

Judgment of the General Court of 1 February 2018 — European Dynamics Luxembourg and Others v ECHA

(Case T-477/15) ⁽¹⁾

(Public supply contracts — Tender procedure — Provisions of information technology (IT) services for the applications of the ECHA — Rejection of an offer by a tenderer — Award criteria — Obligation to state reasons — Manifest errors of assessment — Non-contractual liability)

(2018/C 104/34)

Language of the case: English

Parties

Applicants: European Dynamics Luxembourg SA (Luxembourg, Luxembourg), European Dynamics Belgium SA (Brussels, Belgium), Evropaiki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented by: M. Sfyri, D. Papadopoulou and C.-N. Dede, lawyers)

Defendants: European Chemicals Agency (ECHA) (represented initially by: E. Maurage, W. Broere and M. Heikkilä, and subsequently by W. Broere and M. Heikkilä, acting as Agents, and by J. Stuyck and A.M. Vandromme, lawyers)

Re:

Application, first, under Article 263 TFEU, for annulment of the decisions notified to the applicants by letter of 25 June 2015, by which the European Chemicals Agency (ECHA) rejected their tender for the award of contract No ECHA/2014/86 for the provision of IT services for the IT applications of ECHA and awarded that contract to another bidder and, secondly, under Article 268 TFEU, for compensation for the damage which the applicants allegedly suffered.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders European Dynamics Luxembourg SA, European Dynamics Belgium SA and Evropaiki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE to bear its own costs and those incurred by the European Chemicals Agency (ECHA).

⁽¹⁾ OJ C 363, 3.11.2015.

Judgment of the General Court of 1 February 2018 — Greece v Commission

(Case T-506/15) ⁽¹⁾

(EAGF and EAFRD — Expenditure excluded from financing — Expenditure incurred by Greece — Flat-rate financial corrections — Area-related aid scheme — Concept of permanent pasture — Conditions for imposing a flat-rate correction of 25 % — Communication under Article 11(1) of Regulation (EC) No 885/2006 — Article 31(2) of Regulation (EC) No 1122/2009 — Cross-compliance — Monitoring of statutory management requirements — Monitoring of good agricultural and environmental conditions — Duty to state reasons — Deduction of a correction annulled by a judgment of the General Court)

(2018/C 104/35)

Language of the case: Greek

Parties

Applicant: Hellenic Republic (represented by: G. Kanellopoulos, E. Leftheriotou, O. Tsirkinidou and A. Vasilopoulou, acting as Agents)