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
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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:	Piedmont Parking Solutions, LLC dba Carolina Site
File No.:	2026-006
Posting Date:	December 4, 2025
Contracting Entity:	Greenville Technical College
Project No.:	H59-6821-CB
Description:	Barton Lot O and McKinney Automotive Campus Pavement Replacement

DIGEST

Protest of Greenville Technical College's (the College) intent to award a contract denied.

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 Piedmont Parking Solutions, LLC dba Carolina Site (Piedmont) protesting the College's intention to award a contract to Civil Pros, Inc. (CPI) for pavement repairs on portions of the College's Barton and McKinney Automotive campuses (the Project). Piedmont's protest is attached as Exhibit A. This decision is based on materials in the procurement file and applicable law and precedents.

BACKGROUND

On October 9, 2025, the College published an advertisement for construction services for the Project. [Exhibit B] By the deadline for receipt of bids, the College received three bids including one from Piedmont and one from CPI. [Exhibit C] CPI submitted the lowest bid price and on October 31,

2025, the College posted a notice of its intent to award a contract to CPI. [Exhibit D] On November 3, 2025, Piedmont protested.

DISCUSSION

Piedmont first protest that CPI is ineligible for contract award because the South Carolina Contractors Licensing Board has suspended CPI's Mechanical Contractor's license. In support of this ground of protest, Piedmont points to a provision addressing debarment in the solicitation's Instructions to Bidders which states:

> § 2.2.6.1 By submitting a Bid, Bidder certifies, to the best of its knowledge and belief, that:
> .1 Bidder and/or any of its Principals-
> .1 Are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any state or federal agency;

By making this argument, Piedmont argues that CPI is not a responsible bidder.

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

The terms debarment and suspension as used in the instructions to bidders are terms of art defined by the Procurement Code (the Code). The Code defines debarment as:

> the disqualification of a person to receive invitations for bids, or requests for proposals, or the award of a contract by the State, for a specified period of time commensurate with the seriousness of the offense or the failure or inadequacy of performance.
>
> S.C. Code Ann. §11-35-310(14)

The Code defines suspension as:

> the disqualification of a person to receive invitations for bids, requests for proposals, or the award of a contract by the State, for a temporary period pending the completion of an investigation and any legal proceedings that may ensue because a person is suspected upon probable cause of engaging in criminal, fraudulent, or seriously improper conduct or failure or inadequacy of performance which may lead to debarment.
>
> S.C. Code Ann. §11-35-310(36)

Importantly, within the State of South Carolina, the Contractor's Licensing Board does not have the authority to disbar or suspend any contractor as contemplated by the Code. The Code only grants this authority to the appropriate Chief Procurement Officer. S.C. Code Ann. § 11-35-4220. The CPOC has neither debarred nor suspended CPI from receiving invitations for bids or awards of contract.

As for CPI's suspended license, the license in question is a Mechanical Contractors License with an Air Conditioning and Heating subclassification.[1] [Exhibit E] The work of the Project does not require a contractor to have a license with these classifications and subclassifications. This is a pavement repair project for which CPI is adequately licensed. CPI has an active General Contractors-Highway license with the subclassifications of Concrete Paving, Asphalt Paving, Grading, and Highway Incidentals. [Exhibit F] Section 40-11-410(2) defines the scope of these subclassifications as follows:

> "General Contractors Highway" which includes work under these subclassifications:
>
> ***
>
> (b) "Concrete Paving" which includes the construction, rehabilitation and repair of concrete streets, roads, highways, driveways, parking lots, airport runways and aprons, and concrete work incidental thereto including, but not limited to, sidewalks, curbs, medians, and barrier walls. This subclassification also includes work under the subclassification of Grading.
>
> (c) "Asphalt Paving" which includes asphalt paving, repairs and rehabilitation of streets, roads, highways, driveways, parking lots, airport runways and aprons, concrete work including curbs, gutters, and concrete or asphalt paving of storm sewers, and includes paving with sealers, geotextile fabrics, slurry seals, and surface treatments incidental thereto. This subclassification also includes work under the subclassification of Grading.
>
> (d) "Grading" which includes the soil preparation and rehabilitation of streets, roads, highways, railroad beds, building sites, parking lots, and storm sewers. This

---

[1] The CPOC conferred with the Contractors Licensing Board staff and confirmed that this Mechanical License was not suspended due to any wrongdoing but because the individual qualifying CPI for this license was no longer with CPI. See Exhibit E under "Supervised By," where no one is identified. Also, note the lack of any Board orders.

> subclassification also includes work under the subclassification of Highway Incidental.
>
> (e) "Highway Incidental" which includes highway work for grooving, milling, rehabilitating, and installing guardrails, gutters, highway signs, pavement marking, and painting.

Piedmont acknowledges that CPI has an active General Contractors License and cannot argue that this license is inadequate for the work of the Project.

Piedmont next protests that CPI did not arrive at its bid price independently and "did by 'consultation, communication or agreement' restrict competition…" In support of its argument, Piedmont notes that the Instruction to Bidders states:

> § 2.2.2 By submitting a Bid, the Bidder certifies that:
>
> .1 The prices in this Bid have been arrived at independently, without, **for the purpose of restricting competition**, any consultation, communication, or agreement with any other bidder or competitor relating to:
>
> .1 those prices;
>
> .2 the intention to submit a Bid; or
>
> .3 the methods or factors used to calculate the prices offered.
>
> [emphasis supplied]

To support its contention, Piedmont observes that CPI identified Parking Lot Pros LLC (PLP) as a subcontractor on its bid.[2] Piedmont further observes that PLP also submitted a bid to GTC to perform the work of the Project. [See Exhibit C] Piedmont argues that at least as it concerns PLP, CPI necessarily communicated with another bidder or competitor about prices, its intention to submit a bid, and factors used to calculate prices.

Reading Section 2.2.2.1 of the Instructions to Bidders in conjunction with Sections 2.2.2.2 and 2.2.2.3 provide context for understanding Section 2.2.2.1. These other Sections state:

> .2 **The prices in this Bid** have not been and will not be knowingly disclosed by the Bidder, directly or indirectly, to any other bidder or competitor before bid opening (in

[2] The solicitation documents did not require bidders to list any of their proposed subcontractors and to the extent CPI did, it did so voluntary.

> the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and
>
> .3 **No attempt has been made** or will be made by the Bidder **to induce any other concern to submit or not to submit a Bid for the purpose of restricting competition**.
>
> [emphasis supplied]

The purpose of these Sections is for bidders to certify that they have not consulted (i.e. conspired) with other bidders and competitors "for the purpose of restricting competition." This provision does not preclude a bidder's consultation with potential subcontractors, including those that might submit a bid of their own on the full project, about their prices for subcontracted portions of the work so long as the bidder does not consult with potential subcontractors about either's final bid price for the entirety of the work (i.e. the bid price in their bid to the State). The fact that CPI identified PLP as a subcontractor and PLP also submitted a bid is insufficient evidence to conclude that CPI and PLP consulted with one another for the purpose of restricting competition. Put another way, Piedmont has failed to carry its burden as the protestant of proving upon a preponderance of the evidence that CPI and PLP consulted with one another for the purpose of restricting competition.

DECISION

Based on the foregoing, the CPOC denies Piedmont's protest.

John St. C. White
Chief Procurement Officer for Construction

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.

Exhibit A

From: Craig Gannaway
To: Protest-OSE
Cc: Cory Williams
Subject: [External] Notice of Protest - Project No. H59-6821-CB
Date: Monday, November 3, 2025 11:50:03 AM

To Whom It May Concern,

Please accept this email as Piedmont Parking Solutions, LLC dba Carolina Site's Notice of Protest pursuant to SC Code Ann 11-35-4210. The specific grounds for the protest are as follows:

1. The awarded bidder, Civil Pros Inc, currently has a suspended General Contractor's Mechanical License, No. 116795. The project manual section 2.2.6.1 provides that bidder certify it is not presently "suspended" or otherwise ineligible for the award of contracts by any state or federal agency. While contractor does hold a current General Contractors license the Mechanical license is held by the same entity. The suspended license issued to the same licensee does make the contractor ineligible for the award of certain jobs by the State of South Carolina, thus ineligible for the award of this project.

2. Awarded bidder is not in compliance with project manual section 2.2.2.1 in that the prices have not been arrived at "independently" as they list another bidder, Parking Lot Pros as a subcontractor. Thus the awarded contractor did by "consultation, communication or agreement" restrict competition as to (.1) "those prices", & (.3) "the methods or factors used to calculate the prices offered."

Thank you for your consideration of our protest.

L. Craig Gannaway
President
Office (704) 532-3836
Mobile (804) 349-9221

Carolina Site
GC License 102855

Exhibit B

South Carolina Business Opportunities

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

Ad Category: Construction

Ad Start Date: October 9, 2025

Agency/Owner: Greenville Technical College

Project Name: Barton Lot O and McKinney Automotive Campus Pavement Replacement

Project Number: H59-6281-CB

Construction Cost Range: $1,000,000 to $1,100,000

Project Location: Barton Campus and McKinney Automotive Campus

Description of Project/Services:
Pavement repairs on portions of Barton Campus and McKinney automotive Camps of Greenville Technical College.

Bid/Submittal Due Date & Time: October 29, 2025 - 2:00pm

Number of Bid/Submittal Copies: 1

Project Delivery Method: Design-Bid-Build

Agency Project Coordinator: Michael Ruff

Email: michael.ruff@gvltec.edu

Telephone: (864) 250-8281

Documents May Be Obtained From: Michael.ruff@gvltec.edu OR alebrun@seamonwhiteside.com

Project Details: https://scbo.sc.gov/files/scbo/SE-310_H59-6281-CB.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

Exhibit C

GREENVILLE TECH REPAVING - BID OPENING 10/29/2025

Bidder	Bid Form	Addenda	Bid Bond	Written Statement	License	Subcontractor Info	Debarment Certification	Illegal Imm. Certification	BABA Certification	Bid Price
Civil Pros	✓	--	✓	--		Parking lot pros Does curb	--	--	--	289,229.80 Burton 211,803.40 McKinney
Parking Lot Pros LLC	✓	--	✓	--		veteran Landscaping + construction	--	--	--	482,594.12 Burton 343,109.74 McKinney
Piedmont Parking solutions	✓	--	✓	--			--	--	--	426,738.00 Burton 319,070.00 McKinney
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Exhibit D

SE-370
NOTICE OF INTENT TO AWARD - DESIGN-BID-BUILD CONTRACT

AGENCY: GTC - Greenville Technical College
PROJECT NAME: Barton Lot O and McKinney Automotive Campus Pavement Replacement
PROJECT NUMBER: H59-6281-CB

POSTING DATE: 10/31/2025

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: Civil Pros Inc.
DATE BIDS WERE OPENED: 10/29/2025
BID INFORMATION:

BASE BID AMOUNT:				$501,093.20
ALTERNATES:	**#1**	**ACCEPTED**	☐	$0.00
	#2	**ACCEPTED**	☐	$0.00
	#3	**ACCEPTED**	☐	$0.00

TOTAL BID AMOUNT: $501,093.20

TOTAL CONTRACT AWARD: $501,093.20

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

N/A

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

N/A

Contractor should not incur any costs associated with the contract prior to receipt of a contract from the Agency for execution. Contractor should not perform any work before receipt of the Agency's written Notice to Proceed.

RIGHT TO PROTEST (SC Code 11-35-4210)

Any actual bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of this contract may be entitled to protest. To protest an award, you must (i) submit notice of your intent to protest within seven (7) business days of the date the award notice is posted, and (ii) submit your actual protest within fifteen (15) days of the date the award notice is posted. Days are calculated as provided in Section 11-35-310(13). Both protests and notices of intent to protest must be in writing and must be received by the appropriate Chief Procurement Officer within the time provided.

PROTEST - CPO ADDRESS - OSE: Any protest must be addressed to the Chief Procurement Officer for Construction, Office of State Engineer, and submitted in writing (a) by email to: protest-ose@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: Michael Ruff **TITLE:** Facilities Director **DATE:** 10/30/2025

ACKNOWLEDGED BY OSE PROJECT MANAGER: Clint Burdett **DATE:** 10/30/2025

GREENVILLE TECH REPAVING - BID OPENING

10/29/2025

Bidder	Bid Form	Addenda	Bid Bond	Written Statement	License	Subcontractor Info	Debarment Certification	Illegal Imm. Certification	BABA Certification	Bid Price
Civil Pros	✓	--	✓	--		Parking lot pros Jones curb	--	--	--	289,229.80 Barton 211,803.40 McKinney
Parking Lot Pros LLC	✓	--	✓	--		Veteans Landscaping + construction	--	--	--	480,594.12 Barton 343,109.74 McKinney
Piedmont Parking solutions	✓	--	✓	--			--	--	--	426,738.00 Barton 319,070.00 McKinney
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Exhibit E

Print this page

Board: Commercial Contractors

CIVIL PROS INC
250 GILES DR
BOILING SPRINGS, SC 29316
(864)978-3463

License number: 116795
License type: MECHANICAL CONTRACTOR
Status: SUSPENDED
Expiration: 10/31/2023
First Issuance Date: 10/19/2022
Classification:
Air Conditioning-AC5
Heating-HT5

Qualified By: Financial Statement
President / Owner: CHASE CASH
Vice President: LUKAS PENCE

Click here for Classification definitions and licensee's contract dollar limit

Supervised By

File a Complaint against this licensee

Board Public Action History:

View Orders View Other License for this Person

No Orders Found

Exhibit F

Print this page

Board: Commercial Contractors

CIVIL PROS INC
250 GILES DR
BOILING SPRINGS, SC 29316
(864)978-3463

License number: 122594
License type: GENERAL CONTRACTOR
Status: ACTIVE
Expiration: 10/31/2026
First Issuance Date: 01/02/2020
Classification:
Concrete Paving-CP5
Grading-GD5
Highway Incidental-HI5
Water & Sewer Lines-WL5
Asphalt Paving-AP5

Qualified By: Financial Statement
Vice President: LUKAS PERCE

Click here for Classification definitions and licensee's contract dollar limit

Supervised By
PENCE LUKAS (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	12/11/2023	CIVIL PROS INC	CLG	122594
View	11/3/2022	CIVIL PROS INC	CLG	122594