

WRITTEN DETERMINATION TO LIFT THE AUTOMATIC STAY OF AWARD OF THE CONTRACT TO CONSTRUCT THE NEW D10 MIDDLE SCHOOL

Determination to Lift Stay of Award: Charleston County School District (“CCSD” or the “District”) has determined that it is in the best interest of the District to lift the automatic stay related to Solicitation Number 24-BCG-B-003 (AD-10) (the “Solicitation”) New D10 Middle School – School Building No. 0151, Charleston County School District, Charleston, South Carolina (the “D10 Middle School”) and to award the contract to Leitner Construction pursuant to the Intent to Award Statement dated February 21, 2025.

Authority:

Section 4210 (7) of the Charleston County Consolidated Procurement Code (the “CCSD Code”) requires an automatic stay of procurement during protests filed pursuant to Section 4210 (1) of the CCSD Code. However, that protested contract is not stayed if the chief business official, after written approval of the Superintendent, makes a written determination that award of the contract without further delay is necessary to protect the interest of the District.

Determination:

The Protest

On March 6, 2025, Samet Corporation (“Samet”) protested the Intent to Award Statement related to the Solicitation. Pursuant to Section 4210 (4) of the CCSD Code, a Response to Protest of Intent to Award was issued by Daniel Prentice, Chief Financial Officer of CCSD on April 8, 2025. By MaynardNexsen letter of April 16, 2025, Samet protested and further appealed the April 8, 2025 decision for administrative review by the CCSD Procurement Review Panel (the “Panel”) and requested a hearing by the Panel.

The District Ten Middle School Schedule

The schedule included in the Solicitation included an intended Notice to Proceed date of February 7, 2025 with the substantial completion date of Phase 1 for the new school building planned for November 13, 2026. In addition, there is a Phase 2 for the project which includes demolition of the existing building and construction of the parking lots. If the two phases are not coordinated as planned, there will be either demobilization/remobilization costs and/or extended general conditions for the contractor. In light of the current 90-day delay, the planned November 2026 building completion will not be achieved until late Spring of 2027. This delay will push the formal occupancy of the new facility to the start in the following school year in August 2027 and require that all demolition and parking lot work be done in Summer 2027.

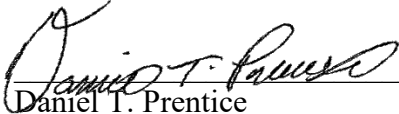
Current Facility Condition

With the plan for a new facility, replacement of building systems at CE Williams North has been held in abeyance. There are currently two building systems which require replacement now, with several others projected to be in need of replacement within the next year. Further delays in award of the replacement project may subject students and faculty to sub-standard conditions and potential safety risk.

The Best Interest of the District

The schedule for the District Ten Middle School has been delayed by almost three months to date. The District's inability to commence construction of this school will have a negative impact on the District's ability to provide a quality education in a proper environment to the West Ashley community with continued delays to the commencement of construction.

Written Determination: Pursuant to Section 4210(7) of the CCSD Code, it is hereby determined that continuation of the stay of the award of the contract to construct the District Ten Middle School is not in the best interest of the District and is accordingly, hereby lifted.



Daniel T. Prentice
Chief Financial Officer
Charleston County School District

Date: 04/29/2025