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DEPARTMENT OF HEALTH

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DEPARTMENT OF HEALTH OFFICE OF THE CLERK

**BROWARD REGIONAL HEALTH  
PLANNING COUNCIL, INC.,**

**Petitioner,**

**vs.**

**DOH CASE NO: 2019-0106**

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH,**

**Respondent.**

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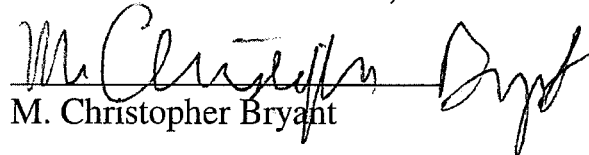
**NOTICE OF VOLUNTARY WITHDRAWAL**

Petitioner, Broward Regional Health Planning Council, Inc. hereby gives notice of withdrawing its Formal Written Protest and Petition for Formal Administrative Proceedings. Such withdrawal is made in reliance upon the Joint Stipulation of Settlement executed by the parties, a copy of which (without exhibits) is attached hereto as Exhibit A.

Respectfully submitted this 17<sup>th</sup> day of June, 2019.

For Petitioner, Broward Regional  
Health Planning Council, Inc.,

OERTEL, FERNANDEZ,  
BRYANT & ATKINSON, P.A.

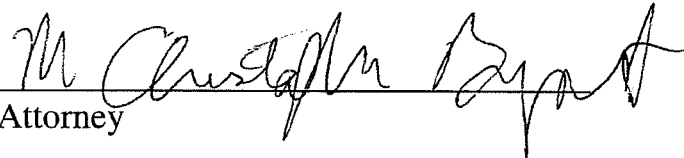
  
M. Christopher Bryant

cbryant@lhfc.com  
Timothy Perry  
tperry@ohfc.com  
2060 Delta Way  
Tallahassee, Florida 32303

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by electronic mail, this 17<sup>th</sup> day of June, 2019 on the following attorneys for the Department of Health:

Christine E. Lamia  
Jennifer Lewis  
Office of General Counsel  
Department of Health  
4052 Bald Cypress Way, Bin A-02  
Tallahassee, Florida 32399

  
\_\_\_\_\_  
Attorney

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**BROWARD REGIONAL HEALTH  
PLANNING COUNCIL, INC.,**

**Petitioner,**

**vs.**

**DOH CASE NO: 2019-0106**

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**JOINT STIPULATION OF SETTLEMENT**

Petitioner, Broward Regional Health Planning Council, Inc. ("BRHPC"), and Respondent, Department of Health ("the Department"), hereby jointly stipulate and agree as follows:

WHEREAS, the Department posted RFP DOH 18-026 on May 2, 2019;

WHEREAS, BRHPC timely filed a Notice of Protest on May 7, 2019;

WHEREAS, BRHPC timely filed its Formal Written Protest and Petition for Formal Administrative Proceedings and its Bid Protest Bond in the amount of \$3,837,600.00, on May 17, 2019;

WHEREAS, the parties timely held their settlement conference pursuant to section 120.57(3)(d), Florida Statutes, on May 29, 2019; and

WHEREAS, the parties have resolved their dispute as to the issues raised in BRHPC's Formal Written Protest and Petition for Formal Administrative Proceedings filed May 17, 2019, without the need for a referral to the Florida Division of Administrative Hearings, or otherwise.

NOW THEREFORE, the parties agree to the following terms:

1. The preamble and whereas clauses are incorporated herein by reference.

2. The Department will amend the Request for Proposal for Insurance Benefits Management for the Florida AIDS Drug Assistance Program ("ADAP"), DOH 18-026 in the form of an Addendum, a copy of which is attached hereto as Exhibit "A."

3. BRHPC will file a notice of voluntary withdrawal of its Formal Petition with the Department's Agency Clerk within 24 hours of the execution of this stipulation by both parties, in the form attached hereto as Exhibit "B."

4. The Department will release the bond in the amount of \$3,837,600.00, within 24 hours of the receipt of BRHPC's Notice of Voluntary Withdrawal of its Formal Petition to BHRHPC and the Department's filing of same with its Agency Clerk.

5. This Settlement Agreement, along with its attachments will be posted to the Vendor Bid System ("VBS"), within 24 hours of its joint execution, in order to provide prospective bidders with notice of the Addendum and this settlement.

6. The Department will post the Addendum on the Vendors Bid System (VBS) as soon as possible following receipt and filing of BRHPC's withdrawal of its Formal Petition of Protest of RFP DOH 18-026.

7. Both parties will bear their own costs and attorneys' fees in connection with this matter.

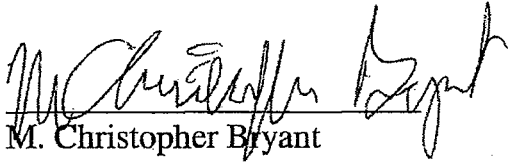
8. By signature of their attorneys affixed below, BRHPC and the Department each agree to be bound by the terms of this Joint Stipulation for Settlement.

For Petitioner, Broward Regional  
Health Planning Council, Inc.,

OERTEL, FERNANDEZ,  
BRYANT & ATKINSON, P.A.

For Respondent, Department  
of Health,

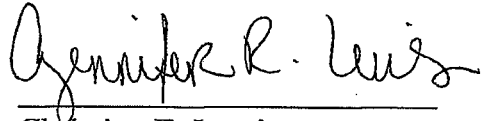
OFFICE OF GENERAL  
COUNSEL



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Date: June 17, 2019



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Date: June 17, 2019