



STATE OF FLORIDA
Department of Military Affairs

Office of the Adjutant General

St. Francis Barracks, P.O. Box 1008
St. Augustine, Florida 32085-1008

May 13, 2009

Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

Re: Wackenhut Corporation vs. Department of Military Affairs, DOAH Case No. 08-6416BID

Dear Judge Cleavinger:

Enclosed, per your direction, is a copy of the Department of Military Affairs' Final Order in this matter and a copy of the Exceptions filed by the Petitioner. Thank you, and please advise if anything further is required from the agency.

Sincerely,

Elizabeth C. Masters
Colonel
Department of Military Affairs
Agency Counsel

Copies Furnished:
Mr. Thomas Barnhart, Esquire
Mr. Andrew K. Kantor, Esquire
Mr. Bradley Johnson, Esquire

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DIVISION OF ADMINISTRATIVE HEARINGS

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WACKENHUT CORPORATION,)
)
 Petitioner,)
)
 vs.)
)
 DEPARTMENT OF MILITARY AFFAIRS)
)
 Respondent,)
 _____)

Case No. 08-6416BID

FINAL ORDER

The Adjutant General of the Department of Military Affairs ("Agency") enters this final Order in the above-referenced matter.

PRELIMINARY STATEMENT

On November 26, 2008, Petitioner filed a Formal Written Protest and Petition for Formal Hearing with the Division of Administrative Hearings ("Division") challenging a proposed award of a security guard services contract.

Upon conclusion of the Hearing, the Petitioner and Respondent timely submitted proposed recommended orders which were considered by the Administrative Law Judge. On May 1, 2009, the Administrative Law Judge issued her Recommended Order, attached hereto and incorporated herein by reference, in which she recommended that the Agency issue a final Order approving the award of RFP No. DMA-RFP-112 to First Coast Security Services, Inc. The Order advised the Petitioner of its right to submit written exceptions to the Agency within ten (10) days of the recommended Order. The Petitioner filed a timely exception and it has been duly considered by the Agency.

RULING ON EXCEPTION

The Agency has reviewed Petitioner's Exception and the Agency rejects the Exception. There is competent, substantial, evidence in the record to support the findings and conclusions of the Administrative Law Judge.

FINDINGS OF FACT

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

CONCLUSIONS OF LAW AND RECOMMENDATION

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

ORDER

Based on the foregoing, it is therefore ORDERED:

The Department of Military Affairs approves the award of RFP No. DMA-RFP-112 to First Coast Security Services, Inc. This Order is effective upon filing with the State Quartermaster for the Agency.

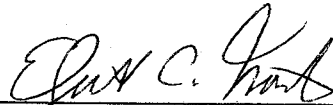
Done and Ordered this 13th day of May, 2009.



Douglas Burnett
Major General
Department of Military Affairs
Post Office Box 1008
St. Augustine, Florida 32085-1008
The Adjutant General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via U. S. mail to Mr. Bradley R. Johnson, Esq. Taylor, Day, Currie, Boyd & Johnson, Bank of America Tower, 50 North Laura Street, Suite 3500, Jacksonville, FL 32202; Mr. Thomas Barnhart, Esq., Office of the Attorney General, The Capitol, Plaza Level 01, Tallahassee, FL 32399-1050; and Mr. Andrew K. Kantor, Esq. 800 West Monroe Street, Jacksonville, FL 32202, this 13th day of May 2009.



Elizabeth C. Masters
Colonel
State Staff Judge Advocate
Department of Military Affairs
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Florida Bar No.: 401460