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State Budget and Control Board

PROCUREMENT SERVICES DIVISION

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R. VOIGHT SHEALY
MATERIALS MANAGEMENT OFFICER

January 31, 2002

Mr. Chuck Snipes
Florence Builder's Inc.
P.O. Box 4507
Florence, S.C. 29502

RE: Protest of Intent to Award, State Project U12-9655-MJ

Dear Mr. Snipes:

You have submitted a protest of the Department of Transportation's intent to award the construction contract on the subject project to another bidder. The Procurement Code's requirements for bid protests is quite clear. Section 11-35-4210(1) of the Code requires that protests be filed with the Chief Procurement Officer within 15 days of the posting of the Notice of Intent to Award. Section 11-35-4210(2) of the Code also requires that protests be submitted to the Chief Procurement Officer. These requirements and time limits are stated both in the Invitation for Bids (SE-310) and also in the Notice of Intent to Award (SE-370).

My office received your protest on January 28, 2002 when it was faxed to us by the project architect. The Notice of Intent was posted on January 11, 2002. The 15-day protest period allowed by the Code expired on January 26, 2002. Because your protest was not in the hands of a state official within the time limit set by the Code, I have no choice but to reject your protest as untimely.

I hope you will continue to pursue future opportunities for State work. If you ever have a question concerning your rights under the Procurement Code and how to protect those rights, please do not hesitate to communicate directly with this office.

Sincerely,

A handwritten signature in cursive script that reads "Michael M. Thomas".

Michael M. Thomas, P.E., C.B.O.
State Engineer

cc: Suzette Porter, Facilities Construction Engineer, Department of Transportation
Bob Kishline, Project Manager, Department of Transportation

Margaret Jordan, Project Manager, Office of State Engineer