

1.0 Protest & Appeals Procedure

Protest of bid specifications must be made to the Buyer prior to the bid opening date. After the bid opening, any bidder who is aggrieved in connection with the award decision must protest the decision in writing to the Buyer within three (3) working days from the posted Notice of Intent to Award located on the Purchasing Website. Protests received after this period will be invalid and will not be considered.

All protest and/or appeals must clearly state the aggrieved party's case as related to the award decision. Those received without sufficient information for review will not be considered.

1.1 The Buyer

The Buyer shall render a written decision within three (3) working days from receipt of the protest. If the aggrieved party is not satisfied with the decision of the Buyer, a written appeal can be made to the Purchasing Manager within three (3) working days of the Buyer's decision/response.

1.2 The Purchasing Manager

The Purchasing Manager, shall render a final written decision within three (3) working days from receipt of the appeal. If the aggrieved party is not satisfied with the decision of the Purchasing Manager, the party may pursue the matter under Section 2-100 of the County Code which provides that the Code of Civil Procedure Section 1094.6, as may be amended from time to time, shall be applicable to the judicial review of any decision of the County of Santa Barbara or of any commission, board, officer, or agent thereof.

1.3 Stav of Purchasing Action During Protest

In the event of receipt of a valid written protest or appeal to the Buyer and/or Purchasing Manager, the County shall not proceed further with the solicitation or award until the protest or appeal is answered & decided by the Buyer, and/or Purchasing Manager.

1.4 Remedies Prior to an Award

If, prior to the award, it is determined a solicitation or proposed award of a contract is in violation of law or of County policies, then the solicitation or proposed award shall be:

- (a) Canceled; or
- (b) Revised to comply with the law or policy.

1.5 Remedies after an Award

If, after an award, it is determined a solicitation or award of a contract is in violation of law, then the contract may be terminated subject to County Counsel's determination.