

BID PROTEST PROCEDURE COUNTY of LANCASTER, PA

RIGHT TO PROTEST

Any actual or prospective bidder, offeror, proposer or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the County in care of the Director of Purchasing.

PROCEDURE

The protest shall be submitted in writing within seven (7) business days after the date upon which proposals are opened and within seven (7) business days after such aggrieved person knows or should have known of the facts giving rise to the protest. (Saturday, Sunday, and County holidays are not included in the definition of business days). The written protest shall include the company name, contact name, address, phone number and email address of the protesting bidder, a detailed description of the specific grounds for protest, copies of all supporting documents and the specific relief requested. Protests shall be delivered to: Director of Purchasing, County of Lancaster, 150 North Queen Street, Suite 712, Lancaster, PA 17603.

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A protest must be in writing and shall state all grounds upon which the protesting party bases its protest. The proposer protesting may submit any documents or information it deems relevant.

CONSIDERATION

Upon receipt of the written protest, the County will consider the protest and shall have the authority, prior to the commencement of an action in court concerning the controversy, to settle and resolve a protest of an aggrieved bidder, offeror, proposer or contractor, actual or prospective, concerning the solicitation or award of a contract. The County may within fifteen (15) business days of receipt of protest, provide any other affected bidder(s), offeror(s), proposer(s) or contractor(s) the opportunity to respond in writing to the protest within ten (10) business days of the provision of such notice.

DECISION

If the protest is not resolved by mutual agreement of the County and the protesting proposer, the Chief Clerk of the County, the Director of Purchasing, or a designee of either officer shall issue a final and binding written decision within sixty (60) business days of the County's receipt of the protest. If more than one protest is filed, the County's decision will be provided within sixty (60) business days of the County's receipt of the last filed protest. If no reply is received from the County during the sixty (60) business day period, the protest is deemed rejected.

The decision shall state the reasons for the action taken and shall be mailed or otherwise furnished immediately to the protestant and any other party intervening.

The decision shall be final and conclusive until or unless any person adversely affected by the decision commences an action in court or takes action before an administrative board or other regulatory agency.

WAIVER

Failure to comply with these protest procedures will render a protest waived.