

## Suppliers instruction of platformazakupowa.pl in force since 09.04.2021

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### § 1 General information

1. In the procurement procedure, communication between a contracting authority and a supplier is carried through [platformazakupowa.pl](#) unless it is stated differently in the Public procurement notice, Specification of the terms of contract (SWZ) or the invitation to tender.
2. A link to a proceeding is available on the page of [platformazakupowa.pl](#) operator or on Buyer's Profile belonging to a contracting party<sup>1</sup>.
3. As stated by a contracting party, questions:
  - 3.1. connected with technical issues such as the functioning of the system, should be addressed to the Client Support Center of [platformazakupowa.pl](#). Its telephone number is +48 22 101 02 02 and email address [cwk@platformazakupowa.pl](mailto:cwk@platformazakupowa.pl).
  - 3.2. connected with the specification, should be addressed to persons appointed by a contracting party whose contact details are provided in the Public procurement notice, Specification of the terms of contract (SWZ) or the invitation to tender.
4. Technical requirements and limitations are described in [Rules and regulations of platformazakupowa.pl](#) which is the supplement to this instruction.
5. There is the limitation on the size and number of files or archives attached in the scope of one offer or request and it is **10 files or archives** (you can add files to an archive in accordance with pt 8) with a maximum size of 150 MB each.
6. While uploading large files, available Internet connection as well as channel capacity of both [platformazakupowa.pl](#) servers and of a user are crucial factors.<sup>2</sup>
7. **If you want to submit an offer, it is advisable to do it at least 24 hours before the deadline** in order to place an offer in due time in case of force majeure such as [platformazakupowa.pl](#) breakdown, Internet connection failure, technical difficulties connected with e.g. not having an updated Internet browser, etc.
8. In case of larger files, we recommend you use the instruction on how to divide larger files into e.g. 150 MB each ([click here](#)).
9. Date of submitting an offer or request is a date of submitting an offer or request in our system through clicking the **“Place offer”** button in the second step of the offer placing form as well as a display of notification stating that an offer was submitted.
10. Displayed time on [platformazakupowa.pl](#) is synchronized with the server of the Central Office of Measurements<sup>3</sup>.

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### § 2 Submitting offers and requests to participate in a procurement procedure

1. It is recommended that a supplier logs in to the system, or if one does not have an account, creates a free account before filling the **Offer/request placing form**.

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<sup>1</sup>Click Buyer's logo on the proceeding page. If the link is active, it means that the contracting party has its own Buyer's Profile.

<sup>2</sup> It is a process opposite to downloading data. It consists of sending files from user's computer to the system of platformazakupowa.pl. It is recommended that the overall size of the files should not exceed 0,5 GB. Transmitting large files without the appropriate speed of transfer may take a long time.

<sup>3</sup> With tempus1.gum.gov.pl server, details [here](#).

Otherwise, a supplier has limited functions, such as no access to the private messages from the contracting party in the system or no possibility to withdraw an offer or request without contacting the Client Support Center.

2. Supplier submits an offer or request to participate in a tender procedure through the **Offer/request placing form** available on [platformazakupowa.pl](https://platformazakupowa.pl) in a specific public procurement proceeding.
3. If a contracting party did not state differently in the Public procurement notice, Specification of the terms of contract (SWZ) or the invitation to tender, all the information determined as confidential<sup>4</sup> within the meaning of the Unfair Competition Suppression Act of 16 April 1993, stipulated by a supplier as confidential information, should be attached separately in the first step of placing an offer, in the place dedicated to submitting company's confidential information.
4. In accordance with Article 1 Section 2 of REGULATION OF THE COUNCIL OF MINISTERS published on 30 December 2020 concerning the method of preparing and submitting information and technical requirements for electronic documents and electronic means of communication in a public procurement procedure or competition, it is required that documents containing information defined as a business secret within the meaning of the Act of 16 April 1993 On combating unfair competition, was provided by the contractor in a separate and appropriately marked file.
5. Together with an offer or request, you should attach all the required documents indicated in the Public procurement notice, Specification of the terms of contract (SWZ) or the invitation to tender, including the European Single Procurement Document (ESPD) and the means of proof in electronic form.
6. Having filled in the **Offer/request placing form** and having attached all the required documents, you must click **Go to the summary** button.
7. An offer, request and other means of proof (if required) submitted via electronic means in case of procedures equal to or exceeding EU procurement threshold must be signed with a qualified electronic signature. In case of procedures below the EU procurement threshold offer, request and other means of proof (if required) submitted via electronic means must be signed with qualified electronic signature, trusted profile signature or personal electronic signature. While submitting an offer or request, a supplier should put a signature directly on the document and then send them to our system<sup>5</sup> (**option recommended by [platformazakupowa.pl](https://platformazakupowa.pl)**). Additionally, you can sign the whole package of documents in the second step of the **Offer/request placing form** (after clicking **Go to the summary** button).
8. Regarding different legal opinions whether signature put on the package of documents (compressed file) is compliant with law, we recommend you follow the instructions described in pt 9 and sign each attached file separately. It refers in particular to documents indicated in Article 63 paragraph 1 and 2 of Public Procurement Law, where it was stated that offers, requests for participation in a proceeding and declarations mentioned in Article 125 paragraph 1, are prepared

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<sup>4</sup> Confidential information is understood as technical, technological, organizational information of a company or other information of economic value which as a whole or in a specific combination and collection of its elements is not generally known by people dealing with this kind of information or is not easily obtainable for these people, only if a person entitled to make use of or administer this information, took actions with due care in order to maintain its confidentiality.

<sup>5</sup> Prime Minister's Regulation of 27 June 2017 regarding the usage of electronic means of communication in Public Procurement Notice type of proceeding as well as making accessible and storing electronic documents.

under the pain of nullity in electronic form and according to the value of the procedure it should be signed with qualified electronic signature, trusted profile signature or personal electronic signature.

9. Instructions for signing **each document separately** with qualified electronic signature, trusted profile signature or personal electronic signature:
  - 9.1. Download all files attached to the proceeding on your computer,
  - 9.2. Complete the documents on your computer and then sign the files you intend to attach to your offer or request with a qualified electronic signature,
  - 9.3. Attach all signed files to the **Offer/request placing form** on [platformazakupowa.pl](http://platformazakupowa.pl),
  - 9.4. Click **Go to the summary** button;
  - 9.5. Next, in the second step of placing an offer or request check whether your offer and a number of files attached to it is correct,
  - 9.6. For control purposes, you can check the validity and correctness of your qualified electronic signature. In order to do it you have to:
    - 9.6.1. download an XML file;
    - 9.6.2. after uploading the XML file, our system will preliminarily analyze it and display information<sup>6</sup> whether XML file was signed correctly;
    - 9.6.3. treat the received information as supplementary verification, because it is a contracting party that will carry out the process of verifying offers;
    - 9.6.4. Reasons for incorrect validation of your qualified electronic signature may be as follows:
      - 9.6.4.1. lack of signature on XML file;
      - 9.6.4.2. your qualified signature expired;
      - 9.6.4.3. incorrect signature format;
      - 9.6.4.4. application of non-qualified signature;
      - 9.6.4.5. modification of XML file;
      - 9.6.4.6. enclosing the wrong XML by a supplier.
  - 9.7. Regardless of the displayed message you can click the **Place offer** button to finish the process of submitting an offer.
  - 9.8. Then our system will encrypt the supplier's offer or request, making it inaccessible for a contracting party until the offer/request opening date.
  - 9.9. The last part of the process is a display of notification and sending an email confirmation from [platformazakupowa.pl](http://platformazakupowa.pl) with information about the placed offer or request<sup>7</sup>.
  - 9.10. In case of the appeal procedure, because of the fact that offers are encrypted on [platformazakupowa.pl](http://platformazakupowa.pl), a supplier is obliged to store a copy of an offer or request together with the downloaded XML file on his/her computer.
10. Suppliers can withdraw an offer or request through the **Offer placing form** before the due date of placing offers.

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<sup>6</sup> If at the particular time API service of qualified electronic signature verification is not available, our system will inform you by displaying an appropriate message. The lack of this service will not result in incapability to place an offer, but it will make it impossible to additionally verify your offer by the system.

<sup>7</sup> Remember! When placing another offer and withdrawing the previous one, in order to identify unlogged user, he or she is required to click the confirmation of withdrawal sent in mail. It is necessary to click this link until the due date of placing offers. When you do it after that time, the link will be expired.

11. Because of the fact that offers or requests are encrypted, it is impossible to edit them. By changing an offer or request is understood as a submission of a new offer and withdrawal of the previous one; however, you have to do it before the due date of placing offers.
12. Submission of a new offer or request before the due date of placing offers, in a proceeding in which contracting party permits only one offer per supplier, results in the withdrawal of previously submitted offer in this proceeding.
13. If a supplier who places an offer is authorized (**logged in**), withdrawal occurs right after placing a new offer.
14. If an offer or request is placed by an unauthorized user (logged out or without an account), the withdrawal must be confirmed by the user by
  - 14.1. clicking the link sent in an email, where the email address is identical to the address provided during the offer placing process or
  - 14.2. clicking in **Confirm offer** button after having logged in on [platformazakupowa.pl](https://platformazakupowa.pl)
15. In cases described in paragraph 14.1, the confirmation of offer or request withdrawal is a date of clicking the **Withdraw offer** button.
16. Withdrawal of an offer or request is possible before the due date of placing offers.
17. Withdrawal of the submitted offer results in the lack of access to this offer by a contracting party after the due date of placing offers.
18. After the due date of placing offers, a supplier cannot change the submitted offer or request.
19. Suppliers can place an offer or request after the due date of placing offers through **Unlock the form** button.
20. After submitting an offer or request, a supplier receives an automatic message about placing an offer after the due date.

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### § 3 Method of communication between contracting party and suppliers (does not apply to the placement of offers and requests)

1. Unless it is stated differently in the Public procurement notice, Specification of the terms of contract (SWZ) or the invitation to tender, communication in the proceeding, especially submitting documents, declarations, requests (other than the request to participate in a tender procedure), notifications, inquiries or transmitting information is held electronically through [platformazakupowa.pl](https://platformazakupowa.pl) and **Send a message** form.
2. Hereby § 3 does not apply to placing offers and requests, because messages are not encrypted.
3. Communication through the **Send a message** form enables you to attach files or archives (attachments) to the message. The limitation on the size and number of files or archives attached is **10 files or archives** with a maximum size of 500 MB each.
4. In case of emergency, such as a breakdown of [platformazakupowa.pl](https://platformazakupowa.pl), the contracting party has a right to communicate with suppliers also via other forms of communication indicated in the Public procurement notice, Specification of the terms of contract (SWZ) or the invitation to tender.

5. Electronic documents, declarations, and electronic copies of documents and declarations are submitted by a supplier via **Send a message** button in the form of attachments<sup>8</sup>.
6. For your convenience, you can receive additional email notifications regarding messages published by a contracting party both in case of public messages or so-called private messages.
7. A condition for receiving notifications from the [platformazakupowa.pl](https://platformazakupowa.pl) system in compliance with paragraph 6 is a prior invitation to the proceeding from a contracting party, submission of an offer or request, or sending a message by a supplier in this specific proceeding.
8. Supplier as a professional entity is obliged to check the information published in the Announcements section in the **Offer/request placing form**, as well as private messages from a contracting party available in the system because the system of notifications can crash or a notification may be qualified as SPAM.
9. As a date of transmitting submitted documents, declarations, requests (other than request to participate in a tender procedure), notifications, inquiries and transmitting information is treated the moment of clicking the **Send a message** button after which the notification about sending a message to a contracting party will be displayed.

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#### § 4 Offer opening

Offer opening is specified in the Public procurement notice, Specification of the terms of contract (SWZ) or the invitation to tender with particular reference to Article 222 of Act of 11.09.2019 [Public Procurement Law](#).

Previous version of [Suppliers instruction of platformazakupowa.pl in force since 08.04.2021](#)

This is only a translation. Original instruction: [Pełna instrukcja dla wykonawców](#)

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<sup>8</sup> A method of preparing electronic documents, declarations, or electronic copies of documents and declarations must be compliant with requirements indicated in Prime Minister's Regulation of 27 June 2017 *regarding the usage of electronic means of communication in Public Procurement Notice type of proceeding and making accessible and storing electronic documents*, as well as with Regulation of Minister of Development of 29 June 2020 *regarding types of documents that may be required by a contracting party from a supplier in Public Procurement Notice*.