

Disputes and Protests Procedure

Disputes

Coos County Area Transportation District (CCATD) will work with contractors and vendors to resolve disputes arising from its procurement of goods and services. If such disputes cannot be resolved through negotiation between the vendor and the General Manager may render a decision on the matter.

Nothing in this policy mitigates the right of the vendor to seek legal remedy in a court of competent jurisdiction.

Coos County Area Transportation District (CCATD) may seek the assistance of the grantor agency in resolving disputes.

Protests

Protests will only be accepted by Coos County Area Transportation District (CCATD) from prospective bidders or bidders whose direct economic interest would be affected by the award of a contract or refusal to award a contract. Coos County Area Transportation District (CCATD) will consider all such protests, whether submitted before or after the award of a contract. All protests must be in writing and conform to the following requirements:

1. Be concise and legally arranged.
2. Provide name, address and telephone numbers of protestor.
3. Identification of the solicitation or contract number.
4. Provide a clear and detailed statement of the legal and factual grounds of the protest including copies of all relevant documents.
5. Provide a statement as to what relief is requested.

Protests Prior to Award

Protests before award must be submitted within the time frame specified below. If the written protest is not received by the time specified, the bid or evaluation process shall continue.

Protests addressing the adequacy of the Invitation to Bid or request for proposal, including the pre-award procedure, the Instruction to Bidders, General terms and conditions, specifications and scope of work, must be filed with Coos County Area Transportation

District (CCATD) not less than fourteen (14) full working days before bid opening or date of receipt for proposals.

Thereafter, all issues and appeals are deemed waived by all interested parties.

Upon receipt of the written protest, Coos County Area Transportation District (CCATD) will determine if the bid opening or date of receipt for proposals should be postponed. If the bid opening or due date is postponed, an appropriate addendum will be issued regarding a rescheduling of the bid opening.

Any protest may be withdrawn at any time before Coos County Area Transportation District (CCATD) has issued its decision.

Protests After Bid Opening/Receipt of Proposals

Any party aggrieved by an award of a contract may protest to the CCATD Board of Directors, in writing, within seven days after such aggrieved party knew or should have known of the facts giving rise thereto. Such protest shall include the detailed facts leading up to the protest. The Chairman of the CCATD Board of Directors is authorized to settle and resolve any protest relating to the solicitation or contract award. Protests received later than 30 days after bid opening or the receipt of proposals shall not be considered.

In the absence of a settlement, the Chairman shall make his or her decision known, in writing, within one week of receipt of the protest. Such decision shall respond, in detail, to each substantive issue raised in the protest.

The written decision of the Chairman shall be final, binding, and conclusive on the parties.

Protests should be transmitted to:

Chairman, CCATD Board of Directors Coos County Area Transportation District (CCATD)

2810 Ocean Blvd., Coos Bay, OR 97420

Protests will only be entertained by the Federal Transit Administration if the aggrieved party is alleging that Coos County Area Transportation District (CCATD) does not have, or is failing to follow, written protest procedures.