

## **PROTEST PROCEDURE**

This letter establishes the procedure on how offerors can protest an AAFES solicitation or other procurement action.

### **PROCEDURE:**

#### **Protests of Procurement Actions**

A protest may be made only in writing, and must state that a protest is intended or AAFES will deem the matter abandoned. To contact the contracting officer, use the address listed in the solicitation. These standards apply to all protests and are as follow:

- Protests based on alleged improprieties in a solicitation that are apparent on the face of the solicitation must be filed in writing to the contracting officer before the closing date for receipt of proposals;
- Protests based upon an alleged impropriety in an amendment to a solicitation must be filed in writing before the closing date of the amendment;
- All other protests must be filed with the contracting officer no later than ten (10) calendar days after the protestor knew or should have known the basis of protest through the exercise of reasonable diligence, whichever is earlier.

Only 'interested parties' have standing to protest a procurement action. An "interested party" is an actual or prospective offeror with a direct economic interest in the procurement.

Written protests will receive a written decision and reply by the contracting officer to the protester.

#### **Appeals of the Contracting Officer's Protest Decision**

Appeals to the contracting officer's protest decision must be in writing and sent to the contracting officer at the address listed in the solicitation. The appeal shall include:

- The letter or document that initiated the protest, together with all evidence to support the appeal;
- Any other documents the appellant feels relevant to the protest.

AAFES may take into consideration relevant letters or other written statements received from other persons affected by or involved in the protest matter, together with any additional supporting evidence.

A final determination on a protest appeal of a contracting officer's protest decision will be made by the Commander, AAFES, and transmitted to the protester. In the absence of the Commander, AAFES, the Vice Commander may make the final determination.

Questions regarding this procedure are to be referred to the contracting officer responsible for the procurement action.