

PROCEDURES: BID DISPUTE RESOLUTION

Policy Category: Financial

Subject: Bid Dispute Procedures

Responsible Office: Financial Services

Related University Policies:

Policy 2.8 https://www.uwo.ca/univsec/pdf/policies_procedures/section2/mapp28.pdf

Effective Date: August 12, 2011

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PROCEDURES

The purpose of this document is to outline the bid dispute resolution process to ensure that any dispute is handled in an ethical, fair, reasonable, and timely fashion. These bid dispute resolution procedures comply with bid protest or dispute resolution procedures set out in the applicable trade agreements.

Stage 1 - Initial Dispute Consultations

When a vendor has a concern about a procurement process, they should address the concern as early as possible through a consultation process directly with the Western Procurement Contact for the specific opportunity.

In addition, every procurement opportunity over \$100,000 allows for a question and answer period and debriefing meeting. The purpose of each is as follows:

- Question and answer period: The question and answer period provides vendors an opportunity to ask questions or address concerns related to the specific procurement document or process while the opportunity is still open.
- Debriefing Meeting: A debriefing meeting provides vendors an opportunity to discuss their strengths and weaknesses of an unsuccessful bid submission. Debriefings must be requested within 60 calendar days of an award notification.

Stage 2 - Formal Bid Dispute Resolution Process

Where a vendor is not satisfied after the Stage 1 process and wishes to proceed to a formal bid dispute with Procurement Services, the process outlined below is to be followed:

1. The aggrieved party is to file their bid protest with the Director of Procurement Services, by certified mail, within 21 calendar days of the initial dispute consultation or within 60 calendar days of award notification. The aggrieved party's filing should include:
 - Completed [Bid Dispute Form](#)
 - Detailed and factual statement of the grounds for protest
 - Supporting documentation
 - Desired relief, action or ruling
2. The Director of Procurement Services will investigate the bid protest upon receipt and will respond to the aggrieved party, by certified mail, within 14 calendar days of receiving the bid protest notice. If the Director of Procurement Services is unable to provide resolution, the bid dispute will be escalated to a Review Body to determine appropriate resolution. The Review Body is an impartial Ontario Arbitrator and Mediator that is independent from Western.
3. Once the Review Body has gathered all relevant information, it will determine a resolution to the bid dispute, and, issue its findings to both the aggrieved party and Western within 90 calendar days of receiving the bid dispute.
4. The Review Body's decision on the bid dispute will be final and will include:
 - A summary of the dispute
 - A detailed analysis of the results of the findings of the Review Body
 - Any remedies or corrective action being proposed

CONTACT INFORMATION

The following information can be used to contact the individual listed in the above procedures:

Director of Procurement Services
University of Western Ontario
Support Services Building
1393 Western Road, Suite 6100
London, Ontario
N6A 3K7