

WRITTEN QUESTION P-1203/04
by Gianfranco Dell'Alba (NI)
to the Commission

Subject: Suspected irregularities in the management of European Development Fund (EDF) resources for Project 8.ACP.PNG.003

With reference to Project 8.ACP.PNG.003:

1. with regard to the contract award procedure used to select the undertaking to replace the original consultant (Studio Bichara Srl ('SB')) in the services contract in question, can the Commission indicate why:
 - a) no international restricted invitation to tender was launched, despite the contract being of a value in excess of EUR 200 000, and a local invitation to tender was opted for instead (see the Common Service for External Relations manual of procedures - paragraph 10 and Annex - applicable at the time of the events in question);
 - b) no suspicion was aroused by the fact that the participants in the tender procedure (which differed enormously in terms of size and financial capacity) submitted tenders in excess of the maximum available budget when some of them had also participated in the original 1999 procedure and submitted tenders below the level of available resources;
 - c) the contract was subsequently awarded (by direct agreement) to the companies PAC and ETS, contrary to Article 12(2) of the General Conditions for services contracts financed by the EDF, when PAC/ETS had, moreover, been declared ineligible in respect of another EU project in the Republic of Vanuatu?
2. concerning the contracts awarded after the cancellation of the contract with SB why, following the criticisms levelled by PAC/ETS itself at the Unitech plans drawn up by SB, was management of the works originally envisaged by SB awarded to PAC/ETS for an amount of around EUR 772 000, as opposed to the EUR 660 000 originally agreed with SB for the same services, on top of around EUR 100 000 for supplementary services and a rider amounting to around EUR 420 000 relating solely to the new plans for the Unitech institute (as opposed to the EUR 600 000 agreed with SB for the plans for all 9 of the institutes covered by the project)?