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BRUCE W. BANNISTER  
CHAIRMAN, HOUSE WAYS AND MEANS COMMITTEE  
GRANT GILLESPIE  
EXECUTIVE DIRECTOR

## Protest Decision

**Matter of:** Dynamic Consultants Group Inc.  
**File No.:** 2025-222  
**Posting Date:** July 18, 2025  
**Contracting Entity:** South Carolina Judicial Department  
**Solicitation No.:** N/A  
**Description:** Unified Enterprise Support Services

### DIGEST

The Chief Procurement Officer (CPO) dismisses as moot the protest of Dynamic Consultants Group (DCG) challenging the South Carolina Judicial Department's (the Department) intent to award a contract as a sole source for Unified Enterprise Support Services where the Department has subsequently awarded an emergency contract for the same services. DCG's protest is attached as Exhibit A. The Department's response, which includes its sole source determination and emergency determination, is attached as Exhibit B.

### AUTHORITY

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

## **BACKGROUND**

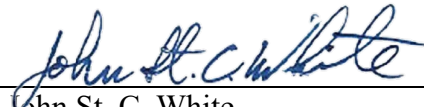
On June 24, 2025, the Department advertised its intent to award a sole source contract to Microsoft Services (Microsoft), for Unified Enterprise Support Services. [Exhibit B] On June 26, 2025, DCG protested asserting that it could provide the required services. The Department's existing sole source contract with Microsoft for Unified Enterprise Support Services was set to expire on June 30, 2025; therefore, the Department entered an emergency contract with Microsoft for continuity of service while it considered its options. [Id.]

## **DISCUSSION**

The Department's emergency acquisition of Unified Enterprise Support Services has rendered DCG's protest of the sole source moot. However, this is not the first protest the CPO has received of an agency's intent to award a sole source contract to Microsoft for Unified Enterprise Support Services. [ File 2025-215 and File 2025-217] As noted in those earlier cases, Microsoft is not the only entity capable of supplying Unified Enterprise Support Services.

## **DECISION**

For the reason stated above, the CPO dismisses DCG's protest as moot.

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

Columbia, South Carolina

## STATEMENT OF RIGHT TO FURTHER ADMINISTRATIVE REVIEW

*Protest Appeal Notice (Revised July 2025)*

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

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

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

FILING FEE: Pursuant to Proviso 111.1 of the 2025 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 DCGs, 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.**

**From:** [Tristan Thuro](#)  
**To:** [JBOLAND](#); [White, John](#); [itmo\\_protest](#)  
**Subject:** [External] Formal Protest - Sole source Contract for Microsoft Premier Support Services  
**Date:** Thursday, June 26, 2025 12:12:16 PM  
**Attachments:** [image001.png](#)

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Dear Julie and Procurement Team,

I am writing on behalf of Dynamic Consultants Group (DCG) to formally challenge the Notice of Intent to Sole Source Microsoft Enterprise Unified Support for the South Carolina Judicial Department. Based on our expertise, industry recognition, and direct Microsoft agreements, we firmly believe that this procurement does not meet the criteria for a sole-source justification, as DCG is fully capable of providing the required services at a comparable or superior level to Microsoft Unified Support.

### **Basis for Grievance**

The justification for sole-source procurement states that only Microsoft can provide direct engineer support, dedicated security specialists, and unlimited support coverage. However, this is not accurate, as DCG has successfully transitioned multiple organizations from Microsoft Unified Support to our direct Microsoft-aligned support model.

### **Key Facts Supporting Our Grievance:**

**Direct Microsoft Escalation:** DCG holds a Premier Support for Partners (PSFP) agreement, which provides direct escalation pathways to Microsoft engineers, including specialists in security, compliance, and product development. This ensures the same level of escalation as Microsoft Unified Support.

**Dedicated Security & Compliance Support:** DCG provides assigned security engineers with expertise in Microsoft Defender, Azure Sentinel, and compliance-driven security assessments, ensuring the same level of security oversight Microsoft claims as unique to their service.

**Proven Unified Support Replacement:** DCG has successfully transitioned government agencies, healthcare providers, and enterprise organizations from Microsoft Unified Support to our cost-effective, more flexible alternative, demonstrating that an equivalent or superior service is available outside of Microsoft.

**Flexible, Cost-Effective Support Model:** Unlike Microsoft's rigid, high-cost structure, DCG provides customized service allocation, allowing the SC Judicial Department to optimize hours for Azure, Microsoft 365, Windows Server, and security services as needed.

As such, we respectfully request that the SC judicial Department reconsider its intent to

award this contract as a sole source and instead allow an open, competitive bidding process that aligns with S.C. Code Ann. §11-35-1560.

**Here is a non-exhaustive list of our Microsoft Premier Support offering:**

- Direct Microsoft escalation pathways through our Premier Support for Partners (PSFP) agreement.
- Guaranteed response times – <15 minutes for critical issues (compared to Microsoft's queue-based system).
- Dedicated security engineers and account management, ensuring a personalized and proactive support experience.
- A flexible pricing model that reduces cost while maintaining premier-level support services.
- A formal certification letter from Microsoft (attached) verifying DCG's qualifications as a Microsoft Solutions Partner for infrastructure, security, cloud services, and business applications.

We strongly believe that the South Carolina Judicial Department deserves the opportunity to explore a competitive, best-fit solution, rather than being locked into a sole-source procurement. We appreciate your time and consideration of this grievance and our proposal.

We are willing to set up a call to discuss our services and answer any questions, as we are also interested in next steps.

Please confirm receipt of this email, and we look forward to your response.

Best regards,

Tristan Thuro

**Tristan Thuro**

Sales Consultant

**Office:** +1 816-298-5559

**Mobile:** 816-977-4625



[Website](#) | [Blog](#)



Exhibit B

**South Carolina Judicial Branch**  
**Office of Fiscal Services**

PAUL J. MAGARGLE, JR., CPA  
DIRECTOR

1220 SENATE STREET, SUITE 101  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-0590  
EMAIL: pmagargle@sccourts.org

July 10, 2025

Mr. John White  
Chief Procurement Officer

Mr. White,

The South Carolina Judicial Branch acknowledges receipt of Dynamic Consultants Group (DCG) formal protest of the SC Judicial Branch's (SCJB) Sole Source for Microsoft Premiere Support Services.

The SCJB relies on Microsoft products and services for the daily operation of the trial and appellate courts within the state of South Carolina as well as the employees that service the court's needs. The Judicial Branch's mission of providing a fair and efficient forum for the resolution of civil, family, criminal, and appellate matters requires timely and protected access to the services and products provided by Microsoft. SCJB's IT department depends on the training programs provided by Microsoft to support the products and services the SCJB uses in its day-to-day operations.

The SCJB has purchased Microsoft Premier Services through the Sole Source method for many years. While conducting market research for Microsoft support services, the only vendor found was Microsoft.

The SCJB's contract with Microsoft ended on June 30, 2025. Due to the needs of the court, SCJB will be conducting Emergency Procurement for Microsoft Premiere Services.

Regards,

Julie Boland, CPPO, CPPB

South Carolina Judicial Branch

Procurement and Asset Senior Manager

**JUSTIFICATION FOR  
SOLE SOURCE PROCUREMENT**

Agency: South Carolina Judicial Branch

Sole Source Vendor: Microsoft Corporation

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

Description of the Agency need that this procurement meets: This support offers direct and unique access to the various Microsoft product teams, software developers, and source code for current and future products enabling specialized insight to facilitate smooth migrations to existing and future products, quick and comprehensive resolution of product support, troubleshooting and hot-fix type issues, and immediate and focused technology feedback linked between the Judicial Department and the product development teams. Support Account Management from an assigned Microsoft Technical Account Manager helps meet our business requirements for escalation management and expeditious problem resolution.

Description of market research Agency performed to determine the availability of products or services that would meet the Agency's needs: None

Description of supplies, construction, information technology, and/or services Vendor will provide under the contract: Microsoft Premier Support Services

Detailed explanation why no other vendor's supplies, construction, information technology, and/or services will meet the needs of the Agency: Microsoft Premier Support Services is only offered by Microsoft. Microsoft offers support for all products through this one venue and support is received directly from Microsoft.



Authorized Signature

Printed Name: Click or tap here to enter text.

Title: Click or tap here to enter text.

Date: Click or tap to enter a date.

**Notes:**

**Authorized signature is the agency head unless the agency head has delegated that authority. Delegation of authority must be submitted to the Materials Management Officer in writing.**

**The Agency must obtain a Drug-free Workplace certification from the Vendor if the sole source procurement is \$50,000 or greater.**



# South Carolina Business Opportunities

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

## Notice Of Intent To Sole Source By: SC Judicial Department

**Ad Category:** Sole Source and Emergency

**Notice Start Date:** June 24, 2025

**Notice End Date:** June 30, 2025

**Vendor Name:** Microsoft

**Contract Amount:** 94000

**Agency Procurement Manager:** Julie Boland

**Agency Procurement Manager Email:** [jboland@sccourts.org](mailto:jboland@sccourts.org)

**Agency Procurement Manager Telephone#:** 803-734-1982

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

Microsoft Premier Support Services is only offered by Microsoft. Microsoft offers direct and unique access to the various Microsoft product teams, software developers, and source code for current and future products enabling specialized insight to facilitate smooth migrations to existing and future products, quick and comprehensive resolution of product support, troubleshooting and hot-fix type issues, and immediate and focused technology feedback linked between the Judicial Department and the product development teams. Support Account Management from an assigned Microsoft Technical Account Manager helps meet our business requirements for escalation management and expeditious problem resolution.

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

### PROTESTS:

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

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

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

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



# Market Research Form

(v1) 4/22/22

Purpose: The purpose of this form is to demonstrate how market research has been performed by SCJB. This form will also serve as documentation of vendors that should be invited to submit an offer for a solicitation.

Instructions: Complete this form before writing specifications and/ or purchasing an item over \$10,000 and not on State Contract. You must complete at least 1 section ( 1,2,or 3) but preferably 2. You may expand the lines to add more information.

1-	Vendors Name	Did you contact vendors to inquire about variations of their available products?	Contact name , phone number, email address	What information did they tell you?	Did they provide you with documentation? Make sure the documents are attached.	Did the vendor offer to demonstrate their product/ services? *If SCJB wants to see demonstrations, SCJB MUST see at least 2 vendors demonstrations before solicitation.	Comments about the demonstration
a-	Microsoft	N/A	N/A	N/A	N/A	N/A	N/A
b-							
c-							

2-	Did you contact other Agencies or Subject Matter Experts?	Agency or SME's name, contact number, and email address	What did you learn that helped you develop the specifications?	Vendor names and contact information	Product listing	Price Range	
a-	N/A	N/A	N/A	N/A	N/A	N/A	
b-							
c-							

3-	Internet Searches?	What item/ service did you search?	What were the vendor names found in the search?	What websites did you go to ?	What were the results? What did you learn?	Did the results help you with the solicitation? If so what part of the Solicitation?	You MUST include screenshots of the searches.
a-	Yes	Microsoft Support	Microsoft Only	N/A	N/A	N/A	
b-							
c-							



microsoft support



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Microsoft Support  
<https://support.microsoft.com> › en-us

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### Manage your Microsoft account

Learn how to get Microsoft account help, troubleshoot sign in issues ...



### Account help & learning

Microsoft account help and support. Get help with signing in, locked ...



### Windows help and learning

Find help and how-to articles for Windows operating systems ...



### Microsoft PC accessories help ...

Microsoft PC accessories help & learning. Teams-certified Mice ...



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<https://support.microsoft.com> › home › contact

## Contact - Microsoft Support

**Support for Windows 10, Office 2016, and Office 2019 ends on October 14, 2025** Learn more about your options for Windows 10 or for Office.



Microsoft Community  
<https://answers.microsoft.com> › windows › forum › all

## How do I chat with Microsoft Support

Oct 27, 2023 — You can talk to a Microsoft support agent by chat or phone on the "Contact Us" page. 1-Access the Microsoft contact us at this link.

**How to contact a actual person at microsoft support?** 3 posts Jan 30, 2024

**What is the phone number to speak with a person** 1 post Aug 21, 2024

[More results from answers.microsoft.com](#)

## JUSTIFICATION FOR EMERGENCY PROCUREMENT

Agency: South Carolina Judicial Branch

Emergency Vendor: Microsoft Services, PO Box 844510, TX 75284-4510

Agency has contracted with or plans to contract with Emergency Vendor for the supplies, services, information technology, or construction described below per S.C. Code Ann. §11-35-1570 and S.C. Regulation 19-445.2110, Emergency Procurement.

Describe the nature of the emergency condition and the resulting immediate threat to public health, welfare, critical economy and efficiency, or safety that this procurement responded to: The South Carolina Judicial Branch (SCJB) relies on Microsoft products and services for the daily operation of the trial and appellate courts across the state. Timely and secure access to these systems is critical for the SCJB to deliver its mission to provide a fair and efficient forum for the just resolution of civil, family, criminal, and appellate matters. The comprehensive and specialized support teams that Microsoft offers provide expedient resolutions for technology issues that affect judges and Justices, the county clerks of court, and attorneys and the general public that all rely on these systems and services to conduct and participate in court proceedings. The SCJB is currently in the middle of several large projects, including upgrading to Windows 11, migrating to Office 365, and migrating to Teams for the Branch. Losing continuity with the current Microsoft support would put these projects at risk. The SCJB IT team also requires training to support the growing and evolving Microsoft products and services at the SCJB. Having access to the highly specialized Microsoft training teams and services is critical for the efficient and effective support of these products.

Description of the facts and circumstances giving rise to the above describe emergency condition and threat: The current Microsoft Unified Support Services Agreement expired on June 30, 2025. Without this support, the SCJB is more susceptible to mission critical business interruptions that could disrupt court proceedings, access to court records, and other mission critical operations of the SCJB. In addition, it could open the SCJB to cyber risks that could cause extensive system outages and expose sensitive information, including in confidential proceedings. The SCJB is also in the middle of several large migration projects that involve Microsoft support, and the potential of losing this continuity in support would severely and negatively impact these projects. This product is not available on State Contract, which necessitates an Emergency Procurement for a one-year agreement. This is the minimum agreement available through Microsoft for these services.

Basis for Selection of the Vendor – include a description of competition Agency conducted or will conduct, if any, and explain why more extensive competition was/is not practical under the circumstances: SCJB has previously purchased this product as a sole source due it not being available on a State Term Contract. The SCJB needs additional time to perform market research to determine which alternative vendors can provide the required services that the Microsoft Enterprise Support Services provides. Due to the contract ending on June 30, 2025, the SCJB is requesting an emergency procurement so that the SCJB does not lose access to these critical services while additional market research is conducted.

8/9/2021

Description of supplies, services, information technology, or construction: Microsoft Enterprise Support Services are comprised of a comprehensive support solution that helps reduce costs, enhance productivity, and use technology throughout the IT lifecycle. They offer direct, expedient, and unique access to Microsoft product development teams, software developers, and source code for current and future products enabling: (a) specialized insight into the architecture of current solutions that can facilitate smooth migrations to existing and future unreleased products/versions; (b) quick and comprehensive resolution of product support, trouble-shooting and hot-fix type issues; and (c) immediate and focused technology feedback link between our customers and the Microsoft product development teams to help shape the direction, features, and functionality of future products.



Authorized Signature

Printed Name: The Honorable John  
W. Kittredge

Title: Chief Justice of South Carolina

Date: 7/7/2025

**Notes:**

**Authorized signature is the agency head unless the agency head has delegated that authority.**

**Delegation of authority must be submitted to the Materials Management Officer in writing.**