

26 November 2014

BMBF's new building completed: Luther advises in entire bidding and construction phase

Berlin/Essen, 26 November 2014 – The new building of the Federal Ministry for Education and Research (BMBF Bundesministerium für Bildung und Forschung) in Berlin is completed: yesterday, it was officially inaugurated. Luther Rechtsanwaltsgesellschaft advised BMBF and the Federal Institute for Real Estate (BImA Bundesanstalt für Immobilienaufgaben) during the planning and bidding stages as well as the construction phase.

Luther was engaged to provide comprehensive legal support on the entire bidding procedure throughout Europe, from the structuring of the procedure and the preparation of the bidding documents up to the negotiations with bidders and the conclusion of the contract. Since the contract award Luther also advised the building owner during the whole 2½-year construction period. The new building is the federal government's first PPP project in the construction sector.

During the bidding procedure, the BImA placed particular importance on the project's cost efficiency and the adherence to time schedules, but also on the sustainability and high structural quality of the new building. "The building was handed over to the owner totally in line with the planned budget and schedules which is even more remarkable as to the high demands on architecture as well as on building and equipment quality – and that is no matter of course, especially with regard to complex public construction projects." said Henner M. Puppel, Luther's lead partner. "Furthermore, by opting for the PPP model, as opposed to the conventional public construction, the public sector had a cost advantage of approx. € 28m which is definitely a success for the owner."

About the new building

The project is the federal government's first civilian building in Germany planned, built, financed and operated in a public private partnership (PPP). It received the "Innovation Prize PPP 2012" on the 7th Federal Congress PPP in October 2012 and, in addition, the British award "European Government Accommodation Deal of the Year 2011".

- building owner: Federal Institute for Real Estate, Berlin Office
- occupant: Federal Ministry for Education and Research
- address: Kapelle-Ufer 1, 10117 Berlin
- project value: approx. € 310m
- gross floor space: about 58.000 m²
- contractual model: PPP ownership model
- financing model: project financing with pro rata self-financing
- contract period: 30 years
- conclusion of the contract: August 2011
- inauguration: November 2014

The new ministerial building qualifies for "gold", which is the highest award that can be obtained according to the assessment system „sustainable building for government buildings“. The building receives its energy supply by using a smart grid to integrate various different system components. The smart grid combines a gas-fired fuel cell, a co-generation unit for the generation of cold, heat and power, and photovoltaic elements on the roof and façade of the building.

On behalf of BImA and BMBF

Luther Rechtsanwaltsgesellschaft, Essen: Henner M. Puppel
(Partner, Lead, Public Private Partnership)

Luther Rechtsanwaltsgesellschaft, Leipzig: Stephan Finck (Public
Private Partnership)

Brief Profile Luther

Luther is a leading German commercial law firm that offers comprehensive legal and tax services. The full-service law firm employs over 350 lawyers and tax advisors and is represented at 11 German economic centres and at important investment locations and financial centres in Europe and Asia with international offices in Brussels, London, Luxembourg, Shanghai and Singapore. Our clients are 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 worldwide. 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 is also the German member of Taxand, a global organisation of tax advisory firms.

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. Our lawyers and tax advisors have a solid understanding of interdisciplinary matters and a wealth of experience in collaborating on complex tasks. Further information is available at: www.luther-lawfirm.com

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