

STATE OF FLORIDA

DEPARTMENT OF JUVENILE JUSTICE

FILED
200 MAY 20 P 12:47
DIVISION OF
ADMINISTRATIVE
HEARINGS

ECKERD YOUTH ALTERNATIVES, INC.)
)
Petitioner,)
)
v.)
)
DEPARTMENT OF JUVENILE JUSTICE,)
)
Respondent,)
)
and)
)
THE HENRY AND RILLA WHITE YOUTH)
FOUNDATION, INC.,)
)
Intervenor.)
_____)

DJJ Case No.: 10-0013

DOAH No.: 10-0535BID

FINAL ORDER

This matter is now before the undersigned for issuance of final agency action in regard to the Petitioner's challenge to a proposed award to The Henry and Rilla White Foundation, Inc., the winning bidder in Request for Proposals P2056 (the RFP), concerning a contract for a Community Based Intervention Services Program in Brevard County. The protest was conducted pursuant to section 120.57(1), Florida Statutes, with a formal hearing

conducted on March 11, 2010, before Administrative Law Judge Susan B. Harrell, in Tallahassee, Florida.

A "Recommended Order" was entered on April 28, 2010, 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. No exceptions were filed.

Findings of Fact

The Department adopts the "Findings of Fact" set out in paragraphs 1 through 31 of the Recommended Order.

Conclusions of Law

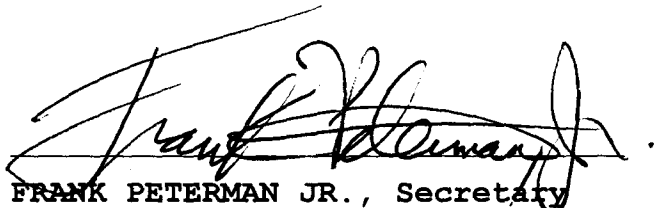
The Department generally accepts the "Conclusions of Law" set out in paragraphs 32 through 44 of the Recommended Order. There, the ALJ concluded, based upon the facts presented, that the Petitioner failed to establish that the Department's method of calculating "Combined Success Rates" was arbitrary, capricious, contrary to competition, or clearly erroneous.

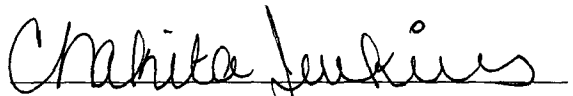
Order

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

1. The Administrative Law Judge's Findings of Fact and Conclusions of Law are adopted as described above.
2. The Petitioner's protest to the RFP is dismissed.

Entered this 18 day of May, 2010, in
Tallahassee, Florida.


FRANK PETERMAN JR., Secretary
Department of Juvenile Justice


Chakita Jenkins, Agency Clerk
Filed this 18th day of
May, 2010

COPIES FURNISHED:

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Notice of Right to Judicial Review

In accordance with the provisions of section 120.68, Florida Statutes, a party who is adversely affected by this Final Order is entitled to judicial review. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing a notice of appeal with the Agency Clerk, Office of the General Counsel, 2737 Centerview Drive, Suite 3200, Tallahassee, Florida 32399-3100, and a copy, accompanied by filing fees prescribed by section 35.22, Florida Statutes, with the District Court of Appeal, First District, 301 Martin Luther King, Jr., Boulevard, Tallahassee, Florida 32399-1850, or with the District Court of Appeal in the appellate district where the party resides. The notice of appeal must be filed within 30 days of rendition of the order to be reviewed.