

Bid Dispute Resolutions	Section: Procurement Number: 1.25
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Revised:	Scope: All Employees

POLICY:

To ensure Vendors have the opportunity to address concerns/protests involving any aspect of the procurement process.

PROCEDURE:

The Bid Protest procedures must be communicated in all competitive and procurement documents to ensure that any dispute is handled in a reasonable and timely fashion. A bid protest can occur any time during the procurement process, which is defined as the time from which the procurement request is posted to the time of award.

Notice to Bidders

The Evaluation Team notifies bidders in writing or electronically, as soon as possible (and prior to award of a contract) if their bid is rejected due to an irregularity. The evaluation team notifies all bidders, in writing or electronically of the results of evaluation of a contract. The notice explains the reason for CLO's recommendation and advises the bidder that objections to the recommendation must be made to CLO, in writing, within three (3) working days from the date of the notice otherwise; the award recommendation will proceed to approval.

The Evaluation Team is responsible for filing a copy of each notice of pending award, in the procurement file.

Responding to Bidder's Objection Level 1:

The Evaluation Team is responsible for providing an initial response to bidder questions or objections to CLO's Evaluation Team's decision. The response may be made in writing, and where possible, will be issued within three (3) working days. If the bidder requires further information, the Evaluation Team will notify the bidder to forward specific issues and questions, in writing to their attention.

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The Evaluation Team may arrange a meeting with the bidder, and will provide a written response addressing the bidder's concerns. The response will be provided, where possible, within ten (10) working days of receipt of the written bidder questions or objections.

If the bidder is not satisfied, The Evaluation Team will advise the bidder that a bid protest may be made by registering with the Executive Director.

The Evaluation Team is responsible for keeping a copy of each response, in the procurement file located in the Finance Department.

Registering Bid Protest Level 2 – if required:

The protestor shall submit all documents which supports their protest. The protestor shall state if they wish an informal conference in which to discuss the protest further. If any information is omitted or incomplete, the Executive Director will notify the protestor in writing and the protestor shall be required to provide such information within three (3) working days if the protest is to be further considered.

All protests must be submitted in writing and be addressed to the Executive Director. The protest shall include:

- Name of the protestor
- Name of the request #/contract (i.e. RFP – 00)
- State the grounds of the protest; and
- State the relief sought

Failing a resolution to all concerns the protestor may make a formal complaint and demand a formal deputation before an appropriate review committee. In this event, the bidder must notify the Executive Director of his/her intent to register, within five (5) working days of receiving the Executive Directors response.

Any protestor who questions the process is encouraged to exhaust all methods described in the bid documents of resolving a procurement issue before filing a more formal protest with CLO.

Dispute Resolution – Level 3:

If a more formal conference has been requested, the Executive Director will give the protestor written notice of the place, location and time of the formal conference, which shall be within five (5) business days of such notice.

Any information to be considered in the protest decision must be submitted in writing within twenty-four (24) hours after receiving the formal meeting notice.

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The Executive Director will form a review committee comprised of two (2) additional Directors to hear both the Evaluation Team and the Bidders relevant facts and issues.

The review committee will address the presenters concerns within five (5) business days of the meeting. The written response shall respond in detail to each substantive issue raised in the protest meeting. Such decision is final.

Award will not be made prior to resolution of a protest, or open bids or proposals prior to resolution of a protest filed before bid opening/proposal due date.

Potential bidders will be advised of a pending protest if made prior to the award.

Should the protestor be dissatisfied with the decision rendered by CLO, the protest would have to be taken to the appropriate provincial, local administrative or judicial authority. In the event of a timing issue around funding for the project and/or health and safety concerns the Executive Director in collaboration with the Senior Team may award the contract prior to Bid protest resolution.

Approved by:



April 11, 2022

Executive Director

Date



April 11, 2022

Board President

Date