

BID PROTEST PROCEDURES:

Kansas Department of Transportation – Protest Procedure
(Required for all procurements funded in whole or in part through the Kansas Department of Transportation – Office of Public Transportation)

PROTEST OF SPECIFICATIONS OR BID PROCEDURES:

Anyone wishing to file a protest concerning the specifications or the bid procedure must do so in writing. The written protest must include a detailed statement of the issues. The Kansas Department of Transportation – Office of Public Transportation (KDOT) located at 700 SW Harrison Street, Topeka, Kansas 66603 must receive the written protest no later than 72 hours prior to the bid opening. If a protest is received that cannot be resolved by the designated time for bid opening, the bid opening shall be delayed until the protest is resolved.

PROTEST OF SPECIFICATIONS/APPROVED EQUALS:

Anyone wishing to file a protest concerning the specifications or approved equals or a clarification decision must do so in writing. The written protest must include a detailed statement of the issues. The Kansas Department of Transportation – Office of Public Transportation located at 700 SW Harrison Street, Topeka, Kansas 66603 must receive the written protest within (5) five business days from the bid opening.

The Department on Transportation will issue a written decision on a timely protest within 10 business days of the receipt of a written protest. If KDOT upholds the protest, the contract award will be withheld until a solution is determined and the price by all firms will be held valid until that time. The written decision by KDOT will be considered the final decision.

Reviews of any protest filed with the Federal Transit Administration (FTA) will be limited to a review of whether KDOT, as the grantee, failed to have or follow its protest procedures, or has failed to review a complaint or protest. An appeal to the Federal Transit Administration (FTA) must be received by the FTA regional Office at 901 Locust Street, Suite 404, Kansas City, Missouri 64106 or to the FTA headquarters office (Washington, DC) within (5) five working days of the date the protester knew or should have known of the violation. Any protest filed with FTA shall also be sent to the Kansas Department of Transportation - Office of Public Transportation.

Any allegation that a violation of federal law or regulation may have occurred shall be handled by the complaint process stated within that law or regulation. Violations of state law or regulations will be handled under the jurisdiction of the State of Kansas.

PROTEST OF CONTRACT AWARD:

Anyone wishing to file a protest concerning the bid award must do so in writing. The written protest must include a detailed statement of the issues. The KDOT - Office of Public Transportation located at the Eisenhower State Office Building, 700 Southwest Harrison Street, Topeka, Kansas 66603 must receive the written protest within five (5) days of the notice of the bid award.

The Department of Transportation will issue a written decision on a timely protest within 10 business days of the receipt of the written protest. If KDOT upholds the protest, the contract award will be withheld until a solution is determined and the price bid by all firms will be held until that time. The written decision by KDOT will be considered the final decision.

Reviews of any protest filed with the Federal Transit Administration will be limited to review of whether KDOT, as the grantee, failed to have or follow its protest procedures, or failed to review a complaint or protest. An appeal to the FTA must be received by the cognizant FTA Regional (901 Locust Street, Suite 404, Kansas City, Missouri 64106) or Headquarters Office (Washington DC) within five (5) working days of the date the protester knew or should have known of the violation. Any protest filed with FTA shall also be sent to the KDOT Office of Public Transportation. Any allegation that a violation of federal law or regulation may have occurred shall be handled by the complaint process stated within that law or regulation. Violations of state law or regulations will be handled under the jurisdiction of the State of Kansas.