

Protest Procedures

- A. Any actual or prospective bidder, offeror, or contractor who considers himself to have been aggrieved in connection with the solicitation, evaluation, or award of a contract by _____ may formally protest to _____ of _____. Such protests must be made in writing and received by _____ of _____. The protesting party must mail or deliver copies of the protest to _____, the State Agency, and other interested parties.
- B. In the event of a timely protest, _____ shall not proceed further with the solicitation or award of the contract.
- C. A formal protest must be sworn and contain:
1. A specific identification of the statutory or regulatory provision that the protesting party alleges has been violated.
 2. A specific description of each action by _____ that the protesting party alleges to be a violation of the statutory or regulatory provision that the protesting party has identified.
 3. A precise statement of the relevant facts.
 4. A statement of any issues of law or fact that the protesting party contends must be resolved.
 5. A statement of the argument and authorities that the protesting party offers in support of the protest.
 6. A statement that copies of the protest have been mailed or delivered to the State Agency and all other identifiable interested parties.
- D. _____ may settle and resolve the dispute over the solicitation or award of a contract at any time before the matter is submitted on appeal. _____ may solicit written responses to the protest from other interested parties.

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E. If the protest is not resolved by mutual agreement, _____ shall issue a written determination that resolves the protest.

1. If _____ determines that no violation of statutory or regulatory provisions has occurred, then _____ shall inform the protesting party, the State Agency, and other interested parties by letter that sets forth the reasons for the determination.
2. If _____ determines that a violation of any statutory or regulatory provisions has occurred in a situation in which a contract has not been awarded, then _____ shall inform the protesting party, the State Agency, and other interested parties of that determination by letter that details the reasons for the determination and the appropriate remedy.
3. If _____ determines that a violation of any statutory or regulatory provisions has occurred in a situation in which a contract has been awarded, then _____ shall inform the protesting party, the State Agency, and other interested parties of that determination by letter that details the reasons for the determination. This letter may include an order that declares the contract void.

F. _____ shall maintain all documentation on the purchasing process that is the subject of a protest or appeal in accordance with the retention schedule of _____ .