



which was not addressed in the Panel's Order. The Panel issued a Supplemental Order addressing the issue.

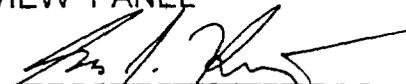
The Panel may also review its decision in cases which are unique. This case is unique because of the way Microsoft chooses to distribute its products under a Microsoft Variable License Pak (MVLP) agreement. The State negotiated a contract with Microsoft, but is required by Microsoft to provide in the contract the name of the Large Account Reseller (LAR) the State intends to use. Microsoft requires the use of a LAR, and controls what companies are authorized to be an LAR. Microsoft also provides the Aggregator Program which allows distribution through the LAR and another company, which is designated the "Secondary Address for LAR" in the contract with Microsoft.

The Panel declines to alter its original Order in this case. The Panel remains convinced that Compusult may be designated as the Secondary Address for MicroAge Computer Centers, Inc. (Microage), an authorized LAR, in the State's contract with Microsoft, similar to the State contracting with a Contractor (Compusult), who contracts with a subcontractor (Microage). The Panel also affirms its decision that Compusult qualifies for the product preference.

The Panel reiterates its finding that Compusult is the lowest responsive and responsible bidder on lot #1 and lot #2 of the state's solicitation for administration of the Microsoft Select MVLP agreement.

IT IS SO ORDERED.

SOUTH CAROLINA PROCUREMENT  
REVIEW PANEL

BY: 

Gus J. Roberts, Chairman

Columbia, SC  
May 3, 1995.