

1974 WL 27779 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 22, 1974

*1 The Monorable Newton F. Walker
Superintendent
South Carolina School for the Deaf and the Blind
Spartanburg, South Carolina 29302

Dear Mr. Walker:

Thank you for your letter of May 20, 1974, concerning the awarding of a contract for a gymnasium-swimming pool at the South Carolina School for the Deaf and the Blind. You have enclosed a copy of a letter dated May 16, 1974, from Lockwood Greene Engineers, Inc., your architects, which letter recites that the bid of Threatt-Maxwell Construction Company, Inc., contains 'escalation, change in specified materials, exclusion of specified work and change in specified retainage, which items are not in accord with the Contract Documents and the Instructions to Bidders.'

It is my opinion that the bid submitted by Threatt-Maxwell is not responsive to the invitation to bid or to the Contract Documents and that the alteration submitted by them is a material alteration. Consequently, it is my opinion that this bid may not properly be awarded to Threatt-Maxwell Construction Company, Inc.

With best wishes,
Very truly yours,

Daniel R. McLeod
Attorney General

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