

1974 WL 27766 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 20, 1974

\*1 Honorable Ben Scott Whaley  
Messrs. Barnwell, Whaley, Stevenson & Patterson  
Attorneys at Law  
Post Office Drawer H  
Charleston, South Carolina 29402

Dear Ben Scott:

Thank you for your letter of May 10, 1974, concerning the Charleston County Hospital with reference to the submission of a bid by General Electric Company to furnish equipment in the x-ray rooms of the Hospital and in revamping the x-ray services.

It is my opinion that Section 1-466 of the Code of Laws of South Carolina, 1962, is not applicable unless State funds are involved. Apparently, only county funds will be expended in the renovation of the equipment. Aside from this, it does not appear that the work will entail the construction of a building. I note that the proposal under the heading 'Installation' excludes any structural changes, and even if any State funds should be involved, the terms of the statute would not, in my opinion, require competitive bidding.

I am not aware of any county ordinances which require competitive bidding for the purchase of the type of service which is proposed to be rendered, but, in my view, there is no State requirement of a statutory nature so long as no State funds are involved. Additionally, the receipt of federal funds in some instances may require the receipt of competitive bids, but I am not advised as to any existence of such federal impositions.

With best wishes,  
Very truly yours,

Daniel R. McLeod  
Attorney General

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