



An Equal Opportunity Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

WaterMatters.org

Bartow Office

170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Office

78 Sarasota Center Boulevard
Sarasota, Florida 34240-9770
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office

7601 U.S. 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

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Chair, Hillsborough

John Mitten

Vice Chair, Hernando, Marion

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Executive Director

NOTICE OF REJECTION

RFB 24-4467 Brooker Creek Buffer Preserve FDOT Mitigation Site - Invasive Plant Control Services in Hillsborough County, Florida

July 9, 2024

Pursuant to Section 1.12, Rejection of Bid, the following firms' response is being rejected as non-responsive:

- **EarthBalance Corporation**

If you have any questions, please contact Ari Horowitz at 352-505-2970.

Notice of Rights is attached. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

Thank you,

Ari Horowitz

Ari Horowitz
Procurement Specialist

CL: file

Notice of Rights

1. Any person who is adversely affected by the District's decision or intended decision may file a Notice of Protest with the District in accordance with 120.57, Florida Statutes (F.S.), and Uniform Rules of Procedure Chapters 28-106 and 28-110, Florida Administrative Code (F.A.C.).
2. Unless otherwise provided by law, a Notice of Protest must be filed with (received by) the District within 72 hours after the posting of the notice of decision or intended decision. The Notice of Protest shall comply with subsection 28-110.003, F.A.C.
3. Pursuant to 120.57(3)(b), a formal written protest shall be filed within 10 days after the date the notice of protest is filed. The "formal written protest" required by Section 120.57(3)(b), F.S., shall state with particularity the facts and law upon which the protest is based. The formal written protest shall contain the information specified in Section 120.54(5)(b) 4., F.S., and in subsection 28-106.201(2), and 28-110.004(2) F.A.C. (See Rule 28-110.004(1), F.A.C.) If the formal written protest is filed in proper form within the 72-hour period for filing a notice of protest, the formal written protest will also constitute the notice of protest.
4. Bid protest bonds are required by Section 287.042(2)(c), F.S., for procurements under Chapter 287, F.S. (commodities, contractual services, professional services and insurance) and by Section 255.25(3)(d), F.S., for procurements of leases of space in privately owned buildings. A bond payable to the District in an amount equal to 1 percent of the contract price must be posted at the time of filing the formal written protest in accordance with section 287.042(2)(c), Florida Statutes. A bond payable to the District in an amount equal to 1 percent of the estimated total rental of the basic lease period or \$5,000, whichever is greater, must be posted at the time of filing the formal written protest in accordance with section 255.25(3)(d).
5. Failure to file a Notice of Protest or a Formal Written Protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under chapter 120, Florida Statutes.
6. Pursuant to 120.57(3)(d)(1), the District shall provide an opportunity to resolve the protest by mutual agreement between the parties within 7 days, excluding Saturdays, Sundays, and state holidays, after receipt of a formal written protest. Please contact the District's Office of General Counsel to schedule.
7. A Notice of Protest or a Formal Written Protest is deemed filed upon receipt of the document in its proper form by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery, or facsimile transfer (fax). The District does not accept protests by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-9776. Any protest not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed protests is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.swfwmd.state.fl.us/about/agency-statement-organization-and-operation