

1975 S.C. Op. Atty. Gen. 237 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 4182, 1975 WL 22477

Office of the Attorney General

State of South Carolina

Opinion No. 4182

November 17, 1975

\*1 The State Development Board, pursuant to Part II, § 18 of Act No. 1137 (1974) may request bids from printers designated by the Board as long as such bids are requested from at least three printers qualified to do the job to be bid on.

TO: Deputy Director  
State Development Board

QUESTION INVOLVED:

May the State Development Board designate specific printers from which its advertising agency of record requests bids on printing contracts?

AUTHORITIES INVOLVED:

Part II, § 18 of Act No. 1137 (1974).

DISCUSSION:

Pursuant to Part II, § 18 of Act No. 1137 of 1974, ‘. . . all State agencies and departments, before contracting for fifteen hundred dollars or more with private individuals or companies for products or services, shall invite bids on such contracts from at least three qualified sources.’ The procedure the State Development Board (Board) proposes to employ is as follows:

1. The Board instructs its advertising agency of record to request bids from specific printers.
2. The advertising agency perfects specifications for Board approval and after approval forwards them to printers chosen by the Board, with the understanding that the quotations are to be returned directly to the Board.
3. The Board evaluates the quotations, selects the printer and notifies the agency.

Assuming that the Board's proposed printing contract is for fifteen hundred dollars or more, the Board is required by Part II, § 18, supra to invite bids from ‘at least three qualified sources.’ The Board must first determine which printing companies are qualified to do the job to be contracted for. Then bids must be extended to three or more qualified printers. It is immaterial whether the Board or its agent, the advertising agency of record, physically issues invitations to bid to the selected, qualified sources.

CONCLUSION:

The State Development Board, pursuant to Part II, § 18 of Act No. 1137 (1974) may request bids from the specific printers of its choosing as long as such bids are requested from at least three printers qualified to do the job to be bid on.

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