



Dr Marc Opitz

Specialist lawyer for public procurement law

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PRACTICE GROUPS

- › **Procurement law**
- › **Intellectual property, unfair competition law and data protection**

SECTOR GROUPS

- › **Airports**
- › **Infrastructure**
- › **Health sector**
- › **Integrated Project Delivery (IPD)**

EXPERTISE

- Procurement law
- IT law
- Corporate compliance

Marc advises public principals and bidding companies on all questions of procurement and contract law surrounding procurement projects. His activities include the planning and implementation of procurement procedures as well as the drafting and negotiation of project contracts. He also represents principals and bidders in procurement review proceedings and in the enforcement of claims before civil and administrative courts. Key practice areas include the awarding of contracts in the utilities sector (transport, energy, water) and in the healthcare sector, as well as ICT procurement. Work in recent years has included several procurement projects in multi-digit millions and even the billion-euro range.

What others say

„ One of the leading advisors for procurement law; 'constructive, knowledgeable and professional; very reliable', competitor “

JUVE Handbook 2021/22 and 2022/23

„ Recommended lawyer for public procurement law “

Legal 500 Germany 2024

„ Marc Opitz enters the rankings this year in recognition of high praise from market sources for his work in the field of public procurement, with one commentator describing him as an 'excellent lawyer who knows the law extremely well.' He is particularly visible in infrastructure and public transport projects, advising both bidders and contracting authorities. “

Chambers Europe 2019

„ Kapellmann und Partner´s Marc Opitz is 'an excellent lawyer with strong in-house experience'. He is highly sought after by bidders and contracting entities thanks to his expertise in large-scale construction projects “

Who's Who Legal Germany 2022

„ Leading lawyer for procurement law 2023 “

WirtschaftsWoche Top-Kanzleien 2023

„ Lawyer of the year 2020 for public law (Hessen); One of the most frequently recommended lawyers for public law “

Handelsblatt/Best Lawyers® 'Germany's Best Lawyers 2020/2023'

Recent work

- Representing bidders and principals in more than 80 federal and state procurement review proceedings and before Germany's higher courts
- Advising on the construction of the urban railway Europaviertel in Frankfurt a.M.
- Providing public procurement law advice on the acquisition of a new high-speed fleet for DB's long-distance transport services
- Providing public procurement law and funding law advice to several hospital companies
- Providing ongoing advice to medium-sized construction company on public procurement law and compliance matters
- Advising a state ministry on the procurement of service concessions in the emergency services sector
- Providing ongoing advice to bidders in procurement procedures in the field of rolling stock, railway technology and railway services
- Advising a principal on the procurement of architects' and engineers' services on a major construction project in Frankfurt a.M.
- Advising a health service provider, a utility company and a housing association on the procurement of IT via EVB-IT
- Advising on public procurement and state aid law in connection with concept awards and the sale of real estate in bidding procedures

- Implementation of procurement procedures as the "external procurement office" of a federal company
- Ongoing legal representation of a public development bank in connection with the recovery of grants
- Providing public procurement law advice and representing several national companies in the areas of construction and real estate

Curriculum vitae

- Training as a reserve officer in Mainz and Bremen, 1989 to 1991
- Studied law at the Universities of Mainz and Geneva, 1991 to 1996
- Legal clerkship at the Higher Regional Court Koblenz and at the German University of Administrative Sciences in Speyer, 1996 to 1998
- Research assistant at the Johannes Gutenberg University, Mainz (LS Prof. Dreher), 1998 to 2002
- PhD on antitrust and public procurement law, 2002
- Lawyer specialising in public procurement law at a large international law firm, 2003 to 2007
- In-house counsel in the legal department of Deutsche Bahn AG, Office Manager for Legal Technology/Procurement in Frankfurt a.M., 2007 to 2013
- At Kapellmann since 2014

Further qualifications and memberships

- Author of numerous articles on German and European public procurement law and speaker at training courses and lectures
- Chairman of the expert committee on public procurement law at the RAK, Frankfurt a.M.
- Lecturer at the Rhein-Main University of Applied Sciences, Wiesbaden, 2015 to 2024
- Co-editor of the Neue Zeitschrift für Bau- and Vergaberecht (NZBau)
- Member of the forum vergabe e.V.
- International Public Procurement Award 2004