

HENRY MCMASTER, CHAIR
GOVERNOR
CURTIS M. LOFTIS, JR.
STATE TREASURER
BRIAN J. GAINES
COMPTROLLER GENERAL



THE DIVISION OF PROCUREMENT SERVICES
DELBERT H. SINGLETON, JR.
DIVISION DIRECTOR
(803) 734-8018
JOHN ST. C. WHITE
MATERIALS MANAGEMENT OFFICER
(803) 737-0600
FAX: (803) 737-0639

HARVEY S. PEELER, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE
BRUCE W. BANNISTER
CHAIRMAN, HOUSE WAYS AND MEANS COMMITTEE
GRANT GILLESPIE
EXECUTIVE DIRECTOR

Protest Decision

Matter of: Paragon Inc. of South Carolina, LLC
File No.: 2026-004
Posting Date: November 19, 2025
Contracting Entity: South Carolina Department of Natural Resources
Project No.: P24-6052-PG
Description: Beaufort-Waddell Mariculture Maturation Ponds Maintenance - Re-Bid

DIGEST

Protest of Intent to Award on the grounds that the South Carolina Department of Natural Resources (Department) erred by finding a contractor with a Mechanical Contractor's-Plumbing License could not legally perform the water supply and discharge line and water supply tank work of the project granted where licensing law provides otherwise.

AUTHORITY

Per S.C. Code Ann. § 11-35-4210, the Chief Procurement Officer for Construction (CPOC) conducted an administrative review of a protest filed by Paragon Inc. of South Carolina, LLC (Paragon) protesting the Department's intention to award a contract to Haren Construction Co., Inc. (Haren) for rehabilitation of the head tower and rearing ponds M-1 through M-4, and replacement of the yard piping and electrical infrastructure at the Beaufort-Waddell Mariculture Center (the Project). Paragon's protest is attached as Exhibit A. This decision is based on materials in the procurement file and applicable law and precedents.

BACKGROUND

On August 12, 2025, the Department published an advertisement for construction services for the Project. [Exhibit B] By the deadline for receipt of bids, the Department received two bids. [Exhibit C] The solicitation included three add alternates. Paragon was low on the base bid and on any combination of the base bid plus add alternates. [Id.]

On its bid, Paragon provided numbers for its contractor's licenses which are shown on the website of the Department of Labor, Licensing and Regulation as Paragon Builder's licenses. Paragon Builders has South Carolina contractor's license with the classifications of General Contractor-Building (BD License), General Contractor Specialty – Nonstructural Renovations (NR License), Mechanical Contractors – Plumbing (PB License), Electrical (EL License), and Packaged Equipment (PK License). [Exhibit D]

After reviewing the scope of work for the Project in the plans and specifications and the Project Architect-Engineer's (A/E) estimate of probable cost, the Department determined that Paragon lacks an appropriate contractor's license to bid the Project as a sole prime contractor.¹ [Exhibit E] The Department determined that Haren has an appropriate contractor's license to bid the project as a sole prime contractor.

On October 20, 2025, the Department posted a notice of its intent to award a contract to Haren for the base bid work of the Project plus the work of alternate one. [Exhibit F] On October 27, 2025, Paragon filed a notice of intent to protest setting forth the general basis of its protest. [Exhibit A] On October 30, 2025, the Department filed a response with the CPOC. [Exhibit G] On November 4, 2025, Paragon filed its formal protest of the Department's intent to award a contract asserting that it was properly licensed to bid the Project as a sole prime contractor.

¹ A contractor is limited to the scope of his license group and classification both in bidding and performing work. S.C. Code Ann. § 40-11-270; *see also* §§ 40-11-30 and 260(A).

DISCUSSION

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 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 license is an issue of responsibility. *Protest of Brantley Construction Co., Inc.*, Panel Case No. 1999-3 (where the State is investigating the bidder’s ability to perform it is deciding an issue of responsibility); *Protest of Roofco, Inc.*, Panel Case No. 2000-14(I) (“[T]he lack of a proper license to do the work solicited in a state contract will always render a bidder nonresponsible.”); *see also* S.C. Code Ann. § 40-11-200(B) (“It is a violation of this chapter for an awarding authority ... to consider a bid ... unless the bidder 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 ... if the contractor was not properly licensed at the time the initial bid or contract was submitted.”).

A procurement officer’s determination of nonresponsibility is final and conclusive unless it is “clearly erroneous, arbitrary, capricious, or contrary to law.”² S.C. Code Ann. § 11-35-2410(A). To prevail, the protestant must prove the nonresponsibility determination is clearly erroneous, arbitrary, capricious, or contrary to law. *Protest of Brantley Construction Co., Inc.*, Panel Case No. 1999-3. Where the Department’s decision has a rational basis in law and fact, the CPOC will not, and indeed cannot, substitute his opinion for that of the Department’s.

The Department structured the solicitation and bid documents to seek bids for a sole prime contractor to construct the Project. A prime contractor “is an entity which contracts directly with an owner to perform general or mechanical construction.” S.C. Code Ann. § 40-11-20(20). A sole prime contractor is “the prime contractor for a project on which there is only one prime contractor.” S.C. Code Ann. § 40-11-20(24). A prime contractor may only bid and perform work within the scope of its license(s). S.C. Code Ann. § 40-11-270. However, a sole prime contractor

² The word “clearly” modifies the word “erroneous” but not the words “contrary to law.”

may offer to perform work outside the scope of its license provided a certain percentage of the work falls within the scope of its license.³ In this regard, S.C. Code Ann. § 40-11-340 states:

An entity licensed under the classifications or subclassifications in Sections 40-11-410(1), (2), or (3) may act as a sole prime contractor on a project if forty percent or more of the work as measured by the total cost of construction falls under one or more of the licensee's license classifications or subclassifications. An entity licensed under the classifications or subclassifications in Section 40-11-410(4) and (5) may act as sole prime contractor if fifty-one percent or more of the work falls under one or more of the licensee's license classifications or subclassifications.

The Contractor's Licensing Laws define the total cost of construction as:

[T]he actual cost incurred by the owner, all contractors, subcontractors, and other parties for labor, material, equipment, profit, and incidental expenses for the entire project. This does not include the cost of design services unless those services are included in a construction contract.

S.C. Code Ann. § 40-11-20(23)

Paragon claims that using its bid, 13% of the work of the Project falls under its BD License, 19% falls under its EL License, and 53% falls under its PB License. While the CPOC does not believe that any of the work of the Project falls under Paragon's BD license since the Project does not involve the construction or renovation of a building, the CPOC need not decide that issue in this case. The controlling issue is whether the Department's determination that more than 51% of the work required a General Contractors-Public Utility license with a Water and Sewer Lines subclassification (WL License) to the exclusion of a PB license, was "clearly erroneous, arbitrary, capricious, or contrary to law."

This Project involves work on concrete water storage tanks, water distribution lines to distribute water to fish maturation ponds and drain lines from the ponds. All the work is on the Department's property and none of the work is to provide water and sewer service to the public.

Section 40-11-410(3)(c) addresses the scope of a WL License stating:

³ A sole prime contractor must subcontract any work outside the scope of its license(s).

"Water and Sewer Lines" which includes construction work on water mains, water service lines, water storage tanks, sewer mains, sewer lines, lift stations, pumping stations and appurtenances to water storage tanks, lift stations, pumping stations, pavement patching, backfill, and erosion control as a part of construction, and which includes connection at the building of all lines to the appropriate lines contained in commercial structures, installation and repair of a project involving manholes, the laying of pipe for storm drains and sewer mains, all necessary connections, and excavation and backfilling, and concrete work incidental thereto.

Contractors in this license subclassification in license groups three, four, and five may install fire protection sprinkler system underground mains to a flanged outlet 1'-0" above the finished floor in compliance with National Fire Protection Association Standard 24. However, shop drawings must be submitted and approved by the State Fire Marshal with a copy of the approved drawings going to the licensed fire sprinkler contractor. Flushing and testing certificates must be delivered to the authority having jurisdiction and the performing licensed fire sprinkler contractor performing. General contractors in this license subclassification may not engage in water and sewer line work from the right-of-way to a residential structure unless the entity is a subcontractor to a licensee holding a plumbing subclassification.

The primary focus of this license is public utility water and sewer service lines within the utility right-of-way or easement. However, it does not preclude water line work on property that is not within the right-of-way unless it is a service line to a residential structure.⁴ This Project does not involve a residential structure.

Section 40-11-410(5)(f) addresses the scope of a PB License stating:

"Plumbing" which includes the installation, replacement, alteration, and repair of all plumbing including solar water heating when performed solely within property lines and not on public easements or rights-of-way except to make connections to water meters or sewer taps as allowed by the utility owner; and the installation, alteration, and repair of all piping, fixtures, and appliances related to water supply, including pressure vessels and tanks, and excluding municipal or related water supply systems; venting and sanitary drainage systems for all fluid and semi-fluid and organic wastes; roof leaders; water-conditioning equipment; piping and equipment for swimming pools; and installation of a system of pipes, fittings, fixtures, drains, and all necessary component parts upon the premises or in a building to supply water to buildings and to convey sewage or other waste

⁴ It seems odd that the statute singles out residential structures as opposed to other structures such as commercial structures.

products from buildings. If this equipment is gas-fired, the necessary gas lines may be installed under this subclassification used in connection with this subclassification. Plumbing contractors in license groups three, four, and five are not required to be licensed under Chapter 45, Title 23 to install standpipe systems, including water hose connections, water hose cabinets, and related branch lines if the water hoses do not supply water to automatic fire protection sprinklers.

The primary focus of this license is water and sewer service to commercial, residential, and other type facilities. A licensee with a PB license may not do water and sanitary piping within a utility right-of-way or easement but only “within property lines.” A licensee with a PB license may also work on water supply tanks within property lines.

Neither WL License nor the PB License appears to contemplate water and drainage line work of the type on this project.⁵ Neither expressly excludes such work and both incorporate language that seems to include such work. Therefore, the CPO finds that the language of both allow the licensee to do the water supply tank and line work of this project as well as the drainage line work.

Paragon also protests the Department's determination that Paragon was nonresponsive because it bid in the name of Paragon Inc. of South Carolina, LLC rather than the exact name appearing on its license – Paragon Builders. The Department places its reliance on Section 40-11-370(B) which states:

It is unlawful to engage in construction under a name other than the exact name which appears on the license issued pursuant to this chapter.

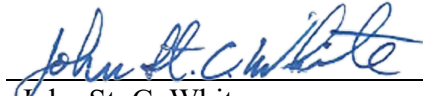
However, unlike other provisions in the licensing law, a violation of this Section is not a bar to the contractor performing the work on which they bid. In years past, the Contractors Licensing Board staff have advised the CPOC that this is a minor infraction not affecting a contractor's ability to perform the work. Moreover, Paragon Inc. of South Carolina, LLC, does appear on

⁵ While the scope of both licenses is clear when the work involves traditional utility services and water distribution and sanitary sewage collection for human occupied structures, the scope of each becomes murky where the work is not clearly either. The Department took reasonable steps to determine the applicable licenses when faced with the confusing language of the licensing law – it reached out to the Contractor's Licensing Board which gave an indefinite answer. The process of obtaining a definitive answer from the Board requires submitting the question to the Board at a quarterly meeting, a process that does not accommodate a project construction schedule.

Paragon's license application as its legal name and Paragon Builders as its trade name. Additionally, Paragon provided its license number with its bid clearly identifying it as Paragon Builders. At the most, Paragon's bidding in its legal name rather than its trade name as it appears on its license is a minor informality per Section 11-35-1520(13).

DECISION

Based on the foregoing, the CPOC grants Paragon's protest and remands this matter back to the Department to proceed in accordance with the Procurement Code.



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.

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 J&Hs, 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 366, 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.

FORMAL PROTEST

Date: November 4, 2025

TO: Chief Procurement Officer Office of State Engineer Construction Office South Carolina
Department of Natural Resources Email: protest-ose@mrnm.sc.gov Physical Address: 1201
Main Street, Suite 600, Columbia, SC 29201

FROM: Paragon Inc. of South Carolina, LLC

2874 Columbia Road NE Orangeburg, SC 29118-1902 Telephone: (803) 534-1900 Email:
eric@paragonbuilderssc.com Attention: Eric Byrd, Vice President

RE: Formal Protest of Award Decision

Project Name: Beaufort-Waddell Mariculture Maturation Ponds Maintenance - Re-Bid **Project**
Number: P24-6052-PG **Award Notice Posted:** October 20, 2025

I. NOTICE AND TIMELINESS

Pursuant to South Carolina Code Section 11-35-4210, Paragon Inc. of South Carolina, LLC ("Paragon" or "Protester") hereby submits this Formal Protest of the South Carolina Department of Natural Resources' ("SCDNR" or "Agency") decision to deem Paragon's bid non-responsive and to award the above-referenced contract to Haren Construction Co. Inc.

This Formal Protest is timely submitted within fifteen (15) business days of the October 20, 2025, award notice posting, as required by Section 11-35-4210. A Notice of Intent to Protest was timely filed on October 27, 2025.

II. INTERESTED PARTY INFORMATION

Protester: Paragon Inc. of South Carolina, LLC (doing business as "Paragon Builders")

SC Contractor's License Numbers: CLG.100190, CLM.111292

Classification(s) & Limits: Building BD5, Plumbing PB5, Electrical EL5

Contact Person: Eric Byrd, Vice President 2874 Columbia Road NE Orangeburg, SC 29118-1902 Telephone: (803) 534-1900 Email: eric@paragonbuilderssc.com

Legal Counsel: James M. Griffin, Esquire Griffin Humphries LLC PO Box 999 Columbia, SC 29202 Telephone: 803-744-0800 Email: jgriffin@griffinhumphries.com

III. PROCUREMENT INFORMATION

Awarding Agency: South Carolina Department of Natural Resources **Project:** Beaufort-Waddell Mariculture Maturation Ponds Maintenance - Re-Bid **Project Number:** P24-6052-PG
Bid Opening Date: September 23, 2025 **Award Notice Date:** October 20, 2025 **Intended Awardee:** Haren Construction Co. Inc. **Award Amount:** \$6,207,000.00

IV. PARAGON'S BID INFORMATION

Legal Entity Name: Paragon Inc. of South Carolina, LLC **Trade/DBA Name:** Paragon Builders
Business Address: 2874 Columbia Road, Orangeburg, SC (Orangeburg County) **Federal Tax ID:** 58-2486021

Bid Amounts:

- Base Bid Amount: \$5,323,800.00
- Alternate #1: \$533,600.00
- Alternate #2: \$568,200.00
- Alternate #3: \$573,350.00

Status: Deemed "Non-Responsive" by Agency

V. GROUNDS FOR PROTEST

Paragon protests the Agency's determination that its bid was non-responsive based on alleged violations of South Carolina Code Sections 40-11-270, 40-11-340, and 40-11-370. The Agency's determination is erroneous, arbitrary, and contrary to law. Specifically, Paragon contends:

A. Compliance with Section 40-11-270 (License Requirements)

Issue: The Agency allegedly found Paragon's bid non-responsive due to licensing deficiencies.

Paragon's Position:

Paragon holds all licenses necessary to perform the work as bid:

1. **General Contractor License CLG.100190** - authorizes Building-BD5 and Nonstructural Renovation-NR5 work with the following group limitations:
 - Group #5: Unlimited
 - Expiration: 10/31/2026
2. **Mechanical Contractor License CLM.111292** - authorizes Packaged Equipment-PK5, Plumbing-PB5, and Electrical-EL5 work with the following group limitations:
 - Group #5: Unlimited
 - Expiration: 10/31/2027

The work components of this project include:

- **Building work (BD5)** - covered by General Contractor License CLG.100190 at 13% of Total Project
- **Plumbing work (PB5)** - covered by Mechanical Contractor License CLM.111292 at 53% of total project
- **Electrical work (EL5)** - covered by Mechanical Contractor License CLM.111292 at 19% of total project
- **Pond liner work (15%)** - requires no specific license; Paragon will utilize its Building classification or engage appropriately licensed subcontractors as needed

Paragon's total bid of \$5,857,400 (including alternate #1) falls well within the unlimited group limitations of both licenses.

Supporting Documentation: See Exhibits A (General Contractor License CLG.100190) and B (Mechanical Contractor License CLM.111292).

B. Compliance with Section 40-11-340 (Subcontracting)

Issue: The Agency may have concerns regarding Paragon's ability to properly subcontract portions of the work.

Paragon's Position:

Paragon's licensing structure fully authorizes it to self-perform the major components of this work or to engage licensed subcontractors for specialized portions. Section 40-11-340 permits licensed general contractors to subcontract work to appropriately licensed specialty contractors. Paragon's approach is entirely consistent with this statutory framework and standard industry practice.

For the pond liner work, which represents 15% of the project and requires no specific contractor license under South Carolina law, Paragon may either:

- Perform the work under its Building-BD5 classification, or
- Engage appropriately licensed subcontractors as needed

This flexibility is expressly contemplated by South Carolina's contractor licensing statutes and regulations.

C. Compliance with Section 40-11-370 (Business Name)

Issue: The Agency cited Section 40-11-370(B) regarding engaging in construction under a name other than the exact name on the license.

Paragon's Position:

Paragon's bid was submitted under "Paragon Inc. of South Carolina, LLC," which is the exact legal name of the business entity and matches the Licensee/Legal Name on Paragon's contractor license application to the South Carolina Department of Labor, Licensing and Regulation (LLR).

Critical Distinction: While LLR issued the physical license documents under Paragon's trade name "Paragon Builders," the underlying legal entity holding both licenses is correctly identified as "Paragon Inc. of South Carolina, LLC." This is confirmed by:

1. **License Application (DOC 165)** - submitted in the name of "Paragon Inc. of South Carolina, LLC" with DBA "Paragon Builders" (See Exhibit C)
2. **License Records** - Both licenses (CLG.100190 and CLM.111292) are legally held by and issued to Paragon Inc. of South Carolina, LLC, even though the physical license certificates display the trade name
3. **Bid Submission** - Paragon's bid used the exact legal entity name that holds the licenses

Any alleged discrepancy between the legal entity name and the trade name displayed on the physical license certificates is a secondary, administrative matter that does not warrant bid rejection, particularly when:

- The entity is properly identified in the bid documents
- All license numbers are correctly provided
- The qualifying party is properly designated
- There is no indication of fraud, misrepresentation, or attempt to circumvent licensing requirements

Section 40-11-370(B) is intended to prevent unlicensed entities from fraudulently conducting business under someone else's license or misrepresenting their licensed status. That concern is wholly absent here. Paragon is the properly licensed entity, correctly identified itself, and submitted accurate license information.

The Agency's interpretation would improperly elevate form over substance and penalize a contractor for a ministerial variance between the legal entity name on its application and the trade name on its license certificate—a variance created by LLR's own administrative practices, not by any action or omission of Paragon.

D. Statutory Construction and Legislative Intent

South Carolina's contractor licensing statutes are designed to:

1. Protect the public by ensuring that construction work is performed by qualified, licensed contractors
2. Establish minimum standards for competency and financial responsibility
3. Prevent fraud and misrepresentation in the construction industry

Paragon fully satisfies each of these objectives. The Agency's restrictive interpretation would:

- **Improperly exclude legitimate plumbing work from the statutory scope** - contrary to the plain meaning of Section 40-11-410(5)(f) defining "plumbing" to include water distribution piping
- **Create uncertainty for contractors bidding on projects involving water piping systems on private property** - discouraging competition
- **Penalize contractors for administrative variances** between legal entity names and trade names on license certificates, even when the contractor is properly licensed and identified

VI. PREJUDICE TO PARAGON

Paragon will suffer substantial and irreparable prejudice if this protest is not granted:

1. Financial Harm

Paragon submitted the lowest responsible bid at \$5,857,400 (base bid plus alternate #1). The difference between Paragon's total bid and the intended award amount of \$6,207,000 is **\$349,600 more** than Paragon's total bid. This represents a significant financial loss to both Paragon and the State of South Carolina.

2. Loss of Business Opportunity

Paragon is a qualified, properly licensed contractor capable of performing this work in accordance with all applicable laws and regulations. Denying Paragon this contract opportunity based on erroneous legal interpretations unjustly deprives Paragon of legitimate business.

3. Reputational Harm

A determination of "non-responsiveness" carries significant negative implications for Paragon's professional reputation and may affect future bidding opportunities, despite Paragon's full compliance with all licensing requirements.

4. Competitive Disadvantage

If the Agency's restrictive interpretation of the Plumbing license definition stands, it would create uncertainty for contractors bidding on similar projects involving water piping systems on private property, potentially discouraging competition and increasing costs to public agencies.

VII. RELIEF REQUESTED

Paragon respectfully requests that the Chief Procurement Officer:

1. **Reverse** the determination that Paragon's bid is non-responsive;
2. **Find** that Paragon's Plumbing license (PB5) properly covers the yard piping installation work as defined in Section 40-11-410(5)(f);

3. **Find** that Paragon's bid was submitted in the proper legal name "Paragon Inc. of South Carolina, LLC," which is the legal entity that holds both contractor licenses CLG.100190 and CLM.111292;
4. **Find** that Paragon meets all requirements of Sections 40-11-270, 40-11-340, and 40-11-370;
5. **Determine** that Paragon submitted the lowest responsive and responsible bid; and
6. **Award** the contract to Paragon Inc. of South Carolina, LLC.

VIII. REQUEST FOR DOCUMENTS

Pursuant to Section 11-35-4210 and established protest procedures, Paragon requests access to the following documents within five (5) business days:

1. Complete bid tabulation showing all bids received
2. All documentation related to the responsiveness determination for Paragon's bid, including:
 - o Internal memoranda
 - o Email communications
 - o Evaluation notes
 - o Legal analysis or opinions
3. All documentation related to the responsiveness determination for the two other bidders (Haren Construction and BRW Construction)
4. Any communications within SCDNR or between other South Carolina State Agencies, legal counsel, or personnel regarding license classification interpretation for this project
5. Any legal opinions or guidance sought regarding the plumbing license scope under Section 40-11-410(5)(f)
6. Haren Construction and BRW Construction's license documentation and classifications
7. Any protest or inquiry submitted by any other bidder
8. Complete bid documents submitted by the two other bidders, including copies of sealed bid envelopes
9. All communications between SCDNR and LLR regarding licensing requirements for this project
10. Any determinations, rulings, or guidance from LLR regarding whether plumbing licenses cover yard piping installation work

IX. LEGAL ARGUMENT

A. South Carolina's Competitive Bidding Statutes Favor Acceptance of Low Bids

South Carolina law strongly favors competitive bidding and acceptance of the lowest responsive and responsible bid. The South Carolina Consolidated Procurement Code requires that "[a]n award shall be made with reasonable promptness by written notice to that responsible bidder whose bid will be most advantageous to the State." S.C. Code Ann. § 11-35-1520(5).

A bid should be deemed "non-responsive" only when there is a material deviation from the solicitation requirements that gives the bidder an unfair competitive advantage or otherwise compromises the integrity of the competitive bidding process. Minor irregularities or technicalities that do not affect the substance of the bid should be waived.

B. Paragon's Licenses Authorize All Work Contemplated by the Project

The plain language of Section 40-11-410(5)(f) defines "Plumbing" which includes the installation, replacement, alteration, and repair of all plumbing...when performed solely within property lines...and the installation, alteration, and repair of all piping, fixtures, and appliances, relating to water supply." This definition clearly encompasses the water distribution work in this project, which involves installation of piping systems for mariculture ponds.

The Agency's apparent interpretation—that plumbing licenses do not cover any piping work outside building walls on private property—is:

1. **Contrary to the statute's plain language**, which specifically addresses and includes water distribution piping
2. **Internally inconsistent**, as it would render the phrase "installation...of all piping, fixtures, and appliances relating to water supply" meaningless if all outside piping were categorically excluded
3. **Inconsistent with industry practice** and the reasonable expectations of licensed plumbing contractors
4. **Contrary to legislative intent** to establish clear scope boundaries for licensed trades

Moreover, Paragon's General Contractor license (Building-BD5) provides additional authority to perform this work or to engage appropriately licensed subcontractors.

C. The Business Name Issue Does Not Warrant Bid Rejection

Section 40-11-370(B) states: "No person may engage in the business of contracting in a name other than that shown on the license unless the name is properly registered pursuant to applicable law."

Here, Paragon's bid was submitted in the name "Paragon Inc. of South Carolina, LLC"—the exact legal entity name that:

- Holds both contractor licenses
- Is shown on the license application submitted to LLR
- Is properly registered with the South Carolina Secretary of State

The fact that LLR's physical license certificates display Paragon's trade name "Paragon Builders" rather than the legal entity name is an administrative matter within LLR's control, not Paragon's. Paragon cannot be penalized for LLR's administrative practices.

Section 40-11-370(B) is intended to prevent fraud and misrepresentation—situations where an unlicensed entity attempts to operate under a licensed contractor's name, or where a contractor misrepresents its identity to circumvent licensing requirements. Neither situation exists here.

Courts consistently hold that procurement statutes should be construed to promote competition and achieve the best value for public agencies, not to exclude qualified bidders based on technical irregularities that do not affect the substance of the procurement.

D. Applicable Legal Standards

South Carolina courts have established that:

1. **Procurement regulations should be construed liberally to favor competition** and should not be used to exclude responsible bidders except where necessary to protect the integrity of the procurement process
2. **Substantial compliance is sufficient** where strict compliance would serve no meaningful purpose and the public interest is not compromised
3. **Minor irregularities or immaterial variances** in bids should be waived when they do not provide a competitive advantage or prejudice other bidders
4. **Administrative interpretations that contradict statutory language** or frustrate legislative intent are not entitled to deference

E. Public Policy Considerations

Awarding this contract to Paragon serves important public policy objectives:

1. **Fiscal Responsibility:** Paragon submitted the lowest qualified bid, saving South Carolina taxpayers \$349,600
2. **Competitive Procurement:** Rejecting Paragon's bid based on erroneous legal interpretations discourages competition and increases costs
3. **Fair Treatment of Qualified Contractors:** Paragon holds all necessary licenses and has demonstrated its qualifications; the Agency's interpretation imposes arbitrary barriers to participation
4. **Consistency and Predictability:** Contractors need clear, consistent rules regarding licensing requirements; the Agency's restrictive interpretation creates uncertainty

X. CONCLUSION

Paragon Inc. of South Carolina, LLC is a fully qualified, properly licensed contractor that submitted the lowest responsible bid for this project. The Agency's determination of non-responsiveness is based on erroneous interpretations of South Carolina's contractor licensing statutes that contradict the plain language of those statutes and frustrate their intended purpose.

Paragon respectfully requests that this protest be granted, that Paragon's bid be deemed responsive and responsible, and that the contract be awarded to Paragon as the lowest qualified bidder.

XI. CONSENT TO ELECTRONIC COMMUNICATIONS

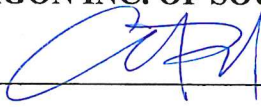
By submitting this Formal Protest to protest-ose@mrnm.sc.gov, Paragon (and any person acting on Paragon's behalf) consents to receive communications regarding this protest (and any related protests) at the email address of Paragon's legal counsel, James M. Griffin at jgriffin@griffinhumphries.com with copies to eric@paragonbuilderssc.com.

XII. CERTIFICATION

The undersigned certifies that the statements contained in this Formal Protest are true and accurate to the best of knowledge and belief.

Respectfully submitted this 4th day of November, 2025.

PARAGON INC. OF SOUTH CAROLINA, LLC

By:  Eric Byrd, Vice President

2874 Columbia Road NE Orangeburg, SC 29118-1902 Telephone: (803) 534-1900 Email: eric@paragonbuilderssc.com

ATTORNEY FOR PROTESTER:

James M. Griffin, Esquire Griffin Humphries LLC PO Box 999 Columbia, SC 29202 Telephone: 803-744-0800 Email: jgriffin@griffinhumphries.com

EXHIBITS

Exhibit A: General Contractor License CLG.100190

Exhibit B: Mechanical Contractor License CLM.111292

Exhibit C: Contractor License Application (DOC 165) showing Paragon Inc. of South Carolina, LLC as Licensee/Legal Name with DBA Paragon Builders

Exhibit D: Notice of Intent to Protest (filed October 27, 2025)

Ex. A

Paragon Builders General Contractor License
Expiration Date 10-31-2026

*** THIS LICENSE EXPIRES ON 10/31/2026 ***

VERIFY the **QUALIFYING PARTY** ("Qualifier") name(s) on this license is accurate. If a Qualifier ceases to serve this license, you must notify the board in writing (mail or email) within **15 business days** for your license to remain **Active**. Failure to notify the board of a qualifier loss will result in immediate **license cancellation** and disciplinary action.

BOTH PARTS OF THIS POCKETCARD MUST BE PRESENTED TO CONDUCT BUSINESS AT ALL TIMES. DO NOT TEAR CARD IN HALF.

35

PARAGON BUILDERS
PO BOX 2058
ORANGEBURG SC 29116-2058

LICENSE#: CLG.100190

South Carolina Department of Labor, Licensing and Regulation
Contractor's Licensing Board
GENERAL CONTRACTOR

PARAGON BUILDERS
2874 COLUMBIA ROAD
ORANGEBURG SC 29118-1902

licensed to practice in the 2-letter Classification(s) and Group# listed below:

Building-BD5, Nonstructural Renovation-NR5

INITIAL ISSUE DATE: 01/07/1999

LICENSE EXPIRATION DATE: 10/31/2026

(If above license has "Limited Building-LB", work is limited to 3 stories in height)

GENERAL CONTRACTOR

LICENSE#: CLG.100190

EXPIRATION DATE: 10/31/2026

PARAGON BUILDERS

Qualifier(s): DEQUINCEY S EDWARDS, STEPHON EDWARDS

Licensee's Group# Limitation Per Job/Project (i.e., BD2 = Group 2):

Group #1 - \$100,000 Group #2 - \$400,000 Group #3 - \$1,000,000
Group #4 - \$3,000,000 Group #5 - \$Unlimited

Monica W. Sutton
Board Executive

WARNING - THIS DOCUMENT CONTAINS SECURITY FEATURES LISTED ON REVERSE SIDE

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION
CONTRACTOR'S LICENSING BOARD

LICENSE#: CLG.100190

PARAGON BUILDERS

2874 COLUMBIA ROAD
ORANGEBURG SC 29118-1902

Has been qualified by the laws of the State of South Carolina and is duly entitled to practice as a:

GENERAL CONTRACTOR

for each Classification and Group Limitation listed below:

(If this license has a "Limited Building-LB" classification, work is limited to 3 stories in height)

Building-BD5, Nonstructural Renovation-NR5

LICENSE NUMBER: CLG.100190

Initial License Date: 01/07/1999

EXPIRATION DATE: 10/31/2026

Qualifying Party(s): DEQUINCEY S EDWARDS, STEPHON EDWARDS

Group Limitation Per Job (i.e. BD2 = Group 2):

Group #1 - \$100,000 Group #4 - \$3,000,000
Group #2 - \$400,000 Group #5 - \$Unlimited
Group #3 - \$1,000,000

Monica W. Sutton
Board Executive

*** It is at the discretion of this licensee to designate any employee of their company to pull permits and conduct business on their behalf. ***

Ex. B

Paragon Builders Mechanical Contractor License
Expiration Date 10-31-2025

*** THIS LICENSE EXPIRES ON 10/31/2025 ***

FY the **QUALIFYING PARTY** ("Qualifier") name(s) on this license is accurate. If a Qualifier ceases to serve this license, you must notify the board in writing (mail or email) in **15 business days** for your license to remain **Active**. Failure to notify the board of a qualifier loss will result in immediate **license cancellation** and disciplinary action.

THIS IS A 2-PART POCKETCARD - FOLD CARD IN HALF - DO NOT CUT OR TEAR CARD IN HALF
BOTH PARTS OF THIS POCKETCARD MUST BE PRESENTED TO CONDUCT BUSINESS AT ALL TIMES

LICENSE#: CLM.111292

CCG 1055888

South Carolina Department of Labor, Licensing and Regulation

Contractor's Licensing Board

MECHANICAL CONTRACTOR

PARAGON BUILDERS

2874 COLUMBIA ROAD
ORANGEBURG SC 29118-1902

licensed to practice in the 2-letter Classification(s) and Group# listed below:

PK5, PB5, EL5, STEPHON EDWARDS, ERIC BYRD, 121268, -74603

LICENSE EXPIRATION DATE: 10/31/2025

(If this license has a "Limited Building-LB", work is limited to 3 stories in height)

*** It is at the discretion of this licensee to designate any employee of their company to pull permits and conduct business in their behalf. ***

MECHANICAL CONTRACTOR 1055888

LICENSE#: CLM.111292 - EXPIRES: 10/31/2025

PARAGON BUILDERS

Initial Issue Date: 04/28/2010 - Expiration Date: 10/31/2025
Qualifier(s): JONATHAN FERGUSON, PAUL R GILLETTE, RODGERS HAMPTON

Group Limitations Per Job/Project (i.e. AC2 = Group 2):

Group #1 - \$35,000	Group #2 - \$100,000
Group #3 - \$200,000	Group #4 - \$400,000
Group #5 - \$Unlimited	

M. Veronica W. Fulton
Board Executive

DO NOT PEEL CARD FROM A CORNER

To remove card from backing

- **Bend** form back from the **outside edge**
- **Pull card off backing**

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION
CONTRACTOR'S LICENSING BOARD

CCG 1055888

LICENSE#: CLM.111292

LICENSE#: CLM.111292

PARAGON BUILDERS

2874 COLUMBIA ROAD
ORANGEBURG SC 29118-1902

Has been qualified by the laws of the State of South Carolina and is duly entitled to practice as a:

MECHANICAL CONTRACTOR

for each Classification and Group Limitation listed below:

PK5, PB5, EL5, STEPHON EDWARDS, ERIC BYRD, 121268, -74603

LICENSE NUMBER:CLM.111292

Initial License Date:04/28/2010

EXPIRATION DATE:10/31/2025

Group Limitations Per Job (i.e. AC2 = Group 2):

Group #1 - \$35,000	Group #3 - \$200,000
Group #2 - \$100,000	Group #4 - \$400,000
Group #5 - \$Unlimited	

Qualifying Party(s): JONATHAN FERGUSON, PAUL R GILLETTE, RODGERS HAMPTON

M. Veronica W. Fulton
Board Executive

*** It is at the discretion of this licensee to designate any employee of their company to pull permits and conduct business in their behalf. ***

Paragon Builders Mechanical Contractor License
Expiration Date 10-31-2027

*** It is at the discretion of this licensee to designate any employee of their company to pull permits and conduct business in their behalf.***

*** THIS LICENSE EXPIRES ON 10/31/2027 ***

VERIFY the **QUALIFYING PARTY** ("Qualifier") name(s) on this license is accurate. If a Qualifier ceases to serve this license, you must notify the board in writing (mail or email) within **15 business days** for your license to remain **Active**. Failure to notify the board of a qualifier loss will result in immediate **license cancellation** and disciplinary action.

BOTH PARTS OF THIS POCKETCARD MUST BE PRESENTED TO CONDUCT BUSINESS AT ALL TIMES. DO NOT TEAR CARD IN HALF.

35
PARAGON BUILDERS
PO BOX 2058
ORANGEBURG SC 29116-2058

LICENSE#: CLM.111292

South Carolina Department of Labor, Licensing and Regulation
Contractor's Licensing Board
MECHANICAL CONTRACTOR

PARAGON BUILDERS
2874 COLUMBIA ROAD
ORANGEBURG SC 29118-1902

licensed to practice in the 2-letter Classification(s) and Group# listed below:
Packaged Equipment-PK5, Plumbing-PB5, Electrical-EL5

INITIAL ISSUE DATE: 04/28/2010
LICENSE EXPIRATION DATE: 10/31/2027

MECHANICAL CONTRACTOR

LICENSE#: CLM.111292

EXPIRATION DATE: 10/31/2027

PARAGON BUILDERS

Qualifier(s): JONATHAN FERGUSON, PAUL R GILLETTE, RODGERS HAMPTON

Licensee's Group# Limitation Per Job/Project (i.e., EL2 = Group 2):

Group #1 - \$35,000 Group #2 - \$100,000 Group #3 - \$200,000
Group #4 - \$400,000 Group #5 - \$Unlimited

Nelly J. Davis
Program Director

WARNING - THIS DOCUMENT CONTAINS SECURITY FEATURES LISTED ON REVERSE SIDE

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION

CONTRACTOR'S LICENSING BOARD

LICENSE#: CLM.111292

PARAGON BUILDERS

2874 COLUMBIA ROAD
ORANGEBURG SC 29118-1902

Has been qualified by the laws of the State of South Carolina and is duly entitled to practice as a:

MECHANICAL CONTRACTOR

for each Classification and Group Limitation listed below:

Packaged Equipment-PK5, Plumbing-PB5, Electrical-EL5

LICENSE NUMBER: CLM.111292

Initial License Date: 04/28/2010

EXPIRATION DATE: 10/31/2027

Qualifying Party(s): JONATHAN FERGUSON, PAUL R GILLETTE, RODGERS HAMPTON

Group Limitation Per Job (i.e., EL2 = Group 2):

Group #1 - \$35,000 Group #2 - \$100,000
Group #3 - \$200,000 Group #4 - \$400,000
Group #5 - \$Unlimited

Nelly J. Davis
Program Director

*** It is at the discretion of this licensee to designate any employee of their company to pull permits and conduct business on their behalf. ***

Ex. C

Mechanical Contractor's Application

is application form is used for:

- New license, including a business with a new name and Federal ID number, or a new type of business (Corporation, LLC, LLP, etc.).
- Reinstate a lapsed license.

not use this application if you need to revise a license, such as increasing the license group limitation, or name change with the same Federal ID number and type of business you need to complete the General and Mechanical Contractor Revision Application (Doc 180).

omit the following with your application:

- The license fee is \$350. Fees are non-refundable. License fee in the form of a check or money order made payable to SCCLB. A returned check fee of up to \$30, or an amount specified by law, may be assessed on all returned funds. NO CASH IS ACCEPTED.
- Verification to conduct business in SC from the SC Secretary of State (not required for a sole proprietorship).
- Financial Statement or Surety Bond supporting the requested group limitation.
- Completed PQP /QP Initial Application(s) (Doc 168) for individuals who are not currently certified by the Board or have a certification that has been inactive for more than four years **or** completed PQP/QP Revision Application (Doc 181) to add an active PQP/QP certification or a certification that has been inactive for less than four years.

Completed applications may be submitted to the Board at PO Box 11329, Columbia, SC 29211, by email to act.clb@llr.sc.gov, or delivered in person at 110 Centerview Dr., Columbia, SC 29210.

APPLICANT INFORMATION

Individual or company listed in this section will be designated as the "License Holder." You must sign contracts, apply for permits, conduct business, and advertise in this name only. (See SC Code of Laws Section 40-11-20, 130, 240 and 370(B))

Licensee/Legal Name: Paragon Inc. of South Carolina, LLC

Doing Business As (DBA) Name: Paragon Builders

Business Phone: 803-534-1900 Email (required): eric@paragonbuilderssc.com

Business Address: 2874 Columbia Rd, Orangeburg SC County: Orangeburg
Physical street address, City, State and Zip Code

Alternate Address (if different from above): Same

Business Tax ID or SSN: 58-2466031 Website: www.paragonbuilderssc.com

Is the licensee/entity listed above a current or previous SC Contractor?

☐ YES ☐ NO

If yes, license number: _____

Is this a reinstatement application?

☐ YES ☐ NO

Is this a name change or form of business change?

☐ YES ☐ NO

Mechanical Contractor's Revision Application



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

GENERAL AND MECHANICAL CONTRACTOR REVISION APPLICATION (DOC. 180)

NOTE: Find your specific instructions on the previous page (i.e. "Change of Licensing Group", "Change of Business Name or Address", etc.). The instructions will let you know which sections of the application you need to complete. You may disregard all other sections of the application not mentioned in your instructions. **All applicants must complete sections A, E and F.**

Completed applications may be submitted to the Board at PO Box 11329, Columbia, SC 29211, by email to contact.clb@llr.sc.gov, or delivered in person at 110 Centerview Dr., Columbia, SC 29210.

REQUESTED ACTION

Indicate the reason for your application below. All applicants must complete the applicable sections and attestation at the end of this application.

☐ Name Change ☐ Address Change ☐ Owner/Officer Change ☒ License Group Change

SECTION A

LICENSEE INFORMATION (as it currently appears on your license card)

ALL applicants must complete this section.

Licensee/Legal Name: Paragon Inc. of South Carolina, LLC

Doing Business As (DBA) Name: Paragon Builders License # M.111292

Business Phone: 803-534-1900 Email (required): stephon@paragonbuilderssc.com

Business Address: 2874 Columbia Road, Orangeburg, SC 29118 County: Orangeburg
Physical street address, City, State and Zip Code

Mailing Address (if different from above): POB 2058, Orangeburg, SC 29116

Federal Tax ID or SSN: 58-2466031 Website: www.paragonbuilderssc.com

SECTION B

CHANGE OF BUSINESS NAME OR ADDRESS (physical or mailing)

ONLY complete this section if you need to change your business name, corporate structure, address, or other contact information. Attach amended charter or the Secretary of State Articles of Amendment if this is a corporate name change. If your name, Federal ID No. or corporate structure has changed more than 15 business days ago, **do not** complete this form; you must submit a new [General and Mechanical Contractor Initial Application \(Doc 165\)](#).

New Business Name: _____

Doing Business As (DBA) Name: _____

Business Phone: _____ Email (required): _____

Business Address: _____ County: _____
Physical street address, City, State and Zip Code

Mailing Address (if different from above): _____

Website: _____

Type of Business:

Corporations, LLCs, LLPs, or LPs must submit a Federal Tax ID number and a SC Secretary of State Certificate of Existence.

- ☐ Sole Proprietorship ☐ Domestic/Foreign Corporation ☐ Partnership
☐ Limited Liability Partnership ☒ Limited Liability Company

State of incorporation or organization: SC

SECTION C

CHANGE OF OWNERS OR OFFICERS

ONLY complete this section if there has been a change in the Licensee's ownership or corporate leadership. Provide the name, title, and date of birth and percent of business ownership of each owner, officer, partner, and/or member of the Licensee. Attach a separate sheet if necessary.

Name: _____ **Title:** _____

% Ownership: _____ **Date of Birth:** _____

Name: _____ **Title:** _____

% Ownership: _____ **Date of Birth:** _____

Name: _____ **Title:** _____

% Ownership: _____ **Date of Birth:** _____

Name: _____ **Title:** _____

% Ownership: _____ **Date of Birth:** _____

Name: _____ **Title:** _____

% Ownership: _____ **Date of Birth:** _____

SECTION D

CHANGE OF LICENSING GROUP

ONLY complete this section if you wish to change your licensing group limit. Select the group for increase and attach the appropriate financial documentation or surety bond. Please indicate the method for which you are qualifying for the new licensing group limit. Additional information about financial group limits can be found on the Board's website.

Groups 1 and 2 – (submit one)

- Owner Prepared financial statement with an affidavit of accuracy, [Document #172](#); or
- [Surety Bond Form for General Contractors](#) / [Surety Bond Form for Mechanical Contractors](#)

Groups 3 and 4 – (submit one)

- Financial statement compiled by a licensed CPA in accordance with GAAP, including all disclosures required by GAAP or
- [Surety Bond Form for General Contractors](#) / [Surety Bond Form for Mechanical Contractors](#)

Group 5 – (submit one)

- An audited balance sheet prepared by a licensed CPA in accordance with GAAP, including all disclosures required by GAAP; or
- [Surety Bond Form for General Contractors](#) / [Surety Bond Form for Mechanical Contractors](#)

Requested Group Limit:

☐ Group 1 ☐ Group 2 ☐ Group 3 ☐ Group 4 ☒ Group 5

Qualifying for Requested Group Limit by:

☐ Net Worth ☐ Working Capital ☒ Surety Bond

What type of financial documentation are you submitting with your application?

☐ Audited Balance Sheet ☐ Reviewed Financial Statement ☐ Compiled Financial Statement
☐ [Owner Prepared Financial Statement \(Doc 172\)](#) ☐ Surety Bond

SECTION E

BACKGROUND QUESTIONS

ALL applicants must complete this section. Answer all questions below. If you answer "Yes" to any of the questions, you are required to complete and submit the [Explanatory Statement of Yes Answers - Doc. 142](#).

1. Since your last renewal or application with the Board, has this entity or any owner, officer, partner, or member been convicted, pled guilty or nolo contendere in the US or foreign country of a felony or the offense of forgery, embezzlement, obtain money under false pretenses, theft, extortion, or conspiracy to defraud or other like offense?

☐ YES ☒ NO

If yes, in addition to [Doc 142](#), a criminal background check must be provided from the state in which the conviction occurred along with the court disposition and any other pertinent documentation. For South Carolina criminal background reports contact SLED at www.sled.sc.gov. Out-of-state applicants may submit a state-issued report, or any report generated by an accredited agency on PBSA's website found here: thepbsa.org/. All criminal background reports must not be older than thirty (30) days from the date of application.

2. Since your last renewal or application with the Board, has this entity or any owner, officer, partner, or member had a professional license or certificate denied, suspended, revoked or otherwise been disciplined in any state or jurisdiction, including South Carolina? ☐ YES ☒ NO

If yes, in addition to [Doc 142](#), official documentation related to the relevant disciplinary action must be provided.

3. Since your last renewal or application with the Board, does this entity or any owner, officer, partner, or member have any unresolved complaints or charges pending before any professional licensing board in South Carolina or any other state or jurisdiction? ☐ YES ☒ NO

If yes, in addition to [Doc 142](#), official documentation related to the relevant disciplinary action must be provided.

4. Since your last renewal or application with the Board, does this entity or any owner, officer, partner, or member have any outstanding monetary judgments related to construction, or have any bankruptcies? ☐ YES ☒ NO

If yes, in addition to [Doc 142](#), official documentation related to the monetary judgments, including the order of judgment or final disposition, and bankruptcies, as well as any payment plans that have been established to satisfy construction related monetary judgments, must be provided.

SECTION F

ATTESTATION

ALL applicants must complete this section.

I certify that the information and statements contained herein are true, accurate, and complete. I understand that the provision of false or inaccurate information may result in the cancellation or denial of a license issued pursuant to this application and may be subject to civil and criminal proceedings. I agree that all information in this application may be verified and investigated. I have read and am familiar with the South Carolina Contractor's Licensing Board Practice Act and hereby agree to abide by such laws.

Owner/Officer/Partner/Member Name (Print): Stephon Edwards

Signature: 

Title Owner

Date 8/28/2024

PRIVACY DISCLOSURE

South Carolina Law requires that every individual who applies for an occupational or professional license provide a social security number for use in the establishment, enforcement and collection of child support obligations and for reporting to certain databanks established by law. Failure to provide your social security number for these mandatory purposes will result in the denial of your licensure application. Social security numbers may also be disclosed to other governmental regulatory agencies and for identification purposes to testing providers and organizations involved in professional regulation. Your social security number will not be released for any other purpose not provided for by law.

Other personal information collected by the Department for the licensing boards it administers is limited to such personal information as is necessary to fulfill a legitimate public purpose. The South Carolina Freedom of Information Act ensures that the public has a right to access appropriate records and information possessed by a government agency. Therefore, some personal information on the application may be subject to public scrutiny or release. The Department collects and disseminates personal information in compliance with The South Carolina Freedom of Information Act, the South Carolina Family Privacy Protection Act, and other applicable privacy laws and regulations. Additionally, the Department shares certain information on the application with other governmental agencies for various governmental purposes, including research and statistical services.



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

SURETY BOND FOR MECHANICAL CONTRACTORS

BOND NUMBER: L272743-2227

KNOW ALL MEN BY THESE PRESENTS that we

Paragon Builders

, as Principal and

Lexington National Insurance Corporation

, a Surety Company

authorized to do business in the State of South Carolina, as Surety, its successors, assigns, and legal representatives are held and firmly bound unto the South Carolina Contractor's Licensing Board, State of South Carolina and any person or business sustaining damage within the terms of this bond for payment, as Obligor in the sum of Three Hundred Thousand Dollars (\$300,000.00) lawful money of the United States of America per License Term. We bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents. This bond is in lieu of providing a financial statement showing a minimum net worth or working capital as required in S.C. Code Ann. §40-11-260.

WHEREAS, the above bonded Principal has applied to the South Carolina Contractor's Licensing Board pursuant to Section 40-11-10 *et seq.* of the 1976 Code of Laws of South Carolina, as amended (the Act), to be granted an authorization to engage in the following construction groups with the following bond amounts:

- ☐ Group 1 Mechanical Contractor (\$7,000)
- ☐ Group 2 Mechanical Contractor (\$15,000)
- ☐ Group 3 Mechanical Contractor (\$30,000)
- ☐ Group 4 Mechanical Contractor (\$60,000)
- ☒ Group 5 Mechanical Contractor (\$300,000)

WHEREAS, the above bonded Principal is required in Section 40-11-262 of the Act to furnish the Board with a good and sufficient surety as one method of complying with one of the conditions upon which the authorization is granted.

NOW, THEREFORE, if the Principal, in compliance with 40-11-262, does not engage in an act or omission constituting a breach of construction contract or a contract for the furnishing of labor, materials, or professional services for construction undertaken by the Principal, or does not commit any unlawful act or omission in performing construction, then this obligation shall be void; otherwise it is to remain in full force and effect.

This bond is in full force and effect as to the above statutory, regulatory and procedural obligations of the Principal from 8/22/2024 through 10/31/2025 unless renewed by continuation certificate; however, the Surety or the Principal shall have the right to cancel this bond at any time by filing written notice with the South Carolina Contractor's Licensing Board and the applicable party of its intention to so cancel, giving at least thirty (30) days' notice prior to the effective date of the cancellation. This provision, however, shall not operate to relieve, release or discharge the Surety from any liability already accrued or which shall accrue before the expiration of the thirty (30) day period.

Regardless of the number of years this bond may remain in force or the number of claims against this bond, the aggregate liability of the Surety for any and all claims, suits or actions under this bond shall not exceed the sum of Three Hundred Thousand Dollars (\$ 300 ,000.00) for any License Term. Each License Term is a twenty-four month period beginning on November 1 and ending on October 31.

The Surety shall provide the board with written notice of any payment made in good faith under the Bond within thirty (30) days of such payment. No right of action shall accrue upon or by reason of this bond to or for the use or benefit of anyone whatsoever other than the Board or any person sustaining loss or damage within the terms of this bond for payment.

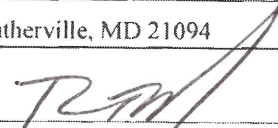
Witness our hands and seal this 22nd day of August, 20 24.

Name and Address of Surety Company (Print)

Lexington National Insurance Corporation

PO Box 6098

Lutherville, MD 21094

By: 

Signature of Surety (Attorney-in-Fact)
Tyler Turnbull

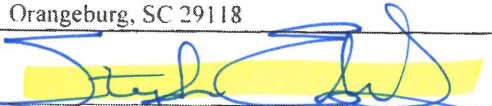
Power of Attorney (attach document)

Name and Address of Principal (Print)

Paragon Builders

2874 Columbia Road

Orangeburg, SC 29118

By: 

Signature of Principal

To report a claim with regard to this bond, submit a claim on the form approved by the Board to the claim address below:

(Print) Lexington National Insurance Corporation

PO Box 6098

Lutherville, MD 21094

POWER OF ATTORNEY

Lexington National Insurance Corporation

Lexington National Insurance Corporation, a corporation duly organized under the laws of the State of Florida and having its principal administrative office in Baltimore County, Maryland, does hereby make, constitute and appoint:

Tyler Turnbull, Beverly Ivey, Della Case, Brett Branton,
Brendan Coale, Matthew Rose, Scott Pelin

as its true and lawful attorney-in-fact, each in their separate capacity, with full power and authority to execute, acknowledge, seal and deliver on its behalf as surety any bond or undertaking of \$6,000,000 or less. This Power of Attorney is void if used for any bond over that amount.

This Power of Attorney is granted under and by authority of the following resolutions adopted by the Board of Directors of the Company on February 15, 2018:

Be it Resolved, that the CEO, President or any Vice-President shall be and is hereby vested with full power and authority to appoint suitable persons as Attorney-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on the behalf of the Company, to execute, acknowledge and deliver any and all bonds, contracts, or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any all notices and documents cancelling or terminating the Company's liability thereunder and any such instruments so executed by any Attorney-in Fact shall be binding upon the Company as if signed by the CEO, President and sealed by the Corporate Secretary.

RESOLVED further, that the signature of the CEO, President or any Vice-President of LEXINGTON NATIONAL INSURANCE CORPORATION may be affixed by facsimile to any power of attorney, and the signature of the Secretary or any Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of such power, or any such power or certificate bearing such facsimile signature or seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed with respect to any bond to which it is attached continue to be valid and binding upon the Company.

IN WITNESS WHEREOF, the Company have caused this instrument to be signed and their corporate seal to be hereto affixed.



Ronald A. Frank, CEO

State of Maryland
County of Harford County, SS:

Before me, a notary public, personally appeared, Ronald A. Frank, CEO of Lexington National Insurance Corporation, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under the PENALTY of PERJURY under the laws of the State of Maryland that the foregoing paragraph is true and correct.

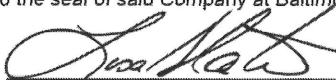
WITNESS my hand and official seal.

Commission Expires: 05/23/24


Notary

I, Lisa R. Slater, Secretary of Lexington National Insurance Corporation, do hereby certify that the above and foregoing is true and correct copy of a Power of Attorney, executed by said company, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Company at Baltimore, Maryland this 17th day of January, 2024.



Lisa R. Slater, Secretary

Attached to bond signed this 22nd day of August, 2024

The State of South Carolina



Office of Secretary of State Mark Hammond

Certificate of Existence

I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:

PARAGON, INC. OF SOUTH CAROLINA, LLC, A Limited Liability Company duly organized under the laws of the State of South Carolina on April 30th, 1999, with a duration that is at will, has as of this date filed all reports due this office, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the company that it is subject to being dissolved by administrative action pursuant to section 33-44-809 of the South Carolina Code, and that the company has not filed articles of termination as of the date hereof.

**Given under my Hand and the Great
Seal of the State of South Carolina this
27th day of December, 2007.**

A handwritten signature in cursive script that reads "Mark Hammond".

Mark Hammond, Secretary of State

*** THIS LICENSE EXPIRES ON 10/31/2025 ***

VERIFY the **QUALIFYING PARTY** ("Qualifier") name(s) on this license is accurate. If a Qualifier ceases to serve this license, you must notify the board in writing (mail or email) within **15 business days** for your license to remain **Active**. Failure to notify the board of a qualifier loss will result in immediate **license cancellation** and disciplinary action.

THIS IS A 2-PART POCKETCARD - FOLD CARD IN HALF - DO NOT CUT OR TEAR CARD IN HALF
BOTH PARTS OF THIS POCKETCARD MUST BE PRESENTED TO CONDUCT BUSINESS AT ALL TIMES

CCG 1053518

CCG 1053518

LICENSE#: CLM.111816

South Carolina Department of Labor, Licensing and Regulation
Contractor's Licensing Board
MECHANICAL CONTRACTOR

PAUL R GILLETTE
DBA: GILLETTE PLUMBING
2874 COLUMBIA ROAD
ORANGEBURG SC 29118

Licensed to practice in the 2-letter Classification(s) and Group# listed below:
Plumbing-PB2

LICENSE EXPIRATION DATE: 10/31/2025

(If this license has a "Limited Building-LB", work is limited to 3 stories in height)

*** It is at the discretion of this licensee to designate any employee of their company to pull permits and conduct business in their behalf. ***

MECHANICAL CONTRACTOR
LICENSE#: CLM.111816 - EXPIRES: 10/31/2025
PAUL R GILLETTE
DBA: GILLETTE PLUMBING
Initial Issue Date: 09/02/2011 - Expiration Date: 10/31/2025
Qualifier(s): **PAUL R GILLETTE**

Group Limitations Per Job/Project (i.e. AC2 = Group 2):
Group #1 - \$35,000 Group #2 - \$100,000
Group #3 - \$200,000 Group #4 - \$400,000
Group #5 - \$Unlimited

M. Monica W. Fulton
Board Executive

DO NOT PEEL CARD FROM A CORNER

To remove card from backing

- **Bend** form back from the **outside edge**
- **Pull** card off backing

Paul R Gillette
Owner Qualifier

CCG 1053518

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION
CONTRACTOR'S LICENSING BOARD

LICENSE#: CLM.111816

LICENSE#: CLM.111816

PAUL R GILLETTE
DBA: GILLETTE PLUMBING
2874 COLUMBIA ROAD
ORANGEBURG SC 29118

Has been qualified by the laws of the State of South Carolina and is duly entitled to practice as a:

MECHANICAL CONTRACTOR

for each Classification and Group Limitation listed below:

Plumbing-PB2

LICENSE NUMBER:CLM.111816
Initial License Date:09/02/2011
EXPIRATION DATE:10/31/2025

Group Limitations Per Job (i.e. AC2 = Group 2):
Group #1 - \$35,000 Group #3 - \$200,000
Group #2 - \$100,000 Group #4 - \$400,000
Group #5 - \$Unlimited

M. Monica W. Fulton
Board Executive

Qualifying Party(s): **PAUL R GILLETTE**

*** It is at the discretion of this licensee to designate any employee of their company to pull permits and conduct business in their behalf. ***

*** THIS LICENSE EXPIRES ON 10/31/2025 ***

VERIFY the **QUALIFYING PARTY** ("Qualifier") name(s) on this license is accurate. If a Qualifier ceases to serve this license, you must notify the board in writing (mail or email) within **15 business days** for your license to remain **Active**. Failure to notify the board of a qualifier loss will result in immediate **license cancellation** and disciplinary action.

THIS IS A 2-PART POCKETCARD - FOLD CARD IN HALF - DO NOT CUT OR TEAR CARD IN HALF
BOTH PARTS OF THIS POCKETCARD MUST BE PRESENTED TO CONDUCT BUSINESS AT ALL TIMES

LICENSE#: CLM.111292

CCG 1055888

South Carolina Department of Labor, Licensing and Regulation
Contractor's Licensing Board

MECHANICAL CONTRACTOR

PARAGON BUILDERS

2874 COLUMBIA ROAD
ORANGEBURG SC 29118-1902

licensed to practice in the 2-letter Classification(s) and Group# listed below:

PK5, PB5, EL5, STEPHON EDWARDS, ERIC BYRD, 121268, -74603

LICENSE EXPIRATION DATE: 10/31/2025

(If this license has a "Limited Building-LB", work is limited to 3 stories in height)

*** It is at the discretion of this licensee to designate any employee of their company to pull permits and conduct business in their behalf. ***

MECHANICAL CONTRACTOR
LICENSE#: CLM.111292 - EXPIRES: 10/31/2025

PARAGON BUILDERS

Initial Issue Date: 04/28/2010 - Expiration Date: 10/31/2025

Qualifier(s): JONATHAN FERGUSON, PAUL R GILLETTE, RODGERS HAMPTON

Group Limitations Per Job/Project (i.e. AC2 = Group 2):

Group #1 - \$35,000 Group #2 - \$100,000

Group #3 - \$200,000 Group #4 - \$400,000

Group #5 - \$Unlimited

Monica W. Fulton
Board Executive

DO NOT PEEL CARD FROM A CORNER

To remove card from backing

- **Bend form back from the outside edge**
- **Pull card off backing**

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION
CONTRACTOR'S LICENSING BOARD

CCG 1055888

LICENSE#: CLM.111292

LICENSE#: CLM.111292

PARAGON BUILDERS

2874 COLUMBIA ROAD
ORANGEBURG SC 29118-1902

Has been qualified by the laws of the State of South Carolina and is duly entitled to practice as a:

MECHANICAL CONTRACTOR

for each Classification and Group Limitation listed below:

PK5, PB5, EL5, STEPHON EDWARDS, ERIC BYRD, 121268, -74603

LICENSE NUMBER:CLM.111292

Initial License Date:04/28/2010

EXPIRATION DATE:10/31/2025

Group Limitations Per Job (i.e. AC2 = Group 2):

Group #1 - \$35,000 Group #3 - \$200,000

Group #2 - \$100,000 Group #4 - \$400,000

Group #5 - \$Unlimited

Qualifying Party(s): JONATHAN FERGUSON, PAUL R GILLETTE, RODGERS HAMPTON

Monica W. Fulton
Board Executive

*** It is at the discretion of this licensee to designate any employee of their company to pull permits and conduct business in their behalf. ***

*** THIS LICENSE EXPIRES ON 10/31/2026 ***

VERIFY the **QUALIFYING PARTY** ("Qualifier") name(s) on this license is accurate. If a Qualifier ceases to serve this license, you must notify the board in writing (mail or email) within **15 business days** for your license to remain **Active**. Failure to notify the board of a qualifier loss will result in immediate **license cancellation** and disciplinary action.

BOTH PARTS OF THIS POCKETCARD MUST BE PRESENTED TO CONDUCT BUSINESS AT ALL TIMES. DO NOT TEAR CARD IN HALF.

35

PARAGON BUILDERS
PO BOX 2058
ORANGEBURG SC 29116-2058

LICENSE#: CLG.100190

South Carolina Department of Labor, Licensing and Regulation
Contractor's Licensing Board
GENERAL CONTRACTOR

PARAGON BUILDERS
2874 COLUMBIA ROAD
ORANGEBURG SC 29118-1902

licensed to practice in the 2-letter Classification(s) and Group# listed below:

Building-BD5, Nonstructural Renovation-NR5

INITIAL ISSUE DATE: 01/07/1999

LICENSE EXPIRATION DATE: 10/31/2026

(If above license has "Limited Building-LB", work is limited to 3 stories in height)

GENERAL CONTRACTOR

LICENSE#: CLG.100190

EXPIRATION DATE: 10/31/2026

PARAGON BUILDERS

Qualifier(s): DEQUINCEY S EDWARDS, STEPHON EDWARDS

Licensee's Group# Limitation Per Job/Project (i.e., BD2 = Group 2):

Group #1 - \$100,000 Group #2 - \$400,000 Group #3 - \$1,000,000
Group #4 - \$3,000,000 Group #5 - \$Unlimited

M. Monica W. Fulton
Board Executive

WARNING - THIS DOCUMENT CONTAINS SECURITY FEATURES LISTED ON REVERSE SIDE

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION
CONTRACTOR'S LICENSING BOARD

LICENSE#: CLG.100190

PARAGON BUILDERS

2874 COLUMBIA ROAD
ORANGEBURG SC 29118-1902

Has been qualified by the laws of the State of South Carolina and is duly entitled to practice as a:

GENERAL CONTRACTOR

for each Classification and Group Limitation listed below:

(If this license has a "Limited Building-LB" classification, work is limited to 3 stories in height)

Building-BD5, Nonstructural Renovation-NR5

LICENSE NUMBER: CLG.100190

Initial License Date: 01/07/1999

EXPIRATION DATE: 10/31/2026

Qualifying Party(s): DEQUINCEY S EDWARDS, STEPHON EDWARDS

Group Limitation Per Job (i.e., BD2 = Group 2):

Group #1 - \$100,000 Group #4 - \$3,000,000
Group #2 - \$400,000 Group #5 - \$Unlimited
Group #3 - \$1,000,000

M. Monica W. Fulton
Board Executive

*** It is at the discretion of this licensee to designate any employee of their company to pull permits and conduct business on their behalf. ***

Ex. D

Notice of Intent to Protest
(filed October 27, 2025)

October 27, 2025

VIA ELECTRONIC MAIL (protest-ose@mmo.sc.gov)

Office of State Engineer

Attn: Chief Procurement Officer for Construction

South Carolina Department of Natural Resources

1201 Main Street, Suite 600

Columbia, SC 29201

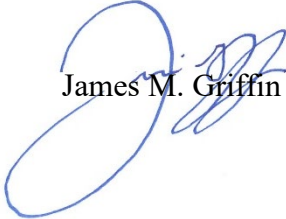
Re: Notice of Intent to Protest by Paragon Inc. of South Carolina LLC
Project Name: Beaufort-Wadell Mariculture
Maturation Ponds Maintenance – Re- Bid
Project Number: P24-6052-PG

Dear Sir:

Please find attached a Notice of Intent to Protest the bid award in the above referenced project number that I am submitting on behalf of my client Paragon Inc. of South Carolina LLC.

If you require any additional information, please feel free to contact me at 803-744-0800.

Sincerely,


James M. Griffin

cc: Eric Byrd (eric@paragonbuilderssc.com)

NOTICE OF INTENT TO PROTEST

****Date:**** October 27, 2025

TO: Chief Procurement Officer

Office of State Engineer

Construction Office

South Carolina Department of Natural Resources

Email: protest-ose@mmm.sc.gov

Physical Address: 1201 Main Street, Suite 600, Columbia, SC 29201

FROM: Paragon Inc. of South Carolina, LLC

2874 Columbia Road NE

Orangeburg, SC 29118-1902

Telephone: (803) 534-1900

Email: eric@paragonbuilderssc.com

Attention: Eric Byrd, Vice President

RE: Notice of Intent to Protest Award Decision

Project Name: Beaufort-Waddell Mariculture Maturation Ponds Maintenance - Re-Bid

Project Number: P24-6052-PG

Award Notice Posted: October 20, 2025

I. NOTICE OF INTENT TO PROTEST

Pursuant to South Carolina Code Section 11-35-4210, Paragon Inc. of South Carolina, LLC ("Paragon" or "Protester") hereby submits this Notice of Intent to Protest the South Carolina Department of Natural Resources' ("SCDNR" or "Agency") decision to deem Paragon's bid non-responsive and its intent to award the above-referenced contract to Haren Construction Co. Inc.

This Notice of Intent to Protest is timely submitted within seven (7) business days of the October 20, 2025, award notice posting, as required by Section 11-35-4210.

II. INTERESTED PARTY INFORMATION

Protester:

Paragon Inc. of South Carolina, LLC

SC Contractor's License Numbers: CLG.100190, CLM.111292

Classification(s) & Limits: Building BD5, Plumbing PB5, Electrical EL5

Contact Person:

Eric Byrd, Vice President
2874 Columbia Road NE
Orangeburg, SC 29118-1902
Telephone: (803) 534-1900
Email: eric@paragonbuilderssc.com

Legal Counsel:

James M. Griffin, Esquire
Griffin Humphries LLC
PO Box 999
Columbia, SC 29202
Telephone: 803-744-0800
Email: jgriffin@griffinhumphries.com

III. PROCUREMENT INFORMATION

Awarding Agency: South Carolina Department of Natural Resources
Project: Beaufort-Waddell Mariculture Maturation Ponds Maintenance - Re-Bid
Project Number: P24-6052-PG
Bid Opening Date: September 23, 2025
Award Notice Date: October 20, 2025
Intended Awardee: Haren Construction Co. Inc.
Award Amount: \$6,207,000.00

IV. PARAGON'S BID INFORMATION

Base Bid Amount: \$5,323,800.00
Alternate #1: \$533,600.00
Alternate #2: \$568,200.00
Alternate #3: \$573,350.00
Status: Deemed "Non-Responsive" by Agency

V. GROUNDS FOR PROTEST (SUMMARY)

Paragon protests the Agency's determination that its bid was non-responsive based on alleged violations of South Carolina Code Sections 40-11-270, 40-11-340, and 40-11-370. Specifically, Paragon contends:

A. Paragon's Plumbing License Covers the Yard Piping Work (Section 40-11-340 Compliance)

Issue: The Agency apparently determined that Paragon's Plumbing License (PB5) does not cover the yard piping installation for non-potable water from the head tower to the fishponds, which constitutes 53% of the project scope.

Paragon's Position:

1. Statutory Coverage: The definition of "Plumbing" under Section 40-11-410(5)(f) explicitly includes:

- "installation, alteration, and repair of all piping, fixtures, and appliances related to water supply"
- "installation of a system of pipes, fittings, fixtures, drains, and all necessary component parts **upon the premises or in a building** to supply water to buildings"
- Work performed "***solely within property lines** and not on public easements or rights-of-way"

2. Project Characteristics Support Plumbing Classification:

- All piping is **within the Beaufort-Waddell property lines
- No work is on public easements or rights-of-way
- The work involves piping systems on the premises to supply water (albeit non-potable) to the fishponds
- The statute does not distinguish between potable and non-potable water for piping within private property
- The exclusion for "municipal or related water supply systems" does not apply to this private aquaculture facility

3. Section 40-11-340 Compliance:

Because Paragon's Plumbing license (PB5) covers 53% of the work, Paragon meets the 40% threshold required under Section 40-11-340 to act as sole prime contractor. Combined with Paragon's Electrical license (EL5) (19%) and Building license BD5) (13%), work not covered under a separate License classification (15%), Paragon is licensed to perform 100% of the total project work.

B. Compliance with Section 40-11-270 (License Classification Requirements)

Paragon holds appropriate licenses in all required classifications:

- Building BD5 – for concrete structures and access work (13%)
- Plumbing PB5 – for yard piping from head tower to ponds (53%)

- Electrical EL5 – for electrical panel replacement and pond wiring (19%)

For the pond liner work (15%), which requires no specific license, Paragon will utilize its Building classification or engage appropriately licensed subcontractors as needed.

C. Compliance with Section 40-11-370 (Business Name)

Issue: The Agency cited Section 40-11-370(B) regarding engaging in construction under a name other than the exact name on the license.

Paragon's Position:

Paragon's bid was submitted under "Paragon Inc. of South Carolina, LLC," which matches its legal business name and contractor license. Any alleged discrepancy is a secondary issue that does not warrant bid rejection, particularly when:

- The entity is properly identified
- All license numbers are correctly provided
- The qualifying party is properly designated
- There is no indication of fraud, misrepresentation, or attempt to circumvent licensing requirements

VI. PREJUDICE TO PARAGON

Paragon will suffer substantial prejudice if the protest is not granted:

1. Financial Harm: Paragon submitted the lowest responsible bid. The difference between Paragon's total bid (\$5,857,400) and the intended award (\$6,207,000) is \$349,600 more than Paragon's total bid.
2. Loss of Business Opportunity: Paragon is a qualified, properly licensed contractor capable of performing this work in accordance with all applicable laws and regulations.
3. Improper Interpretation of Law: The Agency's restrictive interpretation of the Plumbing license definition would improperly exclude legitimate plumbing work from the statutory scope, contrary to legislative intent.
4. Competitive Disadvantage: If this interpretation stands, it would create uncertainty for contractors bidding on similar projects involving water piping systems on private property.

VII. RELIEF REQUESTED

Paragon respectfully requests that the Chief Procurement Officer:

1. Reverse the determination that Paragon's bid is non-responsive.
2. Find that Paragon's Plumbing license (PB5) properly covers the yard piping installation work as defined in Section 40-11-410(5)(f);
3. Find that Paragon meets all requirements of Sections 40-11-270, 40-11-340, and 40-11-370;
4. Determine that Paragon submitted the lowest responsive and responsible bid; and
5. Award the contract to Paragon Inc. of South Carolina, LLC.

VIII. REQUEST FOR DOCUMENTS

Pursuant to Section 11-35-410 and protest procedures, Paragon requests access to the following documents within five (5) days:

1. Complete bid tabulation showing all bids received
2. All documentation related to the responsiveness determination for Paragon's bid
3. All documentation related to the responsiveness determination for the two other bidders (Haren Construction and BRW Construction).
4. Any communications within SCDNR or between other South Carolina State Agencies, legal counsel or personnel regarding license classification interpretation for this project
5. Any legal opinions or guidance sought regarding the plumbing license scope
6. Haren Construction and BRW Construction's license documentation and classifications
7. Any protest or inquiry submitted by any other bidder
8. Complete bid documents submitted by the two other bidders including a copy of the sealed bid envelope.

IX. FORMAL PROTEST TO FOLLOW

This Notice of Intent to Protest will be followed by a formal written protest within fifteen (15) days of the date the award notice was posted (October 20, 2025), as required by Section 11-35-4210.

X. CONSENT TO ELECTRONIC COMMUNICATIONS

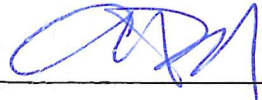
By submitting this Notice of Intent to Protest to protest-ose@mmm.sc.gov, Paragon (and any person acting on Paragon's behalf) consents to receive communications regarding this protest (and any related protests) at the email address of Paragon's legal counsel, James M. Griffin at jgriffin@griffinhumphries.com with copies to eric@paragonbuilderssc.com.

XI. CERTIFICATION

The undersigned certifies that the statements contained in this Notice of Intent to Protest are true and accurate to the best of knowledge and belief.

Respectfully submitted this 27th day of October 2025.

PARAGON INC. OF SOUTH CAROLINA, LLC

By:  _____

Eric Byrd, Vice President

2874 Columbia Road NE
Orangeburg, SC 29118-1902
Telephone: (803) 534-1900
Email: eric@paragonbuilderssc.com

XII. CERTIFICATE OF SERVICE

I hereby certify that a copy of this Notice of Intent to Protest has been served via email on this 27th day of October, 2025, to:

****Chief Procurement Officer****

Office of State Engineer

Email: protest-ose@mmm.sc.gov

****South Carolina Department of Natural Resources****

Attention: Jeff Boyer, Engineer III

Email: boyerj@dnr.sc.gov

****Intended Awardee:****

Haren Construction Co. Inc.

[Address and contact information to be obtained from public records]

****Legal Counsel for Protester: ****

James M. Griffin, Esquire

Griffin Humphries LLC

PO Box 999

Columbia, SC 29202

Email: jgriffin@griffinhumphries.com

By: 

Eric Byrd, Vice President

South Carolina Business Opportunities

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

Ad Category: Construction

Ad Start Date: August 12, 2025

Agency/Owner: Department of Natural Resources

Project Name: Beaufort-Waddell Mariculture Maturation Ponds Maintenance *RE-BID*

Project Number: P24-6052-PG

Construction Cost Range: \$4,500,000 to \$7,000,000

Project Location: Waddell Mariculture Center

Description of Project/Services:

REBID * Revised Scope * - Rehabilitation of rearing ponds, replacement of yard piping and electrical

Bid/Submittal Due Date & Time: September 18, 2025 - 2:00pm

Number of Bid/Submittal Copies: 1

Project Delivery Method: Design-Bid-Build

Agency Project Coordinator: Jeff Boyer

Email: Boyerj@dnr.sc.gov

Telephone: (803) 360-0042

Documents May Be Obtained From: Karen Jones via email: Jonesk@dnr.sc.gov or phone 803-360-0042

Project Details: https://scbo.sc.gov/files/scbo/SE-310_2nd_Rebid_P24-6052-PG.pdf

South Carolina Business Opportunities • SCBO Team • 1333 Main Street, Suite 700 • Columbia, SC 29201
803-737-0600 • scbo@mmo.sc.gov • <https://scbo.sc.gov> • <https://procurement.sc.gov>



Bid Due Date: **9/23/2025**

[illegible]

* South Carolina Code of Laws SECTION 40-11-200, 270, 340, & 370. 40% or more of the work as measured by the total cost of construction does not fall under one or more of the licensee's license classifications or subclassifications.

The above information is certified to be true and correct to the best of my knowledge:

Karen Jones

Date: 10/15/23

[Print this page](#)**Board: Commercial Contractors****PARAGON BUILDERS**

2874 COLUMBIA ROAD
ORANGEBURG, SC 29118-1902
(803) 534-1900

License number: 100190**License type:** GENERAL CONTRACTOR**Status:** ACTIVE**Expiration:** 10/31/2026**First Issuance Date:** 01/07/1999**Classification:**

Building-BD5

Nonstructural Renovation-NR5

Qualified By: Surety Bond**President / Owner:** STEPHON EDWARDS[Click here for Classification definitions and licensee's contract dollar limit](#)**Supervised By**[EDWARDS DEQUINCEY \(CQG\)](#)[EDWARDS STEPHON \(CQG\)](#)[File a Complaint against this licensee](#)**Board Public Action History:**[View Orders](#)[View Other License for this Person](#)

	Order Date	Name	License Type	License Number
View	8/5/2025	PARAGON BUILDERS	CLG	100190

[Print this page](#)**Board: Commercial Contractors****PARAGON BUILDERS**

2874 COLUMBIA ROAD
ORANGEBURG, SC 29118-1902
(803) 534-1900

License number: 111292**License type:** MECHANICAL CONTRACTOR**Status:** ACTIVE**Expiration:** 10/31/2027**First Issuance Date:** 04/28/2010**Classification:**

Packaged Equipment-PK5

Plumbing-PB5

Electrical-EL5

Qualified By: Surety Bond**President / Owner:** STEPHON EDWARDS**Vice President:** ERIC BYRD[Click here for Classification definitions and licensee's contract dollar limit](#)**Supervised By**[GILLETTE PAUL \(CQM\)](#)[HAMPTON RODGERS \(CQM\)](#)[FERGUSON JONATHAN \(CQM\)](#)[File a Complaint against this licensee](#)**Board Public Action History:**[View Orders](#)[View Other License for this Person](#)

No Orders Found



Date 10/17/2025

Re: Beaufort - Waddell Mariculture Maturation Pond Maintenance
P24-6052-PG

Determination of non-responsibility – Paragon Inc. of South Carolina LLC.

The South Carolina Department of Natural Resources opened bids for the Beaufort - Waddell Mariculture Maturation Pond Maintenance project on 9/23/2025. Paragon Inc. of South Carolina LLC appeared to have submitted the lowest bids for the project. After careful review of the submitted bid documents and correspondence with SC LLR and OSE the following was determined:

1. Paragon Inc. of South Carolina LLC. does not have a contractor's license under that name. There is no contractor license in the SCLLR database for Paragon Inc. of South Carolina LLC., however there is a license for Paragon Builders owned by the same owner. *
2. Paragon Builders does not have the proper license classifications or subclassifications to act as a sole prime contractor per SCLLR for this project. Paragon Builders has the following licenses BD5, NR5, PB5 and EL5. Of these licenses only EL is applicable, which comprises 17% of the work requiring a SCLLR license. **

Based on the engineer's opinion, estimated cost and scope of work it is determined that the majority of the work (80%) requires licensure under a (WL) Water and Sewer Line license classification.

According to South Carolina Code of Laws:

***SECTION 40-11-370.** License required to use term "licensed contractor"; engaging in construction under assumed name; enforcement of contract.

(B) It is unlawful to engage in construction under a name other than the exact name which appears on the license issued pursuant to this chapter. "Engaging in construction" includes marketing, advertising, using site signs, and submitting contracts. This requirement does not include advertising on vehicles, which may use an abbreviated version of the license name so long as the advertising is not misleading.

****SECTION 40-11-340.** Qualifications for acting as sole prime contractor.

An entity licensed under the classifications or subclassifications in Sections 40-11-410(1), (2), or (3) may act as a sole prime contractor on a project if forty percent or more of the work as measured by the total cost of construction falls under one or more of the licensee's license classifications or subclassifications. An entity licensed under the classifications or subclassifications in Section 40-11-410(4) and (5) may act as sole prime contractor if fifty-one percent or more of the work falls under one or more of the licensee's license classifications or subclassifications.

See Attachment A - Email corresponded from SC LLR regarding WL classification for this project.

SE-370

Exhibit F

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

AGENCY: DNR - Department of Natural ResourcesPROJECT NAME: Beaufort-Waddell Mariculture Maturation Ponds MaintenancePROJECT NUMBER: P24-6052-CBPOSTING DATE: 10/20/2025**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: Haren Construction Co. IncDATE BIDS WERE OPENED: 09/23/2025**BID INFORMATION:**BASE BID AMOUNT: \$5,682,000.00

ALTERNATES:	#1	ACCEPTED	☒	<u>\$525,000.00</u>
	#2	ACCEPTED	☐	<u>\$540,000.00</u>
	#3	ACCEPTED	☐	<u>\$600,000.00</u>

TOTAL BID AMOUNT: \$6,207,000.00TOTAL CONTRACT AWARD: \$6,207,000.00*(If the Total Contract Award is different from the Total Bid Amount, explain any negotiations that resulted in the change.)*N/AREMARKS: *(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@mmo.sc.gov, or (b) by post or delivery to 1201 Main Street, Suite 600, Columbia, SC 29201. By submitting a protest to the foregoing email address, you (and any person acting on your behalf) consent to receive communications regarding your protest (and any related protests) at the email address from which you sent your protest.

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

BY: Jeff Boyer TITLE: Engineer III DATE: 10/17/2025ACKNOWLEDGED BY OSE PROJECT MANAGER: Perry Derrick DATE: 10/20/2025



Date 10/30/2025

Re: Beaufort - Waddell Mariculture Maturation Pond Maintenance
P24-6052-PG

Determination of non-responsibility – Paragon Inc. of South Carolina LLC.

Dear Mr. White,

In response to Paragon Inc. of South Carolina LLC. (herein after referred to as Paragon Inc.) notice of intent to protest the bid award for the Beaufort – Waddell Mariculture Maturation Pond Maintenance – Re-Bid I offer SCDNR’s reasoning for our decision to deem Paragon Inc. Non- Responsible.

Just to clarify, SCDNR deemed Paragon Inc. “Non- Responsible” and not Non-Responsive as noted in their notice of intent to protest. A copy of the bid tabulation sent to all bidders is attached.

Background.

The Beaufort – Waddell Mariculture Maturation Pond Maintenance – Re-Bid project involves the renovation of SCDNR’s marine fish hatchery in Bluffton, SC. This facility basically works by pumping seawater into an elevated concrete tower where is then released, by a series of valves, to flow by gravity to several in ground ponds via a network of underground pipes and valves ranging from 8” to 12”. The seawater is held in the ponds for a period needed for fish production and then drained into a concrete outlet structure where the fish are harvested. The drained seawater is discharged into a drainage ditch and returned to the saltmarsh. Each pond also has electrical components needed to service the ponds.

Scope of Work

Renovation of the hatchery involves the replacement of the main line piping network from the elevated holding tower to the ponds, electrical network, rehabbing the concrete water tower (cleaning, coating and replacement of all piping), replacement of concrete outlet structures in the ponds, replacement of pond liners and associated minor grading. No buildings are being constructed or renovated in this project.

SCDNR determination of non-responsible

SCDNR determined that Paragon Inc. was Non Responsible based on correspondence with South Carolina Department of Labor, Licensing and Regulation (SCLLR) the S.C. Code of Laws Section 40-11-340 and 370 and OSE project manager Clint Burdett.

In accordance with OSE manual policies and guidance for establishment and maintenance of permanent improvement projects, section 6.11 Determination of Bidders Responsibility, SCDNR carefully reviewed the documentation provided by each of the 3 bidders on this project. Investigation of Paragon Inc. licensure with SCLLR found no SCLLR license under the name of Paragon Inc. of South Carolina, LLC. A search on the SC Contractors License Numbers provided in the SE-330 Bid Form, CLG 100190 and CML 111292 did find active General and Mechanical Contractors license for Paragon Builders with classifications of BD5, NR5, EL5, PK5 and PB5. Also noted on the General Contractors license page was a SCLLR Citation and Notification of Penalty for General and /or Mechanical Contracting for engaging in contracting work or submitting a bid when not properly licensed issued 8/4/2025.

Since the name on the bid documents did not have a license according to the SCLLR website, we contacted SCLLR for further clarification. SCLLR responded, citing:

S.C. Code of Laws Title 40 Chapter 11:

SECTION 40-11-370. License required to use term "licensed contractor"; engaging in construction under assumed name; enforcement of contract.

(B) It is unlawful to engage in construction under a name other than the exact name which appears on the license issued pursuant to this chapter. "Engaging in construction" includes marketing, advertising, using site signs, and submitting contracts. This requirement does not include advertising on vehicles, which may use an abbreviated version of the license name so long as the advertising is not misleading.

SECTION 40-11-420. Requirements for obtaining building permit; list of licensed contractors performing work on project.

(A) Building permits, when required by law, must be obtained by the sole prime contractor in the name appearing on that entity's contractor's license.

Subsequent correspondence with SCLLR regarding the proper license required for the major portion of work confirmed that a Water and Sewer Line (WL) classification was appropriate. Based on the EOR opinion of cost, over 40% of the work requires a SCLLR General Contractors license WL classification, see Bold sections below. Paragon Builders does not have a WL license.

SECTION 40-11-410. License classifications and subclassifications.

(c) "Water and Sewer Lines" which includes construction work on water mains, water service lines, water storage tanks, sewer mains, sewer lines, lift stations, pumping stations and appurtenances to water storage tanks, lift stations, pumping stations, pavement patching, backfill, and erosion control as a part of construction, and which includes connection at the building of all lines to the appropriate lines contained in commercial structures, installation and repair of a project involving manholes, the laying of pipe for storm drains and sewer mains, all necessary connections, and excavation and backfilling, and concrete work incidental thereto.

Paragon Inc. stance that a Plumbing License (PB) is appropriate for 53% of the work in our determination is not valid. SCDNR's interpretation of the work that can be performed under a PB license is limited to "Supply water to buildings and convey sewage or other waste products from buildings". Please note that in Paragons Inc.'s Notice of Intent page 3 of 7, excerpt below, further supports our determination.

- "installation of a system of pipes, fittings, fixtures, drains, and all necessary component parts **upon the premises or in a building** **to supply water to buildings**".

There are no buildings being built or renovated in this project, therefore the PB classification is not appropriate for the work.

The bids were submitted on September 23, 2025, and are good for 60 days (November 22, 2025) If at all possible, we would like to have a determination prior to this date so we can proceed with the project. This is our 3rd advertisement, so we very much need to make an award.

Please let me know if you have any questions or need any information.

Jeff Boyer
Engineer III

Attachments. Attachment A - SCDNR & SCLLR email correspondence
EOR opinion of cost with License %

CC Andy Wicker PE SCDNR
Clint Burdett, OSE

Attachement A

From: [Rhonda Jackson](#)
To: [Jeff Boyer](#)
Subject: RE: Contractor licensing questions
Date: Wednesday, October 15, 2025 10:48:18 AM
Attachments: [image004.png](#)
[image006.png](#)
[image001.png](#)
[image002.png](#)

If the work is over \$10,000, the Water & Sewer Line classification is more than likely what is required. You will need to speak directly with the Building Official at your local city or county Building Department or Permit Office where the work will be performed to assist you with reviewing the plans/contract to determine if a license is required, and if so, the license type and/or license classification(s).

Thank you.

Rhonda T. Jackson

Program Coordinator

S.C. Contractor's Licensing Board

Ph: (803) 896-4627 - Fax (803) 896-4814

[Contractors Website](#) / [Licensing](#) / [Licensee Lookup](#) / [Online Services](#)

Please click the link below or [here](#) to complete a quick survey about the service you received from me today 😊



LABOR
LICENSING
REGULATION



Making South Carolina a Safe Place to Work and Live

Twitter: [@SCDLLR](#), Facebook: [@SCLLR](#), Website: www.llr.sc.gov/clb

110 Centerview Drive, Columbia, SC 29210 (overnight mail)

P.O. Box 11329, Columbia, SC 29211 (regular mail)

From: Jeff Boyer <BoyerJ@dnr.sc.gov>
Sent: Tuesday, October 14, 2025 10:00 AM
To: Rhonda Jackson <rhonda.jackson@llr.sc.gov>
Subject: RE: Contractor licensing questions

---- SCDLLR NOTICE (M365) ----

- This email is from an external email address. Please use caution when deciding whether to open any attachments or when clicking links.
- Personally Identifiable Information (PII) should not be included in e-mail text or attachments. Do not save or transmit PII unencrypted.

Ms. Jackson,

Can you provide some guidance on the licensing requirements.

If we are requesting the installation a main waterline from a water tower to a pond and no occupied building is involved, what license does SCLLR required the contractor to hold?

Thank you for your assistance

Jeff Boyer

S.C. Dept. of Natural Resources

Phone No. (803) 360-0042

boyerj@dnr.sc.gov

From: Rhonda Jackson <rhonda.jackson@llr.sc.gov>

Sent: Tuesday, September 30, 2025 2:11 PM

To: Jeff Boyer <BoyerJ@dnr.sc.gov>

Subject: RE: Contractor licensing questions

You don't often get email from rhonda.jackson@llr.sc.gov. [Learn why this is important](#)

We/staff is not qualified to review plans to determine the appropriate licensing needed. The local building official can assist with that. The statute does state:

<https://www.scstatehouse.gov/code/t40c011.php>

SECTION 40-11-370.License required to use term "licensed contractor"; engaging in construction under assumed name; enforcement of contract.

(B) It is unlawful to engage in construction under a name other than the exact name which appears on the license issued pursuant to this chapter. "Engaging in construction" includes marketing, advertising, using site signs, and submitting contracts. This requirement does not include advertising on vehicles, which may use an abbreviated version of the license name so long as the advertising is not misleading.

SECTION 40-11-420.Requirements for obtaining building permit; list of licensed contractors performing work on project.

(A) Building permits, when required by law, must be obtained by the sole prime contractor in the name appearing on that entity's contractor's license.

If they are awarded the job, you can submit a protest to the building official.

Thank you.

Rhonda T. Jackson

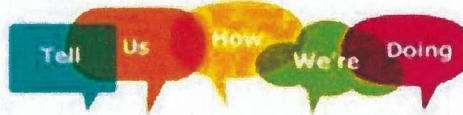
Program Coordinator

S.C. Contractor's Licensing Board

Ph: (803) 896-4627 - Fax (803) 896-4814

[Contractors Website](#) / [Licensing](#) / [Licensee Lookup](#) / [Online Services](#)

Please click the link below or [here](#) to complete a quick survey about the service you received from me today ☺



Making South Carolina a Safe Place to Work and Live

Twitter: [@SCDLLR](#), Facebook: [@SCLLR](#), Website: www.llr.sc.gov/clb

110 Centerview Drive, Columbia, SC 29210 (overnight mail)

P.O. Box 11329, Columbia, SC 29211 (regular mail)

From: Jeff Boyer <BoyerJ@dnr.sc.gov>

Sent: Wednesday, September 24, 2025 10:57 AM

To: Contact.CLB <Contact.CLB@llr.sc.gov>

Subject: Contractor licensing questions

---- SCDLLR NOTICE (M365) ----

- This email is from an external email address. Please use caution when deciding whether to open any attachments or when clicking links.
- Personally Identifiable Information (PII) should not be included in e-mail text or attachments. Do not save or transmit PII unencrypted.

I have a couple of questions regarding a recent solicitation by SCDNR. Below is the information regarding my questions.

SCDNR has a saltwater fish hatchery in Beaufort South Carolina. This facility basically works by pumping seawater into a concrete tower where is then released, by a series of valves, to flow by gravity to several in ground ponds via a network of underground pipes and valves ranging from 8" to 12". The seawater flows into the ponds and is discharged through a concrete outlet structure. Each pond also has electrical components needed to service the ponds.

SCDNR recently solicited bids to rehab this hatchery which included replacement of the piping network, electrical network, rehabbing the concrete water tower (cleaning, coating and replacement of all piping), replacement of concrete outlet structures, replacement of pond liners and associated minor grading. All work takes place withing the boundary of SCDNR property. A copy of the bid drawings is attached.

On 9/23/2025 SCDNR received bids from 3 contractors. Paragon Inc. of South Carolina, LLC is the apparent low bid. Below is Paragons information that was provided in the bid documents.

A copy of the last page of the bid form that shows the information submitted from Paragon is attached along with copies of Paragon Builders Licenses obtained from

the SCLLR website.

Paragon Inc. of South Carolina, LLC

SC Contractors License: CLG 100190 & CML111292

License Classification: BD5, PB5, EL5

When I go to the License Look up on the SCLLR website I am unable to find a SC Contractors License for "Paragon Inc. of South Carolina LLC". When I look up the contractor's License numbers provided, it shows a "Paragon Builders".

Questions

1. Is the bid valid since Paragon Builders bid the job under a business name other than the exact name which appears on the license issued?
2. Is a PB (Plumbing) License appropriate for the scope of work?

Please let me know if you have any questions or need additional information.

Thanks

Jeff Boyer

S.C. Dept. of Natural Resources

Phone No. (803) 360-0042

boyerj@dnr.sc.gov

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Waddell Mariculture Center

100% Design Cost Estimate (Design Reduction)

Rev. 2

Construction Item				Quantity	Unit	Cost	Extension	totals	
1	Mobilization/Demobilization	1	LS	\$	125,000	\$	125,000	\$	125,000
2	General Conditions								
	Supervision (Assuming 8 month Duration)								
	Superintendent (\$90/hr)	8	mo	\$	15,500	\$	124,000		no license
	Field Engineer (\$60/hr)	8	mo	\$	10,300	\$	82,400		no license
	Home Office Support (\$80/hr; 3/4 time for project duration)	6	mo	\$	13,700	\$	82,200		no license
	Subsistence (\$500/wk/person for 6 person crew)	32	wk	\$	3,000	\$	96,000		no license
	Communications & Field Office Expense	8	mo	\$	300	\$	2,400		no license
	Trailer (1 Trailer)	8	mo	\$	300	\$	2,400		no license
	Pickup Rental & Fuel (Two Pickups)	16	mo	\$	1,800	\$	28,800		no license
	Excavator	8	mo	\$	6,600	\$	52,800		no license
	Dump Truck	8	mo	\$	1,500	\$	12,000		no license
					Subtotal	\$		483,000	no license
3	Site								
	Demolition								
	Buried Piping (Labor for Operator & Labor)	80	HR	\$	75	\$	6,000		no license
	Disposal (Tipping Fee)	3,000	CY	\$	6	\$	18,000		no license
	Hauling (Buried Pipe)	4,000	CY	\$	15	\$	60,000		no license
	Yard Piping								
	10" DR17 HDPE	6,000	LF	\$	108	\$	648,000		
	8" DR17 HDPE	256	LF	\$	90	\$	23,040		
	6" DR17 HDPE	512	LF	\$	72	\$	36,864		
	10" Butterfly Valve	12	EA	\$	7,500	\$	90,000	\$	797,904 WL
	Electrical and Controls								
	Material	1	LS	\$	204,000	\$	204,000		
	Labor	1	LS	\$	289,500	\$	289,500		
	Tools & Equipment	1	LS	\$	40,000	\$	40,000	\$	533,500 EL
					Subtotal	\$		1,415,404	
4	Medium Pond	Number of Ponds =	4						
	Demolition								
	Labor for Operator & Labor	40	HR	\$	75	\$	3,000		no license
	Disposal (Tipping Fee)	100	CY	\$	6	\$	600		no license
	Hauling	100	CY	\$	15	\$	1,500		no license
	Liner & Outlet								
	Subgrade Preparation & Excavation	72	CY	\$	25	\$	1,800		
	Concrete (Stairs)	10	CY	\$	1,800	\$	18,000		
	Concrete (Kettle)	20	CY	\$	1,800	\$	36,000		
	Concrete (Monk)	7	CY	\$	1,800	\$	12,600	\$	68,400 CC
	HDPE Liner (34,000sf surface area + 10% for side slopes)	38,000	SF	\$	4	\$	152,000		
	Handrail	75	LF	\$	40	\$	3,000		
	Grating	100	SF	\$	60	\$	6,000		
	L 4x4x3/8	27	LF	\$	50	\$	1,350		
	HSS 2x2x1/4	18	LF	\$	50	\$	900		
	HSS 1.5x1.5x1/4	18	LF	\$	50	\$	900		
	S 3x5.7	69	LF	\$	55	\$	3,795	\$	15,945 MM
	2x4 Treated Pine Board	318	LF	\$	10	\$	3,180		
	Piping and Valves								
	8" PVC Pipe	125	LF	\$	80	\$	10,000		
	4" PVC Pipe	50	LF	\$	40	\$	2,000		
	8" HDPE 45 Elbow	2	EA	\$	200	\$	400		
	8" Tee	2	EA	\$	800	\$	1,600		
	8" 90 elbow	2	EA	\$	550	\$	1,100		
	8" 45 elbow	2	EA	\$	550	\$	1,100		
	8" butterfly valve	3	EA	\$	5,000	\$	15,000		
	8" Pinch Valve	1	EA	\$	5,000	\$	5,000		
	8" to 4" reducer	1	EA	\$	500	\$	500		
	4" 90 elbow	6	EA	\$	100	\$	600		
	4" Tee	1	EA	\$	140	\$	140		
	4" Pinch Valve	2	EA	\$	1,500	\$	3,000		
	10" Dia Knife Gate	2	EA	\$	15,000	\$	30,000		
					Subtotal	\$		1,260,260	WL
5	Head Tower Rehab								
	Recoat Tower Interior	2,000	SF	\$	50	\$	100,000		
	Recoat Tower Exterior	2,000	SF	\$	20	\$	40,000		
	Replace/Enlarge Overflows (24" Dia)	100	LF	\$	240	\$	24,000		
	Misc. Pipe Supports and Link Seals	1	LS	\$	25,000	\$	25,000		
	Modify Drain - New Piping (8" dia), and cleanout	75	LF	\$	80	\$	6,000		
	8" DIA BFV	4	EA	\$	5,000	\$	20,000		
	Reroute inflow piping to allow backflushing (6" dia PVC)	75	LF	\$	60	\$	4,500		
	6" dia BFV	6	EA	\$	4,000	\$	24,000		
	Misc. Concrete Coring and Repair	1	LS	\$	40,000	\$	40,000		
	10" GW Piping	50	LF	\$	200	\$	10,000		
	8" GW Piping	50	LF	\$	160	\$	8,000		
	12" SW Piping	75	LF	\$	240	\$	18,000		
	10" DIA Valve	5	EA	\$	7,500	\$	37,500		
									Percentage of each license based on cost
	12" DIA Valve	4	EA	\$	12,000	\$	48,000	total cost of work requiring license	WL
					Subtotal	\$	405,000	WL	\$
								3,081,009	\$
									2,463,164
									80%
									533,500
									17%
									68,400
									2%
									15,945
									1%
	Subtotal					\$	5,104,413	no license	
	Contractors Overhead & Profit (25%)					\$	1,276,103	no license	
	Insurance & Bonds (3%)					\$	191,415	no license	
	Unlisted Items (8%)					\$	408,353	no license	
	Engineering During Construction					\$	143,520	no license	
	3rd Party Inspections (1%)					\$	51,044	no license	
	Subtotal					\$	7,174,849	no license	34%
									7%
									1%
									0%
	Expected Range of Cost (-10% to +15%)	6,457,364	to	\$	8,251,076				