



Public Private Partnerships and PFI

Our award-winning lawyers are at the forefront of projects in the PFI/PPP sector, delivering sound and innovative solutions to clients on all aspects of projects, from their procurement and financing, including secondary market acquisitions and subsequent refinancing, through variations and operational issues.

We advise on every legal aspect from procurement strategy, tax structuring, contractual documentation and risk allocation to finance structuring. Our lawyers have been advising clients on every facet of complex infrastructure and PPP projects for nearly 25 years in more than 30 countries.

Our dedicated team of lawyers network across borders to deliver thought leadership to clients across the infrastructure sector.

We advise on the full spectrum of infrastructure and PPP projects, which includes:

- Airports and aerospace
- Education
- Energy
- Health care
- Highway maintenance, charging and street lighting
- Ports
- Prisons and social justice
- Rail
- Roads, tunnels and crossings
- Social housing
- Stadiums and sporting venues

CAPABILITES

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- Airports and aerospace

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Colin Wilson

- Education
- Energy
- Healthcare
- Highway maintenance, charging and street lighting
- Ports
- Prisons and social justice
- Rail
- Roads, tunnels and crossings
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By working for all stakeholders on PPP projects we understand the necessity to ensure deliverability for government and how to secure business for the private sector.

We are active in sectors such as energy and utilities, transport, defence and aerospace and social infrastructure. This includes providing advice on:

- project development;
- procurement strategies;
- tax structuring;
- risk allocation;
- contractual documentation;
- real estate, environmental and planning advice;
- construction;
- finance structuring and documentation;
- project and contract management and variation; and
- strategic communications and public affairs.

EXPERIENCE

- Agility Trains Limited, a consortium comprising Hitachi Rail Europe Ltd and John Laing Investments Limited, on the award-winning Intercity Express Programme (IEP). The programme replaced older intercity trains currently running on the rail network in mainland UK with new trains in a £5.4 billion public-private partnership. Notwithstanding challenging financial markets, Agility, advised by HSBC and DLA Piper, helped create a structure that enabled approximately £2.5 billion of senior debt to be provided with a long term tenor approaching 30 years .
- Local authority, Halton Borough Council, in relation to its procurement of this high profile, £450 million Mersey river crossing project, involving a new 6-lane toll bridge over the Mersey. The DLA Piper team advised on procurement and concession structures; contract structuring and risk management, including advising on and drafting the full suite of contractual documentation; and provided advice in respect of legal risks associated with demand risk and tolling, and maintenance and operation of the existing bridge.
- Thames Valley Housing Association, a member of the preferred bidder consortium, on its roles as housing management and FM contractor, landlord, SPV investor and RV underwriter on this scheme which closed in November 2013.
- Leeds City Council on this £190 million joint scheme which will deliver over 1,000 new and refurbished properties with on-going management and maintenance services. We assisted the Council in managing the competitive dialogue of the procurement, and the structuring of overage provisions to support the disposal of land at best value. The project reached financial close in 2013 and was the first bond-financed PFI project to close in the UK since 2008.
- The Administrative Agent and various European banks in the “take-back-the-keys” restructuring of the Pocahontas Parkway toll road in Virginia, which includes the Route 895 Connector and an approximately 1.58 mile, four-lane roadway with direct access to the Richmond International Airport known as the Richmond Airport Connector.
- Lenders in closing the financing to the Meridiam-led consortium for the long-term concession to design, construct, finance, operate

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RELATED SERVICES

- Real Estate

RELATED SECTORS

- Media, Sport and Entertainment

and maintain the Long Beach Court House and associated facilities, the first social infrastructure project of its kind in the US.

- Suez Environnement's subsidiary, United Water, in its joint venture with KKR to acquire a 40-year water and wastewater concession from Bayonne, New Jersey. The concession requires more than US\$300 million of capital improvements to the water and wastewater systems which the JV will fund and manage. The DLA Piper team advised on the JV structuring, project contracts and financing aspects of this transaction, one of the first water and wastewater concessions deals completed in the US.
- Sheffield City Council in respect of their £2 billion highways maintenance and street lighting PFI project, which deals with the rehabilitation and ongoing maintenance of over 2,000 km of carriageways and footways, 350 bridges and other structures. Financial close was reached in Summer 2012 with Amey, its private sector contractor, for a 25 year contract.

INSIGHTS

Publications

Flexing PPPs

10 February 2020

This paper considers how governments can manage this vulnerability when contracting under a PPP contract. It also considers whether alternative contractual models might provide government with better value for money over the longer term.

Key themes in distressed projects

20 August 2019

Issues and challenges facing global infrastructure projects, and a look at possible solutions and mitigations.

Project Finance in the GCC: A Gulf Affairs interview with Trevor Butcher and Maher Ghanma

6 August 2019

Trevor Butcher, Head of Finance and Projects, Middle East and Maher Ghanma, Head of Government Affairs, Middle East, provided OxGaps with an insight and overview of the developments of Project Financing within the GCC.

DLA Piper in Latin America: 2018 in review

28 FEB 2019

While challenges always lie ahead, we are excited by the region's continuing growth.

Is collaborative working improving in operational PPPs?

16 MAR 2018

An in-depth look at some of the key questions facing the PPP market, with direct input from those at the coalface of the industry.

NEWS

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.

DLA Piper boosts Projects practice with double partner hire in Australia

15 July 2019

Global law firm DLA Piper has further strengthened its Finance and Projects practice with the appointment of two new projects partners in Sydney, Owen Hayford and Jonathan Stafford.

DLA Piper strengthens ASEAN project finance offering with key partner hire

28 MAY 2019

DLA Piper has strengthened its project development and finance offering with the appointment of Vincent Seah as a partner in its Finance and Projects (F&P) practice, based in Singapore.

DLA Piper boosts projects capability with partner hire in Australia

16 APR 2019

DLA Piper has strengthened its Finance and Projects practice with the appointment of senior projects lawyer Tom Fotheringham as partner in its Brisbane office.

DLA Piper boosts project finance offering with partner hire in London

3 APR 2019

DLA Piper today announces that project finance lawyer Nacim Bounouara has joined the firm as a partner in its Finance and Projects practice, based in London.

DLA Piper announces partnership promotions for 2019

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

DLA Piper advises Australia's Transport for NSW on Regional Rail Project

14 FEB 2019

DLA Piper is delighted to announce that today Transport for NSW achieved contract close on the Regional Rail Project, which will see a fleet of new trains deliver safer, more comfortable and more reliable journeys across the state.

DLA Piper appoints finance and project lawyer David Lyons

10 December 2018

DLA Piper has appointed senior finance lawyer David Lyons as a partner of the firm's Finance Projects & Restructuring practice to be based in Brisbane.

DLA Piper launches Renewable Energy in Africa Guide

19 JUN 2018

DLA Piper's global Energy practice has today launched Renewable Energy in Africa, a major new guide for clients.

DLA Piper advises Beijing Enterprise Water Group on acquisition of TRILITY

5 MAY 2018

DLA Piper advised BEWG International, a wholly-owned subsidiary of Beijing Enterprises Water Group, on its 100% acquisition of water utility service provider TRILITY by way of a competitive bid process.

DLA Piper receives *Latin Lawyer* Deal of the Year award

25 APR 2018

DLA Piper received *Latin Lawyer's* Project Finance Deal of the Year award for its representation of Abengoa in the sale of a combined cycle power plant to a consortium consisting of Macquarie Capital and Techint.

DLA Piper advises Pacific Energy on acquisition of Contract Power

10 APR 2018

DLA Piper has advised power generation specialist Pacific Energy Limited on its AU\$90 million acquisition of Contract Power Group.

DLA Piper announces partnership promotions for 2018

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.
