

MEMORANDUM

November 26, 2013

TO: Board of Mayor and Aldermen

FROM: Eric S. Stuckey, City Administrator
Russell Truell, Assistant City Administrator / CFO
Brian Wilcox, Purchasing Manager

SUBJECT: Consider proposed revisions to the City's Vendor Protest Procedure

Purpose

The purpose of this memorandum is to present proposed revisions to the City's Vendor Protest Procedure.

Background

The City's Purchasing Policy was last updated on March 8, 2011 by means of Resolution No. 2011-10. Staff recommends a number of changes as reflected in the attached document, the more significant of which may be summarized as follows:

1. The proposed revisions use language consistent with the Purchasing Policy to differentiate procurement pertaining to new construction ("design and/or construction of new infrastructure and facilities") and procurement not pertaining to new construction.
2. The proposed revisions clarify that the Vendor Protest Procedure only applies when a formal procurement solicitation involving public advertisement and sealed submittals is involved, and when the bid or contract amount is equal to or greater than \$25,000.
3. The proposed revisions clarify the categories of topics that may be protested.
4. The proposed revisions increase from three to seven calendar days the allotted time for filing a protest.
5. The proposed revisions increase from three City business days to seven calendar days the allotted time for other parties to respond to a protest.
6. The proposed revisions increase from three to ten City business days the allotted time for the Purchasing Manager to respond to a protest.

Financial Impact

Staff is not aware of any financial impact of approving the proposed revisions to the City's Vendor Protest Procedure.

Options

As an option to considering the attached proposed revisions to the City's Vendor Protest Procedure, the Board of Mayor and Aldermen could choose to leave the Vendor Protest Procedure as is.

Recommendation

Staff recommends the Board of Mayor and Aldermen considering approving the attached proposed revisions to the City's Vendor Protest Procedure. The means for doing so would be a resolution which would be prepared in time for the Board meeting at which the proposed changes are scheduled to be considered.