

BEFORE THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

AFTER SCHOOL PROGRAMS, INC.,
A Florida Corporation,

DOAH CASE NO: 11-5458 BID
SBBC Agenda: 011812HH1
RFP NO. 12-002N

Petitioner,

vs.

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA,

Respondent.

FINAL ORDER

This cause coming on to be heard before THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, at its meeting conducted on January 18, 2012, to consider (1) the Recommended Order of Dismissal rendered on November 16, 2011, by the Honorable Jessica E. Varn, Administrative Law Judge of the State of Florida, Division of Administrative Hearings, consisting of Findings of Fact, Conclusions of Law, and a Recommendation; (2) Petitioner's Exceptions to Recommended Order of Dismissal; (3) Respondent's Response in Opposition to Petitioner's Exceptions; and (4) Costs Affidavit.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, having reviewed the entire record and transcript, and having heard oral arguments presented by representatives on behalf of the parties, and being fully advised in the Premises:

IT IS THEREUPON ORDERED AND ADJUDGED BY THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, that:

1. With Petitioner's consent, THE SCHOOL BOARD does not rule upon paragraphs 1 through 13 and paragraphs 17 through 27 of Petitioner's Exceptions to Recommended Order of

Dismissal as they do meet the requirements for exceptions as such are outlined in Section 120.57(1)(k), Florida Statutes.

2. Paragraphs 14 through 16 inclusive of Petitioner's Exceptions to Recommended Order of Dismissal are denied by THE SCHOOL BOARD to the extent that such paragraphs assert exceptions to findings of fact.

3. Paragraphs 14 through 16 inclusive of Petitioner's Exceptions to Recommended Order of Dismissal are denied by THE SCHOOL BOARD to the extent that such paragraphs assert exceptions to conclusions of law.

4. The prayer for relief within Petitioner's Exceptions to Recommended Order of Dismissal is denied by THE SCHOOL BOARD to the extent that it asserts an exception to the recommended penalty contained within the Recommended Order of Dismissal.

5. THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA accepts, approves and adopts in its entirety the Recommended Order of Dismissal and dismisses the bid protest of Petitioner AFTER SCHOOL PROGRAMS, INC. for lack of standing.

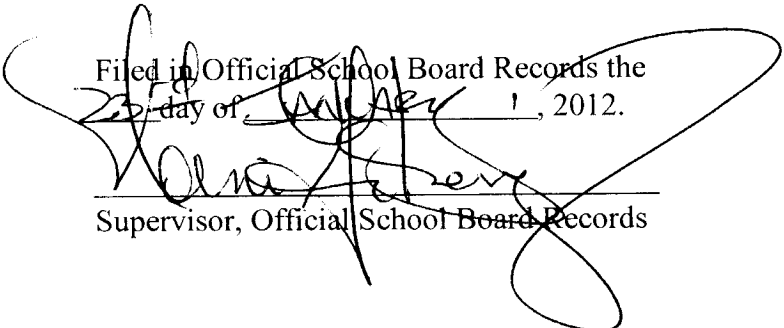
6. Costs in the amount of \$2,255.57 are hereby awarded in favor of THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA and against the Petitioner, AFTER SCHOOL PROGRAMS, INC.

DONE AND ORDERED in Fort Lauderdale, Broward County, Florida this 23 day of Jan., 2012.

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA


By: Ann Murray, Chair

Filed in Official School Board Records the
25 day of MAY, 2012.


Supervisor, Official School Board Records

Copies furnished to:

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STATE OF FLORIDA, DIVISION OF
ADMINISTRATIVE HEARINGS
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

APPEAL OF FINAL ORDER

Pursuant to Section 120.68, Fla. Sta., a party to this proceeding may seek judicial review of this Final Order in the appropriate district court of appeal by filing a notice of appeal with Noemi Gutierrez, Agency Clerk, Official School Board Records, The School Board of Broward County, Florida, 600 Southeast Third Avenue – 2nd Floor, Fort Lauderdale, Florida 33301, on or before thirty (30) days from the date of this Final Order. A copy of the notice and a copy of this Final Order, together with the appropriate filing fee, must also be filed with the Clerk, Fourth District Court of Appeal, 1525 Palm Beach Lakes Boulevard, West Palm Beach, Florida 33401-2399. If you fail to file your notice of appeal within the time prescribed by laws and the rules of court, you will lose your right to appeal this Final Order.