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Successful completion of contract award procedure: BVG awards a tram contract worth several hundred million euros

Berlin – Shortly before the end of last year, Berlin’s public transport company BVG (which is short for Berliner Verkehrsbetriebe) awarded a 10-year framework contract for the procurement of trams. For the whole procurement project, which lasted several years and comprised several steps, BVG was advised by Luther Rechtsanwaltsgesellschaft, from the preparations up to the award of the contract.

The minimum volume of the contract is around EUR 350 million. In addition, it has been agreed that the manufacturer of the vehicles will supply replacement parts during the entire lifetime of the vehicles.

As a result, BVG can now order up to 117 new bidirectional vehicles from the manufacturer Bombardier Transportation.

The new trams will have innovative undercarriages, they will make less noise and be more energy-efficient than the vehicles in the existing fleet. In this way, the procurement of the new vehicles will contribute not only to more mobility in the growing city but also to the development of a sustainable and climate-friendly traffic system.

“The framework supply contract that has been developed is an important milestone in the mobility turnaround”, said Ute Bonde, Head of Legal at BVG, adding that: “The course for sustainability and climate protection must be set already at the procurement stage.”

At the end of 2016, as part of the “Futureproof procurement of vehicles” programme, BVG had organised an invitation to tender for the supply of vehicles and of the relevant replacement parts during the lifetime of the vehicles.

Because of the importance of the transaction for local transport in Berlin, the law firm Müller-Wrede, Berlin, was instructed additionally in 2019 at the request of BVG’s Supervisory Board. The further procedure was then handled by the two law firms jointly on behalf of BVG.

On behalf of Berliner Verkehrsbetriebe (BVG):

Luther, Public Procurement Law: Ulf-Dieter Pape (Partner), Dr Rut Hertzen-Koch (Partner)

Luther, Commercial and Distribution Law: Jens-Uwe Heuer-James (Partner)

Müller, Wrede & Partner: Malte Müller-Wrede (Partner), Dr Melanie Plauth (Associate)

Berliner Verkehrsbetriebe: Ute Bonde, Head of Legal

Brief Profile Luther Rechtsanwaltsgesellschaft mbH

Luther is a leading German commercial law firm that offers comprehensive legal and tax advice. The full-service law firm employs over 420 lawyers and tax advisors and is represented in ten German economic hubs as well as with ten of its own international offices in key investment locations and financial centres in Europe and Asia. Its clients include medium-sized enterprises and large corporations, as well as the public sector.

Luther works closely with other commercial law firms in all the prevailing jurisdictions. On the Continent, Luther is part of a group of independent leading law firms who have worked together for many years on joint cross-border projects.

Luther Rechtsanwaltsgesellschaft mbH is a law firm with a business approach: our innovative awareness aspires us to provide our clients with customised legal advice that addresses individual needs and delivers the greatest possible economic benefit. All of Luther’s lawyers and tax advisers have a solid understanding of interdisciplinary matters and a wealth of experience in collaborating on complex tasks. Luther was named “Law Firm of the Year 2019” by the German legal published JUVE. Further information is available at: www.luther-lawfirm.com

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