



## CITY OF AURORA, COLORADO

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### **PURCHASING PROCEDURES LETTER 4-1**

**Subject:** Solicitation Protest Procedures

**Effective Date:** December 6, 2016

**Purpose:** The purpose of PPL 4-1 is to establish written solicitation protest procedures.

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#### ***Procedure***

Solicitation Protests should be filed through e-mail to the Procurement Agent responsible for the solicitation. The Procurement Agent shall forward the protest to the Manager of Purchasing and Contracts for consideration by the Manager as well as City Management and Legal. Protests must be filed no later than five (5) business days after bid opening or notification of vendor, contractor or consultant selection.

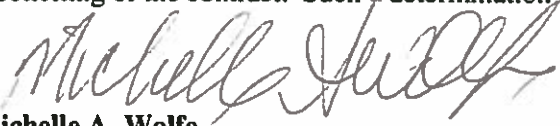
The City of Aurora will rule on the Solicitation Protest determining to a preponderance of the evidence whether the City substantially complied with our contracting process and whether the Protestor was materially prejudiced from receiving fair consideration of their proposal. The written Ruling shall be signed by the Manager of Purchasing and Contracts and the Director of Internal Services. The Ruling will also be signed off on as to the correctness of its form only by the City Attorney's Office.

The Manager of Purchasing and Contracts will transmit the Ruling to the protesting firm through email. A copy of the Ruling will be included in the contract file in the Office of Purchasing and Contracts. Solicitation Protest documents, filings, and rulings are public records.

There shall be no appeal to City Council. The Ruling shall be the final action by the City of Aurora, unless City Council, through its regular process, determines timely to call the matter on to its Agenda for reconsideration.

#### ***Effect of Sustained Solicitation Protest***

The Manager of Purchasing and Contracts shall immediately undertake an analysis as to which of the submitted proposals, under the facts now established, is the most advantageous acceptable proposal. The award shall be made to that Bidder or Proposer, if that Bidder or Proposer asserts in writing that their bid or proposal still stands. If that Bidder or Proposer declines to hold open their proposal the Manager shall continue in order through the acceptable proposals until a contract is agreed upon, or until the Manager of Purchasing and Contracts determines that the best interests of the City would be served by a complete resoliciting of the contract. Such a determination shall be made under the existing terms of the City Code.

  
**Michelle A. Wolfe**  
**Deputy City Manager, Administrative Services**