
CAMM Procedures

4. Upon receipt of proposals/bids, the CA shall prepare a memo and include the DBE forms that were submitted by the firms, to the DBE Officer for review. The DBE Officer will review the documents and provide a written response regarding the firm who meets the DBE goal or demonstrates good faith efforts. The CA shall maintain all DBE documents in the contract file.

5. The CA shall follow the appropriate remaining procedures for competitive procurements.

P. Vendor Bid List Procedures

1. CAMM will maintain a Vendor Bid List in the CAMMNET system. The Vendor Bid List is organized by commodity classifications and alphabetization.

2. CA will generate the Bid List from CAMMNET prior to posting the solicitation

3. CA will ensure a copy of Bid List is appropriately filed in the Contract File

Q. Vendor Protests Procedures

1. In the case of vendor protests, requesting departments and CAMM staff should refer to the Standards of Conduct for Procurements in the CAMM Policy Manual to ensure that the Authority's Conduct Code is adhered to.

2. The vendor should submit the protest in writing to the attention of CAMM Management, and the protest should include:

- a) The name and address of the protester
- b) The solicitation number and the project description
- c) A statement of the grounds for protest and all supporting documentation
- d) The grounds for protest must be fully supported
- e) The resolution to the protest desired from the Authority
- f) The following address if going through the US Postal service:

Orange County Transportation Authority
Contracts Administration and
Materials Management Department
550 South Main Street, PO Box 14184
Orange, California 92683-1584
Attention: BID PROTEST

- g) The following address if delivered in person or by means other than the US Postal service:

Orange County Transportation Authority
Contracts Administration and
Materials Management Department
600 South Main Street, 4th Floor
Orange, California 92868
Attention: BID PROTEST

CAMM Procedures

3. A copy of the protest will be distributed to appropriate parties which may include Legal, PM, and Executive Management.
4. CAMM Management will be the initial party to determine a fair review process for all vendors who file a protest. The CA will review the protest and prepare a receipt of protest response letter to be signed by the Director of CAMM and sent to the vendor. This letter should be sent to the vendor no later than five (5) days from receipt of protest.
5. The CA will review the protest and prepare a written summary and submit to their supervisor for review within seven (7) days from the receipt of the protest.
6. If the procurement is federally funded the following shall apply:
 - a) For FTA procurements, CAMM Management will notify the Grants Department and request that they notify FTA of the protest and keep FTA informed about the status of the protest.
 - b) For FHWA funded procurements, CAMM Management will notify CALTRANS of protest.
7. CAMM Management will review the summary prepared by the CA and all material submitted with the protest. The Director of CAMM shall issue a decision in writing on the merits of the protest.
8. Chief Executive Officer
 - a) In the event of an adverse decision by the Director of CAMM for Board of Directors approved procurements, the protester may submit his/her protest in writing to the Chief Executive Officer no later than ten (10) days after the date the Director of CAMM has rendered a decision.
 - (1) To expedite handing, the address should include "Attention: Bid Protest."
 - b) The protester will submit only the information previously submitted to CAMM as well as a copy of the Director of CAMM's decision.
 - c) The Chief Executive Officer will notify the protester in writing within five (5) days that the protest has been received and is undergoing review, and will render in writing a final decision within thirty days after receipt of the protest.
9. Authority's Board of Directors Review
 - a) In the event of an adverse decision by the Chief Executive Officer of Board of Directors approved procurements, the protester may request in writing a review by the Authority's Board of Directors.
 - b) To request a review, the protester shall submit only the documentation previously submitted to CAMM and the Chief Executive Officer, as well as the decisions previously rendered, to the Clerk of the Board within five days of the Chief Executive Officer's decision.
 - c) Upon receipt of request for review by the Board of Directors of the protest, the Clerk of the Board shall agenda a review for a regularly scheduled Board meeting.

CAMM Procedures

- d) The CA shall notify the protester in writing of the scheduled date of review of the Board of Directors.
- e) At the Board meeting, the protester may give an oral presentation of the information previously provided in writing.
- f) Staff will present its prior determinations and the reason for the determinations.
- g) The Board of Directors may ask questions of both staff and the protester.
 - (1) At the conclusion of the question and answer session, the Board of Directors shall make a determination
 - (2) The decision of the Board of Directors should be final and there should be no further administrative recourse
 - (3) The CA will notify the protester in writing of the Board's action.
- h) If the procurement is federally funded, staff will notify the FTA of the protest by including the information as part of its annual or quarterly progress reports. OCTA is responsible for settling all contractual and administrative issues arising out a procurement, using good administrative practice and sound business decision-making. The FTA will not substitute its judgement for that of OCTA's unless the matter is primarily a federal concern.
- i) Execution of any proposed agreement should be delayed pending the resolution of the protest, except under special circumstances.

10. Protest Remedies

- a) In determining the appropriate remedy, the Authority should consider all the circumstances surrounding solicitation or contract selection and/or award.
- b) If the Authority determines that the award or proposed award was not made in accordance with the applicable Authority statutes, regulations, procedures, and procedures, the Authority shall have the authority, in its sole discretion grant any of the following or any other remedy it deems appropriate, including:
 - (1) If pre-award, issue a new solicitation, make a new consultant selection or award a contract consistent with applicable statutes, regulations, procedures, and procedures
 - (2) If post-award, refrain from extending the term of the contract or awarding task orders under an existing task order agreement
 - (3) Take no further action
 - (4) Take any other action that is permitted by law to promote compliance

R. Cost and Price Analysis Procedures

- 1. The CA must perform a cost or price analysis in connection with every procurement action, including but not limited to contract amendments, interagency agreements and single bids/proposals. This analysis is used to determine if the purchase prices of services or goods are fair and reasonable. The method and degree of analysis is dependent on facts surrounding the particular procurement situation.