

**STATE OF FLORIDA  
FLORIDA SCHOOL FOR THE DEAF AND THE BLIND**

**FILED**  
12 OCT -3 AM 9:56  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

**TRAVELER ELEVATOR,**

**Petitioner,**

v.

**DOAH Case No.: 12-2288BID**

**FLORIDA SCHOOL FOR THE  
DEAF AND THE BLIND,**

**Respondent.**

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**AGENCY'S FINAL ORDER**

On September 14, 2012, an Administrative Law Judge for the Florida Division of Administrative Hearings submitted a Recommended Order in these proceedings. The Recommended Order reflects that copies thereof were served on counsel for Petitioner, Traveler Elevator, and upon counsel for Respondent, Florida School for the Deaf and the Blind. A copy of the Administrative Judge's Recommended Order is attached hereto as Exhibit "A." Pursuant to the terms of this Recommended Order, both parties were allowed 10 days from its rendition in order to file exceptions to the Administrative Law Judge's findings of fact and conclusions of law. To date, neither party has filed any exceptions to the Administrative Law Judge's Recommended Order and the time for doing so has now passed. The Administrative Law Judge's Recommended Order is now before the Board of Trustees for the Florida School for the Deaf and the Blind for final agency action.

The Board of Trustees of the Florida School for the Deaf and the Blind has carefully reviewed both the Administrative Judge's Recommended Order, and the complete record of this

proceeding. Having considered the unchallenged Recommended Order, as well as the complete record of this proceeding, and having reviewed both the applicable facts and controlling law with its General Counsel, the Board of Trustees of the Florida School for the Deaf and the Blind hereby ORDERS AND ADJUDGES AS FOLLOWS:

1. That the findings of fact contained in Administrative Law Judge's Recommended Order are supported by substantial, competent evidence received in a hearing that comports with the essential requirements of the law, and that the conclusions of law contained in the Administrative Law Judge's Recommended Order are not clearly erroneous.

2. That the Administrative Law Judge's Recommended Order is adopted in its entirety and is incorporated by reference herein.

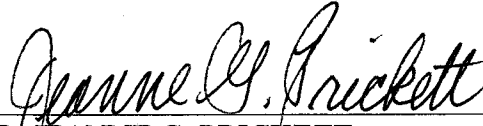
3. That Petitioner's bid protest is fully and finally dismissed with prejudice.

4. That Respondent, as the prevailing party, recover all of its costs and attorney's fees from Petitioner, in accordance with Section 255.0516, Florida Statutes. This Agency retains jurisdiction over this matter for the purpose of holding a hearing to determine the amount of attorney's fees and costs Respondent is entitled to recover from Petitioner.

Any party to this proceeding has the right to seek judicial review of this Final Order pursuant to Section 120.68, Florida Statutes, by filing a Notice of Appeal with the Clerk of the Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084; and by filing a copy of its Notice of Appeal, along with the appropriate filing fee, to the appropriate Florida District Court of Appeal. The party's Notice of Appeal must be filed within 30 days from the date this Final Order is filed with the Clerk of Florida School for the Deaf and the Blind.

DONE AND ORDERED this 2<sup>nd</sup> day of October, 2012, in St. Augustine, Florida.

FLORIDA SCHOOL FOR THE DEAF AND THE BLIND



DR. JEANNE G. PRICKETT

President of the Florida School for the Deaf and the Blind  
and Secretary to the Board of Trustees of the Florida  
School for the Deaf and the Blind

Cc: W. David Talbert, II, Esquire  
F. Damon Kitchen, Esquire  
Clerk, Florida Division of Administrative Hearings