

STATE OF FLORIDA  
DEPARTMENT OF MANAGEMENT SERVICES

SYNERGY TECHNOLOGIES, LLC,

Final Order No.: DMS-19-107  
DOAH Case No. 19-5506BID

Petitioner,

v.

FLORIDA DEPARTMENT OF MANAGEMENT  
SERVICES,

Respondent.

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**FINAL ORDER**

This matter comes before the Department of Management Services (“Department”) for entry of a Final Order in accordance with section 120.569(1), Florida Statutes.

**FINDINGS OF FACT**

1. On June 24, 2019, at 3:11 p.m., the Department posted its “Revised Intent to Award – RFP #15-80101-507-SA-D – Information Technology Staff Augmentation Services” (“RFP”) on the Vendor Bid System (“VBS”)<sup>1</sup>.
2. On June 25, 2019, at 9:24 a.m., Petitioner Synergy Technologies, LLC (“Synergy”), filed with the Department’s Agency Clerk its notice of intent to protest the results of the RFP.
3. On July 8, 2019, Synergy filed with the Department’s Agency Clerk its “Formal Protest and Petition for Administrative Hearing” as well as its protest bond.
4. On August 8, 2019, the Department issued an Order to Show Cause as to why the Petition should not be dismissed as untimely.
5. On August 19, 2019, Synergy filed with the Department’s Agency Clerk its “Response to Order to Show Cause.”

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<sup>1</sup> A link to the posting can be found at the following website:  
[http://www.myflorida.com/apps/vbs/vbs\\_www.ad\\_r2.view\\_ad?advertisement\\_key\\_num=147403](http://www.myflorida.com/apps/vbs/vbs_www.ad_r2.view_ad?advertisement_key_num=147403)

6. On October 14, 2019, the matter was referred to the Division of Administrative Hearings.
7. On October 29, 2019, Synergy filed “Synergy Technologies, LLC’s Notice of Voluntary Dismissal” with the Division of Administrative Hearings.
8. On October 31, 2019, the Honorable J. Bruce Culpepper, Administrative Law Judge (“ALJ”), issued an Order Severing Case and Closing File.


**CONCLUSIONS OF LAW**

9. In administrative proceedings, agency jurisdiction ceases to exist when a petition is withdrawn or voluntarily dismissed. Rudloe v. Florida Department of Environmental Regulation, 517 So. 2d 731, 732 (Fla. 1st DCA 1987).
10. The ALJ having severed the case, closed the file, and relinquished jurisdiction to the Department, this matter is now due to be dismissed because the Department’s jurisdiction ceased when Synergy voluntarily dismissed its petition.

It is hereby **ORDERED AND ADJUDGED**:

1. The “Formal Protest and Petition for Administrative Hearing” is hereby **DISMISSED**;
2. The Department’s Agency Clerk shall return Synergy’s protest bond; and
3. This Final Order shall become effective on the date of filing with the Department’s Agency Clerk.

**DONE and ORDERED** on this 14 day of November, 2019.

  
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**JONATHAN SATTER**, Agency Secretary  
Department of Management Services  
4050 Esplanade Way, Suite 285  
Tallahassee, Florida 32399

Copies Furnished To:

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**NOTICE OF RIGHT TO APPEAL**

Unless expressly waived by a party such as in a stipulation or in other similar forms of settlement, any party substantially affected by this Final Order may seek judicial review by filing an original notice of appeal with the agency clerk of the Department of Management Services, and a copy, accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal. The notice of appeal must be filed within thirty (30) days of rendition of this order, in accordance with Rule 9.110, Florida Rules of Appellate Procedure, and Section 120.68, Florida Statutes.

Certificate of Clerk:

Filed in the Office of the Agency  
Clerk of the Department of Management  
Services on this 15<sup>th</sup> day of  
November, 2019

*Diane Wint*  
Diane Wint Deputy Agency Clerk  
Agency Clerk