

Department of Administrative Services **Guidance Document**

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

NEBRASKA DEPARTMENT OF ADMINISTRATIVE SERVICES MATERIEL DIVISION - STATE PURCHASING BUREAU

STANDARD PROTEST/GRIEVANCE PROCEDURES FOR VENDORS

This policy is used to protest a commodity or service contract awarded through AS Materiel Division-State Purchasing Bureau. If a contract is bid directly through an agency, the Director of that agency is responsible for handling protests. All protests/grievances are to be forwarded to the Director of that agency.

Grievances/Protests are only accepted from vendors who have submitted a timely bid response in connection with the award in question. Administrative procedures, if processed through the AS State Purchasing Bureau, for grievances/protests are as follows:

1. Grievances/protests must be expressed in writing, directed to: Materiel Division Administrator, Administrative Services, 1526 K Street, Suite 130, Lincoln, NE 68508 and shall: (1) reference the bid number; (2) include specific issues that are disputed; and (3) provide a point of contact and mailing address to which a response can be sent. All grievances/protests must be received within ten (10) business days of the posting of the intent to award, in order to be considered a valid grievance/protest.
2. A response will be made in writing to the point of contact provided in the grievance/protest by the Materiel Division Administrator, generally within ten (10) business days of receipt of the grievance/protest by the Materiel Division Administrator.
3. **If the response from the Materiel Division Administrator has not satisfied the grievance**, the vendor may make a written request for a meeting with the Materiel Division Administrator and the Director of Administrative Services, or designee of the Director's choosing, to: Director of Administrative Services, 1526 K Street, Suite 250, Lincoln, NE 68508. Such request shall: (1) reference the bid number; (2) include the specific issues disputed; (3) provide a point of contact and mailing address, and (4) must be received within ten (10) business days of the date of the Materiel Division Administrator's response in order to be considered a valid meeting request.
4. A meeting will be scheduled and held with the vendor, Materiel Division Administrator, and Director of Administrative Services or the Director's designee for the vendor to present their issues.
5. A written final decision will be sent to the vendor, generally within ten (10) business days, unless additional time is necessary to fully examine the issues presented.
6. If desired, a vendor may opt to skip Steps 1 & 2, and grieve simultaneously to the Materiel Division Administrator and the Director of Administrative Services (begin with Step 3 above).