

# Press-release of 02.07.2010

02 июля 2010, 10:29

On 29th June 2010, the Federal Antimonopoly Service (FAS Russia) initiated a case against the "Chernozemye" Federal Highway Department" Federal State Institution of the Federal Highway Agency and "Highway Maintenance Enterprise-36" Ltd. for the signs of violating Clause 2 Part 1 Article 2 of the Federal Law "On Protection of Competition" (prohibiting competition-restricting concerted actions).

Earlier FAS Russia received a complaint "Dorspetsstroj" Ltd. on the issue.

Based in the video record submitted by "Dorspetsstroj" Ltd., FAS Russia established that in course of the bids opening procedure in the open tender for the works of capital repair of a part of ?-144 highway (Kursk - Voronezh - Borisoglebsk) to "Kaspii" highway between 213+000 km to 218+500 km (I commissioning area) in the Voronezh region, the Chairman of the Tender Commission opened the bid of "Highway Maintenance Enterprise-36" Ltd. and announced the time schedule and the cost of works that were different from those specified in the bid of "Highway Maintenance Enterprise-36" Ltd. As a result, the company won the tender.

Therefore, actions of "Chernozemye" Federal Highway Department and "Highway Maintenance Enterprise-36" Ltd. in the open tender, particularly, announcing the time schedule and costs of works proposed by "Highway Maintenance Enterprise-36" Ltd. different from those specified in the actual bid of "Highway Maintenance Enterprise-36" Ltd. at the bid opening procedure with further replacement of the sheets in question, can constitute actions to implement an oral agreement, aimed at "Highway Maintenance Enterprise-36" Ltd. winning the tender.

FAS Russia points out that the government contract between the "Chernozemye" Federal Highway Department and "Highway Maintenance Enterprise-36" Ltd. is already concluded. However, under the Federal Law "On Protection of Competition" both organizations can be fined "turnover" fines.