

The South Carolina Court of Appeals

In Re: Haren Construction Co., Inc.

Project No. P24-6052-PG Beaufort-Waddell Mariculture
Maturation Ponds Maintenance - Re-Bid

Paragon Inc. of South Carolina, LLC, Chief Procurement
Officer, State Fiscal Accountability Authority, and South
Carolina Department of Natural Resources,

of which Paragon Inc. of South Carolina, LLC and Chief
Procurement Officer, State Fiscal Accountability
Authority are the Appellants/Respondents, South
Carolina Department of Natural Resources is the
Respondent/Appellant, and Haren Construction Co., Inc.
is the Respondent.

Appellate Case No. 2026-000914

ORDER

On April 9, 2026, Paragon Inc. of South Carolina, LLC (Paragon) filed a notice of appeal involving a bid protest stemming from the South Carolina Department of Natural Resources' (SCDNR's) solicitation and intent to award construction services to Haren Construction Company (Haren) to renovate the Waddell Mariculture facility in Beaufort County. Paragon appeals from the Procurement Review Panel's (Panel's) March 13, 2026 order reversing the chief procurement officer (CPO) of the State Fiscal Accountability Authority; reinstating SCDNR's determination that Paragon was non-responsible; and remanding to SCDNR for further action consistent with the Panel's order and the South Carolina Procurement Code. Paragon also appeals from the Panel's April 6, 2026 order that denied all motions to reconsider.¹ On April 13, 2026, the CPO filed a notice of appeal

¹ From the filings, it appears Paragon, the CPO, and SCDNR all filed motions to reconsider the Panel's March 13, 2026 order.

joining Paragon's appeal from the March 13, 2026 and April 6, 2026 orders. On April 21, 2026, SCDNR filed a notice of appeal cross-appealing the March 13, 2026 and April 6, 2026 orders. On April 22, 2026, Paragon filed a motion to stay the Panel's March 13, 2026 and April 6, 2026 orders pending resolution of this appeal and requested an expedited briefing schedule. SCDNR and Haren filed returns opposing the motion to stay, and the CPO filed a return taking no position on the motion to stay.

After careful consideration, we grant a temporary stay of the Panel's March 13, 2026 and April 6, 2026 orders. Within ten days of the date of this order, the parties shall serve and file a memorandum informing this court if SCDNR has indeed awarded the contract to Haren; if SCDNR has awarded the contract, the parties are to provide the date the contract was awarded and all documentation and support evidencing the contract award. Thereafter, this court will consider Appellant's motion to stay and the additional motions filed in this case.


FOR THE COURT

Columbia, South Carolina

cc:

James Mixon Griffin, Esquire
Manton M. Grier, Jr., Esquire
Evander Whitehead, Esquire
Susan Olmert Porter, Esquire
Dennis Gregory Placone, Esquire
Paul Nicholas Nybo, Esquire

FILED
May 07 2026