

Authority to Resolve Protested Solicitations and Awards.

1. **Right to Protest.** Any actual prospective bidder, offeror, or contractor who is alleged to be aggrieved in connection with the solicitation or award of a contract may protest to the Finance Director. The protest shall be submitted in writing within three (3) days after such aggrieved person knows or should have known of the facts giving rise thereto.
2. **Decision.** If the protest is not resolved by mutual agreement between the Finance Director and the protestant, the protestant may make a written appeal to the City Administrator. The City Administrator shall:
 - A. State the reason for the action taken.
 - B. Inform the protestant, if adverse to him, of his right to further administrative review as provided by this section.
3. **Notice of Decision.** A copy of the decision under Subsection 2 of this Section shall be mailed or otherwise furnished immediately to the protestant and any other party intervening.
4. **Authority to Resolve Protests.** The City Administrator and the Finance Director shall have the authority to settle and resolve a protest of an aggrieved bidder, offeror, or contractor, actual or prospective, concerning the solicitation or award of a contract. This authority shall be exercised in accordance with ordinances promulgated by the City Council.
5. **Finality of Decision.** A decision under Subsection 2 of this Section shall be final and conclusive, unless:
 - A. Any person adversely affected by the decision appeals administratively to the City Council in accordance with Section 9:304 (Protest of Solicitation or Awards).
6. **Stay of Procurements During Protests.** In the event of a timely protest under Subsection 1 of this Section or under Section 9:303 (Jurisdiction of the City Council), the City shall not proceed Updated 11.10.1030 further with the solicitation or with the award of the contract until the City Administrator or the Finance Director, after consultation with the Purchasing Manager and the using department, makes a written determination that the award of the contract without delay is necessary to protect the substantial interests of the City.