BEFORE THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

LIFE INSURANCE COMPANY OF THE SOUTHWEST, d/b/a NATIONAL LIFE GROUP,

Petitioner,

DOAH Case No. 19-5140 BID

SSBM 06-23-2020-1

BROWARD COUNTY SCHOOL BOARD,

L.T. Case No. RFP FY20-013

Respondent,

and

VS.

AXA EQUITABLE LIFE INSURANCE COMPANY,

Intervenor.

FINAL ORDER

THIS CAUSE coming on to be heard before THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA (hereafter referred to as "THE SCHOOL BOARD") at its meeting conducted on June 23, 2020, to consider the Recommended Order filed on March 24, 2020 by June C. McKinney, Administrative Law Judge of the State of Florida Division of Administrative Hearings consisting of Findings of Fact, Conclusions of Law, and a Recommendation; the Petitioner's Exceptions to Recommended Order filed on April 3, 2020 by Petitioner LIFE INSURANCE COMPANY OF THE SOUTHWEST, d/b/a NATIONAL LIFE GROUP (hereafter referred to as "Petitioner" or "LSW"); Respondent SBBC and Intervenor AXA/EQUITABLE's Amended Response to Exceptions filed by the Petitioner LSW, Amended Motion to Award Costs, Costs Affidavit and Supplemental Costs filed by THE SCHOOL BOARD, and having considered the record, and THE SCHOOL BOARD being fully advised in the Premises:

IT IS THEREUPON Ordered and Adjudged as Follows:

- 1. From a review of the entire record and, in particular, a review of Sections 5.2 and 5.3 of the RFP; Paragraph 146 of the Recommended Order is modified to correct scrivener's errors that (1) typed "RPF 20" instead of "RFP 20"; and (2) typed "Section 5.2 of the RFP" instead of "Section 5.3 of the RFP."
- 2. Petitioner LSW's Exception to Paragraphs 146 and 147 of the Recommended Order is rejected as the findings of fact contained in those paragraphs are supported by competent substantial evidence and as the Conclusions of Law contained in those paragraphs are not ones over which THE SCHOOL BOARD has substantive jurisdiction nor do they interpret any administrative rules over which THE SCHOOL BOARD has substantive jurisdiction.
- 3. Subject only to the correction of scrivener's errors referenced in Paragraph 1 of this Final Order, THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA accepts, approves and adopts in their entirety the Findings of Fact, Conclusions of Law and Recommendation contained in the Recommended Order and, on behalf of the Superintendent's Insurance Advisory Committee, dismisses the protest of Petitioner LIFE INSURANCE COMPANY OF THE SOUTHWEST, d/b/a NATIONAL LIFE GROUP.
- 4. THE SCHOOL BOARD finds that the Respondent THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA incurred useful costs in the amount of \$34,699.67 in these proceedings and awards costs in that amount in favor of THE SCHOOL BOARD and against Petitioner LIFE INSURANCE COMPANY OF THE SOUTHWEST, d/b/a NATIONAL LIFE GROUP.

DONE AND ORDERED in Fort Lauderdal	e, Broward County, Florida this day of	
, 2020.		
	THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA	
	By Donna P. Korn, Chair	
APPEAL OF FINAL ORDER		
THIS FINAL ORDER may be appealed by	filing notices of appeal and a filing fee, as set	
out in Section 120.68(2), Florida Statutes, and Rules 9.110(b) and (c), Florida Rules of Appellate		
Procedure, within thirty (30) days of the entry of this Final Order.		
	Filed in Official School Board Records the, 2020.	
	Supervisor, Official School Board Records	
S:/v/allwork-use/bidprotests/LSW19-5140/pleadings/200609finalorder		

CERTIFICATE OF SERVICE

I HEREBY CERTIFY tha	it a true and co	orrect copy of the foregoing was furnished via
electronic mail on this	day of	, 2020, to the parties listed on the
below Service List.		
		Supervisor, Official School Board Records

SERVICE LIST Case No. 19-5140BID

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