

Debriefing:

Bidders will be accorded fair and equal treatment with respect to their opportunity for debriefing. Disclosure of the content of competing bids other than statistical tabulations of bids received in response to an IFB, is prohibited prior to contract award. Prior to contract award, Farmingdale State College shall, upon request, provide a debriefing which would be limited to review of that bidder's proposal or bid. After contract award, Farmingdale State College shall, upon request, provide a debriefing to any bidder that responded to the IFB or RFP, regarding the reason that the proposal or bid submitted by the unsuccessful bidder was not selected for a contract award. The post award debriefing should be requested by the bidder within fifteen (15) days of receiving a letter of non-award. Bidders must request a debriefing in writing (email constitutes as writing). A debriefing may be conducted face-to-face, by telephone, in writing or video conference.

Bid Protest (for construction, rehab and A/E contracts):

PURPOSE AND SCOPE

- It is the policy of the State University of New York College at Farmingdale (the College) to establish guidelines for vendors to follow in order to administratively resolve disputes, complaints or inquiries related to the College's bid solicitations or contract awards. Vendors are encouraged to seek resolution of disputes through consultation with Procurement staff members. All such matters will be accorded full, impartial and timely consideration.

PROCEDURE

- A formal dispute by an interested party must be filed in writing to the College by mail or facsimile.
- The dispute must include:
 - Name, address, email address, fax and telephone numbers of the Interested Party
 - Solicitation or contract number
 - A detailed statement of the legal and factual grounds for the dispute, including a description of resulting prejudice to the Interested Party.
 - Copies of the relevant documents.
 - Request for a ruling by the College.
 - Statement as to the form of relief requested.
 - All information establishing the timeliness of the dispute.
- Disputes should be sent to the Manager of Capital Programs & Construction at:

Farmingdale State College
Service Building
2350 Broad Hollow Road
Farmingdale, NY 11735
Fax: (631) 794-6101

- Disputes concerning a solicitation shall be filed by an Interested Party with the College no later than ten (10) business days before the solicitation opening date. If the solicitation opening date is less than ten (10) business days from the date of issue, formal disputes concerning the solicitation document shall be filed with the College at least forty-eight (48) hours before the solicitation opening date.
- Disputes concerning a pending or awarded contract must be filed with ten (10) business days by an Interested Party after the disputing party knows or should have known of the facts which form the basis of the dispute; however a dispute may not be filed later than 10 days after issuance of the award.
- The College reserves the right to consider the merits of any dispute.

AGENCY RESPONSE

- The College will consider all information relevant to the dispute, and may, at its discretion, suspend, modify, or cancel the disputed procurement action prior to issuance of a formal dispute decision.
- The College reserves the right to waive or extend the time requirements for decisions and final determination on appeals prescribed when, in its sole judgment, circumstances so warrant.
- The College may elect to schedule a formal meeting with the Interested Party to discuss the dispute.
- A copy of the decision, stating the reason(s) upon which it is based and informing the Interested Party of the right to appeal an unfavorable decision to the College Controller shall be sent to the Interested Party by regular mail within ten (10) business days of receipt of the dispute.

APPEALS

- Should the Interested Party be dissatisfied with the dispute determination, a written appeal may be directed to:

Farmingdale State College
Controller
Horton Hall
2350 Broad Hollow Road
Farmingdale, NY 11735
Fax: (631) 420-9173

- Written notice of appeal of a determination regarding a dispute of the College's bid solicitations, a pending award and/or contract award must be received at the above address no more than ten (10) business days after the date the decision is received by the Interested Party. The decision of the Facilities Contracts and Procurement Manager shall be the final and conclusive agency determination unless appealed to the Controller within such time period.
- The Controller shall hear and make final determination on all appeals or may designate a person or persons to act on his/her behalf. The final determination on the appeal shall be issued within thirty (30) business days of receipt of the appeal.
- An appeal of the decision of the Facilities Contracts & Procurement Manager shall not include new facts and information unless requested in writing by the Controller.