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Dr Marc Opitz

Specialist lawyer for public procurement law

Marc advises public clients and bidding companies on procurement projects on all questions of procurement and contract law. His practice includes the conception and implementation of procurement procedures as well as the drafting and negotiation of project contracts. He also represents clients and bidders in public procurement review proceedings and in the enforcement of claims before civil and administrative courts. The focus of his advisory practice is on contract awards in the utilities sector (transport, energy, water) and in the healthcare sector as well as ICT procurement. In recent years, Marc has repeatedly advised clients on contract awards in the multi-digit million or even billion euro range.

What others say

„ One of the leading names in public procurement law - 'a reliable recommendation both in terms of litigation and tender support', competitor “

JUVE Handbook 2023/24 and 2024/25

„ Often recommended for advice in the transport sector “

JUVE Rankings 2025

„ Recommended lawyer for public procurement law “

Legal 500 Germany 2024

„ 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 2025“

WirtschaftsWoche Top-Kanzleien 2025

„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; 2025'

Recent work

- Representing bidders and principals in over 100 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.
- Permanent counselling of a state administration as well as public companies and municipal companies
- 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
- Advising a municipal utility group, on the procurement of insurance services

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 Johannes Gutenberg-University, Mainz
- Co-editor of the Neue Zeitschrift für Bau- and Vergaberecht (NZBau)
- Member of the forum vergabe e.V.
- International Public Procurement Award 2004

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