

Exhibit D: Protests and Appeals Procedures

1. Protests and Appeals of Procurement Awards

Any actual or prospective bidder, offeror or contractor who is allegedly aggrieved in connection with the solicitation or award of a contract, may protest to the Human Services Department Director. The protest shall be submitted in writing to the address within five (5) business days after notification of the recommendation of award.

2. Protests to HSD

a. The HSD Director shall issue a written decision within ten (10) working days after receipt of the protest. The decision shall:

- State the reason for the action taken;
- Inform the protestant that a request for further administrative appeal of an adverse decision must be submitted in writing to the Clerk of the Board of Supervisors (Clerk of the Board) within seven (7) business days after receipt of the decision by HSD Director. If the award is not subject to approval by the Board of Supervisors (Board), the HSD Director shall make the final decision on the merits of the protest.

b. HSD may discuss with County Counsel all protests prior to issuing a written decision.

3. Appeals to the Board of Supervisors

If so requested, as set forth in above, and if the award is subject to approval by the Board, the decision of HSD Director may be appealed to the Board. If the award is not subject to approval by the Board, HSD Director shall make the final decision on the merits of the protest per Section 2.

County of Santa Cruz, Human Services Department
Request for Proposals #2018HSD03

4. Appeal Time Limits

Appeals of decisions shall be initiated within ten (10) days of the decision. The County shall be considered an interested party. If the appeal period ends on a day when County offices are not open to the public for business, the time limits shall be extended to the next full business day.

5. Initiation of Appeals

- a. An appeal shall be filed with the Clerk of the Board on a form provided and shall state, as appropriate, any of the following:
 - A determination or interpretation is not in accord with the purpose of these procedures or County Code;
 - There was an error or abuse of discretion;
 - The record includes inaccurate information; or
 - A decision is not supported by the record.
- b. In the event of a timely appeal before the Board under this Section, the County shall not proceed further with the solicitation or with the award of the contract until the appeal is resolved, unless the County Administrative Officer, in consultation with County Counsel, and HSD, makes a written determination that the award of the contract without delay is necessary to protect a substantial interest of the County.