

NORTHWESTERN LEHIGH SCHOOL DISTRICT
VENDOR PROTEST PROCEDURES

This procedure outlines the process for a vendor to protest an invitation to bid or a request for proposal. Any questions regarding the procedures should be directed to the Business Administrator 610-298-8661 extension 1234.

I. Eligible Party

- a. Any bidder or prospective bidder who is aggrieved in connection with the invitation to bid or award of the contract solicitation or award of a contract may file a protest. A bidder is a person that submits a bid in response to the invitation to bid. A prospective bidder is a person that has not submitted a bid in response to the invitation to bid.

II. Filing Timeline

- a. The bidder must file a written protest with the Business Administrator within five (5) working days after receipt of notification of the bid award.
- b. The district will disregard any untimely filed protests.
- c. A bidder's failure to file the protest documents in the given time period will constitute a waiver of his/her right to protest the award of a bid.

III. Form of Protest

- a. A protest must be in writing and filed with the Business Administrator, Northwestern Lehigh School District Administrative Office, 6493 Route 309, New Tripoli, PA 18066
- b. A protest must state all grounds upon which the protesting party asserts that the solicitation or award was improper. Issues not raised by the protesting party in the protest are deemed waived and may not be raised on appeal.
- c. The protesting party may submit with the protest any documents or information deemed relevant.

IV. Notice of Protest

- a. The Business Administrator will review the protest and supporting documents and render a written decisions within five (5) working days. The Business Administrator may arrange a meeting with the protester to attempt to resolve the issue.
- b. The bidder may submit a written appeal of the Business Administrator's decision to the Northwestern Lehigh School Board of Directors. The Board will provide reasonable notice to the bidder of the Board's timeline for consideration of the appeal.
- c. If an appeal is not received by the Business Administrator within five (5) working days of the date of the Business Administrator's written decision, the bidder's protest shall be deemed waived.
- d. The Board's decision will be final.

V. Stay of Procurement

- a. The Business Administrator may immediately decide, upon receipt of the protest, whether or not the award shall be stayed, or if the protest is timely received after the award, whether the performance of the contract should be suspended. The district may

not proceed further with the invitation to bid or with the award of the contract, and shall suspend performance until the contract is awarded, unless the Business Administrator makes a determination that the protest is clearly without merit or that award of the contract/purchase order without delay is necessary to protect the substantial interests of the district.