

Frankfurt am Main, 11 September 2020

## **GÖRG successfully advises the City of Frankfurt am Main in the context of the new award of the strategic partnership FES**

GÖRG Partnerschaft von Rechtsanwälten mbB advised the City of Frankfurt am Main on the reassignment of the strategic partnership in Frankfurter Entsorgungs- und Service GmbH (FES) under the lead management of Prof. Dr. Horn, partner at GÖRG in Frankfurt am Main. Since it was not the service level but rather the share of the private partner in the FES that was put up for competition, a construct under public procurement law was found with the support of the EU Commission in order to maintain the model of a public-private partnership that has existed in the waste sector in the city of Frankfurt am Main since 1998. The focus of the cross-location team of lawyers was on advising the project in terms of public procurement law, including advice on corporate law, tax law and antitrust law.

In an EU-wide pilot award procedure, the city of Frankfurt am Main invited tenders for 49 percent of the shares in FES as part of an M&A process. The earnings volume of the transaction over the twenty-year contract period will be approximately EUR 2.4 billion. The procedure was conducted in close coordination with the EU Commission.

Remondis was able to prevail over highly qualified competitors from the waste disposal industry in this competitive process.

For the city and the FES, the agreement and the conclusion of the new partnership mean planning security, for the citizens high-quality waste collection and disposal as well as city cleaning and, last but not least, a secure job for the 1,876 FES employees. In addition to the contractual guarantees for FES provided by the three synchronized contracts, the tendering procedure placed high technical and ecological demands on the partner. Furthermore, the economic advantages that the City of Frankfurt am Main will gain from the conclusion of the contract should also be emphasized. In addition to the one-time proceeds from the sale, the city is also securing fee stability for its citizens for the coming years.

### **Advisors City of Frankfurt**

#### **GÖRG Partnerschaft von Rechtsanwälten mbB**

Prof. Dr. Lutz Horn, mandate-managing partner, Frankfurt am Main  
Dr. Heiko Hofmann, Partner, lead management Procurement Law, Frankfurt am Main  
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### **Advisors Remondis**

#### **Greenfort Rechtsanwälte**

Gunther A. Weiss, LL.M. (Yale)  
Prof. Dr. Claus Pegatzky

## Notarising

### Mayer Brown

Dr. Julian Lemor

## About FES

The FES Group consists of the parent company FES GmbH and six subsidiaries. The largest waste management company in the Rhine-Main region today employs around 1,876 people. With the driver-loader concept, the four-day week and the performance-based pay system, FES is setting trends throughout the industry and has made a name for itself throughout Germany.

## Your contact at GÖRG

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## About GÖRG

GÖRG is one of Germany's leading and independent business law firms.

With 290 lawyers and tax advisors in Berlin, Cologne, Frankfurt am Main, Hamburg and Munich, we advise well-known domestic and foreign businesses from all areas of industry, banking, real estate, trade, media and services on all core areas of business law.

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