

ALLEGHENY COUNTY
DEPARTMENT OF ADMINISTRATIVE SERVICES
DIVISION OF PURCHASING & SUPPLIES

BID/RFP PROTEST PROCEDURE

Any bidder, proposer or offeror who believes that they have been aggrieved in connection with the solicitation or award of a contract, as the result of a violation of the requirements of the County Administrative Code or any applicable provision of law, may protest the solicitation or the award action.

PROTESTING THE ORIGINAL SOLICITATION AND THE SPECIFICATIONS CONTAINED THEREIN

If the protest relates to the solicitation, bid or proposal process, then the protestor must submit in writing to the purchasing officer responsible for the bid, their complaint with regards to the initial process.

The formal written protest must be sent to the Chief Purchasing Officer within five (5) days after the bid opening, and shall include at a minimum the following elements:

- Bid or RFP Number and Title
- The name and address of the protestor
- Why they are protesting
- Supporting exhibits, evidence or documents to substantiate any claims
- A statement requesting the relief the protestor seeks, and
- Any other information that the protestor deems to be material to the protest

If the Chief Purchasing Officer believes the complaint to have merit, the award process will be held up until the protest is resolved. However, if it is determined that particular facts and circumstances require the continuance of the solicitation process or the contract award process without delay to avoid an immediate and serious danger to the public health, safety or welfare of the County.

The Chief Purchasing Officer in conjunction with a County Solicitor's opinion will respond in writing to the formal written protest within seven (7) calendar days from receipt of protest. The response can be written in e-mail format, or faxed to the protestor.

If the protestor is not satisfied with the response in writing to their formal protest then the protestor's only recourse is the Court of Common Pleas.

PROTESTING THE AWARDING OF A SOLICITATION, BID OR RFP

A valid protest must come from an actual bidder or proposer for the contract who claims to be the rightful awardee. That is, protest is not valid if filed by a bidder or proposer who cannot show they would be awarded the contract if their protest were accepted.

Protestors shall first verbally notify the purchasing agent responsible for the Bid or RFP solicitation of their intent to protest within seven (7) calendar days from the posting of the official bid tabulation.

It is the intent of the Division of Purchasing and Supplies, that the resolution can be resolved with the Chief Purchasing Officer during that initial verbal conversation. However, if the protestor is not satisfied with the verbal resolution, they have the right to then submit a written protest.

The written protest must be sent to the purchasing officer within seven (7) days of the verbal notification. The formal, written protest shall include at a minimum the following elements:

- Bid or RFP Number and Title
- The name and address of the protestor
- Why they are protesting
- Supporting exhibits, evidence or documents to substantiate any claims
- A statement requesting the relief the protestor seeks, and
- Any other information that the protestor deems to be material to the protest

The purchasing officer in conjunction with a County Solicitors opinion will respond in writing to the formal written protest within seven (7) calendar days from receipt of protest. The response can be written in e-mail format, or faxed to the protestor.

If the protestor is not satisfied with the response in writing to their formal protest then the protestor's only recourse is the Court of Common Pleas.