

**Resolution No.: 16-46 | Procurement****Responsible Department:** Finance and Accounting**Effective Date:** October 18, 2016**Supersedes:** April 21, 2015 (Res. 15-12)**Personnel Covered:** All Employees**POLICY STATEMENT**

It is the policy of the Phoenix-Mesa Gateway Airport Authority (“PMGAA” or “Authority”) to purchase goods and services in such a manner that promotes fiscal responsibility and efficiency, in accordance with this policy’s terms and conditions.

**PURPOSE**

This policy’s purposes are to obtain competitive pricing in PMGAA procurements, to authorize exceptions in specific situations, and to provide reasonable controls and accountability to PMGAA’s Board of Directors.

**DEFINITIONS**

**A.R.S.:** Arizona Revised Statutes, as amended from time to time.

**A/E (Architect or Engineer) Professional Services:** Services performed by a registered architect or engineer, including architectural or engineering services associated with research, planning, development, design, construction, alteration, or repair of buildings and other improvements to real property.

**Alternative Project Delivery Method:** These methods contemplate that the contractor will be selected based on qualifications or best value—not low bid. Alternative methods include design- build, construction manager at risk, and job order contracting.

**Award:** A determination by the PMGAA to enter into a contract with one or more respondents. An award precedes execution of a contract.

**Bid:** The response submitted by a bidder to an Invitation for Bids. The response to a Request for Proposals is called a proposal or offer.

**Bidder:** A person or company submitting a bid.

**Board of Directors/Board:** The members who jointly oversee the activities of PMGAA, a joint powers airport authority. The Authority is comprised of the Cities of Mesa, Phoenix, and Apache Junction, Towns of Queen Creek and Gilbert, and the Gila River Indian Community.

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**Capital Improvements:** A building or structure, or additions to or alterations of existing buildings or structures, or other improvements to real property as further defined in the budget or capital improvement program policy.

**Competitive Procurement:** The process of publicly soliciting bids or proposals to select the best provider of materials, equipment, services, concessions, or construction. Methods of competitive selection include Request for Quotations, Request for Proposals, Invitation for Bids, Requests for Qualifications, and cooperative contracts (with other agencies) that were competitively procured one of these ways.

**Competitive Bidding:** The process of soliciting bids from bidders, which may result in an award to the lowest responsible, responsive bidder. For purposes of this policy, either PMGAA or a cooperating agency may conduct competitive bidding.

**Contract:** All types of written agreements, regardless of what they may be called, for the procurement of materials, equipment, services, concessions, or construction. The Authority shall never enter into an oral contract.

**Cooperative Purchasing:** A competitively bid procurement conducted by, or on behalf of, or utilized by another governmental agency or procurement unit.

**Emergency Purchase:** Any purchase necessary for the immediate benefit of the public health, safety, or welfare and for which compliance with established procurement procedures is impracticable or contrary to the public interest.

**Executive Director/CEO:** The Chief Executive Officer of the Airport reporting to PMGAA's Board of Directors. The Executive Director/CEO has responsibility to manage, operate, and maintain Phoenix-Mesa Gateway Airport.

**General Services:** By contrast to professional services, general services are provided primarily through semi-skilled labor.

**Grants and Procurement Coordinator:** The PMGAA employee with specific responsibility for overseeing procurement of materials, goods, and services valued over \$50,000.

**IFB:** Invitation for Bid. The IFB consists of all documents, including those attached to or incorporated by reference, utilized for soliciting bids where price is the sole consideration for the award.

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**Interested Person:** A person that is an actual or prospective bidder or offeror with a direct economic interest affected by the award or failure to award the contract at issue. Neither a subcontractor nor a supplier is an “interested person.”

**Intergovernmental Agreement:** An agreement with another public agency in accordance with A.R.S. 11-952.

**PMGAA:** Phoenix-Mesa Gateway Airport Authority.

**Professional Services:** Professional services are rendered by members of a recognized profession or by persons possessing a special skill. These services include advertising, appraisers, architects, attorneys, consultants, certified public accountants, engineers, environmental studies, financial and operational audits, personnel and benefits studies, land surveyors, landscape architects, renewals of proprietary computer hardware and software licensing, trainers, and other licensed professionals.

**Proposal:** A proposal is an offer submitted by a vendor in response to a solicitation.

**Protest:** A formal objection that arises during the procurement process asserted by an interested person.

**Protester:** An interested person that objects to a solicitation or award.

**Publicly Accessible Procurement Source:** A public source to establish market value of used equipment.

**Purchaser:** PMGAA or another agency that acquires goods, professional services, other services, or construction on behalf of an organization.

**Purchasing Director:** A PMGAA employee responsible for and authorized to administer day-to-day procurement activities under this Board Policy and applicable law.

**Quote:** An informal purchasing process that results in obtaining pricing information from several sources, including publicly posted or advertised pricing.

**Quotation:** A statement of price, terms of sale, and description of goods or services offered by a vendor to a prospective purchaser.

**Responsible Bidder/Proposer:** A person who is licensed (if required), who complies with all of the requirements of law, the solicitation, and proposed contract, and who possesses the experience, resources, financial and technical capacity, and everything else necessary to perform the contract.

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**Responsive Bid:** A bid or proposal that fully conforms in all material respects to the IFB/RFP and all of its requirements.

**RFP:** Request for Proposals. The RFP consists of all documents, including those attached or incorporated by reference, utilized for soliciting proposals.

**RFQ:** Request for Qualifications. The RFQ consists of all documents, including those attached to or incorporated by reference, utilized for soliciting statements of qualifications.

**Services:** Includes professional and general services.

**Solicitation:** An Invitation for Bid (IFB), Request for Proposals (RFP) or Request for Qualifications (RFQ) issued by PMGAA or another agency or procurement unit.

**Vendor:** A seller or supplier of goods and services.

**I. RESPONSIBILITY FOR PURCHASING**

- A. PMGAA's Chief Financial Officer shall serve as Purchasing Director. The Purchasing Director shall direct all purchases of goods and services made by or on behalf of PMGAA. The Purchasing Director may delegate purchasing functions to authorized PMGAA employees.
- B. Department managers must ensure that their employees comply with this policy.
- C. The Purchasing Director shall establish procedures necessary to effectively implement this policy.
- D. Under the Purchasing Director's oversight, the Accounting Department shall maintain documentation of procurements for audit purposes and for compliance with records-retention requirements. All procurement records must be maintained and disposed of in accordance with PMGAA's records-retention schedule.

**II. TYPES OF PURCHASES & APPROVAL THRESHOLDS**

- A. General Applicability
  - 1. Purchases may not be intentionally divided between multiple, separate procurements to circumvent this policy's requirements.
  - 2. No purchase may be made without proper authorization.

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3. Except as provided in this policy, purchases or contracts that exceed \$50,000 per year may not be awarded without the Board's prior approval.
  4. When purchasing materials and general services eligible for reimbursement under a federal or state grant, PMGAA shall ensure compliance with all applicable laws, regulations, and grant assurances.
- B. Purchases of Products, Materials, Equipment, and General Services
1. Purchases under \$5,000. For purchases under \$5,000, PMGAA may obtain the products, materials, equipment, or general services as needed without further formality. Multiple quotes are not required for procurements up to \$5,000. However, the authorized employee must ensure that the procurement is made consistent with sound business practice and that PMGAA receives the best value.
  2. Purchases between \$5,000 and \$50,000. Unless otherwise outlined within this Policy, for purchases of products, materials, equipment, or general services that will exceed \$5,000 but not exceed \$50,000, the authorized employee shall obtain at least three written price quotes for the same or substantially similar items or services. Oral quotes, published advertisements, catalogues, and online web pricing will satisfy this requirement.
  3. Purchases in excess of \$50,000. For purchases of products, materials, equipment, or general services that will exceed \$50,000, the Purchasing Director shall require a formal competitive procurement process, except as otherwise provided in this Policy.
- C. Contracts for A/E Professional Services and Construction
1. PMGAA shall comply with A.R.S. Title 34 to procure construction and A/E professional services.
  2. Under A.R.S. Title 34, contracts with engineers in excess of \$500,000 and contracts with architects in excess of \$250,000 require advertising and selection through an RFQ. These A/E professional services and construction projects utilizing design-build, construction-manager-at-risk, and job-order contracting delivery methods must be approved by the Purchasing Director or designee before advertising.

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3. PMGAA may procure services of an architect, engineer, or other registrant by direct selection without advertising if it is in the best interest of PMGAA as determined by the Executive Director/CEO and less than the dollar threshold amounts specified in Section 2(C)(2) above.
- D. Contracts for Professional Services (not including A/E Professional Services)
1. A contract for professional services may not be awarded to a person or firm that participates, prepares, or evaluates the RFP or RFQ for that contract.
  2. Purchase of professional services between \$5,000 and \$50,000. When contemplating a purchase of professional services (such as legal counsel, auditors, brokers, or other professional consultants), the authorized employee shall obtain at least three written quotes/proposals. If three quotes or proposals are not available, the department shall obtain as many quotes/proposals as are reasonably available. The department shall document the procurement file explaining why three (3) quotes/proposals were not obtained. Alternatively, the Purchasing Director may authorize the employee to directly select professional services as needed without further formality.
  3. Purchase of professional services over \$50,000. Unless the Executive Director/CEO grants an exception, PMGAA shall procure professional services that exceed \$50,000 by competitive selection to the extent practicable, advantageous to PMGAA, consistent with sound business practices, and likely to ensure that PMGAA receives the best value and service. The Executive Director/CEO may grant exceptions upon written recommendation by the department head that competitive selection is not practicable or advantageous to PMGAA.
- E. Purchases from Member Governments
- The Purchasing Director may purchase services from or contract directly with any member government as necessary for the Airport's normal operation without using a competitive procurement process.
- F. Procurements Involving Gateway Aviation Services
- PMGAA shall procure products and services for Gateway Aviation Services in accordance with this policy, with the following exceptions.

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1. Fuel, oil, and other products for resale may be purchased without formality from any qualified vendor as needed to fulfill customer orders, with due regard for price.
2. Fuel trucks and related equipment and parts may be acquired, at the Purchasing Director's option, by purchase or lease from PMGAA's fuel supplier through direct negotiations with the supplier. The Board must approve any proposed purchase or lease with a value that exceeds \$50,000.

**G. Emergency and Impractical Procurements**

Notwithstanding any other provision of this policy, the Purchasing Director may make or authorize other employees to make emergency procurements without following this policy if a threat to the public health, safety, or welfare exists, or if a situation exists that makes compliance with this policy impracticable, unnecessary, or contrary to the public interest. All procurements completed under this Section must be conducted with as much competition as practicable under the circumstances. A written determination of the basis for the emergency must be included in the procurement file, and a report explaining the emergency and the procurement's outcome must be made to the Board at its next regular meeting.

**H. Purchases Excluded from Quotation/Competitive Selection Requirements**

The following items are excluded from the requirement of multiple quotes or competitive selection.

1. Sponsorships.
2. Advertisements in magazines, newspapers, or other media.
3. Former employees with unique knowledge contracted on a temporary or part-time basis.
4. Publicly available training seminars and conferences.
5. Memberships in professional associations.
6. Works of art, entertainment, or performance (when authorized by the Executive Director/CEO or Board, as applicable).
7. Subscriptions to trade/professional magazines or journals.

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8. Travel-related expenses as defined in the Business Travel Authorization and Reimbursement policy.
  9. Payments for regulated services, such as postage and utilities, where no practical competitive alternatives exist.
  10. Arizona Correctional Industries, Arizona Industries for the Blind, and other entities established by the state of Arizona under the set-aside program (A.R.S. 41-2636).
  11. Hardware and software licensing renewals and maintenance support.
- I. Multi-Year Contracts
1. Multi-year contracts are contracts that extend more than one (1) year in length. Multi-year contracts may have optional years specified to be exercised at PMGAA's discretion. An example of a multi-year contract is a contract for three (3) years with two (2) one (1) year options for a total of five (5) years (potentially). Multi-year contracts may not exceed five (5) years total unless approved by the Board.
  2. Board approval is required for multi-year contracts having a total cumulative value, including all options, in excess of \$50,000. Board approval for exercising the option years is not required if the Board approves the option when the contract is first approved.

**III. PROCUREMENT PROCESSES**

PMGAA may procure goods and services generally in accordance with the following selection methods. The selection method to be used for each procurement should be determined in coordination with the Purchasing Director or designee, giving due consideration to the nature and scope of the procurement, this policy, applicable laws, and any applicable grant or other funding requirements.

- A. Obtaining Quotes for Purchases of Products, Materials, Equipment, or General Services
1. The authorized employee shall obtain and document quotes from at least three (3) qualified vendors for the same or substantially similar items or services. If three quotes are not available, the employee shall obtain as many quotes as

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are reasonably available, and the employee shall document the circumstances for the procurement file.

2. The authorized employee may receive quotes by any expedient manner, including telephone, fax, email, advertisements, catalogues, and online web pricing.
3. The authorized employee shall not reveal the amount of any quote to any competing vendor until after all quotes have been received.
4. As part of the purchase order approval process, the Purchasing Director or designee will review the quotes and may: (1) accept the quotes; (2) reject any or all quotes and re-procure; (3) request additional quotes; or (4) require a formal competitive procurement process.

**B. Sole Source**

When there is only one person or entity capable of providing a particular product or service, or when sole source procurement is needed to maintain program continuity or compatibility with existing equipment, these circumstances must be documented. The Purchasing Director may then authorize a sole source procurement and waive the requirement for a competitive procurement process.

**C. Invitations for Bid (IFB)**

1. Each IFB shall describe the goods or services required and include design or performance specifications for the item or service.
2. The Purchasing Director shall publicly issue and advertise each IFB. A notice inviting bids shall be published in accordance with A.R.S. 34-201 (construction) or A.R.S. 39-203 (if applicable).
3. The IFB must state the place where each bid must be submitted, the deadline for submitting bids, and the date, time, and place of the bid opening.
4. Each bid must be submitted in a sealed envelope clearly identified as a bid on the front of the envelope. Any bid not sealed or not received within the specified time period must be rejected.
5. All bids must be opened in public at the time and place specified. A tabulation of all bids received will be posted on PMGAA's website.

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6. The Purchasing Director or designee may reject any and all bids or parts of bids and may re-advertise and re-solicit bids.
  7. The contract must be awarded to the lowest responsible and responsive bidder. In making the determination of the lowest responsible, responsive bidder, the Purchasing Director or Board may consider the following:
    - a. The ability, capacity, experience, and resources of the bidder, its employees, and subcontractors to perform the contract.
    - b. The bidder's capacity to perform the contract promptly and within the time specified, without delay or disruption.
    - c. The bidder's quality of performance on previous contracts with PMGAA or with its members.
    - d. The bidder's financial, technical, and other resources to perform the contract.
    - e. The quality and adaptability of the bidder's materials, supplies, or services to the particular use required.
  8. If an award is not made to the lowest bidder, the Purchasing Director or authorized employee shall prepare a written statement of the reasons and include this statement in the contract file.
- D. Requests for Proposals (RFP)
1. A Request for Proposal may be used when the Purchasing Director determines that oral or written discussions with proposers regarding experience, technical, price, or other aspects of their proposals would be beneficial.
  2. Each RFP must be publicly issued and advertised in the same manner as an IFB.
  3. Each RFP must state:
    - a. The type of materials or services required, and a description of the work involved.
    - b. Whether cost or pricing data is required.
    - c. Whether discussions may be held with the top-ranked proposers.

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- d. The minimum information that the proposal must contain.
  - e. The criteria on which an award will be based and the points that may be awarded for each criterion.
4. The Purchasing Director or the Board may reject any and all proposals or parts of proposals and may re-advertise or re-solicit proposals.
  5. For an RFP, the award must be made to the responsible and responsive proposer whose proposal is determined to be the most advantageous to PMGAA and best satisfies PMGAA's needs taking into consideration the evaluation criteria in the RFP. PMGAA is not required to award the contract to the proposer with the lowest price. The following criteria may be considered.
    - a. Price
    - b. The ability, capacity, and experience of the proposer, its employees, and subcontractors to perform the contract.
    - c. The proposer's capacity to perform the contract promptly and within the time specified, without delay or disruption.
    - d. The proposer's quality of performance on previous contracts with PMGAA or with its members.
    - e. The proposer's financial, technical, and other resources to perform the contract.
    - f. The quality and adaptability of the proposer's materials, supplies, or services to the particular use required.
    - g. The number and scope of conditions attached to the proposer's offer, and the offer's conformance to all material aspects of the RFP.
  6. The contract file must contain the basis on which the award is made.
- E. Requests for Statements of Qualifications (RFQ)
1. A Request for Statements of Qualifications may be issued for professional services and must be used for procurements where federal or state law requires the use of a qualifications-based selection process.

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2. Each RFQ must be publicly issued and advertised in the same manner as an IFB.
3. Each RFQ must state:
  - a. The description of the work involved;
  - b. Whether discussions may be held with the most-qualified firms;
  - c. The minimum information that statements of qualifications must contain;  
and
  - d. The criteria on which an award will be based and the points that may be awarded for each criterion.
4. The contract or purchase shall be awarded based upon the criteria outlined in the RFQ and in accordance with applicable federal and state laws. The following criteria may be considered:
  - a. The ability, capacity, and experience of the proposer, its employees, and subcontractors to perform the contract.
  - b. The proposer's capacity to perform the contract promptly and within the time specified, without delay or disruption.
  - c. The proposer's quality of performance on previous contracts with PMGAA or with its members.
  - d. The proposer's financial, technical, and other resources to perform the contract.
  - e. The quality and adaptability of the proposer's materials, supplies, or services to the particular use required.
  - f. The number and scope of conditions attached to the proposer's offer, and the offer's conformance to all material aspects of the RFQ.

**F. Cooperative Purchasing Agreements**

To obtain advantageous pricing, the Purchasing Director or Executive Director/CEO may enter into cooperative purchasing agreements with other agencies or procurement units. In most cases, a procurement process conducted by another agency will satisfy this policy. The Purchasing Director or designee shall exercise reasonable efforts to ensure that the original contract was solicited with the

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intent to be used for cooperative procurement, that the process was conducted in a manner consistent with this policy, and that the contract provides the best value for PMGAA.

**G. Publicly Accessible Procurement Sources**

When the Procurement Director determines it more practical and economical to purchase used heavy equipment versus new, and the amount exceeds \$50,000 in value, publicly accessible procurement sources may be utilized for establishing a market value for the equipment. The applicability of procurement methodology will be determined on an individual basis without securing multiple bids. Sources to establish market value may include, but are not limited to, auctions and classified advertisements (print and Web based).

Due to the type of purchase, the equipment must be paid for at time of sale to ensure availability. This makes Board approval prior to the purchase impractical. Therefore, PMGAA staff will subsequently make a full report to the Board, including type of equipment purchased, cost of the item, disclosure of the information utilized to establish market value and related expenses, if any.

This method benefits PMGAA both financially and operationally due to a larger pool of equipment at a less expensive costs and immediate availability.

**IV. OTHER****A. Public Access to Procurement Information**

1. Procurement opportunities that exceed \$50,000 in value will be posted on PMGAA's website under <http://www.phxmesagateway.org/Procurements.aspx>.
2. Written records pertaining to a solicitation or award of a contract or purchase order must be maintained by the Purchasing Director or designee.
3. Proposals and all solicitation and evaluation materials (except the RFP itself) are confidential and may not be disclosed until the final contract has been negotiated and awarded. PMGAA shall endeavor to protect against disclosure any financial information, trade secrets, or proprietary information or data contained in a proposal, which information and data the proposer has designated confidential. If anyone demands public disclosure of this confidential information, PMGAA will notify the proposer, who shall defend

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and indemnify PMGAA against attorneys' fees and costs incurred resisting the demand to disclose the confidential information.

**B. Procurement Transparency Regulation**

1. PMGAA has adopted the following transparency regulation. This transparency regulation applies to every solicitation under this Procurement Policy. The transparency regulation's purpose is to ensure that every person's solicitation-related contacts and communications with PMGAA's Board of Directors and staff (other than the Purchasing Director or his designee) occur in a public meeting in which every other interested person may participate.
2. No person may directly or indirectly contact or communicate with any member of PMGAA's Board of Directors or any PMGAA employee about any active or pending solicitation under this Procurement Policy except at the Board of Directors' regular monthly public meeting, unless the solicitation documents specifically authorize otherwise. This transparency regulation becomes effective for each solicitation immediately upon PMGAA's release of the solicitation documents or posting of the solicitation opportunity on PMGAA's website. The regulation continues in effect through any protest until the Board's public meeting at which final action on the solicitation (or protest) has been scheduled.
3. The Purchasing Director may reject the bid, proposal, statement of qualifications, or other offer of, and the Purchasing Director may disqualify, any person that directly or indirectly (through agents, subcontractors, or suppliers, for example) violates this transparency regulation. The Purchasing Director's decision to reject a bid, proposal, statement of qualifications, or other offer and to disqualify any person that violates this transparency regulation is final and non-appealable.
4. Every person's contacts or communications with PMGAA regarding any active or pending solicitation must conform to this transparency regulation and the solicitation documents' terms and conditions. Generally, each solicitation will establish PMGAA's point of contact (typically the Purchasing Director or his designee) for purposes of the solicitation, and all persons interested in the solicitation may contact or communicate with the point of contact as specified in the solicitation documents.

**V. PROTEST PROCEDURES****A. Authority to Resolve Protest**

The Purchasing Director is authorized to decide any protest relating to any procurement on PMGAA's behalf.

**B. Right to Protest**

Any interested person aggrieved in connection with a solicitation or award of a contract may protest the solicitation or award. The protest must be filed with the Purchasing Director.

**C. Confidentiality of Protest Information**

All materials submitted by a protester may be disclosed to any interested person except to the extent permitted or required by law or as determined under this policy.

**D. Protests Involving Federal Aviation Administration (FAA) or Arizona Department of Transportation (ADOT) Funded Projects**

For protests on FAA or ADOT funded projects, PMGAA may be required to provide information to or obtain the funding agency's approval of protest determinations. Accordingly, notwithstanding any deadline in this policy applicable to PMGAA, PMGAA is entitled to additional time as needed to comply with any grant or other agency requirements relating to a procurement dispute. Under no circumstances may the protester consider or name FAA or ADOT a party to the protest.

**E. Record of Protest**

PMGAA shall maintain a written record of each protest.

**VI. PROTEST OF SOLICITATION OR SPECIFICATIONS (BEFORE BID OPENING)**

- A. Any interested person aggrieved in connection with the solicitation of a contract shall protest irregularities in the IFB, RFP, or RFQ within three (3) business days from the date the protester knew or should have known of the basis for the protest and, in any case, at least five (5) business days before opening bids or proposals.

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- B. All protests must be made in writing to the Purchasing Director. Each protest must state the specific factual and legal grounds on which the protest is based. The protester must also include with the protest all pertinent documents and all supporting evidence. PMGAA need not accept any protest that fails to comply with the requirements of this section. The protester's failure to timely protest specifications or other solicitation terms and conditions constitutes a waiver of the protest.
- C. If a timely protest before bid opening is made, PMGAA may proceed with the solicitation or with the award of the contract unless the Purchasing Director determines in writing that the protest should be sustained or that an addendum addressing the protest should be issued.

**VII. PROTEST OF AWARD RECOMMENDATION**

- A. A protest made after the deadline for bids or proposals, including challenges to the evaluation committee, must be submitted in writing to the Purchasing Director.
- B. A protest must be received by the Purchasing Director within five business days following public posting of PMGAA's award recommendation. The formal protest must contain the following information.
  - 1. PMGAA's solicitation identification number and title.
  - 2. Name and address of the protester, the title or position of the person submitting the protest, and a statement that the protest has been authorized by the protester and the protest is made in good faith.
  - 3. A statement of all facts alleged and all rules, regulations, statutes, or constitutional provisions that entitles the protester to relief.
  - 4. All other information, documents, materials, legal authority, and evidence in support of the protest.
  - 5. A statement indicating the precise relief sought by the protester.
- C. The Purchasing Director will make a written decision on the protest within ten business days after it is received.

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- D. The Protester may appeal the Purchasing Director's decision to the Executive Director/CEO. Any appeal must be filed with the Executive Director/CEO within three ( 3 ) business days after the protester receives the Purchasing Director's decision.
- E. The Executive Director/CEO may hear the appeal or appoint an independent hearing officer to do so. If a hearing officer is appointed, the hearing officer shall conduct an informal hearing on the appeal within 10 business days from receipt of the appeal. The hearing officer shall promptly prepare an informal decision and recommendation on the appeal for the Executive Director/CEO's consideration. The hearing officer shall promptly serve the recommendation on the protester.
- F. Upon receipt of the hearing officer's recommendation, or if no hearing officer is appointed, the Executive Director/CEO shall decide any protest for a solicitation valued at less than \$50,000. For solicitations valued less than \$50,000 or sustained protests, the Executive Director/CEO's decision is final. For solicitations valued over \$50,000 and the Executive Director/CEO is recommending denial of the protest, the Executive Director/CEO shall make a recommendation to the Board, and the Board shall make the final decision regarding award of the contract.
- G. Notice of the Board's final decision must be furnished to the protesting party, in writing, by the Purchasing Director.