

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: SBR Joint Venture v. Miami-Dade County School Board, DOAH Case No. 03-1102-BID and Magnum Construction Management Corporation v. Miami-Dade County School Board, DOAH Case No. 03-1104-BID**

On January 29, 2003, District staff recommended that the School Board award Project No. A0746/A0746A (a Design-Build project for additions, remodeling, and renovations at Miami Coral Park Senior High School), to the lowest bidder, Magnum Construction Management, Corp. ("MCM"). On February 6, 2003, the second lowest bidder, SBR Joint Venture ("SBR") filed a notice of protest, asserting that MCM should be disqualified due to an alleged conflict of interest. At its regularly scheduled meeting of February 12, 2003, the School Board voted to table the award of the contract until SBR's protest was resolved.

On May 14 and 15, 2003, a hearing on the bid protest was held, and on August 1, 2003, the Administrative Law Judge issued his Recommended Order recommending that the Board issue a Final Order rejecting SBR's bid protest and awarding the contract for the Coral Park project to MCM. A copy of the Recommended Order is being furnished to the Board under separate cover, along with a copy of the proposed Final Order.

The Office of the School Board Attorney recommends--and the Administration agrees with the recommendation--that the Board adopt the Recommended Order of the Administrative Law Judge as the School Board's Final Order. None of the parties involved have filed exceptions to the Recommended Order.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida enter a Final Order in the consolidated bid protest cases known as SBR Joint Venture v. Miami-Dade County School Board, DOAH Case No. 03-1102-BID and Magnum Construction Management Corporation v. Miami-Dade County School Board, DOAH Case No. 03-1104-BID, accepting the Administrative Law Judge's Recommended Order, rejecting SBR's bid protest, and awarding the contract on School Board Project No. A0746/A0746A to the lowest bidder, MCM.