

# CITY OF COUNCIL BLUFFS, IA - PROTEST PROCEDURES

## Council approval: 9/28/2020

A. The following procedure is for filing a protest – a statement expressing disapproval of or objection to something. It is not to be confused with requesting additional information, asking a question, or requesting an exception. If possible, additional information, questions, and exceptions should be requested first and must be done in accordance with the timeframe for doing so stated in the specifications.

### B. Right to Protest

Any prospective bidder or proposer may protest the provisions of a Request for Bid (RFB) or Request for Proposal (RFP).

A written protest must be submitted via e-mail to [protest@councilbluffs-ia.gov](mailto:protest@councilbluffs-ia.gov). All protests must include the following information:

1. Name, address, and phone number of the protester
2. The RFB or RFP number and project title
3. A detailed statement of the basis for the protest
4. Supporting evidence or documents to substantiate all concerns

### C. Protest of Specifications **Prior** to Bid/Proposal Opening

Any prospective bidder or proposer who wishes to protest in connection with the solicitation of a bid or proposal may protest on the grounds of irregularities in specifications or bid/proposal procedure.

For protests related to specifications or bid/proposal procedures, a formal written protest must be filed no later than 96 hours (excluding holidays and weekends) prior to the scheduled bid/proposal opening date and time.

A designated committee of the City Attorney, Chief of Staff, Purchasing Officer, and project sponsor shall investigate the concerns, discuss the protest with the department director overseeing the project, and respond in writing to the protest within three (3) business days. In the event a protest is filed in accordance with the bid protest procedures herein, and if warranted by the information presented, the City designee may suspend the procurement at his or her discretion and establish a new opening date and time.

### D. Protest of Recommended Award **After** Bid/Proposal Opening

Any bidder or proposer, who wishes to protest in connection with the evaluation of the bid or proposal or the staff recommendation regarding award of a contract, provided that such bidder or proposer would have been awarded the contract but for the aggrieved action, may protest such evaluation or award recommendation.

If the bid or proposal is to be awarded at a City Council meeting, the protestor must be present at that study session and meeting and state his/her case accordingly. Upon posting of the bid results and recommendation on the published City Council agenda, a written protest in accordance with

## **CITY OF COUNCIL BLUFFS, IA - PROTEST PROCEDURES**

**Council approval: 9/28/2020**

the direction provided in part B of this document must be submitted by 9:00am on the Friday preceding the City Council meeting. Additional information regarding City Council meetings can be found here: <https://www.councilbluffs-ia.gov/122/City-Council>.

For protests related to the evaluation of bids or proposals or staff recommendation of award of a contract that does not require approval from the City Council, a written protest in accordance with the direction provided in part B of this document must be filed within 48 hours (excluding holidays and weekends) after the bid opening.