

CHESTERFIELD COUNTY FUEL PURCHASES

Chesterfield County Council and Administration are aware of a story recently broadcast on a Charlotte television station by a reporter referred to as a “Chief Investigator” by the station concerning the purchase of petroleum products by Chesterfield County from January 1, 2011, to June 30, 2021. While carefully avoiding outright accusing the County, Council Members or personnel, the story insinuated that the County engaged in “bid rigging” in order to purchase petroleum products from a local business, Curtis Oil Company, that at the time was owned by Council member Douglas Curtis’ family and by which Mr. Curtis was employed, to the exclusion of other vendors.

The story begins with the interview of the owner of a Cheraw based petroleum company and implies that his company bid on multiple solicitations but never won any. At one point during the interview, the following exchange occurs between the reporter and the company owner:

“How competitive was the price you were giving Chesterfield County,” the reporter asks, to which the company owner replied, “Real competitive. I was going almost to the bone, so to speak, to win the bid. Because I’m right here, it’s right here on my home ground. It being right here at home, I always try to look out for local people, especially here in my home county.”

County records, the identical records the reporter was provided by the County months ago, reveal that the business owner being interviewed only ever submitted a single bid to the County. That bid, submitted on September 21, 2018, was for \$22,584.53 (\$2.88 per gallon) while the winning bid from Curtis Oil was \$21,957,18 (\$2.80 per gallon). In addition to stating that he cut his prices “almost to the bone,” the Cheraw based company’s owner also emphasized his proximity to Chesterfield County’s operations. His business is approximately 13 miles away while Curtis Oil was located about two miles away. The reporter failed to mention any of this during his interview with the company’s owner or explain it at any point during his story.

The story strongly suggests that the effort to solicit bids was intentionally lacking to benefit Curtis Oil. A lawyer consulted by the reporter, whose review was based on the information and records provided by the reporter, opined that the county may have structured the bid format to prevent three qualified vendors from being able to compete for the county’s fuel business. The story did not mention that the lawyer consulted has spent the majority of his career representing and consulting for the media. The first sentence of the lawyer’s bio on his own firm’s website states that he “has built a national reputation as a lawyer for newspapers and broadcasters....”

However, a review of the same records reveals that the County’s Finance Director, Michelle Stanley, consistently attempted to solicit bids from multiple vendors and made sure that vendors received and reviewed those solicitations via email confirmation receipts. When the Cheraw based vendor interviewed by the reporter for this story indicated to Ms. Stanley that he had trouble responding via email, Ms. Stanley even went so far as to provide him with her cell

phone number to permit him to text his bid. Again, other than the one bid previously mentioned in which he was eight cents per gallon higher than the lower bid, he never submitted a bid.

In February, 2021, months before the reporter even requested any documents from the County, Ms. Stanley began soliciting bids via South Carolina's statewide contract database because she was spending an inordinate amount of time trying to solicit bids from multiple vendors. This served as a mechanism to make the process more efficient while still ensuring competitive pricing and timely delivery of the fuel (still within the next day or two). Contrary to what appeared to be the reporter's implication near the end of his broadcast, this change was in no way related to the "investigation" he conducted for his story.

The County Administrator, Tim Eubanks, and Finance Director offered to either answer questions from the reporter in writing and, contrary to the reporter's assertion, also offered to meet with him in person albeit off camera. In an email to the reporter on November 3, 2021, Mr. Eubanks stated:

As I indicated this morning, the Finance Director and I will be glad to meet with you to review any questions you may have regarding the procurement policy relating to petroleum purchases, but I will not do so on camera.... We would welcome the opportunity to review any issues in this matter about which you have questions in a comprehensive and deliberate manner. I am not, however, going to do that in a setting where my words will be subject to your editing to create, at most, a few minutes of video that may or may not reflect the truth.

"I'm disappointed but not surprised that, unfortunately, such was the case and was the exact reason I refused to meet with him on camera," said Eubanks in response to what was broadcast. "The story, which was presented as an objective investigation, was full of cherry-picked facts, innuendo and omitted virtually any information that did not fit the reporter's narrative. Our review of the same records indicates there was a net savings of over \$24,000 during the same time period."

Council Chairman Al Johnson stated, "I've served on Chesterfield County Council for over 35 years, and I have the utmost confidence in the job Michelle Stanley has done and continues to do as County Finance Director. I know firsthand that her number one priority is making certain that county funds are spent in the most efficient and effective manner possible. She goes above and beyond to save the taxpayers of Chesterfield County money."