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20 years of Poland in the EU – challenges and opportunities for the Polish public procurement system

26 September 2024 | 9:30 | Faculty of Law and Administration at the University of Warsaw
(Collegium Iuridicum II), Lipowa 4 street, room A.2

On behalf of the Public Procurement Law Association and the Chair of European Law at the University of Warsaw's Faculty of Law and Administration, we are pleased to invite you to the international conference:

“20 years of Poland in the EU – challenges and opportunities for the Polish public procurement system”

during which Polish and foreign experts will discuss how EU public procurement law has shaped Polish regulations and has influenced and continues to influence how they are applied in practice. The theme of the event is the 20th anniversary of Poland's accession to the European Union.

AGENDA

- 9.15-9.30 Registration**
- 9.30- 9.35 Conference opening**
- 9.35-9.45 Welcome speech and address: 20th anniversary of Poland's accession to the EU**
– *Agnieszka Olszewska*, President of the Public Procurement Office
- 9.45-10.45 Demonstrating the fulfilment of the experience condition**
1. The Esaprojekt judgment and its impact on practice in Poland and other EU countries – *professor Tünde Tátrai, Corvinus University of Budapest, member of the International Research Study of Public Procurement*
 2. Demonstrating the fulfilment of conditions through the experience of special purpose vehicles – *dr Wojciech Hartung, Counsel at Domański Zakrzewski Palinka law firm*
 3. Experience vs. corporate changes – *dr hab. Paweł Nowicki, professor at the Nicolaus Copernicus University in Toruń, member of the Public Procurement Council to the President of the Public Procurement Office*
- 10.45-11.45 Operations of consortia vs. using third parties**
1. Changes in the composition of a consortium – *dr Jens Debievre, lawyer, member of the Brussels bar*





2. Impact of improper performance of the contract on the subjective situation of individual consortium members – *dr Łukasz Paweł Goniak*, Counsel at JDP Drapała & Partners law firm
3. Change of a third party during the procedure – *dr hab. Piotr Bogdanowicz*, professor at the University of Warsaw, Counsel at Clifford Chance, Janicka, Krużewski, Stosio i wspólnicy law firm

11.45 – 12.45 Lunch

12.45 – 13.45 Exclusion grounds

1. Mandatory vs. optional exclusion grounds – comments in the context of the judgment in *Infraestruturas de Portugal and Futrifer Indústrias Ferroviárias* – *dr Nuno Cunha Rodrigues*, professor at the Faculty of Law of the University of Lisbon, President of the Portuguese Competition Authority (AdC)
2. Analysis of selected grounds (early contract termination, misrepresentation, collusive bidding) and their application in the context of procedures that involve foreign contractors – *Mirella Lechna-Marchewka, LL.M.*, Managing Partner at *Wardyński i Wspólnicy law firm*
3. Difficulties related to the way exclusion periods are calculated – *dr Anna Szymańska*, Partner at *Dentons law firm (Warsaw)*, member of the Public Procurement Council to the President of the Public Procurement Office

13.45-14.00 Coffee break

14:00 – 15.00 Amendments to a public procurement contract

1. The most recent case law of the Court of Justice of the European Union (*Obshtina Razgrad*) – *dr Deividas Soloveicik*, associate professor at the Vilnius University, Partner at *COBALT Legal*
2. Amendments to a contract not governed by directives – comments in the context of *Fastned Deutschland* and *Tesla Germany* – *dr Wolfram Krohn*, Partner at *Dentons law firm (Berlin)*
3. Analysis of selected grounds for amending a contract - difficulties in interpretation – *dr Kalikst Nagel*, *Centralny Port Komunikacyjny sp. z o. o.*

15.00 – 15.10 Conference summary

Date and place: 26 September 2024 | 9:30–15:10 | Faculty of Law and Administration at the University of Warsaw (Collegium Iuridicum II), Lipowa 4 street, room A.2.

The event will bring together international and Polish academics and public procurement practitioners, as well as representatives of state institutions. The conference will be conducted in English and translated into Polish. The number of places is limited.

Please register by 23rd September by this link: [REGISTRATION](#).

