



NCTCOG Transportation Department Protest Procedures

Any actual or prospective proposer or consultant who is aggrieved in connection with a delegated purchase transaction may protest. The protest may be filed at any phase of the solicitation or award including, but not limited to:

- Specifications preparation
- Bid solicitation
- Evaluation, and
- Award

The protest should be rendered within seven (7) days after the aggrieved person knows or should have known facts giving rise to the complaint.

The protest should be submitted in writing to the NCTCOG Director of Transportation and should contain the following:

- Name, mailing address and business phone number of the protestor
- Appropriate identification of the procurement, and, if a purchase order has been awarded, its number
- A precise statement of reasons for the protest
- Supporting exhibits, evidence, or documents to substantiate any claims.

If a protest is made prior to an award, no award will be made until the complaint has been settled. If the award has been made prior to receipt of the protest, the successful proposer shall be:

- Contacted immediately by the Procurement Team
- Advised that a formal protest has been received
- Provided the known facts concerning the complaint

If the performance of the service/scope of work has not begun, the awarded consultant will be requested to take no further action to perform until the complaint can be addressed and resolved.

The allegations and contents of the protest shall be discussed by the protestor with the NCTCOG Director of Transportation. If the protest is not resolved, the protestor shall then meet with the NCTCOG Executive Director or Deputy Executive Director. The results of each meeting shall be thoroughly documented. A decision on the protest shall be made as expeditiously as possible after all relevant information is received and considered.

If the protest is not resolved by mutual agreement during the meetings between the protestor and the NCTCOG Director of Transportation and Executive Director or Deputy Executive Director, the NCTCOG Executive Director will promptly issue a final decision in writing. This will state the reasons for the action taken and inform the protestor of the right to appeal the NCTCOG Executive Director's findings.