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Protest Decision

Matter of: Construction Services Group, Inc.
File No.: 2025-001
Posting Date: September 9, 2024
Contracting Entity: Medical University of South Carolina
Project No.: H51-N358-ML
Description: Campus Wide Elevators Modernization

DIGEST

Protest arguing that the intended awardee of a contract lacks a required contractor license is denied. CSG's protest is attached as [Exhibit A].

AUTHORITY

Per S.C. Code Ann. § 11-35-4210, the Chief Procurement Officer for Construction (CPOC)¹ conducted an administrative review of a protest filed by Construction Services Group, Inc. (CSG). This decision is based on materials in the procurement file and applicable law and precedents.

BACKGROUND

- On May 5, 2024, the Medical University of South Carolina (MUSC) issued a solicitation for bids for modernization of elevators throughout its campus (the Project). [Exhibit B]

¹ Per section 11-35-840, the CPOC delegated the administrative review of this protest to the Deputy to the State Engineer, Clint Burdett.

- On June 5, 2024, MUSC issued Amendment 1 answering vendor questions. [Exhibit C]
- On June 19, 2024, MUSC issued Amendment 2 answering vendor questions. [Exhibit D]
- By the deadline for receipt of bids, MUSC received six bids. [Exhibit E] Five bidders were companies specializing in elevator installation, maintenance, repair, and alteration. None of these five are licensed contractors. On the other hand, CSG is a licensed general contractor who constructs a variety of infrastructure facility projects.
- On July 17, 2024, MUSC posted an Intent to Award a contract to Carolina Elevator Service, Inc. (Carolina). [Exhibit F]
- On July 18, 2024, CSG protested MUSC's intended award.

DISCUSSION

This is a project to comprehensively modernize (alter) a number of elevators on MUSC's Charleston Campus. CSG argues that in order to bid and perform the work of the Project, a bidder must have either General or Mechanical Contractors License with a Group 5 classification. CSG's argument is based on Section 40-11-30, which states:

No entity or individual may practice as a contractor by performing or offering to perform contracting work for which the total cost of construction is greater than ten thousand dollars for general contracting or greater than ten thousand dollars for mechanical contracting without a license issued in accordance with this chapter.

CSG argues that this is a construction project over \$10,000 and thus covered by the contractors' licensing laws. However, Section 40-11-410 sets forth contractor license classifications and subclassifications and the work that can be performed under each. None of these classifications or subclassifications mention elevator installation, repair, or alteration. On the other hand, the South Carolina Elevator Code, S.C. Code Ann. §§ 41-16-10 *et seq.*, and the Regulations enacted pursuant to that Code, govern the "maintenance, construction, alteration, and installation" of elevators. S.C. Code Ann. § 41-16-40.


Section 40-11-10 creates the South Carolina Contractor's Licensing Board (the Board) and charges the Board with administration and enforcement of the Contractors Licensing Laws. The Board has published a list of construction type work that is not regulated by the contractors licensing laws and does not require a license to bid or perform it. [Exhibit H]. Included in this list are "Elevators (LLR-Elevators)." This list also states:

Although no specific license is required to perform the work listed below, **portions of the work that are regulated** by this board may require a general or mechanical contractor license with the appropriate classification(s) pursuant to S.C. Code Ann. § 40-11-410 when the **total cost of construction for the regulated work is greater than \$10,000**".

The Board's interpretation is that an unlicensed entity may bid the work of a project that is primarily unregulated as a sole prime contractor so long as it subcontracts the regulated work to properly licensed contractors.² According to the Architect/Engineer estimate for the project, the majority, 95%+-, of the work performed on this project is non-regulated elevator modernization work. Less than five percent of the work is regulated work greater than \$10,000. Per the Board, Carolina is qualified to bid the work of the Project; however, Carolina must use properly licensed sub-contractors to perform the regulated work.

DECISION

For the forgoing reasons, protest denied.



Clint Burdett, AIA
Deputy to the State Engineer acting on behalf
of the Chief Procurement Officer for
Construction

Columbia, South Carolina

STATEMENT OF RIGHT TO FURTHER ADMINISTRATIVE REVIEW

Protest Appeal Notice (Revised July 2024)

² To the extent that CSG takes exception with the Board's interpretation of the laws it is charged with enforcing, the appropriate forum to challenge that interpretation is not before the CPOC via a protest but to bring a legal action in the Administrative Law Court.

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

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

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

FILING FEE: Pursuant to Proviso 111.1 of the 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 CSGs, 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.



18 July 2024

Phillip Mauney, PE
Chief Procurement Officer for Construction, Office of State Engineers
1201 Main Street, Suite 600
Columbia, SC 29201
Protest-ose@mmo.sc.gov

Dear Mr. Mauney,

CSG is formally submitting a protest regarding the intended award to Carolina Elevator for the MUSC Campus Wide Elevators Modernization Project, Project Number: H51-N358-ML. For the following reasons listed below:

According to the South Carolina Labor Licensing Regulation website, Carolina Elevator does not possess the proper contractor licensing required to administer this contract. With the intent to award the awarded contractor will need to carry a BD Group 5 License which would allow contract work in excess of \$3,000,000 to be performed.

We request that the State Engineer reevaluate the eligibility of Carolina Elevator for this contract based on their licensing status. Specifically, we ask for a review of the contractor licensing compliance for all parties involved in this award.

Of note, all other elevator contractors who submitted bids have the necessary licensing by the LLR requirements.

We appreciate your attention to this matter and look forward to your timely response. I can be reached via email Andy@CSGCharleston.com or by phone at (843)460-3611.

Sincerely,

A handwritten signature in blue ink that reads 'Andy Moody'.

Andy Moody
Vice President
Construction Services Group, Inc.

EXHIBIT "B"

SE-310

INVITATION FOR DESIGN-BID-BUILD CONSTRUCTION SERVICES

AGENCY: MUSC - Medical University of South Carolina

PROJECT NAME: MUSC Campus Wide Elevators Modernization

PROJECT NUMBER: H51-N358-ML **CONSTRUCTION COST RANGE:** \$3,500,000 to \$6,700,000

PROJECT LOCATION: Charleston, SC

DESCRIPTION OF PROJECT/SERVICES: *(450 character limit)*

Provide modernization to seventeen (17) elevators in multiple buildings and other work indicated in the Contract Documents.

BID/SUBMITTAL DUE DATE: 06/19/2024 **TIME:** 02:00 PM **NUMBER OF COPIES:** 1

PROJECT DELIVERY METHOD: Design-Bid-Build

AGENCY PROJECT COORDINATOR: Reggie Byrd

EMAIL: byrdreg@musc.edu

TELEPHONE: (843) 792-3753

DOCUMENTS OBTAINED FROM: https://www.muscplans.com/

BID SECURITY IS REQUIRED IN AN AMOUNT NOT LESS THAN 5% OF THE BASE BID.

PERFORMANCE AND LABOR & MATERIAL PAYMENT BONDS: The successful Contractor will be required to provide Performance and Labor and Material Payment Bonds, each in the amount of 100% of the Contract Price.

DOCUMENT DEPOSIT AMOUNT: \$0.00 **IS DEPOSIT REFUNDABLE:** Yes No N/A

Bidders must obtain Bidding Documents/Plans from the above listed sources(s) to be listed as an official plan holder. Bidders that rely on copies obtained from any other source do so at their own risk. All written communications with official plan holders & bidders will be via email or website posting.

Agency **WILL NOT** accept Bids sent via email.

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

A/E NAME: RMF Engineering, Inc.

A/E CONTACT: Beth Crutchfield

EMAIL: beth.crutchfield@rmf.com

TELEPHONE: (843) 971-9639

PRE-BID CONFERENCE: Yes No **MANDATORY ATTENDANCE:** Yes No

PRE-BID DATE: 05/22/2024 **TIME:** 09:00 AM

PRE-BID PLACE: Hollings Cancer Center, 86 Jonathan Lucas Street, Charleston, SC 29425, Room HO120

BID OPENING PLACE: MUSC Engineering and Facilities, 28 Ehrhardt Street, Charleston, SC 29425

BID DELIVERY ADDRESSES:

HAND-DELIVERY:

Attn: Reggie Byrd

MUSC Engineering and Facilities

28 Ehrhardt Street, Charleston, SC 29425

MAIL SERVICE:

Attn: Reggie Byrd c/o Kim Young

MUSC Engineering and Facilities

28 Ehrhardt St., MSC 109, Charleston, SC 29425

IS PROJECT WITHIN AGENCY CONSTRUCTION CERTIFICATION? Yes No

APPROVED BY:



DATE: 05/09/2024

(OSE PROJECT MANAGER)



194 Seven Farms Dr., Suite G
Charleston, South Carolina 29492
843.971.9639

MUSC Campus Wide Elevator Modernization
Bid Documents
H51-N358-ML

ADDENDUM NO. 01

The following items shall take precedence over the drawings and specifications for the above named project and shall become a part of the contract documents. Where any item called for in the specifications, or indicated on the drawings, is not supplemented hereby, the original requirements shall remain in effect. Where any original item is amended, voided, or superseded hereby, the provisions of such item not specifically amended, voided or superseded shall remain in effect.

Acknowledge receipt of this Addendum in the appropriate space on the Bid Form. Failure to do so may subject the bidder to disqualification.

Attachments

None

General

1. Bid date shall be extended to June 26, 2024 at 2 pm, same location.
2. Last Addendum will be issued June 19, 2024
3. Last day for questions will be June 16, 2024
4. An additional non-mandatory walk-thru of the site will be June 12, 2024, 9-11 am, meet at Colbert Building exterior on the horseshoe side. Contact is Dwayne McMillan @ MUSC mcmill-de@musc.edu 843-792-69500 office and 843-478-7490 mobile
5. If required, crane access to the site for the Basic Science Building will be via the main entrance horseshoe area. If required, crane access to the site for Storm Eye Building will via Ashley Avenue which will require City of Charleston permit approval.

CHANGES TO BID REQUIREMENTS

Revisions to Drawings

None

Revisions to Technical Specifications

1. Specification Section 142123 Traction Elevators Basic Sciences Building
 - a. Add the following section 3.6 Emergency Services Calls A. Emergency service calls are defined as any stranded elevator carrying passengers. Contractor shall provide a 24-hour answering service. An answering machine shall not be substituted for this requirement. Contractor shall respond to emergency service calls during the warranty period. Contractor shall respond to emergency service calls within one (1) hour during normal working hours and two (2) hours at all other times. Normal working hours for this service shall be 7:00 AM – 5:00 PM, Monday through Friday. Contractor shall provide location and names of available service technicians that will be providing service call response. If

- contractor cannot provide this service, the Contractor shall subcontract this service. If Contractor fails to provide this service, Contractor agrees to cover MUSC's costs for emergency service calls and shall uphold the warranty period.
- b. Replace Section 1.6 A 8 in its entirety and replace with "1.6 A. 8. The sole duty of the Contractor under this warranty is to correct any non-conformance or defect and all damages caused by such defect without any additional cost to the Owner and within three (3) days of notification."
2. Specification Section 142123 Traction Elevators Clinical Sciences Building
 - a. Add the following section 3.6 Emergency Services Calls A. Emergency service calls are defined as any stranded elevator carrying passengers. The contractor shall provide a 24-hour answering service. An answering machine shall not be substituted for this requirement. Contractor shall respond to emergency service calls during the warranty period. Contractor shall respond to emergency service calls within one (1) hour during normal working hours and two (2) hours at all other times. Normal working hours for this service shall be 7:00 AM – 5:00 PM, Monday through Friday. Contractor shall provide location and names of available service technicians that will be providing service call response. If contractor cannot provide this service, the Contractor shall subcontract this service. If Contractor fails to provide this service, Contractor agrees to cover MUSC's costs for emergency service calls and shall uphold the warranty period.
 - b. Replace Section 1.6 A 8 in its entirety and replace with "1.6 A. 8. The sole duty of the Contractor under this warranty is to correct any non-conformance or defect and all damages caused by such defect without any additional cost to the Owner and within three (3) days of notification."
 3. Specification Section 142123 Traction Elevators Strom Thurmond Building
 - a. Add the following section 3.6 Emergency Services Calls A. Emergency service calls are defined as any stranded elevator carrying passengers. The contractor shall provide a 24-hour answering service. An answering machine shall not be substituted for this requirement. Contractor shall respond to emergency service calls during the warranty period. The contractor shall respond to emergency service calls within one (1) hour during normal working hours and two (2) hours at all other times. Normal working hours for this service shall be 7:00 AM – 5:00 PM, Monday through Friday. Contractor shall provide location and names of available service technicians that will be providing service call response. If contractor cannot provide this service, the Contractor shall subcontract this service. If Contractor fails to provide this service, Contractor agrees to cover MUSC's costs for emergency service calls and shall uphold the warranty period.
 - b. Replace Section 1.6 A 8 in its entirety and replace with "1.6 A. 8. The sole duty of the Contractor under this warranty is to correct any non-conformance or defect and all damages caused by such defect without any additional cost to the Owner and within three (3) days of notification."
 4. Specification Section 142123 Traction Elevator Quad F Building
 - a. Add the following section 3.6 Emergency Services Calls A. Emergency service calls are defined as any stranded elevator carrying passengers. The contractor shall provide a 24-hour answering service. An answering machine shall not be substituted for this requirement. Contractor shall respond to emergency service calls during the warranty period. Contractor shall respond to emergency service calls within one (1) hour during normal working hours and two (2) hours at all other times. Normal working hours for this ser-

- vice shall be 7:00 AM – 5:00 PM, Monday through Friday. Contractor shall provide location and names of available service technicians that will be providing service call response. If contractor cannot provide this service, the Contractor shall subcontract this service. If Contractor fails to provide this service, Contractor agrees to cover MUSC’s costs for emergency service calls and shall uphold the warranty period.
- b. Replace Section 1.6 A 8 in its entirety and replace with “1.6 A. 8. The sole duty of the Contractor under this warranty is to correct any non-conformance or defect and all damages caused by such defect without any additional cost to the Owner and within three (3) days of notification.”
5. Specification Section 142123 Traction Elevators Storm Eye Building
- a. Add the following section 3.6 Emergency Services Calls A. Emergency service calls are defined as any stranded elevator carrying passengers. The contractor shall provide a 24-hour answering service. An answering machine shall not be substituted for this requirement. Contractor shall respond to emergency service calls during the warranty period. Contractor shall respond to emergency service calls within one (1) hour during normal working hours and two (2) hours at all other times. Normal working hours for this service shall be 7:00 AM – 5:00 PM, Monday through Friday. Contractor shall provide location and names of available service technicians that will be providing service call response. If contractor cannot provide this service, the Contractor shall subcontract this service. If Contractor fails to provide this service, Contractor agrees to cover MUSC’s costs for emergency service calls and shall uphold the warranty period.
 - b. Replace Section 1.6 A 8 in its entirety and replace with “1.6 A. 8. The sole duty of the Contractor under this warranty is to correct any non-conformance or defect and all damages caused by such defect without any additional cost to the Owner and within three (3) days of notification.”

END OF ADDENDUM NO. 1



194 Seven Farms Dr., Suite G
Charleston, South Carolina 29492
843.971.9639

MUSC Campus Wide Elevator Modernization
Bid Documents
H51-N358-ML

ADDENDUM NO. 02

The following items shall take precedence over the drawings and specifications for the above named project and shall become a part of the contract documents. Where any item called for in the specifications, or indicated on the drawings, is not supplemented hereby, the original requirements shall remain in effect. Where any original item is amended, voided, or superseded hereby, the provisions of such item not specifically amended, voided or superseded shall remain in effect.

Acknowledge receipt of this Addendum in the appropriate space on the Bid Form. Failure to do so may subject the bidder to disqualification.

Attachments

None

General

1. Prior Approval: Alternate cab manufacturer, Bell Elevator Interiors, is an approved manufacturer.

Questions

1. Question: The specification calls out new flooring for each cab, but no flooring is identified. What type of flooring is to be provided for each cab to be modernized?

Response: MUSC to determine on a case-by-case basis. Generally MUSC will require stainless plating on the walls and flooring for service elevators. Passenger elevators will have vinyl tile to match the décor of the elevator and the building served.

2. Question: Quad F(Elevator 37) currently has a substantial amount of Non-Elevator Related Conduits and Components running through the Hoist way, will MUSC be addressing this prior to commencement of the modernization project? How will this be addressed to meet the requirements of Section 2.8?

Response: One option is to cover with sheetrock and not remove. This area of the building is historical and would think that LLR would agree it could stay. Provide variance to LLR.

3. Question: Have any Variances been submitted to the SCLLR in regards to the Non-Elevator Related Conduits and Junction Boxes in the Hoist way for the Quad F Elevator?

Response: No variances have been filed. The LLR has allowed variances in the past and recommend obtaining a variance.

4. Question: Does MUSC have any intent of separating out the modernization of the Quad F (Eleva-

6/19/2024

tor 37) Modernization Alternate due to the amount of re-work required to bring the hoistway to compliance?

Response: No, not at this time.

5. Question: The Specification requires the awarded contractor specialize in the business of Manufacturing, Installing and Servicing for 10 years prior, Will proof of this need to be submitted with the bid?

Response: Yes.

6. Question: The spec calls for a stand-alone elevator recall system that is separate from the building fire panel. By code, we are not allowed to do this when there is already an existing fire panel in the building that is capable of providing the required elevator recall functions. There is already an existing fire alarm system in the building that is providing elevator recall. Modifications to this system will need to be made for the elevator modernization. What is the reasoning for installing a stand-alone system?

Response: If there is an existing system and is code compliant then a new stand alone system would not be required in that case.

7. Question: Bidders must report discrepancies or ambiguities occurring in the Specifications to the Consultant for resolution prior to the bidding deadline, otherwise the Specifications shall be deemed acceptable in their existing form. There are some discrepancies regarding the stops, openings and risers included for some of the units. Is MUSC able to confirm the General Description for each Unit included in this scope of work?

Response: This is required by the elevator contractor.

8. Question: Owner will contract the services of a state-approved electrical inspector for inspection services on this project to comply with the requirements of the IBC 2021 codes. Contractor shall coordinate inspections with Owner and third-party inspector as directed by Owner. Required third-party inspections include but are not limited to substantial and final completion. Who is responsible to provide the 3rd Party?

Response: VDA, we would be after LLR inspection.

9. Question: Where elevators operate at a speed greater than 200 fpm, provide a verbal annunciator to announce the floor at which the elevator is stopping where required by the AHJ. Is this requirement required by SCLLR?

Response: Yes.

10. Question: Provide remote/auxiliary disconnects where new (either by the Elevator Contractor or

by others) or existing disconnect switches are not in line-of-sight of the controller. Do stop switches meet this requirement, are disconnects necessary?

Response: If the stop switch is used it has to meet all applicable codes in relation to it.

11. Question: Provide hoist rope guards at the car and counterweight drop side of the hoisting machine sheave to prevent accidental contact with the hoisting ropes. The guard shall extend from the point where the hoisting ropes penetrate the machine room floor slab to a point beyond where the ropes contact the traction and deflector sheaves. The guards shall be constructed so as to conceal pinch-points between ropes and sheave grooves. Do other rotating elements need to meet this requirement? Governor/secondary or deflector sheaves?

Response: (first question) No, just car and counterweights. (second question) Yes, if exposed ropes are exposed in machine room area.

12. Question: Provide any required repair of smoke holes with subway grating covers in the machine rooms and/or secondary levels where applicable. All smoke ventilation provisions, including duct work, dampers, fans, fire control interfaces, in accordance with local codes, shall be reviewed for proper operation. Do these vents need to have fire dampeners?

Response: Depends on the area they are in and how code is determined for that application.

13. Question: Hoist way entrances that have become distorted or bent shall be straightened, plumbed, reset to the proper width dimension and reinforced, as necessary. Is there an acceptable tolerance for this requirement? Can documentation be provided to show the original dimensions and plumbness from initial installation?

Response: (first question) No specific tolerance -it will be on a case by case basis. (second question) No, that information would not be available.

14. Question: Hoist way entrance door panels shall be reused and refurbished. If Asbestos is discovered in some of the doors how is this to be addressed?

Response: On the F Bldg would be questionable. New doors have been specified.

15. Question: A new safety shall be provided where the existing is not suitable for reuse due to overall condition or in conjunction with an increase in the elevator speed or full load capacity. Can MUSC provide the reports from the most recent Full Load and No Load Safety Tests confirming all safeties are proper working order?

Response: VDA should be able to provide that information on a case-by-case basis.

16. Question: Car Door Panel(s) 1" width - 14-gauge hollow metal flush construction panel(s), reinforced for power operation and insulated for sound deadening. Some of the existing car door panels were less than 1" and the return panels was fairly shallow. The 1 inch requirement could present an issue since the cab and returns are retained. Is the intent to match the existing car door

thickness?

Response: Yes, but anything outside of the specification needs to be addressed for each case.

17. Question: In the bid specs, there are only two machines (Elv 93 & 37) that are specified to be new. Are machine replacements required for the other units? All units in this bidding process will have new machines.

Response: Yes, all new machines. Basic Sciences will probably have geared for the service cars #27 & #28 and possibly #93 and everything else would be gearless as listed in the specifications.

18. Question: Will there be a designated area for onsite storage and materials?

Response: Every building would be different and would have to be on the location prior to mobilizing. There could be cases you would need Connex storage trailer for equipment storage.

19. Question: Does Virginia Controls qualify as an approved vendor?

Response: Yes, this vendor is approved.

20. Question: Do Wittur door operators qualify as approved door equipment?

Response: Yes, this vendor is approved.

21. Question: Are new car and counterweight guides required? The spec says roller guides are to be new but does not specify if for one or both.

Response: Yes, "new" for both Car and Counterweights

22. Question: Do all banks of elevators have lobby panels? We noticed on the survey that Clinical Sciences and Basic Sciences both have them.

Response: There are a number of buildings in this bid group have Lobby Panels and they would be new. Also keep in mind, the current MOD going on Thurmond Gazes will get a new lobby panel with that MOD and car #93 would need to be tied into that panel to be connected correctly.

23. Question: Does MUSC want the receipts for recyclable materials?

Response: No.

24. Question: Junction boxes and surface mounted conduit runs are not allowed in the elevator shafts per code and were noted in the walk-thru.

Response: Either the GC or the Elevator Vendors subcontractor would need to file a variance w/SCLLR and just box those junction boxes/panel in to make them a separate area away from the

elevator shaft. The State should grant that being grandfathered in. I am not speaking for the State of SC., but this has been existing for many years and they have inspected this elevator many times. We are not looking at modifying the shaft, just the elevator. In most cases they would expect covering that up with a fire rated material. (Example: Sheetrock). It is an expense, but should not be a major one and should be covered under the elevator modification portion for this project. (Side Note: The contractors that would be approved to perform the work would need to keep the laminated portion not protruding any further distance into the existing elevator shaft.)

CHANGES TO BID REQUIREMENTS

Revisions to Drawings

1. ED-115 – BSB BUILDING ELECTRICAL DEMOLITION PLAN – MACHINE ROOM
 - Revised Drawing Note #3 to include the double-throw disconnect switch instead of the non-fused disconnect switch.
2. E-111 – BSB BUILDING ELECTRICAL POWER ENLARGED PLANS – 1ST AND 2ND FLOORS
 - Revised drawings to include MRE 2nd floor ATS location for emergency recall.
 - Revised drawings to include Drawing Note #7 for ATS location so that ATS will signal controller before transfer.
3. E-115 - BSB BUILDING ELECTRICAL POWER ENLARGED PLANS – 1ST AND 2ND FLOORS
 - Revised drawings to include fire alarm relay control for emergency recall.
 - Revised drawings to include Drawing Note #5 for contractor to provide fire alarm control relays for emergency recall.
 - Revised drawings to include Drawing Note #6 for contractor to provide double-throw disconnect switches.
4. ED-216 – CSB BUILDING ELECTRICAL DEMOLITION PLAN – 11TH FLOOR
 - Added 11th floor electrical plans based on Pre-bid walkthrough questions provided.
 - Revised drawings to include receptacle, lighting, and lighting switches demolition.
5. E-213 – CSB BUILDING ELECTRICAL POWER ENLARGED PLANS – 5TH AND 6TH FLOORS

- Revised drawings to include existing ATS location on 6th floor.
 - Revised drawings to include Drawing Note #3 for ATS location so that ATS will signal controller before transfer.
6. E-216 - CSB BUILDING ELECTRICAL POWER ENLARGED PLANS – 11TH FLOORS
- Added 11th floor electrical plans based on Pre-bid walkthrough questions provided.
 - Revised drawings to include receptacle, lighting, and lighting switches new work.
7. E-217 - CSB BUILDING ELECTRICAL POWER ENLARGED PLANS – 12TH FLOORS
- Revised drawings to include thermal shunt trip disconnects for elevators.
 - Revised drawings to include Drawing Note #5 for shunt trip disconnects.
 - Revised drawings to include fire alarm relay control for emergency recall.
 - Revised drawings to include Drawing Note #6 for contractor to provide fire alarm control relays for emergency recall.
8. E-400 – STORM EYE BUILDING ELECTRICAL OVERALL PLAN
- Revised drawings to include existing ATS location on 1st floor.
 - Revised drawings to include Drawing Note #1 for ATS location so that ATS will signal controller before transfer.
9. E-414 – STORM EYE BUILDING POWER ENLARGED PLANS – ROOF
- Revised drawings to include fire alarm relay control for emergency recall.
 - Revised drawings to include Drawing Note #4 for contractor to provide fire alarm control relays for emergency recall.
10. E-512 – THURMOND GAZES BUILDING ELECTRICAL ENLARGED PLANS – MACHINE ROOM
- Revised drawings to include fire alarm relay control for emergency recall.
 - Revised drawings to include Drawing Note #4 for contractor to provide fire alarm control relays for emergency recall.

Revisions to Technical Specifications

None

END OF ADDENDUM NO. 2

EXHIBIT "E"

TABULATION OF BIDS		MEDICAL UNIVERSITY OF SOUTH CAROLINA	
PROJECT:	MUSC Campus Wide Elevators Modernization	DATE	06/26/2024
		TIME	2:00 PM
S.C. PROJECT NO.	H51-N358-ML	OPENED BY	Reggie Byrd <i>Reggie Byrd</i>
PAGE 1 of 1		WITNESSED BY	Rebecca VanOsdol <i>Rebecca VanOsdol</i>
CONTRACTOR Delaware Elevator Inc.		BID BOND	✓
		ADDENDUM	2
		SUBCONTRACTORS	
BASE BID \$3,535,240.00			
ALT #1 + \$1,531,650.00			
ALT#2 + \$ 839,050.00			
ALT#3 + \$ 784,750.00			
CONTRACTOR Otis Elevator Company		BID BOND	✓
		ADDENDUM	1
		SUBCONTRACTORS	
BASE BID \$3,778,190.00		NON-RESPONSIVE-ONLY 1 ADDENDA ACKNOWLEDGED	
ALT #1 +\$1,766,910.00			
ALT#2 + \$ 799,910.00			
ALT#3 + \$ 964,996.00			
CONTRACTOR Carolina Elevator Service, Inc.		BID BOND	✓
		ADDENDUM	2
		SUBCONTRACTORS	
BASE BID \$2,646,318.98			
ALT #1 + \$1,261,850.16			
ALT#2 +\$ 582,678.39			
ALT#3 + \$ 674,089.83			
CONTRACTOR Construction Services Group		BID BOND	✓
		ADDENDUM	2
		SUBCONTRACTORS	
BASE BID \$ 3,119,610.00			
ALT #1 + \$ 1,414,450.00			
ALT#2 + \$ 773,525.00			
ALT#3 + \$ 738,200.00			
CONTRACTOR Metro Elevator		BID BOND	✓
		ADDENDUM	2
		SUBCONTRACTORS	
BASE BID \$3,598,594.73			
ALT #1 + \$1,601,267.20			
ALT#2 +\$ 720,291.48			
ALT#3 +\$ 684,220.00			

TABULATION OF BIDS PAGE 2	MEDICAL UNIVERSITY OF SOUTH CAROLINA
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PROJECT:	MUSC Campus Wide Elevators Modernization	DATE	06/26/2024
		TIME	2:00 PM
S.C. PROJECT NO.	H51-N358-ML	OPENED BY	Reggie Byrd
PAGE 1 of 1		WITNESSED BY	Rebecca VanOsdol

CONTRACTOR Rise Elevator Services LLC	BID BOND	NO	
	ADDENDUM	2	
	SUBCONTRACTORS		
BASE BID \$3,300,115.00	NON-RESPONSIVE-NO BID BOND		
ALT #1 +\$1,662,794.00			
ALT#2 +\$ 819,989.00			
ALT#3 +\$ 983,294.00			

CONTRACTOR	BID BOND		
	ADDENDUM		
	SUBCONTRACTORS		
BASE BID			
ALT #1			
ALT#2			
ALT#3			

CONTRACTOR	BID BOND		
	ADDENDUM		
	SUBCONTRACTORS		
BASE BID			
ALT #1			
ALT#2			
ALT#3			

CONTRACTOR	BID BOND		
	ADDENDUM		
	SUBCONTRACTORS		
BASE BID			
ALT #1			
ALT#2			
ALT#3			

CONTRACTOR	BID BOND		
	ADDENDUM		
	SUBCONTRACTORS		
BASE BID			
ALT #1			
ALT#2			
ALT#3			

EXHIBIT "F"

SE-370

NOTICE OF INTENT TO AWARD - DESIGN-BID-BUILD CONTRACT

AGENCY: MUSC - Medical University of South Carolina

PROJECT NAME: MUSC Campus Wide Elevators Modernization

PROJECT NUMBER: H51-N358-ML

POSTING DATE: 07/17/2024

TO ALL BIDDERS

Unless stayed by protest or canceled, the Agency intends to enter into a contract as noted below. The successful bid will be accepted and the contract formed by execution of the contract documents. All bid bonds remain in effect for the bid acceptance period as provided in Section 4 of the Bid Form, except as otherwise provided in the Instructions to Bidders.

NAME OF BIDDER: Carolina Elevator Service, Inc

DATE BIDS WERE OPENED: 06/26/2024

BID INFORMATION:

BASE BID AMOUNT: \$2,646,318.98

ALTERNATES: #1 ACCEPTED \$1,261,850.16

#2 ACCEPTED \$582,678.39

#3 ACCEPTED \$674,089.83

TOTAL BID AMOUNT: \$4,490,847.53

TOTAL CONTRACT AWARD: \$4,490,847.53

(If the Total Contract Award is different from the Total Bid Amount, explain any negotiations that resulted in the change.)

n/a

REMARKS: *(If "No Contract to be Awarded" was entered above, indicate the reason.)*

n/a

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 before 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@mmsc.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.

BY: Rebecca VanOsdol **TITLE:** Contract Administrator **DATE:** 07/17/2024

ACKNOWLEDGED BY OSE PROJECT MANAGER: Mark Lanning **DATE:** 07/17/2024



EXHIBIT "H"

South Carolina Department of Labor, Licensing and Regulation

South Carolina Contractor's Licensing Board

110 Centerview Dr. • Columbia • SC • 29210

P.O. Box 11329 • Columbia • SC • 29211

Phone: 803-896-4686 • Contact: CLB@llr.sc.gov • Fax: 803-896-4814

llr.sc.gov/clb

NON-REGULATED WORK - NO LICENSE REQUIRED

ALTHOUGH NO SPECIFIC LICENSE IS REQUIRED TO PERFORM THE WORK LISTED BELOW, PORTIONS OF THE WORK THAT ARE REGULATED BY THIS BOARD MAY REQUIRE A GENERAL OR MECHANICAL CONTRACTOR LICENSE WITH THE APPROPRIATE CLASSIFICATION(S) PURSUANT TO SC CODE ANN. §40-11-410 WHEN THE TOTAL COST OF CONSTRUCTION FOR THE REGULATED WORK IS GREATER THAN \$10,000.

- ASBESTOS REMOVAL (SC-DHEC)
- BILLBOARDS / SCORE BOARDS / SIGNS ¹
- COMMERCIAL CARPET INSTALLATION
- CLEANING: DUCTS / STORM DRAINS / TANKS / WATER-SEWER LINES ²
- COMMUNICATIONS (telephone/computers) ³
- CRANES (temporary, assembly, maintenance, and transporting)
- DEBRIS REMOVAL
- DEMOLITION (SC-DHEC)
- ELEVATORS ([LLR-Elevators](#))
- EQUIPMENT / MACHINERY / GENERATORS (assembly and setting only) ⁴
- EXTERIOR RECREATIONAL SURFACES ⁵
- FENCING (except Concrete, Masonry or Electric) ⁶
- FIRE SUPPRESSION SYSTEMS (non-water based systems only) ⁷
- HAULING
- IRRIGATION (except back flow device)
- LAND CLEARING / GRUBBING
- LANDSCAPING
- LOW VOLTAGE CABLE WIRING AND INSTALLATION (except Boring & Tunneling)
- PLAYGROUND EQUIPMENT
- PRESSURE VESSELS (except Boilers)
- SCALES (SC Dept. of Agriculture)
- SCAFFOLDING (non-permanent)
- SEAL COATINGS
- SEPTIC TANKS (SC-DHEC)
- WELL DRILLING ([LLR-Environmental Cert. Board](#))

A license is required for any regulated work listed below if the total cost of construction is greater than \$10,000:

1. Internal electrical work does not require a license; however, the final connection to the power source requires the "Electrical" license classification.
2. Cleaning only. Disassembly/modification/repair/replacement requires licensure: Ductwork = "Air Conditioning" or "Packaged Equipment" license classification. Storm Drains/Water/Sewer Lines = "Water & Sewer Lines" license classification. Tanks (depends on type of tank): "Pipelines", "A/C" or "PK", "Plumbing", "Refrigeration", or "Water & Sewer Lines" license classification.
3. Communication Towers require a "Structural Framing" license classification. A communications building requires a "Building" license classification. A concrete slab or foundation requires a "Concrete" license classification.
4. Connections to utilities, structural modifications and concrete work requires the "Electrical", "Building" or "Concrete" license classification.
5. Asphalt or concrete surface work requires the "Asphalt Paving" or "Concrete Paving" license classification.
6. Electric Fencing requires obtaining a Burglar Alarm license. See: <https://llr.sc.gov/clb/licensure.aspx>
7. Water-based systems require a "Fire Sprinkler" license. See: <https://llr.sc.gov/clb/licensure.aspx>

Resources:

- SC-DHEC (SC Dept. of Health and Environmental Control) - (803) 898-3630
- LLR Office of Elevators and Amusement Rides - (803) 896-7630
- SC Department of Agriculture - (803) 734-2210
- LLR Environmental Certification Board - (803) 896-4430

General and Mechanical Contracting Practice Act:

- See SC Code Ann. §40-11-410 for all regulated classifications of work requiring a license: www.scstatehouse.gov/code/t40c011.php