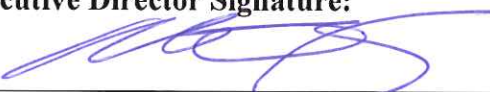



**Procurement
(Policy/Procedure)**

Focus: Bid Protest Procedures	Number: Procurement Policy 7
Document History: Approved: 8/98 Effective: 9/19/95 Revisions: 7/31/98, 7/11/03, 6/03/08, 4/6/10, 11/2/11	Pages: 1 of 3
Executive Director Signature: 	Date: 

BID PROTEST PROCEDURES
GDRTA OPERATING POLICY

The GDRTA will hear and consider bona fide bid protests regarding its procurement actions in accordance with the following procedures. Due to the significantly limited role of FTA in bid protests, it is anticipated that the majority of all protests will be evaluated and the final decision rendered by GDRTA. The GDRTA intends to provide a thorough review of all bona fide bid protests. The GDRTA's primary concern is the timely procurement of needed capital equipment, supplies or services. It does not intend to allow the filing of bid protests to unnecessarily delay the procurement process.

Parties are encouraged to exhaust all methods described in the bid documents for resolving a procurement issue before filing a formal bid protest with the GDRTA.

1. GDRTA reserves the right to postpone bid openings/proposal due dates for its own convenience and to reject any and all bids/proposals received.
2. Changes to the specifications/Scope of Work, will be made by addendum only and sent to all bidders/proposers of record.
3. Prime bidders/proposers may make appointments to discuss the specifications/scope of work; however, this does not relieve proposers/bidders from submitting the written documentation required below.
4. Protests may be filed during the pre-award, award or post-award phases of the procurement. Bidders/proposers may protest a bid/proposal award as soon as practical, but not later than five (5) business days following the receipt of proposed recommendations of award or receipt of rejection notification. All

protests must be submitted in writing and be addressed to GDRTA's Executive Director.

The protest shall:

- Name the protester;
- Name the solicitation/contract (e.g., GD 10-XX);
- State the grounds of the protest; and
- State the relief sought.

The protester shall submit with the protest any and all documents which he/she believes supports the protest. The protester shall state further if it wishes an informal conference in which to discuss the protest with the GDRTA.

5. If any information is omitted or incomplete, the GDRTA will notify the protester in writing and the protester shall be required to provide such information within (3) business days if the protest is to be further considered.
6. The Executive Director shall give consideration to all facts and issues involved. The GDRTA's Manager of Procurement shall present all relevant facts and issues to the Executive Director. The Executive Director may, at his/her own discretion, form a committee which may include the general counsel and the department or division head, who will benefit from the Contract, or any combination thereof.
7. If an informal conference is requested, the Executive Director shall give the protester written notice of the place, location and time of the informal conference, which shall be within three (3) business days of such notice. Any information to be considered in the protest decision must be submitted in writing within twenty-four (24) hours after the conference.
8. The Executive Director will return a written decision to the protester within ten (10) business days of the receipt of the protest including the submission of additional written information submitted to GDRTA under these rules as part of the protest process. The written response from the GDRTA shall address each substantive issue raised in the protest. Such decision is final unless a request for consideration is filed.
9. If the protester is dissatisfied with the initial decision made by GDRTA, it may request in writing a reconsideration based on data which was not previously known, or because there has been an error of law or regulation. The request shall be delivered to the Executive Director within three (3) business days of receipt of the initial decision made by the Executive Director. The request shall state the reason(s) why the decision should be reconsidered and any information to support such a position. The Executive Director, in the manner provided above for an initial protest, shall consider and decide the request for reconsideration and shall issue a written decision to the protester within ten (10) business days. The

protester will be notified of the decision and all substantive issues, will be addressed that were raised in the request for reconsideration. Such decision is final.

10. FTA will only entertain a protest that alleges GDRTA has failed to have or adhere to a protest procedure. A protest to RTA must be filed in accordance with FTA Circular 4220.1F.
11. GDRTA may only proceed with the procurement, when a protest is pending, when the conditions spelled out in FTA Circular 4220.1F have been met. GDRTA will not award prior to resolution of a protest, or open bids or proposals prior to resolution of a protest filed before bid opening/proposal due date, except as provided in FTA Circular 4220.1F.
12. Potential bidders/proposers will be advised of a pending protest if made before award.
13. Should the protester be dissatisfied with the decision rendered by the GDRTA, and the protest sent to the FTA has not been taken or relief thereunder, the protest would have to be taken to the appropriate state and local administrative or judicial authority.
14. All protest documents shall be faxed, hand delivered or sent by overnight courier with return receipt requested to the GDRTA Executive Director or the protestor and shall be deemed received on date delivered by fax, hand delivery, or overnight courier.

Potential protesters and other interested parties include all interested bidders/proposers and any subcontractor or supplier with a substantial economic interest in a portion of the IFB/RFP.

The FTA will be notified of any and all protests received. GDRTA will keep them informed of the status of the protest.