

COMMERCIAL MEDIATION WITH THE PUBLIC SECTOR

POST-CONFERENCE PUBLICATION | 2020



EFFECTIVENESS OF THE MEDIATION PROCESS

Since 2017, new legislative solutions have been in place to facilitate mediation between the private and public sectors. Clear criteria for the conclusion of agreements between the parties have enabled officials to resort more often to out-of-court settlement of disputes. This is all the more important as an increasing number of public tasks are delegated to the private sector in the form of competitions and tenders, which generate additional litigation points between the parties. After more than 2 years with the new legislation in place, it is time to take stock of the experience to date.

The conference was held in the first half of 2020 under the honorary patronage of the President of the General Prosecutor's Office of the Republic of Poland, Mr. Mariusz Haladaj

with the participation of:

Michał Olszewski, Deputy Mayor, City of Warsaw, Tomasz Zachowski, acting General Director for National Roads and Motorways, Andrzej Adamczyk, Minister of Infrastructure, Lilianna Bogusz, Director of the PPP Department, Ministry of Development, Zbigniew Wrona, acting Director, Department of Legal Affairs, Supreme Chamber of Control and Hubert Nowak, President of the Public Procurement Office.

This publication is a summary of the conversation between the public party, both at the central and local government level, entrepreneurs, as well as the control authorities supervising the validity of mediation decisions. Thanks to this dialogue, we have managed to develop a legislative landscape for dispute resolution and prepare recommendations for both sides of the process.

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