The Office of Competition and Consumer Protection breaks down bid rigging in Silesia

* **Two entrepreneurs colluded in a bid for transport of materials in one of Silesian mines.**
* **Their purpose was to cancel the bid and sign the solo-source contract.**

**[Warsaw, 15 October 2019]** The UOKiK’s decision concerns the companies, namely Soltur from Mysłowice and Trans-Jan from Katowice. The Office questioned actions taken by these entrepreneurs in a bid organized in 2016 by the Katowicki Holding Węglowy (KHW) for the transport of goods in the Murcki-Staszic mine. Strictly speaking, the bid called for the transport of loose materials, mining machinery or coal dust between stockpiles inside the mine.

During the bid procedure, the entrepreneurs began to make the same offers in an electronic auction. When it had ended without the winner being announced, they made identical additional offers.

*Both entrepreneurs jointly agreed to cancel the bid by submitting identical additional offers. At the same time, they knew that should this be the case, KHW would sign emergency contracts that would allow it to maintain the continuity of services provided by previous contractors. It’s not hard to guess that these contractors were Soltur and Trans-Jan*, says Michał Holeksa, Vice President of UOKiK.

As a result, KHW signed two emergency contracts with collusion participants, which lasted from June to October 2016, when goods haulier in the mine was selected in a bid procedure. Trans-Jan also applied for a long-term contract, but KHW chose another bidder.

UOKiK imposed fines on both colluding companies, broken down into almost PLN 147,000 on Trans-Jan and nearly PLN 17,500 on Soltur. The decision is not final. Both companies have appealed to the court against it.

**Do you suspect bid rigging? Let UOKiK know.**

There is a fine of up to 10% of company’s turnover for using competition restricting practices. We would like to remind you about our programme to obtain information from anonymous whistle-blowers, such as former and current employees of companies that violate the law. If you know anything about practices restricting competition, please report them to UOKiK. Contact us at 22 55 60 500 or at the following e-mail address: [sygnalista@uokik.gov.pl](mailto:sygnalista@uokik.gov.pl). All data on the whistle-blower programme can be found at [konkurencja.uokik.gov.pl](http://konkurencja.uokik.gov.pl/).