Białystok, 20 May 2025

**Subject of the order:** Service of effective recruitment of students for the 6-year MD programme conducted in English at the Medical University of Bialystok according to the six-year programme in place in the European Union for the three subsequent academic years in the territory of Spain.

**Number of the proceeding: AZP.25.2.1.2025**

**Ordering Party: MEDICAL UNIVERSITY OF BIALYSTOK, ul. Jana Kilińskiego 1, 15– 089 Białystok**

**Website of the proceeding organizer**

[**https://platformazakupowa.pl/transakcja/1043036**](https://platformazakupowa.pl/transakcja/1043036)

**Contractors participating in the proceeding**

INFORMATION ON THE PROCEEDING ANNULMENT

Pursuant to Article 260 sec. 1 and 2 of the Act of 11 September 2019 on Public Procurement hereinafter referred to as: PZP, the Ordering Party hereby notifies all Contractors who submitted their offers and places information on annulling the proceeding on the website of the proceeding organizer.

**Legal grounds for the proceeding annulment:** Art. 255 clause 2 of PZP - the Ordering Party shall annul the proceeding for granting the order should all submitted offers be subject to rejection.

Factual justification of the proceeding annulment: In the said proceeding two offers had been submitted which were subject to rejection:
**-** **Offer no. 1** submitted by Medisinutdanning AS, v/Britt Tollefsen Innspurten 10A, 0663 OSLO NORWAY, rejected on the basis of Art. 226 sec. 1 clause 7 of PZP – The Ordering Party shall reject the offer should the offer be non-compliant with the order terms and conditions.

**- Offer no. 2** submitted by: Medicina Por Europa S.L., Calle Mayor 21-23, 32600 Verin, Ourense, Spain registered in Spain, Company No. B42777920, VAT Payer Code: ESB42777920, rejected pursuant to Art. 226 sec. 1 clause 3 of PZP on account of non-compliance with Art. 63 of PZP.

**INFORMATION ON CONTRACTORS WHOSE OFFERS WERE REJECTED:**

1. Offer no. 1 **submitted by Medisinutdanning AS, v/Britt Tollefsen Innspurten 10A 0663 OSLO NORWAY**

**Legal basis of offer rejection:** Art. 226 sec. 1 clause 7 of PZP - The Ordering Party shall reject the offer should the offer be non-compliant with the order terms and conditions.

**Factual justification of the offer rejection:**

The offer of the Contractor does not comply with the conditions of the order since it was submitted in response to another order announcement, that is, the service of effective recruitment of students for the 6-year-long MD programme conducted in English at the Medical University in Białystok in line with the 6-year-long programme binding in the European Union, for four subsequent academic years from the territory of: **Norway, Sweden, Finland, Denmark, Iceland.**

Moreover, it contained a qualified electronic stamp without the required qualified signature.

1. **Offer 2 Medicina Por Europa S.L., Calle Mayor 21-23, 32600 Verin, Ourense, Spain registered in Spain, Company No. B42777920, VAT Payer Code: ESB42777920**

Legal basis for offer rejection: Art. 226 sec. 1 clause 3 of PZP - The Ordering Party shall reject the offer should it be non-compliant with the provisions of the Act on account of incompliance with Art. 63 sec. 1 of PZP - in the proceeding for granting the order or the contest with the value equal to or exceeding the EU thresholds, offers, application forms for participation in the proceeding for granting the order or in the contest, the application form specified in Art. 371 sec. 3 and the statement specified in Art. 125 sec. 1 must be submitted, under the pain of nullity, in an electronic format.

Factual justification of offer rejection: the Contractor’s offer does not comply with the provisions of PZP since it was signed ec-ciutadania (Trusted Profile) instead of the qualified electronic signature. Even though both the above are electronic signatures, the Trusted Profile is a simplified form of an electronic signature and serves mainly the purpose of communication with public authorities whilst the qualified signature has a broader scope of application and is legally binding within the territory of the entire European Union. Art. 63 of PZP differentiates the formal requirements of the submitted offers in electronic proceedings for public tenders and so, in the proceedings with the value equal to or higher than the EU thresholds and applications initiating the proceeding and the initial statement submitted in the European Single Procurement Document form (ESPD) are submitted in an electronic format under the pain of nullity.

In line with Art. 781 of the Civil Code, in order to maintain the electronic form of a legal action, one must submit a statement of will in an electronic form containing qualified electronic signature. It is thus obligatory to, first of all, submit a statement in an electronic form and, second of all, place a qualified electronic signature on this form.

To be valid, the offer in the proceedings with the value equal to or higher than the EU thresholds must therefore be elaborated in the form of a file signed by means of the qualified electronic signature.

**On behalf of the Ordering Party**

**mgr Konrad Raczkowski – MUB Chancellor** /signature on the original document/ ......................................................................