Alternative Protest Process
Frivolous Worksheet

This worksheet is utilized as a resource to provide background information regarding this procurement. If the procuring department believes that the Protestant's argument is without merit, this form must be completed and delivered to the Coordinator within 2 working days of the receipt of the Detailed Written Statement of Protest.

1 CCR 1414(b), within 5 working days after receipt, the Coordinator must make a preliminarily determination if the protest is Frivolous and notify Protestant of the option to withdraw, or post a required bond and proceed in arbitration.

The Alternative Protest Regulations 1 CCR 1402(g) defines a frivolous protest with any or all of the following characteristics:

(1) It is wholly without merit *(lacks grounds for a protest, not a participating bidder).*
(2) It is insufficient on its face *(inadequate to prove or support the protest).*
(3) The Protestant has not submitted a rational argument based upon the evidence or law which supports the protest.
(4) The protest is based on grounds other than those specified in section 1 CCR 1410:
   a. Major Information Technology Acquisition protests shall be limited to violations of the *Solicitation procedures* and that the Protestant should have been selected.
   b. Any other acquisition protest shall be based on the ground that the bid or proposal should have been selected in accordance with *selection criteria* in the Solicitation document.

A request to deem a protest frivolous does not relieve the department from responding to the Protestant's Detailed Statement of Protest.

To request the coordinator to deem a protest frivolous, please obtain approval from your Supervisor and the Branch Chief and, in addition, please answer the following:

Supervisor_____

Branch Manager_____

1) Why does the protest qualify as frivolous under 1CCR 1402(g)? Cite the specific rationale under sub-paragraphs (1) - (4) above and provide support.