

# Board of Trustees of the Nebraska State Colleges

## Business and Finance

POLICY  
NAME: Bid Protests

POLICY  
NUMBER: 6403

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### **A. PURPOSE**

To provide vendors with a process to protest bid awards.

### **B. DEFINITIONS**

- 1. Competitive Sealed Bids:** Price quotations secured from vendors by means of an invitation for bids (competitive sealed bidding) or through a Request for Proposal (competitive negotiation).
- 2. Request for Proposal:** An RFP is a document that announces a project, describes the scope of the project, details criteria for bids, and solicits bids from vendors.

### **C. POLICY**

#### **1. Protest Opportunities**

A bidder that has submitted a valid bid may protest matters involving purchases and service contracts for which formal competitive sealed bids or competitive negotiations were utilized.

#### **2. Protest Process**

##### **2.1. Filing Protest**

Procedures for filing a protest by a vendor or service provider relating to a bid award are as follows:

- Within ten (10) calendar days of the bidder notification, a protest letter must be received by the Nebraska State College System in care of the Vice Chancellor of Finance and Administration. The protest letter must identify:
  - The bid and specific issues that are disputed;
  - The requested remedy or action, and,
  - A contact name and mailing address to which a response can be sent.

- The protests must be mailed to:  
Vice Chancellor of Finance and Administration  
Nebraska State College System  
1233 Lincoln Mall, Suite 100  
Lincoln, NE 68508

## 2.2. Protest Response

A response regarding the protest will be sent to the protestor by the Vice Chancellor of Finance and Administration within ten (10) calendar days of receipt of the written protest letter.

## 2.3. Appeals

If the response does not satisfy the protestor, a written request for a meeting with the Chancellor may be requested within ten (10) calendar days of receipt of the response from the Vice Chancellor of Finance and Administration.

- The request must identify:
  - The bid and specific issues disputed;
  - The requested remedy or action, and
  - A contact name and mailing address to which a response can be sent.
- Requests for a meeting must be mailed to:  
Chancellor  
Nebraska State College System  
1233 Lincoln Mall, Suite 100  
Lincoln, NE 68508

## 2.4. Meeting and Final Ruling

A meeting will be scheduled to discuss the protest. A final written decision will be sent to the protestor within fifteen (15) calendar days following the meeting, unless additional time is necessary to fully examine the issues presented, but shall not exceed thirty (30) days.

## 3. Protest Notification

The above procedures, or a notice of its availability, and a statement that protests must be filed in writing within ten (10) calendar days of the bid notification, are to be communicated to all bidders responding to invitations for bids (competitive sealed bidding) and requests for proposals (competitive negotiation). This requirement shall also be satisfied by including the same information in the invitation for bids or request for proposal (RFPs).

### 3.1 Federal Grants

Additionally, grants which utilize federal monies shall require that recipients of such grants (sub-grantees) have protest procedures in place in accordance with 34 CFR 80.36.

#### **FORMS/APPENDICES:**

None

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#### **SOURCE:**

**Policy Adopted:** June 2019

**Policy Revised:** January 2022, October 2023