

Case study

Comparative analysis of tender procedures conducted in military units by Regional Infrastructure Boards – case study

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INFORMATION

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ABSTRACT

Military units are the fundamental elements of the Armed Forces of the Republic of Poland (Polish abbrev. SZ RP). As part of the state defense system, they implement tasks resulting from the National Security Strategy of the Republic of Poland and the Defense Strategy of the Republic of Poland. The units carrying out tasks for the defense of the state must be adequately equipped, and the infrastructure they have is efficient. To ensure its proper functioning, investments carried out on the premises of military units are necessary. Tasks in this regard are possible thanks to the Regional Infrastructure Boards (Polish abbrev. RZI) supervised by the Ministry of National Defense. They deal with the management of military real estate, investment, renovation, and equipping real estate with the necessary infrastructure. There are ten RZIs in Poland. Out of ten, eight are Regional Infrastructure Boards; the other two are the Military Infrastructure Board in Poznań (WZI) and the Capital Infrastructure Board in Warsaw (SZI). Expending public funds for the implementation of tasks entrusted to Regional Infrastructure Boards should be carried out following the procedures compliant with the Public Procurement Law. The research presented in the publication aims to identify differences and similarities in tenders carried out by two selected RZIs in Zielona Góra and Bydgoszcz in 2014-2017.

KEYWORDS

public procurement, tender, Regional Infrastructure Board



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Introduction

Military units are the fundamental elements of the Armed Forces of the Republic of Poland (Polish abbrev. SZ RP). As part of the state defense system, they implement tasks resulting from the National Security Strategy of the Republic of Poland and the Defense Strategy of the Republic of Poland. The Ministry of National Defense supervises the Regional Infrastructure Boards (Polish abbrev. RZI). They deal with the management of military real estate, investment, renovation, and equipping real estate with the necessary infrastructure. There are ten RZIs in Poland. Out of ten, eight of them are Regional Infrastructure Boards with headquarters in Bydgoszcz, Gdynia, Kraków, Lublin, Olsztyn, Szczecin, Wrocław and Zielona Góra.

The other two units are the Capital Infrastructure Board in Warsaw (SZI) and the Military Infrastructure Board in Poznań (WZI). It is interesting which units organize the most tenders, what they concern most often, what sums of funds are allocated for their implementation, and what selection criteria are adopted as binding. Expending public funds for the implementation of tasks entrusted to Regional Infrastructure Boards should be carried out following the procedures compliant with the Public Procurement Law. Tenders are organized to attract contractors in response to the needs reported by military units. Tender orders announced by the RZIs ensure the contractors of the works described in the procurement, which are necessary for the proper functioning of military units. It enables the Boards to perform the tasks assigned to them by the Minister of National Defense and consequently contributes to the maintenance of an appropriate level of combat potential of military units. Few studies are presenting the research results on tender procedures carried out for the military units of the Polish Armed Forces by the Regional Infrastructure Boards [1]. The websites of Regional Infrastructure Boards contain information about tenders that are carrying out, but there are no publications presenting analyzes and conclusions regarding these issues. The motivation to take up the topic is the importance of the matter of spending public funds. Their efficient use is crucial because, in the effect of completed tenders, the selected entities realize commissioned works on the premises of military units. However, the contractors must perform the works entrusted to them reliably and efficiently, which will enable military units to operate at the highest possible level. Systematization of knowledge in this area may contribute to identifying patterns of proceedings for RZIs and the dissemination of the best possible solutions for the implementation of tender orders.

The research presented in the publication aims to identify the similarities and differences in tender procedures conducted by two selected RZIs in Bydgoszcz and Zielona Góra in the years 2014-2017. The research problem was formulated as a question: What are the similarities and differences in the tenders carried out by RZIs in Bydgoszcz and Zielona Góra in 2014-2017?

1. Regional Infrastructure Boards as tendering authorities

The main tasks of the Regional Infrastructure Boards are the management and investment in a military property managed by the Minister of National Defense. These institutions are responsible for providing the equipment necessary for the proper functioning of military units. Their competencies also include running a service and workshop activity and the maintenance and operation of the real estate located there at the disposal of military units [2]. Since 2008, they have reported directly to the Chief of the Inspectorate of the Polish Armed Forces [3]. RZIs are obliged to comply with the legal regulations indicating the principles and impose obligations regarding the management of the real estate in the Ministry of National Defense which are:

- The Act of November 21, 1967 on the universal obligation to defend the Republic of Poland,
- The Act of September 11, 2003 on the military service of professional soldiers,
- The Act of August 27, 2009 on public finance,
- The Act of January 29, 2004 on public procurement law,
- The Act of September 29, 1994 on accounting,
- The Act of August 21, 1997 on real estate management,
- The Act of July 7, 1994 on building law.

Territorial range of garrisons – state according to the Regulation of the Minister of National Defense of April 25, 2012



Garnizon – Garrison

Fig. 1. The area of operation of the Regional Infrastructure Board in Bydgoszcz and Zielona Góra – the current status
Source: Own study based on [4].

In the area managed by RZI Bydgoszcz (Fig. 1, marked in black – the central part of the map), there are twelve military garrisons¹ in two voivodeships: Kujawsko-Pomorskie and Łódzkie. The Regional Infrastructure Board in Zielona Góra (Fig. 1, marked in black – the left part of the map) manages the area of the Lubuskie Voivodeship² with seven military garrisons on its territory³.

¹ Garrisons: Grudziądz, Bydgoszcz, Chełmno, Brodnica, Toruń, Inowrocław, Kutno, Łęczyca, Łódź, Sieradz, Łask, Tomaszów Mazowiecki.

² Prepared based on information contained in the Regulation of the Minister of National Defense of April 25, 2012 amending the regulation on the establishment of garrisons and determining the tasks, seats, and territorial scope of their commanders [Rozporządzenie Ministra Obrony Narodowej z dnia 25 kwietnia 2012 r. zmieniające rozporządzenie w sprawie utworzenia garnizonów oraz określenia zadań, siedzib i terytorialnego zasięgu właściwości ich dowódców (Dz. U. 2012, poz. 533)].

³ Garrison: Zielona Góra, Żagań, Międzyrzecz, Sulechów, Wędrzyn, Skwierzyna, Krosno Odrzańskie.

1.1. Definitions of public procurement and tender

The most important public procurement regulation in force is the Act on Public procurement law of January 29, 2004. The Act was last amended on July 20, 2018. The amendment introduced provisions that have made public procurement more transparent for society. The afore-mentioned regulation defines the concept of public procurement as a paid contract that is concluded between the contracting authority and the contractor. The subject of the contract may be services, construction works, or supplies. Functionally, public procurement is intended to meet collective needs related to the existence of the authority and administration that performs tasks closely related to society's needs. It acts for the benefit of infrastructure expansion, thus supporting the development of entrepreneurship and providing private entities with access to projects implemented with public funds. The public procurement system regulates the method of conducting public procurement procedures [5, p. 273]. The public procurement system was created in response to the needs of ordering the manner of awarding contracts, hasty spending of public funds and, the need to ensure equal treatment to all entities applying for commissioned works.

1.2. The concept of a tender

As mentioned earlier, public sector institutions such as the discussed Regional Infrastructure Boards, as budgetary units, are obliged to apply the Public Procurement Law (Polish abbrev. Pzp), which defines, among other things, the procedure and rules for awarding public contracts. The procedure for awarding a public contract has been defined as one which may result in the conclusion of a contract with a contractor for paid performance of a service, supply, or construction works [6, p. 6-30]. According to Article 10 (1) of the Act on public procurement law, contracts for Regional Infrastructure Boards take the form of open and restricted tenders as the necessary procedures for awarding a public contract. The open tender has been described as a procurement procedure in which any interested contractor may submit tenders in response to public notice. The essence of using open tendering is the possibility of submitting an offer by an unlimited group of entities. In the case of a restricted tender, contractors apply for admission to the tender, and tenders may be submitted by contractors invited to submit tenders. The difference between the two modes is that in the case of a restricted procedure, contractors, in response to the contracting authority's announcement, shall submit requests to participate in the procedure, and not a tender [7, p. 42]. The authors of the PWN Encyclopedia define a tender as a public type of competition organized by economic entities or administrative institutions to obtain the best conditions for the delivery of goods and work performance [8]. In the Economic Encyclopedia, however, one can find an entry that presents a tender as a form of a public sale, in which those willing can submit an offer for the purchase, performance of a specific service, rental, or lease. The use of a tender as a form of awarding a public contract is associated with the advantage of competition mechanism promotion. It enables the selection of the most advantageous of the submitted bids. The definition accepted in this article describes a tender as "a type of competition combined with offer submission. It is organized by enterprises or administrative institutions to obtain the most conducive conditions for the performance of specific works and services" [9, p. 1014].

2. The results of comparison

The study was conducted in October-December 2018, using the documentation obtained directly from the discussed RZIs and that available on their websites. It concerned the analysis of documentation related to the organization of tenders for military units covered by RZIs

management. The materials concerning the procedures completed from January 2014 to December 2017 were analyzed. A database was then built with 460 records corresponding to the number of tenders resolved at that time, while the canceled procedures were not taken into account. The following issues were examined: the RZI's name, the year of organization of the tender, the month in which the tender was announced, the date of the announcement, the settlement date, duration from announcement to decision, which category was the subject of the tender, the successful performer, the type of project, the place of order execution, offer selection criteria, and the total value of the tender. The database was prepared independently by the author of the work. Various Statistica and MS Excel tools were used to present the analysis results, including charts, tables, and pivot tables.

The results of the most significant analyzes are presented below. Figure 2 shows a comparison of the number of conducted procedures broken down by category. When analyzing its contents, one can notice a difference in the number of tenders conducted. In Zielona Góra, there were 181 in 4 years, while in Bydgoszcz 98 more. However, there is a similarity in the distribution of orders due to their numerical share in individual categories. In both surveyed entities, the majority of tenders concerned construction works. However, there is a discrepancy in the popularity of the service and delivery categories. In Bydgoszcz, the difference in orders for services and deliveries is insignificant, while in Zielona Góra, the distribution between the supply and service categories is close to 40%.

When looking at the results of the frequency of organizing tenders in the surveyed institutions broken down by months (Table 1), it can be noticed that the most procedures were resolved in March. There were 55 of them in RZI Bydgoszcz and 30 in Zielona Góra. Both surveyed entities manifested the lowest activity in the period from November to January.

When analyzing the average waiting time between the date of the tender announcement and the date of its award, it can be noticed that the category in which the tender examination

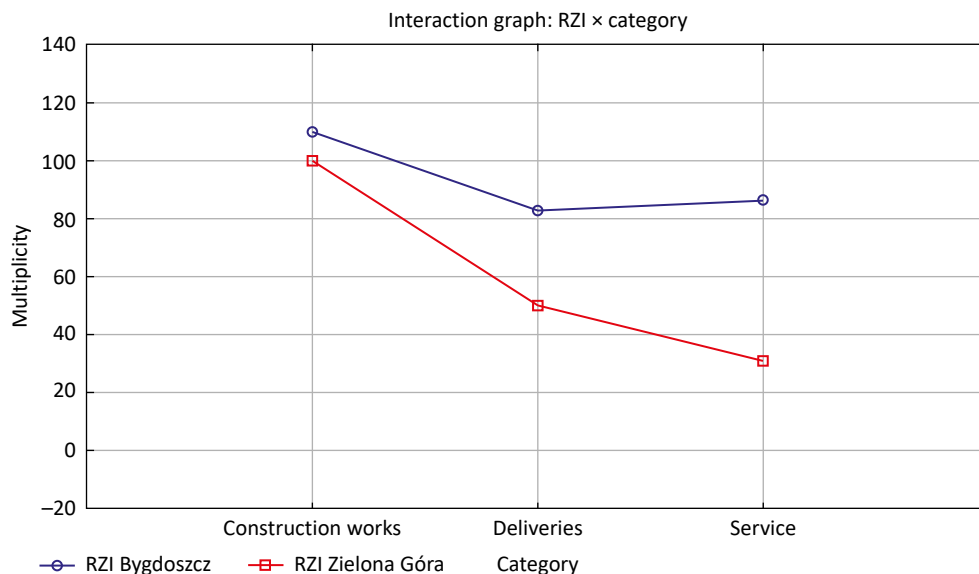


Fig. 2. Comparison of the number of tenders organized in RZI Bydgoszcz and Zielona Góra in the years 2014-2017 broken down into categories

Source: Own study.

Table 1. Comparison of the number of tenders in 2014-2017 broken down by month

Month	RZI Bydgoszcz	RZI Zielona Góra	Total row
January	2	6	8
February	21	17	38
March	55	30	85
April	34	20	54
May	25	18	43
June	23	19	42
July	45	29	74
August	19	17	36
September	15	11	26
October	23	9	32
November	11	2	13
December	6	3	9
In total	279	181	460

Source: Own study.

Table 2. Comparison of the average waiting time for order processing in Zielona Góra and Bydgoszcz, in 2014-2017 (in days)

Category	Zielona Góra	Bydgoszcz
Deliveries	58	28
Construction works	59	56
Services	78	37

Source: Own study.

time is similar is construction works. The difference appears pending the settlement of the service and delivery categories. In the shortest, on average, in 28 days in Bydgoszcz, the contractor of deliveries emerges, while in Zielona Góra, the waiting time is more than twice as high. As for categories of services in Zielona Góra, the average waiting time is 78 days; in Bydgoszcz, it is more than half as much.

When analyzing the results, attention was also paid to the issues of spending money in 2014-2017. In the analyzed period, the average value of an order in Zielona Góra was 666 thousand. PLN, while in Bydgoszcz about PLN 2.4 million. The percentage expenditure of funds from both analyzed RZIs is presented in Table 3. Nearly 85% of the total sum of funds from both units was allocated to the execution of RZI orders in Bydgoszcz. The minimum amount spent on the task was PLN 8,241 in Bydgoszcz and PLN 766 in Zielona Góra, respectively. The maximum value of the order in Bydgoszcz was PLN 77.2 million and in Zielona Góra it was just over PLN 12.1 million.

Then, it was examined to which enterprises participating in tender procedures the most funds for the execution of contracts were transferred. Table 4 presents ten of 283 companies that

Table 3. Comparison of funds spent (cross-sectional table of descriptive statistics) by RZIs in Zielona Góra and Bydgoszcz, in 2014-2017

Cross-sectional table of descriptive statistics			
RZI	Total value of the tender (PLN)		
	Medium	Sum	% sum
Bydgoszcz	2423814	676243994	84.8632
Zielona Góra	666405	120619330	15.1368
Total	1732312	796863324	100.0000

Source: Own study.

Table 4. Ten enterprises that obtained the most funds for the implementation of commissioned tasks in tender procedures conducted by RZIs in Zielona Góra and Bydgoszcz in 2014-2017

No.	The winning company	Total value of the tender (PLN)
1.	CONSORTIUM: MOLEWSKI SP. Z O.O., LOGON S.A., MOLEWSKI S.A. RZI Bydgoszcz	154399722
2.	ALSTAL GRUPA BUDOWLANA SP. Z O.O. SP.K. RZI Bydgoszcz	69936835.34
3.	CONSORTIUM: ERBUD S.A., EBUD-PRZEMYSŁÓWKA SP. Z O.O. RZI Bydgoszcz	63345000
4.	CONSORTIUM: B&W B. DZIDKOWSKA, BILFINGER INFRASTRUCTURE S.A. RZI Bydgoszcz	42857788.2
5.	ENERGA OBRÓT S.A. RZI Bydgoszcz	31578729
6.	SKANSKA S.A.	28344878.06
	RZI Bydgoszcz	18804276.28
	RZI Zielona Góra	9540601.78
7.	EBUD-PRZEMYSŁÓWKA SP. Z O.O. RZI Bydgoszcz	23280413.93
8.	ELEKTROTIM S.A.	21165030.75
	RZI Bydgoszcz	21116030.75
	RZI Zielona Góra	49000
9.	CONSORTIUM: IDS-BUD S.A., PRZEDSIĘBIORSTWO ROBÓT INŻYNIERYJNYCH 7 SP. Z O.O. RZI Bydgoszcz	20971500
10.	CONSORTIUM: CENTRUM NOWOCZESNYCH TECHNOLOGII S.A., TACZBUD H. TARCZYŃSKI, TACZBUD BIS M. TARCZYŃSKI RZI Bydgoszcz	19040400

Source: Own study.

became contractors of works included in the procurement that obtained the most funds for their implementation in both surveyed entities. All the presented organizations carried out orders for RZI in Bydgoszcz, two of them, however, also cooperated with the entity at that time from Zielona Góra. These were SKANSKA S.A. companies and ELEKTROTIM S.A., which were placed on positions 6 and 8 in the presented summary.

The enterprises were also analyzed in terms of the number of orders they received in the surveyed infrastructure boards. The first place with 21 tenders was awarded to KADIMEX S.A., which cooperated with both examined entities simultaneously. The company that came second in the ranking cooperated only with the Bydgoszcz board. When analyzing the results, it was noticed that only ALSTAL GRUPA BUDOWLNA SP. Z O.O. SP.K. was among the ten organizations. Next, the cities in which military units subordinate to RZI are located were analyzed and compared with the highest number of tender orders (Fig. 3). The first place in this ranking was unrivaled by Bydgoszcz with 169 tenders. Zielona Góra was second with 56 orders. The next two places were occupied by Żagań with 35 and Wędrzyn with 23 orders located in the area administered by RZI from Zielona Góra.

Then, the selection criteria, which were used to evaluate the tenders, were compared (Table 6). In the analyzed period, Bydgoszcz used 27 and Zielona Góra as many as 38 different award criteria. In both cases, the most frequently used selection criterion was the lowest price, followed by There was a criterion of combined prices with a weight of 90 and a warranty period with a weight of 10. The third most frequently used criterion by both entities was the price criterion with a weight of 90 and the shortening of the deadline by 10 points.

Table 5. Enterprises which won the most orders in 2014-2017 in RZIs in Zielona Góra and Bydgoszcz

No.	Row labels	Bydgoszcz	Zielona Góra	Total
1.	KADIMEX S.A.	10	11	21
2.	SOEN SP. Z O.O.	11		11
3.	FORMOS PRACOWNIA PROJEKTOWA S. TYSZKIEWICZ	9		9
4.	IZOTECH Józef Modrzyk		8	8
5.	WOJSKOWE BIURO PROJEKTÓW BUDOWLANYCH SP. Z O.O.	1	7	8
6.	FIRMA ELEKTRYCZNO-BUDOWLANA SKEB SŁAWOMIR KOŁTUN	6		6
7.	MAXTO SP. Z O.O. S.K.A.	6		6
8.	PPUH SUPRON 3 SP Z O. O.		6	6
9.	ALSTAL GRUPA BUDOWLANA SP. Z O.O. SP.K.	5		5
10.	PRACOWNIA PROJEKTOWA ARCHIDEA	3	2	5
11.	TECH-WOJ. SP. Z O.O.	5		5

Source: Own study.

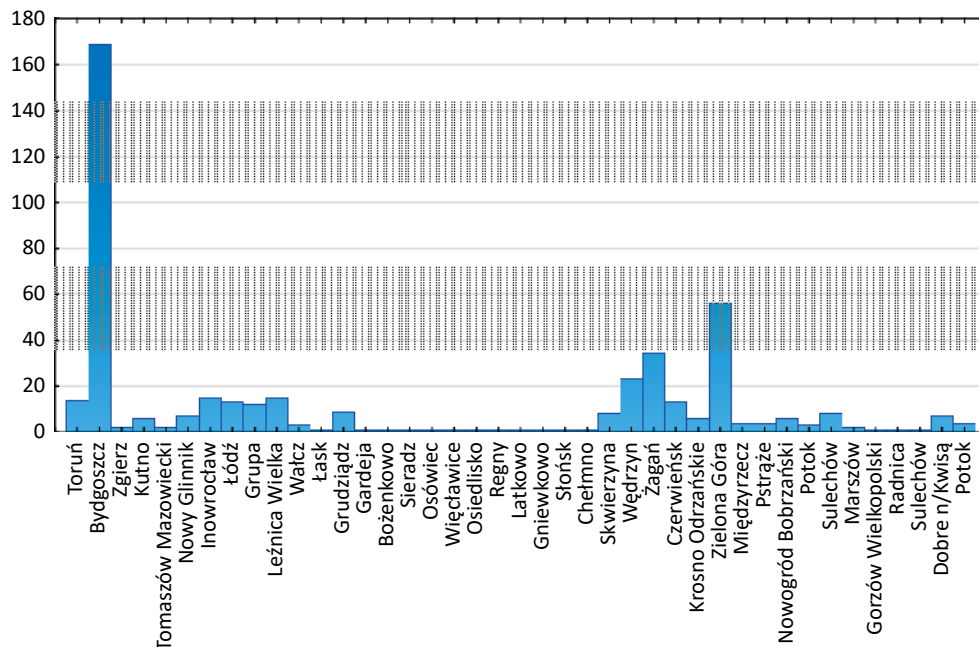


Fig. 3. Cities where the most tenders were completed by RZIs in Bydgoszcz and Zielona Góra in 2014-2017

Source: Own study.

Table 6. Comparison of the 10 most frequently applied selection criteria used in RZI in Zielona Góra and in Bydgoszcz, in 2014-2017

No.	Selection criterion	Bydgoszcz	Zielona Góra	Final sum
1.	lowest price	56	48	104
2.	price – 90, warranty period – 10	34	15	49
3.	price – 90, shortened implementation period – 10	43	1	44
4.	price – 80, shortened implementation period – 19, cost of author’s supervision gross – 1	29		29
5.	price – 95, warranty period – 5	29		29
6.	price – 80, shortened implementation period – 20	22	1	23
7.	price – 95, implementation date – 5		19	19
8.	price – 60, shortened implementation period – 40	18		18
9.	price – 95, shortened implementation period – 5	9		9
10.	price – 60, experience of the contractor – 30, experience of the construction manager – 10		9	9

Source: Own study.

3. Conclusions

After conducting an analysis and then comparing the results of research on tenders organized by the Regional Infrastructure Boards in Zielona Góra and Bydgoszcz in 2014-2017 for military units, the following conclusions were formulated:

1. It was noticed that on the premises of the Board in Bydgoszcz there is a much lower demand for tenders for construction works, services, and supplies. The conclusion was drawn from the difference in the number of proceedings conducted by RZIs in Zielona Góra and Bydgoszcz. It may result from the smaller number of subordinate garrisons located within the Zielona Góra RZI.
2. Despite the fact that a smaller number of tenders in the analyzed period was conducted in the RZI in Zielona Góra, the waiting time from announcement to award is longer than in Bydgoszcz, which conducts more tender procedures at the same time.
3. It was found that the RZI in Bydgoszcz carried out 98 more proceedings, but spent almost 85% of the total amount of funds from both units on their implementation.
4. There is a clear difference in the average amount allocated to the implementation of one order – the Zielona Góra unit allocates approximately 1/4 of the amount spent by the Board from Bydgoszcz. It may, however, result from the fact that RZI in Bydgoszcz organized proceedings, the value of which was more expensive than those organized in Zielona Góra.
5. There was also a similarity in the number of organized proceedings in a month. Most tenders are settled in March in both surveyed entities.
6. Cities where the highest number of tenders were completed are those where the examined infrastructure management boards have their seats, namely in the Kujawsko-Pomorskie, Łódzkie, and Lubuskie voivodeships.
7. When analyzing the sub-item concerning the criteria for selecting the most advantageous offer, it is noted that the RZI in Zielona Góra during the period under examination used much more selection criteria to evaluate the tender. That could have contributed to a more accurate and profitable selection of the contractor. It should also be emphasized that there has been a decline in the importance of the most popular of the criteria – the lowest price, in both surveyed entities over the years 2014-2016. It is a positive phenomenon that contributes to a more accurate selection of contractors and compliance with the principle of competition.
8. It was noticed that among the companies that became contractors of commissioned tasks in tenders, there were organizations cooperating with two examined entities simultaneously. Moreover, the company that won the most tenders cooperated with both entities simultaneously.

RZI in Zielona Góra in the years 2014-2017 allocated PLN 120,619,330 for the implementation of 181 tender orders, while RZI in Bydgoszcz spent PLN 676,243,994 on the implementation of 279. The distribution of cash by categories in both RZIs was similar. Most of the money was spent on the implementation of construction works orders, successively, supplies, and services. The waiting time for the award of a contract in the construction works category in Zielona Góra was 59 days, and 56 days in Bydgoszcz on average. Delivery orders were processed on average in 58 days in Zielona Góra and 28 days in Bydgoszcz. Tenders for services were settled on average in 78 days in Zielona Góra and 37 days in Bydgoszcz. In both RZIs, the cities with most often performed tenders were those where the Regional Infrastructure Boards, i.e., Zielona Góra and Bydgoszcz, have their seats.

Conclusion

The objective of the research, which was to identify the similarities and differences in tenders carried out by the Regional Infrastructure Boards in Zielona Góra and Bydgoszcz in 2014-2017, was achieved. Thanks to the collected documentation, a database was created in which the tenders organized by the Regional Infrastructure Boards in Bydgoszcz and Zielona Góra in 2014-2017 were cataloged; hence one can look at the problem from a practical perspective and quantify the described issue. To sum up, the Regional Infrastructure Boards are units that primarily deal with military real estate management. It should be remembered that the expenditure of public funds for the implementation of tasks assigned to the RZIs should be carried out following the procedures in accordance with the Act on the Public Procurement Law. However, even the most profoundly improved laws create loopholes and weaknesses. As shown by the preliminary studies (analysis of the content of documents), various problems still occur when conducting tender procedures. These include issues relating to favoring contractors who can offer the lowest price by drastically reducing its quality or over-narrowing the parameters of the contract to select a predetermined winner. Nonetheless, the analyzes presented in the paper do not fully exhaust the potential of the analyzed issue. The work is only an introduction to the subject addressed in it and leaves room for further investigation of this area.

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Conflict of interests

The author declared no conflict of interests.

Author contributions

The author contributed to the interpretation of results and writing of the paper. The author read and approved the final manuscript.

Ethical statement

The research complies with all national and international ethical requirements.

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Biographical note

Katarzyna Tryk – a graduate of the War Studies University, Master of Management and Command, specialization: quality management. Currently, a third-year doctoral student at the Faculty of Management and Command at the War Studies University in Warsaw. Research interests: public procurement, tenders, process design, statistical analyzes. Author of publications related to public procurement carried out for military units.

Analiza porównawcza postępowań przetargowych realizowanych na terenie jednostek wojskowych przez Rejonowe Zarządy Infrastruktury – studium przypadku

STRESZCZENIE

Fundamentalnym elementem Sił Zbrojnych Rzeczypospolitej Polskiej (SZ RP) są jednostki wojskowe. Wchodząc w skład systemu obronnego państwa realizują zadania wynikające ze Strategii Bezpieczeństwa Narodowego Rzeczypospolitej Polskiej oraz Strategii Obronności Rzeczypospolitej Polskiej. Ważne jest, żeby jednostki realizujące zadania na rzecz obronności państwa były odpowiednio wyposażone, a infrastruktura, która jest w ich posiadaniu, sprawna. Dla zapewnienia jej prawidłowego funkcjonowania niezbędne są inwestycje realizowane na terenie jednostek wojskowych. Zadania w tym zakresie umożliwiają Rejonowe Zarządy Infrastruktury (RZI), które są jednostkami nadzorowanymi przez resort obrony narodowej. W swojej działalności zajmują się zarządzaniem nieruchomościami wojskowymi, prowadzeniem inwestycji, remontów i wyposażaniem nieruchomości w niezbędną jej infrastrukturę. W Polsce działa dziesięć zarządów infrastruktury. Spośród dziesięciu, osiem to Rejonowe Zarządy Infrastruktury, pozostałe dwie jednostki to Wojskowy Zarząd Infrastruktury w Poznaniu (WZI) oraz Stołeczny Zarząd Infrastruktury w Warszawie (SZI). Wydatkowanie środków publicznych na realizację zadań zleconych Zarządowi Infrastruktury, powinno odbywać się przy zachowaniu procedur zgodnych z Ustawą o Prawie zamówień publicznych. Celem badań przedstawionych w publikacji uczyniono identyfikację różnic oraz podobieństw w przetargach realizowanych przez dwa wybrane RZI w Zielonej Górze i Bydgoszczy, w latach 2014-2017.

SŁOWA KLUCZOWE zamówienia publiczne, przetarg, Rejonowy Zarząd Infrastruktury

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