Audit of Agreements with University of South Florida for the Statewide Ecosystem Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

INTRODUCTION

The Florida Department of Environmental Protection (Department) Office of Inspector General (OIG) conducted an audit of Agreements ES005, CM07M, and CM841 (Agreements) with the University of South Florida (Contractor) for the Statewide Ecosystem Assessment of Coastal and Aquatic Resources (SEACAR) Data Discovery Interface (DDI) and Interactive Website. This audit was initiated as a result of the OIG Annual Audit Plan for Fiscal Year 2021-2022.

AUDIT SCOPE, OBJECTIVES, AND METHODOLOGY

The scope of the audit included the Agreements' deliverables, invoices, and Office of Resilience and Coastal Protection (ORCP) management activities associated with the Agreements.

The objectives of the audit were to:
- Determine whether payments were made for activities and required deliverables in accordance with the Agreements.
- Determine the effectiveness of quality assurance controls in place to ensure the integrity of data provided to the public.

To achieve our audit objectives, our methodology included:
- Reviewing contracts and amendments associated with the Contractor's aspect of the project for each Agreement.
- Obtaining and reviewing vouchers associated with the Agreements.
- Obtaining and reviewing documentation related to contract tasks and deliverables.
- Reviewing applicable statutes and authoritative documents.
- Conducting interviews with appropriate Department staff to acquire background information and the current status of the Agreements.
- Analyzing internal controls in place for compliance and effectiveness of quality assurance controls for data integrity.
- Conducting interviews with Contractor and Department staff to discuss any issues or discrepancies noticed during review.
- Reviewing the SEACAR website.
- Reviewing related contracts for the SEACAR project.
- Conducting an analysis of each Agreement's deliverable requirements compared to documentation provided to determine whether payments were made in accordance with the Agreements.

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

BACKGROUND

The SEACAR project brings together scientists, managers, planners, and policymakers to identify ecological indicators to assess the statuses and trends of the submerged resources and provide the best available science, in a usable format, to inform management, planning, restoration and policy decisions. There have been three Agreements with the Contractor associated with the SEACAR project.

Contract	Execution Date	Purpose of Contract	Contracted Cost	Amount Paid
CM07M (Phase I)	April 5, 2018	Developing the SEACAR database and DDI.	$119,606.00	$119,606.00
CM841 (Phase II)	July 24, 2019	Continuation of Phase I and included maintenance of the database and development of a public interface.	$127,882.35	$127,882.35
ES005	August 3, 2020	To complete the design and launch of the interactive website and add mapping capabilities.	$420, 837.57	$412,180.01
		Total:	$668,325.92	$659,668.36

The most current Agreement being audited, ES005, was executed on a fixed-price basis for the completion of services as specified in the Scope of Work. The objective of this Agreement was to maintain and update the SEACAR database and DDI developed in Phase I [Contract No. CM07M] and Phase II [Contract No. CM841] and complete the design and launch of an interactive website with mapping capabilities initiated in Phase II. The SEACAR interactive website will consolidate biological and spatial data from the SEACAR DDI and disseminate status and trends information to the public, decision makers and scientists. The SEACAR interactive website will be designed to help make science understandable for all readers and serve as an archive of historical data and a continuously improving reference for coastal and aquatic resources information and adaptive management.

In addition to the Agreements made with the Contractor, there was another agreement associated with the SEACAR project executed on July 31, 2019, with the University of Maryland Center for Environmental Science (UMCES). This contract was responsible for the r-code scripts[1] used for data analysis, technical report, assessment report, assessment summary and communication plan for SEACAR. The work to be completed in the UMCES agreement was to be relied on by the Contractor in completing the work on their Agreements. The Department ended the contract with UMCES in October 2021 as it was determined that it would be more efficient for the Contractor to handle those responsibilities themselves to avoid complications from communication issues. The responsibilities of UMCES were taken over by the Contractor in Agreement ES005 with Amendment 2 and increased the cost of the Agreement.

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[1] R-code Scripts: text files containing the same commands that would be entered on a command line of R which is a programming language and environment for statistical computing and graphics.

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

RESULTS OF AUDIT

The following is a summary of our audit of the Agreements associated with the SEACAR project.

CM07M

This Agreement was for Phase I of the five-year SEACAR project connecting local, state, and federal natural resource managers, data providers, researchers, and partners in a collaborative process to assess ecological indicators to better understand the status of aquatic resources within and among ORCP[2] managed areas. Five priority habitat indices and associated indicators were identified based on current knowledge and scientific information. The five primary habitat indices identified were submerged aquatic vegetation (SAV), water column, coral reef, oyster reef, and coastal wetlands. Data related to indicators were to be compiled, quality checked, analyzed, and integrated into a database. The database was to be created to prepare for assimilation into reports, an interactive website and decision support tool. The Scope of Work for SEACAR under this Agreement included three tasks. Delivery dates and fixed costs were adjusted via Amendments in December 2018 and March 2019. An extra deliverable was added under Task 2 with Amendment 1 in December 2018.

Task 1: Data discovery and compilation, was for the Contractor to contact the data providers identified in the Data Discovery document to obtain data collected within ORCP managed areas and had two deliverables associated with it.

Deliverable	Due Date	Deliverable Audit Results
1.1: Record of contacts and responses. Monthly presentations and automated progress reports as an automated email.	June 3, 2019	Record of contacts and responses were kept by the Contractor on the DDI and contacts with data providers were initiated as required. Monthly presentations were provided to discuss deliverables and address issues. The progress report was provided on-demand but in a different manner than required by the Agreement. The Contract Manager had a process in place to ensure accuracy of data within the database. The deliverable was submitted timely.
1.2: Raw data, protocols, quality assurance documents, metadata and logos	June 3, 2019	All records and raw data were included within the database and DDI. Quality assurance procedures were set up to ensure data integrity. The deliverable was submitted timely.

Task 2: Develop database, was for the development of the database to allow biological, chemical, physical and geospatial raw data collected by scientists, natural resource and data managers working within ORCP managed areas to be easily integrated, shared, and queried. Raw data will have all attributes included by the data provider even the attributes not related to the SEACAR indices and habitat indicators. Five deliverables were associated with this Task. The Contract Manager and Contractor assisted in establishing a data acquisition standard operating procedure and quality assurance procedures for both program areas and Contractor staff to use when uploading and loading data to help ensure integrity of the data. The Contract Manager

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[2] The aquatic areas were formally managed areas within the Florida Coastal Office which is currently ORCP.

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

reviewed data within the databases against raw data, metadata, and tables to ensure data integrity.

Deliverable	Due Date	Deliverable Audit Results
2.1 Draft Database and Enhanced DDI	August 31, 2018	The deliverable was provided in November 2018, after the due date. The auditor and Contract Manager both confirmed raw data was on the database and reviewed the DDI to confirm conformance with the Agreement.
2.2 Database populated with all data collected within ORCP managed areas.	June 3, 2019	The Contractor provided links timely to both the draft database and the final database for the Contract Manager to review the content, format, and data.
2.3 Two Webinars Presenting Database Design	August 31, 2018 March 31, 2019	The webinars were held prior to due dates and the agendas of the two webinars were made available by the Contractor on an online database.
2.4 Geospatial Data	June 3, 2019	The deliverable was provided one week late: however, the Contract Manager was continuously working with the Contractor and was aware of progress being made on the deliverable by the Contractor.
2.5 ORCP Program Data loaded in its entirety to the final database with access to the data tables.	June 3, 2019	Data from programs managed by ORCP was loaded into the database. The deliverable was provided one week late, but the Contract Manager was continuously working with the Contractor and was aware of progress being made on the deliverable by the Contractor.

Task 3: Online GIS, was to use ArcGIS Enterprise to host the spatial datasets of sampling locations and serve them as consumable services online. Consolidated and standardized data tables will be linked to geographic locations. A JavaScript based mapping application containing several widgets will be created to allow access to analytical data via tables or graphs, along with the option to export data.

Deliverable	Due Date	Deliverable Audit Results
3.1 Online GIS Interface	June 3, 2019	Review of the website and user-guide confirmed required content was included. The deliverable was provided one week late: however, the Contract Manager worked directly with the Contractor and was aware of progress being made on the deliverable by Contractor.

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

CM841

This Agreement was for Phase II of the five-year SEACAR project. The Contractor was to maintain and update the SEACAR database and DDI developed under the Phase I Agreement. Additionally, the Contractor was required to design and implement a public interface that would provide an interactive website with mapping capabilities to present the status and trends analysis and related data for the SEACAR project. This interface would consolidate biological and spatial data from multiple agencies and disseminate the SEACAR status and trends information to be available as an interactive website designed to be understandable to all readers.

Task 1: Functional Requirements, was to determine the functional and operational requirements for the SEACAR Atlas. This included overall organization and navigation of the SEACAR Atlas, the visualization tools for presenting status and trends indicators, deciding the level of detail for explanatory text, and determining the necessary operational requirements. There were two deliverables associated with this Task.

Deliverable	Due Date	Deliverable Audit Results
1.1 Conceptual Design and Functional Requirements Workshop to include 2-3 meetings then a webinar. Documentation for the webinar would need to be provided within four weeks of the webinar.	December 20, 2019	Three meetings were held prior to the delivery date. The agenda, attendee lists, and outcomes were provided by the Contractor within four weeks of the webinars. The Contract Manager requested the list of attendees be provided in a different format than required in the Agreement. The new list was provided after the four-week requirement.
1.2 High-Level Functional and Conceptual Design Document containing content from Appendix A of the Agreement.	December 20, 2019	The Atlas Functional Requirements document was reviewed and confirmed to have the required content. The deliverable was provided by the Contractor on the due date.

Task 2: SEACAR Atlas User-Interface Prototype, was for the Contractor, guided by the Functional Requirements Document, to develop a static prototype of the SEACAR Atlas website. The prototype will show the design for each of the web pages and for each of the status and trends visualizations but use placeholder text. This Task had one deliverable associated with it.

Deliverable	Due Date	Deliverable Audit Results
2.1 SEACAR Atlas User-Interface Prototype	February 14, 2020	The prototype website was provided containing language indicating that it was created for testing purposes. The prototype was provided late. The Contractor consistently worked and communicated with the Contract Manager on this deliverable who was aware the deliverable would be late.

Task 3: SEACAR Atlas Database Design, was for the SEACAR database developed during Phase I to be modified to include a script for the Status and Trends Indicator Analysis. The deliverable would have been for the Contractor to create a Database Design Document including

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

a logical design of database tables, stored procedures, and other objects necessary to support the website.

Task 4: SEACAR Atlas Implementation Launch, required a beta website to be completed and then launched on Contractor servers. The two deliverables would have given access to the beta website for ORCP staff and SEACAR partners to review and for the launch of the website. Both of these Tasks were removed with Amendment 1 and were addressed in the next Agreement.

Task 5: SEACAR Technical Support, was for the Contractor to provide access to the SEACAR DDI and database for the Subject Matter Expert (SME) teams and technical support to those accessing the DDI. The SME teams were to provide feedback and UMCES was to provide r-code scripts and confidence levels for the status and trends analysis. This information would be integrated into the database by the Contractor. The Task had two deliverables, and these were both provided timely.

Deliverable	Due Date	Deliverable Audit Results
5.1 SME meetings to provide presentation on the DDI and user guidance documents and Technical Support.	June 30, 2020	Agendas were provided for both the webinar and in-person event. Agendas were reviewed by the Contract Manager who confirmed the attendance of two Contractor employees at the in-person event. User Guidance documents were created, and technical support was provided by the Contractor.
5.2 SME Database Access, guidance documents, and procedures to provide input for r-code scripts.	June 30, 2020	A user guide was created by the Contractor. The Contractor provided technical support and access to SME teams for the duration of the project. Custom database queries and stored procedures were created within the database for all habitats and indicators.

Task 6: SEACAR Database Maintenance, was for the maintenance of the DDI created under the Phase I Agreement and providing the Contract Manager with monthly progress reports and on-demand reports of data acquisition tasks. The Contractor was to contact program contacts as they were entered into the database as well as existing program contacts annually. There were four deliverables associated with this Task. The deliverables were provided timely.

Deliverable	Due Date	Deliverable Audit Results
6.1 Data Discovery Interface	June 30, 2020	The DDI recorded all communication with the data providers including contact attempts, and data and protocols provided as on-demand reports that were searchable by required filters. A monthly report was not provided to the Contract Manager.

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

6.2 Data Requests to all program contacts using an approved script	June 30, 2020	A list of all programs was provided within the DDI and a summary of update frequency, end date, and other information. The email template used by the Contractor's staff and the list of contacted programs were reviewed. The Contract Manager confirmed approval of email scripts/templates. The Contract Manager had a review process in place to confirm accuracy of contact logs.
6.3 Data Compilation and Transformation including creating quality assurance documents	June 30, 2020	Raw data, protocols, quality assurance documents, metadata, and logos were uploaded directly into the SEACAR database for the majority of programs including non-SEACAR data. A summary was provided indicating programs that could not be included with an explanation for why they could not be included. The Contract Manager's review process to ensure data integrity included checking information on program area pages against automated emails received when information was updated.
6.4 Data Download Access requiring users to fill out information forms when downloading data	June 30, 2020	The Contractor created an Excel spreadsheet to track information regarding data downloads from DDI.

ES005

This Agreement required the Contractor to maintain and update the SEACAR database and DDI developed in Phase I and Phase II and complete the design and launch of an interactive website with mapping capabilities initiated in Phase II. The website will serve as an archive of historical data and a continuously improving reference for coastal and aquatic resources information. This Agreement was extended via amendments to cover two years of the five-year project.

Task 1: SEACAR Data Discovery Interface, required the Contractor to maintain and improve the SEACAR DDI hosted on the Contractor's servers with password protected access. This Task had eight deliverables over the course of two years.

Deliverable	Due Date	Deliverable Audit Results
1.1 DDI Maintenance including updating metadata and habitat tags. Required automated emails for updates and issues, an on-demand report, and a list of corrections.	June 30, 2021	Automated emails were generated when program pages were updated, files were loaded, or when public users reported an issue. We reviewed the on-demand download history report and report for data corrections to confirm required information was included. The Contract Manager used the reports and automated emails to help ensure the integrity of the data in the database. The deliverable was provided timely.
	June 10, 2022	

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

1.2 Contact Monitoring Program Managers using an approved script. Contractor would provide a planned data update schedule, automated reminders, and on-demand contact report.	June 30, 2021	On-demand reports, planned data update schedule and automated contact reminders were reviewed and were confirmed to be completed. The script used by the Contractor's staff to contact data providers was approved by the Contract Manager. Department staff manually reviewed on-demand reports, program pages, and contact records to confirm completion of the deliverable, accuracy of data, and that the required percentage of DDI program contacts were contacted. An example of a review document created from a manual review was provided by the Contract Manager. The deliverable was provided timely.
	June 10, 2022 (50%)	
	June 10, 2022 (80%)	
1.3 Data Compilation and Transformation checked for accuracy of tags. Deliverable would include data report templates and on-demand data load reports.	June 30, 2021	A data report template was created. On-demand data load reports showing the date that the raw data was obtained and loaded into standardized data download files were provided and available on DDI. A standard procedure was established to ensure data integrity. Department staff reviewed the program pages, automated reports, data, and tags to confirm that programs met the required 95% correctly tagged threshold. The deliverable was provided timely for the first deadline and untimely for the remainder of the established due dates.
	October 29, 2021 (Q1)	
	December 31, 2021 (Q2)	
	March 31, 2022 (Q3)	
	June 10, 2022 (Q4)	
1.4 Data Updates from Publicly Accessible Data Portals based on a quarterly update schedule. An on-demand report would need to be created.	June 30, 2021	An on-demand public data portal report of programs and a report to verify that publicly available data was updated quarterly were created. The Contract Manager confirmed the integrity by comparing reports to raw data and automated emails. No programs qualified for the automated data loading process as of the end of the Agreement period. The deliverable was provided timely for the first deadline and untimely for the remainder of the established due dates.
	October 29, 2021 (Q1)	
	December 31, 2021 (Q2)	
	March 31, 2022 (Q3)	
	June 10, 2022 (Q4)	
1.5 Database custom access including technical support. A few on-demand reports were required.	June 30, 2021	On-demand reports for approved users, access level, group login credentials and number of logins were created. The Contract Manager confirmed receipt of data files from custom database queries as requested. The on-demand report for data exports could not be created containing required information. The Contractor and Department worked together to create an alternate method to track the required information. The deliverable was provided timely for the first deadline and late for the second deadline.
	June 10, 2022	

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

1.6 DDI Improvements, The Contractor will create an on-demand report, participate in monthly meetings, provide confirmation of improvements, and instructions on how to access/navigate the implemented features.	June 30, 2021 June 30, 2022	Monthly meetings were held to identify and implement improvements to the DDI. An on-demand improvements report was created, and a few other methods were used to track improvements and implementation. Instructions to navigate and access features were provided via phone calls, emails, user guides, and the website instructions. Deliverable documentation was provided timely for the first deadline. The documentation was initially provided timely for the second deadline; however, corrective actions were necessary leading to delay in invoicing and submission.
1.7 Quality Assurance	June 10, 2022	An Excel spreadsheet was created to document all export file formats and columns, define reference tables used to validate quality assurance data, and describe the data processing steps utilized for quality assurance. Custom procedures were implemented to ensure matching protocols were in place to ensure accuracy for new data in the database. The deliverable was provided late.
1.8 Advanced Mapping Tools including a URL to access map for each specific program	June 18, 2021	The documentation provided included a URL to each specific program. The deliverable was initially provided timely; however, changes were requested by the Contract Manager prior to being accepted.

Task 2: SEACAR User-Interface Prototype, was for the SEACAR website prototype finalization to be developed based on the functional requirements document and draft prototype developed during the Phase II Agreement. The prototype will include language showing the website is for testing purposes and will be accessible only to individuals with knowledge of the URL. There was one deliverable associated with this Task.

Deliverable	Due Date	Deliverable Audit Results
2.2 Prototype Finalization	August 27, 2021	Meetings and email exchanges took place to discuss the Contractor's prototype and identify changes that need to be made. The URL of the prototype website was provided late.

Task 3: SEACAR Interactive Website Design, was for the SEACAR interactive website designed to include modifying the SEACAR DDI to include scripts for status and trends indicator analyses. The SEACAR DDI would provide all indicator data and status and trends results necessary for interactive website and mapping features, but additional database elements needed to be developed to support the SEACAR interactive website. The Contractor was to work with the Department and UMCES to incorporate scripts.

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

Deliverable	Due Date	Deliverable Audit Results
3.1 User-Interface Design Document. The Contractor would hold a webinar to review and discuss draft database with link and agenda to meeting provided three weeks prior.	October 15, 2021	Database design documents were created based on finalization of the SEACAR prototype. A meeting was held to solicit feedback; however, the agenda and link was provided later than required. A final database design document with feedback incorporated was created. The deliverables were provided late. Meeting information was provided one week prior instead of three weeks prior, as required.

Task 4: SEACAR User-Interface Implementation and Launch, was for the SEACAR user-interface beta to be implemented using industry-standard information technology operated by the Contractor with interactive mapping tools. This server infrastructure is to be managed by the Contractor's Information Technology department and housed on their servers. The Contractor will create a functional SEACAR Atlas website using the information and insight gained through development of the database design, prototype, and functional requirements document created under a previous Agreement. After written approval of the beta version of the SEACAR user-interface, the Contractor would launch the final website.

Deliverable	Due Date	Deliverable Audit Results
4.1 SEACAR Atlas and Interactive Mapping Tools. A record of comments and feedback, copy of beta website, and date of public launch would need to be provided.	November 30, 2021	A copy of the beta website was provided via a URL. The Contractor created an Excel spreadsheet documenting a record of the comments, feedback, and how each item was addressed. The Contractor provided a URL for the final website with an estimated public launch date which was after the end of the Agreement. The deliverables were provided late.
4.2 Launch SEACAR Atlas User-Interface and Mapping Tools	January 28, 2022	The deliverable was not completed within the timeframe of the Agreement and was carried over to the next Agreement. Payment was not made for this deliverable.

Task 5: Status and Trends for Indicator Analyses, was for the Contractor to work with the Department to assess the statistical language created for the existing analysis scripts. The Contractor would also provide a review document with a detailed plain text description of the purpose of each script to ensure that outputs are as expected based on preliminary goals established for the project and recommendations for improving scripts. R-code scripts will be modified or developed based on findings in the review document and Department recommendations. Data from aerial mapping surveys and land cover classifications will be utilized to identify and assess habitat acreages and changes over time. Based on this information, the Contractor would conduct acreage change analysis. This Task was added to the Agreement with Amendment 2 after the contract with UMCES was ended.

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

Deliverable	Due Date	Deliverable Audit Results
5.1 Review Status and Trends Scripts	February 28, 2022	A review document was created analyzing the scripts and providing descriptions of purposes. The deliverable was provided timely.
5.2 Status and Trends Scripts		
Water Column – Discrete	March 3, 2022	New and updated r-code scripts were added to GitHub repositories by the Contractor. The Contract Manager and other staff reviewed all script documentation and provided feedback. The scripts were continuously updated based on the feedback. The deliverable was initially provided timely; however, corrective actions were required prior to being accepted by the Contract Manager.
Water Column – Continuous	March 29, 2022	
Submerged Aquatic Vegetation (SAV)	April 6, 2022	
Oyster Reef	April 14, 2022	
Coastal Wetlands	April 22, 2022	
Nekton/Grazers and Reef Dependent Species	May 9, 2022	
Coral Reef	May 30, 2022	
5.3 Acreage Change Analysis including descriptions of differences observed and maps.	April 15, 2022	An acreage change analysis was completed as well as a spreadsheet showing acreage analysis results. A trend result table of acreage data was also created, and maps were confirmed to be on the website. The deliverable was provided late on May 6, 2022, due to needed additional quality assurance efforts and data review that were required.

Additional Requirements

In addition, this Agreement required the Contractor and Department to take all actions necessary to ensure the Contractor's employees were not employees of the State of Florida. The Contractor is a State University; therefore, the employees are considered employees of the State of Florida.

CONCLUSION

Based on our review, most deliverables were completed as required by the Agreements. All payments were made timely once deliverable documentation was approved by the Contract Manager. There were considerable delays in submission for certain deliverables due partially to outside parties. Our review noted some areas where controls could be strengthened. Our findings and recommendations are listed below.

FINDINGS AND RECOMMENDATIONS

Finding 1: Incomplete Deliverables – Some deliverables were not completed in accordance with the Agreements.

Deliverable 1.1 for Agreement CM07M required an automated monthly progress report emailed to the Contract Manager. The deliverable was instead provided as an on-demand report and automated emails when updates to data were made. The Contract Manager determined this to be a more efficient manner of ensuring data integrity but did not submit an amendment to update the deliverable requirement.

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

Deliverable 6.1 for Agreement CM841 required the Contractor to provide the Contract Manager with both a monthly progress report and on-demand reports of data acquisition tasks. The Contractor only provided the on-demand reports. The Contract Manager tracked monthly progress through the DDI and on-demand reports.

Deliverable 1.5 for Agreement ES005 required an on-demand report to track data exports from the combined thematic table. The report was to include the date data was exported, the programs included in the export, the number of records per indicators and what concerns were addressed from the previous version. Due to frequent changes to data export file formats, an on-demand report was not created to track dates of each export. Export dates and issues addressed were handled as email communication between the Contractor, Department staff and UMCES staff. A report was created to track everyone accessing the database and a spreadsheet was created that listed the date of email communication to announce data exports, habitats, and issues addressed by the exports. While a portion of the required deliverable information was provided in the SEACAR DDI and that information was reviewed daily by Department staff, the deliverables were not provided as required in the Agreement.

Recommendation:

1.1   We recommend the Department ensure deliverables are completed as required by the Agreement, prior to approval.

Management Response:

Planned corrective action: The Contract Manager will work to ensure deliverables are provided in accordance with the Agreement, prior to approval. Any changes to the format or delivery method of the deliverable will be documented through a change order or amendment as needed.

Date of anticipated implementation: November 15, 2023

Finding 2:   Timeliness of Deliverables – Some deliverables were not submitted timely, in accordance with the Agreements.

CM07M

This Agreement had three Task Assignments. The Task Assignments consisted of eight deliverables. Of the eight deliverables, four were not completed by the due date required by the Agreement. While the Contract Manager and Contractor communicated and worked together on a continuous basis regarding the deliverables, the due date required in the Agreement was not met.

CM841

This Agreement had four Task Assignments. The Task Assignments consisted of nine deliverables. Of the nine deliverables, two were not completed by the due date required by the Agreement. While the Contract Manager and Contractor communicated and worked together on a continuous basis regarding the deliverables, the due date required in the Agreement was not met.

ES005

This Agreement had five Task Assignments. The Task Assignments consisted of fifteen deliverables. A few deliverables had multiple delivery dates. Of the fifteen deliverables, seven were not completed by the due date required by the Agreement. While the Contract Manager and

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

Contractor communicated and worked together on a continuous basis regarding the deliverables, the due date required in the Agreement was not met.

Recommendation:

2.1   We recommend the Department implement controls to ensure deliverable due dates are met as required by the Agreement.

Management Response:

Planned Corrective action: The Contract Manager will continue to have regular communication with the Contractor and provide reminders of deliverable dates in advance of the deliverable due date. The financial consequences for nonperformance were assessed in July for the current agreement and in the future will be assessed in accordance with agreement language.

Date of implementation: July 25, 2023, and moving forward

> **Finding 3: Contractor Employees – The Contractor's employees are State of Florida employees which is not allowed under the terms of the Agreement.**

Agreement ES005, Attachment 1, 49(b) **Contractor's Employees, Subcontractors and Agents** states, "The Customer and the State shall take all actions necessary to ensure that Contractor's employees, subcontractors, and other agents are not employees of the State of Florida. Such actions include, but are not limited to, ensuring that Contractor's employees, subcontractors, and other agents receive benefits and necessary insurance (health, workers' compensations, and unemployment) from an employer other than the State of Florida." The Contractor is a public university of the State of Florida; therefore, the employees of the Contractor receive State of Florida benefits which is a conflict of the Agreement.

Recommendation:

3.1   We recommend the Department review all contractual language prior to entering into an agreement to ensure there are no conflicts with the purpose of the agreement, and also amend agreements as necessary.

Management Response:

Planned corrective action: The results of the audit were shared with Contract and Grant Managers in the Florida Coastal Management Program and a meeting to review the agreement language has been scheduled with the Office of General Counsel. The Contract Manager will initiate an amendment to the current agreement(s) where this language conflicts with the purpose of the agreement. The Contract Manager will review the template language provided by Procurements legal team for future agreements, prior to execution, to ensure there are no conflicts with the purpose of the agreement.

Date of anticipated implementation: Meeting with Office of General Counsel scheduled for November 15, 2023; initiate amendments, December 31, 2023.

Department of Environmental Protection
Office of Inspector General
Audit of Agreements with the University of South Florida for the Statewide Ecosystem
Assessment of Coastal and Aquatic Resources Data Discovery Interface and Interactive Website

STATEMENT OF ACCORDANCE

Statement of Accordance

The Mission of the OIG is to promote accountability, integrity, and efficiency by providing quality audits, investigations, management reviews, and technical assistance.

This work product was prepared pursuant to § 20.055, Florida Statutes, in accordance with the *Principles and Standards for Offices of Inspectors General* as published by the Association of Inspectors General and the *International Standards for the Professional Practice of Internal Auditing*, as published by the Institute of Internal Auditors, Inc. The audit was conducted by Robert Oakley and supervised by Candie M. Fuller.

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