

Document No.: A-009**Revision No.:** 02

Page 1 of 3

Title: Bid Dispute Resolution Policy

Nils Clausen, CEO

Prepared By:

Sept 8, 2023

Date:**Signature:**

Greg Chow, Board Chair

Approved By: CMEPP Board of Directors

Sept. 8, 2023

Date:**Signature:****Record of Revisions:**

Revision	Date	Description
01	July 28, 2014	Date of Original Issue
02	August 16, 2023	Changed title designation from "GM" to "CEO"

POLICY STATEMENT

CMEPP is committed to facilitating a bid dispute resolution process that is responsive to supplier complaints in a fair and timely manner, and is in accordance with applicable trade agreements.

This Bid Dispute Resolution Policy (the "Policy") sets out the process by which a supplier (the Complainant) initiates a review of a decision of CMEPP in respect of any material aspect of a procurement process.

This Policy will be outlined in any competitive procurement documents issued by CMEPP to proponents.

- 1.0** The RFP Coordinator will receive and process any complaints made under this Policy.
- 2.0** If the Complainant submitted a proposal in a procurement process and wishes to review a decision of CMEPP in respect of any material aspect of that procurement process, the Complainant must:
 - (a) Participate in the proponent debriefing for that procurement process; and
 - (b) Submit a written protest containing the information set out in this Policy (a "Protest") to the RFP Coordinator within ten (10) days from the date of that debriefing.
- 3.0** If the Complainant did not submit a proposal in a procurement process and wishes to review a decision of CMEPP in respect of any material aspect of that procurement process, the Complainant must submit a written protest containing the information set out in this Policy to the RFP Coordinator within twenty (20) days of the contract award.
- 4.0** Any protest that is not received by the RFP Coordinator within the timeframe or in the manner set out at item 2 or 3 above (as applicable) will not be considered and the Complainant will be notified of same in writing.
- 5.0** A Complainant must include the following in its written protest:
 - (a) The name and address of the Complainant;
 - (b) Identification of the competitive procurement at issue (e.g., by RFP number);
 - (c) Identification of the specific provision of the procurement document and/or procedure that is alleged to have been breached, and the manner in which it was breached;
 - (d) A precise statement of other relevant facts;
 - (e) The Complainant's arguments and supporting documentation; and
 - (f) The Complainant's requested remedy.
- 6.0** The RFP Coordinator will respond to the Complainant, by certified mail, within ten (10) business days of receiving the written protest to confirm CMEPP's receipt of the protest and to provide the Complainant with a copy of this Policy (unless CMEPP has previously made a copy available to the Complainant).

- 7.0** The Relationship & Development Executive will review the protest and conduct an appropriate fact-finding process to attempt to confirm the allegations made in the protest (the "Review"). This may require further communications with the Complainant, as determined by the Relationship & Development Executive.
- 8.0** In carrying out the Review and making any final determinations regarding the resolution of the protest, the Relationship & Development Executive will involve such CMEPP personnel at an appropriate level, and/or legal counsel, as are reasonably required.
- 9.0** The Relationship & Development Executive will send to the Complainant a final written response to the protest within 20 business days of receipt of the Protest. This final written response will be signed off by the CMEPP CEO.