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I *Acts whose publication is obligatory*

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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 3125/73 OF THE COMMISSION**of 19 November 1973****fixing the levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73 ⁽²⁾, and in particular Article 13 (5) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2076/73 ⁽³⁾ and subsequent amending Regulations ;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity ;

- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 2076/73 to the offer prices and today's quotations known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation ;

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (a), (b) and (c) of Regulation No 120/67/EEC are hereby fixed as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 20 November 1973.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 November 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 212, 1. 8. 1973, p. 1.

ANNEX

to the Commission Regulation of 19 November 1973 fixing the levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description of goods	u.a./ton
10.01 A	Common wheat and meslin	0
10.01 B	Durum wheat	0 ⁽¹⁾⁽⁴⁾
10.02	Rye	10.56 ⁽⁵⁾
10.03	Barley	10.93
10.04	Oats	0
10.05 B	Maize other than hybrid maize for sowing	1.31 ⁽²⁾⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	6.24
10.07 C	Grain sorghum	0.65
10.07 D	Canary seed ; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	0
11.01 B	Rye flour	33.52
11.02 A I a	Durum wheat groats and meal	0
11.02 A I b	Common wheat groats and meal	0

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽²⁾ Where maize originating in the AASM and OCT is imported into the French Overseas Departments, the levy is reduced by 6 u.a./metric ton.

⁽³⁾ Where maize originating in Tanzania, Uganda and Kenya is imported into the Community, the levy is reduced by 1 u.a./metric ton.

⁽⁴⁾ Where wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽⁵⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1234/71 and Commission Regulation (EEC) No 2622/71.

REGULATION (EEC) No 3126/73 OF THE COMMISSION
of 19 November 1973

fixing the premiums to be added to the levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community ;

Having regard to Council Regulation No 120/
67/EEC⁽¹⁾ of 13 June 1967 on the common organiza-
tion of the market in cereals, as last amended by Regu-
lation (EEC) No 1346/73⁽²⁾, and in particular Article
15 (6) thereof ;

Having regard to the Opinion of the Monetary
Committee ;

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2077/73⁽³⁾ and subsequent amending Regulations ;

Whereas, if the levy system is to operate normally,
levies should be calculated on the following basis :

- in the case of currencies which are maintained in
relation to each other, at any given moment,
within a band of 2.25 %, a rate of exchange based
on their effective parity ;
- for other currencies an exchange rate based on the
arithmetic mean of the spot market rates of each

of these currencies recorded for a given period, in
relation to the Community currencies referred to
in the previous subparagraph ;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be
altered as shown in the Tables annexed to this Regula-
tion ;

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to
Article 15 of Regulation No 120/67/EEC, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the Tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 20
November 1973.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 19 November 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

²⁾ OJ No L 141, 28. 5. 1973, p. 8.

³⁾ OJ No L 212, 1. 8. 1973, p. 3.

ANNEX

to the Commission Regulation of 19 November 1973 fixing the premium to be added to the levies on cereals, flour and malt

A. Cereals and flour ⁽¹⁾

(u.a./ton)

CCT heading No	Description of goods	Current 11	1st period 12	2nd period 1	3rd period 2
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	0.59	0.59	0.59
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0.40	0.40	0
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

⁽¹⁾ The period of validity of the licence is limited in accordance with Regulation (EEC) No 2196/71 (OJ No L 231, 14. 10. 1971, p. 28), as last amended by Regulation (EEC) No 2735/73 (OJ No L 282, 9. 10. 1973, p. 10).

B. Malt

(u.a./100 kg)

CCT heading No	Description of goods	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

REGULATION (EEC) No 3127/73 OF THE COMMISSION
of 19 November 1973
altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73 ⁽²⁾, and in particular the second sentence of the first subparagraph of Article 16 (4) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas, the corrective amount applicable to the refund on cereals was fixed by Regulation (EEC) No 3091/73 ⁽³⁾ and subsequent amending Regulations ;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity ;

- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 16 (4) of Regulation No 120/67/EEC which is applicable to the export refunds fixed in advance in respect of cereals is hereby altered as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 20 November 1973.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 November 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 315, 16. 11. 1973, p. 5.

ANNEX

to the Commission Regulation of 19 November 1973 altering the corrective amount applicable to the refund on cereals

(u.a./ton)

CCT heading No	Description of goods	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4	6th period 5
10.01 A	Common wheat, and mes- lin	—	—	—	—	—	—	—
10.01 B	Durum wheat	—	—	—	—	—	—	—
10.02	Rye	—	—	—	—	—	—	—
10.03	Barley	—	—	—	—	—	—	—
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—

REGULATION (EEC) No 3128/73 OF THE COMMISSION
of 19 November 1973
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73⁽²⁾, and in particular Article 14 (7) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1738/73⁽³⁾ and subsequent amending Regulations ;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity ;
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each

of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1738/73 to the information at present available to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The levies referred to in Article 14 (1) of Regulation No 1009/67/EEC are, in respect of white sugar and standard quality raw sugar, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 20 November 1973.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 November 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 176, 30. 6. 1973, p. 30.

ANNEX

CCT heading No	Description of goods	Levy (u.a./100 kg)
17.01	Beet sugar and cane sugar, solid	
	A. Denatured :	
	I. White sugar	2.99
	II. Raw sugar	2.87 ⁽¹⁾
	B. Undenatured :	
	I. White sugar	2.99
	II. Raw sugar	2.87 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

REGULATION (EEC) No 3129/73 OF THE COMMISSION

of 19 November 1973

fixing the export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 1035/72 ⁽¹⁾ of 18 May 1972 on the common organization of the market in fruit and vegetables, as last amended by Regulation (EEC) No 2745/72 ⁽²⁾, and in particular Article 30 (4) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade and prices in the Community for the products referred to in that Article may be covered by an export refund ;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 ⁽³⁾ of 9 December 1969 laying down general rules for granting export refunds on fruit and vegetables and criteria for fixing the amount of such refunds as amended by Regulation (EEC) No 2455/72 ⁽⁴⁾ provides that, when refunds are being fixed, account must be taken of the current situation or foreseeable developments with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other ; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports ;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view ; whereas, when prices in international trade are being determined, the prices and quotations referred to in paragraph 2 of that Article must be taken into account ;

Whereas the situation with regard to international trade or the specific requirements of certain markets

may make it necessary to vary the refund for a given product according to the destination of that product ;

Whereas economically significant quantities of 'Extra' Class, Class I and Class II sweet fresh oranges, fresh mandarins, fresh lemons and apples, of 'Extra' Class and Class I hothouse and open ground grapes, of shelled hazelnuts and of unshelled walnuts can be exported at the present time ;

Whereas exports of these products to certain destinations cannot be routed through the Suez Canal and whereas the consequent detour via the Cape of Good Hope entails additional transport costs ; whereas the refund can therefore be justifiably increased where exports have to be transported via the latter route ;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity ;
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas it follows from applying these rules and criteria to the present situation on the market of the prospective development of this situation, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refund should be fixed as indicated below ;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION :

Article 1

1. The export refunds on fruit and vegetables are hereby fixed at the amounts indicated in the Annex.

⁽¹⁾ OJ No L 118 of 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 291 of 28. 12. 1972, p. 147.

⁽³⁾ OJ No L 318 of 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, of 25. 11. 1972, p. 7.

2. If apples are shipped to their destination via the Cape of Good Hope, the amount indicated in the Annex shall be increased by 4 u.a./100 kg.

3. The provisions of Article 2b of Commission Regulation (EEC) No 497/70 ⁽¹⁾ of 17 March 1970 on rules for the application of export refunds on fruit and vegetables, as supplemented by Regulation

(EEC) No 316/71 ⁽²⁾, shall apply to the sweet oranges, mandarins, unshelled walnuts and apples set out in the Annex.

Article 2

This Regulation shall enter into force on 20 November 1973.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 November 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 62, 18. 3. 1970, p. 15.

⁽²⁾ OJ No L 36, 13. 2. 1971, p. 11.

ANNEX

to the Commission Regulation of 19 November 1973 fixing the export refunds on fruit and vegetables

CCT heading No	Description of goods	(u.a./100 kg net) Refund
ex 08.02 A I	Sweet fresh oranges ('Extra' Class, Class I and Class II)	4.00
ex 08.02 B	Fresh manderins ('Extra' Class, Class I and Class II)	4.00
ex 08.02 C	Fresh lemons ('Extra' Class, Class I and Class II)	1.44
ex 08.04 A I	Table grapes : — fresh, open ground ('Extra' Class and Class I) — fresh, hothouse ('Extra' Class and Class I)	4.00 16.00
ex 08.05 B	Unshelled walnuts	8.00
ex 08.05 G	Shelled hazelnuts	4.00
ex 08.06 A II	Apples ('Extra' Class, Class I and Class II) other than cider apples : — for exports to countries and territories of Africa (with the exception of South Africa), countries of the Arabian peninsula, Syria, Bulgaria, Hungary, Poland, Romania, Czechoslovakia, USSR, Yugoslavia, Brazil, Venezuela and Peru	3.00

REGULATION (EEC) No 3130/73 OF THE COMMISSION
of 16 November 1973

**establishing the conditions for the application of the system of tendering for
export levies in cereals**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to Council Regulation No 120/
67/EEC⁽¹⁾ of 13 June 1967, on the common organiza-
tion of the market in cereals, as last modified by Regu-
lation (EEC) No 1346/73⁽²⁾;

Having regard to Council Regulation (EEC) No
1968/73⁽³⁾ of 19 July 1973 laying down general rules
to be applied in the event of the cereals market being
disturbed, amended by Regulation (EEC) No
2632/73⁽⁴⁾ and in particular Article 4 thereof;

Whereas Council Regulation (EEC) No 1968/73
provided in Article 2 thereof for the possibility of
fixing the export levy particularly by way of a
tendering procedure in respect of a fixed quantity;

Whereas, there is reason to establish the conditions
for such a tendering procedure;

Whereas, in order to ensure equal treatment to all the
interested parties in the Community, the tendering
systems in operation must comply with uniform prin-
ciples; whereas, to this end, the publication of the
Decision on opening of the tender in the *Official
Journal of the European Communities* shall be
accompanied by the terms of the tender;

Whereas, the fixing of an export levy by way of
tendering shall allow better management of the
market; whereas finally, to attain this end it is essen-
tial that the tender shall contain the necessary data for
their estimation and shall be accompanied by certain
formal obligations;

Whereas there are grounds for fixing a minimum
export levy; whereas this method leads to the alloca-
tion of all the quantities covered by this fixation;

Whereas market situations could arise in which the
economic aspects of the foreseen exports would lead

to, instead of fixing a minimum export levy, to
deciding to discontinue the invitation to tender;

Whereas a tendering deposit must guarantee that the
quantities will be exported using the licence issued
under the invitation to tender; whereas this obligation
can only be satisfied if this tender is maintained;
whereas in the case of the tender being withdrawn
this deposit will be lost;

Whereas procedures should be followed concerning
the notification to tenderers of the outcome of the
invitation to tender and also the issue of necessary
licence for the quantities accepted;

Whereas the measures provided for in this Regulation
are in accordance with the Opinion of the Manage-
ment Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. The decision to issue an invitation to tender laid
down in Article 2 (1) first indent of Regulation (EEC)
No 1968/73 shall be adopted according to the proce-
dure laid down in Article 26 of Regulation No 120/
67/EEC.

This decision shall include the terms of the invitation
to tender. These terms must guarantee equal access for
all persons established within the Community. In
particular the terms can lay down a specific period of
validity for an export licence issued under the invita-
tion concerned.

2. The issue of the invitation to tender shall be accom-
panied by a corresponding notice prepared by the
Commission. This notice shall include in particular,
information of the total quantity to which the fixings
of the minimum export levy laid down in Article 5 (1)
apply, the different dates by which the tenders must

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 201, 21. 7. 1973, p. 10.

⁽⁴⁾ OJ No L 272, 29. 9. 1973, p. 18.

be deposited and the competent authorities of Member States to which they must be addressed. Between the publication of the tendering notice and the first date fixed for the deposit of tenders, a delay of at least 15 days shall be allowed. Moreover, it shall indicate the latest date for the lodgement of tenders.

3. The decision in paragraph 1 as well as the notice of invitation to tender in paragraph 2 shall be published in the *Official Journal of the European Communities*.

Article 2

1. Tenderers shall either lodge the tender in writing, against a receipt, with the competent authority, or address the tender to that authority by registered letter, telex or telegram.

2. The tender shall indicate :

- (a) the invitation to which the tender relates ;
- (b) the name and address of the tenderer ;
- (c) the nature and quantity of the product to be exported ;
- (d) the amount of the export levy proposed per metric ton, in the currency of the Member State which appointed the abovementioned authority.

3. A tender shall be valid only if :

- (a) proof is furnished before the time limit for the submission of tenders expires that the tenderer has lodged the deposit required for the invitation to tender ;
- (b) it is accompanied by a receipt of the deposit for the quantities allocated, in two days following the receipt of the notification of allocation laid down in Article 6, an application for an export licence matched by an application for advance fixing of an export levy equal to that on the tender which is lodged.

4. A tender which is not submitted in accordance with the provisions of this Article, or which contains terms other than those indicated in the invitation to tender, shall not be taken into consideration.

5. Once a tender has been submitted it may not be withdrawn. Moreover, the provisions of Article 5 (3) of Regulation (EEC) No 1373/70 shall not be applicable when an application for a licence is made in accordance with paragraph 3, (b).

Article 3

1. Tenders submitted in response to an invitation shall not be considered unless a deposit is lodged.

This deposit shall be equal to 30 % of the export levy proposed by the tenderer concerned. However, this

deposit shall not be less than 3 units of account per metric ton.

2. The tenderer may lodge the deposit either in cash or in the form of a guarantee by an establishment complying with criteria laid down by each Member state.

Each Member State shall notify the Commission of the criteria referred to in the preceding paragraph and the Commission shall in turn inform the other Member States.

Article 4

1. Tenders shall be examined in private session by the competent authorities of the Member States. Persons present at the examination shall be sworn to secrecy.

2. The tenders shall be communicated without delay to the Commission.

Article 5

1. On the basis of the tenders lodged, the Commission, according to the procedure laid down in Article 26 of Regulation No 120/67/EEC, shall decide, either to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 1968/73 or to discontinue the invitation to tender.

2. When the minimum export levy has been fixed the award shall be made to the tenderer or tenderers whose tenders contain a rate of levy equal to or greater than the minimum.

Article 6

The competent authority of the Member State concerned shall notify in writing all tenderers of the outcome of their participation in the invitation to tender at the time the decision of the Commission laid down in Article 5 (1) has been reached.

Article 7

1. Except in cases of *force majeure*, the deposit required under Article 3 shall only be released in respect of the quantity for which the tenderer has provided proof that it has been exported on the export licence issued under Article 8, or for which the tender has not been pursued. The deposit shall be released immediately.

2. In the case of *force majeure* the provisions of Article 18 of Regulation (EEC) No 1373/70 shall apply.

Article 8

1. A successful tender, after the expiry of the delay required under Article 2 (3) (b) shall lead to the issue of an export licence for the quantity for which the tenderer has been declared successful.
2. By way of derogation from Article 3 of Regulation No 1373/70/EEC, it may be laid down that the

rights arising from the export licence, issued according to the preceding paragraph, shall not be transferable.

Article 9

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 16 November 1973.

For the Commission

The President

François-Xavier ORTOLI

REGULATION (EEC) No 3131/73 OF THE COMMISSION
of 19 November 1973
correcting a monetary compensatory amount fixed by Regulation (EEC) No
2994/73

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to Council Regulation (EEC) No
974/71 ⁽¹⁾ of 12 May 1971 on certain measures of
conjunctural policy to be taken in agriculture fol-
lowing the temporary widening of the margins of fluc-
tuation for the currencies of certain Member States, as
last amended by Regulation (EEC) No 1225/73 ⁽²⁾, and
in particular Article 3 thereof;

Whereas the monetary compensatory amounts intro-
duced by Regulation (EEC) No 974/71 were fixed by
Regulation (EEC) No 2102/73 ⁽³⁾ of 31 July 1973,
amended, as regards the amounts applicable from 1
November 1973, by Regulation (EEC) No 2994/73 ⁽⁴⁾;
whereas a check has shown that by mistake the
amount applicable as compensatory amount to
products falling within subheading No 11.07 A II b),

shown in Part 1 of Annex I, was wrongly fixed;
whereas that amount must therefore be altered;

Whereas the measures provided for in this Regulation
are in accordance with the Opinion of the Manage-
ment Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

In Part 1 of Annex I to Regulation (EEC) No 2994/73,
the figure '13454' shown opposite subheading No
11.07 A II b) is replaced by '1345'.

Article 2

This Regulation shall enter into force on the day of its
publication in the *Official Journal of the European
Communities*. It shall be applicable, at the request of
the person concerned, as from 1 November 1973.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 19 November 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 125, 11. 5. 1973, p. 49.

⁽³⁾ OJ No L 213, 1. 8. 1973, p. 1.

⁽⁴⁾ OJ No L 304, 1. 11. 1973, p. 1.

REGULATION (EEC) No 3132/73 OF THE COMMISSION**of 19 November 1973****opening an invitation to tender for the mobilization of milled rice as food aid
for the Democratic Republic of Somalia**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community ;

Having regard to Council Regulation No 359/
67/EEC ⁽¹⁾ of 25 July 1967 on the common organiza-
tion of the market in rice, as last amended by the Act
of Accession ⁽²⁾ ;

Having regard to Council Regulation (EEC) No
1693/72 ⁽³⁾ of 3 August 1972 laying down the condi-
tions for the mobilization of cereals as food aid, and
in particular Article 6 thereof ;

Whereas on 15 October 1973 the Council of the Euro-
pean Communities declared that it proposed, by way
of Community action, to grant the equivalent of 5 000
metric tons of husked rice, (in other words, 3 875
metric tons of round-grained milled rice) to the
Democratic Republic of Somalia under its 1971/72
food aid programme ;

Whereas analysis of the state of the Community rice
market indicates that the criteria of Article 3 (3) of
Council Regulation (EEC) No 1693/72 should be
applied and that the products should be purchased on
the Community market ;

Whereas the proposed invitation to tender should be
for supply of the products cif, that is to say actually
placed on the quay at the port of unloading ;

Whereas the award under the invitation to tender
must be made to the tenderer offering the best terms ;

Whereas, should *force majeure* make it impossible to
complete the operation in question within the time
limits specified, it must be made clear who is to bear
the liability for any resulting costs ;

Whereas provision should be made for security to be
given for the purpose of guaranteeing that the obliga-
tion arising by virtue of participation in the invitation
to tender for supplies to the Democratic Republic of
Somalia will be fulfilled ;

Whereas the Italian intervention agency should, in
any event, be made responsible for the tendering
procedure ;

Whereas the Commission must be informed quickly
of the tenders submitted in response to the invitation
and of those accepted by the intervention agency ;

Whereas the measures provided for in this Regulation
are in accordance with the Opinion of the Manage-
ment Committee for Cereals,

HAS ADOPTED THIS REGULATION :

Article 1

1. Tenders are hereby invited for the supply to the
Democratic Republic of Somalia by way of Commu-
nity action, of 3 875 metric tons of round-grained
milled rice.

2. The tendering procedure shall take place in Italy
in one lot. The products shall be mobilized on the
Community market. The products shall be loaded for
departure from the Community ports listed in Annex
I.

3. The invitation to tender provided for in para-
graph 1 is for supply of products delivered *caf* that is
to say, actually placed on the quay in one of the ports
of unloading listed in Annex II.

4. The successful tenderer shall deliver the product
specified in paragraph 1 *cif* to one of the ports listed
in Annex II in new jute sacks of a net capacity of 50
kilogrammes.

The following shall be printed on the sacks :

'Milled rice — gift of the European Economic
Community'

Article 2

1. The decision on tenders received in response to
the invitation provided for in Article 1 shall be taken
on 3 December 1973.

2. The closing date for the submission of tenders
shall be 3 December 1973 at 12 noon.

3. The notice of invitation to tender shall be
published in the *Official Journal of the European
Communities* not less than 10 days before the closing
date for the submission of tenders.

⁽¹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 178, 5. 8. 1972, p. 3.

Article 3

The contract shall be awarded to the tenderer offering the best terms.

However, if the tenders submitted do not appear to correspond to normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 4

1. The successful tenderer shall give security of a value of 10 units of account per metric ton; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

2. The security provided for in paragraph 1 may be given in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

artikel 1, 5

1. The round-grained milled rice referred to in Article 1 to be supplied to the Democratic Republic of Somalia must meet the following requirements:

- Moisture : 15 %
- Broken rice : 5 % maximum
- Chalky grains : 3 % maximum
- Grains striated with red : 3 % maximum
- Spotted grains : 1 % maximum
- Stained grains : 0.50 % maximum

- Yellow grains : 0.050 %
- Amber grains : 0.125 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to the Democratic Republic of Somalia of the round-grained milled rice referred to in Article 1 must relate to a product with the following characteristics:

- nedennaevnte Moisture : 15 %
- Broken rice : 5 % maximum
- Chalky grains : 3 % maximum
- Grains striated with red : 3 % maximum
- Spotted grains : 1 % maximum
- Stained grains : 0.5 % maximum
- Yellow grains : 0.050 % maximum
- Amber grains : 0.125 % maximum.

Article 6

1. The Italian intervention agency shall be responsible for the operations relating to the invitations to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

Article 7

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 November 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX I

Number of lot	Port from which consigned	Minimum rate of loading per day	Tonnage fob
1	Community ports	Customs of the port	3 875 metric tons

ANNEX II

Number of lot	Port of unloading	Minimum rate of unloading	Tonnage cif
1	Mogadiscio	Customs of the port	3 875 metric tons

REGULATION (EEC) No 3133/73 OF THE COMMISSION**of 19 November 1973****fixing the basic amount of the import levy on syrups and certain other sugar products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73⁽²⁾, and in particular Article 14 (7) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas Article 14 (1) of Regulation No 1009/67/EEC provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation No 1009/67/EEC must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68⁽³⁾ of 28 June 1968 on detailed rules for the application of levies on sugar, as amended by Regulation (EEC) No 1491/70⁽⁴⁾, provides that the basic amount of the levy for 100 kilogrammes of product must be fixed per percentage of sucrose content;

Whereas the basic amount of the levy must be equal to one hundredth of the average of the levies applicable to 100 kilogrammes of white sugar during the first twenty days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day preceding the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least 0.40 unit of account from that average;

Whereas the basic amount must be fixed every month; whereas it must, however, be altered during

the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least 0.40 unit of account from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one hundredth of the levy on white sugar used to calculate the alteration;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity;
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) (d) of Regulation No 1009/67/EEC is hereby fixed, per 100 kilogrammes of product, at 0.0299 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 20 November 1973.

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 165, 28. 7. 1970, p. 8.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 November 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

PUBLIC WORKS CONTRACTS

(Publication of notices of public works contracts and licences in conformity with Council Directive 71/305/EEC of 26 July 1971 supplemented by Council Directive 72/277/EEC of 26 July 1972)

MODEL NOTICES OF CONTRACTS**A. Open procedures**

1. Name and address of the authority awarding the contract (Article 16e)⁽¹⁾:
2. The award procedure chosen (Article 16b):
3. a) The site (Article 16c):
b) The nature and extent of the services to be provided and the general nature of the work (Article 16c):
c) If the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several, or for all of the lots (Article 16c):
d) Information relating to the purpose of the contract if the contract entails the drawing up of projects (Article 16c):
4. Any time limit for the completion of the works (Article 16d):
5. a) Name and address of the service from which the contract documents and additional documents may be requested (Article 16f):
b) The final date for making such request (Article 16f):
c) Where applicable, the amount and terms of payment of any sum payable for such documents (Article 16f):
6. a) The final date for receipt of tenders (Article 16g):
b) The address to which they must be sent (Article 16g):
c) The language or languages in which they must be drawn up (Article 16g):
7. a) The persons authorized to be present at the opening of tenders (Article 16h):
b) The date, time and place of this opening (Article 16h):
8. Any deposits and guarantees required (Article 16i):
9. The main procedure for financing and payment and/or references to the instruments regulating these (Article 16j):
10. Where applicable, the specific legal form which must be assumed by the group of contractors to whom the contract is awarded (Article 16k):
11. The minimum economic and technical standards required of the contractors (Article 16l):
12. Period during which the tenderer is bound to keep open his tender (Article 16m):
13. Criteria for the award of the contract. Criteria other than that of the lowest price shall be mentioned if they do not appear in the contract documents (Article 29):
14. Other information:
15. The date of despatch of the notice (Article 16a):

⁽¹⁾ The Articles in brackets refer to Council Directive No 71/305/EEC of 26 July 1971 (OJ No L 185, 16. 8. 1971, p. 5).

B. Restricted procedures

1. Name and address of the authority awarding the contract (Article 17a)⁽¹⁾:
 2. The award procedure chosen (Article 17a):
 3. a) The site (Article 17a):
b) The nature and extent of the services to be provided and the general nature of the work (Article 17a):
c) If the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several or for all of the lots (Article 17a):
d) Information relating to the purpose of the contract if the contract entails the drawing up of projects (Article 17a):
 4. Any time limit for the completion of the works (Article 17a):
 5. Where applicable, the specific legal form which must be assumed by the group of contractors to whom the contract is awarded (Article 17a):
 6. a) The final date for the receipt of requests to participate (Article 17b):
b) The address to which they must be sent (Article 17b):
c) The language or languages in which they must be drawn up (Article 17b):
 7. The final date for the dispatch of invitations to tender (Article 17c):
 8. Information concerning the contractor's personal position, and the minimum economic and technical standards required of him (Article 17d):
 9. The criteria for the award of the contract if these are not stated in the invitation to tender (Article 18d):
 10. Other information:
 11. The date of despatch of the notice (Article 17a):
-

⁽¹⁾ The Articles in brackets refer to Council Directive No 71/305/EEC of 26 July 1971 (OJ No L 185, 16. 8. 1971, p. 5).

Open procedure

1. Landschaftsverband Rheinland, Fernstraßen-Neubauamt Köln (Cologne), 5 Köln 91, Am Grauen Stein 33 — Tel. 8297-1.
2. Public invitation to tender pursuant to the regulations governing construction work contracts — Part A (VOB/A).
3. a) Federal Republic of Germany, State of Nordrhein-Westfalen, contract section F2 of the A 201 between Jülich and Jackerath.
b) 280 000 m³ frost protection material,
280 000 m² cement stabilization,
7 000 m kerbstones,
150 000 tons asphalt base,
80 000 tons bitumen binder,
15 000 tons bitumen concrete,
20 000 tons mastic asphalt,
4 500 m² waterproofing,
2 600 m² rigid pavement,
6 000 m² sett paving work,
110 000 m³ topsoil replacement.
15.4 km contract section with 2 access points, one parking area and a motorway intersction needing partial surfacing.
c) *Unum quid* contract.
d)
4. 270 working days.
5. a) Fernstraßen-Neubauamt Köln, Köln 91, Am Grauen Stein 33.
b) The tender documents may be applied for in writing up to 28 November 1973. The postmark will be the determining factor. Late applications will not be considered. The tender documents will be distributed in duplicate, by post only, as from 14 December 1973.
c) Applications must be accompanied by a receipt, showing that the sum of DM 80 has been paid into account No 66 969, Westdeutsche Landesbank-Girocentrale-Niederlassung, 5 Köln 1, Ludwigstraße 6, Postfach 10 15 50. The 'purpose of payment' on the paying-in slip must be given as 'Ausschreibungsnummer 599/73/061'. Remittances direct to the Fernstraßen-Neubauamt Köln will not be accepted.
6. a) 11 a.m. on 17 January 1974.
b) Fernstraßen-Neubauamt Köln, 5 Köln 91. Am Grauen Stein.
c) German.
7. a) Tenderers and their authorized representatives.
b) 11 a.m. on 17 January 1974, Köln 91, Am Grauen Stein 33, room 30-34.
8. 5 % of the contract price. Only guarantees from a credit insurer or credit institution approved in the Federal Republic of Germany will be accepted.
9. Interim and final payments in accordance with the regulations governing construction work contracts — Part B (VOB/B).
- 10.
11. If requested the tenderer must prove his financial and economic capacities by producing the following documents :
 - list of the tenderer's turnover in the past three full business years, in so far as it concerns construction and other work comparable to the work being put out to tender, including work done as part of a consortium or with other group bidders ;
 - list of similar projects completed in the past three full business years ;
 - average manpower per year in the past three business years divided, if appropriate, into categories of skills and trades ;
 - technical equipment at the tenderer's disposal for completion of the contract ;
 - entry in the trade register at the tenderer's registered offices or place of residence.
12. 22 March 1974.
13. In accordance with § 25 VOB/A the contract will be awarded to the tender which, in consideration of all technical and economic aspects, appears the most acceptable.
14. The possibility of transport by rail should be examined. Tenderers are asked to submit an additional quotation for this.
15. 9. November 1973.

Open procedure

1. Straßenneubauabteilung Wittlich, 556 Wittlich, Kurfürstenstraße 3.
2. Public invitation to tender pursuant to the regulations governing construction work contracts — Part A (VOB/A).
3. a) Section of the A 74/A 76 between the Esch access point and the Mosel bridge at Schweich.
b) Carriageway surfacing for the new A 74/A 76 from km 114.2 to 126.868. Requirements approx.:
230 000 m³ frost protection material,
276 000 m² cement concrete surfacing,
370 000 m² asphalt base,
126 000 m² binder course,
65 000 m² fine asphalt,
9 000 m marginal strip,
plus roadway drainage and other secondary works.
c) *Unum quid* contract.
d)
4. Carriageways, shoulders, acceleration and deceleration lanes and access points from 1 March 1974 to 31 October 1974;
Parking areas, Hetzerath petrol station and services area and remaining works by 31 March 1975.
5. a) Straßenneubauabteilung Wittlich, 556 Wittlich, Kurfürstenstraße 3.
b) 30 November 1973.
c) DM 70 payable to the Regierungshauptkasse, 55 Trier, postal cheque account Köln (Cologne) No 34 365. Applications for the tender documents must be accompanied by proof of pre-payment.
6. a) 20 December 1973.
b) Straßenneubauabteilung Wittlich, 556 Wittlich, Kurfürstenstraße 3.
c) German.
7. a) Tenderers and their authorized representatives.
b) 11 a.m. on 20 December 1973, Straßenneubauamt Wittlich, 556 Wittlich, Kurfürstenstraße 3.
8. Guarantee for performance and quality, equal to 5 % of the contract price and unlimited as to time, Only guarantees from a credit insurer or credit institution approved in the Federal Republic of Germany will be accepted.
9. Interim and final payments in accordance with the regulations governing construction work contracts — Part B (VOB/B).
- 10.
11. If the tenderer is short-listed the following criteria will be taken into account :
 - Turnover in the past three full business years, in so far as it concerns construction or other work comparable to the work being put out to tender, including work done as part of a consortium or with other group bidders ;
 - Comparable projects completed in the past three full business years ;
 - Average manpower per year over the past three full business years divided into categories or skills and trades ;
 - Technical equipment at the tenderer's disposal for completion of the project put out to tender ;
 - Entry in the trade register at the tenderer's registered offices or place of residence.
12. 1 February 1974.
13. In accordance with § 25 VOB/A the contract will be awarded to the tender which, in consideration of all technical and economic aspects, appears the most acceptable.
14. Straßenneubauabteilung Wittlich, 556 Wittlich, Kurfürstenstraße 3.
15. 9 November 1973.

Open procedure

1. Bijzondere Studiedienst Pre-Metro-Miva, Bourlastraat 3, 2000 Antwerp, Belgium.
 2. Public invitation to tender.
 3. a) Antwerp.
b) Special specification No 109/PMA. Construction of tunnels and open gradients Mercatorstraat-Belgiëlei (part of the East-West axis, section 2).
Tenderers must give a single quotation based on expected quantities and sums for the project as a whole.
c)
d)
 4. 18 calendar months.
 5. a) The Special Specification and other documents may be purchased from or inspected at :
— Office for sale and inspection of specifications :
49 rue du Luxembourg, 1040 Brussels — Tel. 02/13 14 47.
— Bijzondere Studiedienst Pre-Metro Miva, Bourlastraat 3, 2000 Antwerp — Tel. 03/31 48 66.
b) From 19 November to 20 December 1973 inclusive.
c) Specification No 109/PMA : Price Bfrs 900. Tender form : Price Bfrs 100, Plans : Price Bfrs 2 000.
 6. a) 10 a.m. on Thursday 20 December 1973.
b) Address as 1.
c) Dutch.
 7. a) Public.
b) 10 a.m. on Thursday 20 December 1973 at offices of the Bijzondere Studiedienst Pre-Metro Miva (see 1), in the presence of Mr G. Weyns, Director, or his deputy.
 8. 5 % of the contract price, exclusive of VAT.
 9. In accordance with Article 15 of special specification No 109/PMA, interim payments will be made on presentation of claim submitted at intervals of one calendar month.
 - 10.
 11. Category E, class 8.
 12. 90 calendar days.
 13. See administrative provisions of the Special Specification.
 15. 9 November 1973.
-

Open procedure

1. Undervisningsministeriet represented by Byggeudvalget for Odense Universitets-center, Niels Bohrs Alle 25, bl. 4a, 5000 Odense — Tel. (09) 14 33 66.
 2. Public invitation to tender in accordance with the provisions of Law No 216 of 8 June 1966 — Law on Tenders, etc.
 3. a) Odense Universitets-center. Construction Phase 23, etc, Niels Bohrs Alle 75, 5 000 Odense.
b) Earthworks, concrete, sewage and roadworks.
approx. 17 300 m² floor area above ground level,
approx. 14 000 m³ *in situ* concrete,
2 storeys excluding basements,
approx. 7 000 m³ preparation of site,
approx. 2 200 m² roadworks,
c)
d)
 4. 1 April 1974 to 1 July 1976.
 5. a) Application in writing to Consulting Engineers, Johs. Jørgensen A/S, Teknikerbyen 5, DK—2830 Virum.
b) 30 November 1973.
c) Dkr 5 000 excluding postage, by non-negotiable cheque payable to Byggeudvalget for Odense Universitets-center.
 6. a) 8 January 1974, 11 a.m. Danish time.
b) Byggeledelseskontoret for Odense Universitets-center, Niels Bohrs Alle 25, bl. 4a, 5 000 Odense.
c) Danish.
 7. a) Tenderers.
b) Tuesday 8 January 1974, 11 a.m. Danish time, Byggeledelseskontoret for Odense Universitets-center.
 8. Security to be provided in the form of a bank or insurance company guarantee from bank or insurance company recognised in Denmark. The guarantee shall amount to 10 % of the total value of the contract excluding VAT.
 9. Instalments payable in accordance with the General Conditions relating to work and supplies in the building and contracting industries, 1972 (AB 72), Para. 26, subpara. B.
 10. Documentation relating to type of company concerned or evidence of inscription in the trade register at the tenderer's place of business or residence must be enclosed.
 11. Firms which are not known to Odense Universitets-center must provide documentary evidence concerning similar projects carried out, technical resources, personnel by skills and trades, and turnover for the past three years. Bankers' references must also be enclosed.
 12. 5 March 1974.
 13. The contract will be awarded to the tender which, taking into consideration all technical and economic aspects, appears to be the most favourable.
 14. Fixed time and price firm for two years from date of tender.
 15. 9 November 1973.
-

Restricted procedure

1. Todmorden Borough Council Municipal Offices,
Todmorden OL 14 7BR, United Kingdom.
 2. Restricted procedure.
 3. a) Longfield Estate, Stage 2a, Todmorden.
b) The erection of 262 houses and flats and the associated drainage and road works.
c)
d)
 4. Thirty months.
 - 5.
 6. a) The Town Clerk, Municipal Office, Rise Lane,
Todmorden OL 14 7BR, United Kingdom.
b) 10 December 1973 at 12 noon.
c) English.
 7. 14 December 1973.
 8. In the event of a firm which is not a single limited company being awarded the contract all members of the firm or group of firms concerned will be required to become jointly and severally responsible for the contract. Bankers' references and list of works carried out over the past five years with certificates of satisfactory execution will be required. Tenders will be restricted to firms of proven capacity and experience who are able to submit genuinely competitive tenders.
 - 9.
 - 10.
 11. 7 November 1973.
-

Restricted procedure

1. Northumberland County Council, County Architect's Department, Arden House, Regent Centre, Gosforth, Newcastle upon Tyne NE3 3JZ, England.
 2. Lowest acceptable offer in competition among selected contractors.
 3. a) To the South of the existing technical college on playing fields adjacent to the Coast Road Motorway at Embleton Avenue, Willington Square, Wallsend on Tyne, Northumberland, England.
b) Additional accommodation comprising of (a) 3 storey teaching block (b) Lab. and Workshop block (c) multi-purpose hall on existing car park and (d) New Social and catering block, at South-East Northumberland Technical College.
c)
d)
 4. Within one hundred and five weeks from receipt of instructions to proceed.
 5. The Standard Form of Building Contract Local Authorities Edition with Quantities 1963 Edition (July 1973 Revision).
 6. a) 10 December 1973.
b) The County Architect at the address stated above.
c) English.
 7. 17 January 1974.
 8. — Bankers statement.
— A list of works carried out over the past five years accompanied by certificates of satisfactory execution for the most important works.
— A statement of the average annual manpower and the number of managerial staff employed over the past three years.
 9. The lowest acceptable price for completion of the works within the time limit stated in 4 above.
 - 10.
 11. 7 November 1973.
-

Restricted procedure

1. Midlands Housing Consortium, Market Chambers, Shelton Square, Coventry CV1 1DJ, England — Tel. Coventry 25555.
 2. Lowest acceptable offer in competition among selected contractors.
 3. a) Bulksupplies for construction sites.
b) The supply of:
Internal partitions : Timber stud partitions. Windows, timber windows, steel in timber sub frames. Floor finishes : supply and fix. Rainwater Goods : plastic. Ironmongery : standard range. Kitchen worktops. Sanitary fittings : standard range. Garages and stores : concrete and/or timber.
The total number of dwellings for Member Authorities in the previous programme was approximately 4 000. Tenders will be based on a usage of some 1 000 dwellings for inclusion in building contracts.
c)
d)
 4. Deliveries to be made between 1 April 1974 and 31 March 1975.
 - 5.
 6. a) 7 December 1973.
b) W. A. James Diparch ARIBA, Principal Development Architect (address under 1).
c) English.
 - 7.
 8. Suppliers having the necessary potential should submit names and addresses, technical literature and catalogues.
 - 9.
 - 10.
 11. 8 November 1973.
-

Restricted procedure

1. Cornwall County Council, County Hall, Truro TR1 3BE, United Kingdom.
2. Lowest acceptable offer in competition among selected tenderers, or special award criteria is applied to any alternative offers received from selected tenderers.
3. a) Harbour Road, Penzance, Cornwall, United Kingdom.
b) The works comprise the construction, installation, commissioning and testing of a bascule bridge with an overhead counterweight system including mass concrete foundations and approach causeways constructed in tidal water. The bridge will carry a 7.3m wide carriageway and two 3m wide footways over a 17m wide navigation channel.
The estimated cost of the whole works is between £ 500 000 and £ 1 million.
c)
d) The control circuit for operating the bridge and ancillary equipment is to be designed to a performance specification to the approval of the engineer to the contract.
4. 24 months from the date of commencement of the works as notified by the engineer to the contract.
5. In the event of a group of contractors submitting an acceptable offer it will be necessary for each member of the group to sign an undertaking that each company or firm in the group will be jointly and severally responsible for the due performance of the contract.
6. a) 30 November 1973.
b) Husband & Co. St. Ermin's, Caxton Street, Westminster, London SW1H 0QP, United Kingdom.
c) English.
7. Approximately 1 January 1974.
8. — Proof of inscription of the company on a professional register or the Companies Register in the United Kingdom or Ireland.
 - Balance sheets/accounts for the past three years including a statement of turnover on construction work and proportion of turnover on civil engineering work.
 - A statement of the technical qualifications of the managerial and supervisory staff who would be responsible for executing the work, and any previous experience of UK construction practice.
 - A list of jobs over 1 million units of account carried out during the past five years, the value and site of each job and the authority for whom executed.
 - Details of plant and machinery available for executing the work.
 - Whether the contractor proposes to use his own labour force or to rely on locally recruited labour.
9. Details of the award criteria will be shown in the tender invitation.
10. The contract will be based on the Institution of Civil Engineers Conditions of Contract for use in connection with Works of Civil Engineering Construction (Fifth Edition) as modified by the Department of the Environment for use in highway works contracts, the Specification for Road and Bridge Works, Drawings and Bill of Quantities. Price fluctuations on labour and materials will not be permitted. Interim payments will be made monthly on the basis of the valuation of work executed and materials delivered to the site.
11. 8 November 1973.

Restricted procedure

1. The County Borough of Derby, Council House, Corporation Street, Derby, England.
 2. Restricted tendering procedure.
 3. a) An area of approximately 2.41 hectares located at Whitecross Street north of the town centre of Derby.
b) The contract will provide for the erection of 185 dwellings, 1 shop and garage in traditional brick construction comprising:
 - 2 No Two storey blocks of 6 flats,
 - 1 No Two storey blocks of 8 flats,
 - 1 No Two storey blocks of 10 flats,
 - 1 No Two storey blocks of 12 flats,
 - 1 No Two storey blocks of 11 flats and 1 shop unit,
 - 2 No Two storey blocks of 20 flats,
 - 1 No Two storey blocks of 28 flats,
 - 1 No Two storey blocks of 32 flats,
 - 1 No Two storey blocks of 2 flats attached to existing building,
 - 1 No Part single and part two storey block of Warden Aided Flatlets, comprising 14 No one person flatlets, 15 No two person flatlets, 1 No five person wardens house and common rooms, 1 No Detached garage.Also included in the contract are normal external services, drainage and external works, but civil engineering works in new roads, pavements and main sewers are excluded.
 - c)
 - d)
 4. 2 years from the date for possession of the site. The dwellings must be completed and handed over in a phased programme.
 5. If a group of contractors is awarded the contract, it will not be required to assume any specific legal form, but each constituent firm will be required to become jointly and severally responsible for the due performance of the contract.
 6. a) 6 December 1973.
b) The Borough Architect, the Council House, Corporation Street, Derby DE1 2FD, England.
c) English.
 7. 31 March 1974.
 8. Applications for inclusion on the selected list must be accompanied by all the references and other information regarding the applicant's financial and economic standing and technical ability specified in Articles 25 (a) to (c) and 26 (a) to (e) of Council Directive of 26 July 1971 (No 71/305/EEC). Applicants must also furnish a declaration that none of the circumstances detailed in Article 23 (a) to (g) of Council Directive 71/305/EEC apply to them. Belgian and Italian contractors may submit a Certificate of Registration on the appropriate official list of recognized contractors issued by the competent authority in substitution for the matters detailed in Article 28 (3) of Council Directive 71/305/EEC.
 9. Lowest acceptable offer in competition among selected contractors, but the Council does not bind itself to accept any tender.
 10. — The contract will be substantially in accordance with the current revision of the Standard Form of Building Contract — Local Authorities Edition (with Quantities) issued by the Joint Contracts Tribunal.
— Tenders will be required to be on a fixed price basis and to be open for acceptance within three months from the specified date for the submission thereof.
— It is anticipated that the contract will commence on site in approximately July 1974.
 11. 8 November 1973.
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Restricted procedure

1. Autonomous port of Marseilles, 23 Place de la Joliette, 13002 Marseilles, France.
 2. Restricted invitation to tender.
 3. a) Fos-sur-Mer.
b) Construction of a new oil terminal at Fos-sur-Mer, dredging work (phase 1), comprising:
Dredging of loose ground 11 million m³.
Gravel dredging 100 000 m³.
(possibility) Clearance of the existing access channel 1 million m³.
Approximate value of work : FF 30 million, all inclusive.
c)
d)
 4. 18 months, starting March 1974.
 5. Concerns with joint and several liability.
 6. a) 5 p.m. on 4 December 1973.
b) Port Autonome de Marseille, Service des Marchés (Tenders dept). 23 Place de La Joliette, B.P. No 446 13217 Marseille Cedex 1, France.
c) French.
 7. 31 December 1973.
 8. Evidence that the firm possesses the necessary legal status, financial, economic and technical resources.
 9. Quotations, technical resources, completion dates.
 - 10.
 11. 9 November 1973.
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Restricted procedure

1. Direction départementale de l'équipement de la Gironde, 9, rue Charles Monselet, 33000 Bordeaux, France.
 2. Restricted invitation to tender based on price quotations.
 3. a) Saint André-de-Cubzac (Gironde).
b) Carriageway and ancillary works (drainage) on section two of the A 62 motorway, 8 km in length, between La Grave d'Ambares and Saint André-de-Cubzac.
Supply requirements are as follows :
42 100 tons asphalt concrete,
60 100 tons bitumen gravel,
160 000 tons cement gravel,
45 000 tons partly crushed, untreated gravel.
Manufacturing plants should be able to supply the following quantities :
400 t/h : cement gravel,
250-300 t/h : bituminous mixtures.
 - c)
 - d)
 4. 6 months, April to September 1974.
 - 5.
 6. a) 31 December 1973.
b) Monsieur le Directeur départemental de l'équipement de la Gironde, 9, rue Charles Monselet, 33000 Bordeaux.
c) French.
 7. 30 March 1974.
 8. Certificates evidencing tenderer's resources ;
List of main projects of this type completed in 1970, 1971 and 1972.
 9. Detailed replies to the requirements stated in the C.P.S. (Code of Public Contracts) ;
Prices.
 - 10.
 11. 15 November 1973.
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Restricted procedure ⁽¹⁾

1. Neubauamt Universitätskliniken München-Großhadern, 8 München 70, Marchioninistraße 15a, Postfach 1270, Telefon 70 911 (BRD).
2. Öffentliche Ausschreibung nach der Vergabeordnung für Bauleistungen — Teil A (VOB/A).
3. a) Neubau Universitätskliniken in München — Stadtteil Großhadern — Bauteil: Personalunterkünfte.
b) Die Baumaßnahme umfaßt rd. 570 Einzimmer-, 30 Zweizimmerappartements und eine Tiefgarage. Drei Baukörper mit 5, 9 und 12 Geschossen ergeben einschl. Tiefgarage rd. 85 000 cbm umbauten Raum.
Nach dem bauaufsichtlich genehmigten Entwurf M 1/200 sind alle Werk- und Detailpläne und die Projekte für Statik sowie für Heizungs-, Wasser-, Abwasser- und Elektroinstallation anzufertigen.
c)
d)
4. Die Arbeiten sind voraussichtlich im Frühjahr 1974 zu beginnen und Mitte 1975 zu beenden.
- 5.
6. a) 3. Dezember 1973.
b) Neubauamt Universitätskliniken München-Großhadern (Vgl. 1.).
c) Deutsch.
7. 18. Dezember 1973.
8. Die Leistungsfähigkeit des Bieters ist nachzuweisen durch :
— Umsatz des Bewerbers in den letzten drei abgeschlossenen Geschäftsjahren bei Bauleistungen und anderen Leistungen, die mit der zu vergebenen Leistung vergleichbar sind, unter Einschluß des Anteils der Arbeitsgemeinschaften oder anderen gemeinschaftlichen Bieter ;
— ausgeführte Bauleistungen in den letzten drei Jahren, die in Umfang und technischer Anforderung mit der der Ausschreibung zugrunde liegenden Leistung vergleichbar sind ;
— Zahl der in den letzten drei abgeschlossenen Geschäftsjahren jahresdurchschnittlich beschäftigten Arbeitskräfte, auch gegliedert nach Berufsgruppen ;
— dem Bewerber für die Ausführung der zu vergebenen Leistung zur Verfügung stehende technische Ausrüstung ;
— Eintragung in das Berufsregister am Sitz oder Wohnsitz des Bewerbers.
9. Der Zuschlag wird nach § 25 VOB/A auf das Angebot erteilt, das unter Berücksichtigung aller technischen und wirtschaftlichen Gesichtspunkte als das annehmbarste erscheint.
Weitere Zuschlagskriterien sind in der Aufforderung zur Angebotsabgabe aufgeführt.
10. Für die Ausschreibungsunterlagen wird eine Gebühr von 100 DM erhoben, die erst nach Aufforderung einzuzahlen ist. Die Gebühr wird nicht zurück-erstattet.
11. 14. November 1973.

⁽¹⁾ See Council Directive No 71/305/EEC, Article 12 (3), and Article 15 (OJ No L 185, 16. 8. 1971, p. 8).

Restricted procedure ⁽¹⁾

1. Newburn Urban District Council, Council Offices, Newburn, Newcastle upon Tyne, United Kingdom.
2. Restricted tendering procedure as described in Article 5 and the successful tender will be the lowest acceptable offer in competition among selected contractors.
3. a) An area of 10.97 acres (4.44 hectares) at Hill Head Road, Westerhope, Newcastle upon Tyne, United Kingdom.
 b) The erection in 3 phases of 27, one bedroom flats, 54, two bedroom flats, 38, two bedroom houses, 68, three bedroom houses, 68, garages, together with roads, drains and external works at Hill Head Road, Westerhope, Newcastle upon Tyne, in accordance with the following information :
 Phase 1A and 1B each with their own access are to be constructed at the same time with Phase 2 to follow at a later date. Phase 1A and Phase 1B will be executed as two separate Contracts. Detail of the Phasing is as follows :
 Phase 1A :
 28 No 2 bed 4 person house.
 38 No 3 bed 5 person house.
 Total 66 Dwellings
 28 No Garages.
 Associated drainage, roadworks and external works.
 Phase 1 B :
 10 No 2 bed 4 person house.
 30 No 3 bed 5 person house.
 Total 40 Dwellings.
 28 No Garages.
 Associated drainage, roadworks and external works.
 Phase 2 :
 27 No 1 bed 1 person flat.
 54 No 2 bed 4 person flat.
 Total 81 Dwellings in 9 Blocks.
 12 No Garages.
 Associated drainage and external works.
- c) Contractors are requested to indicate as to whether they wish to tender for Phase 1 A or Phase 1 B or both.
- d)
4. The work in Phases 1 A and 1 B is to be completed within a period of 52 weeks from the date agreed with the contractor for possession of the site.
5. The current Revision of the Standard Form of Building Contract (Local Authorities Edition — With Quantities issued by the Joints Contracts Tribunal.
6. a) 4 December 1973..
 b) The Clerk, Newburn Urban District Council, Council Offices, Newburn, Newcastle upon Tyne, United Kingdom.
 c) English.
7. 11 December 1973.
8. The authority will require the Contractors to produce the following information :
 — Proof that none of the circumstances set out in Article 23 apply to the contractor.
 — Proof of the contractor's financial and economic standing as set out in Articles 25 (a), (b) and (c).
 — Proof of the contractor's technical knowledge and ability as set out in Articles 26 (a), (c) and (d) (Article 17 (d)).
- 9.
- 10.
11. 13 November 1973.

⁽¹⁾ See Council Directive No 71/305/EEC, Article 12 (3), and Article 15 (OJ No L 185, 16. 8. 1971, p. 8).

Restricted procedure ⁽¹⁾

1. London Borough of Merton, Merton Town Hall, London SW 19, England.
2. See 3 d) award procedure.
3. a) Vacant site previously occupied by Locomotors Ltd. at 520, London Road, Mitcham, Surrey.
 b) A housing estate comprising a total of 200 dwellings consisting of 78 No 3 storey houses, 122 No 3 storey flats inclusive of external works, roads, sewers and culvert. The construction to be of load bearing brickwork or concrete cross walls with flat roofs. Budget contract value approximately £ 2 000 000.
 c) One contract only with agreed programme for handover of dwellings upon completion.
 d) The intention is for the invitation of a Stage 1 tender with sufficient information provided to enable the architect to recommend the appointment of a contractor for this project.
 The contractor selected will be required to prepare all working drawings including specialist information on structural, mechanical, electrical and ventilation matters etc.
 Following completion of working drawings Bills of Quantities will be prepared by Quantity Surveyors appointed by the London Borough of Merton. A tender will then be negotiated using the information provided in the Stage 1 tender as a basis for such negotiations.
4. 30 months.
5. RIBA Standard Form of Building Contract Local Authorities Edition with Quantities 1963 Edition (July 1973 Revision).
6. a) 28 November 1973.
 b) Bernard V. Ward, ARIBA, Borough Architect, London Borough of Merton, Station House, London Road, Morden, Surrey.
 c) English.
7. 3 December 1973.
8. Details of similar contracts which the contractor has carried out on the basis described in 3 d) including number of dwellings and value of the contracts also the name(s) of the Authorities to whom reference can be made.
9. See 3 d).
- 10.
11. 14 November 1973.

⁽¹⁾ See Council Directive No 71/305/EEC, Article 12 (3), and Article 15 (OJ No L 185, 16. 8. 1971, p. 8).

CORRIGENDA

Corrigendum to Public Works Contracts — Open procedure
Régie des Voies Aériennes, Direction Exploitation — Service des Travaux, Avenue des Arts 41,
1040 Brussels

(Official Journal of the European Communities No L 276 of 3 October 1973)

Page 19 :

3. a) Bruxelles-National airport, Brussels.

b) Air terminal alterations and modernization.

Section A : Structural work, finishing ;

Section B : Drainage, sanitary and hydraulic plumbing, fire-fighting (system network) ;

Section C : Electrical installations ;

Section D : Heating, ventilation and air conditioning.

Notice of Correction No 1

The text of this Notice of Correction may be obtained free of charge from :

— The Office for Sale and Inspection of Specifications, 49 rue du Luxembourg, 1040 Brussels —
Tel. 02/13.14.47, or

— The Service des Travaux de la Régie des Voies Aériennes, 12 rue Belliard, 1040 Brussels
(1st floor) — Tel. 02/11.19.00.

The text of this Notice forms an integral part of the contractual clauses of Special Specification
No TW/47-1973.

To assist procedure, tenderers are requested to state in their bids that they have taken note of
this Notice of Correction No 1.

Corrigendum to Public Works Contracts — Open procedure
Office Public départemental d'H.L.M., Nanterre, France

(Official Journal of the European Communities No L 283 of 10 October 1973)

Page 28 :

3. a) Antony, France.

b) Construction by a general contractor of 200 HLMO (low-rent accommodation). Award of contract on the basis of all-in fixed-price tenders.

Further information :

The Office Public Départemental d'H.L.M. gives notice, further to its announcement dated 10 October 1973, that the number of accommodation units to be built at Antony is increased from 200 to 500 H.L.M.O. (standard low rent accommodation units), to be completed in three years, with a first batch of 191 units.

The contract will be awarded to a general contractor on the basis of all-in fixed-price tenders.

Applications to take part and substantiating documents should be sent by registered, recorded delivery mail by 4 p.m. on 7 December 1973 to M. le Directeur de l'Office Public Départemental d'H.L.M. des Hauts-de-Seine, Centre administratif départemental — bureau no. 877 - 167 to 177 avenue Joliot-Curie, 92000 Nanterre.

Concerns which applied as a result of the announcement of 10 October should confirm their applications if they wish to take part.

Concerns shortlisted to submit bids will be notified directly.

Candidates will be given at least 20 days to draw up their tenders.

All further information from the Office Public Départemental d'H.L.M. des Hauts-de-Seine, tel. 781.41.41, ext. 48.17.
