

# PREQUALIFICATION APPEAL PROCESS

## Appeal Procedures

Contractors will be allowed to appeal a negative pre-qualification determination in accordance with California Public Contract Code §20101.4. There is no appeal from a refusal for an incomplete or late application. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of the District, whether by administrative process, judicial process or any other legal process or proceeding.

In conjunction with this Pre-Qualification Policy, the District hereby establishes a Bidder Pre-Qualification Appeals Panel. The Contractor shall submit his/her appeal in writing to the District's Contract Specialist no later than 4:00 p.m. on the FIFTH business day following the day on which the notice of rejection was mailed to the Contractor. The District shall act upon properly filed requests within ten (10) calendar days from the date of receipt of such request. If, after review, the District again rejects the Contractor's application, the Contractor may request an administrative hearing with the panel.

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request. If, after review, the District again rejects the Contractor's application, the Contractor may request an administrative hearing with the panel.

- 4) At the hearing, the Contractor may present oral testimony concerning the Contractor's capability and responsibility. The District shall notify the Contractor of their decision within five (5) business days following the hearing. The decision of the panel is final.

A Contractor, who is denied prequalification, shall be disqualified in the same type of work or category of value for a period of one year thereafter.

## Appeal of Prequalified Limit

Contractors who received a lower approval limit than expected (please be sure to review the approval limit guidelines) may appeal if they meet the following criteria:

1. They are currently performing work in the Sacramento City Unified School District.
2. The project(s) is more than 50% complete.
3. The work is being performed in a satisfactory manner (on schedule and within budget).
4. The Contractor has a good performance history within the District.

To file an appeal, please submit your request in writing along with documentation to support the above criteria to the Sacramento City Unified School District, 5735 47<sup>th</sup> Avenue, Sacramento, CA 95824, Attn: Contracts Office, or [MHVVLFD.V@csuo.net](mailto:MHVVLFD.V@csuo.net). The appeal will be reviewed within five (5) days of receipt. The decision of the District will be final.