



## PROTEST PROCEDURE

- I. Purpose and Application
  - a. This protest procedure is intended to provide guidance to aggrieved actual or prospective bidders, proposers, or offerors (“Bidder”) on the process to formally submit a protest concerning a Northshore School District (“District”) procurement.
  - b. This procedure applies to formal procurements issued by District, including invitations for bid, requests for proposals, and requests for qualifications.
- II. Procedure
  - a. Timing of Protest
    - i. Protests based on the specifications or other terms in the solicitation document shall be submitted no later than two (2) business days prior to the date established for submittal of proposals, bids, or statements of qualifications.
    - ii. Protests based on other circumstances shall be submitted within five (5) business days after the aggrieved person knows or should have known of the facts and circumstances upon which the protest is based; provided, however, that in no event shall a protest be considered if all proposals, bids, or statements of qualifications are rejected or if the protest is received more than five (5) business days after the notification to all bidders of the intent to award a contract.
  - b. Form of Protest
    - i. In order to be considered, a protest shall be in writing and shall include:
      1. The name and address of the aggrieved person;
      2. The procurement under which the protest is submitted;
      3. A detailed description of the specific grounds for protest and any supporting documentation; and
      4. The specific ruling or relief requested.
    - ii. The written protest shall be addressed and delivered to: Northshore School District, Attn: Joy Kuhlmann, Contracts and Procurement Manager, 3330 Monte Villa Parkway, Bothell, Washington 98021 and shall be clearly labeled “Protest.”
  - c. Response to Protest
    - i. Upon receipt of a written protest, District shall promptly consider the protest. District may give notice of the protest and its basis to other persons, including other Bidders involved in or affected by the protest. Such other persons may be given an opportunity to submit relevant information. District will promptly issue a decision in writing stating the reasons for the action taken. A copy of the decision will be mailed by certified mail, return receipt requested, or otherwise promptly furnished to the Bidder and any other interested parties. Northshore School District’s decision shall be final and conclusive.

- ii. Failure to comply with these protest procedures will render a protest untimely or inadequate and may result in rejection thereof by District.
- iii. Bidder may not commence litigation prior to exhausting all administrative remedies. Failure to exhaust all administrative remedies shall constitute an absolute waiver of the allegedly aggrieved Bidder's right, if any, to commence litigation.
- iv. After the exhaustion of all administrative remedies, Bidder shall have 10 (ten) calendar days to commence litigation. Failure to commence litigation within this limitation shall constitute an absolute waiver of the Bidder's right. District may award and execute the Contract during this period.