

## **BID PROTEST PROCEDURES**

These summarize the procedure for any vendor to protest an invitation to bid or request for proposal. Any questions about the procedures you can contact the Food Program Manager at (215) 543-5944

### **I. Eligible Party**

- a. Any bidder or prospect bidder who is dissatisfied with the association's invitation to bid or award of the contract bid or award of a contract may file a protest. A bidder is a person that enters a bid to the invitation to bid. A prospect is a person that hasn't placed a bid to the invitation to bid.

### **II. Filing Timeline**

- a. The bidder must file a written protest to the Food Program Manager within five (5) working days after a bidder has been awarded.
- b. The administration will forfeit all inapt filed protest
- c. The failure of a bidder to file a protest in the given time period will have the right to a waiver that protests the award of a bid.

### **III. Form of Protest**

- a. A protest must be written and arranged with the Food Program Manager, One Bright Ray Community High School, 1142 E. Erie Ave. Philadelphia, PA 19124
- b. A protest must provide all information stating that the bid or reward was unethical. Problems that aren't presented by the protesting party will be waived and not be petitioned.
- c. Any information or documents that are considered accurate may be submitted by the protesting party

### **IV. Notice of Protest**

- a. The Food Program Manager will review all documentation and information supporting the protest and a written decision will be sent within five (5) days. The Food Program Manager may request a meeting in order to resolve the issue.
- b. The bidder may submit an appeal on the decision of the Food Program Manager at One Bright Ray Community High School. The Food Program Manager will inform the bidder in a timely fashion about the examination of the appeal.

- c. If the appeal is not received by the Food Program Manager within five (5) business days of his/her decision, the bidders' protest will be viewed as waived.
- d. The Food Program decision will be final.

**V. Stay of Procurement**

- a. The Food Program Manager may decide right away upon the receipt of the protest if the award shall stay or not. That is if the protest is received in a timely manner to suspend the performance of the contract. The Food Program Manager will not proceed further with an invitation to bid and suspend the performance until the vendors' contract is awarded. This is unless the Food Program Manager decides on whether or not the protest shows merit. Also, if the awarded contract is necessary to protest in the interest of the Food Program Manager.