

1976 S.C. Op. Atty. Gen. 315 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 4454, 1976 WL 23071

Office of the Attorney General

State of South Carolina

Opinion No. 4454

September 20, 1976

\*1 Julian S. Levin, Esquire  
Counsel  
Beaufort County Board of Education  
Levin & Sams  
811 Craven Street  
Beaufort, SC 29902

Dear Mr. Levin:

You state that the Beaufort County Board of Education (Board) wishes to contract with a consulting firm for a management efficiency study. You inquire (1) whether the law requires that the contract be awarded through a process of competitive bidding and (2) whether the law requires that the contract be awarded to a South Carolina organization.

(1) The undersigned is aware of no general statute of state-wide applicability which would require this proposed contract to be let on a bid basis. Code section 1-24 requires bids for service contracts exceeding \$1,500 under some circumstances, but this section applies only to 'State agencies and departments' and hence is not applicable to the county Board of Education. Code sections 1-466 and 1-468.5 apply only to construction contracts.

Attention is also directed to Code section 1-360.58, wherein the Ethics Act might require bids if a public employee or public official were associated with the consulting firm.

The undersigned expresses no opinion as to the applicability to this question of any local legislation or any of the Board's own rules and regulations.

(2) The undersigned is aware of no general statute of state-wide application which would limit eligibility for the contract to a South Carolina organization. Code section 1-21 applies only to 'equipment, materials and supplies', and not to professional services. The undersigned expresses no opinion as to the applicability to this question of any local legislation or any of the Board's own rules and regulations.

Yours very truly,

Edward E. Poliakoff  
Assistant Attorney General

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