

### **VENDOR PROTEST PROCEDURE (As of 4-30-15)**

Any party who believes they are aggrieved in connection with a procurement action may protest to the chief financial officer. The protest shall be submitted in writing and in a timely manner (within five business days after the facts or occurrence giving rise to the complaint).

The responsible office shall not proceed further with the procurement unless the chief financial officer makes a determination that the award of the contract is necessary to protect substantial interests of the District.

The CFO will name Hearing Committee members (cannot be from end user department or Purchasing Department).

1. The committee is convened. The following parties will be required to attend:
  - a. End user department requesting initial purchase. (The person who coordinates the Hearing Committee contacts the end user department to provide documents showing how the bids were evaluated and the justification for the selection of the chosen vendor.)
  - b. Protesting vendor. (Protesting vendor will be informed to bring all documents that the vendor wishes to submit to support the protest.)
2. The hearing committee will hear the protest and issue a determination relating to the protest. An attorney from the FWISD Legal Department will be invited to address any legal questions that may arise. If the committee members desire clarification or additional information, they may ask to speak to other individuals or departments as necessary.

The Hearing Committee will communicate to the CFO the results of the protest hearing.

The chief financial officer shall promptly issue a determination relating to the protest to the aggrieved party. The determination shall:

1. State the reasons for the action taken, if any; and
2. Inform the protesting party of the right to appeal the determination to the Board in accordance with Board policy GF (LOCAL).