

COMPANIES FINED FOR CARTEL IN PUBLIC TENDER OF CEMETERY MAINTENANCE SERVICES

Konkurencijos taryba found that in the public tender of Vilnius city cemetery maintenance services the firms belonging to the group of companies *City Service SE* concluded a cartel agreement with their competitor *Naujininkų ūkis*. Konkurencijos taryba fined these companies a total of EUR 412,100.

Konkurencijos taryba received initial claim from Vilnius City Municipality which launched a public tender for the procurement of cemetery maintenance services on 31 May 2018. Having suspected that the competitors *Mano aplinka* and *Naujininkų ūkis* concluded a bid-rigging cartel, the Municipality excluded the two companies from participation in a procurement procedure.

Having conducted the investigation, Konkurencijos taryba found that *Mano aplinka* and *Naujininkų ūkis* assisted by *City Service Engineering*, concluded a cartel, which restricted competition: the companies agreed to rig their bids, including the prices, and imitated competition in public tender.

When imposing the sanctions, Konkurencijos taryba evaluated the fact that in the course of the infringement, 100 per cent of *City Service Engineering* shares belonged to the Estonian company *City Service SE*. The latter company also had control over 100 per cent of *Mano aplinka* shares indirectly through *Mano Būsto priežiūra* (previously *Mano Būstas*). Since the investigation revealed that *City Service SE* had a decisive influence on its subsidiary companies *Mano Būsto priežiūra*, *Mano aplinka* and *City Service Engineering*, while *Mano Būsto priežiūra* – on its subsidiary firm *Mano aplinka*, these two parent companies were found liable for the cartel.

Having evaluated the gravity, duration and other circumstances relating to the infringement, Konkurencijos taryba imposed a joint and several fine of EUR 381,100 on *City Service SE*, *Mano Būsto priežiūra*, *City Service Engineering* and *Mano aplinka*, and a fine of EUR 31,000 on *Naujininkų ūkis*.

Investigation into the conduct of *Ecoservice* which also participated in the aforementioned tender has been closed as no evidence of anti-competitive agreement was established.

The decision of Konkurencijos taryba can be appealed to Vilnius Regional Administrative Court.