

VENDOR PROTEST AND GRIEVANCE PROCEDURE

SECTION I: COMPLIANCE

As a public institution, it is the intent of the Board of Trustees of the Jackson Public School District to constantly remain in compliance with all state purchasing statutes, federal regulations as applicable, and established board policies regarding the competitive bid process and to be fair to all participating vendors while adhering to the written specifications.

It shall be the exclusive right of the Jackson Public School District to determine the "lowest and best" bid offered, price, and all other factors being considered. It is the policy of the Jackson Public School District to ensure that all written specifications are structured in such a manner as to enhance competitive bidding and that the award of all bids is done fairly and honestly, in good faith, and in the interest of the taxpaying public.

The Board acknowledges that a vendor may occasionally disagree with some aspect of the Jackson Public School District's actions in preparing the specifications for or soliciting bids for public purchase. Therefore, the Board has determined that a uniform procedure should be established to allow vendors to register grievances with the Jackson Public School District regarding the solicitation of bids and public purchases by the school district.

SECTION II: PROTEST PROCEDURE

The protest procedure to be followed by the Jackson Public School District and any vendor desiring to register a protest shall be as follows, in the sequence as described:

1. The vendor shall submit a formal letter of protest to the Internal Services Coordinator with a copy forwarded to the Superintendent of Schools and Schools and the Chief Operations Officer, explaining in detail the exact nature and reason(s) for the protest. The letter shall indicate precisely which item(s) on the bid and/or decisions made relative to the bid is being challenged, stating the protest reason for each.
2. The letter shall state the Bid Number, Bid Title, Bid Opening Date, and Item Number(s) involved in the protest and shall be signed by the Vendor representative who signed the bid proposal documents.
3. Jackson Public School District shall acknowledge no verbal protest. Only written protest presented by the vendor in the manner prescribed herein shall be considered.

4. A review committee shall be appointed by the Chief Operations Officer to review each valid protest by any vendor which has adhered to the established procedure, and to render a decision regarding the protest expeditiously. The review committee's decision shall be made utilizing written evidence presented by the vendor and the Internal Services Coordinator. At the discretion of the review committee, the committee may conduct a hearing on the matter.

The recommendation of the review committee shall be submitted to the Chief Operations Officer for approval. The vendor of protest shall be informed of the decision of the review committee, in writing, at the earliest possible date. The decision of the review committee, as approved by the Chief Operations Officer, shall be the final, step before appealing to the Board of Trustees.

5. The Board of Trustees may hear from an aggrieved vendor, in executive session, provided that the aggrieved vendor makes such request to appeal to the Board within five (5) days of notification of the recommendation of the review committee. The aggrieved vendor shall be limited to three (3) minutes to address the Board. The decision of the Board shall be final.

SECTION III: TIMELINE

The foregoing protest and grievance procedure shall be made a part of the formal bid specifications for each public purchase, and the vendor shall agree by the submission of a bid proposal to adhere to the procedure. The protest and grievance procedure shall govern any and all vendor protest accruing from the first publication or distribution date of bid specifications until one week prior to the date scheduled for the item(s) of protest to be presented to the Board for approval. Vendors may call the Office of the Internal Services Coordinator for information concerning the scheduled Board meeting dates, times, and agenda.

SOURCE: Jackson Public School District, Jackson, Mississippi

LEGAL REF: Mississippi Code of 1972 §31-7-13;

DATE: March 20, 1989

AMENDED: October 16, 1989

April 18, 2023

REVIEWED: December 6, 2016

April 4, 2017

March 20, 2023