



4.9.23 PROTESTS

Any bidder/offeror/proposer/respondent (respondent) that objects to any matter relating to the solicitation process, the selection process or award of a contract or agreement (contract) resulting from the issuance of this solicitation may file a protest. Such protest must occur within five (5) calendar days of the event giving rise to the protest, or award of the contract, and comply with the following information:

1. The protest must be filed by a prospective or actual respondent objecting to any matter relating to the solicitation process, the selection process or award of a contract resulting from the issuance of this solicitation. The protest must be in writing and contain the following information:
 - a. The name, address, telephone number and email of the protester;
 - b. The name and number of the solicitation being protested;
 - c. A detailed statement of all reasons the selection was not consistent with the outlined in the solicitation documents;
 - d. A detailed statement of the legal and factual grounds for the protest, including copies of any relevant documents;
 - e. A statement as to the relief requested from CRAA;
 - f. Any other information the protester believes to be essential to the determination of the factual and legal questions at issue in the written request; and
 - g. If respondent is protesting a contract award, the respondent must post a bond or an irrevocable letter of credit with the notice of protest in an amount equal to ten percent (10%) of the total value of their response including any additive alternates submitted.
2. A timely protest will be considered by the CRAA within the following periods:
 - a. A protest based on alleged improprieties in the issuance of the solicitation, or any other event preceding the closing date for receipt of responses which are apparent



- or should be apparent prior to the closing date for receipt of a response, must be filed no later than five (5) calendar days prior to the response due date.
- b. If the protest relates to the recommendation of the evaluation committee for an award of a contract, the protest must be filed no later than five (5) calendar days after the respondent is notified of the decision by CRAA.
 - c. If a respondent is deemed not responsive and responsible, the CRAA shall notify the respondent in writing via email and/or by certified mail as required by the Ohio Revised Code. The respondent will have five (5) calendar days to file a protest in writing to the CRAA.
3. An untimely protest may be considered by CRAA at the sole discretion of CRAA. Untimely protests must include an explanation of why the protest was not made within the required time frame.
 4. All protests must be filed at the following location:
Columbus Regional Airport Authority

4600 International Gateway

Columbus, OH 43219

Attn: Julie Pemberton, Director, Risk Management & Compliance

With a copy to: Counsel and Manager, Legal Services
 5. The CRAA will meet with the respondent to discuss Authority's decision and review other materials provided as essential to the determination of the factual and legal questions at issue.
 - a. Unless specifically requested by the CRAA, any attempt by the respondent, respondent's agent(s), or any party representing the respondent, to 1) submit unsolicited correspondence that is determined by CRAA to be an attempt to compromise the impartiality of the protest evaluation, or 2) communicate with any CRAA Board Members, Employees, Consultants, Contractors or other vendors



contracted by the CRAA, regarding the protest evaluation process may be grounds for immediate dismissal of the protest and/or disqualification of the respondent.

6. Within a reasonable time, the CRAA will make a decision to stay the proceedings, reverse an award, or proceed with a solicitation or award. The CRAA will shall notify the respondent of the determination in writing. A determination to stay the proceedings, reverse an award determination, or proceed with a solicitation or award will be at the sole discretion of the CRAA. The decision of the CRAA shall be final and conclusive unless any person adversely effected by the decision commences an action in a court of law.
7. If a protest determination to stay the proceedings or reverse an award is made, the full amount of the respondent's bond or irrevocable letter of credit will be returned to the respondent. If the protest is denied or the award is upheld, the CRAA may make a claim against the bond or irrevocable letter of credit for the expenses incurred by the CRAA. Any remaining monies will be returned to the respondent.