



Protest Procedures

WSA's Procurement Director has the authority to settle or resolve any claim of an alleged deficiency or protest. The procedures for notifying WSA of an alleged deficiency or filing a protest are listed below. If you fail to comply with any of these requirements, the Procurement Director may dismiss your complaint or protest.

Prior to Solicitation Due Date: If you are a prospective Respondent and you become aware of the facts regarding what you believe is a deficiency in the solicitation process before the Solicitation is due, you must notify WSA in writing, through the authorized contact person, of the alleged deficiency before that date, giving WSA an opportunity to resolve the situation prior to the Solicitation Due Date.

After Solicitation Due Date: If you submit a response to WSA and you believe that there has been a deficiency in the solicitation process or the award, you have the opportunity to protest the solicitation process or the recommended award as follows:

1. You must file written notice of your intent to protest within four (4) calendar days of the date that you know or should have known of the facts relating to the protest. If you do not file a written notice of intent within this time, you have waived all rights to protest the solicitation process or the award.
2. You must file your written protest within fourteen (14) calendar days of the date that you know or should have known of the facts relating to the protest unless you know of the facts before the Solicitation was due. If you know of the facts before that date, you must notify WSA as stated above.
3. You must submit your protest in writing, through the authorized contact person, and must include the following information:
 - a. your name, address, telephone, and fax number;
 - b. the solicitation name/title and date issued;
 - c. a detailed statement of the factual grounds for the protest, including copies of any relevant documents.
4. Your protest must be concise and presented logically and factually to help with WSA's review.
5. When WSA receives a timely written protest, the Procurement Director will determine whether the grounds for your protest are sufficient. If the Procurement Director decides that the grounds are sufficient, the Procurement Department will schedule a protest hearing, usually within five (5) working days. If the Procurement Director determines that your grounds are insufficient, you will be notified of that decision in writing.

6. The protest hearing is informal and is not subject to the Open Meetings Act. The purpose of the hearing is to give you a chance to present your case, it is not an adversarial proceeding. Those who may attend from WSA are: representatives from the department that requested the purchase, WSA Legal Council, the Procurement Department and other appropriate WSA staff. You may bring a representative or anyone else that will present information to support the factual grounds for your protest with you to the hearing.
7. A decision will usually be made within fifteen (15) calendar days after the hearing.
8. The Procurement Director will send you a copy of the hearing decision after the appropriate WSA staff have reviewed the decision.
9. When a protest is filed, WSA usually will not make an award until a decision on the protest is made. However, WSA will not delay an award if the Chief Executive Officer (CEO) or the Procurement Director determines that:
 - a. WSA urgently requires the supplies or services to be purchased, or
 - b. Failure to make an award promptly will unduly delay delivery or performance.

In those instances, the Procurement Department will notify you and make every effort to resolve your protest before the award.

10. The protest or notice of intent and the protest shall be submitted in writing via email to the following: procurement@wsalamo.org, attention: Cynthia Caruso.

END