

**STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND**

**BEFORE THE CHIEF PROCUREMENT OFFICER**

**DECISION**

In Re: Protest of City Security, Inc.

CASE NO. 2016-109

Protest of Award to US Security Associates. for Security Guard Services (Uniformed, Unarmed) for the College of Charleston, Solicitation No. 16.02.CW.BVB.T5

POSTING DATE: September 28, 2015

MAILING DATE: September 28, 2015

The South Carolina Consolidated Procurement Code (the Code) grants the right to protest to any actual bidder who is aggrieved in connection with the intended award of a contract. S.C. Code Ann. § 11-35-4210(1)(b). This Best Value Bid (BVB) was issued by the College of Charleston (COC) for Security Guard Services (Uniformed, Unarmed). City Security, Inc. (City) protests the award of a contract to US Security Associates (USS) [Attachment 1] The Chief Procurement Officer<sup>1</sup> issues this ruling without a hearing.

**Findings of Fact**

Best Value Bid Issued:	7/21/2015
Bid Opening	08/06/2015
Intent to Award Posted:	09/09/2015
Protest Received	09/11/2015

**Discussion**

City protests that it is fully qualified and its bid was \$93,647.60 less than USS. This solicitation was a Best Value Bid issued under Section 11-35-1528 which states in pertinent part:

11-35-1528(2) Best Value Bidding. The purpose of best value bidding is to allow factors other than price to be considered in the determination of award for

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<sup>1</sup> The Interim Materials Management Officer delegated the administrative review of this protest to the Chief Procurement Officer for Information Technology.

specific supplies, services, or information technology based on pre-determined criteria identified by the State.

The solicitation included three evaluation criteria:

- A. Cost 60%
- B. Experience/Qualifications 20%
- C. Methodology & Approach 20%

The evaluation committee scored five (5) bids as shown below. City submitted the lowest priced bid and received the maximum points allowed for cost. The other bidders received a proportional number of points available for cost based on their relation to the lowest cost submitted by City. However, when the points were added for the other two evaluation criteria, USS had the highest overall total score making it the bid most advantageous to the State.

**E. Scoring Summary**

Active Submissions

	Total	Required Information	Cost Proposal	Experience & Qualifications	Methodology & Approach
Supplier	/ 100 pts	Pass/Fail	/ 60 pts	/ 20 pts	/ 20 pts
US Security Associates Inc	86 pts	Pass	48 pts	19.33 pts	18.67 pts
City Security	82 pts	Pass	60 pts	11 pts	11 pts
Security Solutions of America	81.67 pts	Pass	46 pts	18.33 pts	17.33 pts
AlliedBarton Security Services	77 pts	Pass	43 pts	19 pts	15 pts
Allegiance Industries Inc	69 pts	Pass	44 pts	13.33 pts	11.67 pts
New Age Protection Inc	57.33 pts	Pass	32 pts	13.67 pts	11.67 pts

Section 11-35-1528(8) requires that award be made to the highest ranked offeror.

Section 11-35-1528(8) Award must be made to the responsive and responsible bidder whose bid is determined, in writing, to be most advantageous to the State, taking into consideration all evaluation factors set forth in the best value bid. The

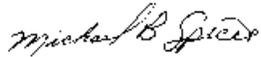
contract file shall contain the basis on which the award is made and must be sufficient to satisfy external audit.

City received the appropriate points for its low price. However, based on its scores for the other two criteria, it was not the highest ranked offeror. US Security Associates, Inc. was the highest ranked offeror and was correctly awarded the contract.

### **Determination**

A Best Value Bid is awarded based on evaluation criteria listed in the solicitation which must include cost. Bids received in response to this solicitation were evaluated and the highest ranked offeror was determined to be the most advantageous to the State. For the reasons stated above, the protest of City Security, Inc. is denied.

For the Information Technology Management Office



Michael B. Spicer  
Chief Procurement Officer

**STATEMENT OF RIGHT TO FURTHER ADMINISTRATIVE REVIEW**

*Protest Appeal Notice (Revised September 2015)*

The South Carolina Procurement Code, in Section 11-35-4210, subsection 6, states:

(6) Finality of Decision. A decision pursuant to subsection (4) is final and conclusive, unless fraudulent or unless a person adversely affected by the decision requests a further administrative review by the Procurement Review Panel pursuant to Section 11-35-4410(1) within ten days of posting of the decision in accordance with subsection (5). The request for review must be directed to the appropriate chief procurement officer, who shall forward the request to the panel or to the Procurement Review Panel, and must be in writing, setting forth the reasons for disagreement with the decision of the appropriate chief procurement officer. The person also may request a hearing before the Procurement Review Panel. The appropriate chief procurement officer and an affected governmental body shall have the opportunity to participate fully in a later review or appeal, administrative or judicial.

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Copies of the Panel's decisions and other additional information regarding the protest process is available on the internet at the following web site: <http://procurement.sc.gov>

**FILE BY CLOSE OF BUSINESS:** Appeals must be filed by 5:00 PM, the close of business. *Protest of Palmetto Unilect, LLC*, Case No. 2004-6 (dismissing as untimely an appeal emailed prior to 5:00 PM but not received until after 5:00 PM); *Appeal of Pee Dee Regional Transportation Services, et al.*, Case No. 2007-1 (dismissing as untimely an appeal faxed to the CPO at 6:59 PM).

**FILING FEE:** Pursuant to Proviso 111.1 of the 2015 General Appropriations Act, "[r]equests for administrative review before the South Carolina Procurement Review Panel shall be accompanied by a filing fee of two hundred and fifty dollars (\$250.00), payable to the SC Procurement Review Panel. The panel is authorized to charge the party requesting an administrative review under the South Carolina Code Sections 11-35-4210(6), 11-35-4220(5), 11-35-4230(6) and/or 11-35-4410...Withdrawal of an appeal will result in the filing fee being forfeited to the panel. If a party desiring to file an appeal is unable to pay the filing fee because of financial hardship, the party shall submit a completed Request for Filing Fee Waiver form at the same time the request for review is filed. The Request for Filing Fee Waiver form is attached to this Decision. If the filing fee is not waived, the party must pay the filing fee within fifteen days of the date of receipt of the order denying waiver of the filing fee. Requests for administrative review will not be accepted unless accompanied by the filing fee or a completed Request for Filing Fee Waiver form at the time of filing." PLEASE MAKE YOUR CHECK PAYABLE TO THE "SC PROCUREMENT REVIEW PANEL."

**LEGAL REPRESENTATION:** In order to prosecute an appeal before the Panel, business entities organized and registered as corporations, limited liability companies, and limited partnerships must be represented by a lawyer. Failure to obtain counsel will result in dismissal of your appeal. *Protest of Lighting Services*, Case No. 2002-10 (Proc. Rev. Panel Nov. 6, 2002) and *Protest of The Kardon Corporation*, Case No. 2002-13 (Proc. Rev. Panel Jan. 31, 2003); and *Protest of PC&C Enterprises, LLC*, Case No. 2012-1 (Proc. Rev. Panel April 2, 2012). However, individuals and those operating as an individual doing business under a trade name may proceed without counsel, if desired.

**South Carolina Procurement Review Panel  
Request for Filing Fee Waiver  
1105 Pendleton Street, Suite 209, Columbia, SC 29201**

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\_\_\_\_\_  
Name of Requestor

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Business Phone

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1. What is your/your company's monthly income? \_\_\_\_\_

2. What are your/your company's monthly expenses? \_\_\_\_\_

3. List any other circumstances which you think affect your/your company's ability to pay the filing fee:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To the best of my knowledge, the information above is true and accurate. I have made no attempt to misrepresent my/my company's financial condition. I hereby request that the filing fee for requesting administrative review be waived.

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public of South Carolina

\_\_\_\_\_  
Requestor/Appellant

My Commission expires: \_\_\_\_\_

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For official use only: \_\_\_\_\_ Fee Waived      \_\_\_\_\_ Waiver Denied

\_\_\_\_\_  
Chairman or Vice Chairman, SC Procurement Review Panel

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_  
Columbia, South Carolina

**NOTE: If your filing fee request is denied, you will be expected to pay the filing fee within fifteen (15) days of the date of receipt of the order denying the waiver.**

>Friday, September 11, 2015 13:11:34 Sent with iFax 1/3

# Fax

**To :** Chief Procurement Officer      **Date :** 9/11/15  
**Fax :** 18037370639      **Subject :** 16.02.CW.BVB.T5 Protest  
**From :** Lisa Triplett      **Email :** Lisa@CitySecurity.biz  
**Phone :** (770) 961-7244      **Pages :** 3

**Urgent**    **Please Reply**    **For Review**    **Please Recycle**    **Please Comment**

**Comments :**



## CITY SECURITY, INC.

*Dis. Guard Service International*

Daryll A. Triplett, CEO

*Chief Lisa Triplett  
Chief Operations Officer*

*Major Deanna Johnson  
Field Operations Division*

*Nerice Terrell  
Office Manager*



CitySecurity.biz

www.CitySecurity.biz

50 Hurt Plaza Suite 816  
Atlanta, GA 30303  
Office (770) 961-7244  
Fax (678) 833-0698

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September 11, 2015

Procurement Office  
Cynthia Washington Asst. Director of Procurement  
College of Charleston  
160 Calhoun Street  
Suite B-53  
Charleston, SC 29401

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RE: PROTEST LETTER

16.02.CW.BVB.T5 - (Security Guard Svcs (Uniformed, Unarmed))

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Dear Cynthia Washington,

On August 6, 2015 City Security, Inc submitted a bid for the College of Charleston for Un-armed Uniformed Security Guard Services.

On August 7, 2015 I (Lisa Triplett) received an email from Cynthia Washington and it states:  
Washington, Cynthia Maria <WashingtonC@cofc.edu>  
Aug 7

to lisa

As a part of contractor requirements, the following was listed in solicitation:

15. A business office must be maintained which is properly equipped and staffed to carry out all normal business functions of a private security agency. Contractor must have a business office in the City of Charleston, SC or in the immediate Charleston, SC area.

We cannot readily find in your proposal any reference to the Charleston office that would service this contract. Please provide that information by August 11, 2015, 10am ET or your bid will be deemed non-responsive.

Cynthia M. Washington, CPPB  
Assistant Director Procurement & Supply  
Procurement Office  
College of Charleston  
Charleston SC 29424  
Ph(843)953-5511 fx(843)953-5444

*"Proud of our past, Preparing for the future".*

## CITY SECURITY, INC.

*Dba Guard Service International*

Daryll A. Triplett, CEO

*Chief Lisa Triplett  
Chief Operations Officer*

*Major Deanna Johnson  
Field Operations Division*

*Netrice Terrell  
Office Manager*



CitySecurity.biz

www.CitySecurity.biz

*50 Hurt Plaza Suite 816  
Atlanta, GA 30303  
Office (770) 961-7244  
Fax (678) 833-0698*

CONTINUED.....

On August 7, 2015 I (Lisa Triplett) responded back to Ms. Washington and it stated:  
Lisa Triplett <ltriplett32@gmail.com>  
Aug 7

to Cynthia  
Hello Cynthia,

I apologize for the inconvenience... However, here is our Charleston, SC address.

2178-A Savannah Hwy, Suite C Charleston, SC 29414

Thanks

Lisa Triplett

On September 9, 2015 I (Lisa Triplett) received an email from CofC eBid System Bid Award Notification: 16.02.CW.BVB.T5 stating that the bid was awarded to US SECURITY ASSOCIATES with a Total Potential Value of: \$1,293,259.00 (estimated)

On September 10, 2015 I (Lisa Triplett) emailed Ms. Washington and it stated:  
From: "City Security, Inc" (Lisa@citysecurity.biz)  
To: WashingtonC@cofc.edu  
Date: Wed, 9 Sep 2015 21:37:06 -0400  
Subject: RE: 16.02.CW.BVB.T5

Good Afternoon Ms. Washington,

My name is Lisa Triplett the COO of City Security, Inc. The purpose for this email is to get some clarification on why my firm was not considered for award via the above solicitation.

Thanks,  
Lisa Triplett

As of today September 11, 2015 I have not received an answer from Ms. Washington.

On August 6, 2015 City Security, Inc total bid amount was \$1,199,611.40 that is \$93,647.60 less than US SECURITY ASSOCIATES. City Security, Inc is licensed in the State of South Carolina, we are a certified minority company with NMSDC and we have the required skills and experience to perform for this college.

*"Proud of our past, Preparing for the future".*