

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)

BEFORE THE SOUTH CAROLINA
 PROCUREMENT REVIEW PANEL
 CASE NO. 1988-15

IN RE: PROTEST OF KODAK AND XEROX)
 CORPORATION) O R D E R
 _____)

This case originally came before the South Carolina Procurement Review Panel ("Panel") for hearing on December 14, 1988, on the protests by Kodak and Xerox Corporation of the decision by the Chief Procurement Officer ("CPO") that the sole source purchase of a Xerox 9900 high-speed copier by the Department of Mental Health ("DMH") was not justified.

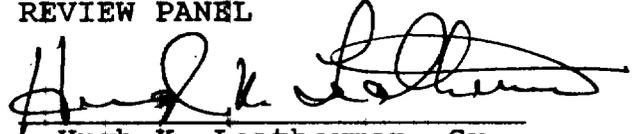
By Order dated December 21, 1988, the Panel upheld the decision of the CPO and awarded Kodak its costs of \$1000.00, which were uncontradicted, plus such attorneys' fees as the Panel deemed reasonable. In its Order the Panel directed Kodak to submit a statement of its attorneys' fees within fifteen days. In compliance with that Order, Kodak submitted a statement from its attorneys for \$2159.20, which represents 16 attorney hours at \$130.00 per hour, .25 clerk hours at \$40.00 per hour and expenses of \$69.20.

Considering all aspects of this case, the Panel finds that \$75.00 per hour is a reasonable rate. Therefore, the Panel orders the Department of Mental Health to pay to Kodak within thirty (30) days of receipt of this Order its costs in the amount of \$1000.00 and its attorneys' fees in the amount of \$1279.20, which represents 16 attorney hours at

hours at \$75.00 per hour, .25 clerk hours at \$40.00 per hour
plus expenses of \$69.20.

IT IS SO ORDERED.

SOUTH CAROLINA PROCUREMENT
REVIEW PANEL



Hugh K. Leatherman, Sr.
Chairman

Columbia, S. C.

1-6-89, 1989