



ORANGE UNIFIED SCHOOL DISTRICT

PREQUALIFICATION APPEALS PROCESS

Any Contractor/Subcontractor may appeal the decision by the District related to the Contractor's/Subcontractor's request for prequalification, and request a hearing, by giving notice to the District no later than five (5) business days after receipt of notice of its prequalification status. Unless a Contractor/Subcontractor files a timely written appeal, the Contractor/Subcontractor waives any and all rights to challenge the prequalification decision of Orange Unified School District, whether by administrative process, judicial process or any other legal process or proceeding.

If a Contractor/Subcontractor gives the required notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than ten (10) business days after Orange Unified School District's receipt of such notice of appeal. The hearing so provided shall be an informal process conducted by a panel to which the District's Board of Trustees has delegated responsibility to hear such appeals (the "Appeals Panel"). At or prior to the hearing, the Contractor/Subcontractor will be advised of the basis for Orange Unified School District's prequalification determination. The Contractor/Subcontractor will be given the opportunity to present information and present reasons in opposition to the prequalification determination. At the conclusion of the hearing or no later than three (3) days after completion of the hearing, the Appeals Panel will render its decision. The date for submission and opening of bids for a specific project will not be delayed or postponed to allow for completion of an appeal process.

While it is the intent of the prequalification questionnaire and documents required therewith to assist Orange Unified School District in determining bidder responsibility prior to the submission of bids and to aid the District in selecting the lowest responsible bidder, neither the fact of prequalification, nor any prequalification rating, will preclude the District from a post-bid consideration and determination on a specific project of whether a Bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness.

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