

Administrative Reconsideration (ASP-3 | Section 4) Bidder's Documentation of Good Faith Effort Evaluation Request Appeal Process

- A bidder can appeal the Department's decision to deny the bidder's demonstration of Good Faith Effort through Administrative Reconsideration.
 - The bidder must provide a written justification refuting the specific reasons for denial as stated in the Department's denial notice.
 - [Note: The bidder's refutation must be based upon the GFE documentation submitted with bid and in response to follow up requests from the GFE Analyst prior to the initial GFE decision. Additional documentation of GFE efforts that were not included in the original submission may not be entered into the record following GFE denial.]
 - The bidder may meet in person (or virtually) with the Department if so requested.
- Failure to appeal within five (5) business days after receiving the Department's written notice denying the request constitutes a forfeiture of the bidder's right of appeal. Receipt of appeal is confirmed by email date stamp or certified mail signed by WisDOT staff. A contract will not be executed without documentation that the DBE provisions have been fulfilled.
 - Note: The five (5) business day appeal timeline starts the on date the denial is received. Saturday and Sunday are excluded.
- The Department will appoint a representative who did not participate in the original good faith effort determination, to assess the bidder's appeal.
- The Department will issue a written decision within five (5) business days after the bidder presents all written and oral information. In that written decision, the Department will explain the basis for finding that the bidder did or did not demonstrate an adequate good faith effort to meet the contract DBE goal.
 - The Department's decision is final.