



## INTRODUCCIÓN

A raíz de la enmienda 0436 (BUDG 9761) votada por el Parlamento Europeo se han consignado en el artículo 40 01 40 (Reserva administrativa) créditos por valor de 10 256 400 EUR en la línea presupuestaria 26 01 22 02.

La Comisión solicitó liberar la reserva mediante la transferencia DEC 5/09. Un documento adjunto recogía la información correspondiente a las condiciones solicitadas para la liberación de esta reserva, en especial sobre el concurso de arquitectura para el barrio Europeo, la convocatoria de información sobre los terrenos donde se va a edificar, las necesidades actuales e intermedias de espacios de oficina, el seguimiento de la Comunicación COM(2007)501 sobre la política inmobiliaria y una descripción de los proyectos inmobiliarios actuales (anexo 1 adjunto).

Ambas ramas de la Autoridad Presupuestaria solicitaron más información; el Parlamento Europeo rechazó la transferencia mientras que el Consejo no adoptó ninguna posición.

La Comisión ha enviado respuestas a las peticiones de información complementaria (anexo 2 adjunto) y considera que se han cumplido las condiciones de la reserva y las solicitudes de información adicional. Por lo tanto, solicita la liberación de la reserva cuyos créditos son necesarios para cubrir las obligaciones contractuales durante el segundo semestre de 2009 (para más información, consultar a la OIB).

La Comisión mantendrá informada a la Autoridad Presupuestaria sobre los importantes avances referentes a la política inmobiliaria.

## I. AMPLIACIÓN

### a) Denominación de la línea presupuestaria

**26 01 22 02 - Adquisición y arrendamiento de bienes inmuebles en Bruselas**

### b) Datos en cifras a 12.02.2009

	<b>CND</b>
1A. Créditos del ejercicio (presupuesto inicial + PR)	194 871 600
1B. Créditos del ejercicio (AELC)	0
2. Transferencias	0
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3. Créditos definitivos del ejercicio (1A+1B+2)	194 871 600
4. Utilización de los créditos definitivos del ejercicio	194 071 600
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<b>5. Créditos no utilizados/disponibles (3-4)</b>	<b>800 000</b>
<b>6. Necesidades hasta el final del ejercicio</b>	<b>11 056 400</b>
<b>7. Ampliación propuesta</b>	<b>10 256 400</b>
8. Porcentaje de la ampliación en relación con los créditos del ejercicio (7/1A)	5,26%
9. Porcentaje de las ampliaciones acumuladas en aplicación del artículo 23, apartado 1, letras b) y c), del Reglamento Financiero, calculado con respecto a los créditos definitivos del ejercicio, de conformidad con el artículo 17 <i>bis</i> de las normas de desarrollo	n.a.

### c) Ingresos prorrogados procedentes de la recaudación (C5)

	<b>CND</b>
1. Créditos disponibles al comienzo del ejercicio	6 726 577
2. Créditos disponibles a 12.02.2009	0
3. Porcentaje de utilización [(1-2)/1]	100,00%

### d) Justificación detallada de la ampliación

Véase la introducción

## II. DETRACCIÓN

### a) Denominación de la línea presupuestaria

**40 01 - RESERVAS PARA GASTOS ADMINISTRATIVOS - Partida 26 01 22 02 - Adquisición y arrendamiento de bienes inmuebles en Bruselas**

### b) Datos en cifras a 12.02.2009

	<b>CND</b>
1A. Créditos del ejercicio (presupuesto inicial + PR)	10 256 400
1B. Créditos del ejercicio (AELC)	0
2. Transferencias	0
<hr/>	
3. Créditos definitivos del ejercicio (1A+1B+2)	10 256 400
4. Utilización de los créditos definitivos del ejercicio	0
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<b>5. Créditos no utilizados/disponibles (3-4)</b>	<b>10 256 400</b>
<b>6. Necesidades hasta el final del ejercicio (*)</b>	<b>0</b>
<b>7. Detracción propuesta</b>	<b>10 256 400</b>
8. Porcentaje de la detracción en relación con los créditos del ejercicio (7/1A)	100,00%
9. Porcentaje de las detracciones acumuladas en aplicación del artículo 23, apartado 1, letras b) y c), del Reglamento Financiero, calculado con respecto a los créditos definitivos del ejercicio, de conformidad con el artículo 17 <i>bis</i> de las normas de desarrollo (* No pertinente por lo que a líneas de fondos o líneas de reserva se refiere)	n.a.

### c) Ingresos prorrogados procedentes de la recaudación (C5)

	<b>CND</b>
1. Créditos disponibles al comienzo del ejercicio	6 726 577
2. Créditos disponibles a 12.02.2009	0
3. Porcentaje de utilización [(1-2)/1]	100,00%

### d) Justificación detallada de la transferencia

Véase la introducción

**Transfer of appropriations № DEC 5/2009 (now DEC 24/2009)  
Acquisition and renting of buildings in Brussels  
Conditions for the release of the reserve (amendment 0436 (BUDG 9761))**

*The Commission should present to Parliament:*

- *the results of the architectural competition for the European Quarter, as well as its administrative and financial implications for the buildings policy of the Commission, with a detailed timetable and financial overview,*
- *the results of the notice of information (cf. OJ 2008/S 151-202862), as well as its administrative and financial implications for the buildings policy of the Commission, with a detailed timetable and financial overview,*
- *a detailed and updated analysis on the current situation concerning the needs for office space and the mid-term needs projected in connection with changes in staff number,*
- *a detailed report on the follow-up to communication COM(2007)501 and current Commission building projects (renovation, occupation of new buildings, duration of rental contracts), including a detailed timetable for each project and the financial consequences of buildings policy.*

The requests concern:

- the architectural competition for the European Quarter;
- the notice for information on the development sites;
- the current and mid-term needs for office space;
- the follow-up to the communication COM(2007)501 on building policy;
- an overview of the current building projects.

This information is given in:

- section 1 as regards the architectural competition for the European Quarter;
- section 2, action 13 as regards the call for information on the development sites;
- section 3 as regards the current and mid-term needs for office space;
- section 2 as regards the follow-up to the communication COM(2007)501 on building policy;
- section 4 as regards the overview of the current building projects.

## **1. The architectural competition for the European Quarter**

An architectural competition will be prepared in the course of 2009. It will be based on the results of the town planning competition (PUL-Projet Urbain Loi) organised by the Brussels Region; it concerns a limited area around the rue de la Loi (including the latter). This town planning competition is on-going and the results are expected in the first half of 2009.

The town planning competition as such involves no budgetary commitment by the Commission, except for the seven international experts participating in the evaluation committee, who were selected, invited and paid by the Commission, on the basis of the existing relevant procedures.

When preparing the architectural competition, the Commission will perform a financial analysis, based on the impact of the new land use plans (PPAS - Plan Particulier d'Affectation du Sol) of Brussels, as soon as they are available, before end 2011. A call for tenders is being launched to find an architect and/or engineers to guide the Commission through the architectural competition process.

The Commission's estimated budget for the architectural competition amounts to 700.000 € (0.5 M€ awards + 0,2 €M for the architect and/or engineers assistance).

The Commission will inform the budgetary authorities as soon as global financial implications and their details are known.

This element of the building policy aims at projects that will be operational by around 2014, according to the long term planning put forward by the Commission in its building policy.

The aim of this policy is a rationalisation of Commission buildings. Incidentally, the Commission used a hypothesis of zero growth for the projection of the office space required.

### Tentative calendar with regard to the architectural competition and its follow-up

<b>Phases</b>	<b>Timing</b>	<b>Responsibility</b>
Town planning competition by Brussels Region	2008 – 2009	Brussels Region
Architectural competition by the Commission	2009 - 2010	Commission
Detail project (plans / budget / planning)	2010 - 2011	Commission
Adoption of new PPAS	2011	Brussels City
Obtain permits	2011 - 2012	Commission
Call for tenders	2012 - 2013	Commission
Start of the works phase I	2014	Commission

## **2. Report on the follow-up of Communication COM(2007)501 (situation at January 2009)**

The Commission Communication on the policy for the accommodation of its services in Brussels and Luxembourg, adopted on the 5<sup>th</sup> of September 2007<sup>1</sup> implies specific actions to be undertaken as of 2008-2009.

The relevant services of the Commission, in particular the Offices OIB and OIL and DG Admin, must undertake 25 different actions.

Herewith is the description and the current situation of each of these actions, with the same numbering scheme used for the Communication.

### **2.1.3. The existing situation: general evolution**

#### **Action 1: definition of a long-term planning**

Recurrent action; the draft Multi Annual Programme Frameworks (MAPF) for Brussels and Luxembourg 2009-2018 were presented to the Management Committees of OIB and OIL in November 2008 and were subsequently finalised.

OIL's MAPF was adopted by written procedure in February 2009; OIB's MAPF is expected to be adopted in March 2009.

#### **Action 2: life-cycle cost of future buildings**

In June 2008 OIB contracted a leading property transactions advisor to develop a life-cycle cost methodology which could be used when evaluating candidate buildings for occupation (including through usufruct contracts (see action 10)) by the Commission. The contractor put forward a first draft in December 2008 which is currently under analysis by the Commission.

#### **Action 3: study on large future renovation costs**

This study to quantify costs and to provide long-term planning for the necessary large-scale renovation works to be carried out in Commission buildings was launched at the end of 2008 and is expected to be finalized in May 2009. It will update and complement an earlier study (carried out in 2007).

The main renovation issues have been subdivided in the following categories : (i) works necessary to achieve compliance with forthcoming legal constraints (e.g. R22 gas); (ii) works necessary to protect the value of the Commission's assets (e.g. new covering); and (iii) works necessary to reduce energy consumption and CO2 emissions.

These works have been scheduled from 2009 onwards, starting with the technical studies, based on the study of 2007 with a budget of 220.000 € for 2009, and the preparation of procurement procedures.

#### **Action 4: reinforcement of partnerships with the Belgian authorities**

This is an on-going action. The Task Force Belgium EU, specifically set up to facilitate dialogue between the Institutions and the host country authorities meets regularly (18 meetings have taken place since it was set up in September 2005) to discuss a wide range of issues including tax policy, the European schools, the transport and mobility, etc.

### **2.2. Future space requirements in Brussels and Luxembourg**

#### **Action 5: study about the localisation of IT rooms in Luxembourg and Brussels and evaluating the cost/efficiency of this approach**

The study was not undertaken so far. In the meantime, the relevant services are finalizing a proposal with a view to renting limited additional space in Luxembourg to cope with the current request for hosting of IT system.

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<sup>1</sup> COM(2007)501

#### **4.1. Increased competition on the marketplace: a revised methodology for the purchase and rental of buildings**

##### Action 6: definition of a methodology for buying and renting buildings

A new methodology was adopted by the Commission on the 3<sup>rd</sup> of June 2008 (COM(2008)229) and transmitted to all Institutions.

##### Action 7: annual publication of an estimate of the needs for the current year and the following four years and publication of specific needs for any new real estate project

The Real Estate Committee in Brussels during its first meeting on the 9<sup>th</sup> of July 2008 adopted two opinions and two calls for proposals (17.800 m<sup>2</sup> to cover short-term needs and 70.000 m<sup>2</sup> for 2013) that were published in the OJEU on the 6<sup>th</sup> of August 2008.

The Committee subsequently adopted four opinions by written procedure and held its second meeting on the 6<sup>th</sup> of February 2009.

The Luxembourg Real Estate Committee met for the first time on the 15<sup>th</sup> of December 2008 during which it adopted two opinions and agreed on the publication of estimated needs for the period 2009-2013.

##### Action 8: publication of an information guide on real estate procedures

This document (which is available on-line since December 2008<sup>2</sup>) explains in layman's terms the Commission's revised methodology for the purchase and rental of buildings and the related internal procedures. It will be completed by a section covering leasing and purchasing buildings in May 2009.

#### **4.2. Examining scope for better financing options and mechanisms**

##### Action 9: study to examine financing options and mechanisms for real estate developments

A joint OIL/OIB working group, lead by OIL, has been set up and will meet with DG ECFIN and the Legal Service in February 2009. A final document is foreseen for the end of 2009.

##### Action 10: study to evaluate the correct balance between acquisition and rental or usufruct

A study has been launched by OIB and OIL and will be composed of two parts. The first part will address policy aspects (DG ADMIN), the principles of which will be drafted during the second quarter of 2009. The second part which will address economic aspects (OIB/OIL) is linked to the "life cycle cost study" (action 2); the study on large future renovation costs (action 3) will be drafted in parallel. Contacts are ongoing between OIL and OIB who will meet during the first quarter 2009.

##### Action 11: definition of the mechanisms to cope to the need to empty buildings that needs to be renovated

Analysis and studies will be undertaken based on a reviewed real estate planning further to the results of the town planning competition and the individuation on new possible site(s).

#### **5.1. The Commission in Brussels**

##### Action 12: definition of the project for the redevelopment of rue de la Loi

In April 2008 the Brussels Region launched an international town-planning competition (PUL-Projet Urbain Loi) to redefine the areas on both sides of the rue de la Loi. The Commission collaborated with Brussels Region on the definition of the terms of the competition and on the composition of the jury.

The definitive choice and announcement (expected in March 2009) of the winner is the responsibility of the Brussels Region as "authorising officer" of this project.

After selecting the winning project for this town planning initiative, a *new land use plan* (Plan Particulier d'Affectation du Sol: PPAS) will be drafted by the Brussels Commune and should be adopted by 2011.

<sup>2</sup> [http://ec.europa.eu/civil\\_service/audience/real\\_estate/index\\_en.htm](http://ec.europa.eu/civil_service/audience/real_estate/index_en.htm)

The PUL project is expected to allow the Commission to increase its office space in a specific area of this part of the city.

Once the winning project has been announced the Commission will:

- start preparing for an architectural competition for a new building to replace the obsolete buildings in the PUL area
- calculate the budgetary impact of the whole PUL-project based on concrete plans;
- refine and adapt the current milestone plan which foresees the first new buildings being available by 2017;

The project would aim at a rationalisation of the scattered EC real estate portfolio without foreseeing an increase of the Commission's total available office space.

#### Action 13: reflection on additional poles

A request for information on possible new poles was published in the OJ on the 12<sup>th</sup> of June 2008 (OJEU S/113). Nine proposals were received by the closing date of the 15<sup>th</sup> of September. An Assessment Committee was appointed to analyse all replies and draft a report on its findings.

The analysis (including on-site visits) has been completed and the report is currently being drafted. The final decision that aims at defining possible sites for further development and not to enter into financial or legal commitments with developers will be taken at the College level once all relevant information is available.

### **5.2. The Commission in Luxembourg**

#### Action 14: preparatory study relating to the location and to the definition of the needs for social infrastructure in Luxembourg

Based on the very weak development of the recorded needs in October 2008, this study was postponed to the 1<sup>st</sup> half of 2009 to allow for the refinement of future estimates. The current infrastructure meet existing needs.

### **5.3. Agencies**

#### Action 15: definition of the respective roles of OIB/OIL with regard to support to Executive Agencies

A discussion on the respective roles is ongoing. The general orientation is that the Offices should assist Executive Agencies within the realms of their capacity and under Service Level Agreements.

This is in line with the Communication "Guidelines for the establishment and operation of executive agencies financed by the general budget of the European Communities"<sup>3</sup> where is specified that "The horizontal departments and infrastructures are provided by ... the Commission offices (PMO, OIB/OIL) ... usually for a fee". The practical methods of these assistances will be defined hereinafter.

### **6.1.3. Comfort of the working environment**

#### Action 16: definition of new methods of space allocation and furnishing

After visiting several buildings in July 2008 where a new working environment is in place with representatives of the Local Staff Committee, the next step is the setting up of a Working Group in March 2009 to develop the key principles and criteria to apply in the future in the Commission's buildings with regard to space allocation and furnishing.

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<sup>3</sup> {SEC(2006)663} {SEC(2006)664} of 31<sup>st</sup> of May 2006.

#### **6.1.4. Access for the disabled**

##### Action 17: adaptation of existing buildings for access for the disabled

The infrastructure works to adapt the entrance of CCAB building for disabled access are completed and operational.

The Beaulieu building works are scheduled to be carried out in two phases. The first phase consists of infrastructures works outside the building for which a contract with an external firm has already been signed. Work can only start however after delivery by the local authorities of the necessary the building permit which has been requested. The second phase consists in the fitting out works inside the building and the lift installation outside the building. All the works to adapt the Beaulieu building are expected to be completed before end 2009.

A framework contract to adapt all Commission buildings for disabled access is expected to be signed in the first half of 2009 along with a further contract for the necessary technical assistance. Once these contracts are in place, work will start promptly on a building by building basis.

#### **6.1.5. Social amenities**

##### Action 18: document defining the situation on the future nursery projects in Brussels

###### **Cornet-Leman**

The project consists of two phases. The first phase – removal of asbestos and demolition – started in November 2008 and will be finished in March 2009. The second phase of renovation works (for which the contract was signed in December 2008 and the building permit has been obtained) should start in April 2009 and are scheduled to be finished during the second half of 2010.

###### **Wagon-Lits :**

The letter of intention to buy the Wagon-Lit building adjacent to the Clovis nursery for an amount of 5.850.000 € and the related budgetary commitments were signed at the end of 2008. In this letter<sup>4</sup> it is specified that the risks related to soil pollution and asbestos fall under the Commission's responsibility. The authentic deed is scheduled to be signed by 31<sup>st</sup> March 2009. However, this deadline is very much dependent on the on going procedure in relation to the soil testing.

A call for tenders for the renovation works is expected to be published towards the end of 2009 or at the beginning of 2010. The cost of the renovations works which have been fixed at 8.550.0000 € are scheduled to be carried out in the period 2010/2011 (4.450.000 € in 2010 and 4.100.000 € in 2011) so that the new nursery can be opened towards the end of 2011 - beginning of 2012.

##### Action 19: inter-institutional centre in Overijse

A renovation of the inter-institutional centre in Overijse is planned.

However, a recent modification of the town planning rules by the Flemish Region risks however blocking this project. The Commission is currently examining the situation and will decide about the future of the Centre once it avails of all relevant information

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<sup>4</sup> Requested by the owner instead of a usual Pre-contract (Compromis de vente) for timing reasons

### **6.2.1. Emissions reduction**

#### Action 20: implementation of the Eco-Management Audit System (EMAS)

There are currently 15 EMAS registered buildings accounting for around 30% of the floor space occupied in Brussels.

By the end 2009, a further 8 buildings are expected to be added increasing the surface by another 15%. The Commission's aim is to extend this project gradually so that all buildings are EMAS registered by 2014.

OIL is currently examining how EMAS can be applied to buildings in Luxembourg.

### **6.2.2. Mobility**

#### Action 21: implementation of the Transport Mobility Action Plan

A survey to verify the results of the Commission's Mobility Plan 2006-9 was launched in July 2008 which formed the basis for the Mid-Term review which was adopted in December 2008.

The Commission, in close collaboration with the Council and the Parliament, has re-launched the reflection for a contribution of 50% towards the costs of public transport season tickets (2010 budget).

### **7.2. Revision of building standards and housing conditions**

#### Action 22: document on "Architectural policy"

The architectural policy document was approved by written procedure by the Management Committees of OIB and OIL in January 2009 and will enter Inter-Services Consultation during February 2009. Its adoption is scheduled for April 2009.

#### Action 23: revision of Building Standards Manual (MIT – Manuel Immeuble Type)

All legal references in the document have been updated; the layout is being simplified before Inter-Service consultation. A new version of the MIT should be available before the end of 2009.

In Luxembourg discussions are ongoing at inter-institutional level for a revision of the relevant legal aspects. The principle and the method of revision for Luxembourg will be proposed at next GICIL meeting planned by the end of February 2009.

#### Action 24: adoption of a Housing Conditions Manual (HCM) to harmonise the rules and technical criteria for the allocation of space

The first part of the Housing Conditions Manual was approved by OIB's Management Committee by written procedure on the 30<sup>th</sup> October 2008 and subsequently presented to OIB's Management Committee on 10/11/2009 and to OIL's Management Committee on 12/11/2009.

The second part of the Manual, dealing with technical issues, will now be started.

### **3. Numerical data for the current and mid-term (period 2009-2012)**

The tables below show the estimated populations and surface needs for the period 2009-2012 . In line with the Commission's commitment, *ceteris paribus*, not to ask for additional resources over the remainder of the financing period 2007-2013.

<b>Real estate programming (m<sup>2</sup>)</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Brussels</b>				
Total needs	849.000	849.000	849.000	849.000
Total availability before changes	825 794	850 000	850 000	850 000
Changes in available before transfers or negotiations (taken – abandoned)	+ 9 054	- 14 500		- 17 722
Transfers to agencies	- 7 386			
Projects being negotiated	4 738			
Projects to be negotiated	17 800	14 500		17 722
Total availability after changes	850 000	850 000	850 000	850 000
<b>Luxembourg</b>				
Total needs	131 000	131 000	131 000	131 000
Total availability before changes	125 738	125 738	131 238	131 238
Changes in available m <sup>2</sup> before transfers or negotiations (in – out)				
Transfers to agencies				
Projects being negotiated	5 500			
Projects to be negotiated				
Total availability after changes	131 238	131 238	131 238	131 238

### **4. Current building projects**

#### Ilôt Spa / Joseph II / Etterbeek / Loi

Within the framework of the objectives of the Communication COM(2007)501 it is planned to rationalise the property portfolio of the Commission in the European District by concentrating office surface in a project on the area delineated by rue de Spa, rue de la Loi, rue Joseph II and the chaussée d'Etterbeek.

With the exceptions of the L-78, L-82 and L102 buildings, the Commission has the land control of this area. This construction project, related to the results of the town planning Competition "Projet Urbain Loi", and whose realisation should occur under the responsibility of the Commission, will obviously be the subject of a preliminary consultation of the budgetary Authority as soon as the budgetary implications are assessed more precisely.

#### L-78, L-82 et L102

The acquisition of these three buildings will make it possible to complete the land property of the area of Spa/Joseph II/Etterbeek/Loi; the importance of which is explained under the previous point. The negotiations for the three projects are currently ongoing and once all the elements are known, the Commission will inform the budgetary Authority.

## J-59

This project was the subject of information to the budgetary Authority in September 2008. Subsequently, the usufruct contract for this building adjacent to the SPA2 was signed on 23 October 2008. The duration of the contract is 15 years as of the provisional approval date, currently estimated as the 30 April 2009. The basic annual fee is approximately 1,964,000 € (205 €/m<sup>2</sup> when entirely finished) knowing that free periods were negotiated (6 months for the first year, 2 months for the following three years).

### Call for proposals to cover office needs for 2008/2009 (17 800 m<sup>2</sup>)

The Commission published a call for proposals of buildings (OJEU 2008/S 151-202864) in summer 2008 in order to identify buildings to meet its office space requirements for 2008 and 2009. The deadline to submit proposals was 30 September 2008. The evaluation committee has finished the assessments of the proposals received and is currently drafting the final report to be submitted by the authorizing officer to the Real Estate Committee. In compliance with the new methodology set up, this report will propose a ranking of the proposals in order to start negotiations with the three of the best 3 of them.

It is expected to finalize the procedure before end 2009. On a full year basis, the financial implication of acquiring 17.800 m<sup>2</sup> is estimated at 4.094.000 €. This operation is scheduled in the real estate planning and does not involve additional costs.

### Appel à propositions d'immeubles pour 2013 (70 000 m<sup>2</sup>)

The Commission has published a call for proposals of buildings (OJEU 2008/S 151-202863) in order to identify buildings to meet its office space requirements for 2013. The deadline to submit proposals was set to 30 September 2008. The evaluation committee is currently analyzing the proposals. A pre-selection of projects will be proposed in the second quarter of 2009 and a final selection should be made before end 2009. This operation is scheduled in the real estate planning and does not involve additional costs.

### Luxembourg Jean Monnet

Un accord est en cours de finalisation entre les autorités luxembourgeoises et la Commission pour la construction du bâtiment Jean Monnet 2, en remplacement du Jean Monnet actuel, pour la fin de l'année 2014.

La localisation du bâtiment sur le plateau du Kirchberg a été retenue dans la communication COM(2007)501 (voir sa section 5.2).

An agreement is being finalised between the Luxembourg authorities and the Commission for the construction of the building Jean Monnet 2, to replace the current Jean Monnet, by the end of 2014. The location of the building on the Plateau du Kirchberg was retained in the communication COM (2007)501 (see section 5.2).

➤ **Additional information sent to the Parliament following COBU of 31 March 2009:**

- **Concerning the requested information about the results of the town planning competition, expected costs and further actions of the Commission.**

A town planning competition was launched in April 2008 by the Brussels-Capital Region in close collaboration with the European Commission to re-design the *rue de la Loi* between the inner ring road and the *Chaussée d'Etterbeek*, in line with the objectives of the European District Master Plan adopted by the Regional government on April 24, 2008.

It aims to create a sustainable area bringing together the main European administrative block, and a mix of housing, shops and cultural and leisure facilities accessible to all.

This project also responds to the shared wish of the European Commission and the regional authorities to reorganise the Commission's existing premises along the *rue de la Loi*. It would bring the Commission's holdings within this zone from the current 170.000 m<sup>2</sup> to 400.000 m<sup>2</sup> (projected surface area) with a concomitant decrease in the adjacent zones in the European Quarter.

The new urban shape should enhance the liveability of the public spaces and give priority to soft transport modes and to enhanced public transport. It should create a strong local identity, with buildings that promote high quality in terms of environment, architecture and energy consumption.

The Commission is not involved in financing either the competition or the final project, but has paid for the costs incurred by the international experts on the advisory committee (of the order of 25,000 €).

The Brussels-Capital Region, who is responsible for this project, short-listed 5 teams out of 35 applicants. The five teams selected to present a project were:

- OMA (NL) in collaboration with NFArchitects (B), Agence TER (F), OVE ARUP (UK), DEGW (UK) and SETEC Partenaire Développement (F)
- JDS Architects (DK and B) in collaboration avec Studio Associato Secchi-Vigano (I), 3E (B), Laurent Ney & Partners (B) and TRITEL Mobilité (B)
- Atelier Christian de Portzamparc (F) in collaboration with Jacques Wirtz (B), Coteba Belgium (B) and OVE ARUP (UK)
- Fletcher Priest Architects (UK) in collaboration with WIT Architekten (B), ARUP (UK) et Davis Langdon (UK)
- Xaveer de Geyter Architecten (B) in collaboration with Michel Desvigne Paysagiste (F), Laurent Ney & Partners (B), TRITEL Mobilité (B) and Resource Analysis (B).

The name of the winning project - Atelier Christian de Portzamparc - was announced on March 5, 2009 during a joint press conference hosted by Vice President Kallas and Minister-President Charles Picqué of the Brussels-Capital Region.

The winning team now has four months to develop its draft and to shape the new face of the European quarter. This project will lead to and be reflected in a statutory urban development plan (PPAS), thus providing the basis for the launch of specific architectural competitions.

The choice of the winning project was carried out by the Brussels-Capital Region on the basis of the recommendations given by an advisory committee, composed of 6 international experts and 2 representatives each from the Brussels Region, the Brussels City and the European Commission.

- **Concerning the OIB's property transaction adviser and his functions / activities.**

This question refers to the following information in the DEC5 (now DEC 24/2009) document:

*"In June 2008 OIB contracted a leading property transactions advisor to develop a life-cycle cost methodology which could be used when evaluating candidate buildings for occupation (including through usufruct contracts (see action 10)) by the Commission. The contractor put forward a first draft in December 2008 which is currently under analysis by the Commission."*

The replies are:

- The leading property transaction advisor is the temporary association of Catella, Clifford Chance and Widnell which was selected after a public tender procedure.
- The tasks were defined in the specifications of the tendering procedure and concern the real estate, legal and quantity surveyor competencies needed to cover all domains concerned by the life-cycle cost study.
- Since the signature of the contract in June 2008, the contractor has been asked to deliver two studies for the 2nd half of 2009 (one on the life-cycle cost of a building, one on a methodology to decide between renting/usufruct/acquisition). Henceforth, the results of these studies will be systematically applied in the analysis of new real estate projects.

- **Concerning the results of the notice for information where the Commission received 9 offers for possible territory to construct.**

Given the confidential nature of the information, the Commission transmitted the requested information according to the provisions of Annex I of the Framework Agreement between the European Parliament and the Commission, following the formal request from the COBU Chairman.

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➤ **Additional information sent to the Council following the Budget Committee meeting of 2 April 2009:**

**1) La Commission veut-elle augmenter la surface totale qu'elle occupe et a-t-elle tenu compte de l'engagement de ressources humaines constantes?**

La Commission ne prévoit pas une augmentation des surfaces par rapport au total annoncé dans sa communication sur la politique immobilière C(2007)501 et elle a tenu compte du fait qu'elle s'est engagée à ne pas demander, d'ici 2013, une augmentation du personnel. L'occupation de nouveaux immeubles est liée à la nécessité de trouver des nouveaux espaces remplaçant des contrats venus à échéance, au besoin de rénovation et à la rationalisation (concentration sur la rue de la Loi et dans un ou deux pôles).

**2) Est-ce que ce projet ne va pas augmenter la concentration dans le Quartier européen (QE) actuel et quid alors des nouveaux pôles?**

La quantité totale des surfaces dans le QE restera la même qu'aujourd'hui: la concentration sur (la zone visée par le concours de) la rue de la Loi se verra compensée par des abandons concomitants ailleurs dans le QE. Ceci s'applique, *mutatis mutandis*, pour les surfaces qui se trouvent dans les pôles actuels et qui, dans un effort de rationalisation, pourront aller dans le(s) nouveau(x) pôle(s).

**3) Existe-t-il une analyse financière globale?**

Les besoins financiers seront définis projet par projet. La Commission mettra tout en œuvre pour obtenir les conditions financières les plus avantageuses pour chaque projet, qui devra s'inscrire dans le cadre de la programmation immobilière pluriannuelle transmise régulièrement à l'Autorité budgétaire. La Commission suivra la procédure immobilière réglementaire et en informera l'Autorité budgétaire comme prévu par le Règlement financier.

**4) Quid du concours d'architecture?**

Le premier concours d'architecture, pour un bâtiment sur la parcelle dont la Commission est propriétaire (LOI 130), est prévu en 2010-2011. L'OIB vient de lancer la procédure d'identification du bureau d'études qui l'assistera dans la préparation de la documentation nécessaire au concours. L'autorité budgétaire sera informée le moment venu du résultat.

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➤ **Additional information sent to the Parliament following COBU of 16 April 2009:**

**Concerning the results of the notice for information published in the OJ on the so-called “second pole” project, and in particular the offers for possible surfaces to construct.**

**1. Background**

The Communication on the Policy for the Accommodation of Commission Services in Brussels and Luxembourg of September 2007 confirmed the European Quarter as the Commission's main site in Brussels and, in addition, put forward that there should be up to three other poles progressively developed to continue to meet the Commission's accommodation requirements.

In respect to the development of the other poles outside the European Quarter a request for information (for - ideally one - additional pole) was thus published in the OJEU (2008/S 113-150691) on 12 June 2008, seeking proposals covering a minimum size of 100.000 m<sup>2</sup>, with the potential to grow to 200.000 m<sup>2</sup> and a reserve of 50.000 m<sup>2</sup>.

The minimum surface of 100.000 m<sup>2</sup> is required – ideally – by 2014 to allow for some buildings in the European Quarter area to be emptied for re-construction works.

It should be underlined that there is no increase of overall office space planned.

**2. Analysis of the proposals**

The procedure is a negotiated procurement based on market prospection. In the specific case the consultation with the market has been realised by publication of a call for information (see above). By September 15, 2008, the Commission had received 9 responses to the published request for information.

An opening commission and an assessment committee were appointed (each member of both opening commission and assessment committee signed a declaration of confidentiality and absence of conflict of interest) and an assessment methodology adopted leading to a qualitative analysis of the sites.

This qualitative analysis was drawn up based on the following aspects:

- Available surface (min. 100.000 m<sup>2</sup> and potential of min. 200.000 m<sup>2</sup>)
- Possible exploitation in combination with existing or other proposed sites
- Town planning situation and planning process
- Potential for other functions requested (European school, childcare facilities, archives, data centre, logistics building)
- Location, including :
  - Integration into surroundings
  - Socio-economic environment
  - Link to places of interest (homes/schools) of officials
- Mobility:
  - Accessibility by public transport
  - Connection with European Quarter
- Timing (regarding the availability of the various sites)

- Environmental aspects
- Legal aspects (such as type of contract : rental, usufruct, purchase)

The candidates were requested to inform the Commission of the financial aspects for their sites as well. At this stage - before negotiations - however, only two of the proposals received contained preliminary indicative prices. As a result, the financial aspects of the various proposals could not be assessed yet.

### **3. Current status and next steps**

Based on the assessment, the Commission's services are preparing a proposal that identifies the sites worthy of in depth analysis and negotiations.

In view of completing the assessments with financial aspects, the Commission intends to contact the proposed candidates for negotiations. A definitive proposal will be submitted after the technical and financial negotiations and a more in depth analysis.

### **4. Preliminary Time table**

June 2009:	Identification of sites for negotiation
July – Sept 2009:	Document preparation (technical specifications for the individual sites identified for negotiation)
Q4 2009:	Negotiations.
Q1 2010:	Analysis
Q2 2010:	Decision

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➤ **Additional information sent to the Parliament following questions of 8 June 2009:**

- 1) Town planning competition: Commission mentions in its information that "results are expected in the first half of 2009". Are those results already available?**

The winner is a pan-European consortium led by the French architect Christian de Portzamparc. This winning project was announced on March 5, 2009 at a joint press conference held by Minister-President of Brussels-Capital Region Charles Picqué and Vice-President Siim Kallas.

The choice, made by the Brussels-Capital Region, was based on an opinion delivered by the advisory committee.

- 2) Why did the Commission pay for seven international experts if the "authorising officer" of the architectural competition is the Brussels Region?**

The Brussels Region was the Awarding Authority of this contest, which is the start of a common project with mutual interests and advantages. The presence of a wide selection of experts assured a truly European judgment of the proposed solutions, and this is why the Commission decided to participate in the financing of the selection panel. It was agreed that the Commission would pay for the experts on the Committee. For information, the total expenditure amounts to less than € 25,000 (less than € 17,000 in 2008 and less than € 8,000 in 2009).

- 3) When is the final report concerning the 9 proposals resulting from the notice of information available? Commission mentions in its preliminary timetable that the identification of sites for negotiation should be available for June 2009.**

Vice President Kallas requested further analysis of the proposals, as the information contained in the offers differs widely and important elements are missing from some of the proposals. To take a well-informed decision on the candidates selected for the competitive negotiations further information is required. The candidates have been requested to send additional information to finalise the evaluation, so as to enable Vice President Kallas to present a complete overview to the College this Autumn.

- 4) The results of the study on large future renovation costs was expected to be finalized in May 2009. Given the problems in certain buildings of the Commission (Berlaymont, Madou...), what is the result of this study?**

The report has been finalised for buildings owned by the Commission; the remaining part of the report on buildings in "usufruct" will be completed by the end of July.

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