

1978 WL 34811 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 27, 1978

*1 Charles Porter, Esquire
Richland County Attorney
Post Office Box 4069
Columbia, South Carolina 29240

Dear Mr. Porter:

In response to your request for an opinion from this Office as to Richland County's proposed renewal of its contract with Smith Data Processing relating to a tax accounting system, I agree with your conclusion that the County Code of Ordinances (Section 5-3007) provides the authority to negotiate such a renewal without engaging in competitive bidding therefor. The term 'items' in Section 5-3007(c)(1) and (4) should be construed to include 'services' since Section 5-3007 is not limited to negotiated purchases of supplies, material and equipment only but, instead, embraces 'contractual services' as well. § 5-3007(a) and (e). The Purchasing Agent, with the approval of the County Administrator if the cost of the purchase is estimated to exceed fifteen thousand (\$15,000.00) dollars, seems to be empowered by Section 5-3007(c)(1) to determine if there are no acceptable equivalents to items (services) obtained from only one source. If that determination is made upon a reasonable basis, then I think that such a purchase is authorized.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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