



Round 2021

CBIC / Round 2021

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BIDDER INQUIRY PROCESS FACT SHEET



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In accordance with [section 1847\(b\)\(12\)\(B\)](#) of the Social Security Act and [42 CFR §414.424\(a\)\(2\)](#), there is no administrative or judicial review of the awarding of competitive bidding contracts under the Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Competitive Bidding Program. However, the Centers for Medicare & Medicaid Services (CMS) provides bidders that receive a bid disqualification notice the opportunity to submit an informal bidder inquiry regarding the bid disqualification(s), otherwise referred to as the bidder inquiry process.

If a bid(s) is disqualified, bidders receive a bid disqualification notice in Connexion, the program's secure portal. Bidders have **30 calendar days** from the issue date of the disqualification notice to submit an inquiry in Connexion for the bid disqualification(s) to be reviewed. Bidders submit only one inquiry in Connexion per bidder number and may provide written comments and upload any documentation or rationale to support the inquiry at any time during the 30-calendar day submission window. Bidder inquiries submitted by telephone, mail, fax, or email will not be considered nor will any bidder inquiries received after the 30-calendar day deadline. Upon receipt of the inquiry, CMS will re-evaluate all bid disqualification reasons, and then issue a notice in Connexion with its findings.

Please be advised, per [42 CFR §414.412\(g\)\(3\)\(i\)](#), if a bidding entity is offered a contract for a competitive bidding area (CBA) and product category combination(s) (competition(s)) within 90 calendar days of the public announcement of contract suppliers and its composite bid amount for the competition is at or below the median composite bid rate, its bid surety bond for that CBA will be forfeited if the contract offer is not accepted. This includes those that receive a contract offer(s) as a result of the bidder inquiry process. Please see the [Bid Surety Bonds](#) fact sheet for additional information.

Contract suppliers cannot use the bidder inquiry process to add a disqualified location (identified by Provider Transaction Access Number (PTAN)) to a contract. If a location(s) included on a bid is not included in the contract offer, that location(s) did not meet one or more [eligibility requirements](#). To add an eligible location(s) to a contract, contract suppliers must verify the location(s) is properly enrolled in the Provider Enrollment, Chain, and Ownership System (PECOS) and then request in Connexion for the location to be added to the contract.

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