

1975 S.C. Op. Atty. Gen. 219 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 4152, 1975 WL 22447

Office of the Attorney General

State of South Carolina

Opinion No. 4152

October 7, 1975

***1 Re: 'Advertising and Promotion' Contract**

Mr. J. W. Lawrence
Assistant Director of Operations
S. C. Parks, Recreation and Tourism
Box 113, Edgar A. Brown Office Building
1205 Pendleton Street
Columbia, SC 29201

Dear Mr. Lawrence:

In confirmation of our telephone conversation earlier this afternoon, the following is a clarification of the Conclusion of my opinion of October 6, 1975. The statement was made that '[i]f there is a South Carolina agency, which the Commission determines to be both 'competitive' and 'qualified' then the Commission awards the 'Advertising and Promotion' contract to that State advertising agency.' That statement means simply that if there is a South Carolina agency which the Commission determines to be 'competitive' as to the other South Carolina agencies submitting proposals on the job and is 'qualified' to do the particular job for which the proposals were submitted, then the Commission must award the contract to that South Carolina agency.

If the Commission finds that there is no 'competitive' and 'qualified' agency in South Carolina, then the Commission may award the 'Advertising and Promotion' contract to an out-of-state agency, but only after following same bid process that was followed for in State agencies.

Yours very truly,

M. Elizabeth Crum
Assistant Attorney General

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