

# South Carolina



## Procurement Review Panel

# List of Key Officials Attending the Hearing

Pamela Gillins, Administrative Coordinator

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## SOUTH CAROLINA PROCUREMENT REVIEW PANEL ORGANIZATIONAL CHART AS OF December 17, 2020



## **House of Representatives - One Page Summary**

The main objective of the Panel is established by Subarticle 3, section 11-35-4410 of the Consolidated Procurement Code. The Panel's primary function is to provide an administrative review of decisions by the Chief Procurement Officers relating to:

- (1) formal protests of the solicitation or award of State contracts;
- (2) suspension or debarment of individual vendors;
- (3) contract controversies; and
- (4) other written decisions, policies, or procedures affecting the state procurement system.

The Panel seeks to provide the best possible services to vendors and agencies of the State in keeping with the integrity of the Consolidated Procurement Code. The Panel is unique in its formation, being composed of five members drawn from the private sector and two State employees, all of whom are appointed by the Governor. Each Panel member brings his or her own experience to bear in independently reviewing how the State procures its goods and services, ensuring that the State's procurement process is transparent, fair, and effective. Moreover, the Panel's composition and specialized purpose allows it to schedule and conduct hearings in a very timely fashion, which is one of its continuing strategic goals. Timely hearings and written decisions from the Panel allow the State to conduct its business efficiently while also guaranteeing fairness to vendors.

The panel is not requesting any budget changes this year.

**ACCOUNTABILITY REPORT FY 2020/2021**  
**AGENCY'S DISCUSSION AND ANALYSIS**

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The Panel received one request for administrative review during fiscal year 2020-2021. The appeal requested review of a CPO's written protest determination. On its website, the Panel provides a link to the Panel's decisions that are posted on the Procurement Services website at <https://prp.sc.gov/panel-orders>. In addition, the panel publishes its decisions on WestLaw, a legal research service.

One case from fiscal year 2019-2020 was appealed to the South Carolina Court of Appeals and continued into fiscal year 2020-2021. This case concluded by way of dismissal in fiscal year 2020-2021.

Agency Name:  
Agency Code:

Procurement Review Panel  
S600

Section:

111



**Fiscal Year FY 2022-2023  
Agency Budget Plan**

**FORM A - BUDGET PLAN SUMMARY**

**OPERATING  
REQUESTS**  
*(FORM B1)*

<b>For FY 2022-2023, my agency is (mark "X"):</b>	
<input type="checkbox"/>	Requesting General Fund Appropriations.
<input type="checkbox"/>	Requesting Federal/Other Authorization.
<input checked="" type="checkbox"/>	Not requesting any changes.

**NON-RECURRING  
REQUESTS**  
*(FORM B2)*

<b>For FY 2022-2023, my agency is (mark "X"):</b>	
<input type="checkbox"/>	Requesting Non-Recurring Appropriations.
<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
<input checked="" type="checkbox"/>	Not requesting any changes.

**CAPITAL  
REQUESTS**  
*(FORM C)*

<b>For FY 2022-2023, my agency is (mark "X"):</b>	
<input type="checkbox"/>	Requesting funding for Capital Projects.
<input checked="" type="checkbox"/>	Not requesting any changes.

**PROVISOS**  
*(FORM D)*

<b>For FY 2022-2023, my agency is (mark "X"):</b>	
<input type="checkbox"/>	Requesting a new proviso and/or substantive changes to existing provisos.
<input type="checkbox"/>	Only requesting technical proviso changes (such as date references).
<input checked="" type="checkbox"/>	Not requesting any proviso changes.

Please identify your agency's preferred contacts for this year's budget process.

**PRIMARY  
CONTACT:**  
**SECONDARY  
CONTACT:**

<i>Name</i>	<i>Phone</i>	<i>Email</i>
Pamela Gillins	(803) 734-0660	pamela.gillins@prp.sc.gov
Cherlyn Borjes	(803) 734-0661	cherlyn.borjes@prp.sc.gov

I have reviewed and approved the enclosed FY 2022-2023 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

**SIGN/DATE:**  
**TYPE/PRINT  
NAME:**

	<i>Agency Director</i>
	<i>Board or Commission Chair</i>
	 9/17/22 C. BRIAN MEANE, SR

*This form must be signed by the agency head – not a delegate.*

Agency Name:

Procurement Review Panel

Agency Code

S600

Section:

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BUDGET REQUESTS			FUNDING					FTES				
Priority	Request Type	Request Title	State	Federal	Earmarked	Restricted	Total	State	Federal	Earmarked	Restricted	Total
TOTALS			0	0	0	0	0	0.00	0.00	0.00	0.00	0.00

Agency Name:	Procurement Review Panel		
Agency Code:	S600	Section:	111

## **FORM E – AGENCY COST SAVINGS AND GENERAL FUND REDUCTION CONTINGENCY PLAN**

<b>TITLE</b>	Agency Cost Savings and General Fund Reduction Contingency Plan
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<b>AMOUNT</b>	\$5,367
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*What is the General Fund 3% reduction amount? This amount should correspond to the reduction spreadsheet prepared by EBO.*

<b>ASSOCIATED FTE REDUCTIONS</b>	N/A
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*How many FTEs would be reduced in association with this General Fund reduction?*

<b>PROGRAM / ACTIVITY IMPACT</b>	Administration Programs - The Panel will reduce budget amounts allocated to supplies and services to cover this reduction.
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*What programs or activities are supported by the General Funds identified?*

<b>SUMMARY</b>	N/A
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Please provide a detailed summary of service delivery impact caused by a reduction in General Fund Appropriations and provide the method of calculation for anticipated reductions. Agencies should prioritize reduction in expenditures that have the least significant impact on service delivery.

**AGENCY COST  
SAVINGS PLANS**

N/A

What measures does the agency plan to implement to reduce its costs and operating expenses by more than \$50,000? Provide a summary of the measures taken and the estimated amount of savings. How does the agency plan to repurpose the savings?



Constitutional Subcommittee Proviso Request Summary FY 2021-22				
Proviso # in FY 20-21 Act	Renumbered FY 22-23 Proviso #	Proviso Title	Short Summary	Agency Recommended Action (keep, change, delete, add)

Proviso 111.1.	111.1.	Filing Fee	Requests 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.	Keep
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**SECTION 111 - S600 - PROCUREMENT REVIEW PANEL**

**111.1.** (PRP: Filing Fee) Requests 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 S.C. Code Sections 11-35-4210(6), 11-35-4220(5), 11-35-4230(6), 11-35-4330, and/or 11-35-4410. The funds generated by the filing fee shall be retained by the panel and carried forward to be used for the operation of the panel. 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 panel shall make the Request for Filing Fee Waiver forms available to the chief procurement officers to provide to parties along with notice of right to appeal to the panel. 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.

➤ **KEEP**

Carry Forward - \$17,889.70

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- State FTEs – 2
  - Federal FTEs – 0
  - Other Funded FTEs – 0
  - Total FTEs – 2
- No Vacant FTEs per category.
- No request for additional FTEs.