

Supplier Protest Procedure

All actual or prospective bidders, respondents, offerors, or contractors that believe they are aggrieved by the solicitation or award of a contract shall be offered administrative adjudication.

Complaint to Head of Procurement

Any party that believes it is aggrieved should seek resolution of their complaints initially with the Procurement Department or ADA staff that issued the solicitation. Such complaints may be made verbally or in writing.

Filing of Protest

Formal protests shall be made in writing to the Head of Procurement and shall be filed within 7 calendar days after the protestor knows or should have known of the facts giving rise to the protest. Protests filed after the 7 calendar days will not be considered. The written protest shall include, at a minimum, the following information:

- Clear indication that the communication is a formal, written protest
- The name and address of the protestor
- Appropriate identification of the procurement such as the solicitation number
- A statement of reasons for the protest
- Supporting exhibits, evidence, or documents to substantiate any claims

The Head of Procurement may request additional information from the protestor who shall submit the information within the time periods established by Procurement. When a protest has been filed within 7 calendar days and before an award has been made, the Head of Procurement shall make no award of the contract until the protest has been settled unless, after consultation with the using department, the Head of Procurement determines that the award of the contract without delay is necessary to protect substantial interests of ADA.

Decision by the Head of Procurement

A decision on protest shall be made in writing by the Head of Procurement within 7 calendar days after receiving all relevant, requested information. If a protest is sustained, the decision shall include the available remedy or remedies.

Appeal

The protestor may make an appeal of a decision of the Head of Procurement to the Chief Financial Officer. The appeal shall contain a detailed statement of the factual and legal grounds upon which reversal or modification is deemed warranted,

specifying any errors of law or information not previously considered. Appeals of a decision to the Chief Financial Officer shall be filed not later than 7 calendar days after the receipt of such decision. A decision on the appeal will be made as expeditiously as possible. The decision of the Chief Financial Officer shall be final.