13th May 2005 : The A84 motorway, known as the "Estuaries Road"

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The Conseil de la concurrence finds 21 building and civil engineering companies guilty of entering into an anticompetitive agreement and imposes fines totalling approximately 17 million Euros

Following a referral from the Minister of Economy, the Conseil has issued a ruling, in which it penalizes 21 building and civil engineering companies for entering into agreements for the awarding of contracts to build engineering structures along the A84 motorway, known as the "Estuaries Road", in the Manche *département* of France.

Construction of the “Estuaries Road”, said A84, required 79 new engineering structures in the Manche *département* alone.

The *Conseil* was asked to investigate illegal agreements concerning the building of 51 such structures (bridges, underpasses and hydraulic structures on the River Sienne), for which the *département*'s planning authority (*Direction Départementale de l'Equipement*) launched a number of restricted calls for tender at the beginning of 1995.

The *Conseil de la concurrence* established that 21 companies participated in a very large-scale agreement, engaging in illegal practices such as exchanging information prior to submitting bids, submitting covering bids and offering compensation to companies which agreed to abstain from bidding, resulting in

the contracts being divided up.

Given the serious nature of the practices concerned, the *Conseil de la concurrence* decided to impose fines totalling 17.3 million Euros.

> Decision 05-D-19 of 12th May 2005, relative to practices implemented during the awarding of contracts to construct civil engineering structures on the A84 motorway, known as "Estuaries Road", in the Manche département

> See ruling of the Paris Court of Appeal (13th September 2005)

> See decision of the Paris Court of Appeal (7th March 2006)

> See decision of the Cour de cassation (Supreme Court of Appeals) - 6th March 2007