



County of Riverside Continuum of Care (CoC)

Homeless Emergency Aid Program (HEAP) California Emergency Solutions & Housing (CESH)

A. Award Protests

As the decision-making body for the County of Riverside Continuum of Care (CoC), the CoC - Board of Governance is responsible for the review and disposition of any protest of a bid solicitation. Through the procurement process to be facilitated by the Riverside County Department of Public Social Services (DPSS), the CoC's Administrative Entity, a vendor does have the right to protest if bypassed an award, however the protest must be a legitimate request.

B. Review of Solicitation Requirements and/or Specifications

A vendor may seek a review of the solicitation requirements and/or specifications by written request to DPSS provided that the written request is received prior to the timeline specified in the solicitation deadlines. If a potential bidder finds issues contained in the solicitation that may result in a protest it is incumbent upon the potential bidder to contact DPSS as soon as possible to express their concerns.

Please note that the Public Records Request does not apply to contracts or bids that may still be in the evaluation process, and no recommendation for award has been determined. The vendor must follow the County's Public Records Request policy that is available online at: www.Purchasing.co.riverside.ca.us.

C. Bid Protest Procedure

1. Upon a determination of vendor selection from a bid process, DPSS will post a "Notice of Intent to Award" on the DPSS and County Purchasing Department websites.
2. Non-selected vendors will have five (5) business days from the date the award notice is posted to file a formal appeal with the BOG. The appeal shall be delivered by the vendor in writing through e-mail, follow up letterhead, and include the specific facts, circumstances, reasons, and/or basis for the appeal.

3. Bid protests must be filed prior to the award of contract or purchase order issued. Upon execution of the contract or purchase order to the selected vendor, the BOG will not take action on a bid protest if not received during the solicitation period.
4. If a vendor bid protest is appropriately filed (i.e., prior to the award) the BOG may delay the award of a contract or purchase order until the matter is resolved. There are, however, situations where the delay of an award may not be in the best interest of the CoC due to time critical acquisitions such as the grant funding requirements. In these instances, the BOG has no obligation to delay or otherwise postpone an award of a purchase order or contract based on a vendor protest. In all cases, the BOG reserves the right to make an award when it is determined to be in the best interest of the CoC to do so.

D. Protest Form and Content

All protests shall be in writing and state that the bidder is submitting a formal protest, and the protesting vendor is responsible to assure the protest is received within the protest deadlines. If the BOG does not receive the protest within the specified deadline, the protest will be rejected.

The mailing address for all protests:

County of Riverside DPSS – Adult Services Division
CoC – CORE (Coordination, Oversight, Reporting and Evaluation) Region
1111 Spruce Street, Riverside, CA 92507

Include the following information in the appeal letter. Failure to provide the following information could result in rejection of the Vendor's protest:

1. Company name, mailing address, phone number, and name of company individual responsible for submission of the appeal.
2. Email address for communication, clarification, and disposition of the pending protest.
3. Specify the County Bid Number, title and close and proposed award date of the solicitation.
4. State the specific action or decision being protested.
5. Indicate the basis for the protest.
6. Indicate what relief or corrective action you believe the BOG should make.
7. Demonstrate that every reasonable effort was made within the schedule provided, for you to resolve the basis of the protest during the process, including asking questions, seeking clarification, requesting addenda, and otherwise alerting the BOG to any perceived problems.

8. Protest letter must be signed by an authorized agent of the company.

E. Grounds for Protest

A formal protest must contain the following to be considered:

1. A specific identification of the statutory or regulatory provision(s) that the alleged action is in violation.
2. A specific description of each act alleged to have violated the statutory or regulatory provision(s).
3. A precise statement of the relevant facts, and identification of the issue or issues to be resolved.
4. Complaints about events or decisions made before the solicitation deadline
5. Complaints that the solicitation unduly constrains competition through improper minimum qualifications or specifications.
6. Complaints that the pre-bid conference was not fair or accessible. (Please note that bidders must attend in person all mandatory pre-bid conferences).
7. Complaints that questions were not fully or properly addressed by the Procurement Contract Specialist/Buyer.
8. Complaints that the Request for Proposal/Quote/Qualification did not provide adequate information or contained an improper criteria.
9. Other matters known or that should have been known, to interested bidders by reading the solicitation document.

F. Protest on items known after bid deadline

After the bid closing deadline, only vendors that submitted a bid are eligible to protest.

G. Inquiry or Intention does not constitute a Protest

Notice of an intention to protest does not substitute for filing of a protest following the form and content required within the deadlines stated. Further, casual inquiry or complaint that does not specifically identify the purpose as a protest, and does not comply with the form, content and deadlines herein, are also not considered or acted upon as a protest action.

H. Protest Deadlines

Protests must be received by DPSS via email to elizaher@rivco.org with a formal letter no later than 4:00 p.m. Pacific Time five (5) business days after the date the Request for Proposal/Quote/Qualification award notice is posted. Protests received after the time

specified are untimely and may be denied on that basis unless the BOG concludes that the issue/s raised by the protest involve fraud, gross abuse of the procurement process, or indicate substantial prejudice to the integrity of the procurement process.

DPSS shall make efforts to distribute the announcement to the affected bidder(s), such as posting on the County's website. However, it is the Bidder's responsibility to seek out and obtain the announcement from the County website. The BOG is not responsible for assuring the Bidders have learned of the announcement in time to file a protest. All appeals should be sent to:

Elizabeth Hernandez, Senior Program Specialist, elizaher@rivco.org

Protest Appeal Process

The BOG will review the protest. All available facts will be considered and the BOG shall issue a decision. This decision shall be delivered in writing by e-mail (will be followed up with a hard copy), or mail the notice to the protesting bidder within thirty (30) days of confirmed receipt.