beteiligt.

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## **DLA Piper erreicht Freigabe des Bundeskartellamts für die Gründung eines Joint Ventures zwischen EWE und Deutsche Telekom**

7 January 2020

DLA Piper hat in einem Fusionskontrollverfahren für das Energie- und Telekommunikationsunternehmen EWE AG die Freigabe des Bundeskartellamts zur Gründung eines Joint Ventures mit der Telekom Deutschland GmbH erreicht.

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## **Investors expect boom in European data centres in the next two years**

3 December 2019

The vast majority (92%) of debt and equity investors surveyed expect the overall value of investment into Europe's data centre infrastructure to increase over the next 24 months, according to research commissioned by DLA Piper and published today.

Data centres are used by organisations for the remote storage, processing and distribution of large amounts of data and are currently estimated to use 3-4% of world's power<sup>1</sup>. According to DLA Piper's report *European Data Centre Investment Outlook: Opportunities and Risks in the Months Ahead*, investors anticipate an investment increase in data centres of between 10% and 29% over the next two years.

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