

SECTION 01800

BID PROTEST POLICY

1.01 Purpose

This section provides Contractor guidance for Bid Protest.

1.02 Bid Protest Policy

1. Any actual or prospective bidder, proposer or contractor who is aggrieved in connection with the solicitation or award of a contract may file a protest and shall deliver its written notice of protest to the Associate Superintendent, Administration and Business Services, or designee (hereinafter a Hearing Officer) immediately, but no later than two (2) working days after bid opening or after recommendation of award, if not to the apparent low bidder, or as set forth in paragraph 9 infra, which will initiate the 48-hour notice requirement. The written protest with documentation shall be delivered to the Hearing Officer no later than 2 p.m. on the 4th calendar day immediately following the bid opening or receipt of notice of intent to award recommendation, as is appropriate. If that day is a School Board non-workday, the protest shall be delivered no later than 9 a.m. the next Duval County School Board (DCSB) work day. Protests shall be presented with specificity, and every issue shall be fully documented.
2. The legal basis for any relief sought must be clearly identified and explained in the written notice of protest.
3. The Hearing Officer shall call a meeting and hear all protests and receive all evidence within a reasonable time. This does not preclude the Hearing Officer from calling a special meeting or granting a continuance under extraordinary circumstances.
4. All bidders or offerors shall receive notice of any protest hearing and a copy of the protest document. Attachments shall be available upon request.
5. The Florida Rules of Civil Procedure may be relaxed at the sole discretion of the Hearing Officer presiding at any protest hearing.

6. The Hearing Officer shall issue his/her decision within two (2) working days of the completion of the protest hearing.
7. The Hearing Officer's decision shall result in a final order which may include findings and conclusions. The decision of the Hearing Officer shall be final.
8. The DCSB does not encourage the use of faxes to accomplish delivery of the notice of protest and the protest itself. Any bidder or offeror utilizing delivery by fax shall assume the risk associated with incomplete delivery or non receipt.
9. Any protest specification objection shall be generally treated as set forth in paragraph 1 *supra*. The operative date for the notice requirement shall be the date the specifications were obtained by the prospective bidder or offeror but no later than 10 days prior to the date of bid opening or proposal due date.

END OF SECTION