

# Infrastructure and Projects

Creating our connected future

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Infrastructure is creating our connected future. It is the key to global economic recovery, advancing nations and leading the fight against climate change.

In a world of ever-accelerating change, staying ahead of the curve and knowing what's next for your business or sector is essential.

Climate change and sustainability are set to be defining issues of our time and a huge amount of infrastructure will need to be built, rebuilt, refurbished or retrofitted to deliver on the promises and ambitions of governments around the world. Infrastructure has always played an important role in ESG, and these considerations are now the rule, not the exception. Net Zero plays a big part in government policy and so the infrastructure sector is giving ESG criteria serious consideration when planning new developments. But there are a number of difficulties in this area, including a lack of agreed standards and reporting requirements. Regulators globally are working to create new ESG requirements, but these will differ across countries and present challenges to those companies operating internationally.

Incorporating technology into infrastructure projects will also require a significant step change in policy focus, new financing solutions at both the consumer and portfolio levels, and more research and development to push faster technological innovation.

In many regions, there continue to be huge infrastructure gaps. The scale and investment required to plug these infrastructure gaps present a formidable challenge and one in which our clients will play an important part.

CMS is here to support you through the legal opportunities and challenges. Having advised many of the biggest players globally across the transport, health, education, waste, energy, defence, I.T./telecoms, leisure, custodial and justice, airports and shipping, rail, roads and water sub-sectors, CMS has the breadth and depth of sector expertise to enable your organisation to thrive.





## ***Your one-stop-shop***

CMS can support you across the full life cycle of a project: from financing, acquisition and development, its construction, through asset management and optimisation, to eventual sale.

Our lawyers are experts in areas ranging from fund formation and management to

environmental regulation, from construction disputes to tax planning.

We can help protect your brand and reputation just as much as we can help you manage a joint venture agreement or employment issues.



## ***Leveraging international and local expertise***

From deep-rooted local advice to multi-jurisdictional expertise, our teams offer you consistent, commercial advice from a flexible pool of lawyers.

CMS has over 75 offices worldwide and our infrastructure sector experts across the globe know one another, work together regularly and train together, so you get a single cohesive CMS team, wherever they are located.



## ***Driving transformation***

Technology is revolutionising virtually every aspect of infrastructure and at CMS, we're at the heart of it. Applying our experience from around the world to new technologies and new markets. New and emerging technologies will be a huge part of the solution to today's infrastructure challenges.

New developments span the entire industry, and we are here to guide you through the changes.

Whether to its improved efficiencies, facilitating transition to net zero or unlocking more sustainable business models, CMS is here to show you the way.





# Case studies

## *Shaping the future of road transport*

Located at the heart of Europe, Germany's A3 Motorway Scheme is the largest road PPP project to be commissioned in Germany to date. CMS lawyers from across Europe are working on this project.

CMS acted as adviser to the funders on this major EMEA roads project comprising planning, widening, operation and maintenance of the 76km stretch of motorway. Approximately 80% of the total cost is financed by an international group of funders, with German KfW IPEX Bank acting as agent.

Construction began in 2020 and completion is expected by end of 2025. The A3 Motorway Scheme will improve the road safety and capacity of goods from Dutch harbours to Austrian mountains.



The A3 project follows the established German V model PPP scheme for motorways which has shown to be sufficiently robust to reach financial close even under the challenging conditions of the upcoming COVID-19 pandemic. It is an efficient way to make public infrastructure available in a considerably reduced construction time compared to traditional procurement of construction works."

*Dr. Christian Scherer, Partner, CMS Germany*

## ***Faster rail transport connections in Latam***

Train Maya is one of the world's largest and most significant rail projects and the first of its size and scale in Latin America. Total investment will be around USD 10bn and more than 1,500km of rail track will be built. When completed it will connect popular tourist destinations in south east Mexico, such as Cancún, Playa del Carmen and Tulum, with other important towns and cities in the region, such as Mérida and Palenque.

CMS was appointed by the Mexican Government to advise on the flagship infrastructure project of the new federal administration, the Train Maya project.

CMS is now advising FONATUR, the responsible government entity, on the implementation of the project as part of the Office for the Management of the Train Maya Project (OMP), a consortium with Grupo Typsa, the Spanish engineering firm with offices in Mexico.

The OMP scope of work covers all legal and technical aspects of the procurement and construction of the entire project, including:

- the construction of the platforms and rail tracks
- the acquisition of railway systems
- the implementation of necessary road adjustments for the train's path
- the acquisition of signalling and telecommunications equipment
- contracting for supervision of the design, works and security.



In addition to increasing connectivity and consequently boosting tourism, it will enable local residents in isolated areas to travel, which was previously unaffordable or too time-consuming, as well as creating thousands of employment opportunities.”

*Derek Woodhouse, Senior Partner, CMS Mexico*







## ***Rail and digital infrastructure development go hand-in-hand***

The UAE has combined the extension of its freight and passenger rail network with the expansion of cutting edge high-speed fibre connectivity in a project developed by Etihad Rail.

This network will be the first and only full scale freight and passenger rail network in the UAE and will help to reduce reliance on motor vehicles, with the freight capacity alone potentially reducing greenhouse gas emissions by 2.2m tonnes a year.

With state-of-the-art digital technology being deployed across the network and in the rolling stock, this fibre cable network is part of the digital-by-design nature of the infrastructure and will help to expand highspeed fibre connectivity to more remote parts of the country and in turn generating economic growth opportunities.



Rail is an emerging sector in the Middle East which can play a key role in the growth of digital infrastructure.”

*David Moore, Managing Partner, CMS UAE*

# CMS Infrastructure & Projects as a glance

## BAND 1

'PROJECTS & ENERGY',  
CHAMBERS EUROPE-  
WIDE 2022

More than

# 450



*infrastructure and energy lawyers globally*

## A LEADING REPUTATION



**2021** Acritas  
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BRAND INDEX

## 21 BAND 1

INFRASTRUCTURE AND  
ENERGY RANKINGS IN  
CHAMBERS AND LEGAL  
500 ACROSS EUROPE

1ST PLACE IN THE  
NUMBER OF OVERALL  
RECOMMENDATIONS  
IN GERMANY



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2021-2022

'CEE LAW FIRM OF THE YEAR' AT  
THE CHAMBERS EUROPE AWARDS



## Top rankings in M&A league tables by deal count

*(Bloomberg, Mergermarket and Thomson Reuters)*



**#1 Germany, DACH, Austria**



**#2 Europe, UK, Switzerland,  
Benelux**

# Our track record



## **Carbon neutral delivery**

### **Daimler Truck**

On the largest investment in charging infrastructure for heavy trucks to date with a joint venture to invest and create 1,700 high performance green energy charging points across Europe.

### **Agence Française de Développement**

On the first of its kind green bond in South Africa. The proceeds of this EUR 200m bond issue will be applied to projects that contribute to climate mitigation and adaption, aligned with the UN Sustainable Development Goals.

### **John Laing Investments**

On partnering arrangements regarding the H2 Bus Europe project (EUR39.6m) to deploy 605 hydrogen fuel cell buses and supporting hydrogen refuelling infrastructure in Denmark, the UK, and Latvia.



## **First of its kind**

### **King Fahd Causeway Authority**

On the USD 3.5bn development of a road and railway link between Saudi Arabia and Bahrain.

### **Austrian-Italian consortium**

On the tender for the principal lot (EUR 1bn) of the Brenner Base Tunnel Project, one of the largest tunnel projects in Europe.

### **Singapore's National Water Agency, PUB**

On one of the world's largest inland (60MW- peak) floating solar photovoltaic (PV) systems at Temehang Reservoir, Singapore.

### **TransnetBW**

On the \$11bn Project Suedlink, one of the longest underground HVDC power cable in the world.

### **Consortium of International financial institutions**

On the Olsztyn energy-from-waste PPP project, one of the largest PPP project in Poland's municipal sector and the first energy project in Poland to receive a 'green loan'.

### **RECSA**

On the Libramiento de Colima, Vía Rápida State PPP road project, one of Mexico's priority infrastructure projects supported by the Ministry of Finance and Public Credit and the President.



## **Cross border**

### **Equitix**

On European project portfolio acquisition of stakes in six PPP projects held by DIF Capital Partners. The portfolio includes a 25% stake in the Dutch IJmuiden PPP, the world's largest sea lock; the A1/A6 and the N18 Enschede-Groenlo road PPPs, The Netherlands; the A7 Borsdesholm-Hamburg motorway PPP and the Netz West rolling stock concession in Germany.

### **A consortium consisting of VINCI and Meridiam**

On the EUR 640m public-private partnership (PPP) contract for the D4 motorway in the Czech Republic, the country's first road PPP.

### **NeuConnect**

On its £2.4bn (EUR 2.8bn) electricity interconnector project which links British and German energy markets for the first time, with a consortium of over 20 national and international banks and financial institutions.

### **Saipem Limited**

On the Inter European Baltic Pipe Project, a strategic infrastructure project developed by a joint venture between GAZ-SYSTEM S.A. and Energinet.dk, that will supply gas directly from Norway to Poland, Denmark and other neighbouring countries.

### **Aquila Energy Efficiency Trust pls**

On its IPO with £100m fundraising to support their investment in energy efficiency projects across Europe, such as smart building and metering services, energy efficiency lighting, EVs and other energy storage solutions.

### **Three Seas Initiative Investment Fund**

On setting up a SA RAIF to support the development of infrastructure sponsored by 11 eastern European Union countries' national development banks. The fund size will be between EUR 3bn and EUR 5bn.

### **Sequoia**

On setting up a debt infrastructure fund targeting investors in Europe and the US. The fund is targeting commitments aggregating USD 500m.



# Future facing

## Taking the lead in service delivery

The Infrastructure sector pushes boundaries. Our clients benefit from bespoke CMS-developed tech as well as industry-standard AI.

Here are just couple of examples of how we use technology to deliver for clients.

## Increasing efficiency and reducing the costs of disputes

Disputes often involve large volumes of documentation, and that's particularly true in a heavily regulated sector such as energy and climate change.

Our CMS e-disclosure team, CMS Evidence, provides the latest e-disclosure tools to review, analyse and organise documents in a cost-effective way. It means that we can scope, budget and manage the entire disclosure process from start to finish, saving time and money.

## Using AI tools to improve processes

Due diligence, data and contract analysis can be time-consuming and complex. We use AI tools to review large swathes of information quickly and cost-effectively.

The software enables us to cluster, compare, analyse and visualise data from multiple sources and search thousands of documents accurately.



CMS draws specialists in with ease."

*Chambers UK, 2023*



A hallmark of the company is the need to propose innovative structures that work."

*Legal 500 Central America, 2022*



They understand the necessities of our business, which in turn helps us better understand what we need."

*Chambers Global; Middle East wide, 2022*



# Bringing you the future

Keeping you up to date is a priority for CMS. We excel at examining new developments, analysing new trends and looking at what the future holds. We invest in knowing what is around the corner and how fresh technologies will impact our clients. We build this knowledge into our advice, and invest in training and know-how – for ourselves and our clients.

Here are some examples of the wide range of thought leadership and regular analysis materials available to you.

## A Global Infrastructure Index – Accelerating Transformation



A global report ranking 50 countries by their attractiveness for infrastructure investment. The report paints a very positive picture: there are opportunities in all markets and across all asset classes. There are big spending plans in every region as governments seek to close infrastructure gaps, recover from the pandemic and stimulate their economies.

Read it at:

[cms.law/2021infrastructureindex](https://cms.law/2021infrastructureindex)

## Global Expert Guide to 5G regulation and law



This global expert guide to 5G regulation and law study includes summaries of some of the key 5G-related regulatory positions underway in over 50 markets. It covers new topics such as the increased adoption of industrial 5G, the innovative use cases being explored and the challenges which have been faced during deployment in different jurisdictions.

[5G-regulations and state of deployment in over 50 jurisdictions | CMS](#)

## Tomorrow:



Taking the long view: Even in challenging times, real estate investors continue to have a strong degree of confidence in the future of the sector.

Read it at:

<https://cms.law/en/gbr/publication/tomorrow>

## Global E-guide to Electric Vehicles



Interest in EVs has varied over the years, but the last decade seen a momentous surge in the market, which is set to transform the automotive industry. Our guide examines developments and regulations in over 20 countries.

[Access it at cms.law](#)



## Global Expert Guide to hydrogen energy law and regulation



**Facing the Future of Hydrogen**  
In this guide, we shine a light on the practicalities of hydrogen playing a serious part in these decarbonisation goals and provides an insightful perspective on the extent to which hydrogen has already been embraced by different countries, the challenges faced in optimising hydrogen application and on developments in the worldwide hydrogen economy.

Read it at:

<https://cms.law/en/int/expert-guides/cms-expert-guide-to-hydrogen>

## Global E-Guide to Energy Storage



Energy storage has emerged as an area of focus in many jurisdictions across the globe due to its potential benefits to electricity systems and the opportunities for developers and investors. This e-guide brings together analysis from our legal experts across 22 jurisdictions.

[Access it at cms.law](https://cms.law)

## Data Centre expert guide



The data pressures created by AI technology means that the need for data and storage solutions is greater than ever. Our global expert guide compares legal consenting considerations for data centre development and investment across key jurisdictions.

Read it at:

<https://cms.law/en/int/expert-guides/cms-expert-guide-on-real-estate-data-centre-consenting-ever>.

# CMS

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> 9,000

59,8% female

Lawyers

> 5,800

51,5% female



62 new  
partners in 2022,  
taking the total  
to over  
1,250

74 cities 

44 countries 



19 Practice and Sector Groups  
working across offices





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