

Sec. 12-39. - Bid protests.

Any contractor who has submitted a bid but is not the apparent lowest responsible bidder on a city contract may file a protest. The bid protest shall be filed with the city clerk within three working days of the bid opening. The city council shall hear the bid protest prior to adopting a resolution authorizing the bid award and execution of the contract. In cases where the contract is not executed by the city pursuant to city council resolution, the bid protest shall be heard by the city council prior to the time the city issues a notice to proceed or the appropriate city official executes the contract on behalf of the city. The protesting party may protest the bid award for the city's or successful bidder's failure to comply with the requirements of this article, the bid documents or any other applicable provision of this Code. The city council shall sustain a bid protest only if it finds evidence that award of the bid would violate the Code or other applicable law. The decision of the council shall be final.

(Ord. No. 2330 (NCS), § 1.)