

1978 WL 35122 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 20, 1978

***1 RE: National Guard Armory and Organizational Maintenance Shop (Hartsville, South Carolina) State Project No. E24-004 Federal Contract No. DAHA38-77-C-0043**

Major General R. L. McCrady
The Adjutant General
National Guard Armory
1225 Bluff Road
Columbia, South Carolina 29201

Dear General McCrady:

You have requested an opinion from this Office as to whether the bidding procedures on the Hartsville Armory and Organizational Maintenance Shop were in accordance with State law. You have advised me that with the prior approval of the State Budget and Control Board and the National Guard Bureau that these two construction projects were let on one bid and that Humphrey's Construction Company, Inc. of Myrtle Beach, South Carolina, was the low bidder. I am further advised that subsequent to the submission of this low bid, the Office of the Adjutant General negotiated with the low bidder resulting in an overall reduction of his bid by approximately Thirty Five Thousand Dollars (\$35,000.00). It is the opinion of this Office that the negotiation by the Office of the Adjutant General with the low bidder, resulting in an additional reduction in the bid price, was not contrary to the bidding policies of this State.

Very truly yours,

Richard B. Kale, Jr.
Assistant Attorney General

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