

HENRY MCMASTER, CHAIR
GOVERNOR

CURTIS M. LOFTIS, JR.
STATE TREASURER

RICHARD ECKSTROM, CPA
COMPTROLLER GENERAL



HARVEY S. PEELER, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

BRUCE W. BANNISTER
CHAIRMAN, HOUSE WAYS AND MEANS COMMITTEE

GRANT GILLESPIE
EXECUTIVE DIRECTOR

THE DIVISION OF PROCUREMENT SERVICES

DELBERT H. SINGLETON, JR.
DIVISION DIRECTOR
(803) 734-8018

JOHN ST. C. WHITE
MATERIALS MANAGEMENT OFFICER
(803) 737-0600
FAX: (803) 737-0639

Protest Decision

Matter of: Delaware Elevator, Inc.
File No.: 2023-119
Posting Date: May 4, 2023
Contracting Entity: Winthrop University
Solicitation No.: 5400024506
Description: Elevator Maintenance

DIGEST

Protest alleging unbalanced bidding by a non-responsive, unqualified bidder is granted in part and denied in part. Delaware Elevator's (DE) letter of protest is attached and included by reference. (Attachment 1)

AUTHORITY

The Chief Procurement Officer¹ (CPO) conducted an administrative review pursuant to S.C. Code Ann. §11-35-4210(4). This decision is based on materials in the procurement file and applicable law and precedents.

BACKGROUND

Invitation for Bids Issued	01/03/2023
Amendment 1 Issued	01/12/2023
Amendment 2 Issued	02/02/2023
Amendment 3 Issued	02/06/2023
Intent to Award Posted	03/02/2023
Intent to Protest Received	03/10/2023
Protest Received	03/15/2023

¹ The Materials Management Officer delegated the administrative review of this protest to the Information Technology Management Officer.

Winthrop University (WU) published this Invitation for Bids (IFB) on January 3, 2023, for elevator maintenance. Amendment 1 was published on January 12, 2023, followed by Amendment 2 on February 2, 2023, and Amendment 3 on February 6, 2023. Eight bids were received on February 23, 2023. The lowest priced bid was submitted by Charter Elevator Midlands, LLC (CEM). An Intent to Award to Charter Elevator, vendor number 7000231013, was posted on March 2, 2023. DE timely filed an Intent to Protest on March 10, 2023, followed by a formal protest on March 15, 2023.

This solicitation was published through the South Carolina Enterprise Information System (SCEIS). SCEIS affords state agencies the ability to electronically publish solicitations, receive bids and proposals, make awards, and record the award with the Comptroller General's (CG) office for invoicing and payment. To facilitate electronic bid submission and payment through the CG's office, vendors must register in SCEIS.

WU uses SCEIS to publish solicitations, receive bids and proposals and post awards electronically. However, because WU is a lump sum agency, it can and does pay its own bills using a system other than SCEIS rather paying through the CG's office.

DISCUSSION

In its first issue of protest, DE alleges two related, but different aspects, as follow:

Delaware Elevator, Inc kindly requests your review and consideration of our protest to the award of Solicitation #5400024506 to Charter Elevator Midlands, LLC. In our review of the bid submittal, provided to us by the General Counsel of Winthrop University on Thursday, March 9th, 2023, it appears the apparent low bidder does not have a valid State Vendor Number. The Vendor Number of 7000253185, provided in the bid, does not match the Vendor Number of 7000231013 provided with the "Intent to Award" letter. It's Delaware Elevator's understanding that while these two (2) companies share common ownership they are, in fact, two (2) separate registered entities with the South Carolina Secretary of State. The bid documents stated to be eligible for bid consideration you must have a valid state vendor number (Pg. 11 - Vendor Registration Mandatory - (Jan 2006)). A general search for Charter Elevator Midlands, LLC on the South Carolina State Procurement Vendor Search found no such registered entity.

The first aspect of this issue of protest is that CEM does not have a valid vendor number and should be disqualified based on the following provision in the solicitation:

VENDOR REGISTRATION MANDATORY (JAN 2006)

You must have a state vendor number to be eligible to submit an offer. To obtain a state vendor number, visit www.procurement.sc.gov and select New Vendor Registration. (To determine if your business is already registered, go to "Vendor Search"). Upon registration, you will be assigned a state vendor number. Vendors must keep their vendor information current. If you are already registered, you can update your information by selecting Change Vendor Registration. (Please note that vendor registration does not substitute for any obligation to register with the S.C. Secretary of State or S.C. Department of Revenue. You can register with the agencies at <http://www.scbos.com/default.htm>) [02-2A145-1]

[Solicitation, Page 11] (emphasis added)

CEM was able to submit its bid electronically through SCEIS by using vendor number 7000253185 which is registered to:

Charter Elevator (7000253185)
1020 Crews Rd. Unit # L7,
Charlotte, NC, 28203

CEM included the following contact information with its bid:

Home Address:	Charter Elevator 401 Western Lane, Suite 2 Irmo, SC 29063	Notice Address:	Charter Elevator 9751 Moose Road Unit 9 Murrells Inlet, SC 29576
---------------	---	-----------------	--

Neither of the addresses included by CEM in its bid match the address listed in SCEIS for vendor number 7000253185. This vendor, Charter Elevator (7000253185), shares a Taxpayer Identification Number (TIN) with two other Charter Elevator vendors registered in SCEIS:

Charter Elevator Piedmont, LLC (7000253184) 9751 Moose Road Unit 9 Murrells Inlet, SC 29576	Charter Elevator (7000253186) 9751 Moose Road Unit 9 Murrells Inlet, SC 29576
---	---

While CEM's Notice address is the same the Murrells Inlet, South Carolina address as the address for the two other Charter Elevators registered in SCEIS listed immediately above (i.e., Charter Elevator Piedmont, LLC - 7000253184 and Charter Elevator 7000253186), CEM does not share a TIN with either of these two Charter Elevator entities nor with the entity it used to submit its bid (Charter Elevator – 7000253185).

CEM provided the following response to an inquiry by the CPO about its relationship with Charter Elevator (7000253185), the vendor whose SCEIS registration CEM used to submit its bid:

- Charter Elevator, Inc. is our holding company
- We have a couple of operating LLC's representing our offices across the Carolinas
- Charter Elevator Midlands, LLC is one of those operating LLC's
- All operating LLC's roll up to the holding company where we files taxes
- The local operations office from which we'll service this contract is located at the Irmo, SC address
- All notices, etc. are received at our corporate address in Murrells Inlet

On its face, DE's assertion that CEM does not have a valid State Vendor Number in contravention of the clause titled "Vendor Registration Mandatory – (Jan 2006)" quoted above appears correct. The first sentence of this provision suggests that a bidder must be registered in order to submit a bid. However, this statement is not accurate. A vendor must be registered in SCEIS in order to submit a bid electronically. This is clarified in Section II, Instructions to Offerors – B. Special Instructions:

ON-LINE BIDDING INSTRUCTIONS (MAR 2015)

(a) Mandatory Registration. You must register before you can submit an offer on line! See clause entitled "VENDOR REGISTRATION MANDATORY."

[Solicitation, Page 12] (underline added)

There is no statutory or regulatory requirement that a bidder be registered in order to submit a bid. The vendor registration mandatory requirement in the solicitation only applies to the ability to submit bids online. In fact, the clause titled "Submitting a Paper Offer or Modification (March 2015)" in the Solicitation specifically allows paper bids to be submitted:

Unless specifically instructed otherwise in the solicitation, you should submit your offer or modification in accordance with the clause titled "ON-LINE BIDDING INSTRUCTIONS." Paper offers are discouraged. If you must submit a paper offer or modification the following instructions apply.

[Amendment 2, Page 9]

The fact that CEM was not a registered vendor at the time of bid submission is not disqualifying.

Even if it was disqualifying, the CPO finds that CME's use of an affiliate to submit its bid electronically is a minor informality or irregularity under Section 11-35-1520(13). A minor informality or irregularity is defined as:

A minor informality or irregularity is one which is merely a matter of form or is some immaterial variation from the exact requirements of the invitation for bids having no effect or merely a trivial or negligible effect on total bid price, quality, quantity, or delivery of the supplies or performance of the contract, and the correction or waiver of which would not be prejudicial to bidders. The procurement officer shall either give the bidder an opportunity to cure any deficiency resulting from a minor informality or irregularity in a bid or waive any such deficiency when it is to the advantage of the State. . . .

In this case, there is no legal requirement that a vendor be registered in SCEIS in order to submit a bid. The Solicitation expressly allowed the submission of paper bids without the necessity of submitting them electronically through SCEIS with a vendor number. WU only uses SCEIS to publish solicitations, receive electronic bids and proposals and publish awards. WU received a bid from a corporation that is registered and is in good standing with the South Carolina Secretary of State and has an authorized signature making it a valid offer that is eligible for award. The failure to register in SCEIS had no effect on price, quantity, quality or delivery or performance of the service. Any perceived violation is waived under Section 11-35-1520(13).

The second aspect of this issue of protest is that the award was made to an entity other than the one that submitted the bid. WU determined that the bid submitted by CEM was the lowest priced responsive and responsible bid. However, on March 2, 2023, WU published an Intent to Award to Charter Elevator with vendor number 7000231013. While this vendor shares the same Murrells Inlet, SC address as the vendor used to submit the bid, it has a TIN that is different from either CEM or the Charter Elevator affiliate used to submit the bid.

An Intent to Award becomes the State's acceptance of an offer, the offer being a bid submitted in response to the solicitation, and it completes the contract between the State and the vendor that submitted the bid. In this case, the entity identified on the Intent to Award did not submit a bid and, consequently, is not eligible for award. This issue of protest is granted.

DE next protests:

Delaware Elevator would also request the bid by Charter Elevator Midlands, LLC be rejected as "Non-Responsive" on the basis of "Responsiveness, Price Reasonableness and Unbalanced Bidding." During further review, section Bidding Schedule, Attachment A was to be provided and completed for all items requested. It was found that four (4) line items were entered at a \$0.00 hourly cost:

- Overtime Working Hours - Mechanic and Team
- Weekend and Holiday Working Hours - Mechanic and Team

A \$0.00 hourly rate for overtime labor is an “Unreasonable Cost” which resulted in an “Unbalanced Bid” for the total evaluated amount in Attachment A. Failure to respond to the solicitation in its entirety by failing to provide an hourly rate for overtime work not included in Preventative Maintenance should render the bid “Non-Responsive.”

In the present case, the bid price was calculated using a spreadsheet attached to the solicitation as Attachment A which requested fixed monthly pricing for preventative maintenance on every piece of equipment listed, an hourly rate for an estimated number of hours of work not covered by preventative maintenance, and a percentage markup on an estimated total cost of materials consumed outside preventative maintenance. These three items were totaled to determine the bid price.

Regulation 19–445.2122(C)² requires that any offer with separately priced line items be analyzed to determine if the prices are unbalanced. A bid is unbalanced when the price of one or more line items is significantly over or understated. In the section of the spreadsheet requesting labor rates for work performed that is not included in preventative maintenance, CEM provided the following response:

Description	Type of Technician(s)	Total Estimated Hours (1 Year)	Hourly Rate Unit Price	Estimated Extended Labor Amount
Regular Working Hours	One (1) Mechanic	20	\$175.00	\$3,500.00
Regular Working Hours	One (1) Mechanic and Helper	12	\$250.00	\$3,000.00
Overtime Working Hours	One (1) Mechanic	8	\$0.00	\$0.00
Overtime Working Hours	One (1) Mechanic and Helper	4	\$0.00	\$0.00
Weekends and Holidays	One (1) Mechanic	6	\$0.00	\$0.00
Weekends and Holidays	One (1) Mechanic and Helper	4	\$0.00	\$0.00
Estimated Extended Labor Amount Total:				\$6,500.00

[CEM Attachment A]

After reviewing the CEM bid, the procurement officer asked for verification of the \$0.00 bid for overtime hours:

² Unbalanced pricing. All offers with separately priced line items or subline items shall be analyzed to determine if the prices are unbalanced. Unbalanced pricing exists when, despite an acceptable total evaluated price, the price of one or more line items is significantly over or understated as indicated by the application of cost or price analysis techniques. If the responsible procurement officer determines that unbalanced pricing may increase performance risk (e.g., it is so unbalanced as to be tantamount to allowing an advance payment) or could result in payment of unreasonably high prices, she may conclude that the offer is unreasonable as to price.

After reviewing Charter Elevator’s Response Attachment A, I notice there is zero dollars for Overtime working hours and Weekend and Holidays. I wanted to make sure that the zero dollars is correct. Please reply back to this email and let me know if this is correct.

CEM responded:

Thank you for checking -- Yes, this is correct. Our intention is to include the cost of any overtime/weekend/holiday hours in the base price of the contract.

CEM’s bid of \$0.00 for overtime, weekend, and holiday work is an understatement of the actual cost of performing these services and consequently its bid is unbalanced. Once a bid is determined to be unbalanced, the Regulation requires the procurement officer determine if that unbalanced pricing increases performance risk or could result in payment of unreasonably high prices in determining if the bid is unreasonable as to price.

One factor in determining if an unbalanced bid increases performance risk is whether the unbalanced bid will result large payments at the beginning of a contract that is tantamount to allowing an advance payment. In the present case, the rates for Labor Hours and the fees for Materials cannot be paid until after the services are performed. With respect to the remaining item, Preventative Maintenance, CEM’s rates are the lowest of all vendors. Therefore, CEM’s bid cannot result in a large payment at the beginning of the contract that is tantamount to an advance payment.

The second part of the analysis is whether the low priced, low volume, items were counterbalanced by high prices on other items that would result in the State paying higher prices over the course of the contract. Compared to all other bidders, CEM offered the lowest price in every subcategory:

	Charter	Kone	Carolina	Delaware	Oracle	Metro	Southern	TK
Total PM	\$43,140.00	\$48,600.00	\$48,600.00	\$51,464.56	\$58,440.00	\$51,060.00	\$62,778.96	\$84,060.00
Labor Hours	\$6,500.00	\$12,830.00	\$17,200.00	\$21,836.00	\$17,660.00	\$29,000.00	\$28,420.00	\$33,800.00
Materials	\$1,300.00	\$1,950.00	\$1,950.00	\$1,300.00	\$1,950.00	\$3,900.00	\$3,900.00	\$3,900.00
Total	\$50,940.00	\$ 63,380.00	\$67,750.00	\$74,600.56	\$78,050.00	\$83,960.00	\$95,098.96	\$121,760.00

CEM is the incumbent contractor. CEM’s bid prices represent an \$11,000.00 savings over the prices awarded in 2017 for the same services.

	Current Bid	Previous Contract
Total PM	\$43,140.00	\$49,476.00
Labor Hours	\$6,500.00	\$10,910.00
Materials	\$1,300.00	\$1,950.00
Total	\$50,940.00	\$62,336.00

There is nothing to indicate that this unbalanced bid will result in an advance payment or result in unreasonably high prices. This issue of protest is denied.

DE next protests:

Additionally, we call into question the ability of the awarded vendor to meet the requirements outlined under "Call Back Service" related to mandatory response times for emergency calls. Following multiple requests, we were not provided an opportunity to review the Technical Proposal. However, local market knowledge of our competition would leave us confident the awarded bidder does not have the manpower within the required area to respond to the "Critical or Emergency Service Calls" simultaneously within the required thirty (30) minutes during normal working hours or within the required one (1) hour "After Hours."

A Responsible bidder is defined by Section 11-35-1410(8) as:

"Responsible bidder or offeror" means a person who has the capability in all respects to perform fully the contract requirements and the integrity and reliability which will assure good faith performance which may be substantiated by past performance.

Section 11-35-1810(1) requires an offeror's responsibility be determined prior to award:

Determination of Responsibility. Responsibility of the bidder or offeror shall be ascertained for each contract let by the State based upon full disclosure to the procurement officer concerning capacity to meet the terms of the contracts and based upon past record of performance for similar contracts. The board shall by regulation establish standards of responsibility that shall be enforced in all state contracts.

The procurement officer's action in making the award to CEM indicates WU found CEM to be a responsible bidder. Regarding a similar claim, the South Carolina Procurement Review Panel had the following observations:

Under the Procurement Code, a procurement officer's finding of responsibility is a matter of discretion that should not be overturned absent proof that it is "clearly erroneous, arbitrary, capricious, or contrary to law." S.C. Code Arm. § 11-35-2410(A) (2011); Protest of CollegeSource, Inc., Panel Case No. 2008-4 (January 8, 2009). As the party challenging the responsibility determination, Catamaran must demonstrate that the responsibility determination lacks a reasonable or rational basis. Protest of Value Options, Panel Case No. 2001-7 (August 3, 2001) (citing Robert E. Derecktor of Rhode Island v. Goldschmidt, 516 F.Supp. 1085 (D.R.I. 1981).

Protest Decision, page 9

File No. 2023-119

May 4, 2023

Catamaran's claim regarding ESI's responsibility is based upon speculation and conjecture that ESI will not be able to fully perform the contract because of its pricing proposal. The Panel finds such a claim is a matter of contract administration and does not state a proper challenge to responsibility. See, e.g., *ASC Medicar Service, Inc.*, B-213724 (Comp.Gen.), 84-1 CPD P 45, 1983 WL 27814 (1983); *Kitco, Inc.*, B-221386 (Comp. Gen.), 86-1 CPD P 321, 1986 WL 63328 (1986). Moreover, Catamaran does not allege any facts tending to show that PEBA's responsibility determination lacked a reasonable or rational basis. Therefore, the Panel finds has failed to state a claim upon which relief can be granted and hereby dismisses the portion of Catamaran's protest alleging that ESI is not a responsible offeror.

See IN RE: *Appeal by Catamaran, LLC*, Panel Case Number 2015-2

As in the case cited above, DE's concerns about CEM's ability to perform the requirements of the contract are based on speculation and conjecture. DE does not allege any facts tending to show that the procurement officer's responsibility determination lacked a reasonable or rational basis. This issue of protest is denied.

Protest Decision, page 10

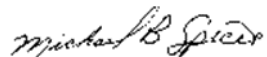
File No. 2023-119

May 4, 2023

DECISION

For the reasons stated above, the protest by Delaware Elevator that the award was made to an unqualified vendor is granted. The award to Charter Elevator vendor number 7000231013 is cancelled. The other protests by Delaware Elevator are denied. The procurement is remanded to Winthrop University for processing in accordance with the Code.

For the Materials Management Office



Michael B. Spicer
Chief Procurement Officer

Columbia, South Carolina



Sent via e-mail to: protest-mmo@mmo.sc.gov

3/15/2023

Chief Procurement Officer
Materials Management
1201 Main Street, Suite 600
Columbia, SC 29201

RE: **Award Protest**
Solicitation #5400024506
State of South Carolina: Elevator Maintenance – Winthrop University

To Whom It May Concern:

Delaware Elevator, Inc kindly requests your review and consideration of our protest to the award of Solicitation #5400024506 to Charter Elevator Midlands, LLC. In our review of the bid submittal, provided to us by the General Counsel of Winthrop University on Thursday, March 9th, 2023, it appears the apparent low bidder does not have a valid State Vendor Number. The Vendor Number of 7000253185, provided in the bid, does not match the Vendor Number of 7000231013 provided with the "Intent to Award" letter. It's Delaware Elevator's understanding that while these two (2) companies share common ownership they are, in fact, two (2) separate registered entities with the South Carolina Secretary of State. The bid documents stated to be eligible for bid consideration you must have a valid state vendor number (Pg. 11 - Vendor Registration Mandatory - (Jan 2006)). A general search for Charter Elevator Midlands, LLC on the South Carolina State Procurement Vendor Search found no such registered entity.

Delaware Elevator would also request the bid by Charter Elevator Midlands, LLC be rejected as "Non-Responsive" on the basis of "Responsiveness, Price Reasonableness and Unbalanced Bidding." During further review, section Bidding Schedule, Attachment A was to be provided and completed for all items requested. It was found that four (4) line items were entered at a \$0.00 hourly cost:

- Overtime Working Hours - Mechanic and Team
- Weekend and Holiday Working Hours - Mechanic and Team

A \$0.00 hourly rate for overtime labor is an "Unreasonable Cost" which resulted in an "Unbalanced Bid" for the total evaluated amount in Attachment A. Failure to respond to the solicitation in its entirety by failing to provide an hourly rate for overtime work not included in Preventative Maintenance should render the bid "Non-Responsive."

Additionally, we call into question the ability of the awarded vendor to meet the requirements outlined under "Call Back Service" related to mandatory response times for emergency calls. Following multiple requests, we were not provided an opportunity to review the Technical Proposal. However, local market knowledge of our competition would leave us confident the awarded bidder does not have the manpower within the required area to respond to the "Critical or Emergency Service Calls" simultaneously within the required thirty (30) minutes during normal working hours or within the required one (1) hour "After Hours."

DELAWAREELEVATOR.COM
2210 Allen Drive • Salisbury, MD 21801
Phone (800) 787-0436



Based on the aforementioned evidence, Delaware Elevator, Inc requests the bid entered by Charter Elevator Midlands, LLC. be rejected and the next responsible low bidder be awarded Solicitation #5400024506.

Best Regards,

Pat Flanagan
Branch Manager – Carolinas
2024 – A Independence Commerce Dr.
Matthews, NC 28105

Cc: Charles Meeks, President
Jason Farkas, VP - Service

DELAWAREELEVATOR.COM
2210 Allen Drive • Salisbury, MD 21801
Phone (800) 787-0436

COMMERCIAL & RESIDENTIAL ELEVATORS - SPECIALTY/ADA LIFTS - SERVICE & MAINTENANCE - CONSTRUCTION - INSTALLATION - MODERNIZATION - INDUSTRIAL & MARINE

STATEMENT OF RIGHT TO FURTHER ADMINISTRATIVE REVIEW

Protest Appeal Notice (Revised July 2022)

The South Carolina Procurement Code, in Section 11-35-4210, subsection 6, states:

(6) Finality of Decision. A decision pursuant to subsection (4) is final and conclusive, unless fraudulent or unless a person adversely affected by the decision requests a further administrative review by the Procurement Review Panel pursuant to Section 11-35-4410(1) within ten days of posting of the decision in accordance with subsection (5). The request for review must be directed to the appropriate chief procurement officer, who shall forward the request to the panel or to the Procurement Review Panel, and must be in writing, setting forth the reasons for disagreement with the decision of the appropriate chief procurement officer. The person also may request a hearing before the Procurement Review Panel. The appropriate chief procurement officer and an affected governmental body shall have the opportunity to participate fully in a later review or appeal, administrative or judicial.

Copies of the Panel's decisions and other additional information regarding the protest process is available on the internet at the following web site: <http://procurement.sc.gov>

FILING FEE: Pursuant to Proviso 111.1 of the 2022 General Appropriations Act, "[r]equests for administrative review before the South Carolina Procurement Review Panel shall be accompanied by a filing fee of two hundred and fifty dollars (\$250.00), payable to the SC Procurement Review Panel. The panel is authorized to charge the party requesting an administrative review under the South Carolina Code Sections 11-35-4210(6), 11-35-4220(5), 11-35-4230(6) and/or 11-35-4410...Withdrawal of an appeal will result in the filing fee being forfeited to the panel. If a party desiring to file an appeal is unable to pay the filing fee because of financial hardship, the party shall submit a completed Request for Filing Fee Waiver form at the same time the request for review is filed. *[The Request for Filing Fee Waiver form is attached to this Decision.]* If the filing fee is not waived, the party must pay the filing fee within fifteen days of the date of receipt of the order denying waiver of the filing fee. Requests for administrative review will not be accepted unless accompanied by the filing fee or a completed Request for Filing Fee Waiver form at the time of filing." PLEASE MAKE YOUR CHECK PAYABLE TO THE "SC PROCUREMENT REVIEW PANEL."

LEGAL REPRESENTATION: In order to prosecute an appeal before the Panel, business entities organized and registered as corporations, limited liability companies, and limited partnerships must be represented by a lawyer. Failure to obtain counsel will result in dismissal of your appeal. *Protest of Lighting Services*, Case No. 2002-10 (Proc. Rev. Panel Nov. 6, 2002) and *Protest of The Kardon Corporation*, Case No. 2002-13 (Proc. Rev. Panel Jan. 31, 2003); and *Protest of PC&C Enterprises, LLC*, Case No. 2012-1 (Proc. Rev. Panel April 2, 2012). However, individuals and those operating as an individual doing business under a trade name may proceed without counsel, if desired.

**South Carolina Procurement Review Panel
Request for Filing Fee Waiver
1105 Pendleton Street, Suite 209, Columbia, SC 29201**

Name of Requestor

Address

City

State

Zip

Business Phone

-
1. What is your/your company's monthly income? _____
 2. What are your/your company's monthly expenses? _____
 3. List any other circumstances which you think affect your/your company's ability to pay the filing fee:

To the best of my knowledge, the information above is true and accurate. I have made no attempt to misrepresent my/my company's financial condition. I hereby request that the filing fee for requesting administrative review be waived.

Sworn to before me this
_____ day of _____, 20_____

Notary Public of South Carolina

Requestor/Appellant

My Commission expires: _____

For official use only: _____ Fee Waived _____ Waiver Denied

Chairman or Vice Chairman, SC Procurement Review Panel

This _____ day of _____, 20_____
Columbia, South Carolina

NOTE: If your filing fee request is denied, you will be expected to pay the filing fee within fifteen (15) days of the date of receipt of the order denying the waiver.