

1 **(September 7, 2021)**

2 ***Protest Procedures***

3 **Form and Substance**

4 All protests regarding any contents or portion of the bid proposal must be submitted
5 to the Contracting Agency as soon as possible after the protestant becomes aware
6 of the reason(s) for the protest. All protests must be in writing and signed by the
7 protestant or an authorized agent. Such writing must state all facts and arguments
8 on which the protestant is relying as the basis for its action. Such protestant shall
9 also attach, or supply on demand by the Contracting Agency, any relevant exhibits
10 referenced in the writing. Copies of all protests and exhibits shall be submitted by
11 the protestant to the Bidder against whom the protest is made (if any) at the same
12 time such protest and exhibits are submitted to the Contracting Agency. All protests
13 shall be emailed to CAA@wsdot.wa.gov.
14

15 **Pre-award Protests**

16 To allow sufficient response time, all pre-award protests must be received by the
17 Contracting Agency no later than 5:00 p.m. of the second business day after the bid
18 opening date. If the protest is mailed after the bid opening date and before the pre-
19 award protest deadline, the protestant shall immediately notify WSDOT's Manager,
20 Contract Ad & Award by telephone, or some other means of rapid communication,
21 that a protest has been made.
22

23 The Contracting Agency shall consider all the facts available to the protest, and
24 issue a decision in writing within five (5) business days after receipt of the protest,
25 unless, in the Contracting Agency's sole discretion, more time is needed. The
26 protestant and the Bidder(s) against whom the protest is made will be notified if
27 additional time is necessary; and if the additional time required affects the bid
28 opening date or the award date, all bidders shall be notified.
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30 The Contracting Agency's decision shall be final and conclusive. Selection of the
31 successful Bidder, if one is to be made, will be postponed until after the Contracting
32 Agency has issued its decision. The Contracting Agency shall provide the
33 protestant with written notice of this decision no later than two full working days
34 prior to execution of the contract.
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36 **Post-award Protests**

37 The Contracting Agency shall immediately notify all unsuccessful Bidders of the
38 Contracting Agency's award decision. Any decision made by the Contracting
39 Agency regarding the award and execution of the contract or bid rejection shall be
40 conclusive subject to the scope of the judicial review permitted under Washington
41 Law. Such review, if any, shall be timely filed in the Superior Court of Thurston
42 County, Washington.
43

44 Protests which do not comply with the above-specified procedures will not be
45 considered.