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South Carolina Procurement Review Panel

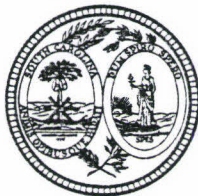
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HON. C. BRIAN McLANE, SR.
VICE CHAIRMAN
HON. M.H. "MARK" CLAUSSEN

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SHERRY COPELAND
BUSINESS MANAGER

SUANN K. WHITE
ATTORNEY



HON. GUS. J. ROBERTS
CHAIRMAN

October 14, 1999

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OCT 15 1999

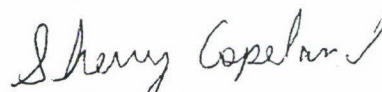
Budget & Control Board
OFFICE OF STATE BUDGET

Debra Duncan
Budget & Control Board
Office of State Budget
Re: Annual Accountability Report

Dear Ms. Duncan,

This letter is in response to the Annual Accountability Report for the Fiscal Year 1998-99. The Procurement Review Panel, "Panel" is established by Subarticle 3, Section 11-35-4410 of the South Carolina Consolidated Procurement Code. The Panel's responsibility is to review and determine *de novo*: requests for review of written determinations of the chief procurement officers under Sections 11-35-4210(6), 11-35-4220(5), and 11-35-4230(6). Also, we review requests for review of other written determinations, decisions, policies, and procedures as arise from or concern the procurement of supplies, services, or construction procured in accordance with the provisions of this code and the ensuing regulations; provided that any matter which could have been brought before the chief procurement officers in a timely and appropriate manner under Sections 11-35-4210, 11-35-4220, or 11-35-4230, but was not, shall not be the subject of review under this paragraph. Requests for review under this paragraph shall be submitted to the Procurement Review Panel in writing, setting forth the grounds, within fifteen days of the date of such written determinations, decisions, policies, and procedures. The Panel consists of eight members. Two are state employees and the remaining are of the private sector. The panel is unique because vendors get the opportunity to bring their protest before a group of people that the majority is of the public sector. If you have any questions, I can be reached at 734-0660.

Thank you,


Sherry Copeland

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STATE DOCUMENTS

CUSTOMER FOCUS AND SATISFACTION

Our customers are the bidders and state agencies. Our procedures that we follow in reference to time frames are established by law. In meeting the time frames we have fulfilled our mission.

DESCRIPTION OF PROGRAM

Priority Ranking: 1

Program Title: Administration

Program Costs: Fund Appropriation \$118,479.00
Carry Forward Monies from
fiscal year 97-98 \$ 9,093.66
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PROGRAM GOALS

The Agency's goal is to provide efficient administrative review for state purchasing protest.

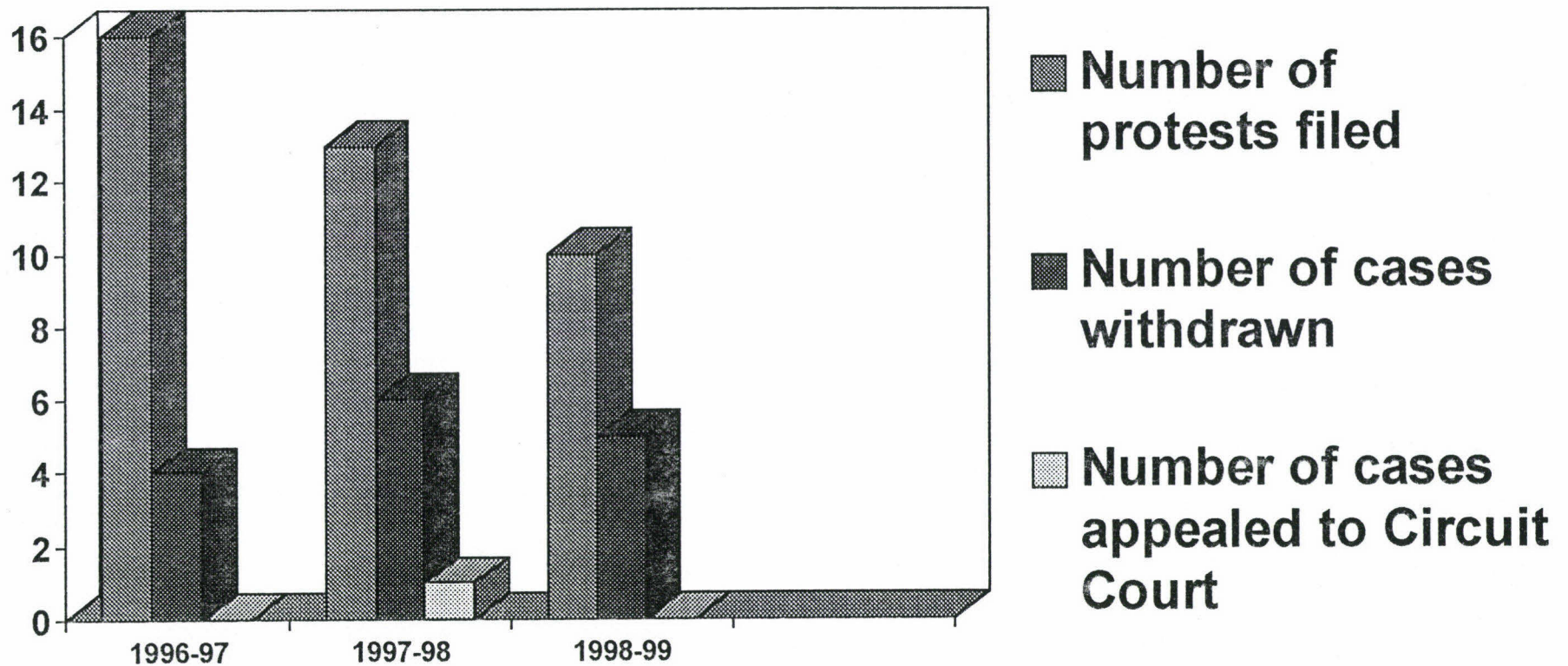
PROGRAM OBJECTIVE

- To provide hearings for vendors that have a grievance with the State Procurement Practices.
- Within fifteen days of receiving a grievance filed under Sections 11-35-4210(6), 11-35-4220(5), 11-35-4320(6), or 11-35-4410(1)(b), the chairman shall convene the Review Panel to conduct an administrative review.
- The Review Panel shall record its determination within thirty days and shall communicate a decision to those involved in the determination.

PERFORMANCE MEASURES

	Fiscal year	1996-97	1997-98	1998-99
• Number of Protest filed :		16	13	9
• Number of Protest withdrawn		4	6	4
• Number of protest appealed to Circuit Court		0	1	0

Number of Protests filed with the Procurement Review Panel by fiscal Year



South Carolina Procurement Review Panel

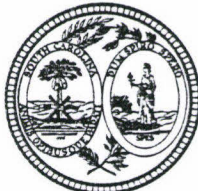
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Budget & Control Board
OFFICE OF STATE BUDGET

EXECUTIVE SUMMARY

The Procurement Review Panel is the second step for vendors in the grievance process with state government. The vendors like the idea of presenting their case to a group of people who are not state employees. The Panel consists of eight members, two are state employees, the other are of the private sector. The first step is the Chief Procurement Officer from General Services. The decision of the Procurement Review Panel is final as to the administrative review and may be appealed to the Circuit Court under the provisions of the South Carolina Administrative Procedures Act.

MISSION STATEMENT

The Procurement Review Panel's mission can be divided into the following functions:

- is responsible for providing an administrative review of formal protests of decisions arising from solicitation award of contracts
- the debarment or suspension of a person from consideration for award of a contract
- a decision concerning the resolution of a contract or breach of contract controversy
- or any other decision, policy, or procedure arising from or concerning the expenditure of state funds for the procurement of any supplies, services, or construction procurement in accordance with the provisions of the State Procurement Code.

LEADERSHIP SYSTEM

Our agency consists of two employees, a business manager and attorney. We attend conferences and meetings to keep us up to date on the procurement code and procurement policies to better serve the public.

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