

Central Anti-Corruption Bureau

<https://www.cba.gov.pl/en/news/185,The-CBA-goes-to-the-prosecutor039s-office-in-connection-to-a-tender-in-ZUS-Socia.html>
2020-12-08, 11:05

The CBA goes to the prosecutor's office in connection to a tender in ZUS (Social Insurance Institution) for over 19 million PLN

The case concerns an IT contract from 2013 for 19 mln 500 thousand PLN. The CBA after the control submitted a notification of suspicion of committing a crime by the former president of the Social Insurance Institution (ZUS) and ZUS employees.

Officers of the CBA have conducted a control of selected procedures of making and implementing of decisions in the form of awarding public procurements for the service of equipment, system and tool software in the Social Insurance Institution in 2013.

The CBA, after the control, submitted to the Regional Prosecutor's Office in Warsaw a notification of justified suspicion of committing a crime by the former president of the Social Insurance Institution, member of board of ZUS, Director of the Department for IT Systems Management of ZUS and the Head of Division for Unix Platform Administration of ZUS.

The president and employees of ZUS, indicated in the notification, were obliged to deal with financial matters of the ZUS. According to the CBA controllers, through the abuse of the granted powers or failure to fulfill obligations, they have caused financial damage in the form of awarding of the public tender for the service of equipment and software in ZUS Headquarters of value of over 19 mln 500 thousand PLN gross, in the mode of single source procurement, despite the lack of presumptions which would justify the use of such mode.

According to the CBA's findings, they have thus fulfilled the signs of a crime against business - the abuse of trust, and the damage to property is of great magnitude.

Awarded procurements in single source procurement mode, the ZUS argued, that the selected supplier is the only entity authorized to provide ordered services in Poland for this particular type of IT equipment and software.

The CBA determined, that ZUS did not conduct market analysis. The Institution based only on the

unverified statements of the company selected in the order and then quickly, without a tender, concluded an agreement for more than 19 million 500 thousand PLN.

Such verification and market analysis was conducted by the CBA agents - it turned out that the companies that would meet the ZUS's order requirements were much more. The CBA determined that there existed and still exist other companies in Poland which with smaller or bigger support from the producer could fulfill the order for ZUS. It also turned out, that the software producer itself does not restrict the ability of other companies to provide services, as long as the technical criteria are met.

The CBA in its notification emphasizes, that the statements of the company that was interested in selling its services, were the only argument for ZUS representatives, on which they based their decision to choose a single source procurement procedure amounting to 19 million 500 thousand PLN.



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