**SE-870M (Modified)**

**NOTICE OF CONTINGENT INTENT TO AWARD – GEWWC CONTRACT**

**AGENCY:**

**PROJECT NAME:**

**PROJECT NUMBER:**

**POSTING DATE:**

**TO ALL OFFERORS:**

Unless stayed by protest or canceled, the Agency intends to enter into a contract as noted below:

**NAME OF CONTRACTOR:**

**AWARD AMOUNT: $**

**DATE SELECTION WAS MADE:**

**This notice of Intent to Award is contingent upon further approval of the Joint Bond Review Committee (JBRC) and State Fiscal Accountability (SFAA) Boards. The following items must receive approval:**

1. **PIP Project**

**If this project is not approved by both JBRC and SFAA, this notice of Intent to Award will be void thus the agency will have no obligation to enter into a contract with the Contractor identified above.**

Contractor should not incur any costs associated with the contract prior to receipt of a contract from the Agency for execution. Contractor should not perform any work prior to receipt of the Agency’s written Notice to Proceed.

**RIGHT TO PROTEST (SC Code § 11-35-4210)**

Any actual bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of this contract may be entitled to protest. To protest an award, you must (i) submit notice of your intent to protest within seven (7) business days of the date the award notice is posted, and (ii) submit your actual protest within fifteen (15) days of the date the award notice is posted. Days are calculated as provided in Section 11-35-310(13). Both protests and notices of intent to protest must be in writing and must be received by the appropriate Chief Procurement Officer within the time provided.

PROTEST - CPO ADDRESS - OSE: Any protest must be addressed to the Chief Procurement Officer for Construction, Office of State Engineer, and submitted in writing (a) by email to: [protest-ose@mmo.sc.gov](mailto:protest-ose@mmo.sc.gov), or (b) by post or delivery to 1201 Main Street, Suite 600, Columbia, SC 29201. By submitting a protest to the foregoing email address, you (and any person acting on your behalf) consent to receive communications regarding your protest (and any related protests) at the email address from which you sent your protest.

Pursuant to Section 11-35-410, documents directly connected to a procurement activity may be available within five days after request. All document requests should be directed to the procuring agency project coordinator. If a protest is pending, the protestant’s lawyer may access otherwise unavailable information by applying to the CPO for the issuance of a protective order. Additional information is available at [www.procurement.sc.gov/legal](http://www.procurement.sc.gov/legal).

***(Agency Procurement Officer Signature) (Print or Type Name)***

**INSTRUCTIONS TO THE AGENCY:**

1. Post a copy of the SE-870 at the location specified in the Solicitation.
2. Send the SE-870 electronically to all proposers and OSE the same day it is posted*.*