

10-2-03

BEFORE THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

GREAT AMERICAN FINANCIAL RESOURCES,
INC.

AT

Petitioner,

DOAH Case No. 03-0614 BID

vs.

BID NO. 23-089V

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA,

Respondent.

03 JAN -9
10:00 AM
STATE OF FLORIDA
57-111-15

REM-CLUB

FINAL ORDER

THIS CAUSE coming on to be heard before THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA (hereafter referred to as "THE SCHOOL BOARD") at its meeting conducted on December 9, 2003, to consider the Recommended Order filed on October 2, 2003 by Robert E. Meale, Administrative Law Judge of the State of Florida Division of Administrative Hearings consisting of Findings of Fact, Conclusions of Law, and a Recommendation; the Petitioner's Exceptions to Recommended Order filed on October 17, 2003 by Petitioner GREAT AMERICAN FINANCIAL RESOURCES, INC. (hereafter referred to as "Petitioner"); Respondent's Response to Exceptions filed by the Petitioner Great American, Motion to Award Costs, and Costs Affidavit filed by THE SCHOOL BOARD, and having considered the record, and THE SCHOOL BOARD being fully advised in the Premises:

IT IS THEREUPON Ordered and Adjudged as Follows:

1. Petitioner's Exception A is rejected as the findings of fact identified therein are supported by competent substantial evidence and as the conclusions of law identified therein are supported by competent legal authority upon issues outside of the substantive jurisdiction of The School Board.

2. Petitioner's Exception B is rejected as the findings of fact identified therein are supported by competent substantial evidence.

3. Petitioner's Exception C is rejected as the findings of fact identified therein are supported by competent substantial evidence.

4. Petitioner's Exception D is rejected as the findings of fact identified therein are supported by competent substantial evidence.

5. Petitioner's Exception E is rejected as the findings of fact identified therein are supported by competent substantial evidence.

6. Petitioner's Exception F is rejected as the findings of fact identified therein are supported by competent substantial evidence.

7. Petitioner's Exception G is rejected as the findings of fact identified therein are supported by competent substantial evidence.

8. Petitioner's Exception H is rejected as the findings of fact identified therein are supported by competent substantial evidence.

9. Petitioner's Exception I is rejected as the findings of fact identified therein are supported by competent substantial evidence.

10. Petitioner's Exception J was withdrawn *ore tenus* by the Petitioner during THE SCHOOL BOARD's consideration of Petitioner's Exceptions to the Recommended Order.

11. The Petitioner's Exception regarding the Recommendation contained with the Recommended Order was withdrawn *ore tenus* by the Petitioner during THE SCHOOL BOARD's consideration of Petitioner's Exceptions to the Recommended Order.

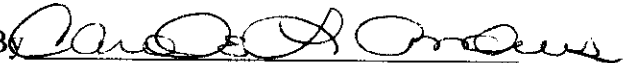
12. THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA accepts, approves and adopts in their entirety the Findings of Fact, Conclusions of Law and

Recommendation contained in the Recommended Order and, on behalf of the Superintendent's Insurance Advisory Committee, dismisses the protest of Petitioner GREAT AMERICAN FINANCIAL RESOURCES, INC., and directs the Superintendent's Insurance Advisory Committee to recommend to the Superintendent the offerors of tax-sheltered annuity programs with which it has negotiated tentative contracts.

13. Costs in the amount of \$9,610.70 are hereby awarded in favor of THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA and against the Petitioner, GREAT AMERICAN FINANCIAL RESOURCES, INC.

DONE AND ORDERED in Fort Lauderdale, Broward County, Florida this 9 day of December, 2003.

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By 
Carole L. Andrews, Chair

Copies Furnished:

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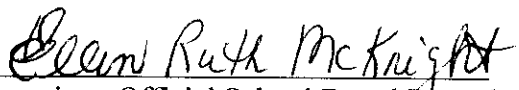
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APPEAL OF FINAL ORDER

THIS FINAL ORDER may be appealed by filing notices of appeal and a filing fee, as set out in Section 120.68(2), Florida Statutes, and Rules 9.110(b) and (c), Florida Rules of Appellate Procedure, within thirty (30) days of the entry of this Final Order.

Filed in Official School Board Records the
9 day of December, 2003.


Supervisor, Official School Board Records

s:/v/allwork/bidprotest/great american/pleading/finalord-1