Supplier’s Bid Protest
A Vendor may protest a bid contract awarded by UCO (University) through the Purchasing Director’s office. The following information provides guidance on the procedure of preparing and processing a bid protest. The University is the final decision maker for bid protests. The University will make every effort to review the details of a bid protest to determine if the bid process was compromised sufficiently enough to warrant further action. The institutional documents to be reviewed include the UCO solicitation, any written changes to the solicitation, UCO Terms and Conditions, UCO Policy, RUSO Policy and Oklahoma State Statute.

Vendor Notification
A Vendor shall submit written notice to the UCO Purchasing Director of a protest of contract award by UCO within ten (10) business days of contract award date notification. The protest notice must state the specific Vendor objection and details supporting the objection. Failure to specifically communicate the complaint will void the protest process.

Review and Determination. The Purchasing Director and other employees as determined appropriate by the University shall review the Vendor’s protest and contract award documents. Written notice of the decision by the University to continue or deny the protest will be sent to the Vendor within thirty (30) business days of receipt of the protest. UCO may extend the notice period for a longer period of time if needed for the review, by notifying the Vendor in writing. The extension will not exceed an additional fifteen (15) business days, and the final written notification to the Vendor will be within 45 business days from the date of the Vendor’s original written protest notice. ‘Business days’ shall be exclusive of any official University closings.

Vendor Protest Responsibilities
Protest Session – This is a conference scheduled to clarify the facts and/or issues presented if the University is unable to offer a formal reply to the Vendor within the 30 day review period due to the lack of information. The Protest Session is at the sole discretion of the University if determined from the protest document that developing a conclusion is best served by gathering additional information or the clarification of submitted response. If a Protest Session is deemed, a written notice will be sent to the Vendor with a Protest Session date scheduled by UCO. The session may be conducted by phone. The session shall be limited to the initial protest claims presented in the document filed by the Vendor. A final decision will not be made at the Protest Session. The Vendor will be notified by written communication regarding the University’s final determination within thirty (30) business days, or possibly forty-five (45) business days if an extension is deemed, of the Protest Session. Please see definition of ‘business days’ noted above.

For the Protest Session it is the Vendor’s responsibility to adhere to the following:

Burden of Proof - The burden of proof shall be upon the Vendor demonstrating the merits of the case by the significance of the evidence. The evidence must be specific and certain and not simply suggestive or word of mouth.

Representation - Vendors must represent themselves although they may be accompanied by legal counsel as an advisor. Only the Vendor will be recognized at the conference and permitted to participate.