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EXECUTIVE DIRECTOR

THE DIVISION OF PROCUREMENT SERVICES

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

MICHAEL B. SPICER
INFORMATION TECHNOLOGY MANAGEMENT OFFICER
(803) 737-0600
FAX: (803) 737-0639

Protest Decision

Matter of: Public Works Equipment and Supply

Case No.: 2019-119

Posting Date: November 13, 2018

Contracting Entity: South Carolina Department of Transportation5400014892

Solicitation No.: 5400014892

Description: Truck Mounted Asphalt Patcher

DIGEST

Protest alleging apparent successful bidder was non-responsive is granted. Public Works Equipment and Supply's (PWES) protest is 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.

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

BACKGROUND

The South Carolina Department of Transportation (DOT) issued this Invitation for Bids on February 14, 2018 to acquire 10 truck mounted asphalt patchers. Five bids were received on March 22, 2018. An Intent to Award to Stepp Manufacturing Co., Inc. (Stepp) was posted on October 29, 2018. PWES protested on November 2, 2018, alleging that the equipment bid by Stepp was not responsive to material and essential requirements of the solicitation.

ANALYSIS

PWES bid its model 4300 SBA 4X2. The solicitation required bidders to complete a questionnaire answering questions about the product bid. Stepp submitted a completed questionnaire [Attachment 2] and provided a cut sheet which detailed the specifications for all its asphalt patchers. [Attachment 3]

PWES's first issue of protest alleges:

1. The specified method for heating the asphalt is a dry radiant heat chamber heated by two burners with vertical exhaust stacks. However, the award was given to a unit using an oil jacketed heating system supplied by a coil in the tank bottom. This is a significant deviation that we could have bid if offered as an option at a lower cost.

The solicitation stated:

Units supplied to this specification shall meet or exceed these requirements....

[Solicitation, Page 14] The solicitation required:

5.1.2. The system shall have a dry radiant heat chamber, heated by two burners with vertical exhaust stacks.

[Solicitation, Page 14]

Both the cut sheet and the questionnaire clearly indicated that the model 4300 comes with a thermostatically controlled oil jacketed heating system by a coil in the bottom of the tank instead of the required dry radiant heat chamber, heated by two burners with vertical exhaust stacks. This issue of protest is granted.

PWE next protests:

2. The liquid asphalt emulsion system was specified as consisting of a minimum 100 gallon insulated tank and we quoted as such. Yet the award was given to a unit with an 80 gallon tank which again, we could have quoted at a lesser cost.

The solicitation required:

4. **LIQUID ASPHALT EMULSION SYSTEM:** The liquid asphalt emulsion system shall consist of a minimum 100 gallon insulated tank.

[Solicitation, Page 14] Both the cut sheet and the questionnaire clearly indicated that the model 4300 comes with an 80-gallon tank instead of the required 100-gallon tank. This issue of protest is granted.

PWE next protests:

3. The asphalt pre-mix system was specified with a minimum hopper size of 4.25 cubic yards which our bid provided. However, the unit awarded provides for a 4 cubic yard hopper. Although this may seem like a small difference, the current exorbitant cost of steel and related manufacturing is such, that a significant cost savings is realized by utilizing a smaller hopper.

The solicitation required:

3. **ASPHALT PRE-MIX HOPPER SYSTEM:** The asphalt pre-mix system shall include a hopper of at least 4.25 cubic yards.

[Solicitation, Page 14]

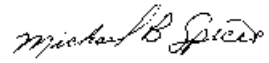
Both the questionnaire and the cut sheet clearly indicate that the model 4300 came with a hopper that holds 4.0 cubic yards instead of the required 4.25 cubic yards. This issue of protest is granted.

DECISION

For the reasons cited above, the protest of Public Works Equipment and Supply is granted. The award to Stepp Manufacturing Co., Inc. is cancelled. The South Carolina Department of Transportation is directed to forward this requirement to the State Fiscal Accountability Authority for processing in accordance with the South Carolina Consolidated Procurement Code.

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Case No. 2019-119
November 13, 2018

For the Materials Management Office

A handwritten signature in cursive script that reads "Michael B. Spicer".

Michael B. Spicer
Chief Procurement Officer

Attachment 1

From: [Protest-MMO](#)
To: [MMO - Procurement](#); [Shealy, Voight](#); [Skinner, Gail](#)
Subject: FW: Protest For SCDOT Bid Solicitation 5400014892
Date: Friday, November 02, 2018 10:08:32 AM

From: Loyd Pennington
Sent: Friday, November 2, 2018 10:07:45 AM (UTC-05:00) Eastern Time (US & Canada)
To: Protest-MMO
Subject: Protest For SCDOT Bid Solicitation 5400014892

To Whom It may Concern,
As per the prescribed requirements set forth by statutes regarding these matters, we wish to protest the award posted for SCDOT bid solicitation 5400014892.

We believe we are justified in this action for a number of reasons and chief among them are noted as follows.

1. The specified method for heating the asphalt is a dry radiant heat chamber heated by two burners with vertical exhaust stacks. However, the award was given to a unit using an oil jacketed heating system supplied by a coil in the tank bottom. This is a significant deviation that we could have bid if offered as an option at a lower cost.
2. The liquid asphalt emulsion system was specified as consisting of a minimum 100 gallon insulated tank and we quoted as such. Yet the award was given to a unit with an 80 gallon tank which again, we could have quoted at a lesser cost.
3. The asphalt pre-mix system was specified with a minimum hopper size of 4.25 cubic yards which our bid provided. However, the unit awarded provides for a 4 cubic yard hopper. Although this may seem like a small difference, the current exorbitant cost of steel and related manufacturing is such, that a significant cost savings is realized by utilizing a smaller hopper. Again we believe these items are more than significant enough to justify our protest of this award even as we appreciate all of the effort put into these solicitations.

We respectfully await your response.
With Kind Regards,
Loyd

www.pweasi.com

Loyd Pennington

Public Works Equipment and Supply

Sales Director

704-575-0544

Every day is a new opportunity to become all we are capable of being. It is simply a choice to understand that we will never be perfect, but we should never stop pursuing perfection.
Giddyup!

WARRANTY (Describe): One year on workmanship and manufactured equipment.

GENERAL: Where is unit manufactured? _____
When will current production period end? 2018
What is model number of the succeeding unit? STEPP STPH 4.0
How many authorized dealers in South Carolina? 1
Does this unit meet full OSHA requirements? yes
Does this unit meet DOT requirements? yes
Does this unit meet FMVSS requirements? yes
Does this unit meet 49CFR 172/173 requirements? yes
Does this unit meet NCHRP Report 624 guidelines? yes
Does this unit meet ASME standards? yes

References: J.C. Madigan, Tim Madigan 978-847-2900
Envirotech Dave Bogie 800-381-9134
City of Brooklyn Park, Steve Nawer :
763-493-8009

Industry Leading Pothole Patching Equipment

Solving Problems, Addressing Needs

At Stepp Manufacturing, our engineers produce equipment that is known in the industry for its durability, reliability and functionality. Since our beginning in 1942, our family owned operation has always produced equipment specific to your needs. We use high quality material, innovative engineering, and quality personnel to match your needs as they grow.

Welcome to the Future of Pothole Patching.

Stepp's STPH asphalt pothole patch truck's are the perfect blend of durability, reliability, and operator simplicity. The STPH takes charge of our demanding road maintenance needs. Optional onboard tack tank system, compactor plate carrier, spoils bin, hydraulic jackhammer and air blow out options make this the ultimate patching body. The oil jacketed diesel heating system ensures good quality along with efficiency by evenly heating patch materials. Couple that with the auger delivery system and the 270° full opening hydraulically operated top doors, and you have the ultimate pothole patching machine.

Stepp Mfg's STPH asphalt pothole patching truck is used to heat and reclaim both hot mix and cold mix materials and apply them to roads, parking lots, and bridge decks to repair pothole and utility cuts. The Stepp STPH asphalt pothole patching truck is offered with an oil jacketed, diesel fired heating system with a recirculating exhaust system to create a "Green Friendly" heating system.





- ① Available in 4 yd.³ (5.4 tons) 5 yd.³ (6.75 tons) 6 yd.³ (8.1 tons) 7 yd.³ (9.4 tons)
- ② Available in Chassis Mount or Hook Mounted
- ③ Industry-leading Full Circulating Oil Jacketed Hopper to Eliminate Hot Spots
- ④ 6" AR 400 Auger, 3/8 Solid Fighting 2 Speed Discharge
- ⑤ 270° Full Opening Top Doors
- ⑥ Triple Wall Construction
- ⑦ Diesel Burner With Automatic Temperature Controls
- ⑧ Folding Shoveling Platform or Swing Chute for Direct Road Placement
- ⑨ Force America Load sensing Hydraulic System With Syncro Mesh PTO
- ⑩ Center Heated Baffles and "Green Friendly" Recirculated Exhaust System

Knowledge-Technology-Innovation-Safety Driven Designs

With over 100 of years of combined industry experiences in our sales, engineering, and production team, we offer what few companies can in our product designs:
“WISDOM”

Biggest Product Offering in the Market

The Stepp STPH offers the largest selection of sizes and configurations in the market. Available in 4 cubic yard (5.4 ton) 5 cubic yard (6.75 ton) 6 cubic yard (8.1 ton) and 7 cubic yard (9.4 ton). No matter how big or small your needs, we have the right sized unit for you.

Chassis Mounted Asphalt Patch Truck

The Stepp STPH asphalt pothole patching truck comes standard as a chassis mounted unit. The chassis mounted unit comes completely installed on your customer supplied chassis or let us know what kind of chassis you want and we can supply you with the completed unit.



Hook Mounted Patch Truck

Stepp's STPH hook style patch bodies have all the great features of the chassis mounted units with the versatility of the hook lift system. With the rising cost of trucks, the hook lift system allows you to utilize your fleet for demands other than patching. The STPH hook style patch truck can be set up to accommodate any brand of hook lift system. Just another way Stepp has brought innovation to the patching industry.

Maneuverability

Our patch trucks are the most compact patch trucks on the market. This gives you superior maneuverability when you're in the field patching. Stepp Manufacturing gives you the performance you expect in a larger rig. Our expertise and engineering puts that performance in a compact, efficient and maneuverable package. We design and produce top-quality equipment that can easily maneuver around your cul-de-sacs as well as rigs for the open road.

Engineered Excellence

"Industry Leaders with Industry Leading Technologies"

Automatic Temperature Controls

Automatic spark ignition lights the burner with the flip of a switch and includes flame-out protection to shut off the fuel supply if the flame is blown out. The electronic thermostat has an easy-to-adjust thermostat with a setting range from 0° - 550° F. A large digital LED display makes it easy to monitor the product temperature in the tank. Once the operator sets the desired temperature, burner operation and temperature control is fully automated with this system.

Diesel Heating With "Green" Friendly Exhaust

The STPH is fired with a Beckett forced air diesel fuel burner with an operating output of up to 490,000 BTU. The burner fires down a single flue and then is returned into the top of the hopper to reuse or recycle the exhaust heat. This helps prevent the material from bridging and lowers overall cost of operation, putting "Green" in your pocket and being "Green" with less emissions. Unit also available in LP fired.



Full Opening Hydraulically Operated Doors

The STPH patch body hydraulically operated top doors have a full 270° rotation to fully open. We accomplish this with our hydraulically driven gear boxes. By allowing our doors to completely open and rest along the sides of the hopper we never have issues getting into the tightest of hot mix plants. Our top doors are constructed of formed steel and then are filled with a 2# density polyurethane spray foam. The spray foam give us superior insulating qualities, zero moisture retention, and also gives us strength without weight. With insulating qualities of R9 per inch, our doors do what they are supposed to, keep the heat in.

Auger Delivery System

The Stepp STPH asphalt patch body comes standard with a 6 inch by 3/8" thick, (abrasion resistant) AR 400 auger discharge system. The material is discharged onto a shoveling platform or the optional swing chute. The standard shoveling platform also folds up to allow you to discharge material directly onto the ground. The auger is powered by a two speed, direct coupled hydraulic motor.

Engineered Excellence

“Industry Leaders with Industry Leading Technologies”

Load Sensing Hydraulic System

The STPH patch truck is equipped with a load sensing hydraulic system from Force America. The hydraulic system consists of a synchro mesh PTO, variable displacement, piston pump. All of the hydraulic functions are controlled by the Force America add-a-fold valve. The valve, hydraulic cooler, tank, and filter are conveniently mounted in a combination enclosure on the frame of the truck. The load sensing hydraulic system gives you tremendous flexibility in your hydraulically controlled functions on the unit. The top doors, auger, hot oil circulating pump, tack tank pump, air blowout systems, and compactor plate carrier are all hydraulically operated.



Oil Jacketed Heating System

The oil jacketed heating system allows for the smoothest, most even heating on the market. The oil jacket eliminates hot spots and cold spots in the unit. The oil jacket is the premium heating system and works very well with both hot mix and cold mix materials. This premium oil jacketed heating system offers a full circulating hydraulically driven circulating pump and two oil jacketed center baffles.



Shoveling Platform

Our patch truck comes standard with a wide shoveling platform. The shoveling platform is also designed to fold up and dispense material directly into the roadway. This is extremely handy when you are patching large patches or large utility cuts.



Trailer Mounted Systems

Stepp also offers the STPH line of patch bodies in a trailer mounted configuration. The trailer mounted systems include its own Kubota diesel engine to power the hydraulic system. The trailer mounted systems offer a heavy duty 3"x8" steel rectangular tubing frame and heavy duty ABS brake system. Choose from the 4 yd.³, 5 yd.³, 6 yd.³, or 7 yd.³, configuration to best suit your needs.

Options That Bring Value, Productivity and Safety

Optional Equipment available on the Stepp STPH Asphalt Patch Trucks

80 Gallon Heated Tack Tank

Our 80 gallon tack tank is one of the most popular options available on the patch truck. Our tack tank features a thermostatically controlled, oil jacketed heating system heated by a coil in the bottom of the tank. Our tack tank is also configured to be able to recirculate oil back to tank through the wand keeping your wand warm and ready to go. Also Includes a large cleanout sump.

Pumping System with Spray Wand

Our optional pumping system is powered by a hydraulically driven FH-32 Viking positive displacement pump. The unit includes a 4 foot spray wand, 15 foot 1/2 inch hose, and a vee-jet spray nozzle. The wand is stored conveniently in the recirculating flange in the top of the tank. This allows you to recirculate your oil back to the tank and keep your hose and wand warm and ready to patch the next hole. Don't forget to add the optional hose reel!



Hopper Access Walkways

This is a must-have option for safely cleaning out your unit at the end of the night. This option includes 4 foldout walkways that allow you to walk down the fenders of the unit safely, cleaning the remainder of the material of the hopper. The walkways include raised grip tread and a nonskid surface. All of the units come standard with rear built-in steps with handles to safely access the walkways.

Compactor Plate Carrier

The most important thing in making a patch last is compaction. We have made it easy to use the compactor plate with the compactor plate carrier. The compactor plate carrier is hydraulically operated and includes a spring lock. The carrier will also fold up out of the way when not in use and includes places to strap your compactor plate down. Optional compactor plate hold downs are also available.

Options That Bring Value, Productivity and Safety

Optional Equipment available on the Stepp STPH Asphalt Patch Trucks

Air Blow Out Options

We offer three different air blowing options on the STPH patch trucks. The first is the air blast system. This includes auxiliary air tanks and uses the trucks air compressor to provide a short blast of air clean the potholes. The second is the reciprocating air compressor. This is hydraulically driven and produces up to 25 CFM. The third is a rotary screw air compressor. This compressor is capable of producing 100 CFM allowing you to use air tools such as jackhammers.

Wash Down System

The washdown system includes a 5 gallon solvent tank, electric pump, 20' of hose and a spray wand. The washdown system is used to spray the hopper and tools with release agent to prevent the asphalt from sticking and building up to make clean up a breeze. Don't forget to add the optional hose reel.



Shovel Cleaning Compartment

This is a must-have option. The shovel cleaning compartment consists of a 12 gauge metal tank with splash guard, drain plug, and top cover. The top cover has slots to allow your shovel handles come through them. Will hold up to four shovels.

Arrowboard and Arrowstrip

We offer two different types of arrowboards. The simple LED arrow strip directs traffic in the direction you want. Or the larger Whelen full LED arrow shaped arrowboard keep your operator safe from oncoming traffic. This is a highly recommended option for operator safety and visibility.

Options That Bring Value, Productivity and Safety

Optional Equipment available on the Stepp STPH Asphalt Patch Trucks

Strobe Lights Systems

We offer two different strobe light systems. Flush mounted LED strobes are located above the rear taillights and shall be grommet style.

Whelen Super LED light system

This system shall consist of two mirror mounted LED strobe lights, 2 Amber rear mounted LED strobe lights, 2 LED backup light, 2 LED stop tail turn lights. Premium light system for superior visibility. Shown Below.

Stainless Steel Tool Holders

The all stainless steel spring clamps will hold anything with a handle. Mounted on the back of the shovel cleaning compartment for convenient access. This is a must have option to carry lutes, brooms, shovels and tampers.



Spoils Bin

The spoils bin is conveniently located on the curb side of the truck. It is constructed of 10gauge steel with a bottom trapdoor. It will have a capacity of 6 ft.³.

LP Hand Torch

The LP hand torch includes a 20# LP bottle, bottle rack with strap, pressure regulator and hand torch. The LP torch helps heat up tools and dry out wet potholes. Optional hose reel is also available.

Options That Bring Value, Productivity and Safety

Optional Equipment available on the Stepp STPH Asphalt Patch Trucks

Electric Overnight Heat

The electrical burning heaters allow for faster startup and maintains heat overnight. The hopper will have to 3000 W 220 V operated by the same thermostat is the diesel burner. The tack tank will have 1-1500 watt heating element wired to the same thermostat as the tack tank. Will include a 15' cord with plug in. 220Volt 30 amp service required.

Water Tank

15 Gallon Poly water tank with hose and valve to aid in the filling of plate compactor or small rollers. Conveniently located for easy filling and includes large fill cap.



Anti Bridging Mixer

The anti-bridging mixer is hydraulically driven to swing back and forth to eliminate bridging and tunneling. Especially useful if using a lot of fine grade or oil rich materials. Operated from the operators control panel located on the rear of the machine.

Hydraulic Power Beyond and Hydraulic Jackhammer, and Dual Hose Reel

The Power Beyond powers any type of hydraulic tool such as a jackhammer, tamper or most any of the Stanley family of Hydraulic tools. The popular jackhammer option comes in a 35 to 90# class with the most popular being the 70# BR67. Many different types of points and cutters available. Don't forget the dual hydraulic hose reel to complement the hydraulic tools.

	STPH 4.0	STPH 5.0	STPH 6.0	STPH 7.0
Capacity	4.0 Cubic yd/ 5.4 Ton	5.0 Cubic yd/ 6.75 Ton	6.0 Cubic yd/ 8.1 ton	7.0 Cubic yd/ 9.45 Ton
Hopper Weight (approx.)	6400#	7700#	9300#	10500#
Length x Width x Height	145"L x 96"W x 65"H	160"L x 96"W x 68"H	187"L x 96"W x 61"H	198"L x 96"W x 65"H
Recommended Truck Size	Single Axle 35,000 GVWR 95" Cab to Axle	Tandem Axle 52,000 GVWR	Tandem Axle 52,000 GVWR	Tandem Axle 52,000 GVWR
Hopper Construction	10 Gauge Tank, 10 Gauge Oil Jacket, 16 Gauge Insulation Jacket	10 Gauge Tank, 10 Gauge Oil Jacket, 16 Gauge Insulation Jacket	10 Gauge Tank, 10 Gauge Oil Jacket, 16 Gauge Insulation Jacket	10 Gauge Tank, 10 Gauge Oil Jacket, 16 Gauge Insulation Jacket
Controls	LED Automatic Temperature Controls	LED Automatic Temperature Controls	LED Automatic Temperature Controls	LED Automatic Temperature Controls
Burner Type and Output	Diesel Or LP 240,000 BTU	Diesel Or LP 240,000 BTU	Diesel Or LP 240,000 BTU	Diesel Or LP 240,000 BTU
Temperature Range	0-550 degrees F	0-550 degrees F	0-550 degrees F	0-550 degrees F
Heat Transfer Oil Capacity	185 Gallons	225 Gallons	260 Gallons	290 Gallons
Hydraulic Tank Capacity	30 Gallons	30 Gallons	30 Gallons	30 Gallons
Heat Transfer Oil	185 Gallons ISO VG 68 with 498°F Flash Point	225 Gallons ISO VG 68 with 498°F Flash Point	260 Gallons ISO VG 68 with 498°F Flash Point	290 Gallons ISO VG 68 with 498°F Flash Point
Hydraulic Pump	Axial piston pressure and flow compensated load-sensing. 5.61 Cubic inch, 23.7 GPM@1000 RPM Operating Pressure 2800 PSI	Axial piston pressure and flow compensated load-sensing. 5.61 Cubic inch, 23.7 GPM@1000 RPM Operating Pressure 2800 PSI	Axial piston pressure and flow compensated load-sensing. 5.61 Cubic inch, 23.7 GPM@1000 RPM Operating Pressure 2800 PSI	Axial piston pressure and flow compensated load-sensing. 5.61 Cubic inch, 23.7 GPM@1000 RPM Operating Pressure 2800 PSI
Hydraulic Valve	Force America Add-A-Fold Electric over Hyd	Force America Add-A-Fold Electric over Hyd	Force America Add-A-Fold Electric over Hyd	Force America Add-A-Fold Electric over Hyd
PTO	OMFB series constant mesh Transmission Mounted	OMFB series constant mesh Transmission Mounted	OMFB series constant mesh Transmission Mounted	OMFB series constant mesh Transmission Mounted
Auger Size	6'x 3/8" AR400	6'x 3/8" AR400	6'x 3/8" AR400	6'x 3/8" AR400
Auger Drive	2 Speed Hydraulic Direct Drive	2 Speed Hydraulic Direct Drive	2 Speed Hydraulic Direct with 3.6:1 planetary gear reduction	2 Speed Hydraulic Direct with 3.6:1 planetary gear reduction
Top Doors	Hyd Gear Box for Full Opening. Insulated with Polyurethane Spray Foam	Hyd Gear Box for Full Opening. Insulated with Polyurethane Spray Foam	Hyd Gear Box for Full Opening. Insulated with Polyurethane Spray Foam	Hyd Gear Box for Full Opening. Insulated with Polyurethane Spray Foam
Optional Tack Tank Size	80 Gallon	80 Gallon	80 Gallon	80 Gallon
Optional Tack Pump GPM	Viking FH32 10 GPM	Viking FH32 10 GPM	Viking FH32 10 GPM	Viking FH32 10 GPM
Optional Overnight Heaters	220VAC 3kW Hopper 220VAC 1.5kW Tack	220VAC 3kW Hopper 220VAC 1.5kW Tack	220VAC 3kW Hopper 220VAC 1.5kW Tack	220VAC 3kW Hopper 220VAC 1.5kW Tack



**Stepp Mfg Has the largest line of
Asphalt Patching Equipment in the Industry**



SPH Hot Boxes & Reclaimers



SPHD Dump Style Hot Box



SPHOJ Oil Jacketed Auger Hot Box



SSPH Slip In Style Asphalt Hot Boxes



SRM Asphalt Recyclers



SMM Tailgate Asphalt Recyclers

Stepp Manufacturing Co., Inc.
12325 River Rd
North Branch, MN 55056
651-674-4491

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STATEMENT OF RIGHT TO FURTHER ADMINISTRATIVE REVIEW

Protest Appeal Notice (Revised June 2018)

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>

FILE BY CLOSE OF BUSINESS: Appeals must be filed by 5:00 PM, the close of business. *Protest of Palmetto Unilect, LLC*, Case No. 2004-6 (dismissing as untimely an appeal emailed prior to 5:00 PM but not received until after 5:00 PM); *Appeal of Pee Dee Regional Transportation Services, et al.*, Case No. 2007-1 (dismissing as untimely an appeal faxed to the CPO at 6:59 PM).

FILING FEE: Pursuant to Proviso 111.1 of the 2018 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
1205 Pendleton Street, Suite 367, 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.