

Vendor appeals EDMS RFP No. JB041707.

Filing an appeal. Any vendor that filed a timely bid or proposal and that wants to appeal the award of the Branch may appeal the decision by filing a written notice of appeal before the State Court Administrator, State of Iowa Judicial Branch, Judicial Branch Building, 1111 East Court Ave., Des Moines, Iowa 50319, or by emailing the notice of appeal to [David.K.Boyd@jb.state.ia.us](mailto:David.K.Boyd@jb.state.ia.us) **no later than end of the business day, August 21<sup>st</sup>, 2007**. The Branch must actually receive the notice of appeal within the specified time frame for it to be considered timely. The notice of appeal shall state the grounds upon which the vendor challenges the Branch's award.

Procedures for vendor appeal. The vendor appeal shall be a contested case proceeding and shall be conducted in accordance with the provisions of the Branch's RFP Appeal process.

- a. Notice of hearing. Upon receipt of a notice of vendor appeal, the Branch shall send a written notice of the date, time and location of the appeal hearing to the vendor or vendors. The State Court Administrator shall hold a hearing on the vendor appeal within 30 days of the date the notice of appeal was received by the Branch.
- b. Witnesses and exhibits. The parties shall contact each other regarding witnesses and exhibits at least 5 days prior to the date set for the hearing. The parties must meet prior to the hearing regarding the evidence to be presented in order to avoid duplication or the submission of extraneous materials.
- c. Amendments to notice of appeal. The vendor may amend the grounds upon which the vendor challenges the Branch's award no later than 5 days prior to the date set for the hearing.
- d. If the hearing is conducted by telephone or on the Iowa communications network, the parties must deliver all exhibits to the office of the presiding officer at least 3 days prior to the time the hearing is conducted.
- e. The presiding officer shall issue a proposed decision in writing that includes findings of fact and conclusions of law stated separately. The decision shall be based on the record of the contested case and shall conform to the Iowa Code.
- f. The record of the contested case shall include all materials specified in Iowa Code.
  - (1) Method of recording. Oral proceedings in connection with a vendor appeal shall be recorded either by mechanized means or by certified shorthand reporters. Parties requesting that certified shorthand reporters record the hearing shall bear the costs.
  - (2) Transcription. A party may request that oral proceedings in connection with a hearing in a case or any portion of the oral proceedings be transcribed. A party requesting transcription shall bear the expense of the transcription.

- (3) Tapes. Parties may obtain copies of tapes of oral proceedings from the presiding officer at the requester's expense.
- (4) Retention time. The Branch shall file and retain the recording or stenographic notes of oral proceedings or the transcription for at least five years from the date of the decision.