

oppaga

Progress Report



April 2003

Report No. 03-30

Department of Transportation Expedites Privatization, But Savings Uncertain; May Be Feasible to Eliminate More Positions

at a glance

As we recommended in a 2001 report, the department has expedited its employee position reduction plan. In some areas, the department demonstrated that its efforts to reduce in-house employees and increase privatization of services has produced cost savings. However, for many programs, the department cannot demonstrate whether such efforts reduced overall costs. In these areas, the department lacks the data needed to compare the costs of state employees providing a service versus private contractors providing that service.

There are additional opportunities for the department to reduce its workforce. The department could reduce the number of employees needed to monitor contracts by expanding its use of asset management and performance-based contracts. However, the department will need to retain sufficient employees to effectively manage and monitor its contracts with private companies.

Scope

In accordance with state law, this progress report informs the Legislature of actions taken by the Department of Transportation in response to a 2001 OPPAGA report that assessed the feasibility of expediting the

department's proposed five-year position reduction plan.^{1,2,3} This report addresses three specific questions relating to the department's position reduction plan.

- Did the department expedite its employee position reduction plan?
- Did the department's employee downsizing and privatization efforts reduce its overall costs?
- Is it feasible for the department to further reduce its workforce?

Background

The Department of Transportation (DOT) is responsible for planning, designing, building, and maintaining a safe, viable, and balanced transportation system serving all regions of the state. The department categorizes workload by construction engineering and inspection, highway and bridge maintenance, toll operations, public transportation, and right-of-way acquisition. The Legislature appropriated

¹ Section 11.45(7)(f), *Florida Statutes*.

² *Special Review: Department of Transportation Can Expedite Its Proposed Staffing Reduction Plan*, [OPPAGA Report No. 01-13](#), March 2001.

³ OPPAGA prepared the 2001 report in response to a request by the Office of the Speaker of the House of Representatives.

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the department \$5.2 billion and 8,908 full-time equivalent (FTE) employee positions for Fiscal Year 2002-03.

The department developed a five-year plan to reduce its workforce by 27%. In August 2000, the Governor’s Office of Policy and Budget instructed state agencies to examine their operations and develop long-range program plans that would have the effect of reducing their workforces by 25% over a five-year period, starting in Fiscal Year 2001-02. In preparing position reduction plans, agencies were to consider privatization, shifting activities to the local level, and downsizing, primarily through attrition.

In its initial position reduction plan, the department proposed eliminating 2,812 positions by Fiscal Year 2005-06, representing a 27% workforce reduction.⁴ The department planned to eliminate 2,289 of these positions through privatization and 523 positions through process improvements and efficiencies. (See Exhibit 1.)

⁴ The percentage reduction in DOT’s workforce is based on 2,812 total positions to be eliminated and 10,354 authorized FTE positions in Fiscal Year 2000-01, the year preceding the plan’s implementation.

Contractors perform the majority of department work. As shown in Exhibit 2, contractors perform nearly all department toll collection and most construction and engineering, design, right-of-way, and routine maintenance work. The percentage of work performed by private contractors has increased since Fiscal Year 2000-01.

**Exhibit 2
Most Department of Transportation Work Is Performed by Private Contractors**

Program Area ¹	Percentage of DOT Work by Private Contractors ²		
	2000-01	2001-02	2002-03
Construction Engineering and Inspection	78%	86%	85%
Design	86%	88%	83%
Maintenance	65%	70%	74%
Materials Testing/Research	50%	52%	55%
Planning	52%	50%	57%
Right-of-Way	37%	41%	74%
Tolls	86%	89%	99%

¹ For Public Transportation, department managers estimated that the percentage of work performed by private contractors in its major program areas during Fiscal Year 2002-03 as follows: Aviation (50-65%), Transit (50-75%), Rail (80-90%), Seaports (10-15%), and Passenger Rail Development/Florida High Speed Rail Authority (96%).

² Fiscal Year 2002-03 data is year-to-date.

Source: Florida Department of Transportation.

**Exhibit 1
DOT’s Initial Position Reduction Plan Spread Reductions Over Five Years**

Position Reduction Areas	2001-02	2002-03	2003-04	2004-05	2005-06	Total 5-Year Reduction
Efficiencies ¹	119	107	138	80	79	523
Maintenance	181	113	180	116	94	684
Construction, Engineering, and Inspection	67	38	50	41	35	231
Design	21	24	46	47	42	180
Testing	10	13	33	14	21	91
Right-of-Way	8	15	10	9	12	54
Toll Operations	179	74	311	60	272	896
Other Privatization ²	41	27	31	37	17	153
Total	626	411	799	404	572	2,812

¹ “Efficiencies” represents positions eliminated. All other reductions shown will be replaced through private contracting.

² “Other privatization” includes four programs and the executive offices that individually have made small position reductions.

Source: Florida Department of Transportation.

Areas of Inquiry

Did the department expedite its employee reduction plan?

The department expedited its employee position reduction plan and, as a result, eliminated positions more rapidly than originally scheduled. However, it has not expedited position reductions to the extent that our prior report determined was feasible.

Our 2001 report concluded that the department could eliminate 2,515 positions by June 30, 2002, or 1,889 more positions than the number the department planned to eliminate by that date.⁵ We based our conclusions on several factors, including the availability of private contractors to do additional work, recommendations made in prior OPPAGA reports, and department position vacancies and attrition rates.

Consistent with our conclusion, the Legislature and the department subsequently eliminated more employee positions than were scheduled in the department's plan. As shown in Exhibit 3, the department eliminated 1,428

⁵ These positions included 2,289 positions that were to be eliminated through privatization and 226 through process improvements and efficiencies.

positions in Fiscal Years 2001-02 and 2002-03, or 391 more positions than it initially planned to eliminate during this period. Most of these reductions were to be made in the routine highway maintenance and toll operations programs. Exhibit 3 also shows that the department plans to eliminate 1,391 positions in the last three years of its position reduction plan (941 positions in Fiscal Year 2003-04, 242 positions in Fiscal Year 2004-05, and 208 positions in Fiscal Year 2005-06).

Department managers told us several factors precluded them from expediting the elimination of these positions. They asserted that the department would not have sufficient time to train in-house staff to perform the duties and responsibilities of the eliminated positions or to develop and award contracts to private companies. The managers also said that expediting the position reductions would require the department to lay off employees. The department's five-year plan sought to avoid layoffs and eliminate positions primarily through attrition.⁶

⁶ The department already anticipates layoffs to occur in the areas of tolls and maintenance. The department anticipated that there would be layoffs in the tolls program when it developed its position reduction plan. Layoffs in the maintenance program are now expected as a result of the Legislature's request to expedite the reduction in positions.

Exhibit 3 DOT Expedited Its Position Reduction Plan and Has Cut More Positions During the First Three Years Than Estimated in It's Initial Plan

Position Reduction Areas	2001-02 (Actual)	2002-03 (Actual)	2003-04 (Proposed)	2004-05 (Proposed)	2005-06 (Proposed)	Total
Efficiencies	147	84	143	70	91	535
Maintenance	245	179	256	0	0	680
Construction, Engineering, and Inspection	80	35	43	41	36	235
Design	25	21	50	51	36	183
Testing	12	8	33	12	21	86
Right-of-Way	6	5	14	6	10	41
Toll Operations	181	318	375	26	0	900
Other Privatization	56	26	27	36	14	159
Total Reductions	752	676	941	242	208	2,819
Total Actual and Proposed Reductions	1,428		1,391			
Total Initial Planned Reductions	626	411	799	404	572	2,812

Source: Florida Department of Transportation.

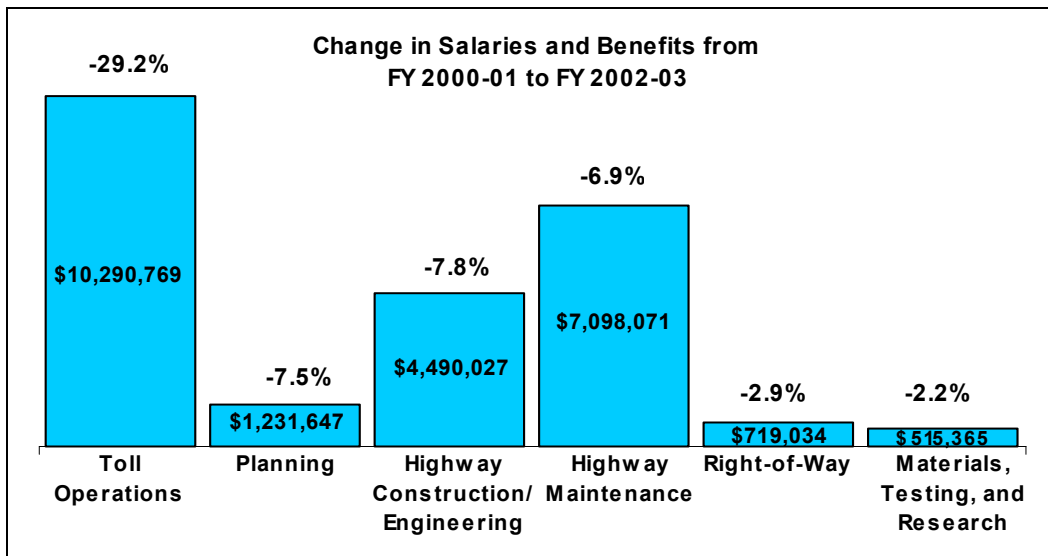
Did the department’s employee downsizing and privatization efforts reduce its overall costs?

It is not apparent whether the department realized any department-wide cost savings from its efforts to reduce its in-house employees and expand the use of private contractors to provide services. As the department eliminated employee positions during Fiscal Years 2001-02 and 2002-03, it decreased the amount it budgeted for employee salaries and benefits in some program areas. As shown in Exhibit 4, employee salaries and benefits declined in the tolls, planning, highway construction and engineering, highway maintenance, right-of-way, and materials testing and research program areas since Fiscal Year 2000-01, primarily as a result of the department’s downsizing efforts.

However, only three department program areas—tolls, right-of-way, and highway maintenance—can demonstrate cost savings from recent efforts to reduce in-house employee positions and expand the use of privatized services. Due to limitations in the department’s job cost accounting system and its method of allocating funds to the districts, neither we nor the department can determine if the expanded use of private contractors produced cost savings in other program areas. A more detailed discussion of these limitations is addressed below.

The department can demonstrate cost savings from decreasing in-house employees and increasing privatization in three program areas. Three department program areas—tolls, right-of-way, and highway maintenance—can demonstrate cost savings from recent efforts to reduce in-house employee positions and expand the use of privatized services.

**Exhibit 4
Percentage Budgeted for Salaries and Benefits Declined in Six Program Areas Through the Department’s Downsizing Efforts**



Source: Department of Transportation.

- **Tolls.** In Fiscal Year 2002-03, the department reduced the tolls program's personnel costs by \$8.8 million when it eliminated 318 employee positions. The department budgeted an additional \$8.1 million to pay private contractors to perform the duties previously performed by the department employees whose positions were eliminated.⁷ Thus, increased privatization of toll operations saved the department \$700,000 in Fiscal Year 2002-03.⁸
- **Right-of-Way (Outdoor advertising).** The department eliminated 23 positions in the right-of-way program that performed work in the area of outdoor advertising, which reduced its personnel costs by \$770,454.⁹ It then budgeted \$736,667 to pay private contractors to perform the work previously performed by in-house employees. Thus, privatizing outdoor advertising work saved the department \$33,787 in Fiscal Year 2002-03. However, department managers could not provide documentation to demonstrate cost savings in other right-of-way program areas, such as appraisals, appraisal review, negotiation, relocation assistance, and clearing rights-of-way.
- **Highway maintenance.** Department managers compared the unit costs for services such as mowing, embankment repairs, and shoulder repairs performed by

department employees to prices bid by private contractors to perform the services.¹⁰ They determined that in many cases, private contractors were providing services at a lower unit cost than in-house employees. As a result, they expanded the use of private companies to perform highway maintenance tasks and reduced the number of in-house employees.¹¹ This allowed the department to reduce its budget request for highway maintenance by \$5.9 million in Fiscal Year 2002-03.¹²

The department cannot demonstrate overall savings from reducing in-house employees and expanding privatization in other program areas. For example, the construction engineering and inspection program area eliminated 35 employee positions in Fiscal Year 2002-03, which reduced the department's personnel costs by \$984,983. However, department managers could not identify the amount the department paid to private contractors to perform the work formerly performed by these employees. Consequently, neither we nor the department can determine if the expanded use of private contractors to perform construction and inspection work has produced cost savings.

Exhibit 5 shows the department program areas that could or could not demonstrate overall cost savings resulting from employee downsizing efforts.

⁷ Toll collection contractors are paid a negotiated hourly rate that varies by the type of position. For example, supervisory positions are contracted out at an average rate of \$14.50 per hour. This hourly rate is multiplied by the number of contract hours, which determines the amount the contractor will be paid.

⁸ This amount does not include the department's cost of administering the contract and monitoring costs. However, monitoring costs are likely to be minimal because existing on-site toll plaza managers are responsible for performing contract monitoring functions as part of their responsibility for ensuring effective and efficient toll facility operations. Contract administration costs will vary from year to year because the contracts generally cover five years with five one-year renewal options.

⁹ These 23 positions previously performed such activities as conducting inventories of signs and checking them to ensure they were consistent with permit specifications, confirming information reported in permit applications for new signs, and removing illegal billboards. These 23 positions are included in the "other privatization" category of the department's position reduction plan. See Exhibit 3.

¹⁰ Unit costs are the costs of producing an output or outcome.

¹¹ The department has eliminated more than 800 maintenance positions by expanding privatization of highway maintenance tasks. Between Fiscal Years 1995-96 and 1998-99, it eliminated 411 positions in the highway maintenance program area. Under the department's current five-year position reduction plan, 424 maintenance positions were eliminated between Fiscal Years 2001-02 and 2002-03. The department plans to reduce in-house highway maintenance personnel by an additional 256 positions in Fiscal Year 2003-04.

¹² The department also reduced its Fiscal Year 2003-04 budget request for highway maintenance by \$9.1 million as a result of lower unit costs (\$4.3 million) and expanded use of asset management contracts to provide highway maintenance services (\$4.8 million).

**Exhibit 5
Three Program Areas Can Demonstrate Overall
Cost Savings From Employee Reductions**

Program Area	Documented Cost Savings?
Right-of-Way ¹	Yes
Toll Operations	Yes
Maintenance	Yes
Construction, Engineering, and Inspection	No
Design	No
Testing	No
Public Transportation	No
Planning	No

¹ The department can only document savings associated with outdoor advertising. It could not provide documentation to demonstrate savings for right-of-way-related program activities, including appraisal, appraisal review, negotiation, relocation assistance, and clearing rights-of-way.

Source: OPPAGA analysis of Department of Transportation information.

Department managers cited two major reasons why they were unable to document that decreasing in-house employees and expanding privatization reduced costs in the other program areas.

- The department’s cost accounting system is not designed to provide the information needed to directly compare the costs of providing services using in-house employees to the costs of using private contractors. Costs associated with the department’s work are charged to specific projects. However, there are instances in which the department is not fully assessing its costs to these projects. For example, the department authorizes its districts to let districtwide contracts for minor professional services (such as survey and minor design work) that may support a number of projects. Each of these contracts is assigned its own project number to which charges are made, but the charges are not transferred to specific projects.¹³ Consequently, the full costs of specific projects cannot be readily

¹³ DOT’s inspector general also determined that the department’s financial systems are not being used to track these costs to their component projects. See Department of Transportation Inspector General Report 09L-0005, *Cost Distribution to Work Program Projects (Full Job Costing)*, December 2000.

identified, and information contained in the department’s financial systems is insufficient for determining whether savings were realized from expanded privatization. Department managers told us they do not believe it would be an effective and efficient use of department resources to do job cost accounting at the level needed to provide this information.

- When the department reduced the number of in-house employees, the funds previously budgeted for the employees’ salaries, benefits, and expenses were transferred from the programs’ operating budgets to the Work Program.¹⁴ These funds are then allocated to the department’s seven districts and the Turnpike Enterprise for use in carrying out each district’s Work Program responsibilities. However, the districts have the latitude to determine how the transferred funds are used, including the types of projects they will support and in which project phases they will be used (design, right-of-way, construction, construction inspection). Consequently, the funds may be used for activities performed by private contractors that differ from those previously performed by the department employees whose positions were eliminated. This makes it difficult for the department to demonstrate whether there were any direct cost savings from employee downsizing efforts.

Department managers also noted that the department’s privatization initiative resulted in benefits other than cost savings. Specifically, they noted that the increased privatization enabled the department to obtain expertise that was not available from in-house employees and it enabled the department to complete projects identified in the work program without hiring more department employees.

However, cost savings often are expected as a benefit from privatizing services. Accordingly,

¹⁴ The Work Program is a five-year listing of projects that is developed annually based on the Florida Transportation Plan, Program and Resource Plan, district and public involvement, and, decision making by the department’s executive committee.

we believe that the department should do more to assess whether its expanded use of privatization has saved costs.

Is it feasible for the department to make further workforce reductions?

There are opportunities for the department to further downsize its workforce and increase efficiency by using innovative contracting methods.

According to the department's position reduction plan, it will have 7,517 in-house positions after the plan is completed in Fiscal Year 2005-06.¹⁵ These remaining employees will be performing work in all department program areas, including maintenance, tolls, construction engineering and inspection, design, materials testing and research, planning, public transportation, and right-of-way. Department managers said that the department is not currently planning any other large-scale reductions.

However, there are additional opportunities for reducing employee positions and increasing efficiency by expanding use of asset management and performance-based contracts.

Asset management and performance-based contracts can be expanded. Department managers propose to expand the use of certain contracting practices, such as asset management and performance-based contracts, which should allow it to decrease the number of employees needed to monitor contractors. Under an asset management contract, the department contracts with a single company to perform all highway maintenance work on a large number of miles of a highway system. To illustrate, in July 2000, the department awarded an asset management contract to a firm for maintenance on 253 miles of Interstate 75 between Miami and Ocala instead of having the work performed by multiple contractors, which had been the practice.

The department uses relatively fewer employees to monitor asset management contracts than to monitor traditional contracts. Currently, 15 department employees administer 11 asset management contracts with three companies and one county government, while 235 employees manage 1,150 traditional highway maintenance contracts. The department plans to have 33 asset management contracts in place by 2008, leaving the department with 650 to 750 traditional maintenance contracts.

Asset management contracting has had no apparent negative effect on how well state highways are maintained. During Fiscal Year 2002-03, sections of the State Highway System maintained by companies awarded asset management contracts are meeting every departmental maintenance performance standard.¹⁶

Under a performance-based contract, the department clearly specifies the outcomes it expects a contractor to achieve, but leaves the manner in which the work is to be performed to the contractor's discretion. If the department established performance-based contracts in certain program areas such as maintenance, it may be able to reduce the number of employees used to monitor contracts since they would not need to perform as much ongoing review of the contractors' work processes.

We agree with the department that expanding the use of asset management contracts and using performance-based contracts should allow it to reduce both the number of employees needed to supervise contractors and its costs for administering and monitoring contracts. However, department managers are still assessing what level of contract supervision is appropriate to adequately administer asset management contracts and performance-based contracts. As a result, they believe it is premature to estimate how many employee

¹⁵ This figure (7,517 positions) assumes that the department will not be appropriated any additional positions in the last two years of its position reduction plan and does not account for positions that may be transferred to other agencies.

¹⁶ The program has developed a methodology, the Maintenance Rating Program (MRP), to assess the State Highway System's condition. The MRP assesses road conditions annually and assigns ratings on a scale ranging from 1 to 100. The ratings are used for allocating resources and to report performance under performance-based program budgeting.

positions could be eliminated as a result of expanding these practices.

We believe it is essential that the department retain sufficient numbers of highly qualified employees to effectively manage and monitor contractor performance. A strong oversight mechanism is a critical part of the contracting process. This will help ensure that private firms provide the state with high quality services and meet expected performance outcomes.

Conclusions and Recommendations

As we recommended in our 2001 report, the department has expedited its position reduction plan, but not to the extent that our prior report determined was feasible. In three areas (tolls, right-of-way [outdoor advertising], and highway maintenance), the department can demonstrate that employee reductions and increased privatization has produced overall cost savings. However, in other program areas, the department cannot demonstrate overall savings from its efforts to reduce employees and expand the use of privatization.

There are additional opportunities for the department to reduce its workforce. The department could reduce the number of employees needed to monitor contracts by expanding the use of asset management and performance-based contracts.

We recommend that the department provide the Legislature with information on whether its employee downsizing efforts have reduced its costs. In developing this information, the department should estimate its full costs for providing services using its own employees and compare these costs to the amounts to be paid to private contractors plus the department's costs for contract monitoring. The department should develop such cost comparisons for work it is proposing to privatize in Fiscal Years 2004-05 and 2005-06. This information should be provided to the Legislature prior to the start of the 2004 legislative session.

We also recommend that the department continue its efforts to expand the use of asset management and performance-based contracts with private companies. As the department enters into such contracts, it should be able to further reduce administrative costs and the number of in-house employees. However, it needs to ensure that it retains sufficient employees to effectively manage and monitor contracts.

Agency Response

In accordance with the provisions of s. 11.513, *Florida Statutes*, a draft of our report was submitted to the Department of Transportation for its review and response. The Department's written response is reprinted herein (see Appendix A, pages 9-11).



Florida Department of Transportation

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JOSÉ ABREU
SECRETARY

March 28, 2003

Mr. John Turcotte, Director
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& Government Accountability
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Tallahassee, FL 32302-1735

Dear Mr. Turcotte:

This is the Department's response to the draft Progress Report dated March 2003, and resulting recommendations, on "Department of Transportation Expedites Privatization, But Savings Uncertain; May Be Feasible to Eliminate More Positions". I would like to commend your staff's efforts on this draft Progress Report, as it fairly and accurately reflects the department's position reduction efforts.

OPPAGA Recommendation No. 1:

We recommend that the department provide the Legislature with information on whether its employee downsizing efforts have reduced its costs. In developing this information, the department should estimate its full costs for providing services using its own employees and compare these costs to the amounts to be paid private contractors plus the department's costs for contract monitoring. The department should develop such cost comparisons for work it is proposing to privatize in Fiscal Years 2004-05 and 2005-06. This information should be provided to the Legislature prior to the start of the 2004 legislative session.

FDOT Response:

As OPPAGA staff have confirmed, we are able to demonstrate cost savings in the most significant areas of the department's privatization efforts (representing over 70% of the department's privatization plans). We have not calculated how this downsizing has reduced costs in some other areas for reasons we have enumerated several times in the past, as related to in-house services versus consultant services with related in-house support. A few of the reasons we currently do not track in-house services, as compared with consultant/private contractor services with related in-house support include:

1. As our work program continues to increase, the only logical choice is to increase our use of consultants, and when the work does reduce, use less consultant contracts, thus avoiding potential layoffs. Consultants provide a flexible work force.
2. The lack of (or shortage of) certain technical areas of in-house expertise forces the department to rely on consultants.

Mr. John Turcotte

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3. The development and support of such a detailed tracking system, would in all likelihood be more costly to manage and administer than any benefit that would be obtained by the agency. Even then, it would take several years of data collection to make meaningful comparisons.

Using consultants has allowed DOT staff more time to:

- focus on process improvements
- develop better methods of material applications
- advance research on new or improved products
- improve standards and specifications
- increase focus on customer concerns and satisfaction
- increase focus on such critical areas as improving safety throughout our system thus reducing crashes and fatalities
- address and develop new contracting methods saving time and money
- develop closer partnerships with our transportation partners at the federal, state and local levels to help meet shared performance goals
- improve relationships with local governments to meet local project needs through early and continuous project involvement

This list goes on and on, and it is difficult, if not impossible to assign a value to all of these contributing activities. This is not just an hour per hour cost comparison.

We do not believe the return on the investment of money and personnel warrants undertaking this recommended effort. The use of consultants/private contractors in all areas provides a very flexible, highly professional, proven competent extension of our staff to deliver transportation projects and services to the citizens and visitors of Florida. It also allows in-house staff additional time to invest in the above activities, to ensure we accomplish the mission and vision of FDOT.

OPPAGA Recommendation No.2:

We also recommend that the department continue its efforts to expand the use of asset management and performance-based contracts with private companies. As the department enters into such contracts, it should be able to further reduce administrative costs and the number of in-house employees. However, it needs to ensure that it retains sufficient employees to effectively manage and monitor contracts.

FDOT Response:

We are in agreement with this recommendation. The department will continue to expand the use of asset management and performance-based contracts. As use of these contracts are expanded, the department will review administrative staffing levels and make adjustments as appropriate.

Mr. John Turcotte
March 28, 2003
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Thank you for the opportunity to comment on your draft Progress Report.

Sincerely,

/s/
Freddie Simmons, P.E.
State Highway Engineer

FS:wha

cc: Ken Morefield
Cecil Bragg
Robert Greer
Bill Albaugh

The Florida Legislature

Office of Program Policy Analysis and Government Accountability



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