

WRITTEN QUESTION E-3317/01
by Reinhold Messner (Verts/ALE)
to the Commission

Subject: Mestre loop road

According to recent reports in *Il Sole – 24 Ore*¹, the Italian Government intends to award the franchise for constructing and operating the Mestre Dolo – Quarto D’Altino loop road and the tunnel under the by-pass direct to a consortium comprising Autostrade, Padova-Venezia and Autovie Veneto (the three companies which already operate the motorways in the Venice area).

On the grounds that the Mestre Dolo – Quarto D’Altino loop road is to be regarded as an addition to an existing motorway, such a step would enable an EU tender procedure to be avoided.

This would eliminate any possibility of an international project-financing tender based on the specifications issued by the promoter – in this case a consortium led by Autostrada Brescia-Padova. It should be noted that Italy’s state highway authority once before (in March 1999) directly awarded a franchise to Autostrade SpA. This prompted intervention by the Commission, which halted the administrative proceedings by means of an as-yet unfinished infringement procedure and which pointed out that the project could not be exempted from the tender procedure since it constituted a new stretch of motorway.

Does the Commission not think that directly awarding a franchise for the construction of the Mestre Dolo – Quarto D’Altino loop road would infringe EU laws on public procurement, such as Directive 92/50/EEC², Directive 93/36/EEC³ and Directive 93/37/EEC⁴?

¹ *Sole – 24 Ore*, 17 October 2001: ‘No EU tender for Mestre loop road’; 25 October 2001: ‘Preparatory work begins on Mestre loop road construction site’

² OJ L 209, 24.7.1992, p. 1

³ OJ L 199, 9.8.1993, p. 1

⁴ OJ L 199, 9.8.1993, p. 54