

STATE OF FLORIDA

DEPARTMENT OF JUVENILE JUSTICE

FILED  
02 NOV 20 PM 11:00

DEPARTMENT OF  
ADMINISTRATIVE  
HEARINGS

AT

CORRECTIONAL SERVICES )  
CORPORATION, )  
) )  
Petitioner, )  
) )  
v. )  
) )  
DEPARTMENT OF JUVENILE JUSTICE, )  
) )  
Respondent, )  
) )  
and )  
) )  
RAMSAY YOUTH SERVICES, INC., )  
) )  
Intervenor. )  
\_\_\_\_\_ )

DJJ Case No.: 02-0008

DOAH Nos.: 02-2966BID  
02-2967BID

WRC-CLOS

FINAL ORDER

This matter is now before the undersigned for issuance of final agency action in regard to the bid protest filed by the Petitioner, Correctional Services Corporation (hereafter, "CSC"). The protest was conducted pursuant to section 120.57(1), Florida Statutes, with a formal hearing conducted on August 29-30, 2002, before Administrative Law Judge William R. Cave in Tallahassee, Florida. A "Recommended Order" was entered on October 29, 2002, which is attached and incorporated within this Final Order. Pursuant to section 120.57(3)(e), Florida Statutes, the parties

were allowed 10 days within which to submit written exceptions. Ramsay Youth Services, Inc. (hereafter, "Ramsay"), submitted an unopposed technical exception referencing a scrivener's error in the Recommended Order. CSC filed no exceptions.

### **Findings of Fact**

The Department adopts the "Findings of Fact" set out in paragraphs 1 through 34 of the Recommended Order.

### **Conclusions of Law**

The Department accepts the "Conclusions of Law" set out in paragraphs 35 through 44 of the Recommended Order. There, the ALJ concluded that CSC "failed to demonstrate that the intended contract awards to Ramsay are arbitrary or capricious, contrary to competition, or clearly erroneous. Likewise, CSC has failed to demonstrate that the intended contract awards to Ramsay are contrary to the Department's governing statutes, rules, or policies or the specifications of the requests for proposals." (RO: ¶44).

### **Order**

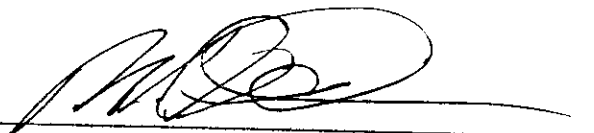
Based upon the foregoing it is hereby **ORDERED**:

1. The Administrative Law Judge's Findings of Fact and Conclusions of Law are adopted.
2. The Petitioner's protest is dismissed.
3. Ramsay's unopposed technical exception is granted, and

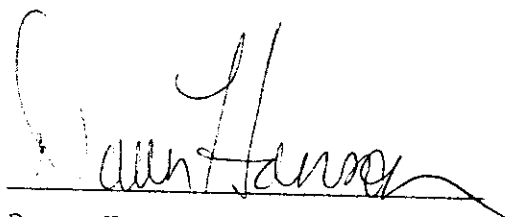
the Administrative Law Judge's "Recommendation" is corrected to reflect that the requests for proposals at issue are RFP Nos. J5G01 and J5G02.

4. The Department adopts the Administrative Law Judge's recommendation that it proceed with the award to Intervenor, Ramsay Youth Services, Inc., for RFP Nos. J5G01 and J5G02.

Entered this 16<sup>th</sup> day of November, 2002, in Tallahassee, Florida.



W.G. "BILL" BANKHEAD, SECRETARY  
Department of Juvenile Justice



Dawn Hanson, Agency Clerk

**Notification of Right to Appeal**

In accordance with the provisions of section 120.68(1), Florida Statutes, a party who is adversely affected by this Final Order is entitled to judicial review. To appeal this Final Order, a notice of appeal with a copy of this order attached must be filed with this agency within 30 days of rendition. The appeal may be filed in the District Court of Appeal in which this agency maintains its headquarters or in which the party appealing this Final Order resides. Any such appeal shall then be conducted pursuant to the Florida Rules of Appellate Procedure.

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