



Transport

Through our worldwide offices, we advise clients in the transportation sector on multijurisdictional transactions across many legal disciplines. Our dedicated transport teams provide legal services to support clients in industries including aviation, highways, bus, rail, ports and shipping, as well as international trade issues.

DLA Piper's global transport team has acted on many projects internationally, across a wide range, on behalf of funders, consortia, authorities, vehicle suppliers and operators. As a result, we understand issues specific to the sector and have seen ways that the issues and risks relating to each transport industry can be successfully addressed to satisfy authority and funder concerns. Our broad experience means that we can view issues from the perspective of all interested parties, allowing negotiation of effective solutions.

CAPABILITES

Our lawyers can apply lessons and business models that are sensitive to the risk profile and available investment returns in any location across any industry:

Aviation

DLA Piper has extensive experience in the aviation and airport sector and has advised clients in relation to numerous complex transactions globally in this sector. We provide support in all areas where the law touches aviation, with particular reference to regulation, liability and risk, commercial disputes and air finance.

Our lawyers are recognised as being highly skilled and accomplished in these areas of law. Our lawyers' wide range of experience covers both greenfield development and rehabilitation of existing facilities, acquisition and sale, operational and aviation aspects, airport concessions and airport financings, including all aspects of project financing and financing of operational requirements. We have advised governments and local authorities, sponsors and lenders in a number of transactions in the UK and internationally.

Bus

We regularly advise transport authorities (including passenger transport executives) on matters relating to the delivery of bus services. In the UK, we have particularly strong experience of advising on scheme delivery under the Transport Act 2000, including advising authorities regarding the legal and strategic implications of implementation of quality contracts. We have direct experience of advising authorities both practically and legally on the implementation of: quality partnership schemes; voluntary partnership

KEY CONTACTS

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RELATED SERVICES

- Public Private Partnerships and PFI

arrangements; qualifying agreements between operators; and ticketing schemes.

Heavy rail

What really sets us apart in the heavy rail sphere is the range of our experience – we act for rail operators bidding for franchises, existing franchisees, passenger transport authorities, freight operators, rolling stock leasing companies and promoters of infrastructure projects.

Highways

Working with both authorities, sponsors and funders of highway infrastructure projects we have worked on road, bridge and tunnel concessions. We have experience across the full range of payment mechanisms – real toll or shadow toll, payments based on availability of the enhanced and existing infrastructure, safety enhancement and performance based regimes.

Light rail

Affordability and creating innovative funding solutions are at the heart of delivering a successful light rail project. With a team that has worked on many such schemes, at all stages, from feasibility to design, construction, financing, vehicle procurement, operations and maintenance, we offer support on issues such as funding and procurement strategy, the requirement for statutory powers, the acquisition of land, and the appropriate allocation of risk.

Marine

Our marine team has been providing a pragmatic, cost effective, speedy and responsive service to its clients for over 100 years. Our team has been appointed to the legal panels of a number of marine insurers, P&I clubs, port authorities across Europe and the Far East and a UK government agency. Our international coverage means we can also draw on a worldwide team of experts who have first-hand understanding of specific marine markets. This means that we can provide detailed, high quality local advice whilst avoiding the duplication of effort (and cost) that often happens when instructing outside lawyers.

Ports

We understand the risks associated with having fixed assets in a global market and offer legal advice delivered within a strong commercial framework wherever your business operates. We advise port operators – including the world's largest ports company – specialist port and dredging contractors, shipping companies and insurers. Through our international offices we provide local knowledge about the rapidly changing worldwide market, requirements to comply with increasingly stringent environmental controls, and the requirements of competition law in various markets.

EXPERIENCE

- Agility Trains Limited (a consortium comprising Hitachi Rail Europe Ltd and John Laing Investments Limited) on the award-winning Intercity Express Programme (IEP). IEP is both the biggest privately financed rolling stock deal in history, anywhere in the world, and one of the largest, most ambitious and complex PPP projects to date. 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 by four groups of lenders.
- Nottingham City Council in the UK in connection with the design, construction, finance and commissioning of Phase Two of the Nottingham Express Transit system which includes two new lines to create an integrated network and any future extensions, together with the operation and maintenance of the entire extended network including NET Line One over a period of approximately 23 years. Unusually, this complex £570m PFI project also involved a corporate acquisition by a local authority of the incumbent concessionaire. DLA Piper was commended for its role in this project in the FT's 'Most Innovative Firms in Finance Law' awards 2012.
- Sheffield City Council in the UK 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.
- The Administrative Agent and the senior bank lenders to the Pocahontas Parkway tollway project in Virginia, in connection with the 'take back the keys' by the lenders, restructuring of debt and equity, and tax structuring for a mix of cross-border, public and

private side lenders, including TIFIA.

- The consortium led by D.M. Consunji Inc on the AUD\$1.2 billion Manila LRT Line 1 Extension, Operation and Maintenance PPP. This project will involve a vertically integrated rail operation and maintenance PPP for 35 years (including the design and construction phase). This project, which is classified as a 'Priority Project' under the Philippines' PPP Program, will extend the existing 20.7 km LRT Line 1 by an additional 11.7 km, of which approximately 10.5 km will be elevated and 1.2 km will be at-grade. Once completed, it is expected that the ridership of LRT Line 1 will increase from 500,000 to 700,000 passengers per day. It is intended that the project cost will be equally split between the private sector and the government.
- Queensland Rail on the contract methodology and procurement process for the provision and implementation of the European Train Control System Level 2 (ETCSL), a signalling and rail management system for the largest rail operator in the Southern Hemisphere. The procurement was structured as a two stage Early Contractor Involvement (ECI) process to identify global and local rail service providers who could participate in collaborative workshops to develop inter-operability rules necessary for inter-operation of multiple work package interfaces including telecommunication, trackside infrastructure, on-board computing and network management systems.
- AGC as international legal advisers for the Bangkok Integrated Ticketing System Project in Thailand, which involves the development and implementation of a common ticketing system, central clearing house, and the creation and modification of front-end systems to support the phased rollout of a smart card for the Bangkok Mass Transit system. It is currently anticipated that the ticketing system will cover use of existing highway infrastructure, rail, bus and ferry networks and may be rolled out to non-transport operators as the Project matures. With an existing metropolitan population of over 14 million, and an anticipated patronage of some 10 million passengers per day, this Project represents a significant investment in public transport infrastructure for Thailand by the Thai Government, supported by international funding.
- London Luton Airport Limited (a public airport company owned by Luton Borough Council) in relation to all aspects of the development and concession arrangements at Luton Airport, including advising on the master plan process and competition and procurement issues. Our advice covered the impact of the development options on the current concession framework and the structuring and development options with the concessionaire.
- The European Investment Bank and the European Bank for Reconstruction and Development in relation to the financing of new infrastructure development in Chisinau Airport in Moldova. As well as advising on the financing of the development and the related supporting documents, we also advised on all aspects of the direct agreement arrangements.
- The preferred bidder, the Vinci-led consortium, following its successful bid for the Euro 2 billion Oosterweel PPP tunnel and bridge project (Antwerp). This consists of a tunnel under the river Schelde and a bridge over part of the harbour of Antwerp. The work included analysing both the risk allocation of the DBFM contract and the complex split public/private sector funding proposal.
- A DLA Piper cross-border team, led from London and including teams in Budapest and Frankfurt acted for the lead arrangers as common counsel on the project financing of the acquisition of Budapest Airport. The Hungarian Government launched the high profile tender in 2005 for the sale of a majority stake in Budapest Airport following a very tight schedule. The non-recourse project financing for this project, €1.52 billion, was the biggest to have closed in Hungary.
- The Lend Lease and Bouygues joint venture as preferred bidder for the Design & Construction of the NorthConnex motorway tunnel PPP project in Sydney, Australia. The Project involves the construction and operation of a \$2.65 billion nine kilometre tolled link from the southern end of the M1 Pacific Motorway at Wahroonga to the Hills M2 Motorway at its existing Pennant Hills Road interchange. The construction elements include for two new dual lane carriageways; an interchange at the northern and southern end of the motorway; a motorway control centre including operation and maintenance facilities; a toll collection system; ventilation system and all other associated property works, utility service works and local area works. The aim is to reduce traffic congestion and the number of heavy vehicles on Pennant Hills Road, resulting in improved safety, local air quality and noise amenity along the corridor.

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.

EU Policy & Regulatory Alert - EU Publishes Artificial Intelligence Ethics Guidelines

12 APR 2019

On 8 April 2019, the EU's High-Level Expert Group ("AI HLEG") on Artificial Intelligence ("AI") published the much-anticipated "Ethics Guidelines for Trustworthy AI", setting out a horizontal framework for the development and deployment of ethical and robust AI systems across the EU

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.
