

**PORT AUTHORITY OF ALLEGHENY COUNTY d/b/a
PITTSBURGH REGIONAL TRANSIT**

BID AND PROPOSAL PROTEST PROCEDURE

Revised November 2025

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Bid and Proposal Protest Procedure

- I. Purpose: Any actual or prospective bidder, proposer, offeror, or contractor who is allegedly aggrieved in connection with the solicitation or award of a contract may file a protest with Port Authority of Allegheny County d/b/a Pittsburgh Regional Transit (“PRT”). The procedures for submitting such protests are set forth herein.
- II. Definitions:
- A. The term “Bidder” shall mean any actual or prospective bidder, proposer, offeror, or contractor in connection with the solicitation or award of a contract pursuant to an Invitation for Bids (“IFB”), Request for Proposals (“RFP”), Request for Quotes (“RFQ”), or other form of procurement solicitation.
 - B. The term “business day” means any day except Saturday, Sunday and any day which shall be a legal holiday or a day on which banking institutions in the Commonwealth of Pennsylvania generally are authorized or required by law or other governmental actions to close.
 - C. The term “Interested Party” is a party that is an actual or prospective bidder, proposer, offeror, or contractor whose direct economic interest would be affected by the award or failure to award the IFB, RFP or other form of procurement solicitation at issue.
 - D. The term “PRT” shall mean Port Authority of Allegheny County d/b/a Pittsburgh Regional Transit.
 - E. The term “PRT Board” shall mean the governing body of the Port Authority of Allegheny County pursuant to §§ 552 and 556 of the Second Class County Port Authority Act, Title 55 P.S. § 551, et. seq.
- III. Grounds for Protest: A Bidder may only file a protest where it is alleged that:
- A. PRT failed to follow its prescribed procedures in connection with the procurement that the Bidder is protesting; or that
 - B. PRT has violated a federal, state, or local law in connection with the procurement that the Bidder is protesting; or that
 - C. PRT has abused its discretion in making a discretionary determination such as determining the responsibility of a Bidder.

IV. Contents of Protest: A Bidder desiring to file a protest (“Protester”) must submit a written protest both electronically, via e-mail to bidprotest@rideprt.org, with a delivery confirmation receipt request, and hard copy via certified United States mail with a return receipt request, Attention: PRT’s Chief Innovation Officer The protest must include:

- A. the name and address of the Protester;
- B. identification of the contract, bid, or proposal solicitation being protested, including the assigned solicitation number;
- C. a detailed statement of the factual and legal grounds for protest;
- D. supporting documentation; and
- E. the desired relief, action, or ruling.

Issues that are not expressly and timely raised in a written statement as grounds for the protest are deemed waived by the Protester.

V. Time for Filing:

- A. Protests alleging restrictive specifications or improprieties in the bid or proposal solicitation which are or should be apparent prior to the bid or proposal due date must be received by PRT not later than three (3) business days prior to the bid or proposal due date.
- B. All other protests must be received by PRT within five (5) business days after the cause of the protest should have reasonably become known to the protestor, but in any event not later than five (5) business days after the award of the contract has been conditionally authorized by the PRT Board.
- C. Any additional information relevant to the protest requested by PRT from the protestor shall be submitted to PRT as expeditiously as possible, but in no case later than three (3) business days after receipt of such request by the protestor.
- D. Bidders, Protesters and Interested Parties shall strictly adhere to the time limits set forth in this procedure. PRT will not consider a protest or additional documentation which is not received by the Chief Innovation Officer within the time periods set forth in this procedure.

VI. Action by Port Authority:

- A. If a protest is filed before the due date for receiving bids or proposals, PRT will notify all Bidders from whom bids or proposals have been received of the filing of a protest and that bids or proposals will not be opened until the protest has been resolved. The filing of a protest will not alter the date on which bids or proposals are due. Bids or proposals will not, however, be opened by PRT until such time as the Chief Innovation Officer has issued a written response to the protest and such response has been transmitted to the Protester.
- B. If bids or proposals have been opened, but authorization for an award of a contract has not already been made by the PRT Board, PRT will notify all

Bidders who appear to have a substantial and reasonable prospect of receiving an award if the protest is denied. A recommendation to the PRT Board will not be made for authorization of contract award until the Chief Innovation Officer has issued a written response to the protest and such response has been transmitted to the Protester.

- C. If the PRT Board has authorized an award of a contract before the time that a protest is received or an award of a contract has otherwise been authorized by PRT management consistent with management's PRT Board-adopted Limits of Authority to award contracts under certain dollar values without further PRT Board authorization, PRT will notify the awardee of the protest and will suspend the issuance of any notice to proceed until the Chief Innovation Officer has issued a written response to the protest and such response has been transmitted to the Protester.
 - D. PRT shall make a decision regarding the protest and send notice of that decision to the Protester within ten (10) business days following receipt of the protest by PRT. The notice of the decision issued by the Chief Innovation Officer shall be in writing and outline the factors upon which PRT's decision is based.
 - E. If PRT determines that the protest is meritorious and the relief, action or ruling requested by the Protester is granted, PRT, in its sole discretion, will take those actions which it deems appropriate which may include, but is not limited to, amending the bid or proposal solicitation, terminating the procurement process and issuing a new solicitation, or terminating the procurement process and not issuing a new solicitation.
 - F. If PRT determines that the protest is not meritorious and the relief, action or ruling requested by the Protester is denied, PRT will take those actions it deems appropriate to proceed with PRT's consideration and/or award of the solicitation.
- VII. Furnishing Information on Protests: PRT may, upon request or in its sole discretion if PRT believes doing so will assist PRT in rendering a fair protest decision, make available to any Interested Party information bearing on the substance of the protest which has been submitted by the Protester, except to the extent that withholding of information is otherwise required by law or regulation. Any responsive comments from an Interested Party on this material must be received by PRT within three (3) business days, but in no event will a decision be delayed because an Interested Party has not had an opportunity to provide comments.
- VIII. Conference: PRT may hold, at the sole discretion of the Chief Innovation Officer, a conference, in person or online at PRT's sole discretion, on the merits of the protest. Interested Parties may request and, in the discretion of the Chief Innovation Officer, may be invited, to attend the conference. The Protester and/or other Interested Parties shall provide three (3) business days' prior written notice of their respective intention to bring legal counsel or representatives to such conference, in which case PRT's legal counsel will also participate in the conference.