Three companies fined for anticompetitive agreements in public tenders for heritage building renovation in the Hauts-de-France region

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Background

Following inspections and an investigation report sent by the French Directorate-General for Competition, Consumer Affairs and Fraud Control (DGCCRF), the *Autorité de la concurrence* fines three companies a total of €174,000 for anticompetitive agreements relating to public tenders for the restoration of two churches in the Hauts-de-France region.

The companies exchanged information on prices prior to responding to the calls for tenders for the restoration of two churches

The companies Entreprise Lelu and Bernard Battais et fils, which are active in the renovation and restoration of roofs and frameworks on heritage buildings in the Hauts-de-France region, exchanged information on prices in the course of preparing and submitting responses to a call for tenders organised in 2013 by the town of Bonneuil-les-Eaux for the restoration of its church.

Furthermore, Bernard Battais et fils and the company ECR, also active in the sector in question, exchanged information on prices before responding to another call for tenders, organised in 2016 by the town of Oxelaëre for the restoration of its St. Martin's church.

The practices negatively affected the budgets of local authorities

These exchanges of information took place before the date on which the outcome of the calls for tenders could be known and in circumstances which inevitably affected the responses of the companies. The practices contributed to distorting the competitive tendering process for the renovation of the churches, the costs of which are borne directly by the local authorities. In this case, the costs resulting from these contracts weighed more heavily on their budgets than they would have, had fair competition been effective.

Sanctions imposed

In light of these facts, the *Autorité de la concurrence* imposed the following sanctions:

Company	Sanction			
Bernard Battais et fils (jointly and severally with Battais Invest)	€124,000			
Entreprise Lelu	€22,000			
ECR (jointly and severally with Fijet)	€28,000			
Total	€174,000			

FULL TEXT OF THE DECISION 23-D-06 OF 14 JUNE 2023

See full text of the decision (in French)

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