

EMERGENCY WRITTEN DETERMINATION

MMO Form 103

Agency Identification: South Carolina Department of Education (SCDE) — Agency Code H63

1. Nature of the Emergency Condition and Immediate Threat to Public Health, Welfare, Critical Economy and Efficiency, or Safety

The South Carolina Department of Education (SCDE) is experiencing an emergency condition involving critical maintenance technician shortages that constitute an immediate threat to public safety and the welfare of students across the State. SCDE is statutorily responsible for supporting approximately 5,500 school buses that transport students throughout South Carolina each school day. The agency is presently understaffed by 67 technicians — representing approximately 22% of an authorized maintenance workforce of roughly 300 technicians — across SCDE service centers statewide. Estimated expense \$4,000,000.00

As a direct consequence of these vacancies, SCDE's capacity to perform required preventive maintenance, safety inspections, diagnostics, and mechanical repairs has been significantly diminished, producing a growing backlog of work affecting critical bus systems including engines, transmissions, emissions systems, air conditioning systems, electrical systems, and other safety-related components. Bus downtime has increased and fleet readiness has been materially reduced.

Without immediate supplemental maintenance and repair support, additional buses face removal from service, which will result in transportation delays, loss of instructional time, disruption of essential government operations, and heightened risk to student safety. The need cannot be satisfied through existing SCDE staffing resources or through normal competitive procurement methods within the timeframe required to prevent further deterioration of fleet readiness.

2. Facts and Circumstances Giving Rise to the Emergency Condition

SCDE maintains a statewide fleet of approximately 5,500 school buses operated in support of public school transportation. The agency has experienced significant and sustained technician vacancies across all service center locations and is currently operating with 67 unfilled technician positions out of approximately 300 authorized positions. These vacancies have substantially reduced SCDE's maintenance capacity and have resulted in a growing backlog of deferred preventive maintenance, safety inspections, diagnostics, and repairs affecting engines, transmissions, emissions systems, air conditioning systems, electrical systems, and other operational and safety-critical components.

The cumulative effect of this staffing deficit has caused an increase in out-of-service buses, reduced overall fleet availability, and created conditions that, if unaddressed, will impair SCDE's ability to provide safe and reliable student transportation. The timeline required to conduct a standard competitive procurement under S.C. Code Ann. § 11-35-1520 — including the preparation and advertisement of a solicitation in South Carolina Business Opportunities (SCBO), the receipt and evaluation of competitive sealed bids, and the resultant contract award process — would prevent SCDE from obtaining supplemental resources with sufficient urgency to prevent further maintenance backlog accumulation and associated safety risks.

Accordingly, the SCDE has determined that an emergency procurement of supplemental maintenance personnel and repair services is necessary to stabilize fleet operations, restore fleet readiness, reduce the number of out-of-service buses, and ensure the continued safe transportation of students throughout South Carolina. This procurement is limited in scope and duration to the minimum necessary to address the emergency condition, consistent with S.C. Regulation 19-445.2110(C).

The Agency has contracted with the Emergency Vendor for the supplies, services, information technology, or construction described below per S.C. Code Ann. § 11-35-1570 and S.C. Regulation 19-445.2110, Emergency Procurement.

3. Emergency Vendor

First Student 7000081017

4. Basis for Selection of the Emergency Vendor

SCDE will rapidly mobilize First Student qualified maintenance technicians and related maintenance support resources necessary to address the emergency condition. The selected vendor has demonstrated the capacity to deploy personnel experienced in the preventive maintenance, inspection, diagnostics, and repair of school bus fleets, including engines, transmissions, emissions systems, air conditioning systems, and electrical systems. First Student is already a contracted vendor within several state school districts and already conducting work on current school district fleet equipment.

Extensive competition through normal procurement methods is not practicable under these circumstances because the delay inherent in such a process would cause the maintenance backlog to increase further, reduce fleet availability, and risk disruption to student transportation services essential to public welfare and safety. As required by S.C. Code Ann. § 11-35-1570(A), competition as is practicable under the emergency circumstances will be obtained. This procurement is limited to the scope and duration necessary to respond to the emergency condition and will not extend beyond the period required to restore adequate fleet readiness.

5. Description of Supplies, Services, Information Technology, or Construction

Emergency supplemental maintenance and repair services for SCDE's school bus fleet, including the deployment of qualified maintenance technicians to perform: preventive maintenance and safety inspections; engine and transmission diagnostics and repairs; emissions system repairs; air conditioning system repairs; electrical system diagnostics and repairs; and related fleet maintenance support services. All services are necessary to restore fleet readiness and maintain continuity of student transportation operations statewide.

REQUIRED SIGNATURES

Prepared by:

Signature: Mike Bullman Date: 8/24/2020
Printed Name: Mike Bullman Title: Director of Transportation

Approved by:

Signature: Ellen E. Weaver Date: 8/25/20
Printed Name: Ellen Weaver Title: State Superintendent of Education