UOKiK INVESTIGATES NEXT BID-RIGGING

**• UOKiK investigated next bid-rigging of three traders from Lower Silesian Voivodship**

**• The illicit agreement concerned public auctions for performing building-renovation works.**

**• Punishments inflicted by UOKiK amounted to 130,000 PLN.**

**[Warsaw, 12th June 2017]** Parts to an agreement consist of the subjects from Lower Silesian Voivodship: Zakład Ogólnobudowlany Instalatorstwo Elektryczne [General Constructions and Electrical Installations company Ireneusz Nowosza], Firma Produkcyjno-Usługowo-Handlowa Roberto [Production-Trade-Service company Roberto] and Firma Produkcyjno-Usługowo-Handlowa [Productive-Trade– Service Company] Elektrobud. The proceedings stated that the traders influenced the result of at least four tenders organised in 2015. Most public institututions from Lower Silesian Voivodeship, including the district of Lwówek Śląski, District Office in Lwówek Śląski and Zgorzelec Muncipality suffered damages.

As a result of the establishments by UOKiK, the traders used the mechanism of spacing and withdrawing offers. Initially, they made a few incomplete proposals. If the offers turned out to be the lowest in the tender, the winner did not fill the blanks so as to facilitate the choice of more expensive offer of another colluder.

The documents were delivered only when an entrepreneur from outside of the agreement could gain the order. Offers submission made concurrently and by the same person, using the same credentials, or functioning as a subcontractor of the successful tenderer by the subject which initially had submitted the most profitable offer, but did not fill the gaps in the documentation, testifies to the bid-rigging.

Family ties between the colluders could also favour illicit actions. Related traders can start in the same tender but in the case when they run the same business activity they cannot agree their offers.

The result of the lack of competition between the traders is usually price increase. Thus the illicit practice could enforce the increase of expenses from public means by the harmed institutions, as the Authority claims.

The parts to an agreement have been inflicted a punishment in the total amount over 133,000 PLN. The resolution is not ultimate, both sides can appeal to the court.

More about bid-riggings can be read at the recently activated webpage: konkurencja.uokik.gov.pl

**More information for media:**

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\*Punishments inflicted on the individual parts to the agreement:

• Production – Trade - Service Company Roberto – 77 016, 72 PLN

• Production – Trade – Service Company Elektrobud - 33 020, 28 PLN

• General Construction Wiring Enterprise Ireneusz Nowosza – 23 893, 93 PLN