



Physical Address: 386 E. Black Street  
Mailing Address: P.O. Drawer 10072  
Rock Hill, SC 29731

T: (803) 981-1000  
F: (803) 981-1094  
www.rock-hill.k12.sc.us

**PROCUREMENT CODE WRITTEN DETERMINATION**

**TO:** Contract File for RFP 21-2221 Food Service Management Company  
**FROM:** Terri Smith, Executive Director of Auxiliary Services  
**DATE:** May 27, 2022  
**RE:** Written Determination Lifting Stay of Procurement

On May 9, 2022, Southwest Food Service, LLC ("SFE") submitted a protest of the District's Notice of Intent to Award this contract to Sodexo. SFE amended its protest by letter dated May 16, 2022. The District now issues this Written Determination regarding this award.

The District Procurement Code provides that a timely protest will stay an award. However, the Code also states that "award of a protested contract is not stayed if the Executive Director of Auxiliary Services, after consultation with the Superintendent, makes a written determination that the solicitation or award of the contract without further delay is necessary to protect the best interests of the District."

I have consulted with the Superintendent about the best interests of the District in this matter. The District has determined that the award of this contract without further delay is required to protect the District's best interests. The contract with the current food service provider expires on June 30, 2022. The District must be prepared continue serving meals effective July 1, 2022. Given the delays associated with the protest process and possible appeals, a continued stay of this award will jeopardize the District's ability to continue providing meals. Sufficient time must be allowed for SFE to de-mobilize and remove its equipment and employees from the District's facilities, and time will be required to allow the new food service company to mobilize its equipment and employees.

Therefore, in consultation with the Superintendent, it is determined that the best interests of the District require completing the steps necessary to make the award by executing the contract without delay.

By: Terri Smith  
Terri Smith

Date: 5/27/2022