

PREQUALIFICATION APPEALS PROCESS

If you have been notified that you did not meet the established criteria as a pre-qualified contractor with San Dieguito Union High School District, you have the right to appeal this determination in accordance with Public Contracting Code §20101(d).

Should you wish to do so, please submit your appeal in writing to the Executive Director Planning Services, along with any supporting information you may wish to present for consideration, no later than five (5) business days from the date of the notification.

Please note, if you submitted an incomplete or late application and were not approved within the statutory time frame for an advertised bid, you are not eligible for the appeals process.

The date for submission and opening of bids for a specific project will not be delayed or postponed to allow for completion of an appeals process.

Appeals Process:

1. Within five (5) business days of receipt of notice advising contractor has not met the established criteria for pre-qualification, submit an appeal in writing to the Executive Director Planning Services, providing any information and/or evidence as to why contractor should be found qualified.
2. If no appeal is made, the determination shall be adopted.
3. The District will review the additional information within ten (10) business days of receipt of the appeal. If the District's determination is unchanged, the District will advise the contractor on the points where the contractor fell below the minimum required to qualify.
4. The contractor may appeal the determination identified in item 3 above, by requesting an Administrative Hearing within five (5) days of receipt of the determination letter identified in item 3 above.
5. Administrative Hearings will consist of a three (3) party panel comprised of the following members or their designees:
 - Executive Director Planning Services
 - Associate Superintendent Business Services
 - Director of Planning Services
6. Contractor must advise District at time of request for Administrative Hearing if contractor will have legal counsel in attendance.
7. At the Hearing, the panel will review the points where the contractor fell below the minimum required to qualify. Contractor will be allowed to speak to the issues and offer additional evidence as to why they should be qualified, after which Contractor, and Contractor's representatives, if any, are released from the Hearing.
8. The panel will review any new information submitted and come to a consensus as to whether the contractor meets the pre-qualification standards.
9. The District shall notify the contractor of its decision within five (5) business days of the hearing. The decision of the panel is final.