

## PROTEST PROCEDURES

A. Monroe County Transportation Authority (MCTA) reserves the right to postpone bid openings for its own convenience and to reject any or all bids.

B. Changes to the specifications will be made by addendum.

C. Prime Contractors and Subcontractors may make appointments to discuss these specifications. This, however, does not relieve them from the written, documented requests required by the paragraph below.

D. Requests for clarification of specifications and protest of specifications must be received by MCTA, in writing, not less than eight (8) calendar days before the date of scheduled bid opening. Any request for a clarification or protest of the specifications must be fully supported with technical data, test results, or other pertinent information to support the bidder's position.

E. MCTA replies to requests under Paragraph D above will be postmarked at least five (5) calendar days before the date scheduled for bid opening.

F. Bidders wishing to protest specifications; bid openings or bid awards may do so by giving written notice, to the Executive Director of MCTA. This notice should be given eight (8) calendar days prior to bid opening for specifications and within three (3) calendar days after bid opening or bid award. Protesters shall state the grounds for the complaint and provide supporting documentation for their argument. MCTA shall review the protest and for specifications shall respond five (5) calendar days prior to bid opening. In the event of a protest over bid opening or bid award MCTA will respond within five (5) calendar days of receipt of protest. If the Monroe County Transportation Authority determines a bid opening should be postponed due to a protest, all bidders shall be promptly notified in writing.

If the award of the contract has already been made at the time that a bid protest is received, MCTA will notify the bidder that was given the award that a protest was filed and will delay the issuance of any Notice-to-Proceed until the protest has been disposed of.

If the bids have already been opened but a contract has not yet been awarded, MCTA will:

- a. Notify all bidders, and,
- b. Not proceed with a bid award until MCTA has submitted a written response to the protesting bidder and believes the protest to be resolved.

G. The Federal Transit Administration (FTA) will only accept protests from bidders when it is alleged MCTA failed to have written protest procedures or it is alleged MCTA failed to follow such procedures.