

UNITED STATES DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
WASHINGTON, DC

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**ORDER**

**FAA Order  
Number:** Odra-03-265

**Matter:** Protest of B&M Lawn Maintenance, Inc.  
Under Solicitation DTFASW-03-R-03141

**Docket:** 03-ODRA-00271

**Date Served:** August 11, 2003

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**ORDER**

B&M Maintenance has submitted a protest challenging the award by the FAA Southwest Region Product Team (“Product Team”) of a contract to Early Bird Grounds Maintenance (“Early Bird”) under Solicitation DTFASW-03-R-03141 (the “Contract”).

For the reasons set forth in the attached Findings and Recommendations of the Office of Dispute Resolution for Acquisition (“ODRA”), and pursuant to the March 27, 2000 Delegation of final decisional authority from the Administrator to the Director of the ODRA<sup>\*</sup>, it is ordered that the protest be sustained. The Product Team hereby is directed not to exercise its renewal option under the Contract with Early Bird.

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<sup>\*</sup> The March 27, 2000 Delegation grants the Associate Chief Counsel/Director of the ODRA “authority to execute and issue on behalf of the Administrator, orders and final decisions for the FAA in all matters within the ODRA's jurisdiction, provided that such matters involve... a bid protest concerning an acquisition having a value or potential value of not more than one million dollars (\$1,000,000.00). . . .” See Federal Register Vol. 65, No. 72, at p. 19958, April 13, 2000.

This is the final Agency order in this matter. To the extent that this decision is subject to review, such review shall be sought in accordance with 49 U.S.C. §46110 and the ODRA Procedural Rule, 14 C.F.R. §17.43, within sixty (60) days of the issuance of this Order.

Issued for the FAA Administrator  
this 11th day of August, 2003.

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Anthony N. Palladino  
Associate Chief Counsel & Director  
FAA Office of Dispute Resolution  
For Acquisition