

# **SAMPLE**

## **Bidder Protest Policy and Procedures**

Bidding procedures, bidder selection, and subsequent bidder protest or appeals will be conducted in accordance with applicable local, state and federal procurement regulations and protest procedures established by **[Administrator]**.

Any protest of the proposed award of the bid to the bidder deemed the lowest responsible bidder must be submitted in writing to the **[Administrator Name and Address]** no later than ten (10) days from the award date/notice of rejection letter.

The initial protest must contain a complete statement of the basis for the protest. The protest must state the facts and refer to the specific portion of the document or the specific statute that forms the basis for the protest. The protest must include the name, address and telephone number of the person representing the protesting party.

A subcontractor of a party filing bid on this project may not submit a bid protest. A party may rely on the bid protest submitted by another bidder, but must timely pursue its own protest.

The procedure and time limits set forth in this policy are mandatory and are the bidder's sole and exclusive remedy in the event of a bid protest. The bidder's failure to fully comply with these procedures shall constitute a waiver of any right to further pursue the bid protest.

**[Administrator]** shall review all timely protests prior to awarding of a bid. **[Administrator]** shall not be required to hold an administrative hearing to consider a timely protest, but may do so at its option. At the time of the consideration of the award of the bid, **[Administrator]** shall also consider the merits of any timely protests. **[Administrator]** may either accept the protest and award the bid to the next lowest responsible bidder, or reject the protest and award to the lowest responsible bidder. Nothing in this policy shall be construed as a waiver of **[Administrator's]** right to reject all bids.