

CENTRAL ANTI-CORRUPTION BUREAU

<https://www.cba.gov.pl/en/news/782,Inspection-at-the-Wroclaw-Agglomeration-Development-Agency-SA-is-completed-Irreg.html>
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Inspection at the Wrocław Agglomeration Development Agency S.A. is completed. Irregularities were found

Irregularities in the implementation of the “Our Wrocław” and the “Wrocław database of places and events” IT systems as well as in the promotional campaigns the “Academic Wrocław” and the “Promotion of selected municipalities of the Wrocław Functional Area” were detected by the inspectors of the CBA Regional Office in Wrocław, who from 8 June 2020 to 8 March 2021 audited selected contracts concluded in the years 2014 - 2020 at the Wrocław Agglomeration Development Agency S.A. (ARAW).

In the course of the inspection, the officers checked public contracts implemented both below and above the value of EUR 30,000, in which they found numerous irregularities.

The contracts above the value of EUR 30,000 concerned two nationwide promotional campaigns conducted on the Internet and in social media as part of the implementation of the projects titled the “Promotion of selected municipalities of the Wrocław Functional Area at home and abroad as an area attractive in economic and investment terms” and the “Academic Wrocław”. In the course of the audit, the inspectors found a breach of the Public Procurement Law in the scope of the criteria for the evaluation of the offers. The criteria were described in an imprecise and ambiguous way, which made their correct, objective verification and evaluation impossible. Other irregularities pertained to the lack of documentation resulting from the contract provisions, i.e. the final report which was to be the basis for the settlement of the remuneration, and the lack of required signatures on the protocol of the award of the public procurement.

The IT system supporting the “Our Wrocław” municipal programme, which was executed below the threshold of EUR 30,000, was commissioned in two separate procedures to the same contractor. The total remuneration exceeded the statutory threshold laid down in the Public Procurement Law and ARAW's procedure for selecting potential contractors resulted in only the above-mentioned company submitting a bid.

The website "Wrocław database of places and events" was also implemented under commissions below the threshold of EUR 30,000 by the same company, which signed 6 subscription agreements with the city company between 2014 and 2019.

Moreover, the secured documentation did not contain any record of ARAW S.A. estimating the value of the above-mentioned contracts, thereby violating both the Public Procurement Law and the internal regulations for their award. In addition, the auditors found that one of the contracts had been breached as regards acceptance of the subject of the contract — one of the acceptance protocols had been signed three months after the deadline indicated in the contract. Furthermore, the Company did not verify the scope and punctuality of works carried out by the contractor on the basis of monthly reports, despite the requirement included in the contract. This pertained to the "Our Wrocław" program and the “Wrocław database of places and events" platform.

Outdoor advertisements (billboards) were also commissioned in the procedure below EUR 30,000 to a contractor, with whom the company did not conclude an appropriate agreement, required by the regulations.

There were also irregularities in the organisation of ARAW's record-keeping: original documents were missing from the company's offices and the Contractor had not signed documents concerning the receipt of one of the ordered systems. The investigation revealed that two contracts had been amended after they had been signed. The examination of the documentation also showed that there had been an unauthorised exchange of e-mails between ARAW S.A. and the later contractor concerning the drafting of the technical specifications.

During the inspection conducted, the President of the Management Board, who took office on 1 December 2019, made amendments to the Regulations for the award of public contracts with a value not exceeding the equivalent of EUR 30,00, and to the manner of circulation and storage of documents. Training sessions were held for employees on the preparation, execution and settlement of contracts.



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