

No. 14779

**FRANCE
and
FEDERAL REPUBLIC OF GERMANY**

**Agreement concerning the construction of a road
bridge over the Lauter. Signed at Paris on 16 May 1975**

Authentic texts: French and German.

Registered by France on 26 May 1976.

**FRANCE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Convention concernant la construction d'un pont routier sur
la Lauter. Signée à Paris le 16 mai 1975**

Textes authentiques : français et allemand.

Enregistrée par la France le 26 mai 1976.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING THE CONSTRUCTION OF A ROAD BRIDGE OVER THE LAUTER

The Government of the French Republic,
The Government of the Federal Republic of Germany,
Desiring to improve the road links between the two States,
Have agreed as follows:

Article 1. A road bridge shall be built over the Lauter between Lauterbourg and Scheibenhardt near to kilometre point 9.900 K of that river by French reckoning.

Article 2. 1. Construction of the bridge shall be undertaken jointly by the two Governments, in accordance with the provisions of the following articles. The works shall include the construction of the bridge with abutments and wing walls and the accessory works necessary for that purpose, including works in the bed of the river necessitated by the construction of the bridge.

2. Each Government shall be responsible for the construction on its territory of the elevated approaches and the road links with the bridge.

Article 3. Each Government shall defray one half of the costs of the joint works. The works supervisor shall inform the competent German authority, within two months from completion, of the cost incurred by him for the work. He shall claim from that authority the share chargeable to it. The exchange rate to be applied shall be the rate in effect on the date on which the payments statement and the amount to be paid by the German authority have been communicated to the latter.

Article 4. 1. The preparation of plans, invitations to tender, award of contracts, supervision of the works and settlement of accounts shall be entrusted to the French authority, which shall apply the legislation relating to contracts under French law.

2. The French authority shall act in its own name when dealing with contractors and other contracting parties.

Article 5. 1. A Franco-German Technical Commission shall be established.

2. The head of each delegation in turn shall be Chairman of the Commission for periods of six months.

3. The decisions of the Commission shall be taken by mutual consent.

Article 6. The Commission shall:

- (a) determine the site, dimensions and specifications of the bridge;
- (b) determine the scope of the works to be jointly undertaken;

¹ Came into force on 12 January 1976, i.e. one month after the date (12 December 1975) on which the Contracting Parties notified each other that their constitutional requirements had been fulfilled, in accordance with article 14.

- (c) examine the plan of execution;
- (d) examine the proposed award of contracts, and, in particular, draw up the list of enterprises authorized to tender;
- (e) approve payments on account;
- (f) accept the structure;
- (g) determine the apportionment of costs.

Article 7. Each delegation on the Commission may request from the competent authorities of the other Contracting Party any documents it deems necessary for preparing the decisions to be taken by the Commission.

Article 8. Subject to the decisions of the Commission, the structure shall have, in principle, the following specifications:

- Clear span: 10 metres.
- Inside cross-section: 30 square metres.
- Elevation of the abutment foundation above the benchmark of general levelling of France: 114.18 metres.
- Minimum elevation of the under-girder above the benchmark: 117.18 metres.

Article 9. The French authority shall negotiate a guarantee with the contractor, for a term consistent with French law. It shall be responsible to the German authority for the proper completion of the works for a period of five years. The guarantee shall be effective from the date of final acceptance.

Article 10. Each of the two authorities shall purchase, at its own expense, on its own territory, the land necessary for the site of the bridge. Each authority shall also acquire the land necessary for the construction works on its own territory and shall defray the corresponding costs.

Article 11. 1. The need for, and extent of, maintenance in respect of the works referred to in article 2 shall be determined by mutual agreement between the French and German civil engineering authorities. Maintenance work shall be performed by the French authority. Each Government shall defray one half of the costs, which shall be determined in accordance with the provisions of article 3.

2. Winter maintenance and regular cleaning of the bridge shall be the responsibility of each authority in its own territory.

Article 12. Each State shall become the owner of the parts of the bridge situated in its territory.

Article 13. This Agreement shall be extended to *Land Berlin* provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the French Republic within three months from the date of entry into force of this Agreement.

Article 14. This Agreement shall enter into force one month following the date on which the Governments of the Contracting Parties notify each other that the constitutional requirements necessary for the Agreement to enter into force have been fulfilled.

DONE at Paris, on 16 May 1975, in duplicate, in the French and German languages, both texts being equally authentic.

For the Government of the French Republic:

[*Signed*]

GEOFFROY DE COURCEL

For the Government of the Federal Republic of Germany:

[*Signed*]

SIGISMUND Freiherr VON BRAUN
