



This procedure outlines the requirements for any vendor protest or minor dispute resolutions with regards to the solicitation process and awarding Texas Tech University (“TTU”) and Texas Tech University System (“TTUS”) purchases and contracts. Any actual or prospective vendor, contractor, individual, or sole proprietor (“Protesting Party”) who is aggrieved in connection with a solicitation, evaluation, or award of a purchase or contract, may file a formal protest. If the Protesting Party fails to follow the procedural process within outlined herein, the protest/dispute is considered lapsed and TTU/TTUS will not accept any additional .

1. **Submission of Protest** - Protests must be in writing and received by the Chief Procurement Officer (“CPO”) within ten (10) business days after the Protesting Party knows, or should have known, of the occurrence of the action or omission that is being protested. For clarification purposes, any notices shall be deemed received on the date of the email or three business days after mailing of any formal letter.

2. The protest must be addressed to (email followed by a formal letter):
 Jennifer Adling
 Chief Procurement Officer
 Texas Tech University
 Box 41094
 Lubbock, Texas 79409-1094
Jennifer.adling@ttu.edu

3. The written protest must contain:
 - Specific identification of the statutory or regulatory provision(s) alleged to have been violated;
 - Specific description of each alleged act/omission to have violated the statutory or regulatory provision(s);
 - A precise statement of the facts relevant to the dispute or protest;
 - An identification of the issue or issues to be resolved; and
 - An argument in support of the protest.

4. **Review of Protest and Protest Determination**- the CPO will review and submit a written response to the submitted protest within ten (10) business days. The CPO shall attempt to settle and resolve the protest or the CPO may request additional information from the Protesting Party and any TTU/TTUS departments involved in the solicitation/purchase. The CPO has the authority to settle and resolve disputes concerning the solicitation, evaluation, or award of a purchase order or contract.
 Provided the protest is received in accordance with this policy, TTU/TTUS will not proceed with the solicitation or the award of the purchase order or contract while the protest is being evaluated unless it is determined the purchase or contract is an emergency and essential to prevent a hazard to life, health, safety, welfare, or property or to avoid undue additional cost to TTU/TTUS.

5. **Resolution of Protest** - Upon receipt of a timely, filed, and properly documented protest, the CPO will review the documentation to determine if a violation of statute or policy has occurred. If the determination is made that no violation of statute or policy has occurred, the CPO will notify the Protesting Party in writing within ten (10) business days after making the determination and provide reasons for the determination and any supporting information.

If a determination is made that a violation has occurred, the CPO will arrange a meeting within ten (10) business days after determination with the Protesting Party to discuss remedial actions.



6. **Appeal** -The CPO determination on a protest may be appealed by the protesting party to TTU/TTUS's Associate Vice President of Financial and Business Services (AVPFBS) or, if a Texas Tech University System contract, to the TTUS Interim Vice Chancellor and Chief Financial Officer (IVC&CFO). Any appeal of the CPO determination must be in writing and must be received in the AVPFBS or IVC&CFO's office no later than 10 business days after the date of the CPO determination. The appeal shall be limited to review of the CPO determination, will not be considered if not timely filed, and any decision issued in writing by the AVPFBS or IVC&CFO shall be final.

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Any and all disputes shall be handled in accordance with Texas state statutes and TTU/TTUS Operating Policies and Procedures.