

**WALLINGFORD-SWARTHMORE SCHOOL DISTRICT
FOOD SERVICE MANAGEMENT RFP
BID PROTEST PROCEDURES**

This document describes the procedure for protesting or complaining about any procurement of services, materials or supplies by Wallingford-Swarthmore School District (District). This bid protest procedure applies only to Food Service Management Company RFP process.

Persons Entitled to File Bid Protests. Only as a bidder on a contract, a bidder's authorized representative may file a bid protest on a contract. A subcontractor of a party filing a bid on a contract may not submit a bid protest. A party may not rely on the bid protest submitted by another bidder, but must timely pursue their own protest.

Form of Bid Protest. Bid protests shall be in writing; shall provide the name, address, electronic mail address, telephone and fax numbers of the protesting bidder; shall identify the contract to which the bid protest pertains. The bid protest shall identify and explain the factual and legal grounds for the protest, and shall include any written materials that the protesting bidder wishes to have considered in determining the protest. Any grounds not raised in the written protest are deemed waived by the protesting bidder. Bid protests shall be addressed and delivered to Wallingford-Swarthmore School District, Attention: Business Administrator, 200 S. Providence Road, Wallingford, PA 19086. Any bid protest that is not submitted as provided herein shall be invalid and shall not be considered.

Submission of Bid Protest to District. The Evaluation Committee will determine the recommended vendor on or around April 12, 2023. Bidders will be notified via email by April 14, 2023 of the recommended vendor. Protests must be filed within two days following this notification. Untimely protests will be dismissed.

Investigation by District. If a bid protest is timely filed, the Business Administrator will review all submitted protest documentation with the Evaluation Committee. The protesting bidder, and any other bidder on the contract, shall promptly provide any information requested by District staff as part of such investigation. District staff shall prepare a written response to the bid protest, with the advice of the District's attorney, which shall be provided to the protesting bidder and to the bidder or bidders whose bid is being protested within 14 calendar days after the bid protest was received.

District's Board Decision. The scope of the bid protest considered by the Board shall be limited to the issues set forth in the bid protest timely filed with the Purchasing Agent. The Board may take any action on the bid protest, including adoption of District staffs recommended determination of the bid protest, adoption of a determination different from that recommended by District staff or the rejection of all bids without deciding the bid protest. The decision of the District's Board on a bid protest shall be the final administrative action on the protest and shall exhaust the protesting bidder's administrative remedies.

Rejection of All Bids. The filing of a bid protest shall not preclude the District from rejecting bids. Rejecting all bids shall render a protest moot and terminate all protest proceedings.

For more information contact:

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Wallingford-Swarthmore School District
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