

EXHIBIT B

CASCO BAY LINES

PROTEST PROCEDURES

1. Introduction

- A. These procedures apply to Invitation for Bid (IFB) and Request for Proposals (RFP).
- B. The procedures cover pre-award, award and post award phases of procurement.
- C. Casco Bay Lines reserves the right to postpone bid opening for its own convenience, to reject any or all bids and to waive any irregularities.
- D. Casco Bay Lines will establish a formal record of the dispute resolution process.

2. Pre-Award

- A. Protest of specifications or scope of services must be received by Casco Bay Lines in writing not less than 10 business days before the date of scheduled bid opening. Any protest must be fully supported with technical data, test results, or other pertinent information as evidence that the substitute offered is equal to or better than the specification requirement.
- B. Casco Bay Lines replies to protests under paragraph 2.1 above will be postmarked at least 5 business days before the scheduled date of bid opening. Casco Bay Lines will respond specifically to each material issue in its reply.

3. Award

A bidder may protest the proposed award of contract to the General Manager of Casco Bay Lines in writing no later than 5 business days prior to the proposed effective date of contract. Any contract award protest must be fully supported with technical data, test results, or other pertinent information as evidence that the accepted bid or proposal does not meet the specifications or scope of services. The General Manager will attempt to resolve the issues raised by protesters prior to the effective date of contract. The General Manager will issue a final decision in the matter and the procurement process will continue. Bidders may appeal this decision to the Federal Transit Administration (FTA) and no award will be made until FTA has issued a ruling.

4. Post-Award

- A. Post-award protests will only be accepted concerning the alleged failure of the successful bidder to deliver the procured goods and/or services pursuant to the specifications or scope of services.
- B. Casco Bay Lines will respond in writing to protesters. If Casco Bay Lines cannot resolve a legitimate issue with the successful bidder, then legal recourse may be pursued. Should the procurement contract with the successful bidder be terminated as a result of legal action, a re-bid of the procurement may occur.

5. Appeals to FTA

- A. Under the provisions of Circular 4220.1F, FTA will only review protests regarding the alleged failure of Casco Bay Lines to have written protest procedures or an alleged failure to follow those procedures. An appeal to FTA must be in writing and received by the FTA no later than 5 business days following the final decision rendered by Casco Bay Lines or Casco Bay Lines has failed to render a final decision of the protest. Appeals shall be filed with the FTA Region 1 Office Kendall Square, 55 Broadway Suite 920, Cambridge, MA 02142-1093, with a copy to Casco Bay Lines. Appeals must include the name and address of the protester; cite Casco Bay Lines as the grantee, contain the project number, a statement of the grounds for appeal and any supporting documentation; and include a copy of the protest filed with Casco Bay Lines and a copy of Casco Bay Lines decision, if any.
- B. Upon notice that an appeal has been submitted to the FTA, Casco Bay Lines will contact the appropriate FTA official to determine if the bid opening should be postponed. If the bid opening is postponed, Casco Bay Lines will notify all prime contractors and subcontractors who have been furnished a copy of the specifications that an appeal has been filed and that bid opening is postponed until FTA has issued a decision. Appropriate addenda will be issued rescheduling bid opening.
 - 1. Any appeal to FTA may be withdrawn at any time.
 - 2. The FTA decision on any appeal will be final, and no further appeals will be considered by FTA or Casco Bay Lines.