

3-15-05

STATE OF FLORIDA
AGENCY FOR PERSONS WITH DISABILITIES

FILED

2005 APR 15 P 2:25

MAXIMUS, INC.,

Petitioner,

vs.

Case No. 04-4609BID

DIVISION OF
ADMINISTRATIVE
HEARINGS

BJS

CWB

AGENCY FOR PERSONS
WITH DISABILITIES,

AT

Respondent,

INNOVATIVE RESOURCE GROUP LLC,
D/B/A APS HEALTHCARE MIDWEST,

Intervenor.

FINAL ORDER

After review of the record of this case, the Agency for Persons With Disabilities hereby enters this Final Order in accordance with Section 120.57(3) of the Florida Statutes.

PRELIMINARY STATEMENT

This proceeding was initiated by the filing of a Notice of Protest on November 16, 2004 and a Formal Written Protest on November 24, 2004 by Maximus, Inc. ("Maximus"), pursuant to section 120.57(3) of the Florida Statutes (2004), of a Notice of Intent to Award a contract to Innovative Resource Group LLC, d/b/a APS Healthcare Midwest ("APS"). APS petitioned to intervene in the proceeding and the petition was granted on January 18, 2005. The matter was referred to the Division of Administrative and a final hearing was held on February 2, 2005 in Tallahassee, Florida, before Barbara

J. Staros, Administrative Law Judge. Upon conclusion of the hearing, the parties timely submitted proposed recommended orders which were considered by Judge Staros.

On March 15, 2005, Judge Staros entered a Recommended Order, a copy of which is attached and incorporated by reference, in which she recommended that the Agency for Persons With Disabilities adopt the Recommended Order and enter a final order awarding the contract for Request for Proposal No. 09L04FP4 –Additional Prior Service Authorization Reviews to APS. The Order advised the parties of the right to submit written exceptions to the agency within ten days of the date of the Recommended Order. None of the parties filed exceptions.

FINDINGS OF FACT

The Agency for Persons With Disabilities adopts and incorporates herein by reference the Findings of Fact set forth in the Recommended Order.


CONCLUSIONS OF LAW

The Department adopts and incorporates herein by reference the Conclusions of Law set forth in the Recommended Order.

DISPOSITION

Based on the foregoing Findings of Fact and Conclusions of Law, it is therefore **ORDERED AND ADJUDGED** that the Recommended Order dated March 15, 2005, is adopted. It is further **ORDERED** that the contract for Proposal No. 09L04FP4 –Additional Prior Service Authorization Reviews to APS.

DONE AND ORDERED this 13 day of April, 2005 in Tallahassee, Leon
County, Florida.



Shelly Brantley, Director
Agency for Persons With Disabilities

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