## 31. Poland

### 31.1. SMEs in the national economy

SMEs in Poland play an important role in the “non-financial business economy”. They represent approximately 70% of total employment and more than half of value added.

**Table 31.1. Basic figures of the non-financial business economy of Poland, 2015**

<table>
<thead>
<tr>
<th></th>
<th>Number of enterprises</th>
<th>Number of persons employed</th>
<th>Value added (in billion EUR)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>1,542,842</td>
<td>8,480,267</td>
<td>189.0</td>
</tr>
<tr>
<td><strong>SMEs</strong></td>
<td>1,539,794</td>
<td>5,844,904</td>
<td>98.9</td>
</tr>
<tr>
<td>Micro</td>
<td>1,466,188</td>
<td>3,074,929</td>
<td>33.9</td>
</tr>
<tr>
<td>Small</td>
<td>58,900</td>
<td>1,226,673</td>
<td>26.8</td>
</tr>
<tr>
<td>Medium-sized</td>
<td>14,706</td>
<td>1,543,302</td>
<td>18.2</td>
</tr>
<tr>
<td>Large</td>
<td>3,048</td>
<td>2,635,363</td>
<td>31.1</td>
</tr>
</tbody>
</table>

*Note: These are estimates for 2015 produced by DIW Econ, based on Structural Business Statistics Database (Eurostat). The data cover the non-financial business economy, which includes industry, construction, trade, and services (NACE Rev. 2 sections B to J, L, M and N), but not enterprises in agriculture, forestry or fisheries or largely non-market service sectors such as education and health. The advantage of using Eurostat data is that the statistics are harmonised and comparable across countries. The disadvantage is that for some countries the data may be different from those published by national authorities. Source: (European Commission, 2017).*

### 31.2. National policy framework to support SMEs in public procurement

In Poland the main measures to facilitate SME participation in public procurement are provisions of the Public Procurement Law (PPL) of 22 June 2016. Instruments included in the PPL support the participation of SMEs in procurement procedures, including:

- Division of the contract into lots.
- Proportional conditions established for participation in the contract award procedure.
- Direct payments to subcontractors.
- Self-declarations.
- The possibility for economic operators to rely on the capabilities of other entities (SMEs).
- A limitation on the financial standing requirement. The contracting authority cannot require that the minimum yearly turnover of the economic operator exceed twice the amount of the contract.
- Limited requirements related to necessary documents. An economic operator is not obliged to submit declarations or documents, if the contracting authority holds declarations or documents concerning the economic operator that are still valid, or
can obtain them through free-of-charge and generally accessible databases, in particular public registers.

Procuring entities follow obligatory instruments supporting SMEs participation (for instance limitation of the financial standing requirement), and are free to apply other voluntary instruments provided for in the PPL (e.g. contract division into lots or direct payments to subcontractors), as well as develop their own instruments to support SMEs.

Support to SMEs, including in the area of public procurement, is indicated as an objective in the Responsible Development Plan and Strategy (2016-20). One of more general objectives of the Plan is to provide SMEs with more leeway for growth and development, and focus more on comprehensive support for business. The SME package foreseen for implementation is mainly meant to address succession in family-run firms; reduced licensing; and swifter legal proceedings. Regarding the SMEs and public procurement intersection, the objective is to increase the share of SMEs in the public procurement portfolio and facilitate SME access to procedures. The concept of “intelligent public procurement” is developed with the aim of addressing that objective. Intelligent public procurement is expected to spur development of the economy and the job market, generating an entrepreneurship that will result in growth for companies (especially SMEs).

31.3. Implementation mechanisms

The Public Procurement Office (PPO) has prepared a guidebook on new public procurement directives; the book includes a chapter on measures that support SME participation in public procurement. General and specific training sessions and workshops for SMEs are provided by the Polish Agency for Enterprise Development (PARP).

In 2008, the Council of Ministers adopted a document titled, “The new approach to public procurement: Public procurement and SMEs, innovation and sustainable development”. On the basis of this document the PPO and the PARP launched and implemented the “New Approach” project (2010-13). Activities performed within the framework of the project aimed at advancing the level of green, social, electronic and innovative procurement, as well as enhancing the participation of SMEs as contractors in procurement procedures. The project component addressing SMEs participation has been focused on training, consultancy and other knowledge dissemination activities. The outcome of the “New Approach” project included 48 two-day training courses for local, regional and central-level administrations awarding public contracts, with 1013 participants representing 646 institutions and entities; 3 conferences targeting all kinds of procurement market players; 3 conferences targeting auditors of Regional Chambers of Accounts as well as the Supreme Audit Office; and the elaboration of 28 publications and 19 journal articles.

In 2017 and 2018, the PPO has been carrying out the project “Effective public procurement – Strengthening the administrative capacity”, co-financed by the European Social Fund. The project is directed to contracting authorities and contains, among others, an SME-related component. Contracting authorities are trained in SME-friendly procurement procedures, covering topics such as defining SMEs; the European code of best practices supporting SMEs in public procurement; SME-friendly procedure planning; division of contracts into lots; descriptions of the subject matter, exclusions and conditions for participation in tenders, relying on the resources and capabilities of other entities (SMEs); SME-friendly declarations and documents; subcontracting; and advance payments prior to completion of a public contract. One thousand and forty persons representing contracting
authorities are to be trained to the end of 2018 during 52 two-day training sessions. The project is to be continued in 2019 and 2020.

31.4. Monitoring performance

Data regarding the number of SMEs winning and participating in procurement procedures are collected as from June 2016, since the latest PPL amendment.

Some of the results of public procurement procedures above EU thresholds for 2017 are as follows:

- SMEs submitted 66.5% of the offers in Polish public procurement notices published in the EU Tenders Electronic Daily (public procurement procedures above EU thresholds).\(^1\)
- Approximately 55 980 contracts (including lots) above EU thresholds have been awarded to SMEs, which represents about 45% of the contracts (in terms of number) awarded in Poland in 2017.\(^2\)
- In 2017, the value of contracts above EU thresholds awarded to SMEs in Poland was approximately PLN 46 963 169 700 (approximately EUR 11 248 932 836). This corresponds to about 41% of the total value of Polish public procurement above EU thresholds in 2017.\(^3\)

Notes


\(^3\) Data elaborated on the basis of the annual reports on contracts awarded in 2017 submitted by contracting authorities to the President of the Public Procurement Office in accordance with Article 98 of the Public Procurement Law.

Reference
