

No. 27572

**SPAIN
and
PORTUGAL**

**Agreement on the construction of an international bridge
over the Miño River between Salvatierra and Monçao.
Signed at Madrid on 3 July 1989**

Authentic texts: Spanish and Portuguese.

Registered by Spain on 27 September 1990.

**ESPAGNE
et
PORTUGAL**

**Accord relatif à la construction d'un pont international sur le
fleuve Miño entre Salvatierra et Monçao. Signé à Ma-
drid le 3 juillet 1989**

Textes authentiques : espagnol et portugais.

Enregistré par l'Espagne le 27 septembre 1990.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN SPAIN AND PORTUGAL ON THE CONSTRUCTION OF AN INTERNATIONAL BRIDGE OVER THE MIÑO RIVER BETWEEN SALVATIERRA AND MONÇAO

The Government of the Kingdom of Spain and the Government of the Portuguese Republic, desiring to improve conditions for the movement of vehicles and persons in their two countries, prompted by the spirit of friendly cooperation which characterizes their mutual relations, and determined to cooperate in the development of the regions of northern Portugal and the Autonomous Community of Galicia in Spain, have agreed as follows:

Article 1

A bridge shall be built between Salvatierra and Monçao linking Portugal with Spain.

Article 2

This bridge shall be used for road traffic and its technical specifications shall be approved by both Governments, bearing in mind the need to avoid any adverse impact on navigation on this section of the river.

Article 3

The project shall be designed by the communities of Salvatierra and Monçao, at their expense.

Article 4

The two Governments shall provide all necessary facilities for the preparation of the project design and the execution of the work in their respective territories.

To that end, they shall take appropriate and timely action to facilitate the granting of licences, authorizations and land required for the work in question.

Article 5

Once the project design referred to in article 3 has been approved and the execution of the relevant work has been authorized by both Governments, the contract for the work shall be awarded on the basis of a system of competitive bidding whose conditions shall stipulate that the firm to which the contract is awarded must pay in each country the taxes due under the domestic legislation of that country in connection with the execution of the work.

The Joint Technical Commission established in accordance with article 10 of this Agreement shall prepare the list of conditions governing the bidding, which shall be submitted to the Spanish and Portuguese ministries responsible for public works for approval.

¹ Came into force on 25 June 1990, the date of the last of the notifications (of 3 May and 25 June 1990) by which the Parties informed each other of the completion of their respective internal procedures, in accordance with article 18.

The Joint Commission shall announce the bidding, open the bids, inform the above-mentioned ministries of the proposals received in the bidding and recommend to them that the contract for the work be awarded to the contractor or group of contractors whose proposal it considers most suitable.

The bidding shall be conducted in accordance with the provisions of Directive 71/305 EEC of the Council of the European Communities and other applicable Community norms.

The Government of the country — Spain or Portugal — where the contractor or group of contractors engaged to perform the work has its principal place of business shall as a rule be responsible for supervision, inspections, financial control and other functions relating to the execution of the work.

The costs pertaining to the new bridge, that is, the construction work on the actual bridge, including abutments, shall be charged equally to the resources of each State earmarked for that purpose.

The cost of the approaches to the new bridge shall be borne by the country in whose territory they are situated and shall also be charged to the above-mentioned resources.

Article 6

Reimbursement of expenditures for the execution of the work by the Government which is not in charge to the Government which is in charge of the work shall be made by means of payments corresponding to the work carried out during the previous quarter and payment of the balance outstanding at the time of the general and final settlement of accounts for the work.

The quarterly statements on the progress of work, as well as the final accounts, shall be prepared by the technical services of the Government in charge of the work and approved by the Joint Technical Commission referred to in article 10.

Article 7

The provisions of the foregoing articles notwithstanding, the two Governments may agree on the terms and conditions applicable to any special contract that may be concluded in the future to regulate the use of the international bridge and the approaches thereto.

Article 8

The contractors responsible for executing the work may employ Portuguese or Spanish workers residing in Portugal or Spain. These workers shall be subject to the regulations of the country where they normally reside, without prejudice to the applicable legislation of the European Economic Community.

Article 9

The legislation and regulations applicable to working conditions and safety in the execution of the work shall be those in force in the State whose Government is responsible for the work.

Article 10

In order to ensure the preparation of the project design and the proper execution of the work, provide for permanent contact between the services concerned in