

Stages of the process	Actions	Time needed for the given stage	Action initiative	Comments
Preparation of the procedure				
	Preliminary market consultations		Contracting authority/ economic operators	The contracting authority is not obliged to, but often does so for complex contracts
	Analysis (description) of the needs and requirements of the contracting authority and market intelligence		Contracting authority	Obligation of the contracting authority
	Determining the contract value		Contracting authority	
	Preparing the documentation (including the notice and the Terms of Reference – “ToR” [Polish: Specyfikacja Warunków Zamówienia – “SWZ”), the procedure record.		Contracting authority	
	Appointing the tender committee		Contracting authority	
				2-3 months
Contract notice				
	Contract notice and notice for changes, if any		Contracting authority	Starting from the publication date, the contracting authority must made the ToR available on its website
	Requests to clarify the contents of the ToR		Economic operators	
	Changes to the ToR, if any		Contracting authority	
	On-site visit		Economic operators	If the contracting authority provides for an on-site visit or an obligation for the economic operator to familiarise themselves with documents available at the contracting authority’s, the economic operator must comply with the same (or otherwise such an economic operator’s tender will be rejected later on)
				2–3 months
Submitting tenders				
	Deposit [Polish: wadium]		Economic operators	The deposit is not mandatory, and its maximum amount is equal to 3% for contracts exceeding the EU thresholds (1.5% for contracts below the EU thresholds). It is usually in the monetary form or in the form of a bank guarantee or an insurance guarantee.
	Preparing and submitting the tender		Economic operators	
				0 months (it takes place concurrently with the Contract Notice stage)
Assessment (analysis) of tenders				
	Requests for the economic operators to supplement their tender		Contracting authority / economic operators	Documents regarding the subject and object conditions are subject to supplementing/changes; the tender and the deposit – in principle – are not.
	Requests for the economic operators to clarify the contents of the tender / to correct errors		Contracting authority / economic operators	
	Requests for the economic operators to explain an abnormally low price		Contracting authority / economic operators	The LPP obligates the contracting authority to make such a request if the tender price is considerably lower than the gross contract value or the arithmetic mean of the prices of all the tenders submitted
				1–3 months
Completion of the procedure				
	Selection of the best tender		Contracting authority	The contracting authority must inform all the bidders about the results of the assessment of tenders
	Cancelation of the procedure		Contracting authority	The contracting authority may cancel the procedure in the events listed in the LPP only
				0.25 month
Appeals, if any				
	Appeal to the National Appeals Chamber (“NAC”) [Polish: Krajowa Izba Odwoławcza (“KIO”)]		Economic operators	In general, the appeal must be filed within 10 days from the date the contracting authority informs about the action taken (5 days for contracts below the EU thresholds). The procedure costs vary within the range from EUR 2,500 to EUR 4,000. The appeal suspends the contracting authority’s signing the contract.
	Appeal to the Regional Court in Warsaw [Polish: skarga do Sądu Okręgowego w Warszawie] against the decision of the NAC.		Contracting authority / economic operators	The appeal to the Regional Court must be filed within 14 days from the date the decision of the NAC is served. The appeal does not suspend the contracting authority’s signature of the contract. The cost of the procedure – 3 times the fee for the appeal to the NAC.
	Appeal to the Supreme Court [Polish: skarga do Sądu Najwyższego] against the decision of the Regional Court in Warsaw		Contracting authority / economic operators	The appeal to the Supreme Court must be filed within 2 months from the date the court decision is served. The appeal does not suspend the contracting authority’s signature of the contract. The cost of the procedure – 3 times the fee for the appeal to the NAC.
				1-2 months
Signing the contract			Contracting authority / economic operators	Before the contract is signed, the economic operator may be required to provide additional documents (performance bond (if required), consortium agreement, etc.)
				0.25 – 0.5 month
THE ENTIRE PROCEDURE (maximum length of the procedure)			6.5 – 11.75 months	
According to the Public Procurement Office, the average length of a procedure for a contract exceeding the EU threshold (from the publication of the contract notice to the signature of the contract, provided there is no appeal)			approximately 100 days	