



BIDDER PROTEST AND GRIEVANCE POLICY AND PROCEDURES

POLICY NUMBER: 3009

REVISION EFFECTIVE DATE: October 13, 2020

Supersedes *Bidder Protest and Grievance Policy and Procedures, # ADM-2002, Effective June 30, 2016*

PURPOSE

This policy communicates Workforce Central's (WFC) policy in handling bidder protest and grievances for all types of procurements.

BACKGROUND

WorkForce Central (WFC) has adopted methods for the procurement of goods and services and sets forth the requirements provided by the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Rule Title 2 of the Code of Federal Regulations at 2 CFR 200.

POLICY

To support our open, fair, and competitive procurement process, WFC shall entertain bidder's protest and grievances based on the following:

- Only protests setting out an issue of fact concerning a matter of bias, discrimination, conflict of interest, or non-compliance with procedures described in the procurement documents shall be considered.
- All protests must be in writing and signed by the protesting party or authorized agent.
- Proposals received after the due and time listed in the procurement document are deemed non-responsive and therefore have no appeal rights under this "bidder protest and grievance policy."
- A subcontractor of a party filing bid on the project may not submit a bid protest: a party may rely on the bid protest submitted by another bidder but must timely pursue its own protest.
- The procedure and time limits set forth in this policy are mandatory and are the bidder's sole and exclusive remedy in the event of bid protest.

PROCEDURES

1. Unsuccessful bidders will be notified of the evaluation results by authorized representative of WFC. The unsuccessful bidder may request for a debriefing meeting. A request must be made in writing within seven (7) calendar days following the receipt of the unsuccessful bidder letter.
2. If a bidder or prospective bidder would like to place a protest, a written protest shall be submitted in writing to WFC. Written protests shall be submitted to procurement@workforce-central.org. All written protests must be received by 5:00 pm local time (postmarks not accepted) no later than seven (7) calendar days following the receipt of notice of non-acceptance or closing date for receipt of proposals, whichever is latest.

3. The protest must contain a complete statement of the basis for the protest, must state the facts and refer to the specific portion of the document or the specific statute that forms the basis for the protest. The protest must include the name, address (including e-mail) and telephone number of the person representing the protesting party.
4. Only protests setting out an issue of fact concerning a matter of bias, discrimination, conflict of interest or non-compliance with procedures described in the procurement documents shall be considered.
5. Protests not based on procedural matters will not be considered. Protest challenging or questioning evaluator's professional judgement on the quality of a proposal or WFC's assessment of its own needs or requirements will be rejected.

WFC will review all timely protests prior to awarding of a bid. At the time of the consideration of the award of the bid, WFC shall also consider the merits of any timely protests. WFC will consider the record and all facts available and issue a decision within ten (10) working days of receipt of the protest unless additional time is required, in which case the protesting party will be notified accordingly.

REFERENCES

- [OMB Uniform Guidance 2 CFR Part 200 Parts 200.318-200.326](#)
- [Final Guidance: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Office of Management and Budget \(OMB\); Federal Register Vol. 79, No. 244](#)
- [2 CFR part 2900, Department of Labor](#)
- [TEGL 15-14-Implementation of the New Uniform Guidance Regulations](#)

APPROVED

*Katie Condit*_{10/13/20}

Katie Condit (Oct 13, 2020 08:22 PDT)

WFC CEO

Date

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