

Brookings Regional Airport Bid Protest Procedures

The following Bid Protest Procedures shall apply to Brookings Regional Airport bid solicitations and contracts:

1. Any bidder may protest the award of a contract. A bidder protesting under these procedures is referred to as a “protester.” A protest of a bid solicitation procedure must be submitted in writing to the City Manager within five (5) calendar days after the bids are opened and read. A protest of a bid award must be submitted within five (5) calendar days of the date of the bid award.
2. The protest must contain the following:
 - Name, address, phone number and email of the protester.
 - A concise statement of all the material facts alleged and of all of the rules, regulations, statutes, and legal provisions entitling the protester relief.
 - A statement indicating the relief to which the protester deems they are entitled.
 - All other information as the protester deems to be material to the issue.
3. If a contract has been awarded, the City Manager shall give notice of such protest within 24 hours of receipt of the protest to the awarded contractor. In the case of a pending award, a stay of award may be requested by the bid protester. A stay may be granted unless a written determination is made that the award of the contract without delay is necessary to protect the interests of the Brookings Regional Airport.
4. If the protest cannot be resolved by mutual agreement within seven (7) calendar days after receipt, the City Manager shall, within 24 hours, send to the protester by certified mail the final decision and the basis for the decision.
5. Any bidder who is aggrieved in connection with a bid solicitation or the award of a contract may appeal the decision. Such protests and appeals regarding the bid solicitation and contract awards shall be governed by the laws of the State of South Dakota. Any appeals arising from or related to the final decision of the City Manager will be venued in the South Dakota Circuit Court, Third Judicial Circuit, Brookings County, South Dakota.
6. Failure to follow these bid protest procedures constitutes a waiver of protest and resulting claims.