

Question for written answer E-002705/2024

to the Commission

Rule 144

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Subject: 'Urgency' (but only of a secular nature) of the procurement procedure without publication of an EU contract notice for the Rome incinerator

The contract for conformity testing of the technical and economic feasibility plans for the incinerator in Rome exceeds the threshold laid down in Directive 2014/24. It was awarded¹ by negotiated procedure without publication of a contract notice. The directive permits procurement procedures without publication of a contract notice 'for reasons of extreme urgency brought about by events unforeseeable by the contracting authority'. This 'urgency' has been claimed in relation to the Rome incinerator² on account of the timeline set in Rome's waste management plan³, according to which the incinerator should become operational in 2027.

All three things – the plan, the timeline and the ensuing 'urgent' procurement procedure – have the same person behind them: the Special Government Commissioner for the Catholic Church's Jubilee, who has also been made responsible for Rome's waste⁴ for the duration of his term (until 31 December 2026)⁵.

The incinerator (for which, as things stand, there are still no working drawings or specifications in place) cannot be put into operation in the jubilee year. And yet the jubilee was certainly not unforeseeable, since it is a regular event that has been recurring since the 15th century⁶. The only 'urgency' prompting the Special Commissioner to award the contract for conformity testing the plans for the incinerator without publishing an EU contract notice stems from a date he himself set.

In light of the above, can the Commission answer the following:

1. Was the procurement procedure for conformity testing of the plans for the incinerator in Rome consistent with Directive 2014/24?
2. If not, what action does the Commission intend to take?

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¹ Annex 1.

² https://commissari.gov.it/media/v2waavsi/ordinanza_30_2024_rm_4434_project_financing.pdf.

³ https://commissari.gov.it/media/2336/piano_gestione_rifiuti.pdf; timeline: Table 18.2

⁴ Legislative Decree 17/05/2022, No 50, <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2022-05-17;50>; see Article 13.

⁵ Law 30/12/2021 No 234, <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2021-12-30;234>, see Article 1(421).

⁶ Recurs every 25 years by decision of Pope Paul II (1464-1471).