

Answer given by Mr Monti on behalf of the Commission*(10 November 1997)*

The Honourable Member is referred to the Commission's answers to Written Questions E-2434/97 from Mr Wynn ⁽¹⁾ and E-2624/97 from Mrs Oddy ⁽²⁾.

⁽¹⁾ OJ C 82, 17.3.1998, p. 76.

⁽²⁾ See page 31.

(98/C 117/205)

WRITTEN QUESTION E-3108/97**by Roberta Angelilli (NI) to the Commission***(13 October 1997)*

Subject: Contract for the construction of the new ring road to the east of Rome

Despite the fact that the Commission opposed the commune of Rome's decision to award the contract for the construction of the new eastern ring road to the Ferrovie dello Stato spa (national rail company), last August the commune approved a new decision whereby the design of the project was entrusted to Sta spa, a company belonging to the commune, while the construction project was awarded to Ferrovie dello Stato.

This openly disregards the Commission's opinion, and presents the same difficulties as before. Moreover, making Sta spa responsible for the design of the project raises many questions, given that although, under the terms of its statute, it is a public transport undertaking, in the new decision adopted by the Rome municipal council it is described as an engineering company. The council decision also makes provision for Sta to involve outside consultants in its work, without properly specifying the procedure for and limits of any such arrangement.

In view of the foregoing,

1. Is the Commission aware of the Commune of Rome's new decision?
2. Did that decision take full account of comments previously made by the Commission?
3. Was the recent award of contracts conducted in accordance with Directive 92/50/EEC ⁽¹⁾ on the award of public service contracts?
4. If it transpires that the rules have been broken, does the Commission intend to take action against the Commune of Rome?

⁽¹⁾ OJ L 209, 24.7.1992, p. 1.

Answer given by Mr Monti on behalf of the Commission*(19 November 1997)*

The Italian authorities have not yet officially informed the Commission of the decision referred to by the Honourable Member. It cannot, therefore, give an opinion at this stage as to whether the decision complies with Directive 92/50/EEC of 18 June 1992 on the award of public service contracts. If a breach of legislation were identified, the Commission could bring proceedings against Italy under Article 169 of the EC Treaty, but it could not under any circumstances take action against the municipality of Rome.
