

Stowarzyszenie Prawa Zamówień Publicznych

Stowarzyszenie Prawa Zamówień Publicznych Rondo ONZ 1, 30 p., 00-124 Warszawa kontakt@stowarzyszeniepzp.pl www.stowarzyszeniepzp.pl Questionnaire on appeals to the National Appeals Chamber (KIO) and complaints against rulings handed down by the National Appeals Chamber (KIO) filed with the district courts as part of pending public procurement proceedings

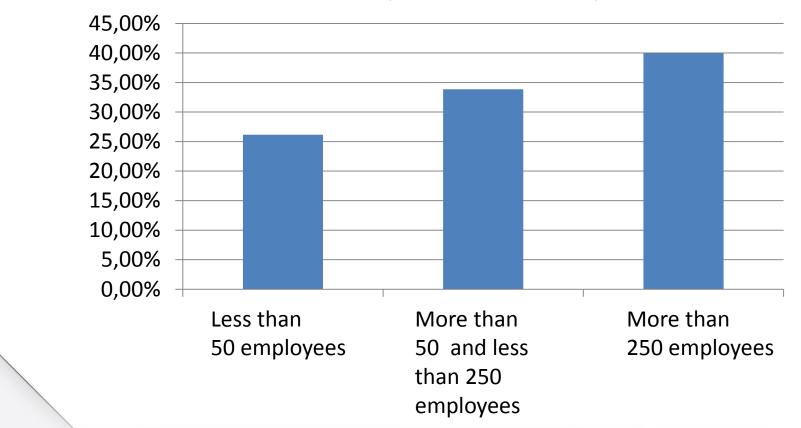
Analysis and summary of answers provided

18.04.2017

The company I represent employs:	
	Answers
Less than 50 employees	26.15%
More than 50 and less than 250 employees	33.85%
More than 250 employees	40.00%



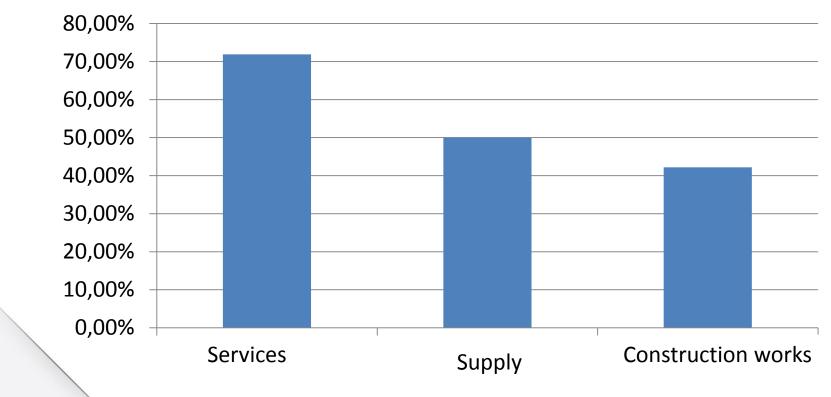
The company I represent employs:



The Company I represent seeks public procurement contracts for (more than one option can be selected):

	Answers
Services	71.88%
Supply	50.00%
Construction works	42.19%

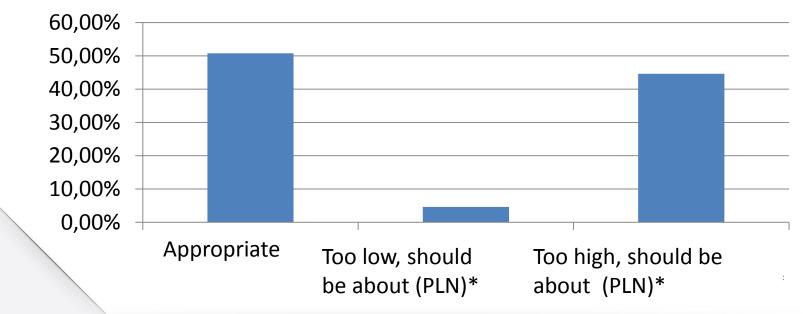
The company I represent seeks public procurement contracts for (more than one option can be selected):



Does your company find the filing fee for an appeal to the National Appeals Chamber (KIO) (i.e. PLN 15,000 for services and supply and PLN 20,000 for construction works) regarding public procurement contracts with a value above the EU thresholds:

	Answers
Appropriate	50.77%
Too low, should be about (PLN)*	4.62%
Too high, should be about (PLN)*	44.62%
*should be about (PLN)	Average: PLN 8333

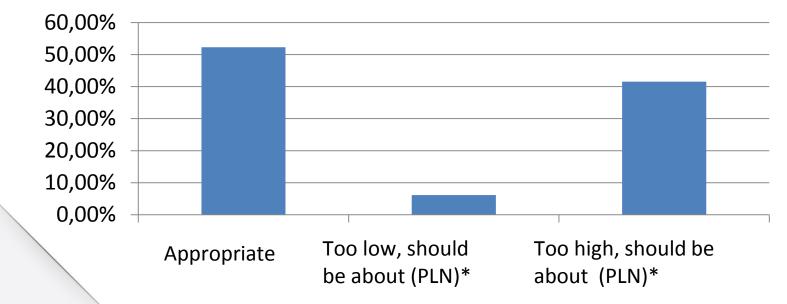
Does your company find the filing fee for an appeal to the National Appeals Chamber (PLN 15,000 for services and supply and PLN 20,000 for construction works) regarding public procurement contracts with a value above the EU thresholds:



Does your company find the filing fee for an appeal to the National Appeals Chamber (KIO) (PLN 7,500 for services and supply and PLN 10,000 for construction works) regarding public procurement contracts with a value below the EU thresholds:

Answer Choices	Answers
Appropriate	52.31%
Too low, should be about (PLN)*	6.15%
Too high should be about (PLN)*	41.54%
*should be about (PLN)	Average: PLN 6700

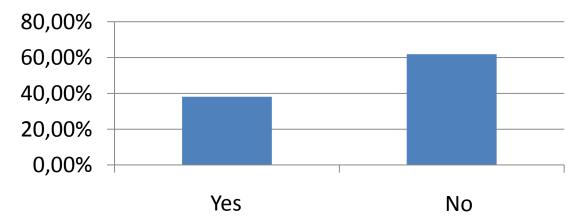
Does your company find the filing fee on the for an appeal to the National Appeals Chamber (KIO) (PLN 7,500 for services and supply and PLN 10,000 for construction works) regarding public procurement contracts below the EU thresholds:



Has the amount of the filing fee for an appeal to the National Appeals Chamber ever constituted an obstacle to filing the appeal?

	Answers
Yes	38.10%
No	61.90%

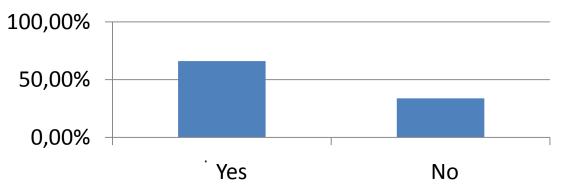
Has the amount of the filing fee for an appeal to the National Appeals Chamber ever constituted an obstacle to filing the appeal?



Has the amount of the filing fee for a complaint against a ruling of the National Appeals Chamber ever constituted an obstacle to filing a complaint with the court against the ruling?

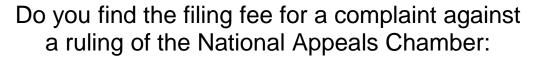
	Answers
Yes	66.13%
No	33.87%

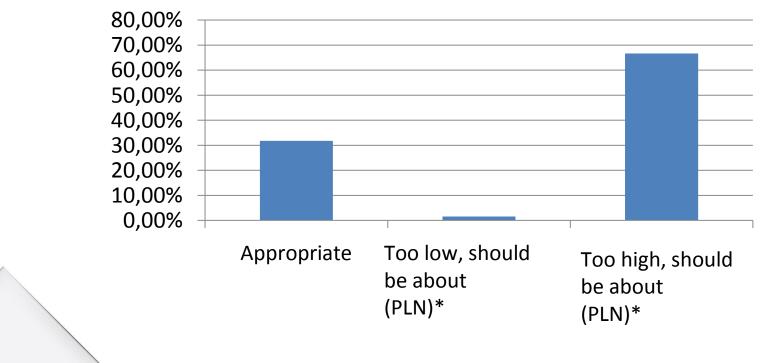
Has the amount of the filing fee for a complaint against a ruling of the National Appeals Chamber ever constituted an obstacle to filing a complaint with the court against the ruling?



Do you find the filing fee for a complaint against a ruling of the National Appeals Chamber:

	Answers
Appropriate	31.75%
Too low, should be about (PLN)*	1.59%
Too high, should be about (PLN)*	66.67%
*should be about (PLN)	Average: PLN 15066
*should be about (PLN)	15066

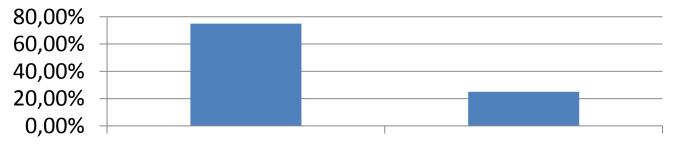




How many times during the past year has your company filed a complaint with the court against a ruling of the National Appeals Chamber awarding a public procurement contract to one of your competitors?

	Answers
We have not filed any complaint s against a ruling of the National	
Appeals Chamber	76.19%
How many times on average during the past year (provided number	
Average:3.16)	23.81%

How many times during the past year has your company filed a complaint with the court against a ruling of the National Appeals Chamber awarding a public procurement contract to one of your competitors?

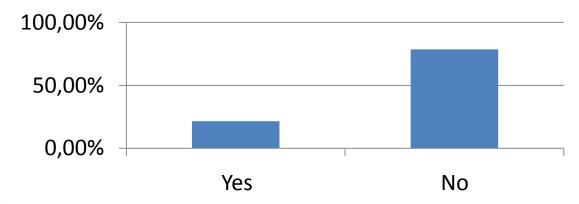


We have not filed any complaints against a ruling of the National Appeals Chamber How many times on average during the past year

Has your company ever received a court ruling allowing your complaint, and yet despite the above, the bid made by your company has not resulted in the award of the public procurement contract? (if so, please answer question 8)

	Answers
Yes	20.00%
No	80.00%

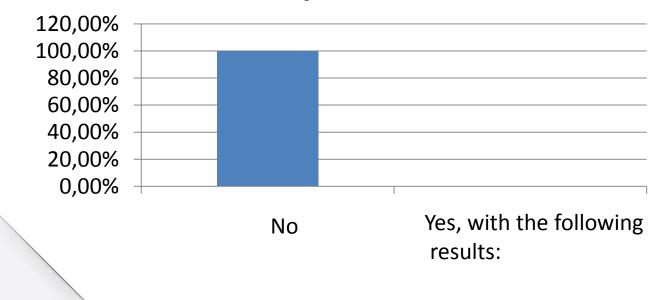
Has your company ever received a court ruling allowing your complaint and yet despite the above, the bid made by your company has not resulted in the award of the public procurement contract? (if so, please answer question 8)



Has your company ever taken legal steps to obtain compensation from an awarding authority if you have not been awarded the contract, despite it being confirmed in the court ruling that the awarding authority breached the law by awarding the contract to a competitor? (if the answer to question 8 was "yes", please provide details)

	Answers
No	100.00%
Yes, with the following results:	0.00%

Has your company ever taken legal steps to obtain compensation from an awarding authority if you have not been awarded the contract, despite it being confirmed in the court ruling that the awarding authority breached the law by awarding the contract to a



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