Prior notification of a concentration

(Case M.9640 — BCP/CD&R Fund X/BrandSafway)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 4/06)

1. On 20 December 2019, the Commission received notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— BCP Acquisitions LLC ('BCP', USA),

— CD&R Fund X (USA),

— Brand Industrial Holdings, Inc. ('BrandSafway', USA), controlled by,

— CDR Bullseye Holdings L.P. ('CDR Bullseye', USA).

BCP and CD&R Fund X acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of BrandSafway.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for BCP: a limited liability company controlled by Brookfield Assets Management Inc., a global asset manager,

— for CD&R Fund X: a fund of the Clayton, Dubilier & Rice private equity investment fund,

— for BrandSafway: a trade contractor providing specialised services to industrial, commercial and infrastructure customers and operates across three business units: scaffolding and access solutions, specialty industrial services, and forming and shoring.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 ([2]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.

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Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

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