



Poland using public procurement to pursue secondary policy objectives



Public Procurement Principle: **Balance**



Procurement Stage: **Pre-tendering, Tendering**



Audience: **Policy maker, Procuring entity, Private sector**

Description

In Poland provisions relating to responsible business conduct are contained within the Public Procurement law and are the result of transposition of very similar provisions contained in the European Union Directives. There is provision for reserved contracts, where the contracting authority may limit competition for contracts to sheltered workshops and other economic operators whose activities include social and professional integration of people belonging to socially marginalised groups. Particular attention is accorded disabled and unemployed people, people with mental disorders or belonging to disadvantaged minorities, the homeless, and refugees. Persons from socially marginalised groups must comprise a minimum of 30% of those employed in the organisations. The law also contains exclusion criteria that provide that in certain circumstances, economic operators cannot be awarded contracts. There are various stages of public procurement procedures during which consideration of secondary objectives is encouraged.

Poland has overarching policy instruments that touch upon secondary policies in public procurement. There is ongoing work to have the national purchasing policy take into account strategic use of public procurement. The National Action Plan on Sustainable Public Procurement

2017-20 is in the process of implementation, and a project titled “Effective Public Procurement – Strengthening Administrative Capacity” -- co-financed by the European Social Fund – is under way. The latter project, directed at contracting authorities at all levels of national administration, contains components that address specific secondary



Poland using public procurement to pursue secondary policy objectives

policies. A number of measures are additionally being taken to support contracting authorities, including training, conferences and the creation of model documents.

Source: OECD (2019), [Reforming Public Procurement: Progress in Implementing the 2015 OECD Recommendation](#), OECD Publishing, Paris

