

---

FILING PRE-AWARD BID PROTESTS

Prior to submission of a protest, all parties shall use their best efforts to resolve concerns raised by a bidder at the Purchasing Director level through open and frank discussions. Should the protest not be resolved through discussions the bidder shall submit a written protest to the Purchasing Director. Protests shall include the following information:

1. Name, address, fax number and telephone number of the protestor.
2. Project name or contract number.
3. Detailed statement of the legal and factual grounds for the protest, to include a description of resulting prejudice to the protestor.
4. Copies of relevant and supporting documents.
5. Request for a ruling by the Board of Trustees.
6. Statement as to the form of relief requested.
7. All information establishing that the protestor is an interested party for the purpose of filing a protest.
8. Protests based on alleged apparent improprieties shall be filed before bid award or no later than 10 days after bid opening.

*Action upon receipt of protest*

1. Upon receipt of a protest prior to award, a contract may not be awarded, pending resolution of the protest, unless contract award is justified, for urgent and compelling reasons or is determined, to be in the best interest of the Sonoma County Junior College District. Such justification or determination shall be made in writing, and shall be approved by the Vice President of Business Services or by an individual designated by the Vice President of Business Services.
2. Upon receipt of a protest prior to award, the Purchasing Director shall submit all documentation to the Sonoma County Junior College District Legal Counsel for review and recommendation.
3. If award is withheld pending resolution of the protest, the Purchasing Director will inform the offerors whose offer may become ineligible or eligible for award of the contract. If appropriate, the offerors should be requested, before expiration of the time for acceptance of their offers, to extend the time for acceptance to avoid the need for re-solicitation. In the event of failure to obtain such extension of offers, consideration should be given to proceeding with award pursuant to paragraph (1) of this section.
4. Upon legal counsel recommendation, Purchasing Director shall submit suggested protest recommendations to the Santa Rosa Junior College Board of Trustees for a final decision on the protest.
5. The protestor will be provided written notice(s) of the Board meeting where the protest will be brought before the Board, when available, this will include a copy of the recommendation to be presented.
6. The protest decision shall be provided to the protestor using a method that provides evidence of receipt.