

Office of Superintendent of Schools  
Board Meeting of September 12, 2002

September 10, 2002

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: SOUTH FLORIDA BLOOD BANKS, INC. v. THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA and COMMUNITY BLOOD CENTERS OF SOUTH FLORIDA, INC. - DOAH CASE NO. 02-0140BID**

On September 10, 2001 Petitioner, South Florida Blood Banks, Inc., filed its formal protest of the award of Request for Proposal #169-AA10, Administration of the Blood Drive Program to the incumbent provider, Community Blood Centers of South Florida, Inc. The protest was forwarded to the Division of Administrative Hearings on January 10, 2002 for formal resolution, and a hearing on the matter was conducted on May 22 and 23, 2002 before DOAH Administrative Law Judge Claude B. Arrington. By recommended order entered August 14, 2002, the Administrative Law Judge ("ALJ") concluded from the findings that: (i) the evaluation and selection were materially flawed, and that the award to Intervenor should be invalidated; and (ii) Respondent should submit the two responses to a new Selection Committee with instructions that it should evaluate the two proposals only on the criteria set forth in the RFP.

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**RECOMMENDED:** That The School Board of Miami-Dade County, Florida enter a final order in the case of South Florida Blood Banks, Inc. v. The School Board of Miami-Dade County, Florida and Community Blood Centers of South Florida, Inc. - Doah Case No. 02-0140Bid, adopting the Administrative Law Judge's Recommended Order finding that the evaluation and selection were materially flawed, and that the award to Intervenor should be invalidated; and (ii) Respondent should submit the two responses to a new Selection Committee with instructions that it should evaluate the two proposals only on the criteria set forth in the RFP.

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