

Office of Superintendent of Schools  
Board Meeting of March 15, 2006

March 1, 2006

Office of School Board Attorney  
JulieAnn Rico Allison, Board Attorney

**SUBJECT: SUPPLY CHAIN CONCEPTS v. MIAMI-DADE COUNTY  
SCHOOL BOARD and SCHOOL FOOD SERVICE SYSTEMS, INC. –  
DOAH Case No. 05-4571-BID**

On December 6, 2005, a petition was filed with the Division of Administrative Hearings for a formal hearing regarding a bid protest by Supply Chain Concepts, protesting alleged deficiencies and irregularities in M-DCPS Bid No. 010-FF03. The invitation to Bid No. 010-FF03 solicited bids for a contract for Mainline Foods and Distribution Services in order for the School Board to purchase approximately 400 food items, in varying quantities for service in the cafeterias of the schools, during the term of the contract.

After the final hearing held on January 19, 2006, the Administrative Law Judge found that the School Board's specifications for dry cereals, which were part of the Mainline Food Distributorship procurement, were not clearly erroneous, contrary to competition, arbitrary or capricious. As a result, the Administrative Law Judge has recommended that a Final Order be entered dismissing Supply Chain's protest. This will permit the procurement to proceed.

A copy of the Recommended Order is being furnished to the Board under separate cover.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida enter an order adopting the recommendation of the Administrative Law Judge dismissing the bid protest in the case of Supply Chain Concepts v. Miami-Dade County School Board and School Food Service Systems, Inc., DOAH Case No. 05-4571-BID.

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SS/pyc