

SUMMARY EXPLANATION AND BACKGROUND

The School Board issued RFP 19-5140BID for 403(b)/457(b) Program for School Board Employees. The Superintendent's Insurance and Wellness Advisory Committee (SIWAC) reviewed the proposals and recommended the award of contracts to three (3) of the four (4) proposers. A Proposal Recommendation/Tabulation was posted for the intended award to the proposers recommended by the Insurance Committee.

Life Insurance Company of the Southwest d/b/a National Life Group ("LSW") was not one of the vendors recommended for award and protested the posted recommendations. A formal hearing was held on January 13-14, 2020 before the Honorable June C. McKinney, Administrative Law Judge of the Florida Division of Administrative Hearings.

On March 24, Judge McKinney rendered a Recommended Order which recommended that The School Board enter a final order dismissing LSW's protest. Subsequently, LSW filed its Exceptions to Recommended Order to which a response was filed on behalf of The School Board and Intervenor AXA/Equitable Life Insurance Company ("AXA"). As LSW has asserted a lack of competent substantial evidence to support certain findings of fact within the Recommended Order, it is necessary for The School Board to make a review of the entire record from the administrative proceedings to determine whether such findings are supported by competent substantial evidence. A complete set of the record established before the Administrative Law Judge has been delivered to the School Board Members' Offices for the conduct of said review.

LSW posted a bid protest bond pursuant to School Board Policy 3320 at the onset of these proceedings and The School Board has filed a Motion to Award Costs in favor of the school district and against LSW. The motion is accompanied by an Affidavit of Costs to be considered in these proceedings.

The School Board will consider the Recommended Order, the exceptions filed by LSW and the response thereto filed by The School Board and AXA, the School Board's Motion to Award Costs and Affidavit of Costs, and the proposed Final Order submitted with the Agenda Item.

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