Vendor Protest Procedures

Protest and dispute resolution procedures are provided below. If a vendor fails to follow, a procedural step within the time limits provided, the protest/dispute is considered lapsed.

Filing of Written Protest - Any actual or prospective bidder, offeror, proposer, or contractor who believes he or she has been aggrieved in connection with the solicitation, evaluation, or award of a purchase or contract may formally protest such grievances to the Director of Procurement Services (DPS) or his/her designee. Such protests must be in writing and received by the Procurement Services department within 10 working days after such aggrieved person knows, or should have known, of the occurrence of the action that is being protested. In the event of a timely protest under this section, and appealed prior to award, the University shall not proceed further with the solicitation or with the award of the contract unless, after consultation with the applicable University department, a written determination is made that the award of the contract without delay is necessary to protect the best interests of the University. The written protest must contain specific identification of the State of Texas, Federal, or University requirements alleged to have been violated, including a specific description of each act alleged to have violated the requirements including:

- A precise statement of the relevant facts;
- An identification of the issue or issues to be resolved; and
- An argument in support of the protest.

Resolution of Protest - Upon receipt of a timely, filed and properly documented protest, the DPS will arrange a meeting within 10 days of receipt between the protesting party and appropriate University personnel to discuss the details of the protest and possible resolutions. If the protest is not resolved by mutual agreement, the DPS will issue a letter based upon determination on the protest as follows:

- If the determination is that no violation of policies or statutes has occurred, the letter shall so inform the protesting party and the University department the reasons for the determination.

- If the determination is that a violation of the rules or statutes has occurred in a case where a contract has not been awarded, the letter shall so inform the protesting party and the University department the reasons for the determination and the appropriate remedial action.

- If the determination is that a violation of the rules or statutes has occurred in a case where a contract has been awarded, the letter shall so inform the protesting party and the University department the reasons for the determination and the appropriate remedial action, which may include declaring the contract void.
**Appeal** - The DPS determination on a protest may be appealed by the protesting party to the University’s Vice President of Administration and Finance and Chief Financial Officer (VPAF&CFO) or, if a Texas Tech University System contract, to the System Chief Financial Officer (CFO). Any appeal of the DPS determination must be in writing and must be received in the VPAF&CFO or CFO’s office no later than 10 working days after the date of the DPS determination. The appeal shall be limited to review of the DPS determination, will not be considered if not timely filed, and any decision issued in writing by the VPAF&CFO or CFO shall be final.

For additional information, please see the Information for Vendors page on the Procurement Services website (under the Vendor Services page).

[http://www.depts.ttu.edu/procurement/VendorServices/index.asp](http://www.depts.ttu.edu/procurement/VendorServices/index.asp)

Any and all disputes shall be handled in accordance with Texas state statutes.