

City of Lille's call for tenders: Santerne (Vinci group) fined up to €435,000

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The *Autorité de la concurrence* has imposed a joint financial penalty of €435,000 on Santerne Nord Tertiaire (hereinafter Santerne) and several companies of the Vinci Group for engaging in concerted practices in order to distort competition, which is prohibited by Article L. 420-1 of the French Commercial Code (*Code de commerce*).

The decision follows an investigation carried out by the DGCCRF (French Directorate General for Competition Policy, Consumer Affairs and Fraud Control) in the building operations management sector and a transaction refusal on the part of Santerne, which led to the referral to the *Autorité*.

Santerne participated in the exchange of information with another tendering company, Neu, in order to be awarded a public contract for the maintenance and transformation of building management systems for the city of Lille (Lille Métropole Communauté Urbaine). These exchanges took place prior to the submission of tenders and concerned important aspects of the contract (prices for the most important equipment and materials and the contents of the technical proposal). The submission of two separate and seemingly independent bids misled the contracting authority as to the degree of competition between the two tenderers. These exchanges altered effective competition and violated Article L. 420-1 of the French Commercial Code (*Code du commerce*), which prohibits anticompetitive agreements.

PRESS RELEASE

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