

- . harmonization and simplification of procedures;
- . improvement in the quality and availability of information;
- . increased bid submission time;
- . modification of minimum levels of applicability to increase the effectiveness of the procedures (in considering only contracts for works exceeding 5 million ECU);
- . allowance for the lowering of the minimum level of applicability for specialized works, to avoid requests for tenders benefiting only large companies capable of successfully bidding on large contracts; and
- . reinforcement of the Commission's jurisdiction as it relates to these fields, enabling it to cancel procedures that are not in keeping with the directives.

In October 1990, the Council of Ministers approved a directive that applies to the sectors previously excluded. The directive is addressed to procurement agencies that evolved under the EC's non-competitive conditions, where national suppliers were favoured, whether their status was public, private or mixed. It extends the coverage of the EC-mandated procedures to contracts undertaken by private companies for large infrastructure works directly subsidized for more than 50 per cent and by companies holding concessions for the execution of public works. Thus, the Commission proposed to

- . create a list (nominative or by category) of agencies issuing tenders that are subject to this directive;
- . reintegrate most of the directives' improvements adopted in 1988;
- . encourage the public sector entities affected to refer to performance specification standards rather than technical standards, which may prove to be too specific; and
- . impose minimum contract levels, which must be published in the official Community journal, in accordance with the 1988 directives (200 000 ECU for public supplies and 5 000 000 ECU for public works).

Due to the complex economic, industrial and operational nature of the awarding entities, however, the Commission has decided to allow them considerable leeway with regard to regulations (compared with that allowed with regard to the adopted directives of 1988). Thus

- . the awarding entities must encourage competition, but in doing so may opt to use one type of procedure or another;
- . the awarding entities issuing requests for tenders continue to have the right to impose compulsory qualifications and requirements on their suppliers;
- . when competition is non-existent or dictated by other conditions, the purchasing entities may elect not to open contracts to competition; and
- . EC companies holding governmental concessions (similar to companies such as Bell Telephone in Canada) will benefit from procedures that have greater flexibility with regard to contract awarding. The promotion of competition remains the principal objective.