

**STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND**

**BEFORE THE CHIEF PROCUREMENT  
OFFICER FOR CONSTRUCTION**

**IN THE MATTER OF: BID PROTEST**

**DECISION**

**ATRIUM BUILDERS, INC. & TRIAD  
MECHANICAL CONTRACTORS, INC.**

**CASE NO. 2008-0011**

**v.**

**SOUTH CAROLINA DEPARTMENT  
OF MENTAL HEALTH**

**POSTING DATE: APRIL 7, 2008**

**CHARLESTON COMMUNITY MENTAL  
HEALTH CENTER CHILDREN'S  
CLINIC ADDITION  
STATE PROJECT J12-9704-PG**

This matter is before the Chief Procurement Officer for Construction (CPOC) pursuant to a request from Atrium Builders, Inc. and Triad Mechanical Contractors, Inc., under the provisions §11-35-4210 of the South Carolina Consolidated Procurement Code, for an administrative review on the Charleston Community Mental Health Center Children's Clinic Addition Bid ("the Project") for the South Carolina Department of Mental Health (DMH). Atrium and Triad protest DMH's posting of a Notice of Intent to Award a contract for construction of the project to Emory J. Infinger & Assocs. Construction Co., Inc. [Copies of Atrium and Triad's letters of protest are attached as Exhibit "A" and a copy of Infinger's response is attached and Exhibit "B"]

On March 27, 2008, pursuant to S.C. Code Ann. §11-35-4210(4) (Supp. 2006), the CPOC conducted an administrative review by hearing. At the hearing, attorney James E. Weatherholtz represented Atrium, attorney Eric Laquiere represented Triad, attorney Teddy Manos represented Infinger, and Mr. James R. Berry represented DMH. Triad entered into evidence Exhibits 1 through 4 and 9 through 11. Infinger entered into evidence Exhibits 5 and 6. Exhibit 6 is an affidavit of H.T. Wade, chief operating officer of STARR Services, Inc., a subcontractor to Infinger. Triad objected to the admission of this affidavit because Mr. Wade was not present at the hearing. With the parties' consent, the CPOC added Exhibits 7 and 8 into evidence. [Only those Hearing Exhibits referred to in this Opinion are attached hereto]

## FACTUAL BACKGROUND

On January 10, 2008, DMH advertised for bids to construct the project. DMH's solicitation required each bidder to list on their bids the subcontractors they would use for the HVAC work. On February 14, 2008, DMH opened bids for construction of the Project. Infinger submitted the low bid and Atrium submitted the second low bid.<sup>1</sup> [Hearing Exhibit 2]. Infinger listed STARR on the line in its bid for listing the HVAC subcontractor and Atrium listed Triad. [See Hearing Exhibit 3 for Infinger's bid].

The record is not clear concerning what steps DMH or its architect took to determine the responsibility of Infinger and its listed subcontractors before award. It does appear that the architect, C Meredith Drakeford, Jr., AIA and his mechanical engineer, Jud Kinsey, did examine the licensure of STARR prior to posting the Notice of Intent to Award and determined STARR possessed a mechanical contractor's license with a Packaged Equipment subclassification in license group 5 (PK 5 unlimited).<sup>2</sup> DMH determined Infinger and its listed subcontractors to be responsible and posted a Notice of Intent to Award a contract to Infinger on February 20, 2008. [Hearing Exhibit 7].

On February 25, 2008, Atrium submitted a letter of protest to the CPOC. On March 5, 2008, Triad protested.<sup>3</sup>

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<sup>1</sup> The bid documents for this project contained four add alternates. The award was only for the base bid; however, by policy established in the Manual for Planning and Execution of State Permanent Improvements – Part II and in accordance with the instructions to bidders, DMH determined the low bidder to be the bidder submitting the low bid for the base bid plus all alternates. By this same method, Atrium would be the second low bidder though they did not submit the second low bid for the base bid.

<sup>2</sup> On the day of the bid opening, STARR only possessed a PK 5 license, though its Chief Operating Officer, Mr. Wade, apparently believed STARR also possessed subclassifications in Air Conditioning (AC 5 unlimited) and Heating (HT 5 unlimited). Had STARR in fact possessed these additional subclassifications on the day of bid, there would be no issue about STARR's qualifications to perform the HVAC work. On February 28, 2008, the Department of Labor, Licensing and Regulation issued STARR the subclassifications of AC 5 and HT 5. See Exhibit 1, L. Joyce Thurber's Affidavit and Exhibit 6, Wade's Affidavit.

<sup>3</sup> DMH used an outdated form for the Notice of Award that stated that aggrieved bidders had 15 days after the posting of the Notice to file a protest rather than the 10 days provided in statute. Because Atrium timely filed its protest and Atrium and Triad's protests are identical, the CPOC declines to decide whether the use of a Notice of Award that provides a 15 day protest period effectively extends the protest period beyond the 10 day period provided in statute.

## **NATURE OF THE PROTEST**

### **ATRIUM & TRIAD**

In their protests, Atrium and Triad argue that Infinger's bid was non-responsive and Infinger was a non-responsible bidder because the HVAC subcontractor Infinger listed on its bid, STARR, did not possess at the time of bidding a license that permitted it to bid and perform the HVAC work. At the hearing, Atrium and Triad argued that STARR's license was deficient because it did not include the subclassifications of air conditioning (AC) and heating (HT) necessary to perform installation of chilled water and hot water piping. Atrium and Triad argue that STARR must possess a license for all of the work it bids as a subcontractor and cannot satisfy the licensing laws by sub-subcontracting any work outside of its license to another licensed entity.

### **INFINGER**

Infinger argues that STARR, with its PK subclassification, was properly licensed to perform over 90% of the mechanical work, thus satisfying the licensing laws. Infinger further argues that STARR can properly sub-subcontract with Airworks, a licensed mechanical contractor with the subclassifications of PK 3, AC 4, and HT 5, to perform the remainder of the work. Infinger also argues that it did not have to list Airworks on its bid since it was not contracting directly with Airworks. Infinger finally argues that if the CPOC finds STARR to be non-responsible, that the CPOC should allow Infinger to substitute a replacement mechanical contractor for STARR under the provisions of SC Code Ann § 11-35-3020(2)(b)(iii)(ee).

## **DISCUSSION**

### **RESPONSIVENESS**

Atrium and Triad argue that Infinger's bid, by listing STARR for the HVAC, was non-responsive because STARR was not properly licensed to perform the HVAC work on this project. Atrium and Triad acknowledge that responsiveness is determined from the face of the bid. See Protest of Brantley Construction Company, Case No. 2008-006 (CPOC). However, Atrium and Triad argue that since the bid form required the bidders to include their listed subcontractors' license

numbers on their bids, DMH could, on the face of the bid, determine that STARR was not properly licensed. Atrium and Triad did acknowledge that the license number by itself does not tell one anything without looking the number up on the Department of Licensing, Labor and Regulation's (LLR) Web Site to determine the scope of the license; however, they argue that this step should not be considered going beyond the face of the bid. SC Code § 11-35-3020(2)(b)(ii) states that a bidder's, "Failure to complete the list provided in the invitation for bids renders the bidder's bid unresponsive." Thus, under the statute, as long as the bidder lists a subcontractor in each space for listing a subcontractor, his bid is responsive. Protest of Brantley Construction Co., Inc., Case No. 1999-3 (Procurement Review Panel). Infinger listed a subcontractor in each space on its bid for listing a subcontractor. Once we go beyond the face of the bid to determine whether each subcontractor is licensed and the scope of each subcontractor's license we leave the realm of responsiveness and enter the realm of responsibility.

### **RESPONSIBILITY**

The Contractors Licensing Act requires a contractor to possess the proper license at the time of bidding. SC Code Ann § 40-11-30. Possession of the proper contractor license, either by the bidder or one of the bidder's listed subcontractors is an issue of responsibility. Protest of Burkwood Construction Company, Inc., Case No. 1997-8; Protest of Roofco, Inc., Case No. 2000-14(I). If, at the time of bidding, STARR did not possess the proper license for performing the HVAC work on this project then neither STARR nor Infinger are responsible bidders.<sup>4</sup>

At the time of bidding, STARR possessed a mechanical contractor's license with a PK subclassification. [Hearing Exhibit 1] This subclassification is limited to installation of packaged HVAC units not exceeding 25 tons of cooling and 500,000 BTU/hour of heating per packaged unit and associated piping, ductwork, etc. SC Code Ann § 40-11-410(5)(c). A packaged unit is a self-contained HVAC unit that generates its own heat or cooling or both. A simple packaged unit is the typical home heat pump that produces both heat and cooling for the home and contains its own blower to force air through the ducting system.

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<sup>4</sup> SC Code Ann § 11-40-200(B) precludes an owner or contractor from even considering the bid of an entity or individual that does not possess the proper license subclassifications at the time of bidding.

A review of the plans reveals that the HVAC work for the project does not involve the installation of packaged units. [Hearing Exhibit 9] Instead, the heating and cooling sources for this new wing to the Children's Clinic are existing boilers and chillers serving the existing facility. The plans require the HVAC contractor to install a 3" chilled water line and a 2" hot water line connecting the new wing to existing chilled water lines and hot water lines in the mechanical room of the existing facility (approximately 100' from the new wing).<sup>5</sup> Once inside the new wing, the HVAC contractor is to Tee the 3" chilled water line and the 2" hot water line into 2" and 1 1/2" lines respectively. These smaller lines are to connect to 11 air handler units distributed throughout the building. These air handler units are not packaged units in that they do not generate heat or cooling but obtain their heat and cooling from the liquid in the hot water and chilled water lines.<sup>6</sup>

Because the HVAC work on this project does not involve packaged units, the CPOC questions whether a mechanical contractor with only a PK subclassification can perform or offer to perform any of the HVAC work. The Contractor's Licensing Board (Board) is the state authority primarily responsible for interpreting and enforcing the provisions of the Contractors' Licensing Act. By long standing agreement, the Board Staff provides the CPOC with advisory opinions concerning the Board's interpretation of the Licensing Act. The CPOC traditionally gives great weight to the opinion of the Board Staff. The Board's administrator, after reviewing the mechanical plans and specifications, advised the CPOC that a mechanical contractor with only a PK subclassification does not possess the proper license to bid the HVAC Work, which requires both an AC and HT subclassification. [See Exhibit "C"].

Admittedly, the language of SC Code Ann § 40-11-410(5)(c), which sets the limits of the PK subclassification, is confusing concerning the subclassification's scope. All of the testimony and arguments presented at the hearing either specifically stated or assumed that STARR's license covered a significant portion of the HVAC work. Both the architect and engineer testified that

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<sup>5</sup> There is some question as to whether the existing boiler(s) and chiller(s) would, if treated as packaged equipment, exceed 25 tons of cooling 500,000 BTU/hr heating which are the upper limits permitted by the PK subclassification. The available information suggests this is possible but is not adequate to be determinative.

<sup>6</sup> Air handlers are not packaged units but contain heating and cooling coils through which hot and chilled water that is heated and chilled by other equipment is pumped. The air handler also contains a blower that forces air across the coils and then through ducting to be distributed throughout the building. As the air is forced across the coils, it is either heated or cooled depending on the mode of operation.

they interpreted the language of this provision to cover most of the work required by the plans and specifications but were not sure as to the limits. The confusion results in large degree from a lengthy sentence that states in part that a mechanical contractor can install air handling systems, ducting, and other HVAC work enumerated therein. Much of the HVAC work in this project involves the installation of air handlers and ducting. It is difficult if not impossible to parse the sentence to determine whether such work must be performed in conjunction with a packaged system. The hearing testimony and arguments seemed to assume § 40-11-410(5)(c) allowed this work independent of a packaged system.<sup>7</sup> On the other hand, the very name of the subclassification and the opening phrase of this section seems to suggest that all work enumerated in this provision must be related to packaged equipment. This latter interpretation is the interpretation of the Board Staff.

Even if one were to reject the Board Staff's interpretation of the scope of SC Code Ann § 40-11-410(5)(c), this does not mean that STARR could bid the HVAC work on this project. The last sentence of § 40-11-410(5)(c) states that the PK "subclassification does not include installing, replacing, altering, or repairing hot water or steam heating systems or components." All parties at the hearing agreed that this exclusion precluded STARR from installing the hot water piping on the project. Infinger maintains that the sub-subcontract arrangement between STARR and Airworks brings STARR into compliance with the licensing laws, making STARR a responsible subcontractor. Atrium and Triad on the other hand maintain that the licensing laws do not allow STARR to sub-subcontract this work unless STARR also possesses an HT subclassification. This latter position is the position of the Licensing Board Staff.

South Carolina Code Ann § 40-11-30 states that "no entity or individual may practice as a contractor by performing or **offering** to perform contracting work ... without a license issued in accordance with this chapter." (emphasis added) There is no question that STARR possessed a license issued in accordance with the Contractors' Licensing Act and could offer to perform contracting work. However, SC Code Ann § 40-11-270(A) provides a limitation on the scope of what STARR can offer to do by providing that a "licensee is confined to the limitations of the licensee's ... license ... subclassifications..." Reading this provision and § 40-11-30 together, a

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<sup>7</sup> Alternatively, they may have assumed the air handling units were packaged units.

licensee is prohibited from offering to perform work outside the limitations of its license. The lone exception to this rule is found in SC Code Ann § 40-11-340. This section allows a contractor to offer to perform work that includes work outside the limitations of its license only when the contractor is acting as a prime contractor.<sup>8</sup> The Act defines a prime contractor as a contractor who contracts directly with an owner. SC Code §40-11-20(17). STARR did not propose to perform work on this project as a prime contractor but as a subcontractor to a prime contractor. Accordingly, STARR is limited to bidding work within the scope of its subclassification. Since STARR's license subclassification did not cover all of the HVAC work, STARR could not properly propose to perform all of the HVAC work as a subcontractor and sub-subcontract the hot water piping portion for which it was not licensed to Airworks.

### **SUBCONTRACTOR SUSTITUTION**

Infinger argues that if STARR was not properly licensed for the HVAC work, it should be allowed to substitute a different HVAC subcontractor in STARR's place rather than be declared to be non-responsible. In so arguing, Infinger relies on the provisions of SC Code Ann Sect. 11-35-3020(2)(b)(iii)(ee). This provision provides that a contractor may submit a substitute subcontractor "upon a showing satisfactory to the using agency by the contractor that the listed subcontractor is required to be licensed and does not have the license by the time it is required by law." The Procurement Review Panel has previously held that this provision only applies when the circumstances giving rise to the request occur after the receipt of bids and award, not at the time of bidding. Protest of Burkwood Construction Company, Inc., Case No. 1997-8; See also Protest of Pizzagalli Construction Company, Case No. 1991-8.<sup>9</sup> Here, the circumstances giving rise to the request for substitution, STARR's failure to possess the proper license subclassifications, occurred at the time of bidding. Therefore, substitution is not appropriate in this case.

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<sup>8</sup> Though not stated in § 40-11-340, the implication of this provision in conjunction with the entire Act is that for each portion of the work for which the prime contractor is not licensed, the prime contractor must subcontract with an entity or individual that does possess the proper license to perform that portion of the work. Thus Infinger or Atrium could legally bid the entire project even though their license did not allow them to self perform the HVAC work provided they subcontracted the HVAC work to a properly licensed subcontractor.

<sup>9</sup> The CPOC recently addressed this issue in the Protest of Choate Construction Company, Case No. 2008-0010; See Also Melloul-Blamey Construction v. Clemson University, Case No. 2008-003A (CPOC), footnote 3.

**DECISION**

It is the decision of the Chief Procurement Officer for Construction that 1) Infinger listed on its bid an HVAC subcontractor that did not, at the time of bidding, hold the proper license subclassifications for the HVAC work on this project; 2) Infinger, by listing an HVAC contractor that did not possess the proper license subclassifications, was a non-responsible bidder ; 3) Subcontractor substitution was not a remedy available to Infinger; and 4) the Department of Health improperly awarded the contract to Infinger.

For the foregoing reasons, Protest granted. The award to Infinger is vacated and the matter of determining the award of this solicitation is remanded to DMH for determination in accordance with the Consolidated Procurement Code.



John St. C. White  
Chief Procurement Officer  
For Construction

7 April 08  
Date

Columbia, South Carolina

STATEMENT OF THE RIGHT TO APPEAL

**STATEMENT OF RIGHT TO FURTHER ADMINISTRATIVE REVIEW**

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

(6) Finality of Decision. A decision under subsection (4) of this section shall be final and conclusive, unless fraudulent, or unless any person adversely affected by the decision requests a further administrative review by the Procurement Review Panel under Section 11-35-4410(1) within ten days of posting of the decision in accordance with Section 11-35-4210(5). The request for review shall be directed to the appropriate chief procurement officer, who shall forward the request to the panel, or to the Procurement Review Panel and shall be in writing, setting forth the reasons why the person disagrees with the decision of the appropriate chief procurement officer. The person may also request a hearing before the Procurement Review Panel.

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Additional information regarding the protest process is available on the internet at the following web site:  
[www.procurementlaw.sc.gov](http://www.procurementlaw.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 66.1 of the 2005 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(4). . . . 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 hardship, the party shall submit a notarized affidavit to such effect. If after reviewing the affidavit the panel determines that such hardship exists, the filing fee shall be waived." 2005 S.C. Act No. 115, Part IB, § 66.1. PLEASE MAKE YOUR CHECK PAYABLE TO THE "SC PROCUREMENT REVIEW PANEL."

**LEGAL REPRESENTATION:** In order to prosecute an appeal before the Panel, a business must retain 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). Copies of the Panel's decisions are available at [www.state.sc.us/mmo/legal/paneldec.htm](http://www.state.sc.us/mmo/legal/paneldec.htm)

# ATRIUM BUILDERS, INC.

*Keith  
Phil*

REC'D BIDS CONTROL

FEB 28 '08 10:16AM

919 West Richardson Ave. • Summerville, SC 29483 • Phone: (843) 873-1818 • FAX: (843) 873-5011

TO: Office of State Engineer

25 February 2008

1201 Main Street, Suite 600

EXH. A

Columbia, SC 29201

REF: Charleston MHC Children's Clinic Addition—Project J12-9704-PG

ATTN: John White, State Engineer

Dear Sir,

We are writing in Protest to the Notice of Intent to Award dated 20 Feb 08. Per the Bid Documents 00201-OSE, 'Standard Supplemental Instructions to Bidders', Paragraph 5.4.2.1 "When, and only when Bid Alternates are included in the Bid Documents, the Apparent Low Bidder will Be determined by combining each Bidder's Base Bid amount and total amount for all Bid Alternates. The Bidder, who bids the lowest total price for the Base Bid and Bid Alternates, shall be deemed the apparent low bidder." The Notice of Intent to Award states "Base Bid only".

It is our contention that Based on the Bid Documents, Atrium Builders, Inc. finished second on the Bid. We have challenged the use of Starr Services (an improperly licensed subcontractor for this job, see Sec. 40-11-410 (5) (c) attached) by the Apparent Low Bidder which would disqualify them (See Sec. 40-11-200 (B) attached and 'Standard Supplemental Instructions to Bidder', Paragraph 5.3.2.6). If the S.C. Department of Mental Health is going to follow their own Bid Documents and State Contractors Licensing Law, we would hope that they are planning to get in touch with us in regard to this contract.

Thank you for your time, and if you have any questions please feel free to contact us.

*John A. Kaye*

JOHN A KAYE

Project Manager

(5) "Mechanical Contractors" which includes work under these subclassifications:

(a) "Air Conditioning" which includes the installation, replacement, alteration, and repair of air conditioning equipment and systems which consist of a number of components necessary to produce conditioned air for environmental heating or cooling, or both, within buildings. Hot water or steam heating systems or components are not included under this classification.

(b) "Heating" which includes installation, replacement, alteration, and repair of heating equipment and systems in buildings which require the use of high or low pressure steam vapor or hot water including all piping, ducts, and mechanical equipment within, adjacent to, or connected with a building and the installation of necessary gas lines if any of this equipment is gas-fired.

(c) "Packaged Equipment" (air conditioning-heating packaged equipment limited to twenty-five tons cooling and five hundred thousand BTU/HR heating per unit) which includes the installation, replacement, alteration, or repair of air conditioning equipment and systems which consist of a number of components necessary to produce conditioned air for environmental heating or cooling, or both, within buildings, including types of heating systems and any size package equipment; and the installation, alteration, and repair of ventilation systems, including duct work, air filtering devices, water treatment devices, pneumatic or electrical controls, or control piping; thermal and acoustical insulation, vibration isolation materials and devices, liquid fuel piping and tanks, water and gas piping from service and heating circuits and air handling systems, including gas-fired furnaces and space heaters; and factory-assembled single package units and split type direct expansion equipment, including heat pumps. This subclassification does not include installing, replacing, altering, or repairing hot water or steam heating systems or components.

(d) "Electrical" which includes the installation, alteration, or repair of wiring-related electrical material and equipment used in the generating, transmitting, or utilization of electrical energy less than six hundred volts, including all overhead electrical wiring on public rights-of-way for signs and street decorations and all underground electrical distribution systems of less than six hundred volts serving private properties. This subclassification also includes, but is not limited to, installing, altering, and repairing, panels, controls, conductors, conduits, cables, devices, plates, electric ceilings, control wiring; and electric heating, lighting fixtures, lamps, general outside lighting, underground and overhead feeder distribution systems for services, and related components or work necessary to provide a complete electrical system and installing window or through-the-wall air conditioning units not to exceed three HP or three tons where no piping is necessary. Under this subclassification, general outside lighting is limited solely to within property lines and not on public easements or rights-of-way. A contract that contains electrical work above fifty volts must be performed by a contractor licensed under this subclassification or a licensed public electrical utility contractor. This license subclassification includes installing, altering, and repairing all lighting on private property, athletic fields, stadiums, parking lots, and the design, installation, and servicing of fire alarm systems.

(e) "Lightning Protection Systems" which includes installation, replacement, alteration, or repair of necessary lightning protection conduction, cables, rods, points, anchors, fastening devices, labels, ground clamps, braces, and all related component parts necessary for a complete lightning protection system.

(f) "Plumbing" which includes the installation, replacement, alteration, and repair of all plumbing including solar water heating when performed solely within property lines and not on public easements or rights-of-way except to make connections to water meters or sewer taps as allowed by the utility owner; and the installation, alteration, and repair of all piping, fixtures, and appliances related to water supply, including pressure vessels and tanks, and excluding municipal or related water supply systems; venting and sanitary drainage systems for all fluid and semi-fluid and organic wastes; roof leaders; water-conditioning equipment; piping and equipment for swimming pools; and installation of a system of pipes, fittings, fixtures, drains, and all necessary component parts upon the premises or in a building to supply water to buildings and to convey sewage or other waste products from buildings. If this equipment is gas-fired, the necessary gas lines may be installed under this subclassification used in connection with this subclassification. Plumbing contractors in license groups three, four, and five are not required to be licensed under Chapter 45, Title 23 to install standpipe systems, including water hose connections, water hose cabinets, and related branch lines if the water hoses do not supply water to automatic fire protection sprinklers.

All costs, fees, and fines provided in this chapter, except examination fees, must be paid to and collected by the department in accordance with and are subject to the collection and enforcement provisions of Section 40-1-180.

**SECTION 40-11-190.** Investigations and proceedings confidential; communications privileged.

Investigations and proceedings conducted under this chapter are confidential and all communications are privileged as provided in Section 40-1-190.

**SECTION 40-11-200.** Unlawful practice; penalty.

(A) A person who practices or offers to practice in this State in violation of this chapter or who knowingly submits false information for the purpose of obtaining a license is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than one year or fined not more than five thousand dollars.

(B) It is a violation of this chapter for an awarding authority, owner, contractor, or an agent of an authority, owner, or contractor to consider a bid, sign a contract, or allow a contractor to begin work unless the bidder or contractor has first obtained the licenses required by this chapter. Bids or contracts submitted by contractors may not be reconsidered or resubmitted to an awarding authority, contractor, or owner if the contractor was not properly licensed at the time the initial bid or contract was submitted.

(C) Charges under this section may be preferred by the board by delivering evidence of a violation to a solicitor or a magistrate having jurisdiction.

(D) Upon conviction under this section, the fines and assessments imposed by a court must be administered pursuant to Sections 14-1-205, 14-1-206, 14-1-207, 14-1-208, and 14-1-209.

**SECTION 40-11-210.** Injunctive relief.

The department, on behalf of the board and in accordance with Section 40-1-120, may petition an administrative law judge, in the name of the State, for injunctive relief against a person violating this chapter.

**SECTION 40-11-230.** Certification as qualifying party.

(A) To qualify for certification as a qualifying party, an applicant must:

(1) submit a completed application on a form approved by the board and pay all applicable examination fees to the examination provider;

(2) submit proof of having attained a grade of seventy percent or better on a technical examination where required for each classification or subclassification of licensure applied for; and

(3) attain a grade of seventy percent or better on an examination of South Carolina law regulating general and mechanical contracting.

An individual may only take an examination in a license classification or subclassification two times in a twelve-month period and thereafter only once in six months.

An individual may take an examination and be issued a certificate in any license classification or subclassification regardless of their current place of employment.

Upon fulfillment of all requirements of this subsection, the department shall issue a qualifying party a certificate which shall include the individual's full name, certificate number, and classifications or subclassification for which the individual is certified.

An applicant who has not been certified as a qualifying party for four or more consecutive years must



## LAQUIERE LAW FIRM, LLC

March 5, 2008

REC'D BID CONTROL  
MAR 10 '08 NO 10:41 AM

**Via Facsimile (1-803-737-0639) Email ([protestose@mmo.state.sc.us](mailto:protestose@mmo.state.sc.us)) and US Mail**

John St. C. White, P.E.  
Chief Procurement Officer for Construction  
Materials Management Office  
1201 Main Street, Suite 600  
Columbia, SC 29201

RE: Protest  
Issuance of Notice of Intent to Award  
South Carolina Department of mental Health  
Charleston MHC Children's Clinic Addition  
State Project No.: J12 – 9704 – PG –  
Triad Mechanical Contractors Inc.  
vs  
State of South Carolina,  
S.C. Department of Mental Health

Case Name: Triad Mechanical Contractors, Inc.(S.C. Department of Mental  
Health Children – Bid Protest)  
Our File No:

Dear Sir:

This firm represents Triad Mechanical Contractors, Inc. with respect to all matters relating to the procurement of the above referenced project. Please accept this letter as Triad Mechanical Contractors's Notice of Protest pursuant to S.C. Code 11-35-4210. Emory J. Infinger's bid was non-responsive due to material deficiencies in its bid submitted to the State. Additionally, Starr Services, Inc. should be declared not responsible on the basis that Starr does not possess the requisite contractor licenses with the State of South Carolina to perform the scope of work on this project. Thus, the Notice of Intent to Award to Emory J. Infinger, posted on February 20<sup>th</sup>, 2008, is improper under the prevailing laws of this State.

The Notice of Intent to Award clearly states on the face of the document that any aggrieved party may file a protest within 15 days of the date the Notice of Intent to Award is posted. (See Exhibit A)

The relevant facts are as follows;

*e*

- 1) February 14<sup>th</sup>, Emory J. Infinger submitted bid on Project: J12 – 9704 – PG –
- 2) On Form SE – 330, Emory J. Infinger listed Starr Services, Inc. as their HVAC subcontractor.
- 3) Starr Services has a Packaged Equipment - PK license, but is not licensed to perform the full scope of mechanical work on this project which is required by the plans and specifications. (Exhibit B)
- 4) On February 20, 2008, SC Department of Mental Health posted its Notice of Intent to Award with respect to this project, naming Emory J. Infinger.
- 5) Since the scope of this work on this project contains requirements outside the limitations of Starr Services, Inc.'s license classification; and Infinger did not identify a licensed subcontractor to perform the mechanical portions of the project as required by the invitation for bids and by the Procurement Code, Infinger's bid should be deemed non-responsive.
- 6) Starr Services, Inc. should be declared not responsible on the basis that Starr does not possess the requisite contractor licenses with the State of South Carolina to perform the scope of work on this project; in any event, the Notice of Intent to Award should be vacated.

The underlying purposes and policies of the South Carolina Consolidated Procurement Code, as expressed in SC Code Ann. § 11-35-20, include:

(b) to foster effective broad-based competition for public procurement within the free enterprise system;

(f) to ensure the fair and equitable treatment of all persons who deal with the procurement system which will promote increased public confidence in the procedures followed in public procurement; and

(g) to provide safeguards for the maintenance of a procurement system of quality and integrity with clearly defined rules for ethical behavior on the part of all persons engaged in the public procurement process.

"Responsive bidder or offeror" means a person who has submitted a bid or offer which conforms in all material aspects to the invitation for bids or request for proposals. SC Code Ann. §11-35-1410(7).

A bidder in response to an invitation for bids shall set forth in his bid the name of only those subcontractors to perform the work as identified in the invitation for bids. If the bidder determines to use his own employees to perform a portion of the work for which he would otherwise be required to list a subcontractor and if the bidder is qualified to perform that work under the terms of the invitation for bids, the bidder shall list himself in the appropriate place in his bid and not subcontract that work except with the approval of the using agency for good cause shown. SC Code Ann. §11-35-3020(2)(b)(i).

Failure to complete the list provided in the invitation for bids renders the bidder's bid unresponsive. SC Code Ann. §11-35-3020(2)(b)(ii).

Bids must be accepted unconditionally without alteration or correction, except as otherwise authorized in this code. SC Code Ann. §11-35-3020(2)(b).

Emory J. Infinger named a subcontractor who does not have the requisite contractor licenses to be qualified to perform work on this project. As a result, Emory J. Infinger has failed to comply with a material requirement of the invitation for bids and its bid is non-responsive. Additionally, Starr Services, Inc. should be declared not responsible on the basis that Starr does not possess the requisite contractor licenses with the State of South Carolina to perform the scope of work on this project.

Triad respectfully requests that:

- a) the Notice of Intent to Award to Emory J. Infinger be vacated;
- b) That MUSC award the project to the lowest responsive and responsible bidder; and
- c) That Triad be reimbursed for the reasonable costs of its participation in this matter.

Sincerely,

LAQUIERE LAW FIRM, LLC

  
Eric B. Laquiere

EBL /jm

Cc: Emory J. Infinger (via fax 843-747-1435)  
Triad (via fax 843-763-3091)

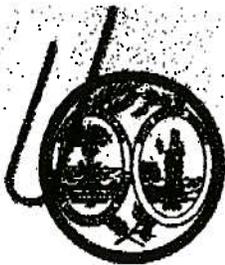


Exhibit A

FYI -> Ane

058 0215

07/01 Edition

SE-370  
Notice of Intent to Award

RECEIVED

FEB 25 2008

AGENCY: S. C. Department of Mental Health

(Name)

DAWSON INC.  
GENERAL CONTRACTORS

PROJECT: J12 - 9704 - PG -

(Number)

Charleston MHC Children's Clinic Addition

(Name)

**TO ALL BIDDERS:**

The Agency has determined that the below-named Bidder is responsible in accordance with the requirements of the Bidding Documents and has submitted the lowest responsive Bid. The Agency hereby announces its intent to enter into a contract with this Bidder for the construction of the above-named Project, subject to the provisions of SC law.

NAME OF BIDDER: Emory J. Infinger

DATE BIDS WERE RECEIVED:

02/14/2008

AMOUNT OF BASE BID:

\$1,380,000.00

ALTERNATE(S) ACCEPTED: # n/a

TOTAL:

n/a

TOTAL AMOUNT OF BASE BID PLUS ACCEPTED ALTERNATE(S):

\$1,380,000.00

Remarks: (In accordance with Chapter 6 of the OSE Manual, explain any negotiations that resulted in a change in either the Base Bid or the accepted Bid Alternates) Base bid only

**RIGHT TO PROTEST:**

Any actual bidder, offeror, contractor or subcontractor who is aggrieved in connection with the intended award or award of this Contract may protest to the State Engineer in accordance with Section 11-35-4210 of the SC Code of Laws, as amended, within 15 days of the date the Notice of Intent to Award is posted.

(Signature of Awarding Authority)

02/20/2008

(Date Posted)

Daniel W. Paxton

(Print or Type Name of Awarding Authority)

Project Manager

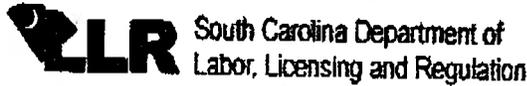
(Awarding Authority Title)

**INSTRUCTIONS TO AGENCY:**

1. MAIL A COPY OF THE FINAL BID TABULATION TO ALL BIDDERS AND OSE WITHIN 10 DAYS OF BID OPENING.
2. POST A COPY OF THIS FORM ON THE DATE AND AT THE LOCATION ANNOUNCED AT BID OPENING.
3. MAIL A COPY OF THIS FORM TO ALL BIDDERS AND THE OSE.

Exhibit A

# Exhibit B



## Licensee Lookup

South Carolina Department of LLR

Professional Licensing Boards | Board Member Lookup

Main Menu : **Contractors** Note: All fields are not required for searching

Last Name: \_\_\_\_\_ First name: \_\_\_\_\_

License number: \_\_\_\_\_ City: \_\_\_\_\_

Company name: **STARR SERVICES**

Classification: **Packaged Equipment - PK** Find

Your search returned: 1 record(s).

CLICK ON THE LICENSE NUMBER BELOW TO DISPLAY VERIFICATION INFORMATION FOR THAT RECORD. PLEASE SCROLL DOWN FOR "STATUS" CLARIFICATIONS

<small>(Click the underlined text in this column)</small>	Status	Type	Last	First	Suffix	Business	City	State
<u>109547</u>	Active	MECHANICAL CONTRACTOR				STARR SERVICES INC	GOOSE CREEK	SC

### Residential Builders Licensee Lookup

#### Search Tip:

- For BEST results, only type in the first few characters of your search. YOU CAN ONLY SEARCH THE LICENSED NAME WHICH WILL EITHER BE A COMPANY NAME OR THE INDIVIDUALS NAME; ATTEMPTING TO SEARCH BOTH NAMES AT THE SAME TIME WILL YIELD 0 RECORDS.
- When SEARCHING by license number, ENTER NUMBERS ONLY. do not enter G or M.
- Do not use any punctuation marks when searching a "Company name"
- IF YOU ARE AN APPLICANT CHECKING THE STATUS OF YOUR APPLICATION AND THE SEARCH RETURNS "0 RECORDS", CHECK HERE FIRST TO SEE IF YOUR APPLICATION IS PENDING BEFORE CONTACTING THE LICENSING BOARD: PENDING APPLICATION CHECK. IF YOU ARE SHOWN TO BE PENDING, YOUR APPLICATION HAS BEEN RECEIVED AND IS BEING PROCESSED. YOU WILL BE CONTACTED BY MAIL OR FAX IF ITEMS ARE MISSING OR INCOMPLETE.

#### Status Clarification:

- ACTIVE: Licensee is current and properly licensed to work and pull permits in the state of SC.
- APPROVED: Applicant/Licensee is in final stages of becoming ACTIVE.
- ACTIVE IN RENEWAL: Licensee should be in the process of renewing their license. Licensee may still work/pull permits until the EXPIRATION DATE. After the EXPIRATION Date, licensee is LAPSED and cannot work/pull permits until status shows ACTIVE.
- PENDING: before accepting any jobs FROM THIS ENTITY, you must first contact this board at (803) 896-4686 to see if the contractor is within a 90-day grace period and can still work; otherwise, they can only do work that is unregulated UNTIL THEY BECOME "ACTIVE": CLB Unregulated and Exempt.pdf
- INACTIVE: Contractor cannot bid, pull permits, or do any regulated contracting work above the \$5,000 contract limit. See work/jobs that are unregulated here: CLB Unregulated and Exempt.pdf
- LAPSED: This license is lapsed/cancelled; the contractor cannot bid, pull permits, or do any regulated contracting work above the \$5,000 contract limit. See work/jobs that are unregulated here: CLB Unregulated and Exempt.pdf
- SUSPENDED: The license has been suspended by the board until further notice. No work or permits can be pulled during this time.

**Questions / Contact Information**  
 Tracy Gunter , General Contractors  
 Rhonda Jackson , Mechanical Contractors  
 PO Box 11329  
 Columbia, S.C. 29211  
 Telephone: 803-896-4686

South Carolina Department of Labor, Licensing & Regulation

# Exhibit B

ROBERTSON & HOLLINGSWORTH  
ATTORNEYS AT LAW  
WACHOVIA CENTER  
177 MEETING STREET, SUITE 300  
CHARLESTON, SOUTH CAROLINA 29401

Keith  
Phillips  
Jim Berry

Claron A. Robertson, III  
Dunn D. Hollingsworth  
R. Patrick Flynn  
Theodore L. Manos  
Paul R. Rahn  
David B. Marvel (SC, GA)  
W. Brian Cornwell  
Robert J. Cardillo (SC, IL, MI)  
Joseph DuBois

March 10, 2008

EXH. B

(843) 723-6470  
Fax (843) 853-9045  
E-mail: info@roblaw.net

Via Facsimile to 803-737-0639,  
Email to protestose@mmo.state.sc.us,  
and U.S. Mail

RECEIVED

MAR 12 2008

OFFICE OF STATE ENGINEER

John St. C. White, P.E., Esquire  
Chief Procurement Officer for Construction  
Materials Management Office  
1201 Main Street, Suite 600  
Columbia, SC 29201

Re: Response to Triad Mechanical Contractors, Inc.'s Protest  
South Carolina Department of Mental Health  
Charleston MHC Children's Clinic Addition  
State Project No. J12-9704-PG (the "Project")

Dear Mr. White:

Our firm represents Emory J. Infinger & Associates Construction Co., Inc. ("EJI") which received a Notice of Intent to Award ("Notice") the above-referenced Project dated February 20, 2008 to EJI. This will respond to Triad Mechanical Contractors, Inc.'s ("Triad") bid protest dated March 5, 2008 of the Notice.

Triad's protest asserts that EJI's bid was "non-responsive due to material deficiencies". The crux of Triad's assertion is that EJI's listed mechanical subcontractor, STARR Services ("STARR"), is not licensed to self-perform the full scope of mechanical work based on its Packaged Equipment license classification. Triad's assertion is misplaced.

EJI submitted its base bid totaling \$1,380,000.00 on February 14, 2008. As part of its bid, EJI complied with S.C. Code Ann. Section 11-35-3020 by listing STARR as the subcontractor which was going to perform and/or be responsible for the mechanical scope of the Project. As part of its bid preparation, EJI requested and received STARR's license number, and was assured that STARR would be responsible for the mechanical scope of the Project.

Letter to John St. C. White, P.E.  
March 10, 2008  
Page 2 of 2

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Upon learning that a protest may be forthcoming in regard to EJI's listing of STARR, EJI contacted STARR and further inquired regarding its ability to perform or be responsible for the entire mechanical scope of the Project. STARR again assured EJI of its ability to handle the entire mechanical scope of the project. STARR also advised EJI of its intent to contract with Airworks Mechanical Services("AMS") to perform the chiller portion of the mechanical work which STARR was not licensed to self-perform. AMS is licensed (License No. 108271) to perform such work. The chiller portion of the mechanical work is less than 10% of the entire mechanical scope.

EJI did not list AMS in its bid (and was not required to by the Code) as it was not subcontracting with AMS. If you accept Triad's assertion, it would follow that a contractor bidding a State job would be prohibited from listing any mechanical subcontractor that does not hold the requisite license to self-perform testing, balancing, control and other related mechanical work which are customarily subbed out in the industry.

In closing, it is EJI's position that its bid conformed in all material aspects to the Invitation for Bids for this Project, and that Triad's protest should be denied. However, if you are inclined to modify the Award to EJI based on Triad's protest, we believe that the proper remedy under Code Section 11-35-3020 (2)(b)(iii)(ee) would allow EJI to substitute another fully-licensed subcontractor to replace STARR rather than the drastic measure of vacating the Notice of Intent to Award, as there has been no demonstration by Triad that EJI's inclusion of STARR impacted the fairness of the bid process.

EJI is prepared to provide any additional information regarding its bid upon your request.

Sincerely,



Theodore L. Manos

TLM/tal

cc: Emory J. Infinger  
Eric B. Laquiere, Esq. (852-0215)

STATE OF SOUTH CAROLINA  
**State Budget and Control Board**  
 PROCUREMENT SERVICES DIVISION



MARK SANFORD, CHAIRMAN  
 GOVERNOR

CONVERSE A. CHELLIS III, CPA  
 STATE TREASURER

RICHARD ECKSTROM, CPA  
 COMPTROLLER GENERAL

HUGH K. LEATHERMAN, SR.  
 CHAIRMAN, SENATE FINANCE COMMITTEE

DANIEL T. COOPER  
 CHAIRMAN, WAYS AND MEANS COMMITTEE

FRANK W. FUSCO  
 EXECUTIVE DIRECTOR

DELBERT H. SINGLETON, JR.  
 DIVISION DIRECTOR  
 (803) 734-2320

MATERIALS MANAGEMENT OFFICE  
 1201 MAIN STREET, SUITE 600  
 COLUMBIA, SOUTH CAROLINA 29201  
 (803) 737-0600  
 Fax (803) 737-0639

R. VOIGHT SHEALY  
 MATERIALS MANAGEMENT OFFICER  
 April 1, 2008

Michael Anderson  
 Administrator  
 SC Contractor's Licensing Board  
 Post Office Box 11329  
 Columbia, SC 29211-1329

Re: Protest of Atrium Builders & Triad Mechanical v. SC Department of Mental Health  
 Charleston Community Mental Health Center Children's Clinic Addition  
 State Project J12-9704-PG

Dear Mr. Anderson:

Pursuant to a 1999 agreement between the LLR and this office (copy attached), I request an interpretation of the contractor licensing laws. I have a protest pending before me that turns on the licensure of a mechanical subcontractor. The salient facts are as follows:

1. Mental Health opened bids for the project on February 14, 2008.
2. The low bidder, Emory J. Infinger, Inc., listed Starr Services, Inc., on its bid as its HVAC subcontractor.
3. On the day of the bid opening, Starr Services, Inc., possessed a mechanical contractors license with a PK 5 subclassification.
4. The HVAC work requires the following:
  - a. Installation of 12 blower coil air handlers;
  - b. Installation of chilled water piping and hot water piping to serve the air handlers. This piping connects to existing piping in an existing portion of the facility approximately 100' away; and
  - c. Installation of ducting from the air handlers to the various spaces served.

Michael Anderson  
April 1, 2008  
Page 2

5. The hot water and chilled water for the system is generated by existing boilers and chillers outside the limits of construction.

6. Starr maintains that its license permits it to perform the majority of the work and Starr intends to sub-subcontract with Airworks Mechanical Services to perform the chilled water and hot water piping work.

7. Airworks is a licensed mechanical contractor with PK 3, AC 4, and HT 5 subclassifications.

I have enclosed copies of the mechanical drawings and specifications.

I have two questions that I must answer in my decision on this protest:

1. Does Starr's PK 5 subclassification permit it to perform any of the work on this project?

2. If Starr's license permits it to perform the majority of the work on this project but not all, may Starr sub-subcontract the portion it is not licensed to perform to Airworks?

Your assistance in this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "John St. C. White". The signature is written in a cursive, flowing style.

John St. C. White  
State Engineer

---

**From:** Michael Anderson [mailto:andersonm@llr.sc.gov]

**Sent:** Tuesday, April 01, 2008 3:35 PM

**To:** White, John

**Subject:** RE: Bid Protest - Licensure question

John,

I have reviewed the drawings and the HVAC work. Based on the information provided Starr Services should not have bid to be the HVAC contractor since they have only a PK (packaged equipment classification) and the work outlined would require a AC (air conditioning) and HT (heating classification). Starr who does not have a AC or HT classification could not bid the mechanical (HVAC) portion of the job then sub-contract out to a licensed HT and AC sub-contractor. It appears the majority of the described work would fall under the HT and AC classification since chillers and hot water piping fall under HT and AC classifications. Packaged equipment is not included in this work.

Under Section 40-11-270 (A):

A licensee is confined to the limitations of the licensee's group and license classification or subclassification.

If you have any other questions feel free to give me a call at 896-4613.

Micheal S. Anderson  
Administrator  
South Carolina Contractors Licensing Board

---



South Carolina
Department of Labor, Licensing and Regulation



110 Centerview Drive;
Post Office Box 11329
Columbia, SC 29211-1329
Office Phone: (803) 896-4686
Licensing Section FAX: (803) 896-4701
www.llr.state.sc.us

Contractors' Licensing Board

Mark Sanford
Governor
Adrienne Riggins Youmans
Director

STATE OF SOUTH CAROLINA )
In the Matter of: )
STARR SERVICES, INC. )
License No: CLM 109547 )
Freedom of Information Request )

EXH. #1

AFFIDAVIT

A diligent search of the board records has found the following requested data or documentation, which is kept as official records in the normal course of business, for the above entity as a Mechanical Contractor in the State of South Carolina as licensed by the S.C. Department of Labor, Licensing and Regulation:

Licensee: Starr Services, Inc., Post Office Box 40562, Charleston, SC 29423 (Mailing Address) and 103 Auto supply, Goose Creek, SC 29445 (Business Address)

License First Issued: 4/11/2007 Renewed: 10/26/2007 Expiration: 10/31/2009

Classifications/Project Limitation History: The company qualified themselves for an unlimited license. Packaged Equipment (PK 5 unlimited) Renewed 10/26/2007; Air Conditioning (AC5 unlimited) Added: 2/28/2008; Heating (HT5 unlimited) Added: 2/28/2008.

Qualifying Parties: Henry T. Wade Exam taken: PK --Added as QP with 4/11/2007 license. Revision form received by fax on February 22, 2008 to add Wade C. Bourgeois as a Dual Qualifier for classifications AC and HT and was added on the license as of 2/28/08; also qualifies License No. CLM 108271, having met criteria in 40-11-230(C) for a dual qualifier and having taken previous AC and HT examinations.

True Certified Copies of the database records and audit history document are attached.

Financial statements and social security numbers cannot be released under FOIA. The Board has determined that the release of a social security number and financial statements would constitute unreasonable invasion of personal privacy. Accordingly, such information is exempt from disclosure, as provided by the Freedom of Information Act. The Board does not require a bond or insurance by statute. Licensees can perform both commercial and residential work with a General or Mechanical Contractor license.

L. Joyce Thurber
Certified by:
L. Joyce Thurber
Program Coordinator

SUBSCRIBED & SWORN TO BEFORE ME
THIS 25th DAY OF MARCH 2008
My Commission Expires: 23 Nov 2008

SC Board - Contractor's Licensing Board

**Credential View Screen** [update]

[add tickle]

STARR SERVICES INC  <input checked="" type="radio"/> Public <input type="radio"/> Mail STARR SERVICES INC PO BOX 40562 CHARLESTON, SC 29423	ID 2055717 Contact Status Active SSN / FEIN # <del>XXXXXXXXXX</del> Public File No Mailing List Contact Type CORPORATION	Credentials Contact Audit Issues Documents Exams Experience History Renewal History  Schools Supervises SupervisedBy Flags Librarian
--	---	--

Comments:

**MECHANICAL CONTRACTOR** [update] [form letter]

Credential # 109547 License Type MC Effective Date 10/26/2007 Expiration Date 10/31/2009 First Issuance Date 04/11/2007	Credential Status <b>ACTIVE</b> Disciplinary Status DUAL LICENSEE Amount Due \$0.00 Date Last Activity 2/28/2008 12:35:26 PM Last Updated by DavisC Certificate Sent Date 02/29/2008 Green Card Received Work Queue GunterT, LLR	Audit Cont. Edu Inspection Documents Fees History OV History Supervises SupervisedBy
---	---	--

Print Docs

Supervises	Credential	Status	City	State
BOURGEOIS, WADE C	CQM. 1820	ACTIVE	MONCKS SC CORNER	
WADE, HENRY T	CQM. 16431	ACTIVE	MONCKS SC CORNER	

Comments:

User Definable Credential Data (Board Common / Credential Specific) [update]

Board Common
--------------

Credential Specific
---------------------

Mechanical Classification 1 PK5 Mechanical Classification 2 AC5 Mechanical Classification 3 HT5 Mechanical Classification 4 Mechanical Classification 5 Mechanical Classification 6 Mechanical Classification 7 Mechanical Classification 8 Mechanical Classification 9 Mechanical Classification 10	President/Owner HENRY TROY WADE Sect/Treasurer Grandfather Name  Vice Pres/Partner Additional Rep  Grandfather Issued
---	--

**Check List** [update]

Pending

Processed  
 Accepted (04/11/2007) Documentation, All Documents Reviewed

SC 2007 Contractor's Licensing Board

**Contact View Screen** [update]

[add tickle]

STARR SERVICES INC  <input checked="" type="radio"/> Public <input type="radio"/> Mail STARR SERVICES INC PO BOX 40562 CHARLESTON, SC 29423	ID 2055717 Contact Status Active SSN / FEIN # 20151464 Public Discipline No Mailing List Contact Type CORPORATION	Credentials Audit Issues Documents Exams Experience History Renewal History  Schools Supervises SupervisedBy Flags Librarian
Comments:		

**Contact Addresses** [new]

STARR SERVICES INC PO BOX 40562 CHARLESTON, SC 29423 County : Charleston Country : UNITED STATES	Phone (843) 763-2212 Fax (843) 763-2213 Cell Email	[update] MAIN Public Address Mail Address Form Letter Copy Address
STARR SERVICES INC 103 AUTO SUPPLY GOOSE CREEK, SC 29445 County : Berkeley Country : UNITED STATES Comments:	Phone (843) 763-2212 Fax (843) 763-2213 Cell Email	[update] BUSINESS/PRACTICE (CONTRACTORS) Form Letter Copy Address

SC DLLR - Contractor's Licensing Board

Credential View Screen [update]

[add tickle]

HENRY T WADE  <input checked="" type="radio"/> Public <input type="radio"/> Mail HENRY T WADE 214 KILNOM TRAIL MONCKS CORNER, SC 29461	ID 1881811 Contact Status Active SSN / FEIN # 249719461 Birth Date 01/16/1977 Public File No Mailing List Contact Type INDIVIDUAL	Credentials Contact Audit Issues Documents Exams Experience History Renewal History  Schools Supervises SupervisedBy Flags Librarian Legacy
---	---	--

Comments:

MECHANICAL Qualifying Party [update]

[form letter]

Credential # 16431  
 Effective Date 01/01/2001  
 Expiration Date 10/31/2200 —  
 First Issuance Date

*Non-expiring while employed*

Credential Status ACTIVE  
 Disciplinary Status  
 Approved By LEGACYDATA, CAVU  
 Amount Due  
 Date Last Activity 4/11/2007 3:04:20 PM  
 Last Updated by DavisC  
 Certificate Sent Date  
 Green Card Received

Audit  
 Cont. Edu  
 Inspection  
 Documents  
 Fees  
 History  
 OV History  
 Supervises  
 SupervisedBy

Print Docs  
 Legacy

Supervised by	Credential	Level	Status
STARR SERVICES INC	CLM. 109547 MC		ACTIVE

Comments:

User Definable Credential Data (Board Common / Credential Specific) [update]

Board Common	
Credential Specific	
Mechanical Classification 1 PK	Exam Date 1 02/15/1999 Licensed By 1 EXAMINATION
Mechanical Classification 2	Exam Date 2 Licensed By 2
Mechanical Classification 3	Exam Date 3 Licensed By 3
Mechanical Classification 4	Exam Date 4 Licensed By 4
Mechanical Classification 5	Exam Date 5 Licensed By 5
Mechanical Classification 6	Exam Date 6 Licensed By 6
Mechanical Classification 7	Exam Date 7 Licensed By 7
Mechanical Classification 8	Exam Date 8 Licensed By 8
COL Exam	BML Exam
Drivers License# 007394224	Drivers License State SC

**Credential View Screen** [update]

[add tickle]

WADE C BOURGEOIS  <input checked="" type="radio"/> Public <input type="radio"/> Mail WADE C BOURGEOIS 123 AMY STREET MONCKS CORNER , SC 29461	ID 1927283 Contact Status Active SSN / FEIN # 436156898 Birth Date 09/14/1961 Public File No Mailing List Contact Type INDIVIDUAL	Credentials Contact Audit Issues Documents Exams Experience History Renewal History  Schools Supervises SupervisedBy Flags Librarian Legacy
--	---	--

Comments:

**MECHANICAL Qualifying Party** [update]

[form letter]

Credential # 1820 Effective Date 01/01/2001 Expiration Date 10/31/2200 ✓ First Issuance Date <i>Non-expiring</i> <i>while employed.</i>	Credential Status ACTIVE Disciplinary Status Approved By LEGACYDATA, CAVU Amount Due Date Last Activity Last Updated by Certificate Sent Date Green Card Received	Audit Cont. Edu Inspection Documents Fees History OV History Supervises SupervisedBy  Print Docs Legacy
---	--	--

Supervised by	Credential	Level	Status
STARR SERVICES INC	CLM. 109547 MC		ACTIVE
AIRWORKS MECHANICAL SERVICES	CLM. 108271 MC		ACTIVE

Comments:

User Definable Credential Data (Board Common / Credential Specific) [update]

Board Common	
Credential Specific	
Mechanical Classification 1 PK	Exam Date 1 11/07/1998
Mechanical Classification 2 AC	Licensed By 1
Mechanical Classification 3 HT	Exam Date 2
Mechanical Classification 4	Licensed By 2
Mechanical Classification 5	Exam Date 3
Mechanical Classification 6	Licensed By 3
Mechanical Classification 7	Exam Date 4
Mechanical Classification 8	Licensed By 4
COL Exam	Exam Date 5 01/16/1999
Drivers License#	Licensed By 5
	Exam Date 6
	Licensed By 6
	Exam Date 7
	Licensed By 7
	Exam Date 8
	Licensed By 8
	BML Exam
	Drivers License State

**Credential Audit Trail for CLM. 109547**

Date	User	Table	Field	New	Old
2/28/2008 12:35:26 PM	DavisC	CREDENTIAL	APPLICATIONDATE		20070411
2/28/2008 12:35:26 PM	DavisC	CREDENTIAL	REASON	DUAL LICENSEE	
2/28/2008 12:35:12 PM	DavisC	CREDENTIAL	Mechanical Classification	AC5 2	
2/28/2008 12:35:12 PM	DavisC	CREDENTIAL	Mechanical Classification	HT5 3	
10/26/2007 2:46:19 PM	DavisC	CREDENTIAL	CREDENTIALSTATUSID	APPROVED	ACTIVE IN RENEWAL
10/26/2007 2:46:19 PM	DavisC	CREDENTIAL	EFFECTIVEDATE	20071026	20070411
10/26/2007 2:46:19 PM	DavisC	CREDENTIAL	EXPIRATIONDATE	20091031	20071031
4/11/2007 2:25:59 PM	DavisC	CREDENTIAL	CREDENTIALNUMBER	109547	
4/11/2007 2:25:58 PM	DavisC	CREDENTIAL	CREDENTIALSTATUSID	APPROVED	PENDING
4/11/2007 2:25:58 PM	DavisC	CREDENTIAL	EFFECTIVEDATE	20070411	
4/11/2007 2:25:58 PM	DavisC	CREDENTIAL	EXPIRATIONDATE	20071031	
4/11/2007 2:25:58 PM	DavisC	CREDENTIAL	FIRSTEFFECTIVEDATE	20070411	
4/11/2007 2:25:48 PM	DavisC	CREDENTIAL	President/Owner	HENRY TROY WADE	
4/11/2007 2:25:48 PM	DavisC	CREDENTIAL	Mechanical Classification	PK5 1	

TRUE AND CERTIFIED COPY

REVISION APPLICATION
Document #180



SC Department of Labor, Licensing, and Regulation
South Carolina Contractors' Licensing Board
110 Centerview Drive, Columbia, SC 29210
P.O. Box 11329, Columbia, SC 29211-1329
Phone (803) 896-4686 Fax (803) 896-4701

FOR OFFICE USE ONLY
Action taken:
[ ] Upgraded from # to #
[ ] Name change [ ] Address change
[X] Added new QP Wade C. Bourgeois
Class/QP# PK/AC/HT # 1820
[X] Added class(es) AC/HT
[X] Other: Dual QP
Date Action Completed: 2/28/08
Employee initials: cel

Check all that apply: [ ] Requesting Inactive Status (\$110 fee)

[X] Submitting a Revision (no fee):
[ ] Increasing license \$\$ limit per contract
(Grandfathered licensees must take technical exam first to upgrade)
[ ] Name change [ ] Address change
[X] Adding qualifier(s) [ ] Adding new classification(s)
[ ] Other:

SECTION A

LICENSEE INFORMATION (as it currently appears with SCLLR)

SC Licensed Name: STARR SERVICES INC SC License#: M109547
Business Address: 103 Auto Supply Goose Creek SC 29445 Berkeley
Mailing Address:
Business Telephone: (813) 763-2212 Fax: ( )
Name of Owner/President: HENRY T. WADE Federal I.D.#: 201514641
Email Address:

SECTION B

CHANGE \$\$ LIMITS: Select the group for increase. Attach the appropriate financial statement.

GENERAL CONTRACTORS

SELF-PREPARED FINANCIAL STATEMENT

- [ ] Group #1 \$ 30,000 limit per contract— Net worth of \$ 6,000
[ ] Group #2 \$100,000 limit per contract— Net worth of \$ 20,000

COMPILED or REVIEWED FINANCIAL STATEMENT

- [ ] Group #3 \$350,000 limit per contract— Net worth of \$ 70,000
[ ] Group #4 \$750,000 limit per contract— Net worth of \$150,000

AUDITED FINANCIAL STATEMENT (must attach "Notes")

- [ ] Group #5 \$Amt unlimited per contract— Net worth of \$250,000

MECHANICAL CONTRACTORS

SELF-PREPARED FINANCIAL STATEMENT

- [ ] Group #1 \$ 17,500 limit per contract— Net worth of \$ 3,500
[ ] Group #2 \$ 30,000 limit per contract— Net worth of \$ 6,000

COMPILED or REVIEWED FINANCIAL STATEMENT

- [ ] Group #3 \$ 50,000 limit per contract— Net worth of \$ 10,000
[ ] Group #4 \$125,000 limit per contract— Net worth of \$ 25,000

AUDITED FINANCIAL STATEMENT (must attach "Notes")

- [ ] Group #5 \$Amt unlimited per contract— Net worth of \$100,000

SECTION C

CHANGE OF BUSINESS NAME, ADDRESS or CORPORATE OFFICERS: Attach amended corporate charter if this is a corporation name change. If the federal ID changed, do not complete this form. You must submit a new application (Document#165) and meet all initial application requirements.

Style of Business: [ ] Sole Proprietorship [ ] Partnership [ ] Corporation [ ] LLC [ ] LLP
New Business Name: Federal I.D.#:
New Physical Address:
New Mailing Address:
Business Telephone: ( ) Fax: ( )

(Attach separate page for new owner, president, officers, etc. on this license).

TRUE AND CERTIFIED COPY

SECTION D

ADDING NEW QUALIFIER(S) and/or ADDING NEW CLASSIFICATION:

- I am requesting to transfer my qualifications from ... to this license.
I am requesting to be a dual qualifier for two entities (you must submit Doc #173 and meet all four requirements).

QUALIFYING PARTY INFORMATION (qualifying by Exam, Reciprocity, or Transfer from another entity): The applicant may have an unlimited number of qualifiers for each classification. Make a copy of this section to be completed for each additional qualifier who meets the requirements.

Name of New Qualifying Party: WADE C. BOURGEOIS Soc. Sec. #:
Home Address: 123 Amy St Moncks Corner SC 29161 Berkeley
Home Telephone #: (803) 278-5179 Position with the License Applicant: GENERAL MANAGER
Date of Birth: 9/14/61 Driver's License #/State Issued: SC DL 003217818

Table with 2 columns: Classification(s) adding, How being added. Includes handwritten 'AC, HEATING' and checkboxes for 'By Exam' and 'By Waiver'.

GENERAL CLASSIFICATIONS: Building (limited or unlimited), Asphalt Paving, Boiler Installation, Boring and Tunneling, Bridges, Concrete, Concrete Paving, General Roofing, Glass & Glazing, Grading, Highway Incidental, Interior Renovation, Marine Masonry, Pipelines, Pre-Engineered Metal Buildings, Public Utility Electrical, Railroad Lines, Specialty Roofing, Structural Framing, Structural Shapes, Swimming Pools, Water and Sewer Lines, Water and Sewer Plants, Wood Frame Structures.

MECHANICAL CLASSIFICATIONS: Air Conditioning, Electrical, Heating, Lightening Protection Systems, Packaged Equipment (limited to 25 tons cooling and 500,000 BTU/HR heating per unit; heat pumps and split systems are covered under this classification), Plumbing Pressure and Process Piping/2P, Refrigeration.

WAIVER CLASSIFICATIONS: ALABAMA: Electrical; GEORGIA: Electrical (Non-Restricted Electrical); Heating & Air Conditioning (Non-Restricted Conditioned Air, if exam passed after 6/30/80); LOUISIANA: Asphalt Paving (Asphalt Hot & Cold Plant Mix and Asphalt Surface Treatment); BRIDGES (Concrete, Steel, & Wood Bridges); Building (Building Construction); Concrete Paving (Paved Highways, Concrete & Soil Treatment); Pipelines (Transmission Pipeline); Boring & Tunneling (Tunnels); Grading (Earthwork, Drainage, & Levees); Pressure & Process Piping (Industrial Piping); Water & Sewer Lines (Sewer, Storm Drains & Waterlines); Water & Sewer Plants (Filter Plants and Water Purification); MISSISSIPPI: Building; Electrical; NORTH CAROLINA: You must apply in the same name in which you are licensed in North Carolina.; Building; Intermediate or Unlimited Electrical; Grading; Highway (if exam passed prior to 4/1/99); Roofing; Water & Sewer Lines; Water & Sewer Plants; PENNSYLVANIA: Electrical- from Reading, Pennsylvania only; TENNESSEE: Building (Limited Building - BC-b, BC-C or Unlimited Building - BC, BC-B, BC-3C); Plumbing (CMC-A); Electrical (CE); Air Conditioning & Refrigeration (CMC-C); Air Conditioning, Refrigeration & Plumbing (CMC/Mechanical); TEXAS: Air Conditioning & Heating (Class A Air Conditioning/Refrigeration or Class A Air Conditioning); Packaged Equipment (Class B Air Conditioning or Class E Air Conditioning/Refrigeration); Refrigeration (Class A Refrigeration); UTAH: Unlimited Building; Limited Building (R100); Concrete (S260); General Roofing (S280); Glass & Glazing (S240); Grading (S310); Structural Framing (S320); Swimming Pools (S380); Water & Sewer Lines (S390); Air Conditioning (S350 HV/AC); Packaged Equipment (S351); Heating (S353); Refrigeration (S360)

SECTION E (this section must be completed) TO BE COMPLETED BY NEW QUALIFIER(S) and the OWNER/PRESIDENT:

Qualifier Printed Name: WADE C BOURGEOIS
Owner/President Printed Name: Henry T. Walle

(If you answer yes to the following questions, attach an explanation on a separate page.)
Within the last ten years, have you been arrested, indicted, or convicted, pled guilty, or pled nolo contendere for violation of any federal, state, or local law related to general or mechanical contracting? ...
Qualifying Party: [ ] Yes [X] No Owner/President: [ ] Yes [X] No

We have read, understand and meet all criteria pertaining to the classification(s) in which we are applying from Section 40-11-230 of the SC General and Mechanical Contracting Act and hereby agree to abide by these laws and codes. We hereby give permission to the Contractors Licensing Board to verify and investigate information in this application. We understand that false or incorrect information provided by either of us may result in the denial of a license and may be subject to civil and criminal proceedings.

Qualifying Party Signature: WADE C BOURGEOIS Title: GENERAL MANAGER Date: 2/21/08
Owner/President Signature: Henry T. Walle Title: President Date: 02/21/08

Sworn and subscribed before me this 22 day of FEB, 2008
My Commission Expires Aug 10, 2012 State of SC County Berkeley

SOUTH CAROLINA CONTRACTORS LICENSING BOARD  
110 CENTERVIEW DRIVE, COLUMBIA SC 29210  
P.O. BOX 11329, COLUMBIA SC 29211-1329  
PHONE: (803) 896-4686  
FAX: (803) 896-4701

TRUE AND CERTIFIED COPY

DOCUMENT #173

REQUEST TO BE A QUALIFYING PARTY FOR TWO DIFFERENT  
LICENSED GENERAL OR MECHANICAL ENTITIES

I, WADE C BOURGEOIS hereby request to be the qualifying party  
(Print name of qualifying party)

for two (2) different licensed general or mechanical contractor business entities. I meet all of the following requirements as outlined in "An Act to Regulate the Practice of General and Mechanical Contracting in S.C., Chapter 11, Section 40-11-230 (C)":

Check all that apply:

- Both entities engage in business from the same "physical" location (same street address);
- I am involved in the operation of both entities on a daily basis;
- I derive a livelihood from the operation of both entities; and,
- I have ownership in both entities with at least fifty-percent ownership in one of the entities.

#1) Entity Name: AIRWORKS MECHANICAL SERVICES  
License#: M108271

#2) Entity Name: STARR SERVICES INC  
License#: M109547

W C Bourgeois Date 2/20/08  
Signature of qualifying party Date

Sworn and subscribed before me this 20 day of FEB, 2008

Deborah M Bourgeois My commission expires: Aug 10, 2012  
Notary Public

SC DLLR - Contractor's Licensing Board

Credential View Screen [update]

[add tickle]

WADE C BOURGEOIS  <input checked="" type="radio"/> Public <input type="radio"/> Mail WADE C BOURGEOIS 123 AMY STREET MONCKS CORNER , SC 29461	ID 1927283 Contact Status Active SSN / FEIN # <del>██████████</del> Birth Date 09/14/1961 Public File No Mailing List Contact Type INDIVIDUAL	Credentials Contact Audit Issues Documents Exams Experience History Renewal History  Schools Supervises SupervisedBy Flags Librarian Legacy
Comments:		

MECHANICAL Qualifying Party [update] [form letter]

Credential # 1820 Effective Date 01/01/2001 Expiration Date 10/31/2200 First Issuance Date	Credential Status ACTIVE Disciplinary Status Approved By LEGACYDATA, CAVU Amount Due Date Last Activity Last Updated by Certificate Sent Date Green Card Received	Audit Cont. Edu Inspection Documents Fees History OV History Supervises SupervisedBy  Print Docs Legacy
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Supervised by	Credential	Level	Status
AIRWORKS MECHANICAL SERVICES	CLM. 108271 MC		ACTIVE

Comments:

User Definable Credential Data (Board Common / Credential Specific) [update]

Board Common	
Credential Specific	
Mechanical Classification 1 PK	Exam Date 1 11/07/1998
.	Licensed By 1
Mechanical Classification 2 AC	Exam Date 2
.	Licensed By 2
Mechanical Classification 3 HT	Exam Date 3
.	Licensed By 3
Mechanical Classification 4	Exam Date 4
.	Licensed By 4
Mechanical Classification 5	Exam Date 5 01/16/1999
.	Licensed By 5
Mechanical Classification 6	Exam Date 6
.	Licensed By 6
Mechanical Classification 7	Exam Date 7
.	Licensed By 7
Mechanical Classification 8	Exam Date 8
.	Licensed By 8
COL Exam	BML Exam
.	
Drivers License#	Drivers License State

TRUE AND CERTIFIED COPY

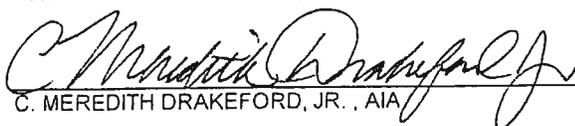
**CHARLESTON MHC - Children's Clinic Addition**

Charleston, SC

CONTRACTOR	Ascent Construction Murrells Inlet, SC	Atrium Builders Summerville, SC	Beaufort Construction Co. Beaufort, SC	Bodie Enterprises, LLC. Marietta, GA
Bid Form (5 pages) (Form SE-330)	X	X	X	
Bid Bond Security (Form SE-335)	X	X	X	
Addendum No. 1 Received	X	X	X	
<b>BASE BID</b>	\$ 1,474,582.00	\$ 1,425,000.00	\$ 1,515,000.00	<b>NO BID</b>
Entrance Court and Walkway ALTERNATE NO. 1	\$ 19,440.00	\$ 7,000.00	\$ 10,000.00	\$ -
Upgrade Interior Finishes ALTERNATE NO. 2	\$ 41,812.00	\$ 33,700.00	\$ 50,000.00	\$ -
Exterior Prairie Stone Veneer ALTERNATE NO. 3	\$ 24,440.00	\$ 2,500.00	\$ 15,000.00	\$ -
New Mobile File System ALTERNATE NO. 4	\$ 14,500.00	\$ 38,500.00	\$ 45,000.00	\$ -
<b>TOTAL BASE BID AND ALTERNATES</b>	<b>\$ 1,574,774.00</b>	<b>\$ 1,506,700.00</b>	<b>\$ 1,635,000.00</b>	<b>\$ -</b>

CONTRACTOR	Emory J. Infinger North Charleston, SC	Gamble & Stuckey Manning, SC	Hitt Contractors North Charleston, SC	Leopardo Construction Mount Pleasant, SC
Bid Form (5 pages) (Form SE-330)	X	X		
Bid Bond Security (Form SE-335)	X	X		
Addendum No. 1 Received	X	X		
<b>BASE BID</b>	\$ 1,380,000.00	\$ 1,624,000.00	<b>NO BID</b>	<b>NO BID</b>
Entrance Court and Walkway ALTERNATE NO. 1	\$ 22,000.00	\$ 54,260.00	\$ -	\$ -
Upgrade Interior Finishes ALTERNATE NO. 2	\$ 40,000.00	\$ 9,466.00	\$ -	\$ -
Exterior Prairie Stone Veneer ALTERNATE NO. 3	\$ 19,500.00	\$ 79,996.00	\$ -	\$ -
New Mobile File System ALTERNATE NO. 4	\$ 43,500.00	\$ 48,500.00	\$ -	\$ -
<b>TOTAL BASE BID AND ALTERNATES</b>	<b>\$ 1,505,000.00</b>	<b>\$ 1,816,222.00</b>	<b>\$ -</b>	<b>\$ -</b>

THE ABOVE INFORMATION IS CERTIFIED TO BE TRUE TO THE BEST OF MY KNOWLEDGE.

  
C. MEREDITH DRAKEFORD, JR., AIA

BIDS OPENED BY MR. PHIL GERALD

DATE: 14 February 2008

TIME: 2:00 PM

Brantley Construction Charleston, SC	Brunson Construction Co. Hampton, SC	Charles Blanchard Construction Corp. North Charleston, SC	Chastain Construction Mount Pleasant, SC	Complete Building Corp. Charleston, SC	Dawson Inc. John's Island, SC
	X	X		X	X
	X	X		X	X
	X	X		X	X
NO BID	\$ 1,612,000.00	\$ 1,487,000.00	NO BID	\$ 1,469,699.00	\$ 1,487,590.00
\$ -	\$ 18,500.00	\$ 13,300.00	\$ -	\$ 12,026.62	\$ 12,000.00
\$ -	\$ 49,600.00	\$ 48,000.00	\$ -	\$ 38,991.13	\$ 40,800.00
\$ -	\$ 59,400.00	\$ 16,800.00	\$ -	\$ 20,293.59	\$ 15,200.00
\$ -	\$ 49,400.00	\$ 47,650.00	\$ -	\$ 47,586.92	\$ 49,300.00
\$ -	\$ 1,788,900.00	\$ 1,612,750.00	\$ -	\$ 1,588,597.26	\$ 1,604,890.00

Newton Builders Charleston, SC	Palmetto Construction Group Charleston, SC	Stenstrom & Assoc. Inc. Goose Creek, SC	Thompson Turner Construction Sumter, SC	Trehel Construction Clemson, SC	
X		X			
X		X			
X		X			
\$ 1,399,000.00	NO BID	\$ 1,415,000.00	NO BID	NO BID	NO BID
\$ 11,500.00	\$ -	\$ 12,400.00	\$ -	\$ -	\$ -
\$ 48,560.00	\$ -	\$ 40,300.00	\$ -	\$ -	\$ -
\$ 36,990.00	\$ -	\$ 15,300.00	\$ -	\$ -	\$ -
\$ 42,685.00	\$ -	\$ 42,900.00	\$ -	\$ -	\$ -
\$ 1,538,735.00	\$ -	\$ 1,525,900.00	\$ -	\$ -	\$ -

  
 WITNESSED BY R. SCOTT BELL



SE-330  
Bid Form

EXH. #3

07/01 Edition

*Bids shall be submitted only on SE-330*

BID SUBMITTED BY: Emory J. Infinger & Associates Construction Co., Inc.

(Bidder's Name)

BID SUBMITTED TO: South Carolina Department of Mental Health

(Agency Name)

FOR PROJECT: J12 - 9704 - PG - Charleston Community MHC - Children's Clinic Addition

(Number)

(Name)

**OFFER**

1. In response to the Form SE-310, *Invitation for Construction Bids*, and in compliance with the *Instructions to Bidders* for the above-named Project, the undersigned **BIDDER** proposes and agrees, if this Bid is accepted, to enter into a Contract with the **AGENCY** in the form included in the Bidding Documents, and to perform all Work as specified or indicated in the Bidding Documents, for the prices and within the time frames indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

2. Pursuant to Section 11-32-3030(1) of the SC Code of Laws, as amended, **BIDDER** has submitted Bid Security as follows in the amount and form required by the Bidding Documents:

Bid Bond with Power of Attorney     Electronic Bid Bond     Cashier's Check

(**BIDDER** check one)

3. **BIDDER**, by submitting this Bid, affirms that it has carefully examined the Bidding Documents and the other related data identified in the Bidding Documents, has visited the actual location of the Work, has satisfied itself as to all conditions and understands that, in signing this Bid Form, it waives all rights to plead any misunderstanding regarding same and agrees to be bound by the provisions of said Bidding Documents and all statements made therein.

4. **BIDDER** acknowledges the receipt of the following Addenda to the Bidding Documents and has incorporated the effects of said Addenda into its Bid:

ADDENDUM No: #1 dated 02-08-08

5. **BIDDER** accepts all terms and conditions of the *Invitation for Construction Bids*, including, without limitation, those dealing with the disposition of Bid Security. **BIDDER** agrees that this Bid, including all Bid Alternates, if any, may not be revoked or withdrawn after the opening of bids, and shall remain open for acceptance for a period of 60 Days following the Bid Date, or for such longer period of time that **BIDDER** may agree to in writing upon request of the **AGENCY**. **BIDDER** understands that Bid Alternates that are not accepted in an initial award shall remain open for acceptance for the entire period set above and for such longer period as requested by **AGENCY** and agreed to by **BIDDER**.

6. **BIDDER** herewith submits its offer to provide all labor, materials, equipment, tools of trades and labor, accessories, appliances, warranties and guarantees, and to pay all royalties, fees, permits, licenses and applicable taxes necessary to complete the following items of construction work:

**6.1 BASE BID WORK** (as indicated in the Bidding Documents and generally described as follows):

Addition to Charleston Community Mental Health Center - Children's Clinic Addition. The addition is one story, slab on grade, steel frame, metal stud, brick veneer construction. Major site work components such as parking, site drainage, and landscaping are already in place from previous construction.

1,380,000  
(enter BASE BID in figures only)

, which sum is hereafter called the **BASE BID**.



# SE-330 Bid Form

## LISTING OF PROPOSED SUBCONTRACTORS

1. A **SUBCONTRACTOR** is an entity who will perform work or render service to the prime contractor to or about the construction site. Material suppliers, manufacturers and fabricators are not **SUBCONTRACTORS** and are not to be listed.
2. Any **BIDDER** responding to an *Invitation for Construction Bids* shall list in its bid the name of only those **SUBCONTRACTOR(S)** that will perform the work so identified in the *Invitation*.
3. If **BIDDER** determines to use its own employees to perform any portion of the work listed below, and if **BIDDER** is qualified to perform such work under the terms of the Bidding Documents, **BIDDER** shall list itself in the appropriate place in its bid and not subcontract any of that work except with the approval of the Agency for good cause shown.
4. **BIDDER** hereby acknowledges and agrees that any failure by **BIDDER** to list **SUBCONTRACTORS** in accordance with the requirements of the SC Code of Laws shall render the BID non-responsive.
5. A **SUBCONTRACTOR** listed for a **BID ALTERNATE** may be used for all work, including the Base Bid work, if the **BID ALTERNATE** is accepted.
6. **BIDDER** hereby states its commitment to use the below-listed **SUBCONTRACTORS** in the performance of the Subcontractor Specialty work listed:

SUBCONTRACTOR SPECIALTY (COMPLETED BY A/E)	SUBCONTRACTOR'S NAME or PRIME BIDDER'S NAME (MUST BE COMPLETED BY BIDDER)	SUBCONTRACTOR'S SC LICENSE NUMBER (FOR INFORMATION)
--	---	---

### BASE BID WORK

HVAC	STARR	M 109547
PLUMBING	BRITTINGHAM	M 108233
ELECTRICAL	RCMP	M 98284
FIRE ALARM	RCMP	M 98284
FIRE SPRINKLER	CRAWFORD	FS 1002

### ALTERNATE BID WORK

#### BID ALTERNATE NO. 1

--	--	--

#### BID ALTERNATE NO. 2

--	--	--

#### BID ALTERNATE NO. 3

--	--	--

#### BID ALTERNATE NO. 4

--	--	--

## SE-330 Bid Form

### TIME OF CONTRACT PERFORMANCE

**BIDDER** hereby agrees to complete the construction work in accordance with the following schedule:

1. The **DATE OF COMMENCEMENT** shall be established in Form SE-390, *Notice to Proceed*. The **BIDDER** shall not incur any expense chargeable to this Project until the Contract has been executed by both the Agency and the Contractor, and a Notice to Proceed has been issued.
2. The **DATE OF SUBSTANTIAL COMPLETION**, to be documented on Form SE-550A, *Certificate of Substantial Completion*, shall be ( 315 ) **CALENDAR DAYS** from the **DATE OF COMMENCEMENT** set forth in the SE-390, subject to adjustments as provided in the Contract Documents.
3. The **DATE OF FINAL COMPLETION**, to be documented on Form SE-560C, *Certificate of Final Completion*, shall be ( 45 ) **CALENDAR DAYS** from the **DATE OF SUBSTANTIAL COMPLETION**, subject to adjustments as provided in the Contract Documents.

### LIQUIDATED DAMAGES AND EARLY COMPLETION AWARD

1. The undersigned further agrees that from the compensation to be paid, the Agency shall retain as **Step One Liquidated Damages** the amount of \$200.00 for each calendar day the actual construction time required to achieve **SUBSTANTIAL COMPLETION** exceeds the specified or adjusted Contract time for **SUBSTANTIAL COMPLETION**, as provided in the Contract Documents.
2. The undersigned further agrees that from the compensation to be paid, the Agency shall retain as **Step Two Liquidated Damages** the amount of \$200.00 for each calendar day the actual construction time required to achieve **FINAL COMPLETION** exceeds the specified or adjusted Contract Time for **FINAL COMPLETION**, as provided in the Contract Documents.
3. The undersigned further agrees that in full and complete satisfaction for the best efforts of the undersigned to achieve **SUBSTANTIAL COMPLETION** before the date established above, the Agency shall pay the undersigned an **Early Completion Award** in the amount of ZERO for each calendar day the actual construction time required to achieve **SUBSTANTIAL COMPLETION** is less than the originally specified Contract Time for **SUBSTANTIAL COMPLETION**, as provided in the Contract Documents.

### AGREEMENTS

By submitting this Bid, **BIDDER** hereby agrees to the following terms and conditions:

1. An incomplete Bid, or information not requested that is written on or attached to this Bid Form that could be considered a qualification of the Bid, may be cause for rejection of the Bid.
2. The failure of the **BIDDER** to indicate a price for a **BID ALTERNATE** shall render the Bid non-responsive. A **BID ALTERNATE** shall be bid by indicating either a dollar amount or the words "No Change", "Zero", or "0.00". A typed or printed "No Bid", or words of similar meaning, shall render the Bid non-responsive. **BIDDER** must indicate whether the amount of the **BID ALTERNATE** is an "ADD" to or a "DEDUCT" from the amount of the Base Bid. The Bid may be determined non-responsive for failure of the **BIDDER** to indicate the appropriate "ADD" or "DEDUCT" for each **BID ALTERNATE**, unless the adjustment is obvious to the Agency.
3. If any **BID ALTERNATES** should be accepted by the **AGENCY**, they shall be incorporated into the executed Contract. **BID ALTERNATES** may be accepted in any combination or order, at the sole discretion of the **AGENCY**.
4. The **BIDDER** shall list only **SUBCONTRACTORS** (as defined in the Bidding Documents) who are qualified to perform items of work as specified in the Bidding Documents or as required by any material or equipment substitutions approved at the time of bidding. No **BIDDER** whose Bid is accepted shall substitute another entity as **SUBCONTRACTOR** in place of the **SUBCONTRACTOR** listed in the original Bid, except for one or more of the reasons allowed by the SC Code of Laws.
5. The failure of the **BIDDER** to provide the name(s) of listed **SUBCONTRACTORS** in accordance with the SC Code of Laws shall render the Bid non-responsive.
6. Unless otherwise provided in the Bidding Documents, **BIDDER** will provide Performance and Labor and Material Payment Bonds, each in the amount equal to 100% of the Contract Award, as a condition of execution of the Contract. Failure to supply such bonds as required by the Contract Documents shall result in cancellation of the Notice of Intent to Award and forfeiture of the Bid Bond.

**SE-330 Bid Form**

07/01 Edition

- 7. BIDDER agrees to provide all information requested by the AGENCY to support the AGENCY'S evaluation and determination of the BIDDER'S responsibility, including completion of Form SE-350, *Questionnaire for Contractors*. The Questionnaire shall be completed fully and returned to the AGENCY within SEVEN (7) DAYS from date of receipt by the BIDDER by certified mail. The completed Form SE-350 must be received by the Agency no later than the close of business on the seventh day. Failure by BIDDER to supply requested information with respect to responsibility may be grounds for a determination of non-responsibility.
- 8. The BIDDER certifies that it will provide a "Drug-Free Workplace" as that term is defined in Section 44-107-30 of the SC Code of Laws, and shall comply with the requirements set forth in Title 44, Chapter 107.
- 9. At any time prior to the issuance of the Notice to Proceed for this Project, this Contract may be canceled for the convenience of the State.
- 10. Neither the State of South Carolina nor any of its agencies, employees or agents shall be responsible for any bid preparation costs, or any costs or charges of any type, should all bids be rejected or the Project canceled for any reason prior to the issuance of the Notice to Proceed.

**ELECTRONIC BID BOND**

By signing below, the Principal is affirming that the identified electronic bid bond has been executed and that the Principal and Surety are firmly bound unto the State of South Carolina under the terms and conditions of the Form SE-335 included in the Bidding Documents.

\_\_\_\_\_  
(Electronic Bid Bond Number)

\_\_\_\_\_  
(Signature and Title)

**BIDDER'S TAXPAYER IDENTIFICATION**

FEDERAL EMPLOYER'S IDENTIFICATION NUMBER: \_\_\_\_\_  
OR

57-0826324

SOCIAL SECURITY NUMBER: \_\_\_\_\_

**CONTRACTOR'S CLASSIFICATIONS AND SUBCLASSIFICATIONS WITH LIMITATIONS**

Building  
(Classification)

N/A  
(Subclassification)

Unlimited  
(Limitations)

G-10857

(SC Contractor's License Number)

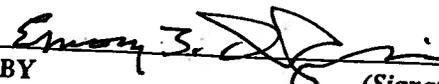
**SIGNATURE**

Emory J. Infinger & Associates Construction Co., Inc.

(Legal Name of Person, Firm or Corporation Submitting Bid)

PO Box 41348 Charleston, SC 29423

(Mailing Address for the above)

  
BY \_\_\_\_\_  
(Signature)

Emory J. Infinger, President

(Title)

February 14, 2008

(Date)

(843) 554-9414  
(Phone)

IN RE: PROTEST OF STATE PROJECT NO. J 12-9704-PG

STATE OF SOUTH CAROLINA            )  
  )  
COUNTY OF BERKELEY                )       AFFIDAVIT OF H.T. WADE

Personally appeared before me, Henry T. Wade, who being duly sworn, deposes and states as follows:

1. I am the Chief Operating Officer of STARR Services, Inc. ("STARR").
2. In or around early December, 2007, months before I had any knowledge of the Bid for State Project No. J 12-9704-PG (the "Project"), I mailed a package to the South Carolina Department of Labor, Licensing and Regulation ("LLR") containing an application for AC5 and HT5 license classifications on behalf of STARR.
3. Prior to the date bids were received by the S.C. Department of Mental Health on February 14, 2008, I provided Emory J. Infinger with a quote in the amount of \$199,407.00 for the mechanical scope of work for the Project. At the time I provided this quote, I believed that STARR was properly licensed to perform the entire scope of mechanical work for the Project (based on STARR's application), and represented the same to Mr. Emory Infinger during the pre-bid process.
4. After the Notice of Intent to Award was issued to Emory J. Infinger on February 20, 2008, I received a phone call from Mr. Emory Infinger notifying me that one of the bidders intended to challenge the Award based on STARR not being licensed to perform a portion of the mechanical scope of work. I notified Mr. Infinger that STARR was licensed to perform the entire mechanical scope and advised him that I would investigate the issue.
5. Upon being notified by Mr. Emory Infinger that there was an issue relating to STARR's license classification, I immediately contacted the LLR and inquired regarding STARR's licensing status. I was informed by a representative of the LLR that STARR's application must have been lost in the mail or misplaced during the review process. I was directed to resend a copy of STARR's application for processing.
6. Upon completion of my phone call with LLR, I mailed (for a second time) STARR's application package by Federal Express to the LLR.
7. Within a few days, I checked STARR's licensing classification and it showed that STARR's application for classifications AC5 and HT5 had been approved.

8. STARR remains ready, willing, and able to perform the mechanical scope of the Project for the quote it gave Emory J. Infinger which was included in Emory J. Infinger's bid.

9. Prior to providing its quote to Emory J. Infinger, it was STARR's intention to subcontract the chiller/boiler portion of the mechanical scope of the project to Air Works Mechanical Services, Inc.

10. The value of the chiller/boiler portion of the mechanical scope of the project is less than 8% of the mechanical subcontract amount.

11. STARR's intention to subcontract the chiller/boiler portion of the mechanical scope was wholly unrelated to any licensing issue, but rather was based on an economic decision.

12. STARR did not notify Emory J. Infinger of its intention to subcontract the chiller/boiler portion of the mechanical scope at the time it submitted its quote to Emory J. Infinger.

FURTHER AFFIANT SAYETH NOT.

*Henry Troy Wade*

Henry T. Wade

SWORN to and subscribed before me this 25<sup>th</sup> of March, 2008.

*Vivian B. Ripley*  
Notary Public for South Carolina  
My Commission Expires: 11-17-2013





# SE-370 Notice of Intent to Award

AGENCY: S. C. Department of Mental Health

(Name)

PROJECT: J12 - 9704 - PG -

(Number)

Charleston MHC Children's Clinic Addition

(Name)

**TO ALL BIDDERS:**

The Agency has determined that the below-named Bidder is responsible in accordance with the requirements of the Bidding Documents and has submitted the lowest responsive Bid. The Agency hereby announces its intent to enter into a contract with this Bidder for the construction of the above-named Project, subject to the provisions of SC law.

NAME OF BIDDER: Emory J. Infinger

DATE BIDS WERE RECEIVED:

02/14/2008

AMOUNT OF BASE BID:

\$1,380,000.00

ALTERNATE(S) ACCEPTED: # n/a

TOTAL:

n/a

TOTAL AMOUNT OF BASE BID PLUS ACCEPTED ALTERNATE(S):

\$1,380,000.00

Remarks: (In accordance with Chapter 6 of the OSE Manual, explain any negotiations that resulted in a change in either the Base Bid or the accepted Bid Alternates) Base bid only

**RIGHT TO PROTEST:**

Any actual bidder, offeror, contractor or subcontractor who is aggrieved in connection with the intended award or award of this Contract may protest to the State Engineer in accordance with Section 11-35-4210 of the SC Code of Laws, as amended, within 15 days of the date the *Notice of Intent to Award* is posted.

(Signature of Awarding Authority)

02/20/2008

(Date Posted)

Daniel W. Paxton

(Print or Type Name of Awarding Authority)

Project Manager

(Awarding Authority Title)

**INSTRUCTIONS TO AGENCY:**

1. MAIL A COPY OF THE FINAL BID TABULATION TO ALL BIDDERS AND OSE WITHIN 10 DAYS OF BID OPENING.
2. POST A COPY OF THIS FORM ON THE DATE AND AT THE LOCATION ANNOUNCED AT BID OPENING.
3. MAIL A COPY OF THIS FORM TO ALL BIDDERS AND THE OSE.



Drakeford Architects

120 North Main Street  
Sumter, SC 29150 803 774-2000

Date January 21, 2008

Revisions

Charleston Mental  
Health Center -  
Children's Clinic  
Addition

Charleston, S.C.

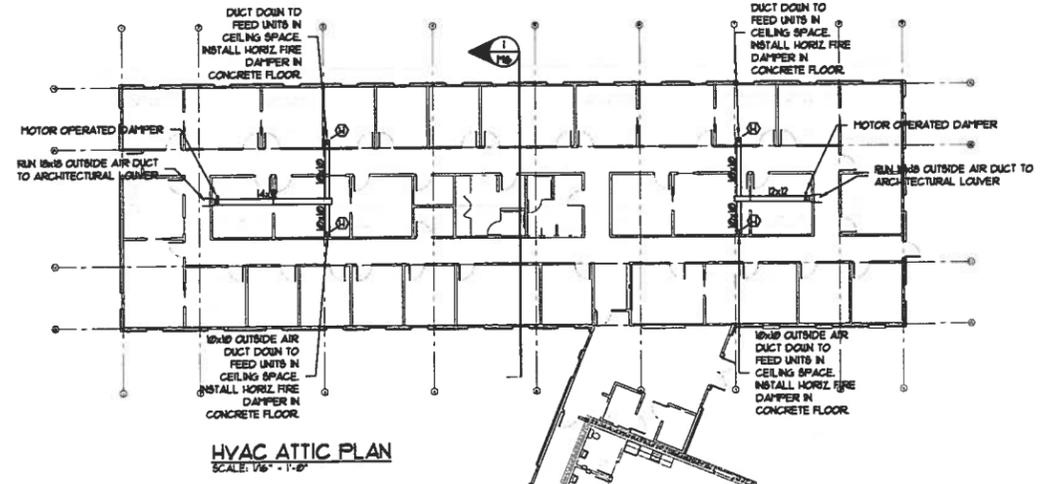
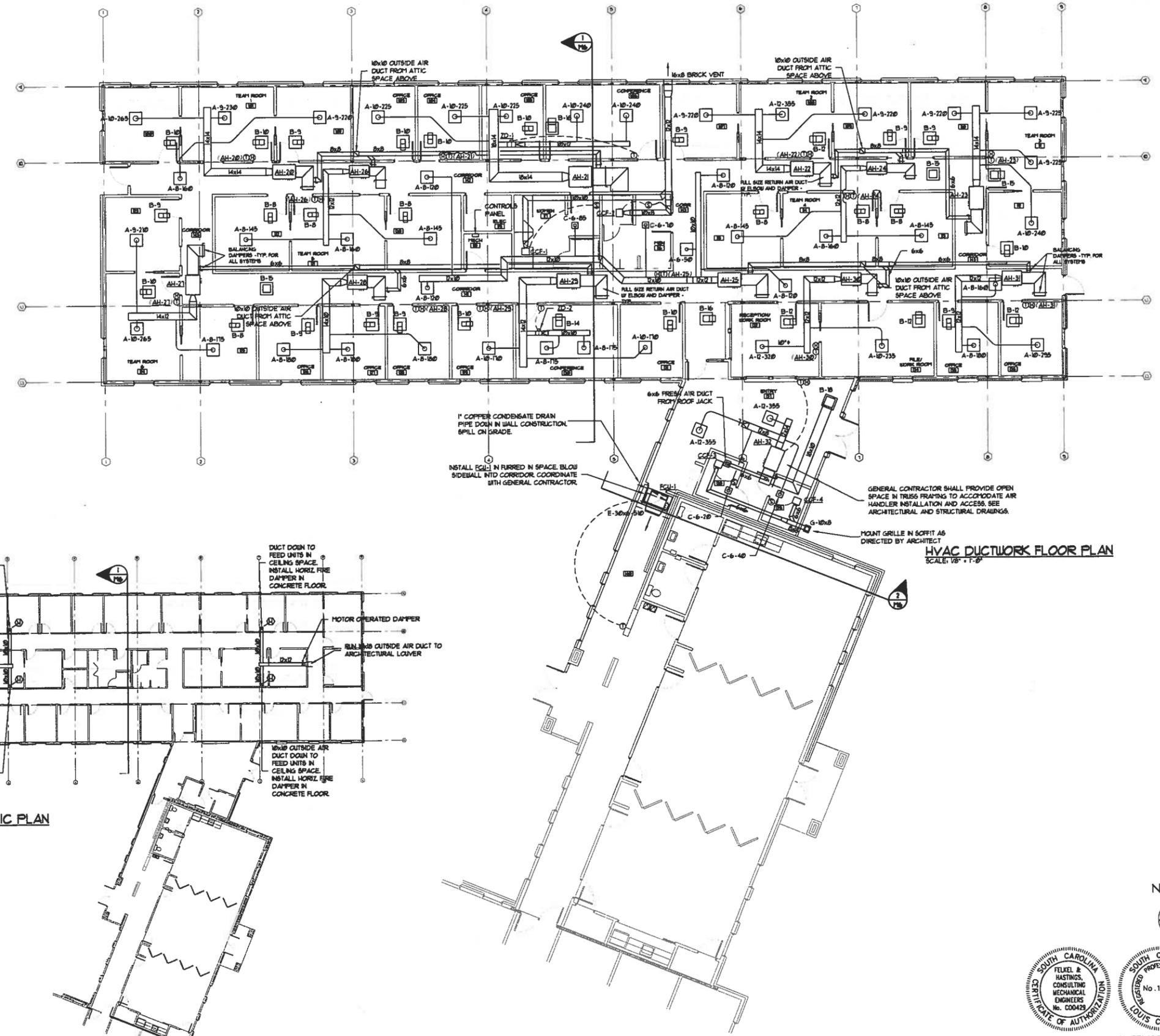
Project No. J12-9704-PG

HVAC Ductwork  
Floor Plan

Scale: 1/8"=1'-0"

File No.

Sheet M-1 of x



**HVAC ATTIC PLAN**  
SCALE: 1/8" = 1'-0"

1" COPPER CONDENSATE DRAIN PIPE DOWN IN WALL CONSTRUCTION SPILL ON GRADE.

INSTALL ECL-1 IN FURRED IN SPACE, BLOW SIDEWALL INTO CORRIDOR. COORDINATE WITH GENERAL CONTRACTOR.

GENERAL CONTRACTOR SHALL PROVIDE OPEN SPACE IN TRUSS FRAMING TO ACCOMMODATE AIR HANDLER INSTALLATION AND ACCESS, SEE ARCHITECTURAL AND STRUCTURAL DRAWINGS.

MOUNT GRILLE IN SOFFIT AS DIRECTED BY ARCHITECT

**HVAC DUCTWORK FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



**FELKEL & HASTINGS**  
Mechanical Engineers  
3101 Carliste Street  
Columbia, S.C. 29205  
Comm. No.: 07-45 Date: 01-25-08



Drakeford Architects

120 North Main Street  
Sumter, SC 29150 803 774-2000

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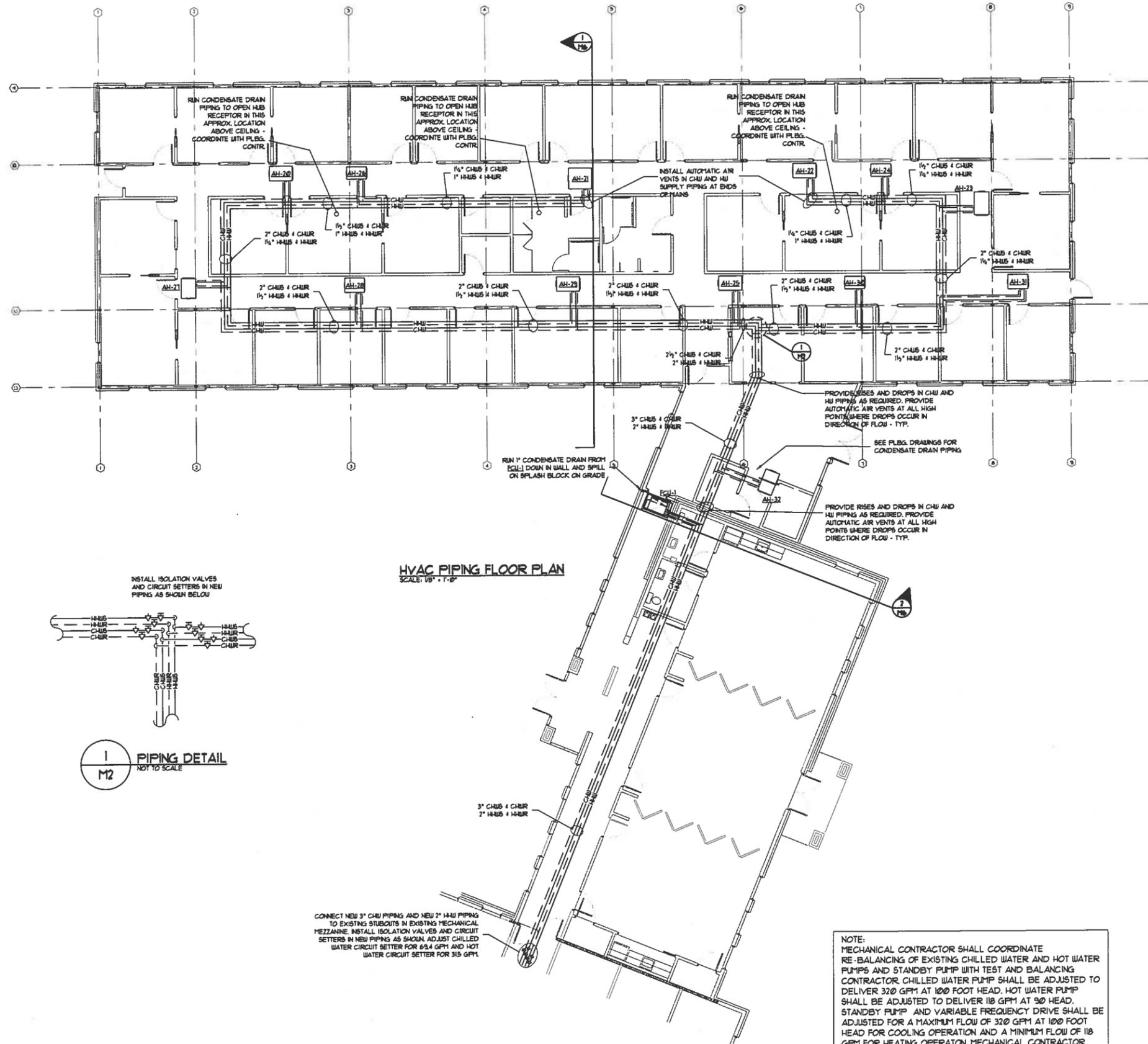
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HVAC Piping  
Floor Plan

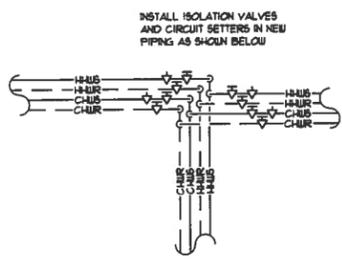
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Sheet M-2 of x



**HVAC PIPING FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



**1 M2 PIPING DETAIL**  
NOT TO SCALE

NOTE:  
MECHANICAL CONTRACTOR SHALL COORDINATE RE-BALANCING OF EXISTING CHILLED WATER AND HOT WATER PUMPS AND STANDBY PUMP WITH TEST AND BALANCING CONTRACTOR. CHILLED WATER PUMP SHALL BE ADJUSTED TO DELIVER 320 GPM AT 100 FOOT HEAD. HOT WATER PUMP SHALL BE ADJUSTED TO DELIVER 118 GPM AT 90 HEAD. STANDBY PUMP AND VARIABLE FREQUENCY DRIVE SHALL BE ADJUSTED FOR A MAXIMUM FLOW OF 320 GPM AT 100 FOOT HEAD FOR COOLING OPERATION AND A MINIMUM FLOW OF 118 GPM FOR HEATING OPERATION. MECHANICAL CONTRACTOR SHALL MODIFY OR REPLACE PUMP IMPELLERS AS NECESSARY TO ACHIEVE THE REQUIRED PUMP GPM'S AND HEAD'S.



FELKEL & HASTINGS  
Mechanical Engineers  
3101 Carlisle Street  
Columbia, S.C. 29205  
Comm. No.: 07-45 Date: 01-25-08

FAN COIL UNIT SCHEDULE

SYMBOL	MFR.	MODEL NO.	TYPE CABINET	ACTUAL AIR QUANT. C.F.M.	FAN MOTOR			FRESH AIR C.F.M.	CHILLED WATER COOLING COIL										HOT WATER HEATING COIL										CONDENSATE DRAIN SIZE	REMARKS
					AMPS	NO. OF SPEEDS	VOLTAGE CHAR.		COOLING CAPACITY		G.P.M.	EAT (°F)		EWT (°F)	WTR (°F)	PD (FT.)	RUNOUT SIZE	CONTROL VALVE		HEATING CAPACITY M.B.H.	G.P.M.	EWT (°F)	EAT (°F)	WTD (°F)	WPD (FT.)	RUNOUT SIZE	CONTROL VALVE			
									SENS.-MBH	TOTAL-MBH		OB	WB					SIZE	PD (PSI)								SIZE	PD (PSI)		
FCU-1	TRANE	FCEB00	HORIZ. RECESS.	510	0.6	3	277-1-60	0	14.9	17.1	3.4	80°	67°	45°	10°	4.1	1"	3/4"	5.0	19.0	1.9	160°	65°	20°	8.9	3/4"	1/2"	5.0	1"	1, 2, 3, 4, 5

- FURNISH WITH DISCONNECT.
- FURNISH WITH 2 SETS OF 1" THROW-AWAY TYPE FILTERS.
- FURNISH WITH WALL MOUNTED THERMOSTAT WITH FAN SWITCH.
- FURNISH WITH PIPING PACKAGE (3-WAY CONTROL VALVE BY CONTROL CONTRACTOR).
- FURNISH WITH BOTTOM STAMPED RETURN LOUVER.

BLOWER COIL AIR HANDLER SCHEDULE

SYMBOL	MFR.	MODEL NO.	TYPE	FAN				COOLING COIL DATA										HEATING COIL DATA										REMARKS		
				AIR QUANTITY CFM	ESP (IN)	DESIGN FILTER P.O.(IN)	MAX. FAN RPM	MOTOR NP	O.A. (CFM)	MAX. FACE VELOCITY (FPM)	COOLING CAPACITY MBH	MIN. ROWS	ENT. AIR TEMP. (°F)		LVG. AIR TEMP. (°F)		CHILLED WATER		MAX. FACE VELOCITY FPM	HEATING CAPACITY MBH	ENT. AIR TEMP. (°F)	LVG. AIR TEMP. (°F)	ENT. WATER TEMP. (°F)		LVG. WATER TEMP. (°F)		GPM		MAX. WPD (FT)	
													DRY BULB	WET BULB	DRY BULB	WET BULB	GPM	ENT. TEMP.					LVG. TEMP.	MAX. WPD (FT)	ENT. TEMP.	LVG. TEMP.				
AH-20	TRANE	BCHC024	HORIZ.	875	0.75	0.15	1375	1/2	480-3-60	115	500	22.9	4	80.0	67.0	60.6	58.9	4.9	45	55	15	500	24.0	65	90	160	140	2.2	5	1, 2, 3, 4, 5
AH-21	TRANE	BCHC036	HORIZ.	1155	0.75	0.15	1285	1/2	480-3-60	180	500	39.8	4	80.0	67.0	57.3	56.0	8.3	45	55	15	500	40.2	65	97	160	140	3.9	5	1, 2, 3, 4, 5
AH-22	TRANE	BCHC036	HORIZ.	795	0.75	0.15	1185	1/2	480-3-60	90	500	34.1	4	80.0	67.0	53.9	52.9	7.0	45	55	15	500	32.8	65	103	160	140	3.2	5	1, 2, 3, 4, 5
AH-23	TRANE	BCHC024	HORIZ.	910	0.75	0.15	1395	1/2	480-3-60	90	500	23.5	4	80.0	67.0	60.7	59.0	5.0	45	55	15	500	24.5	65	90	160	140	2.3	5	1, 2, 3, 4, 5
AH-24	TRANE	BCHC018	HORIZ.	450	0.75	0.15	1350	1/2	480-3-60	90	500	15.1	4	80.0	67.0	55.0	54.0	3.0	45	55	15	500	9.2	65	84	160	137	0.8	5	1, 2, 3, 4, 5
AH-25	TRANE	BCHC036	HORIZ.	785	0.75	0.15	1155	1/2	480-3-60	200	500	30.1	4	80.0	67.0	55.8	54.6	6.2	45	55	15	500	32.6	65	103	160	140	3.2	5	1, 2, 3, 4, 5
AH-26	TRANE	BCHC018	HORIZ.	450	0.75	0.15	1350	1/2	480-3-60	90	500	15.1	4	80.0	67.0	55.0	54.0	3.0	45	55	15	500	9.2	65	84	160	137	0.8	5	1, 2, 3, 4, 5
AH-27	TRANE	BCHC018	HORIZ.	750	0.50	0.15	1165	1/2	480-3-60	90	500	19.3	4	80.0	67.0	60.4	59.0	3.8	45	55	15	500	21.7	65	92	160	140	2.1	5	1, 2, 3, 4, 5
AH-28	TRANE	BCHC018	HORIZ.	540	0.75	0.15	1430	1/2	480-3-60	60	500	16.6	4	80.0	67.0	59.2	57.3	3.8	45	55	15	500	14.8	65	90	160	140	1.4	5	1, 2, 3, 4, 5
AH-29	TRANE	BCHC036	HORIZ.	750	0.75	0.15	1145	1/2	480-3-60	160	500	29.0	4	80.0	67.0	55.5	54.5	6.0	45	55	15	500	31.8	65	104	160	140	3.1	5	1, 2, 3, 4, 5
AH-30	TRANE	BCHC018	HORIZ.	810	0.50	0.15	1300	1/2	480-3-60	60	500	16.9	4	80.0	67.0	57.0	56.0	3.4	45	55	15	500	16.5	65	90	160	140	1.6	5	1, 2, 3, 4, 5
AH-31	TRANE	BCHC018	HORIZ.	635	0.50	0.15	1350	1/2	480-3-60	80	500	18.2	4	80.0	67.0	57.0	56.0	3.6	45	55	15	500	17.2	65	90	160	140	1.7	5	1, 2, 3, 4, 5
AH-32	TRANE	BCHC036	HORIZ.	770	0.75	0.15	1220	1/2	480-3-60	85	500	39.8	4	80.0	67.0	50.3	49.5	8.2	45	55	15	500	32.4	65	104	160	140	3.1	5	1, 2, 3, 4, 5

- FURNISH WITH INSULATED DOUBLE SLOPING PLASTIC DRAIN PAN.
- BLOWER COIL SINGLE WALL AIR HANDLER WITH FOIL FACED INSULATION.
- HEATING COIL IN REPEAT POSITION.
- FURN. W/2 SETS OF 2" THROW AWAY FILTERS.
- FURNISH WITH 3 WAY DELUXE COIL PIPING PACKAGE. CONTROL VALVES SHALL BE FURNISHED BY THE CONTROL CONTRACTOR.

HVAC GENERAL NOTES

- REFER TO ARCHITECTURAL REFLECTED CEILING PLANS FOR EXACT LOCATION OF ALL CEILING MOUNTED AIR DISTRIBUTION DEVICES. IF A PARTICULAR ITEM IS NOT SHOWN ON THE REFLECTED CEILING PLANS, COORDINATE ITS LOCATION WITH ALL DISCIPLINES.
- ALL ROOF MOUNTED EQUIPMENT REQUIRING SERVICE SHALL BE LOCATED A MINIMUM OF 10 FT. FROM THE EDGE OF THE ROOF. COORDINATE WITH STRUCTURAL CONTRACTOR THE EXACT LOCATION OF ALL ROOF, MALL, AND FLOOR PENETRATIONS ALONG WITH ANY ADDITIONAL STEEL REQUIREMENTS FOR ALL ROOF MOUNTED EQUIPMENT CURBS. AVOID PENETRATING ANY STRUCTURAL MEMBERS UNLESS NOTED ON THE STRUCTURAL PLANS. WHERE CONFLICTS ARISE, THE MECHANICAL CONTRACTOR SHALL SUBMIT A DRAWING TO THE ENGINEER SHOWING HIS PROPOSED SOLUTION.
- ALL OPEN ENDED DUCTS SHALL BE REINFORCED WITH 1-1/2" x 1-1/2" x 1/8" GALVANIZED STEEL ANGLES BOLTED OR RIVETED 6" ON CENTER (MAX.) ALL AROUND EXTERIOR PERIMETER OF DUCT, AND THE END OF THE DUCT SHALL BE COVERED WITH HARDWARE CLOTH.
- TRANSITION RECTANGULAR DUCTWORK ON BOTTOM AND SIDES. MAINTAIN TOP OF DUCTWORK LEVEL AND AS HIGH AS POSSIBLE.
- FLEXIBLE DUCT RUNOUTS TO CEILING DIFFUSERS SHALL BE FREE OF SAGS AND KINKS AND SHALL BE THE SAME SIZE AS THE DIFFUSER INLET UNLESS OTHERWISE NOTED. MAXIMUM LENGTH = 6 FEET.
- ALL DUCT TRANSITIONS FROM SQUARE TO ROUND SHALL BE SMOOTH AND TAPERED SQUARE TO ROUND TRANSITIONS. SPIN-IN FITTINGS AT THE END OF CAPPED DUCTS ARE NOT ACCEPTABLE.
- DUCT DIMENSIONS SHOWN ARE INSIDE CLEAR DIMENSIONS.
- VERIFY ALL THERMOSTAT AND FAN LOCATIONS WITH THE ARCHITECT.
- ROUTE ALL CONDENSATE LINES TO THE NEAREST FLOOR DRAIN (SEE PLUMBING PLANS). CONDENSATE LINES SHALL BE TRAPPED AND SLOPED 1/8" PER FOOT IN HORIZONTAL RUNS. SUPPORT PIPING ON TREATED HOOD BLOCKING.
- ALL 2x2 DIFFUSERS SHALL HAVE 4-WAY AIR FLOW PATTERNS & ALL SLOT DIFFUSERS SHALL HAVE 2-WAY AIR FLOW PATTERNS UNLESS INDICATED OTHERWISE ON DRAWINGS.
- MOUNT ALL THERMOSTATS 4'-0" ABOVE FINISHED FLOOR.
- REFER TO ARCHITECTURAL ELEVATIONS FOR ALL LOUVER HEIGHTS.
- REFER TO ARCHITECTURAL DRAWINGS FOR ACTUAL BUILDING CONFIGURATION, DIMENSIONS, ETC.
- RISE DUCTWORK UP BETWEEN JOISTS WHEN NECESSARY FOR TWO DUCTS TO CROSS.
- USE SPIN-IN AND THIST LOCK FITTINGS WITH QUADRANT AND EXTRACTOR IN ALL ROUND DUCT TAKE-OFFS FROM RECTANGULAR DUCTWORK. PROVIDE A MANUAL DAMPER IN ALL RUNOUTS TO DIFFUSERS. (THIS IS IN ADDITION TO GDB AT DIFFUSER.)
- ALL FIRE DAMPERS SHALL BE RATED TO COMPLY WITH THE INTERNATIONAL MECHANICAL CODE BASED ON THE MALL, CEILING OR PARTITION RATINGS AS SPECIFIED ON THE ARCHITECTURAL PLANS. INSTALL FIRE DAMPERS ACCORDING TO MANUFACTURER'S RECOMMENDATIONS.
- IF EQUIPMENT TO BE SUPPLIED BY CONTRACTOR IS DIFFERENT THAN THAT SPECIFIED IN PLANS OR SPECIFICATION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING WITH ALL DISCIPLINES ANY CHANGES NEEDED BECAUSE OF UNIT SIZE, ROOF OPENING SIZE, HEIGHT, LOCATION, ELECTRICAL SERVICE, ETC.
- THE FOLLOWING UNITS REQUIRE DUCT MOUNTED SMOKE DETECTORS. SMOKE DETECTORS SHALL BE FURNISHED AND WIRED INTO THE FIRE ALARM SYSTEM BY THE ELECTRICAL CONTRACTOR. INSTALLATION OF SMOKE DETECTOR AND UNIT SHUT DOWN SHALL BE BY THE MECHANICAL CONTRACTOR.
- COORDINATE VOLTAGE OF ALL MECHANICAL EQUIPMENT WITH ELECTRICAL CONTRACTOR BEFORE SUBMITTING SHOP DRAWINGS OR ORDERING EQUIPMENT. ALL POWER AND CONTROL WIRING TO DAMPER MOTORS, VALVE MOTORS, SWITCHES, TIME CLOCKS, AND ALL OTHER CONTROL COMPONENTS IS TO BE PROVIDED BY THE MECHANICAL CONTRACTOR. IT IS HIS RESPONSIBILITY TO COORDINATE WITH HIS SUBCONTRACTORS TO ENSURE THAT THIS PRICE IS INCLUDED IN THE OVERALL MECHANICAL PRICE.
- THE VENTILATION RATE PROCEDURE HAS BEEN USED TO ASSIGN ACCEPTABLE INDOOR AIR QUALITY PER ASHRAE 62-2001. THIS DESIGN SHOULD BE RE-EVALUATED, IF AT A LATER TIME, SPACE USE CHANGES OCCUR OR IF CONTAMINANTS ARE TO BE INTRODUCED OR UNUSUALLY STRONG SOURCES OF SPECIFIC CONTAMINANTS ARE TO BE INTRODUCED INTO THE SPACE. OUTSIDE AIR QUANTITIES ARE BASED ON THE ASSUMPTION THAT CONFERENCE ROOMS AND OTHER SIMILAR MEETING ROOMS ARE NOT USED FOR OVER 3 HOURS CONTINUOUSLY AND ARE OCCUPIED AT PEAK CAPACITY ONLY 50% OF NORMAL OFFICE HOURS.
- COORDINATE WITH THE GENERAL CONTRACTOR TO DETERMINE IF DUCT ROUTING AND SIZE AS PROPOSED IS FEASIBLE GIVEN THE ACTUAL FRAMING SYSTEM TO BE USED. IF NOT, THE MECHANICAL CONTRACTOR SHALL SUBMIT HIS SUGGESTED CHANGE PRIOR TO ANY DUCT FABRICATION.

LEGEND

- UNDERCUT DOOR 3/4"
- CARBON DIOXIDE SENSOR
- HUMIDITY SENSOR OR HUMIDISTAT
- WALL SWITCH
- TEMPERATURE SENSOR OR THERMOSTAT
- REMOTE TEMPERATURE SENSOR
- CABINET CEILING FAN NO. 1
- AH-1 AIR HANDLER NO. 1
- FCU-1 FAN COIL UNIT NO. 1
- ZD-1 ZONE DAMPER NO. 1
- CONDENSATE DRAIN LINE
- MANUAL DAMPER
- TYPE 'C' GRILLE (SEE SCHEDULE)
- 6" ROUND NECK
- 60 CFM
- MOTOR OPERATED DAMPER
- FIRE DAMPER
- COMBINATION FIRE/SMOKE DAMPER
- TRANSFER DUCT
- SQUARE TO ROUND TRANSITION
- ROUND FLEXIBLE DUCTWORK
- 90 DEGREE ELBOW WITH TURNING VANES
- CEILING OR WALL ACCESS DOOR
- NEW DUCTWORK, PIPING OR EQUIPMENT BY CONTRACTOR

VENTILATING EQUIPMENT SCHEDULE

SYMBOL	MFR.	MODEL NO.	FAN		MOTOR			CAPACITY		SPACES SERVED	TYPE FAN	CONTROLS	WEIGHT (LBS)	REMARKS	
			TYPE	DIA.	RPM	MAX. SONES	NO. OF SPEEDS	NP OR AMPS	VOLTAGE CHAR.						CFM
CCF-1	GREENHECK	SP-A410	CENT.	1000	4.0	1	1.74 AMPS	120-1-60	350	0.25	WOMEN	CABINET CEILING	WALL SWITCH	31	1, 2, 3, 4, 6 (FOR CCF-1&2)
CCF-2	GREENHECK	SP-A290	CENT.	1050	3.5	1	0.72 AMPS	120-1-60	255	0.25	MEH	CABINET CEILING	WALL SWITCH	24	1, 2, 3, 4
CCF-3	GREENHECK	SP-A125	CENT.	1100	2.0	1	0.82 AMPS	120-1-60	105	0.25	TOILET	CABINET CEILING	WALL SWITCH	17	1, 2, 3, 4, 5 (FOR CCF-3&4)
CCF-4	GREENHECK	SP-A125	CENT.	1100	2.0	1	0.82 AMPS	120-1-60	105	0.25	TOILET	CABINET CEILING	WALL SWITCH	17	1, 2, 3, 4, 5 (FOR CCF-3&4)

- FURNISH WITH DISCONNECT.
- FURNISH WITH BACKDRAFT DAMPER.
- FURNISH WITH HANGING VIBRATION ISOLATORS.
- FURNISH WITH WALL SWITCH.
- FURNISH WITH ROOF CAP (FOR PITCHED ROOF).
- FURNISH WITH BRICK VENT.

AIR DISTRIBUTION SCHEDULE

SYMBOL	MOUNTING	MFR.	MODEL NO.	FRAME SIZE (IN)	FACE TYPE	NECK	FINISH (FACE/INT)	USE	MATERIAL	REMARKS
A	LAY-IN	METAL-AIRE	7000-6	24X24	PERFORATED	SQUARE	WHT/WHT	SUPPLY	ALUMINUM	1, 2, 3
B	LAY-IN	METAL-AIRE	7000R-8	24X24	PERFORATED	SQUARE	WHT/WHT	RET/EXN	ALUMINUM	1
C	SURFACE/CEILING	METAL-AIRE	7000-1	NECK + 6	PERFORATED	SQUARE	WHT/WHT	SUPPLY	ALUMINUM	1, 2, 3
D	SURFACE/CEILING	METAL-AIRE	7000R-1	NECK + 2	PERFORATED	SQUARE	WHT/WHT	RET/EXH	ALUMINUM	1
E	SIDEWALL	METAL-AIRE	V40040	NECK + 2-1/2	DOUBLE DEFL.	SEE PLAN	SATH ALUM.	SUPPLY	ALUMINUM	1, 4
F	SIDEWALL	METAL-AIRE	RND	NECK + 2-1/2	FIXED BLADE	SEE PLAN	SATH ALUM.	RET/EXH	ALUMINUM	1, 4
G	SOFFIT	METAL-AIRE	RND	NECK + 2-1/2	FIXED BLADE	SEE PLAN	TO BE SELECTED	EXHAUST	ALUMINUM	6, 7
N	LAY-IN	METAL-AIRE	CC5 TB	24X24	1/2" CUBE CORE	SEE PLAN	WHITE	RETURN	ALUMINUM	-
T	LAY-IN	ACUTNERW	TF-HC	24X24	FLAT PLATE	SEE PLAN	WHITE	SUPPLY	STEEL	5

- FURNISH WITH OPPOSED BLADE DAMPER.
- FURNISH WITH SQUARE TO ROUND NECK ADAPTER
- SEE PLANS FOR DIRECTION OF THROW.
- PAINT IN FIELD TO MATCH COLOR OF WALL/DOOR (COLOR AS SELECTED BY THE ARCH.)
- VAV HEATING AND COOLING (MIN. SETTING TO BE 30%)
- INSTALL 1/4" GALV. HARDWARE CLOTH ON REAR OF GRILLE.
- PRIME AND PAINT GRILLE A COLOR SELECTED BY ARCHITECT.

MODULATING ZONE DAMPER SCHEDULE

SYMBOL	MFR.	MODEL NO.	MAX. CFM	PRESS. DROP	SIZE	VOLTAGE	REMARKS
ZO-1	TRANE	VADA 10	545	< 0.05"	10" DIA.	24 V	1, 2
ZO-2	TRANE	VADA 8	350	< 0.05"	8" DIA.	24 V	1, 2

- FURNISH WITH 24 V TRANSFORMER.
- FURNISH WITH ROOM SENSOR.



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HVAC Schedules  
and Notes

Scale: No Scale

File No.

Sheet M-3 of x



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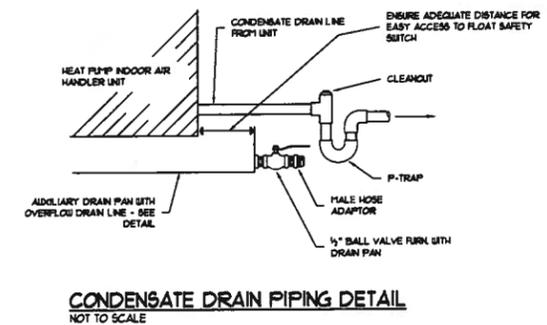
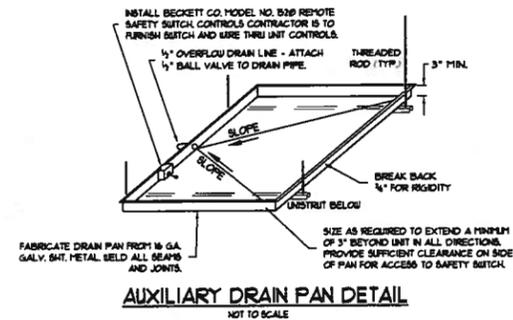
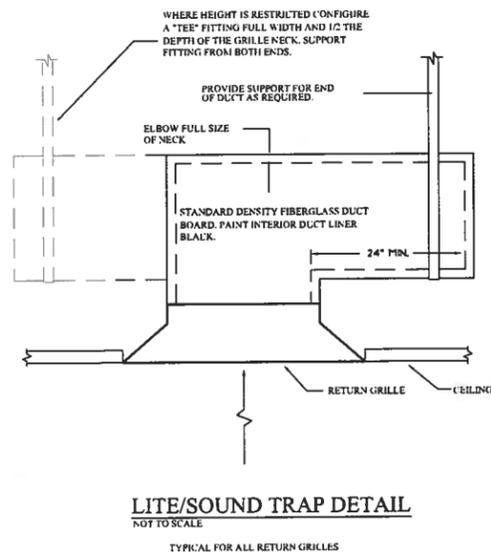
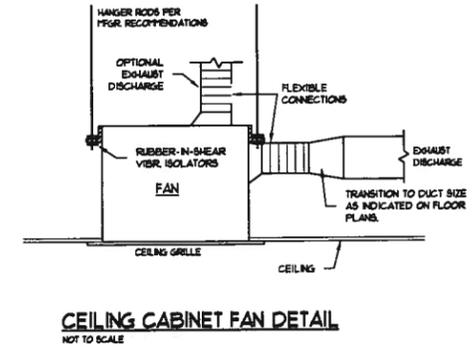
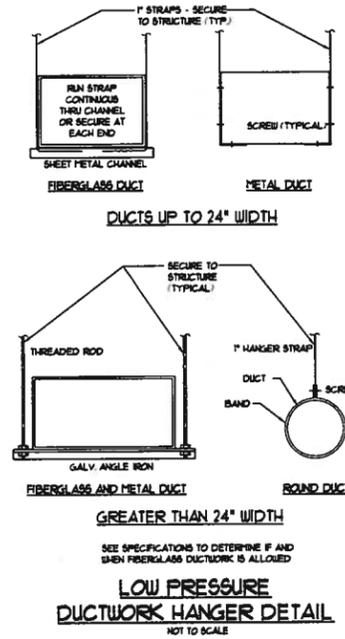
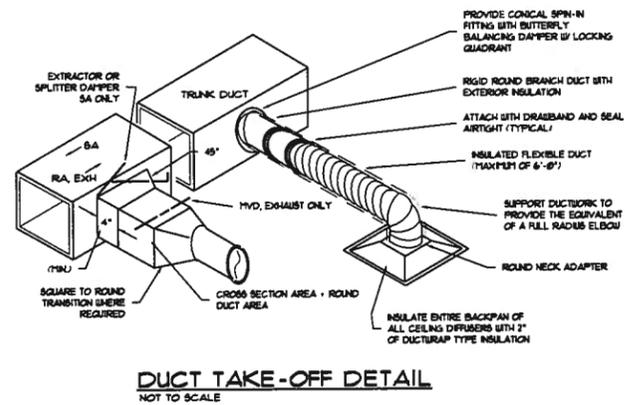
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HVAC Details

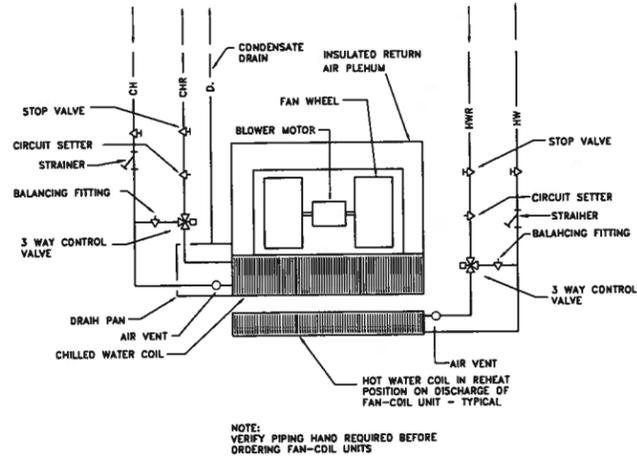
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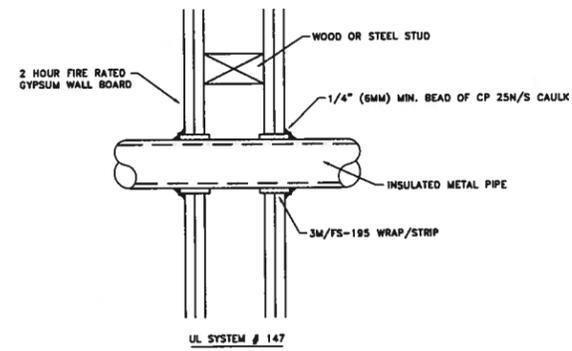
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Columbia, S.C. 29205  
Comm. No.: 07-45 Date: 01-25-08

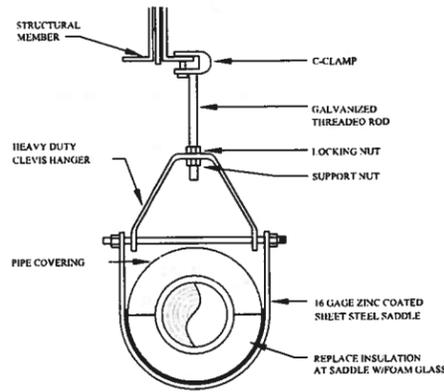


**TOP VIEW**  
**CEILING MOUNT FAN-COIL UNIT PIPING DETAIL**  
NOT TO SCALE



**INSULATED METAL PIPE THROUGH GYPSUM WALLBOARD PENETRATION DETAIL**  
HOT TO SCALE

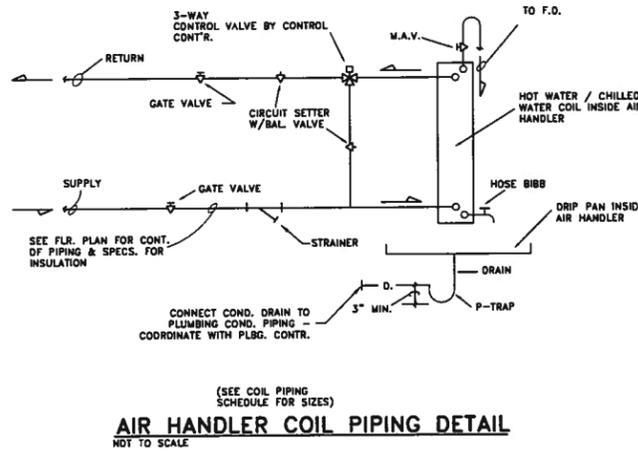
NOTE: INSTALL PER MANUFACTURER'S GUIDELINES



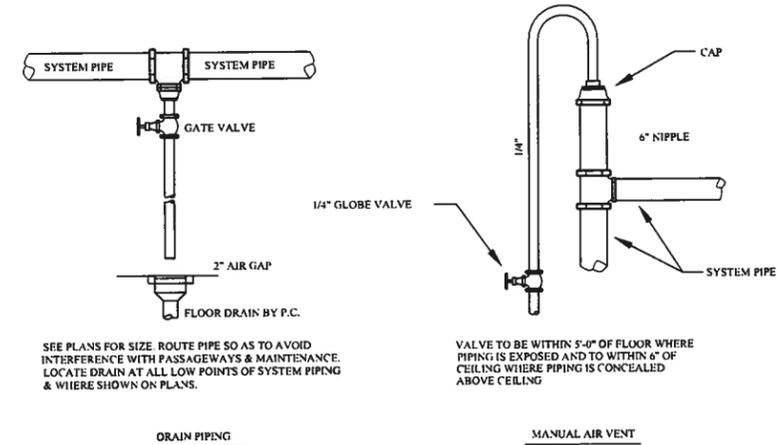
**PIPE HANGER DETAIL**  
NOT TO SCALE

HVAC PIPING LEGEND	
— CHWS —	CHILLED WATER SUPPLY
— CHWR —	CHILLED WATER RETURN
— CHW —	CHILLED WATER SUPPLY AND RETURN
— HHWS —	HEATING HOT WATER SUPPLY
— HHWR —	HEATING HOT WATER RETURN
— HHW —	HEATING HOT WATER SUPPLY AND RETURN
— D —	CONDENSATE DRAIN PIPING
↘	PITCH ARROW—PITCH DRAIN IN DIRECTION OF ARROW
— —	CONCENTRIC INCREASER OR REDUCER
—/—	ECCENTRIC INCREASER OR REDUCER
— — —	UNION
— — —	CIRCUIT SETTER
— — —	GATE VALVE
— — —	GLOBE VALVE
— — —	BALL VALVE
— — —	LINE SIZE STRAINER W/VALVED BLOWDOWN
— — —	PRESSURE GAUGE, SIPHON STOP COCK
— — —	HOSE BIBB—H.B.
— — —	PLUGGED FITTING FOR CLEANOUT
— — —	CHECK VALVE
— — —	REMOTE ELECTRONIC THERMOMETER
A.A.V.	AUTOMATIC AIR VENT
M.A.V.	MANUAL AIR VENT
F.D.	FLOOR DRAIN

SYMBOL	COOLING COIL				HEATING COIL				CONDENSATE DRAIN SIZE	REMARKS
	GPM	RUNOUT SIZE	CONTROL VALVE		GPM	RUNOUT SIZE	CONTROL VALVE			
			SIZE	MAX. P.S.I.			SIZE	MAX. P.S.I.		
AH-20	4.9	1"	3/4"	5 PSI	2.2	3/4"	1/2"	5 PSI	3/4"	---
AH-21	8.3	1-1/4"	1"	5 PSI	3.9	1"	3/4"	5 PSI	1"	---
AH-22	7.0	1-1/4"	1"	5 PSI	3.2	1"	3/4"	5 PSI	1"	---
AH-23	5.0	1"	3/4"	5 PSI	2.3	3/4"	1/2"	5 PSI	3/4"	---
AH-24	3.0	1"	3/4"	5 PSI	0.8	3/4"	1/2"	5 PSI	3/4"	---
AH-25	6.2	1-1/4"	1"	5 PSI	3.2	1"	3/4"	5 PSI	1"	---
AH-26	3.0	1"	3/4"	5 PSI	0.8	3/4"	1/2"	5 PSI	3/4"	---
AH-27	3.8	1"	3/4"	5 PSI	2.1	3/4"	1/2"	5 PSI	3/4"	---
AH-28	3.6	1"	3/4"	5 PSI	1.4	3/4"	1/2"	5 PSI	3/4"	---
AH-29	6.0	1-1/4"	1"	5 PSI	3.1	1"	3/4"	5 PSI	1"	---
AH-30	3.4	1"	3/4"	5 PSI	1.6	3/4"	1/2"	5 PSI	1"	---
AH-31	3.8	1"	3/4"	5 PSI	1.7	3/4"	1/2"	5 PSI	1"	---
AH-32	8.2	1-1/4"	1"	5 PSI	3.1	1"	3/4"	5 PSI	1"	---



(SEE COIL PIPING SCHEDULE FOR SIZES)  
**AIR HANDLER COIL PIPING DETAIL**  
NOT TO SCALE



**DRAIN PIPING AND MANUAL AIR VENT DETAIL**  
NOT TO SCALE



**FELKEL & HASTINGS**  
Mechanical Engineers  
3101 Cortale Street  
Columbia, S.C. 29205  
Comm. No.: 07-45 Date: 01-25-08



**Drakeford Architects**

120 North Main Street  
Sumter, SC 29150 803 774-2000

Date January 21, 2008

Revisions

Charleston Mental Health Center - Children's Clinic Addition

Charleston, S.C.

Project No. J12-9704-PG

HVAC Details

Scale: No Scale

File No.

Sheet **M-5** of x



Drakeford Architects

120 North Main Street  
Sumter, SC 29150 803 774-2000

Date January 21, 2008

Revisions

Charleston Mental  
Health Center -  
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Addition

Charleston, S.C.

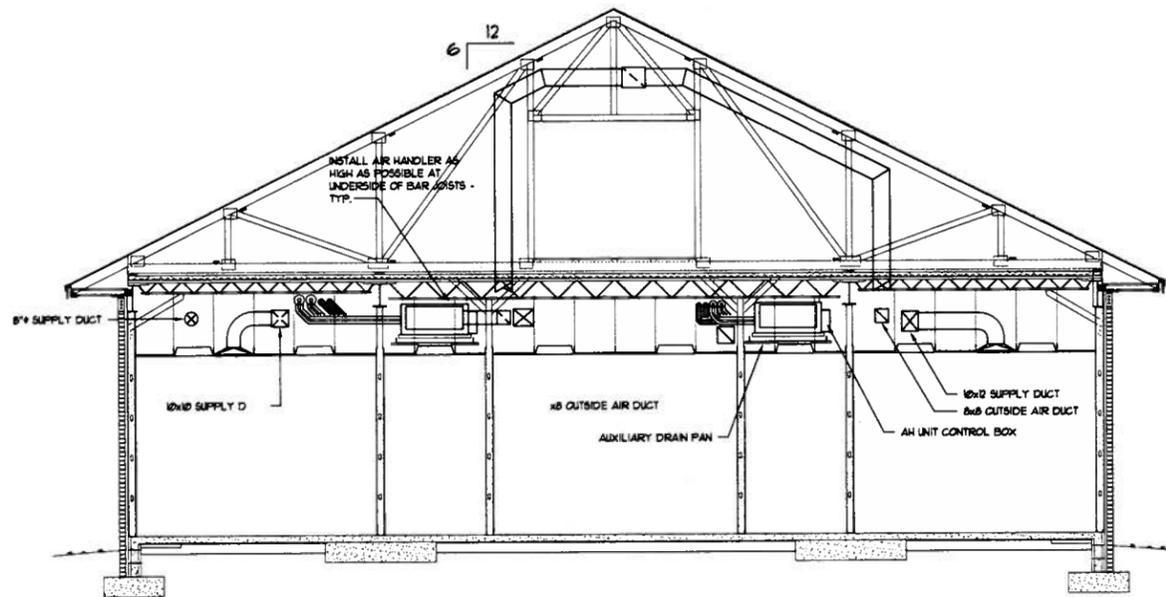
Project No. J12-9704-PG

HVAC Sections

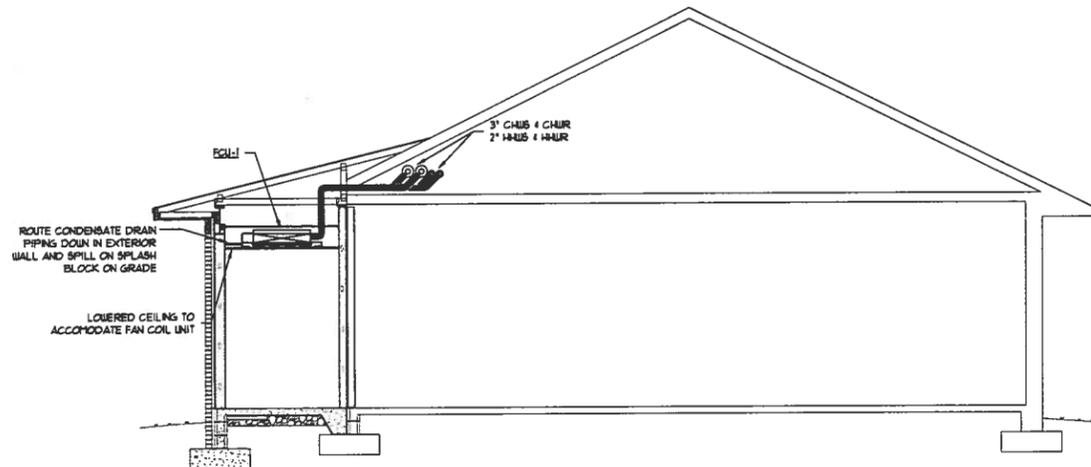
Scale: AS NOTED

File No.

Sheet M-6 of x



1 HVAC SECTION  
SCALE: 1/4" = 1'-0"



2 HVAC SECTION  
SCALE: 1/4" = 1'-0"



FELKEL & HASTINGS  
Mechanical Engineers  
3101 Corliss Street  
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