



U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL



Spending Taxpayer Dollars

Call Center: Contract Management Needs Improvement to Reduce the Risk of Overbilling

Report No. 15-P-0042

December 23, 2014



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Report Contributors:

Janet Kasper
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Abbreviations

EPA	U.S. Environmental Protection Agency
FY	Fiscal Year
GSA	General Services Administration
OEI	Office of Environmental Information
OIG	Office of Inspector General

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At a Glance

Why We Did This Review

The U.S. Environmental Protection Agency (EPA) Office of Inspector General received a hotline complaint that alleged possible contractor fraud on an Office of Environmental Information (OEI) contract, or mismanagement by the contractor and/or OEI. The contractor billed the EPA \$11,490,228 for call center and related services through September 2014. Our objective was to determine whether the contractor is incorrectly billing the EPA, resulting in overbillings to the government.

This report addresses the following EPA goal or cross-agency strategy:

- *Embracing EPA as a high-performing organization.*

Send all inquiries to our public affairs office at (202) 566-2391 or visit www.epa.gov/oig.

The full report is at: www.epa.gov/oig/reports/2014/20141223-15-P-0042.pdf.

Call Center: Contract Management Needs Improvement to Reduce the Risk of Overbilling

What We Found

The EPA does not have assurance that the pricing of the task order related to a contract was reasonable. In one contract modification, the number of calls and emails to a helpdesk (contact volume) was used to justify increasing the total fixed price amount. In a subsequent modification, ticket volume, which represents reported issues that may be the result of one or more calls and emails, was used to justify changes that led to a decrease in price. Inconsistent application of vague contract methodology increases the risk that the EPA may be overcharged for call center services.

The EPA was overbilled by \$910,776 for helpdesk services.

The contractor was not able to provide the details we requested regarding contact volume and there is no evidence that the EPA requested or received the information prior to increasing the task order price. This increases the EPA's risk of being overcharged for call center services. If the EPA periodically requested and verified detail data for "contact volume" used to justify increases in billing, it would be more apt to timely detect potential fraud, waste, abuse and mismanagement.

Recommendations and Planned Agency Corrective Actions

We recommend that the Assistant Administrator for Administration and Resources Management:

- Require, in negotiation with the contractor, modification of the task order to provide an explicit definition of call volume and explicitly define the basis on future modifications.
- Eliminate the conflict between clause 1 and clause 24 in the task order and require the contracting officer to recover \$910,776 of unsupported charges.
- Require the contracting officer to negotiate with the contractor to modify the task order to require, as a monthly deliverable from the contractor, detailed data supporting the call volume used for billing.

We also recommend that the Assistant Administrators for the Office of Administration and Resources Management and OEI ensure periodic review of detailed call volume information and information on the number of tickets received in order to verify the accuracy of the summary information included in the monthly progress report. The EPA agreed with our recommendations and provided a corrective action plan with dates for each recommendation.

Noteworthy Achievements

OEI improved communication with program offices about increases in call center costs. To address unexpected year-end increases in costs, OEI now provides customers with a Monthly Utilization Report to inform them of actual usage. Also, beginning in fiscal year 2014, OEI now allocates call center costs and bills customers monthly based on actual usage, rather than estimated usage.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

THE INSPECTOR GENERAL

December 23, 2014

MEMORANDUM

SUBJECT: Call Center: Contract Management Needs Improvement to Reduce
the Risk of Overbilling
Report No. 15-P-0042

FROM: Arthur A. Elkins Jr.

A handwritten signature in black ink, appearing to read "Arthur A. Elkins Jr.", is written over the printed name.

TO: Nanci Gelb, Acting Assistant Administrator
Office of Administration and Resources Management

Renee P. Wynn, Acting Assistant Administrator and Chief Information Officer
Office of Environmental Information

This is our report on the subject audit conducted by the Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA). This report contains findings that describe the problems the OIG has identified and corrective actions the OIG recommends. This report represents the opinion of the OIG and does not necessarily represent the final EPA position. Final determinations on matters in this report will be made by EPA managers in accordance with established audit resolution procedures.

The offices responsible for implementing this audit report's recommendations are the Office of Acquisition Management within the Office of Administration and Resource Management, and the Office of Technology Operations and Planning within the Office of Environmental Information.

Action Required

In accordance with EPA Manual 2750, the offices provided acceptable and complete planned corrective actions in response to OIG recommendations. All recommendations are resolved and no final response to this report is therefore required.

We will post this report to our website at <http://www.epa.gov/oig>.

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Chapter 1

Introduction

Purpose

The U.S. Environmental Protection Agency (EPA) Office of Inspector General (OIG) received a hotline complaint that alleged possible contractor fraud on an Office of Environmental Information (OEI) contract, or mismanagement by the contractor and/or OEI. The EPA Call Center is a one-stop access point for both internal EPA customers and the general public that provides problem resolution, referral services, and technical support. The timeframe for the billings in the hotline were for fiscal years (FYs) 2012 and 2013. Our objective was to determine whether the contractor was incorrectly billing the EPA resulting in overbillings to the government.

Background

The EPA issued a task order under a General Services Administration (GSA) contract for call center services. GSA uses a variety of contracting vehicles to manage procurement for both its own operations and its government customers. The task order issued under the GSA contract had a period of performance beginning on October 1, 2010. The task order contained a one-year base period with five option periods ending on September 30, 2016.

The EPA Call Center provides problem resolution, referral services, and technical support. The service includes the management, implementation, and oversight of all contractual operations needed to deliver these services. The costs to EPA customers also includes overhead, EPA management, utilities, and space rental.

Responsible Offices

The offices responsible for implementing this audit report's recommendations are the Office of Acquisition Management within the Office of Administration and Resource Management, and the Office of Technology Operations and Planning within the Office of Environmental Information.

Noteworthy Achievements

One of the issues mentioned in the hotline complaint was that the customer did not receive timely notice that it would be charged more money than was estimated. Based on our review, the increased charges were not communicated until the end of the fiscal year. To address this issue, OEI now provides customers with a Monthly Utilization Report to inform them of their actual usage.

Additionally, beginning in FY 2014, OEI now allocates call center costs and bills customers monthly based on actual usage.

Scope and Methodology

We conducted this performance audit from May 2014 through September 2014, in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

To answer the objective, we interviewed OEI staff and managers in headquarters and Research Triangle Park, North Carolina. We also interviewed staff from the Office of the Chief Financial Officer, as well as the contracting officer in Research Triangle Park. Finally we reviewed the following documentation:

- Contract GS-35F4797H and task order 1669, including modifications to the task order.
- Blanket Purchase Agreement No. ITS-EPA II 0001.
- Working Capital Fund's "Draft Service Evaluation" of the EPA's Call Center (December 2013).
- The EPA Call Center Standard Operating Procedures.

We did not identify other relevant prior audit reports related to our objective.

Chapter 2

Task Order Price Not Consistently Determined

The EPA does not have assurance that the pricing of the task order related to a contract is reasonable. In one contract modification, contact volume was used to justify increasing the total fixed price amount. In a subsequent modification, ticket volume was used to justify changes that led to a decrease in price. According to the task order, if the maximum call volume is exceeded by 30 percent for three consecutive months, the contractor reserves the right to change the band level. Further, if the minimum call volumes for the selected band are not met for three consecutive months, the EPA has the right to request a lower band level appropriate for the call volume. However, the task order did not explicitly define call volume. This inconsistent application of vague contract methodology increases the risk that the EPA may be overcharged for call center services.

Inconsistent Methodology Utilized

Task Order 1669 includes a pricing schedule which establishes pricing based on minimum and maximum call volume capacity. Under the task order, call volume capacity is used to establish a fixed price per month to be billed to the government.

During the base and option periods, clause 24 of the task order establishes parameters for changing the pricing based on call volume. Task order 1669, clause 24, states in part, "If the maximum call volume is exceeded by 30 percent for three (3) consecutive months. The contractor reserves the right to change the band level. If minimum call volumes for the selected band are not met for three (3) consecutive months, EPA has the right to request a lower band level appropriate for the call/contract volume." The band relates to the pricing level of the task order. Raising and lowering the band increases or decreases the fixed price per month charged to the government for the call center services.

The EPA used contact volume to change the price of task order 1669 in one instance and ticket volume to change it in another. Under modification 7, the task order was changed in March 2012 (retroactively applied to January 2012) to increase the task order price by using the number of contacts (phone calls and emails) as the basis. Since the contacts were 30 percent over the maximum defined in the task order for three months, the contractor requested a modification to the task order. However, as shown in Table 1 below, while contacts were over 30 percent of the maximum, tickets were not.

Table 1: Comparison of Contacts and Tickets to 30 Percent over Maximum Call Volume – Oct. 2011- Dec. 2011

	Oct. 2011	Nov. 2011	Dec. 2011
Min. Call Vol.	4,200	4,200	4,200
Max. Call Vol.	7,199	7,199	7,199
30% over Max.	9,359	9,359	9,359
Actual Contacts	11,852	13,307	12,418
Actual Tickets	7,206	7,824	7,544

Source: OIG analysis of contact and ticket data, provided by the EPA, for October through December 2011. The detail of the actual contact data could not be provided, see Chapter 3 for additional information.

For task order modification 22, tickets were used for the basis of decreasing the task order price, not contacts. Since ticket volume was below the minimum call volume for October through December 2013, the EPA issued modification 22, lowering the task order pricing starting February 2014. However, the number of contacts for those three months were not below the minimum call volume. See Table 2 below.

Table 2: Comparison of Contacts and Tickets to Minimum Call Volume – Oct. 2013- Dec. 2013

	Oct. 2013	Nov. 2013	Dec. 2013
Min. Call Vol.	6,125	6,125	6,125
Max. Call Vol.	10,499	10,499	10,499
Actual Contacts	6,516	7,795	7,940
Actual Tickets	5,490	5,853	4,669

Source: OIG analysis of contact and ticket data for October through December 2013, provided by the EPA.

Task Order Does Not Clearly Define Methodology

The task order does not clearly define the criteria and methodology to be used to increase or decrease the task order price. Specifically, the term “call volume” is not defined. Prior to task order modification 22, the EPA interpreted call volume as contacts, and used contact information to raise or lower task order price. However, in modification 22, the EPA used a basis of ticket volume to lower the task order price. A contact does not always result in a ticket and so the number of tickets will always be less than the number of contacts. The lack of clarity in the definition of call volume allowed the EPA to use different methodology to justify a reduction in the price. Furthermore, the EPA was experiencing expenditures that exceeded project revenue on the call center which provided an incentive for the EPA to interpret call volume as tickets instead of contacts to lower the price. OEI, in justifying modification 22, provided a general statement to the contracting officer, requesting that the price be lowered because the call center, for the previous three

months, had incurred a call volume lower than the minimum. OEI provided detailed numbers which it described as call volume, however, the amounts provided were tickets and not contacts as had been used earlier to raise the task order price. Based on the contact level (phone calls and emails), the call center had not incurred a call volume lower than the minimum in any of the three months. The contracting officer stated that she nonetheless, processed this modification because of a different clause in the task order (Clause 1) that says that the government can use any band at any time. However, this is contrary to the pricing schedule included in the task order which provides for the band pricing to be based on different call volumes. The government cannot simply change from one band to another any time it chooses. In order for the government to change to another band level it must be based on call volume. Based on the proposal language, the agency intends to consistently define call volume as the number of contacts in the future.

Clause 1 states that the government can use any band at any time. Clause 24 in the task order stipulates that the price can change if call volume goes 30 percent above the maximum or below the minimum, for three consecutive months. These clauses are at best ambiguous, and perhaps one clause cannot even be interpreted and implemented as consistent with the other.

Conclusion

As a result of not having clearly defined methodology, the EPA and the contractor can interpret the task order clauses to their advantage and adjust the task order price accordingly. Therefore, the EPA does not have assurance the pricing of the task order is reasonable. The EPA can be overcharged for the call center services and pass along the overages to the customers.

Recommendations

We recommend that the Assistant Administrator for Administration and Resources Management require the contracting officer negotiate with the contractor to modify the task order to:

1. Provide an explicit definition of call volume and explicitly define the basis for modification of the task order in the future.
2. Eliminate the conflict between clause 1 in the task order which states that the government can change the band whenever it wants and clause 24 which states that the band can be changed based on changes in call volume.

Agency Response and OIG Evaluation

The agency agreed with Recommendations 1 and 2 and provided a completion date of November 30, 2014, for both recommendations. To address the recommendations, the agency will modify the task order to clarify the definition of call volume. We believe the proposed corrective action, along with the planned completion date, meets the intent of the recommendations. These recommendations will remain open pending completion of the proposed corrective actions. The complete agency response to the draft audit report is in Appendix A.

Chapter 3

Increased Price During FY 2012 Unsupported

The EPA cannot determine whether the contractor charged the EPA properly for call center services. The EPA did not request detailed information to support the contractor's claim that call center contacts increased and therefore an increase in the task order price was necessary. The contractor was also not able to provide the information at our request. According to the Federal Acquisition Regulation, the contracting officer determines whether the contractor has performed the contract appropriately and may require the contractor to substantiate performance with evidence. The evidence for the increased task order price was not substantiated. As a result of not having access to and periodically reviewing detailed data that supports contact volume, the EPA runs the risk of being overcharged for call center services in the future.

Contractor Did Not Provide Detailed Support for Increased Billing

Under contract number GS-35F4797H, task order 1669, OEI cannot determine whether the contractor charged the EPA properly for call center services during the time period of January 2012 through September 2012. The task order for the service is a fixed-price contract where the agency purchases a number of seats based on call volume. The monthly fixed price for option period 1 was established at the beginning of the option period that began on October 1, 2011, and was based on estimated call volume. Clause 24 in the task order stated that if the maximum call volume is exceeded by 30 percent for 3 consecutive months, the contractor reserves the right to change the band level. After the first three months of option I were complete, the contractor requested that the fixed price per month be increased due to increased call volume. As justification for this increase, the contractor provided an email stating that the contacts (phone calls, emails and fax) had exceeded the maximum call volume for October through December of 2011. The contractor also provided an average contact level for that period. However, it did not provide the details regarding the contact information. There is no evidence that OEI or the contracting officer requested or received detailed information prior to increasing the task order price.

We attempted to obtain and review detailed data supporting contact volume for November 2011, but neither OEI nor the contractor were able to provide the detailed information. The contractor stated that its subcontractor does not have the source documentation for the contacts received during November 2011, however, the contractor does have source documentation for phone calls dating back to Dec. 2011 and emails dating back to Jan 2013. The contractor did provide detailed information for a recent month (May 2014). However, based on the response from the contractor, the information supporting the contacts (phone calls and emails) for the three months that were the basis for increasing the contract

price (Oct. 2011 through Dec. 2011) cannot be provided. Because neither the contractor nor the OEI can provide adequate documentation to support the increased contract price, we question the amount as an unsupported increase. The calculation of the questioned costs is as follows:

Increase in the monthly fixed price (starting Jan. 2012) \$101,197/month x 9 months = \$910,776

FAR section 52.232-32(c)(1), Performance-Based Payments states

The contractor shall not be entitled to payment of a request for performance-based payment prior to successful accomplishment of the event or performance criterion for which payment is requested. The Contracting Officer shall determine whether the event or performance criterion for which payment is requested has been successfully accomplished in accordance with the terms of the contract. The Contracting Officer may, at any time, require the contractor to substantiate the successful performance of any event or performance criterion which has been or is represented as being payable.

There was no verification of contractor data to ensure that significant increases were legitimate and that corresponding billings were in accordance with the terms of the contract. The contract does not require the contractor to submit detailed information on the number of contacts. When asked to provide detailed information for November of 2011, the contractor was not able to do so. Thus, OEI is unable to verify that contractor charges are proper because the contractor cannot provide detailed information on number of contacts.

Conclusion

As a result of not having access to and periodically reviewing detailed data that supports contact volume, the EPA runs the risk of being overcharged for call center services. If the EPA periodically requested and verified detailed data for contact volume used to justify seat increases and billing, it would be more apt to timely detect potential fraud, waste and abuse.

Recommendations

We recommend that the Assistant Administrator for the Office of Administration and Resources Management require the contracting officer to:

3. Recover the \$910,776 of unsupported charges.
4. Negotiate with the contractor to modify the task order to require, as a monthly deliverable from the contractor, detailed data supporting the call volume used for billing.

We recommend that the Assistant Administrator for the Office of Administration and Resources Management and the Assistant Administrator for the Office of Environmental Information:

5. Ensure periodic review of call volume information and information on number of tickets received in order to verify the accuracy of the summary information included in the monthly progress report.

Agency Response and OIG Evaluation

The agency agreed with recommendations 3 through 5. For recommendation 3, the agency described its plan to give the contactor thirty (30) days from issuance of a letter to provide supporting documentation for the increased call volume during the audited period. If the contractor cannot produce the required supporting documentation demonstrating increased call volume during that period, the government will recover the \$910,776.00 in unsupported charges. A letter will be issued by November 30, 2014. If the Government determines money is owed, funds will be recovered by January 31, 2015, according to the corrective action plan. For recommendation 4, by November 30, 2014 the agency plans to modify the task order to require a monthly deliverable from the contractor detailing the data supporting the call volume used for billing. For recommendation 5, the agency identified steps to review call volume and ticket volume quarterly beginning December 31, 2014.

We believe the proposed corrective actions, along with the planned completion dates, meet the intent of the recommendations. The recommendations will remain open pending completion of the proposed corrective actions. The complete agency response to the draft audit report is in Appendix A.

Status of Recommendations and Potential Monetary Benefits

RECOMMENDATIONS						POTENTIAL MONETARY BENEFITS (in \$000s)	
Rec. No.	Page No.	Subject	Status ¹	Action Official	Planned Completion Date	Claimed Amount	Agreed-To Amount
1	5	Require the contracting officer negotiate with the contractor to modify the task order to provide an explicit definition of call volume and explicitly define the basis for modification of the task order in the future.	O	Assistant Administrator for Administration and Resources Management	11/30/14		
2	5	Require the contracting officer negotiate with the contractor to modify the task order to eliminate the conflict between clause 1 in the task order which states that the government can change the band whenever it wants and clause 24 which states that the band can be changed based on changes in call volume.	O	Assistant Administrator for Administration and Resources Management	11/30/14		
3	8	Require the contracting officer to recover the \$910,776 of unsupported charges.	O	Assistant Administrator for Administration and Resources Management	1/31/15	\$910.8	TBD
4	8	Require the contracting officer to negotiate with the contractor to modify the task order to require, as a monthly deliverable from the contractor, detailed data supporting the call volume used for billing.	O	Assistant Administrator for Administration and Resources Management	11/30/14		
5	9	Ensure periodic review of call volume information and information on number of tickets received in order to verify the accuracy of the summary information included in the monthly progress report.	O	Assistant Administrator for Administration and Resources Management and Assistant Administrator for Environmental Information	12/31/14		

¹ O = Recommendation is open with agreed-to corrective actions pending.
 C = Recommendation is closed with all agreed-to actions completed.
 U = Recommendation is unresolved with resolution efforts in progress.

Agency Response to Draft Report



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 4 2014

MEMORANDUM

SUBJECT: Response to Draft Office of Inspector General Audit Report No. OA-FY14-0201
"Management of Call Center Task Order Needs Improvement to Reduce the Risk
of Overbilling" dated October 7, 2014

FROM: *for* Nanci E. Gelb, Acting Assistant Administrator
Office of Administration and Resources Management

Renee P. Wynn, Acting Assistant Administrator
Office of Environmental Information

TO: Janet Kasper, Director
Contracts and Assistance Agreement Audits

Thank you for the opportunity to respond to the issues and recommendations raised in Draft Office of Inspector General Audit Report No. OA-FY14-0201, "Management of Call Center Task Order Needs Improvement to Reduce the Risk of Overbilling" dated October 7, 2014. OAM and OEI have reviewed the draft audit and provide the attached discussion and information in response to audit findings and recommendations.

If you have any questions regarding this response, please contact John Bashista, Director, Office of Acquisition Management at 202-564-4310, Lisa Maass, OAM Audit Follow-up Coordinator at 202-564-2498, or Anne Mangiafico, OEI/OTOP at 202-564-9483.

Attachment

cc: John Bashista
Lisa Maass
Lauranne Vogel
Harrell Watkins
Anne Mangiafico
Judy Maguire
Brandon McDowell

Subj: Attachment to Response to Draft Office of Inspector General Audit Report No. OA-FY14-0201 “Management of Call Center Task Order Needs Improvement to Reduce the Risk of Overbilling” dated October 7, 2014

We recommend that the Assistant Administrator for the Office of Administration and Resources Management require the Contracting Officer to:

OIG Recommendation	OARM Corrective Action
1. Provide an explicit definition of call volume and explicitly define the basis for modification of the task order in the future.	The Contracting Officer will modify the task order clarifying the definition of call volume as contacts and not tickets in a future task order modification to be completed by November 30, 2014.
2. Provide an explicit definition of call volume and explicitly define the basis for modification of the task order in the future.	The Contracting Officer has determined that there is no conflict between the two clauses and they will remain as stated in the order. Clause #1 explains the purpose and the uses for the various pricing tables included in the order, whereas Clause #24 explains how those pricing tables will be utilized for the order. As stated above, a contract modification will clarify the definition of call volume, which should eliminate any confusion between the two clauses. A task order modification will be completed by November 30, 2014.
3. Recover the \$910,776 of unsupported charges.	The Contactor will be given thirty (30) days from issuance of a letter to provide supporting documentation for the increased call volume during the audited period. If the Contractor cannot produce the required supporting documentation demonstrating increased call volume during that period, the Government will recover the \$910,776.00 in unsupported charges. A letter will be issued by November 30, 2014. If the Government determines money is owed, funds will be recovered by January 31, 2015.
4. Modify the task order to require, as a monthly deliverable from the contractor, detailed data supporting the call volume used for billing.	The task order will be modified to require a monthly deliverable from the contractor, detailing the data supporting the call volume used for billing. A task order modification will be completed by November 30, 2014.

Subj: Attachment to Response to Draft Office of Inspector General Audit Report No. OA-FY14-0201 “Management of Call Center Task Order Needs Improvement to Reduce the Risk of Overbilling” dated October 7, 2014

We recommend that the Assistant Administrator for the Office of Administration and Resources Management and the Assistant Administrator for the Office of Environmental Information:

<p>5. Ensure periodic review of call volume information and information on number of tickets received in order to verify the accuracy of the summary information included in the monthly progress report.</p>	<p>The Task Order Contracting Officer Representative will review the number of contacts (not tickets) listed in their monthly records and compare it with the information provided in the Monthly Progress Report. To ensure the accuracy of the reported call volume and the number of tickets opened each month, the call center will conduct a quarterly review of all tickets entered into the remedy system. The Call Center will generate a Remedy report detailing each ticket created, inclusive of the following details; person placing the call, who received the call (EZ Tech or the Call Center), incident number, reason for the call, and the resolution date. A comparison of the Remedy report against ticket reports submitted from the contractor will be analyzed. The analysis will further be compared to the incidents billed for the quarter. The first review will take place in December 31, 2014 with each subsequent review occurring at the end of each quarter. This effort will be ongoing for the remainder of the contract.</p>
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Distribution

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