

## **Protests and Appeals**

Any bidder or offeror who is aggrieved in connection with the solicitation award of a contract may protest to the Detroit Public Library Purchasing Agent or designee.

The protest shall be submitted in writing to the Library Purchasing Agent within five (5) calendar days after such aggrieved person or company knows or should have known of the facts giving rise thereto. If the fifth calendar day falls on a weekend or Library holiday, the protesting party may submit the protest on the first workday following such weekend or holiday. Failure to submit a timely protest shall bar consideration of the protest.

The written protest shall include the Bid/RFP date, requisition number, and the title of the Library project. The document should clearly state the facts believed to constitute an error in award recommendation and the desired remedy. The Purchasing Agent is not required to take into consideration any material filed by any party after the protest deadline.

The Purchasing Agent or authorized designee will provide a written decision to the protesting party after investigating the matter within 30 days of receipt of the protest.

Until issuing a final decision on a timely protest, purchasing operations will not award a contract or purchase order pursuant to a disputed solicitation. However, if there is a threat to public health, safety or welfare or a danger of immediate and substantial harm to Library property in the delay in making the award, the Purchasing Agent or designee may proceed with award and document justification for such action.

## **Appeal**

If a protest is not resolved to the bidders satisfaction, the bidder may submit a notice of appeal, (and it must be so stated on the outer envelope), to the Detroit Public Library Commission, through the Purchasing Agent, within five (5) days from the bidders receipt of the Detroit Public Libraries response to their protest. The decision of the Detroit Library Commission will be final, conclusive, and binding on all parties concerned.

## **Filing Fee**

The written protest to the Library Purchasing Agent must be accompanied by a filing fee in the form of a money order or cashiers check payable to the Detroit Public Library in the amount of one (1) percent of the amount of the Bid/RFP or proposed contract, or \$1,000.00, whichever is less. The filing fee shall guarantee the payment of all costs, which adjudged against the protester in any administrative proceeding. If the protest is denied the filing fee shall be forfeited to the Detroit Public Library in lieu of payment of costs for administrative

proceedings. If the Detroit Public Library upholds the protest, the filing fee shall be returned to protester.

**Right to Reject**

**The Detroit Public Library reserves the right to wave any irregularity in any bid/RFP, or to reject any and all bids/RFP for any reason whatsoever, without recourse from respondent, or to split award by items unless otherwise stipulated, should it be deemed for its best interest.**

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Acknowledgement Signature of Respondent

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Date

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Printed Name

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Position