**Section 1400.4005 Disputes and Protests Regarding Solicitations and Awards**

a) Procedures

Any person may submit a written protest related to the notice of the procurement, the solicitation document, any pre-bid/proposal meeting and any decision to reject a late bid or proposal. Any person who has submitted a bid or proposal may submit a written protest to a decision to reject the person's bid or proposal or to award to another person. In regard to the solicitation notice or solicitation document, including specifications, a protest must be received within 14 calendar days after the date the solicitation was posted to the Treasurer's Web Site and must be received by the Chief Procurement Officer before the date for opening bids or proposals. In regard to rejection of individual bids or proposals or awards, the protest must be received by close of business no later than 14 calendar days after the protesting party knows, or should have known, of the facts giving rise to the protest to ensure consideration and, in any event, must be received before execution of the applicable contract. Any notice posted to the Treasurer's Web Site establishes the "known or should have known" date for the subject matter of the notice. The protesting party may be required to provide additional information to the Treasurer's office in order to process the dispute or protest. If the Chief Procurement Officer is unable to resolve the issue in a timely manner, then it will be referred to the Procurement Review Board for a final determination that will be communicated to the protesting party involved in the dispute or protest and made part of the procurement file within 7 days after the referral by the Chief Procurement Officer.

b) Procurement Delays

The investigation of a dispute or protest may cause a delay in the procurement process if deemed necessary by the Chief Procurement Officer. If an action concerning the protest has commenced in court, the Chief Procurement Officer will not act on the protest but will refer the protest to the Attorney General, unless the court requests, expects, or otherwise expresses interest in the decision of the Chief Procurement Officer.

c) Stay or Withdrawal of Award

An award may be stayed or withdrawn by the Chief Procurement Officer if the Procurement Review Board reaches a determination that to do so is necessary in fairness to the other offerors and to protect the interests of the State.

d) Finality of Determinations

*Except as otherwise provided in this* Part, *determinations made by the Chief Procurement Officer under this* Part *are final and conclusive unless they are clearly erroneous, arbitrary, capricious, or contrary to law*. [30 ILCS 500/20-70]

(Source: Amended at 40 Ill. Reg. 13847, effective September 23, 2016)