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GRANT GILLESPIE  
EXECUTIVE DIRECTOR

## Protest Decision

**Matter of:** Transact Campus Inc.

**File No.:** 2025-213

**Posting Date:** March 21, 2025

**Contracting Entity:** Spartanburg Community College

**Solicitation No.:** SCC REQ-00535699

**Description:** Sole Source Acquisition of Payment Services Solution

### DIGEST

The Chief Procurement Officer (CPO) grants the protest of Transact Campus Inc. (Transact) challenging the award of a contract as a sole source where Spartanburg Community College (SCC) admits the services covered by the contract are not available from only one source. Transact's protest is attached as Exhibit A.

### AUTHORITY

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

### BACKGROUND

On March 5, 2025, SCC advertised its intent to award a sole source contract to TouchNet Information Systems, Inc. (TouchNet), for Payment Services solution(s) that would integrate with its Ellucian Banner ERP system. [Exhibit B] On March 14, 2024, after timely filing a notice of intent to protest, Transact filed a protest with the CPO stating that it could provide the

solution(s) SCC claimed was a sole source that could only be provided TouchNet. On March 19, 2025, SCC e-mailed the CPO stating:

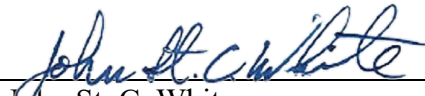
After review of all information provided as well as the identical protest case you provide my IT Director and I are in agreement that we will accept the protest and move forward with a formal solicitation asap.<sup>1</sup>

## **DISCUSSION**

SCC's e-mail of March 19, 2025, to the CPO is an admission that TouchNet is not the only source for Payment Center solutions that will integrate with its Banner ERP system.

## **DECISION**

For the reasons stated above, the CPO grants Transact's protest, cancels SCC's notice of intent to award a sole source contract to TouchNet, and remands this matter back to SCC to proceed in accordance with the Procurement Code.

  
\_\_\_\_\_  
John St. C. White  
Chief Procurement Officer

Columbia, South Carolina

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<sup>1</sup> On October 25, 2024, the CPO received a nearly identical protest of the Medical University of South Carolina's intent to sole source TouchNet solutions.

## STATEMENT OF RIGHT TO FURTHER ADMINISTRATIVE REVIEW

*Protest Appeal Notice (Revised July 2024)*

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.

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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 2024 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 Transacts, 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  
1205 Pendleton Street, Suite 367, Columbia, SC 29201**

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\_\_\_\_\_  
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: \_\_\_\_\_

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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.**

ROGERS JOSEPH O'DONNELL

Lucas T. Hanback  
202.777.8955 (d)  
lhanback@rjo.com

March 14, 2025

**VIA EMAIL**

Chief Procurement Officer/Information Technology Management Officer  
Office of Information Technology Management  
1201 Main Street, Suite 601  
Columbia, SC 29201  
[protest-itmo@itmo.sc.gov](mailto:protest-itmo@itmo.sc.gov)

**Re: Transact Campus Inc.'s Detailed Statement of Protest of  
Spartanburg Community College's March 5, 2025 Notice of Sole Source  
Award to TouchNet Information Systems Inc.**

Dear Chief Procurement Officer:

This letter serves as Transact Campus Inc.'s ("Transact") detailed statement of protest regarding Spartanburg Community College's ("SCC") March 5, 2025 Notice of Sole Source award to TouchNet Information Systems Inc. (the "Sole Source") that was posted by SCC on the South Carolina Business Opportunities website.

This protest is filed pursuant to S.C. Code § 11-35-4210 et seq., and, as it is filed within 15 days of the posting of the Sole Source, this protest is timely. S.C. Code § 11-35-4210(c). Transact also timely submitted its notice of intent to protest on March 12, 2024.

This sole source award would be improper under South Carolina law as Transact can provide the same services as TouchNet, and SCC has not provided an adequate justification for Sole Source Procurement as required by South Carolina law. As such, SCC should revoke the Sole Source (or cancel any Sole Source award that has been made), and issue a competitive solicitation that would allow Transact the fair opportunity to respond and demonstrate the benefits of its solution and allow SCC to select the best service to meet its need.

**A. SCC's Notice and Technical Requirements**

SCC posted the Sole Source on March 5, 2025. Exh. 1. The Sole Source says that the "Notice End Date" is March 12, 2025. *Id.* The Sole Source describes SCC's intent to award a contract to TouchNet Information Systems for \$ 46,737.60 for "the annual subscription for Touchnet Information Systems that supplies the ability for our College payment system. Touchnet has direct integrations with Ellucian." *Id.*

Chief Procurement Officer  
Office of Information Technology Management  
Page 2

The notice provided that the justification supporting the sole source award could be obtained by the Agency Procurement Manager—Ms. Brittany Greenway. *Id.* SCC's Justification, dated March 5, 2025, states that:

The College uses the Ellucian Payment Center by Touchnet connected with Ellucian Colleague for its managed data for vending and building access. Touchnet is the sole provider of updates, maintenance, service and support for the Touchnet Student Services Package. Touchnet is the sole provider of a system that integrates wholly into the Ellucian ERP system with support from the ERP vendor themselves.

Exh. 2. SCC's description of market research states that the SCC limited its research to two vendors—ACI and Touchnet:

Ellucian has two payment vendors that have direct integrations and partner with the ERP provider, ACI worldwide and Touchnet. ACI worldwide offer payments, but does not offer all the functionality that the college is looking for. ACI worldwide does not offer a one card solution that integrates with the payment center and they do not offer deep integration into the ERP for card print and Access Control, attached to the one card and payment system. SCC participated in Demos, Vendor inquiries, and consultation with the ERP and both payment vendors in this determination. ACI stated in writing they do not have the functionality the college needs.

*Id.* And SCC's explanation as to why TouchNet is the sole vendor that meets SCC's needs is:

Ellucian has two payment vendors that have direct integrations and partner with the ERP provider, ACI worldwide and Touchnet. ACI worldwide offer payments, but does not offer all the functionality that the college is looking for. ACI worldwide does not offer a one card solution that integrates with the payment center and they do not offer deep integration into the ERP for card print and Access Control, attached to the one card and payment system.

*Id.*

**B. SCC's Determination That Touchnet Is The Sole Vendor Who Can Meet SCC's Needs Is Flawed**

South Carolina's Consolidated Procurement Code and State Procurement Regulation 19-445.2105 applies to "all sole source procurements unless emergency

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conditions exist.” That regulations says that “Sole source procurement is not permissible unless there is only a single supplier” and gives examples, including “where the item is one of a kind.” S.C. Reg. § 19-445.2105(B).

South Carolina requires competition in public contracting to “maximize to the fullest extent practicable the purchasing value of funds,” “foster effective broad-based competition,” “ensure the fair and equitable treatment of all persons who deal with the procurement system,” and “provide safeguards for the maintenance of a procurement system of quality and integrity[.]” SC Code § 11-35-20. South Carolina prohibits sole source awards unless the agency’s procurement officer determines that “there is only one source for the required supply, service, [or] information technology[.]” SC Code § 11-35-1560.

South Carolina’s requirement for sole source contracts is clear. While Section 19-445.2105 of the Rules and Regulations, 1976 South Carolina Code of Laws, provides examples of “circumstances which could necessitate sole source procurement,” it does not state that these circumstances will always necessitate sole source procurement, and requires the agency procurement officer to provide a sufficient justification for any sole source award.

The current Justification is based on the assumption that TouchNet is the only offeror that can provide the required services. As demonstrated below, this is incorrect. SCC justification and market research is unreasonably limited to two vendors—ACI and Touchnet. But the Agency failed to identify that Transact offers the same capabilities as Touchnet.

First, Ellucian’s website lists Transact as a partner that offers the integration SCC needs. <https://www.ellucian.com/partners/transact>. Indeed, Transact’s website explains it has “advanced integration capabilities with leading Enterprise Resource Planning (ERP) systems eliminate data silos and offer effective management, robust security, and efficient payment solutions to support the dynamic operations of higher ed institutions.” <https://www.transactcampus.com/solutions/integrated-payments/transact-erp>. Transact “[e]ffortlessly integrate[s] Student Information Systems (SIS) and finance systems, migrate to the cloud with support, ensure PCI compliance, share data, enable frictionless payments, and streamline reporting.” *Id.* And, Transact lists Ellucian as having direct integration with Ellucian: “We’re excited to grow our partnership with Ellucian, offering integrated payment solutions that complement their SaaS platforms like Banner and Colleague SaaS. This collaboration enhances mutual clients’ experiences, easing transitions to cloud-based solutions and providing modern, flexible payment services.” <https://www.transactcampus.com/company/partners/ellucian>. As part of its partnership with Ellucian, Transact offers:

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Office of Information Technology Management  
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- **ERP Seamless Integrations:** Integrates smoothly with Ellucian systems like Banner, Colleague, and PowerCampus supporting both on-premise and cloud environments.
- **Omnichannel Payment Options:** Supports diverse payment types, such as credit cards, ACH, and digital wallets, enhancing payment flexibility for users.
- **Enhance Payment Processing:** Supports diverse payment types, such as credit cards, ACH, and digital wallets, enhancing payment flexibility for users.

*Id.*

Second, Transact offers a one card solution that integrates with the payment center, printing, and access control. <https://www.transactcampus.com/solutions/campus-id>. Indeed, Transact's one card solution provides colleges and universities with the following features:

- **Mobile Credentials**—a fast, secure, student ID card on mobile devices with Transact's NFC-enabled Solution.
- **Door Access Control and Security**— Transact gives administrators better security by automating user setup, managing credentials, and controlling access levels based on student and residence hall data.
- **Dining purchases**—Students can easily make POS dining purchases with cashless payment options through campus ID cards or Transact Mobile Credential
- **Cashless purchases**—Allow students to make cashless purchases with multiple account types and online access—while leveraging existing campus credentials, POS, and Enterprise Resource Planning (ERP) systems.
- **Printing, Copying, Vending, and Laundry Purchases**—Students can use Transact Stored Value or Transact Mobile Credential integration for cashless printing, copying, vending, and laundry purchases. Students can track, control, and report using our flexible campus credential system.
- **Events and Activities**—Give students authorized access to events such as club meetings, athletics, performances, and more.
- **Smart lockers**—Students can have 24/7 access to contactless smart lockers across campus using their NFC-enabled Transact Mobile Credential for Samsung Wallet™, Apple Wallet™, and Google Wallet™ or contactless student ID cards (Luxer One).



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- Transact IDX—A cloud-based system that allows institutions to manage almost every aspect of your campus with our Next-Generation cloud transaction system and provide students a fast, secure, mobile-centric campus experience.

<https://www.transactcampus.com/solutions/campus-id#transact-idx>.

In sum, Touchnet and Transact offer the same capabilities that could meet SCC's needs, and SCC's Justification therefore fails to demonstrate that a sole source award would be permissible under Section 11-35-1560.

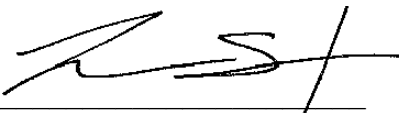
**C. Transact's Request for Relief**

As SCC's Justification fails to meet South Carolina standards for a sole source procurement, the notice of intent to award should be canceled. SCC should proceed to a competitive procurement, allowing Transact to compete fairly against TouchNet and any other potential offerors.

Dated: March 14, 2025

Respectfully submitted,

ROGERS JOSEPH O'DONNELL

By:   
\_\_\_\_\_  
Lucas T. Hanback  
Cindy Lopez

*Attorneys for Transact Campus, Inc.*

# Exhibit 1

## JUSTIFICATION FOR SOLE SOURCE PROCUREMENT

Agency: Spartanburg Community College

Sole Source Vendor: Touchnet

Based upon the following determination, Agency proposes to acquire the supplies, construction, information technology, and/or services described herein from the Vendor named above per S.C. Code Ann. §11-35-1560 and S.C. Regulation 19-445.2105, Sole Source Procurement.

Description of the Agency need that this procurement meets: This is the annual subscription for Touchnet Information Systems an supplies the ability for our College payment system.

Description of market research Agency performed to determine the availability of products or services that would meet the Agency's needs: Ellucian has two payment vendors that have direct integrations and partner with the ERP provider, ACI worldwide and Touchnet. ACI worldwide offer payments, but does not offer all the functionality that the college is looking for. ACI worldwide does not offer a one card solution that integrates with the payment center and they do not offer deep integration into the ERP for card print and Access Control, attached to the one card and payment system. SCC participated in Demos, Vendor inquiries, and consultation with the ERP and both payment vendors in this determination. ACI stated in writing they do not have the functionality the college needs.

Description of supplies, construction, information technology, and/or services Vendor will provide under the contract: The College uses the Ellucian Payment Center by Touchnet connected with Ellucian Colleague for its managed data for vending and building access. Touchnet is the sole provider of updates, maintenance, service and support for the Touchnet Student Services Package. Touchnet is the sole provider of a system that integrates wholly into the Ellucian ERP system with support from the ERP vendor themselves.

Detailed explanation why no other vendor's supplies, construction, information technology, and/or services will meet the needs of the Agency: Ellucian has two payment vendors that have direct integrations and partner with the ERP provider, ACI worldwide and Touchnet. ACI worldwide offer payments, but does not offer all the functionality that the college is looking for. ACI worldwide does not offer a one card solution that integrates with the payment center and they do not offer deep integration into the ERP for card print and Access Control, attached to the one card and payment system.



\_\_\_\_\_  
Authorized Signature

Printed Name: Brittany Greenway

Title: Director of Procurement

Date: 3/5/2025

**Notes:** SCC intends to formally solicit these services within a year.

# Exhibit 2

# South Carolina Business Opportunities

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Published by Division of Procurement Services - Delbert H. Singleton, Jr., Division Director

**Ad Category:** Sole Source and Emergency

**Notice Start Date:** March 5, 2025

**Notice End Date:** March 12, 2025

**Vendor Name:** Touchnet

**Contract Amount:** \$46,737.60

**Agency Procurement Manager:** Brittany Greenway

**Agency Procurement Manager Email:** greenwayb@sccsc.edu

**Agency Procurement Manager Telephone#:** 864-592-4670

**The Agency hereby provides notice that it intends to enter into a sole source contract per S.C. Code Ann. §11-35-1560 with Vendor for the following supplies, services, information technology, or construction:**

This is the annual subscription for Touchnet Information Systems that supplies the ability for our College payment system. Touchnet has direct integrations with Ellucian.

**Agency's justification for a sole source procurement may be viewed or immediately obtained at:** Agency Procurement Manager (Listed Above)

## **PROTESTS:**

Any actual or prospective bidder, offeror, contractor, or subcontractor aggrieved in connection with the intended award or award of this sole source contract, shall notify the appropriate chief Procurement officer in writing of its intent to protest within five (5) business days of the date this notice is posted. Any actual or prospective bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of this sole source contract and has timely notified the appropriate chief procurement officer of its intent to protest, may protest to the appropriate chief procurement officer in the manner set forth below within fifteen days of the date this notice is posted; except that a matter that could have been raised as a protest of the solicitation may not be raised as a protest of the award or intended award of a contract.

A protest must be in writing, filed with the appropriate chief procurement officer, and set forth the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided. The protest must be received by the appropriate chief procurement officer within the time provided above. Days are calculated as provided in S.C. Code Ann. § 11-35-310(13).

**Any Notice Of Intent To Protest And Protest Must Be Addressed To:** Information Technology Management Officer

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South Carolina Business Opportunities • SCBO Team • 1201 Main Street, Suite 600 • Columbia, SC 29201  
803-737-0600 • [scbo@mmo.sc.gov](mailto:scbo@mmo.sc.gov) • <https://scbo.sc.gov> • <https://procurement.sc.gov>



# South Carolina Business Opportunities

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Published by Division of Procurement Services - Delbert H. Singleton, Jr., Division Director

**Ad Category:** Sole Source and Emergency

**Notice Start Date:** March 5, 2025

**Notice End Date:** March 12, 2025

**Vendor Name:** Touchnet

**Contract Amount:** \$46,737.60

**Agency Procurement Manager:** Brittany Greenway

**Agency Procurement Manager Email:** [greenwayb@sccsc.edu](mailto:greenwayb@sccsc.edu)

**Agency Procurement Manager Telephone#:** 864-592-4670

**The Agency hereby provides notice that it intends to enter into a sole source contract per S.C. Code Ann. §11-35-1560 with Vendor for the following supplies, services, information technology, or construction:**

This is the annual subscription for Touchnet Information Systems that supplies the ability for our College payment system. Touchnet has direct integrations with Ellucian.

**Agency's justification for a sole source procurement may be viewed or immediately obtained at:** Agency Procurement Manager (Listed Above)

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A protest must be in writing, filed with the appropriate chief procurement officer, and set forth the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided. The protest must be received by the appropriate chief procurement officer within the time provided above. Days are calculated as provided in S.C. Code Ann. § 11-35-310(13).

**Any Notice Of Intent To Protest And Protest Must Be Addressed To:** Information Technology Management Officer

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