



## Unfair Competition Complaint Policy

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**Policy Number:** 0005

**Effective Date:** June 16, 2023

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### **A. BACKGROUND**

This policy clarifies the expectations of Snohomish County Transportation Coalition (Snotrac) for prompt resolution of all complaints by potential vendors and others regarding unfair competition.

### **B. ASSIGNMENT OF RESPONSIBILITY**

The Executive Director shall have the responsibility of receiving, investigating, and responding to complaints of unfair competition. If the Executive Director is the subject of the complaint, the Board of Directors or Executive Committee shall appoint an individual not involved in the procurement to handle the complaint.

### **C. COMPLAINT**

Within seven days of an awarded bid, a potential vendor may file an unfair competition complaint by both sending the complaint by email to [info@gosnotrac.org](mailto:info@gosnotrac.org) and postal mail to Snotrac, 3201 Smith Ave, Ste 215, Everett WA 98201. The complaint shall state in writing:

- The individual or organization name, place of business, Chief Operating Officer, and contact information, including phone, email, and mailing address.
- The material harm incurred.
- Why the individual or organization was best qualified for an opportunity to do business with Snotrac.
- Why there was insufficient time to submit a proposal, if applicable.
- Any and all relevant materials and evidence that support the claim.

### **D. DECISION**

The Executive Director or appointed individual shall make a written decision within 30 days of receipt of the complaint, the date of which will be determined by the later receipt by email or postal mail.

### **E. INITIAL APPEAL**

If the individual or organization filing the complaint is unsatisfied with the response, the Board of Directors shall appoint a three-person panel to review an appeal. The appointed panel members shall not be members of the Board of Directors. The appeal must occur within 30 days of the original decision, and an appeals hearing by the panel shall be held within 30 days of the appeal filing. The appeals panel shall render a decision in writing within 30 days of the hearing.

**F. APPEAL to WSDOT**

If either party is unsatisfied with the appeals panel's decision, they may appeal the decision to the Washington State Department of Transportation (WSDOT). The appellant must file their appeal with the WSDOT director of transportation or designee within 30 days of the appeals panel's decision and including the following:

- a) An original signature of the chief executive officer of the entity filing the appeal.
- b) The grounds under which they are filing the appeal.
- c) A copy of the appeals panel's decision.

Additionally, the appellant must send a copy of their appeal to the other party involved and to WSDOT. WSDOT will review the appeals panel's decision and the procedures followed. Following review, WSDOT will issue an appeal determination.s