
From: Staton, Jennifer A
Sent: Thursday, March 29, 2018 3:19 PM
To: 'bpeiffer@interflex.net'
Cc: Foster, James H
Subject: RE: Freedom of Information Act (FOIA) Request Form

Ms. Peiffer:

Thank you for your request for public records in accordance with the South Carolina Freedom of Information Act. The BCSD will provide the information you requested once it has been finalized and the BCSD has a signed agreement with the selected vendor. Currently the BCSD remains in contract negotiations which limits the release of the requested information. According to S.C. Code Ann. 30-4-40, the documents requested are exempt from the FOIA at this time. S.C. Code Ann. 30-4-40(1)(5) describes the following as a matter a public body may exempt from disclosure: Documents of and documents incidental to proposed contractual arrangements and documents of and documents incidental to proposed sales or purchases of property.

While contract negotiations are underway, the items that you requested are exempt from disclosure because they are related components of the contractual agreement. Until we finalize the contract, we cannot release that information because it could compromise our ability to negotiate and the numbers could change based on the outcome of the discussions with the selected vendor. Also, in the unlikely event we cannot come to terms with the selected vendor, there is a possibility that the RFP could be cancelled and reissued. To release pricing information would be unfair to all respondents should that happen.

S.C. Code Ann. 30-4-40(a)(5) provides that the requested documents are not exempt from disclosure once a contract is entered into by the BCSD. The BCSD's goal is to finalize the agreement shortly after the protest period has expired. Should the BCSD receive a protest, the date for finalizing the agreement could be extended since we would attempt to settle the protest before we enter into a contract.

We are hoping to have the final contracts signed in the next few weeks. Please resubmit your request at that time.

Jennifer Staton, MS, CSP
Risk Manager
Beaufort County School District
843-322-2355 (w) | 843-812-6405 (m)

From: JotForm [<mailto:noreply@jotform.com>]
Sent: Wednesday, March 28, 2018 3:51 PM
To: Foster, James H <James.Foster@beaufort.k12.sc.us>; Staton, Jennifer A <Jennifer.Staton@beaufort.k12.sc.us>
Subject: Re: Freedom of Information Act (FOIA) Request Form



Freedom of Information Act (FOIA) Request Form

Enter your email address
below to receive a bpeiffer@interflex.net
confirmation email

when you submit your data: (Optional)

Name:	Brenda Peiffer Peiffer
Organization (if applicable):	Interflex
Address:	Street Address: 201 E. Locust Street City: Fleetwood State: Pennsylvania Zip Code: 19522 Country: United States
Home Phone Number:	(800) 293-2909
Work Phone Number:	(800) 293-2909
E-mail Address:	bpeiffer@interflex.net
Public Records Requested (Description of Documents or Information Requested):	I would like to request the line item bid award tabulation for the Food Processing-USDA Commodities (18-021) bid, including awarded vendors, pricing, brands, product codes, and competitive quotes if available. Thank you.

You can [edit this submission](#) and [view all your submissions](#) easily.