**Section 1.5550 Protests**

a) Protest Resolution by the Protest Review Office

An actual or prospective bidder, offeror, or vendor that may be aggrieved in connection with a procurement action may file a protest provided the aggrieved party has evidence of a violation of the Illinois Procurement Code or other law, any associated rules, or the solicitation itself, including evaluation or award.

b) Filing of Protest

1) An aggrieved party must submit the protest in writing to the Protest Review Office designated in the solicitation document or, in the absence of any appropriate designation, to the CPO. An aggrieved party must deliver the protest by noon of the seventh calendar day after the aggrieved party knew or should have known of the facts giving rise to the protest. In regard to a protest of specifications or other terms and conditions of the solicitation document, the protest must be received within 7 calendar days after the date the solicitation was posted in the Illinois Procurement Bulletin, or issued if not posted in the Bulletin. Protests delivered late shall not be considered. A protest is considered delivered when physically received by the Protest Review Office.

2) To expedite handling of protests, the delivery envelope should be labeled "Protest". The written protest shall include as a minimum the following:

A) the name and address of the protester;

B) appropriate identification of the procurement, and, if a contract has been awarded, its number;

C) a statement of reasons for the protest specifically identifying any alleged violation of the Illinois Procurement Code or other law, any associated rules, or the solicitation itself, including the evaluation or award; and

D) supporting exhibits, evidence, or documents to substantiate any claims unless not available within the filing time, in which case the expected availability date shall be indicated.

c) Requested Information

The aggrieved party must supply any additional information requested by the State within the time periods set in the request. If the aggrieved party fails to comply with this request, the Protest Review Office may resolve the protest on the basis of available information or may deny the protest.

d) Stay of Procurements During Protest

When a protest has been timely filed and before an award has been made, the Procurement Officer shall make no award of the contract until the protest has been resolved. If timely received but after award, the award shall be stayed without penalty to the State or the award may be honored or revoked in whole or in part depending on the outcome of the protest review. Whether or not a protest has been received, the Procurement Officer may, with the approval of the Protest Review Office, make the award or reinstate the award upon a determination that the needs of the State require an immediate award and performance under the contract.

e) Decision by the Protest Review Office

The Protest Review Office will resolve the protest as expeditiously as possible after receiving all relevant, requested information. If a protest is sustained, the available remedies include, but are not limited to, reversal of award and cancellation or revision of the solicitation.

f) Effect of Judicial Proceedings

If an action concerning the protest has commenced in court, the Protest Review Office shall not act on the protest, but shall refer the protest to the Attorney General. This Section shall not apply when a court requests, expects, or otherwise expresses interest in the decision of the Protest Review Office.

(Source: Amended at 36 Ill. Reg. 10729, effective August 6, 2012)