



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

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SENATOR DAVE ARONBERG

27th District

July 13, 2009

Ms. Stephanie C. Kopelousos
Secretary
Florida Department of Transportation
605 Suwannee Street
Tallahassee, FL 32399

Dear Secretary Kopelousos:

I am aware of at least two contracts that appear to include automatic salary increases (a.k.a. "escalation clauses") for private vendors doing state work. These contracts, accounting for hundreds of millions of state dollars annually, appear to include these routine raises as a standard contracting procedure.

If this is accurate, it is troubling that state agencies have routinely increased the salaries of private contractors despite the Legislature's repeated policy decision to freeze the salaries of state workers. Needless to say, as Florida's recession has deepened, rank and file state employees - from highway patrol officers to nurses in our state hospitals - have become targets for pay cuts to offset state revenue losses.

Without disclosure of these private contractors' spending arrangements, there is no feasible way for legislators to fulfill our proper legislative oversight obligation. As a result, untold amounts of tax dollars that could have been used to stave off cuts to law enforcement or other critical public service personnel are being transferred from the State's coffers into the pockets of private contractors.

I am also concerned that there seems to be no central, public information source to determine the basis of fees paid to contractors and how adjustments to consultant contracts are determined and awarded. This leads me to question how rampant this practice is among all state agencies, not just the Florida Department of Transportation.

To that end, please provide my office with the following information:

REPLY TO:

- 6415 Lake Worth Road, Suite 210, Greenacres, Florida 33463 (561) 433-2627
- 2120 Main Street, Suite 206, Fort Myers, Florida 33901 (239) 338-2646
- 405 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5356

Senate's Website: www.flsenate.gov

JEFF ATWATER
President of the Senate

MIKE FASANO
President Pro Tempore

- 1) A listing of all private consultant contracts that include escalation clauses approved by FDOT, as well as the percentage increases for unloaded salary rates in consultant contracts from FY 2006 until present;
- 2) The unloaded salary rates in effect for each consultant contract that has a component based on unloaded salary rates during the FY 2006 and changes in the unloaded salary rates from FY 2006 to the present;
- 3) A comparison of salaries of state employees to the unloaded salary rates of consultants with comparable pay classifications;
- 4) The total amount paid to each of these contractors in the form of increases resulting from escalation clauses, by year, from FY 2006 until present;
- 5) The total amount in escalation clauses that will be paid for the current fiscal year, and the amount already committed for the next fiscal year.

This request is made pursuant to Florida's Sunshine Law in Chapter 119, F.S.

If any or all of this request is denied, please cite the specific statutory exemptions under which you are asserting such a claim.

Thank you in advance for your assistance.

Sincerely,

Dave Aronberg