

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
))
))
IN THE MATTER OF: BID PROTEST)
))
MATRIX CONSTRUCTION CO., INC.)
))
v.)
))
LANDER UNIVERSITY)
))
MAY COMPLEX FIELD HOUSE)
PROJECT H21-N035-MJ)
_____)

**BEFORE THE CHIEF PROCUREMENT
OFFICER FOR CONSTRUCTION**

DECISION

CASE NO. 2012-012

**POSTING DATE:
APRIL 6, 2012**

This matter is before the Chief Procurement Officer for Construction (CPOC) pursuant to a request from Matrix Construction Co., Inc. (Matrix), under the provisions of §11-35-4210 of the South Carolina Consolidated Procurement Code, for an administrative review on the May Complex Field House bid (the “Project”) for Lander University (Lander). Matrix protests Lander’s posting of a Notice of Intent to Award a contract to Cannon Construction Co., Inc. (Cannon). Pursuant to S.C. Code Ann. §11-35-4210(4), the CPOC conducted an administrative review. As a part of this review, the CPOC held a hearing on March 27, 2012. At the hearing, attorney Robert DeHoll, represented Matrix, Jeff Beaver, Lander’s Director – Office of Engineering Services, represented Lander, and Hank Cannon, Cannon’s President, represented Cannon. Present at the hearing as witnesses were Hew King, a Matrix Vice President, Jim Baber, owner of Metal Works Contracting, Inc., and Stephen Dorn with DSP Architects. At the hearing, the parties submitted Exhibits 1 through 14 into evidence. This decision is based on the evidence and applicable law and precedents.

NATURE OF THE PROTEST

Matrix’s letter of protest is hereby incorporated by reference and is attached as Ex. A.

UNDISPUTED FACTS

1. Lander advertised for bids for the project on February 2, 2012. [Ex. B]

2. The solicitation required each bidder to list on his bid form the subcontractors he intended to use on the Project for the subcontractor specialties of “Plumbing-PB,” “Heating & Air Conditioning-HT/AC,” and “Electrical-EL.” [Ex. 11, p. OSE00025¹]
3. By the time for receipt of bids, Lander received thirteen bids. [Ex. 1, p. OSE00005]
4. Cannon submitted the apparent low bid. [Ex. 1, p. OSE00005, Ex. 2, and Ex. 11]
5. On March 2, 2012, Lander posted a Notice of Intent to Award a contract to Cannon. [Ex. 1, p. OSE00004]
6. On March 12, 2012, Matrix protested Lander’s intended award.

DISCUSSION

Matrix protests the intended award to Cannon on two grounds: “(1) the subcontractor that Cannon listed in the bid form (SE-330) did not have the proper license to perform the HVAC work on this project as of the time that the bid was submitted and (2) that Cannon was not properly licensed at the time of the bid.” Both these grounds are allegations that Cannon, in combination with its listed subcontractors, is not a responsible bidder. At the hearing, Matrix chose not to present any arguments on the second ground relying solely on the first ground of protest as the basis of its protest.²

A determination of responsibility is required by S.C. Code Ann. § 11-35-1810, which states “[r]esponsibility of the bidder or offeror shall be ascertained for each contract let by the State.” A procurement officer’s determination of responsibility is final and conclusive unless it is “clearly erroneous, arbitrary, capricious, or contrary to law.” S.C. Code Ann. § 11-35-2410(A). The South Carolina Procurement Review Panel has held that the protestant has the burden of proving that the procurement officer’s determination is “clearly erroneous, arbitrary, capricious, or contrary to law.” *Protest of Brantley Construction Co., Inc.*, Panel Case No. 1999-3.

A responsibility determination is a determination that the bidder has the ability to perform. *See* S.C. Code Ann. Regs. 19-445.2125(A)(1). Possession of the proper contractor’s license, either by the bidder or one of the bidder’s listed subcontractors, is an issue of responsibility. *Protest of Brantley Construction Co., Inc.*, *supra* (where the State is investigating the bidder’s ability to perform it is

¹ For ease of reference, the CPOC had the pages of the exhibits Bates stamped in sequential order. The Bates stamp number is located on the lower right hand corner of each page.

² Matrix’s second ground of protest is identical to another protest filed by Matrix protesting an award by Tri-County Technical College. The CPOC denied this earlier protest. *See* *Protest of Matrix v. Tri-County Technical College*, Case Number 2012-011.

deciding an issue of responsibility); *Protest of Roofco, Inc.*, Panel Case No. 2000-14(I) (stating that “the lack of a proper license to do the work solicited in a state contract will always render a bidder nonresponsible.”). If, at the time of bidding, a subcontractor listed on a bidder’s bid does not possess the proper license for performing the work for which the subcontractor was listed, then neither the listed subcontractor nor the bidder are responsible bidders. S.C. Code Ann. § 40-11-200(B)³; *See also Protest of Burkwood Construction Company, Inc.*, Panel Case No. 1997-8 (affirming its prior decisions that the State cannot accept a bid where the low bidder listed a subcontractor who could not perform the work specified by the bid).

On its bid, Cannon named Metal Works Contracting, Inc. (Metal Works), as its specialty subcontractor for Heating & Air Conditioning (HT/AC). Metal Works possesses a group 4 mechanical contractor’s license with a subclassification of air conditioning (AC). [Ex. 3, pp. OSE00013 – OSE00014] A group 4 mechanical contractor’s license limits Metal Works to bids and jobs not exceeding \$125,000.00. S.C. Code Ann. §§ 40-11-260(B)(4) and 270(A). Matrix argues that the HT/AC work significantly exceeds \$125,000, precluding Metal Works from bidding or performing the work.⁴ In other words, Matrix argues that under the Contractors Licensing Act, Metal Works is not legally qualified to perform the HT/AC work. In support of this position, Matrix presented evidence that the two HT/AC subcontractors that submitted bids to Matrix for the HT/AC work submitted bids substantially in excess of the group limitations of Metal Works’ license. [Ex. 7] Moreover, Matrix questioned the Project architect concerning a pre-bid estimate the architect commissioned. The estimate includes a line item for “HVAC” nearly double Metal Works’ license limitation. [Ex. 13, pp OSE00047 – OSE00048] This kind of estimate is precisely what the state normally uses to determine if a listed subcontractor is working within the group limitations of his license.

Cannon countered Matrix’s arguments by submitting into evidence Metal Works’ bid of \$124,446 and a breakout of that bid.⁵ [Ex. 9 and Ex. 10] Cannon also presented the testimony of Mr. Baber, who

³ “It is a violation of this chapter for an awarding authority, owner, contractor...to consider a bid, sign a contract, or allow a contractor to begin work unless the bidder or contractor has first obtained the licenses required by this chapter. Bids or contracts submitted by contractors may not be reconsidered or resubmitted to an awarding authority, contractor, or owner if the contractor was not properly licensed at the time the initial bid or contract was submitted.”

⁴ Lander took no position regarding the merits of Matrix’s protest other than to state that it wanted the CPOC to do what was best for the project. Lander also stated that by allowing Lander to post the Notice of Intent to Award, the Office of State Engineer’s project manager must have believed that Lander’s responsibility review was adequate. However, the record indicates that after posting the Notice of Intent to Award but before the filing of this protest, Lander started asking questions regarding the group limitations of Metal Works license. [Ex. 8] This inquiry lends some credence to the suggestion that Lander may not have adequately reviewed the responsibility of listed subcontractors prior to posting the Notice of Intent to Award.

⁵ This decision does not address the question of what would happen in the event of an add change order to the HT/AC work in excess of \$544.00, causing the total cost of HT/AC work to exceed the group limitations of Metal

prepared Metal Works' bid. Mr. Baber testified that Metal Works' bid price included all equipment, materials, and labor necessary to perform the HT/AC work set forth in Section 15B of the Specifications, drawings M1 through M3, and addenda. However, upon cross-examination by Matrix, Mr. Baber admitted that he inadvertently omitted the cost of the HT/AC controls work from the cost of the work.⁶

Section 15B of the Specifications provides for controls by Johnson Controls. The only evidence of the cost for the controls presented at the hearing was a price purportedly from Johnson Controls of \$13,316. [Ex. 14] The two AC subcontractors bidding to Matrix used this price in their bids. [Ex. 7] Adding this expense to Metal Works' bid (or any cost in excess of \$544.00) makes the total cost of the work in Metal Works' bid exceed the group limitations of Metal Works' license.

Mr. Baber stated that even though he failed to include the price of controls in Metal Works' bid, Metal Works would honor its bid price with the controls included in that price. In short, Metal Works proposes to perform at a loss in order to stay within the limitations of its license.

When determining whether a contractor is offering to work within the limitations of his license group, a state agency must ascertain the total cost of construction for the work in question. S.C. Code Ann. § 40-11-300(A). "Total cost of construction' means the actual cost incurred by the owner, all contractors, subcontractors, and other parties for labor, material, equipment, profit, and incidental expenses for the entire project." S.C. Code Ann. § 11-40-20(23). In Metal Works' case, the "entire project" is the HT/AC work for the May Field House Project. Therefore, if the total cost of HT/AC work exceeds \$125,000, regardless of who incurs the cost, Metal Works is not a responsible HT/AC subcontractor. Cost Metal Works chooses to absorb and not pass onto Cannon must still be included in the total cost of the work to determine if the cost of the work exceeds the group limitations of Metal Works' license. By Metal Works' own admission, the sum of all labor, material, and equipment cost that Metal Works will incur plus its overhead and profit exceeds the group limitations of its license. Therefore, Metal Works is not legally capable of performing the scope of the HT/AC work.

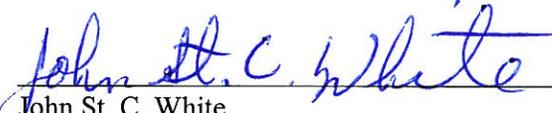
Works' bid. Under the anti-bid shopping provisions of the Procurement Code, only the subcontractor listed on Cannon's bid can perform the HT/AC work of the project. SC Code Ann. §§ 11-35-3020(b)(i) and -3021. However, under the licensing laws of this state, Metal Works would be precluded from performing the HT/AC work, since the total cost of the work would exceed its group limitation. S.C. Code Ann. 40-11-300. Therefore, such a change order would present novel issues regarding the subcontractor substitution rules of S.C. Code Ann. § 11-35-3021 and the anti-bid shopping purpose behind those rules. It would also be problematic for the Project owner, whose construction may be halted while the issues are decided.

⁶ An examination of the testimony and exhibits also calls into question whether Metal Works' bid included the cost of two 3.3 KW electric heaters, the combined total of which exceeds the \$554 cushion available in Metal Works' bid before going over the group limitations of its license. [Ex. 7, Ex. 10 & testimony of Mr. Baber regarding the sources of the numbers in Ex. 10] However, Metal Works' bid did include \$250 for installation of this equipment. [Ex. 10]

DETERMINATION

The CPOC finds that Metal Works bid a scope of work exceeding the group limitations of its license.

For the foregoing reasons, protest granted. The award to Cannon is vacated and the matter of determining the award of this solicitation is remanded to Lander for determination in accordance with the Consolidated Procurement Code.



John St. C. White
Chief Procurement Officer for Construction



Date

Columbia, South Carolina

STATEMENT OF RIGHT TO FURTHER ADMINISTRATIVE REVIEW

Protest Appeal Notice (Revised March 2012)

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: www.procurementlaw.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 83.1 of the 2011 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 hardship, the party shall submit a notarized affidavit to such effect. If after reviewing the affidavit the panel determines that such hardship exists, the filing fee shall be waived." 2011 S.C. Act No. 73, Part IB, § 83.1. PLEASE MAKE YOUR CHECK PAYABLE TO THE "SC PROCUREMENT REVIEW PANEL."

LEGAL REPRESENTATION: In order to prosecute an appeal before the Panel, an incorporated business must retain 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).



MAR 13 12 10 15 AM

MMO OFFICE

EXH. A

March 12, 2012

Via Electronic Mail at protest-ose@mmo.sc.gov, Via Facsimile at (803)-737-0639 and Via Certified Mail, Return Receipt Requested

John St. C. White
Chief Procurement Officer for Construction
Office of State Engineer
1201 Main Street
Columbia, SC 29201

Re: Notice of Intent to Award
Project Number: H21-N035-MJ
Project Name: Lander University – May Complex Field Houses

Chief Procurement Officer:

In accordance with provisions contained in South Carolina Code Section 11-35-4210, as amended, Matrix Construction Co., Inc. ("Matrix") is protesting the notice of intent to award the above identified project to Cannon Construction Co. ("Cannon") on two grounds: (1) the subcontractor that Cannon listed in the bid form (SE-330) did not have the proper license to perform the HVAC work on this project as of the time that the bid was submitted and (2) that Cannon was not properly licensed at the time of the bid.

As to the first reason for this protest, Cannon listed Metal Works as its HVAC subcontractor on the bid form. We assume that "Metal Works" referred to a South Carolina limited liability company located in Greenville, South Carolina and whose full corporate name is "Metal Works Contracting, LLC ("Metal Works"). According to the South Carolina Department of Labor, Licensing and Regulation ("LLR"), Metal Works is a licensed mechanical contractor with a classification of AC4. Under that classification, Metal Works can perform HVAC work up to a limit of \$125,000. The quotations obtained from other mechanical subcontractors for this project ranged from \$195,980.00 to \$222,222.00 and these quotations indicate that the cost of the HVAC portion of this project should be in that range. All of these other subcontractors are licensed mechanical contractors with classifications of AC5. Matrix provided the information regarding Metal Works' licensing classifications and the quotations for the HVAC work to the project architect, DSP Architects, on March 2, 2012. If DSP Architects has not already provided that information to your office and Lander University, please let me know and we will immediately provide it.

Clearly, Metal Works does not have the proper mechanical license to perform HVAC work where the costs should be in the range of \$195,980.00 to \$222,222.00. We have heard that

MATRIX CONSTRUCTION CO., INC.

PO Box 1807 ■ Anderson, SC 29622 ■ P (864) 226-6443 ■ F (864) 226-6694 ■ www.matrix-construction.net

Cannon and Metal Works, probably in recognition of the dollar limitation of Metal Works' license, had made an arrangement whereby Cannon would purchase the equipment for the HVAC package and Metal Works would perform the remainder of the HVAC scope at a price that was less than its \$125,000 limit of its license. We have checked with the LLR and it is their opinion that subdividing the work in that manner is not legal. LLR's position is based upon SC Code Section 40-11-300 (A) which provides as follows:

“(A) It is unlawful for an owner, a construction manager, a prime contractor, or another entity with contracting or hiring authority on a construction provide to divide work into portions so as to avoid the financial or other requirements of this chapter as it relates to license classifications or subclassifications or license groups, or both. The total cost of construction must be used to determine the appropriate license group for a project.”

It is clear that if the cost of the HVAC equipment was included in the HVAC scope of work for this project that cost would clearly exceed the upper limitation of Metal Works' license (\$125,000.00). It is Matrix's position that Metal Works did not have the proper license to perform the HVAC work on the project at the time that the bids were submitted and therefore listing an improperly licensed mechanical subcontractor in its bid form made Cannon's bid unresponsive and should have been rejected. In fact, Metal Works would not be allowed to perform the HVAC work under SC Code Section 40-11-300 (B) since that statute provides that an entity engaging in general or mechanical contracting without the required license must withdraw from the project and may not act as a subcontractor on that project. As such Cannon listed a mechanical subcontractor in its bid that could not legally perform the HVAC work on this project.

We have also heard that Cannon could use Metal Works to perform the HVAC work on the project even if Metal Works did not have the required license on the theory that general contractor can use unlicensed subcontractors under SC Code Section 40-11-270(C). However, that code section requires that the subcontracted work has to be supervised by the general contractor and, more importantly, that the subcontracted work must fall within the general contractor's license classifications. SC Code Section 40-11-410 (1) provides that the mechanical contractor subclassification does not fall within the "General Contractors- Building" classification and therefore the provisions of under SC Code Section 40-11-270(C) would not permit Cannon to use Metal Works as an unlicensed mechanical contractor.

As to the second reason for this protest, in order for a general contractor to self perform or supervise concrete and structural framing as set forth under South Carolina Code Section 40-11-410, a general contractor must be properly licensed in each of those subclassifications in order to be legally qualified to perform or supervise that work. The South Carolina Department of Labor, Licensing and Regulation's interpretation of Section 40-11-410 is that BD licensed commercial building contractors could not perform Concrete under subclassification CT or Structural Framing under subclassification SF under a BD license. Our investigation showed Cannon as having a BD-5 license only at the time of the bid opening, that it did not hold either a CT or SF classification and therefore it could not legally perform the concrete or structural framing work on this project at the time that the bids were submitted. Matrix was operating under these

assumptions when we bid this job. In fact, Matrix obtained both Concrete (CT) and Structural Framing (SF) licenses prior to submitting our bid

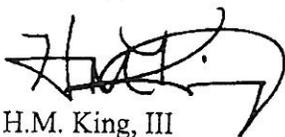
Under the LLR interpretation of South Carolina Code Section 40-11-410, bidders had to have the proper license to self perform concrete and structural framing or had to have agreements with subcontractors with the CT and SF classifications at the time that the bids were submitted in order for those bidders to be qualified to perform the concrete and structural framing on this project.

We are asking the OSE verify that OSE determined prior to the issuance of the notice of intent to award the contract that Cannon was legally capable of performing the concrete and structural framing work at the time that the bids were submitted. Specifically, we are asking that Cannon provide written documentation to OSE that either Cannon held licenses for both concrete (CT) and structural framing (SF) or that they had agreements in place with subcontractors who held those licenses at the time that the bids were opened. If Cannon can not provide such documentation, then it is Matrix's position that it was not legally qualified to perform the project at the time of bid opening. If Cannon cannot furnish this documentation, then Matrix is requesting that OSE declare that Cannon was non-responsible as an unlicensed or improperly licensed contractor who can not legally perform the work on this project and that OSE withdraw its notice of intent to award the contract for this project to Cannon.

Finally, if the bid of Cannon is rejected for either or both of the reasons outlined in this letter, then Matrix is requesting that the contract for the project be awarded to Matrix since Matrix can clearly demonstrate that it was properly licensed for the concrete work and structural framing at the time that the bids were opened. As such, Matrix was the lowest responsive and responsible bidder and should be awarded the contract for this project under SC Code Section 11-35-3020(c).

If you or your staff have any questions about this protest or the requested relief or if there is a need for any documentation from Matrix, please feel free to contact me. We look forward to your reply.

Sincerely,



H.M. King, III
Vice-President
Matrix Construction Co., Inc.

SOUTH CAROLINA BUSINESS OPPORTUNITIES

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Proposed Procurements in Construction,
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Received at the Time, Place & Date Indicated
in the Announcements & Then Be Publicly
Opened & Read Aloud. The State/Owner
Reserves the Right to Reject Any Or All Bids
& to Waive Technicalities.

ARCHITECT / ENGINEERING SERVICES

SCBO Notes referred to in State Agency advertisements appearing in the Architect / Engineering Section of SCBO can be found at <http://www.mmo.sc.gov/PS/general/scbo/SCBONotes.pdf>. Please verify requirements for non-State agency advertisements by contacting the agency / owner.

Project Name: INDOOR FOOTBALL
PRACTICE FACILITY

Project Number: H27-6090-MJ

Project Location: USC, Columbia

Applicable SCBO Notes: 1, 4, & 5

Location at Which Public Notice of Meetings Will Be Posted: 743 Greene St., Columbia, SC 29208

Description of Project: The University of South Carolina is seeking architectural & engineering services for Phase I design & estimating services for construction of a new indoor football practice facility. This project will involve construction of a new facility on the west end of the old Farmer's Market site (1001 Bluff Rd.) to include a full-size turf football practice field with end zones & appropriate sideline runoff areas. The facility also will include support facilities, such as restrooms, storage & training room, & is to include film towers for use in video recording during practices.

The A/E team may have the opportunity to proceed to the Phase II portion of the project. The A/E will be subject to a performance appraisal as defined in the Manual for Planning & Execution of State Permanent Improvements, Part II. Any questions concerning the terms & conditions of the proposed contract must be addressed to the Agency Coordinator listed later in this ad.

Anticipated Construction Cost Range:
\$12,000,000 - \$14,000,000

Description of Professional Services

Anticipated for Project: Architectural, civil, mechanical, electrical, plumbing, fire protection, structural & indoor design specialist

Information to Be Submitted In Addition to Standard Federal

Form 330: The lead design firm should document clearly the entity providing the specialty sports design for the facility. Three examples of previously designed & constructed NCAA or NFL football indoor practice facilities should be provided

Note: Interested parties should submit the name & contact information, including E-mail address, of a primary contact as part of their submittal. All written communication with a party submitting information will be done via E-mail.

Resume Deadline: 2/23/12 – 2:00pm

Number of Copies: 6

Agency/Owner: University of South Carolina

Name & Title of Agency Coordinator:
Lind Jackson, Contract Administrator

Agency Address: 743 Greene St., Columbia, SC 29208

Agency Phone: (803) 777-3489

Agency Fax: (803) 777-8739

Agency Coordinator E-mail:
ljackson@fmc.sc.edu – Agency will not accept submittals via E-mail

Project Name: ARCHITECTURAL & ENGINEERING SERVICES FOR CONSTRUCTION OF A NEW CENTRALIZED ADMINISTRATION ADDITION & RENOVATION OF EXISTING ADMINISTRATION AREAS FOR OTHER SUPPORT NEEDS AT CROWDERS CREEK ELEMENTARY SCHOOL

Project Number: 12-1005

Project Location: Clover School District Two

Deadline to Request RFP Package:

Tuesday, 2/14/12

Deadline for Submittals: Tuesday, 2/28/12 – 2:00pm

Agency/Owner: Clover School District Two, Procurement Department, 604 Bethel St., Clover, SC 29710

To Request a Submittal Package: Please E-mail request to

jerry.holliday@clover.k12.sc.us

or fax to attention of Jerry Holliday at (803) 222-8003

CONSTRUCTION

Invitation for Construction Bids

The information for State construction projects previously listed in the SCBO Notes is now addressed in the project manual.

Please verify requirements for non-State agency advertisements by contacting the agency / owner.

Projects expected to cost less than \$50,000 are listed under the Minor Construction heading.

Project Name: MAY COMPLEX FIELD HOUSE CONSTRUCTION

Project Number: H21-N035-MJ

Project Location: Lander University, Greenwood

Bid Security Required: Yes

Performance Bond Required: Yes

Payment Bond Required: Yes

Description of Project: 14,400 sq. ft., single-level, athletic field house of load bearing masonry & steel stud walls with brick veneer, metal roof trusses & metal roof, & site work to include 53-space parking lot & site utilities. Contractor may be subject to performance appraisal at close of project.

Construction Cost Range: \$2,000,000 - \$2,500,000

Architect/Engineer: DSP Architects, Inc.

A/E Contact: Stephen T. Dorn

A/E Address: PO Box 1425, Greenwood, SC 29648

A/E E-mail: stevedorn@dsparchitects.net

A/E Telephone: (864) 229-2100

A/E Fax: (864) 229-2159

Note: All questions & correspondence concerning this Invitation to Bid shall be addressed to the A/E.

Bidding Documents/Plans May Be Obtained From: DSP Architects, Inc.

Plan Deposit: \$200.00, refundable

Note: Only those bidding documents / plans obtained from the aforementioned source are official. Bidders rely on copies of bidding documents / plans obtained from any other source at their own risk.

Bidding Documents/Plans Are Also on File for Viewing Purposes Only At: Carolinas AGC & Reed Construction Data

Pre-Bid Conf.: Mandatory

Pre-Bid Date/Time: 2/16/12 – 10:00am

Place: Lander Engineering Services, 204 West Henrietta Ave., Greenwood, SC 29649

Agency/Owner: Lander University

Agency Procurement Officer: Jeff Beaver, Director, Office of Engineering Services

Address: 320 Stanley Ave., Greenwood, SC 29649

E-mail: jbeaver@lander.edu

Telephone: (864) 388-8208

Fax: (864) 388-8799

Bid Closing Date/Time: 3/1/12 – 11:00am

Place: Engineering Services, 204 West Henrietta Ave., Greenwood, SC 29649

Hand Deliver/All Shipping Courier Bids To: Lander University, Department of Engineering Services, 204 West Henrietta Ave., Greenwood, SC 29649

USPS Mailed Bids To: Lander University, Department of Engineering Services, 320 Stanley Ave., CPO 6017, Greenwood, SC 29649

Project Name: REPAIRS
TO BLACKS DRIVE
COMMUNITY RESIDENCE

Project Number: EJM 12-C-1

Project Location: 160 Blacks Dr., Williston, SC 29835

Bid Security Required: Yes

Performance Bond Required: Yes

Payment Bond Required: Yes

Description of Project: General construction repairs to community residence resulting from fire damage, including, but not limited to, replacement of several roof trusses, roof sheathing, shingle roofing, carpentry, brick masonry, vinyl siding replacement, drywall repair, floor covering, kitchen cabinets, electrical work, HVAC work & duct cleaning, painting & other miscellaneous repairs. Contractor may be subject to performance appraisal at close of project.

Construction Cost Range: Less than \$200,000

Architect/Engineer: SCDDSN, Engineering & Planning Division

A/E Contact: Reed Marshall, Project Manager

A/E Address: 3440 Harden St. Ext., Columbia, SC 29203

A/E E-mail: Rmarshall@ddsn.sc.gov

A/E Telephone: (803) 898-9712

A/E Fax: (803) 898-9653

Note: All questions & correspondence concerning this Invitation to Bid shall be addressed to the A/E.

Bidding Documents/Plans May Be Obtained From: SCDDSN, Engineering & Planning Division

Plan Deposit: \$50.00, refundable

Note: Only those bidding documents / plans obtained from the aforementioned source are official. Bidders rely on copies of bidding documents / plans obtained from any other source at their own risk.

Bidding Documents/Plans Are Also on File for Viewing Purposes Only At:

AGC: Columbia

Dodge: www.construction.com

Pre-Bid Conf./Site Visit: Not mandatory

Pre-Bid Date/Time: 2/9/12 – 10:00am

Place: 160 Blacks Dr., Williston, SC 29835

Agency/Owner: Allendale Barnwell Counties Disabilities & Special Needs Board

Name & Title of Agency Coordinator: Bob Jones, Executive Director

Address: PO Box 556, Barnwell, SC 29812

E-mail: bjones@barnwellsc.com

Telephone: (803) 584-5050 (Allendale)

Fax: (803) 584-7208

Bid Closing Date/Time: 2/16/12 – 2:00pm

Place: SCDDSN, Central Office, 3440 Harden St. Ext., Columbia, SC 29203

Hand Deliver/Mail Bids To: SCDDSN, Engineering & Planning Division, Attn.: Reed Marshall, 3440 Harden St. Ext., Ste. 231, Columbia, SC 29203

Project Name: U.S. 15 – NETTLES ROAD
WATER LINE

Project Number: 12-AE17

Project Location: City of Sumter

Bid Security Required: Yes

Performance Bond Required: Yes

Payment Bond Required: Yes

Description of Project: 720' of 8" PVC, 60' of 8" PVC dry bore, 12", 8" valves

Architect/Engineer: City of Sumter

A/E Contact: Bill Rozier

A/E Address: 303 East Liberty St., Sumter, SC 29150

A/E Telephone: (803) 436-2551

A/E Fax: (803) 436-2626

A/E E-mail: brozier@sumter-sc.com

Plans May Be Obtained From: City of Sumter Engineering Department

Plan Deposit: N/A

Pre-Bid Conf./Site Visit: None

Agency/Owner: City of Sumter

Name & Title of Agency Coordinator: Michael Glasscho, Engineering Associate

Address: 303 East Liberty St., Sumter, SC 29150

Telephone: (803) 436-2554

Fax: (803) 436-2626

E-mail: mglasscho@sumter-sc.com

Bid Closing Date/Time: 2/7/12 – 2:00pm

Place: 303 East Liberty St., Sumter, SC 29150

Hand Deliver/Mail Bids To: City Public Services Building, 303 East Liberty St., Sumter, SC 29150

Project Name: RENOVATIONS &
ADDITIONS TO 621 YORK
STREET

Location: Aiken, SC

Bid Security Required: Yes

Performance Bond Required: Yes

Payment Bond Required: Yes

Description of Project: This project consists of site demolition, site work, construction of a new EMS substation building & renovations to an existing building. The renovations consist of adding new office space in the existing warehouse, constructing new training area on the second floor, & other miscellaneous work. A portion of this project is being funded by the federal government under the American Recovery & Reinvestment Act of 2009 (ARRA) & is subject to the Davis-Bacon Act requirements.

Construction Cost Range: \$1,200,000 to \$15,000,000

Construction Manager (CM): KBR Building Group, LLC, 5605 Carnegie Blvd., Ste. 200, Charlotte, NC 28209

CM Contact: Bryan Smith

CM Email: bryan.smith@kbr.com

CM Telephone: (704) 551-2700

CM Fax: (704) 523-9436

Note: All questions & correspondence concerning this project should be addressed to the CM, not the architect. No bids should be submitted to the CM except for those from the listed pre-qualified contractors listed below.

Bidding Documents / Plans May Be Obtained From: Digital Blueprint, 1281 Broad St., Augusta, GA 30901, (706) 821-0405

Agency/Owner: Aiken County

Bid Closing Date/Time: 2/7/12 – 2:00pm