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## SCHOOL BOARD OF BROWARD COUNTY

## AUDIT COMMITTEE MEETING

KC WRIGHT ADMINISTRATION CENTER  
BOARD ROOM  
600 SE 3RD AVENUE  
FORT LAUDERDALE, FLORIDA  
THURSDAY, APRIL 22nd, 2021  
11:30 a.m. - 1:55 p.m.

HELD VIA MICROSOFT TEAMS  
all attendees present via virtual platform

Court Reporter:  
Timothy R. Bass, stenographic reporter  
Bass Reporting Service, Inc.  
633 SE 3rd Avenue, Suite 200  
Fort Lauderdale, FL 33301

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## INVITED GUESTS:

MR. RODERICK HARVEY, CPA, HCT  
DR. FRED HICKS, IT Consultant for HCT  
MR. TIMOTHY BASS, Court Reporter, United Reporting

## ADDITIONAL GUESTS:

MS. CHARLOTTE GREENBARG  
MS. DENIECE WILLIAMS, Director of Account Management,  
Garth Solutions  
MR. MATTHEW SHANBOM, Student  
MS. LINDA FERRARA  
MR. JOHN MORENO-ESCOBAR  
MS. DEBBIE ESPINOZA  
MR. SCOTT TRAVIS, Sun-Sentinel  
Ms. VERONICA NEWMMEYER

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## COMMITTEE MEMBERS IN ATTENDANCE:

MR. ROBERT MAYERSON, CHAIR  
MR. ANDREW MEDVIN, VICE CHAIR  
MS. REBECCA DAHL  
MS. HAGEN DISCH  
MS. MARY FERTIG  
DR. NATHALIE LYNCH-WALSH  
MS. PHYLLIS SHAW  
MS. STEPHANIE SHIMM

## OFFICE OF THE CHIEF AUDITOR STAFF:

MR. JORIS JABOUIN, Chief Auditor  
MS. ALI ARCESE, Manager, Property and Inventory Audits  
MS. ANN CONWAY, Manager, Internal Funds Audits  
MS. JENNIFER HARPALANI, Manager, IT Audits  
MS. MEREDITH ARLOTTA, Manager, Operational Audits  
MR. ERIC SEIFER, Auditor III  
MS. RAYSA LUGO, Auditor III  
MR. BRYAN ERHARD, System Support Specialist II  
MS. MICHELE MARQUARDT, Executive Secretary  
MS. WANDA RADCLIFF, Clerk Spec B

## DISTRICT STAFF:

MS. JUDITH MARTE, Chief Financial Officer, Office of  
the Chief Financial Officer  
DR. JERMAINE FLEMING, Acting Chief Strategy &  
Operations Officer, Office of the Chief Strategy  
Operations Officer  
MR. PHILLIP DUNN, Chief Information Officer, Office of  
the Chief Information Officer  
MS. MARY COKER, Director Procurement & Warehousing  
Services  
MR. MAXIMO ROSARIO, Director, Network Integration  
MS. AYMARA R. SCHMIDT, Manager, Business Process &  
Perf. Imp., Facility Planning & Real Estate  
MR. MICHAEL J. CANN, Teacher, Exceptional Student  
Education

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Thereupon, the following proceedings were had:

MR. MAYERSON: Okay. So good morning  
everybody. Welcome to today's Informal Audit  
Committee Meeting, Thursday, April 22nd at 11:30  
a.m. If we can all, I guess, stand, rise for the  
Pledge.

(Whereupon, the Pledge of Allegiance was  
recited.)

MR. MAYERSON: All right. Since this is an  
informal meeting we don't -- there's not a quorum  
that is required, but just for attendance  
purposes can we record through who the attendees  
are or do we have to make that announcement?

MR. JABOUIN: I can probably announce the  
names of the members and have them respond as to  
whether or not they are present or not.

MR. MAYERSON: Okay.

MR. JABOUIN: Okay. Mr. Moses Barnes is  
excused.

Ms. Rebecca Dahl?

MS. DAHL: Here.

MR. JABOUIN: Mr. Anthony De Meo?

(No response.)

MR. JABOUIN: Ms. Hagen Disch?

MS. DISCH: Here.

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1 MR. JABOUIN: Ms. Mary Fertig?  
 2 (No response.)  
 3 MR. JABOUIN: Mr. Michael Gauci?  
 4 (No response.)  
 5 MR. JABOUIN: Dr. Nathalie Lynch-Walsh?  
 6 DR. LYNCH-WALSH: Here.  
 7 MR. JABOUIN: Mr. Robert Mayersohn?  
 8 MR. MAYERSOHN: Here.  
 9 MR. JABOUIN: Mr. Andrew Medvin?  
 10 MR. MEDVIN: Here.  
 11 MR. JABOUIN: Ms. Connie Pou is excused.  
 12 Ms. Phyllis Shaw?  
 13 (No response.)  
 14 MR. JABOUIN: And Ms. Stephanie Shimm?  
 15 MS. SHIMM: Here.  
 16 MR. JABOUIN: Thank you.  
 17 And, Mr. Mayersohn, if I could please  
 18 acknowledge certain members of the cabinet and  
 19 those who'll be participating in the meeting.  
 20 Mr. Phillip Dunn?  
 21 (No response.)  
 22 MR. MAYERSOHN: Whoever is not speaking, if  
 23 you can mute, because we hear some background.  
 24 MR. JABOUIN: Dr. Jermaine Fleming?  
 25 DR. FLEMING: Good morning.

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1 MR. JABOUIN: And Ms. Mary Coker?  
 2 MS. COKER: Good morning. Present.  
 3 MR. JABOUIN: And Mr. Maximo Rosario?  
 4 MR. ROSARIO: Good morning. This is Max.  
 5 I'm here.  
 6 MR. JABOUIN: And I notice Ms. Fertig is here  
 7 as well.  
 8 MS. FERTIG: Good morning.  
 9 MR. MAYERSOHN: And then do we have to cover  
 10 some of your staff that's here, Mr. Jabouin.  
 11 MR. JABOUIN: Yeah, so myself, Joris Jabouin,  
 12 the Chief Auditor, and then with me is Ms.  
 13 Jennifer Harpalani. If you can indicate present?  
 14 MS. HARPALANI: Hi there. Good morning.  
 15 MR. JABOUIN: And I see Chief Information  
 16 Officer, Mr. Dunn.  
 17 MR. DUNN: Good morning all. Thank you.  
 18 MR. JABOUIN: And the individuals from HCT,  
 19 if I could please have Mr. Roderick Harvey?  
 20 MR. HARVEY: Good morning. Here.  
 21 MR. JABOUIN: And also Dr. Fred Hicks.  
 22 DR. HICKS: Here.  
 23 MR. MAYERSOHN: Okay. And do we have to  
 24 announce any of the other people that are on  
 25 here? I guess some of them are members of the

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1 public or interested parties.  
 2 MR. JABOUIN: I would advise that we do not  
 3 necessarily need to go through the entire list,  
 4 just the individuals that will be participating  
 5 in the meeting. We will, when we put the minutes  
 6 together, indicate the names of those who are  
 7 present.  
 8 MR. MAYERSOHN: Okay. All right.  
 9 Obviously, since this is an informal meeting,  
 10 it says here, approval of the agenda, but since  
 11 we can't vote on approval, we'll have to  
 12 eliminate that item.  
 13 Chief Auditor Administrative Matters?  
 14 MR. JABOUIN: Thank you, Mr. Mayersohn.  
 15 I'm Joris Jabouin, the Chief Auditor. As Mr.  
 16 Mayersohn indicated, this is an informational  
 17 meeting. So there is no in-person quorum  
 18 requirement. This is a fully virtual meeting and  
 19 no official business will be conducted at this  
 20 meeting. There's no motions that are needed that  
 21 will be passed. The significant item on the  
 22 agenda is the HCT report, IT Technology Devices.  
 23 District staff and HCT certified public  
 24 accountants are here in the meeting to answer any  
 25 of the Committees' questions. No motion is

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1 needed for transmission as this agenda item will  
 2 be placed on the May 6th, 2021 meeting and at  
 3 that time we will seek any final questions and  
 4 transmission to the school board. We are taking  
 5 minutes for this meeting. Our court reporter,  
 6 Mr. Tim Bass, is here in the meeting. To make it  
 7 easier for him, as I did, if you could please  
 8 announce your name before you speak, at least for  
 9 the first time.  
 10 We did receive some emails from Ms. Disch as  
 11 well as Ms. Pou that I forwarded to the  
 12 committee. In order to maybe avoid the  
 13 perception that these could be seen as  
 14 conversations we're going to attach those to the  
 15 minutes when they are compiled.  
 16 We do have some timeframes on the agenda.  
 17 These are primarily for your guidance. We have  
 18 forwarded them to district staff so they can come  
 19 in and leave the meeting. We do value the  
 20 member's time. This is the second special  
 21 meeting that we've asked for in the fiscal year  
 22 and we thank you for attending and dedicating  
 23 your time to us.  
 24 And then I wanted to mention with respect to  
 25 the district's School Board Advisory Committee

<p style="text-align: right;">Page 9</p> <p>1 training program we do have -- all of the Audit  2 Committee Members have completed it. I still  3 have two of the pending acknowledgment forms.  4 The next meeting, which is the in-person meeting  5 I will seek to print them out and send them to  6 those Committee Members so we can have those.  7 Given the role of this committee I'd like to make  8 sure that we have all the documents together.  9 And then I also wanted to mention that we do  10 have the Auditor General Audit has commenced the  11 last week of March. There was a lot of  12 information requested that district staff is  13 gathering for them as they do their audit. It is  14 a top priority to us and it does impact the  15 member's time, the employees' time.  16 And I do see Ms. Shaw has joined the meeting,  17 if we can acknowledge her presence as well ?  18 I believe that there is a question for me.  19 There's a hand up.  20 MS. FERTIG: I had a question. Did you  21 transcribe the minutes of the last meeting yet  22 where we discussed this audit?  23 MR. JABOUIN: So the minutes to the last  24 meeting just became available to us and we have  25 not had a chance to review the March 11th meeting</p>	<p style="text-align: right;">Page 11</p> <p>1 there is, where is it?  2 I'm not asking for Ms. Coker to recount what  3 happened.  4 MR. JABOUIN: So we will cover this when we  5 get to agenda item number 7. Thank you, Dr.  6 Walsh.  7 This concludes my comments, Mr. Mayersohn.  8 MR. MAYERSOHN: Okay. Is there any comments  9 from the public? If you're a member of the  10 public and would like to speak, please, raise  11 your hand.  12 MR. JABOUIN: Sure. Mr. Mayersohn, comments  13 from the public were due to us two hours before  14 this meeting and we did not receive any before  15 that timeframe.  16 MR. MAYERSOHN: Okay. Okay. That's fine.  17 Audit Committee Chair Comments. I'm going to  18 try something a little new and, hopefully, you  19 can bear with me and be a little patient. As I  20 was talking to Mr. Jabouin over the last,  21 probably month, month and a half, I have been, as  22 some of you are probably, watching some of the  23 state legislative committee hearings and they run  24 through things a little differently where they  25 ask questions, leave it to questions, and then</p>
<p style="text-align: right;">Page 10</p> <p>1 yet.  2 MS. FERTIG: Okay. That would have been  3 helpful, I think, today to have those. But if  4 you can just send those as soon as you get them?  5 Thank you.  6 MR. JABOUIN: Thank you.  7 And, Mr. Chair, this concludes my comments.  8 Mr. Mayersohn, you are on mute.  9 MR. MAYERSOHN: Dr. Lynch-Walsh, you had a  10 question?  11 DR. LYNCH-WALSH: Yes. Did we get the bid  12 opening participants lists?  13 MR. JABOUIN: So, Dr. Lynch-Walsh, we do have  14 with us Mary Fertig -- Mary Coker, the Director  15 of Procurement and Warehousing Services, who can  16 talk to you about those particular aspects.  17 DR. LYNCH-WALSH: No, no, because she wasn't  18 working for the district. But in her last  19 response it said that there was a participant  20 list. So either there is one or there is not  21 one. It's a yes or no question. Is there a list  22 or not? And, if there is one, where is it?  23 Because that was on my list of requests.  24 We all have the ITB responses, but I'm asking  25 whether there is a list or isn't a list? And if</p>	<p style="text-align: right;">Page 12</p> <p>1 follow it up by comments or debate or however  2 they determine it.  3 So what I'd like to do is try to first start  4 off with questions as we approach, especially,  5 this is one item, we can see how it works, and if  6 it works successfully, we can do it moving  7 forward. If not, we can readdress it. What I'm  8 trying to achieve is to take the time that we  9 have and kind of narrow down some of the issues  10 more succinctly than mixing up comments and  11 questions and comments and questions. So  12 questions are very simple, very direct. Giving  13 everybody an opportunity to ask questions, as  14 many as, you know, you feel you need, as well as  15 then making comments, which, at this meeting,  16 we're not making any motions or any  17 recommendations, but in the future something like  18 that we can then have discussion about how we  19 want to proceed with something or, you know, move  20 something forward.  21 Ms. Fertig, you have a question?  22 MS. FERTIG: I have a question when you start  23 taking questions. So --  24 MR. MAYERSOHN: Okay. And seeing that, let's  25 move on to the HCT Report.</p>

<p style="text-align: right;">Page 13</p> <p>1 Ms. Fertig, you, obviously, had a question, 2 so you can start. 3 MS. FERTIG: Okay. So on page 9 -- 4 MR. JABOUIN: I'm sorry, Ms. Fertig. Is it 5 possible for me to introduce the report? There 6 are certain matters to deal with. 7 MS. FERTIG: Yeah, I'm sorry. 8 MR. JABOUIN: No, it's not your fault. I 9 wasn't aware that it was time for me to maybe 10 introduce the report. So this is Agenda Item 11 Number 7. This is the HCT IT Technology Devices 12 Report. Committee Members who attended the May 13 14th, 2020 Audit Committee meetings or they 14 viewed the June 9th, 2020 school board meetings 15 will note that this is the next product that 16 would need to be looked at after the Recordex 17 Simplicity Touch Interactive Flat Panels Report. 18 So Audit Committee members as well as school 19 board members asked my office to review 20 additional technology asset purchases that were 21 done during the tenure of the former chief 22 information officer. So we identified the 23 transactions that the former CIO may have had 24 some sort of involvement in, and this was the 25 largest one. So it made sense that this is the</p>	<p style="text-align: right;">Page 15</p> <p>1 even though that's going to be one of them, but 2 there are other areas in the district where we 3 can take a look at the process as Ms. Coker has 4 implemented a variety of procedures since she's 5 been here. 6 The report objectives, which were my 7 directions to HCT based on the comments and the 8 area that I thought that needed to be reviewed, 9 was to take a look to see if the purchases 10 related to this bid were in accordance with the 11 district policies, namely 3320, 5306, 5306.1. 12 And then if the purchases under this bid were in 13 compliance with the technology portion of the 14 SMART Bond. And then, as also discussed, because 15 this was a significant piece of the Recordex 16 audit is whether or not EDCO Education had any 17 involvement in the purchases related to this bid, 18 and then to review that the district's technology 19 requirements were adhered to as it pertained to 20 this bid, and then also take a look at this -- 21 this transaction and the structure to make sure 22 that it was in line with the SMART Bond 23 technology funding. 24 Now, if you flip through the report you'll 25 see some of the significant points by HCT. So if</p>
<p style="text-align: right;">Page 14</p> <p>1 project that got looked at. Now, the Recordex 2 itself, that's its own separate report. It has 3 its own action plan. It has its own 4 recommendation. It has its own management 5 responses. And it's part of our audit plan to 6 follow up on those. And we intend to have that 7 report presented to this committee. So this 8 report is related to Bid 16-059E. And these are 9 primarily Lenovo desktops and laptops and CDI 10 tablets. So this report was chosen for that 11 particular reason. 12 Now, it makes sense that based on the 13 findings of this report that we follow up with -- 14 we would need to take a more current bid, one 15 from like 2020 where there has been time to look 16 at activity as opposed to this one from 2016 17 which has a reason why it was selected. Part of 18 the reason is, if you take a look at the tenure 19 of our current director of Procurement and 20 Warehousing Services, she started in March of 21 2016 when this bid was going on in December of 22 2015. So that's the reason why we should take a 23 more current bid to take a look at when I do the 24 follow-up, any additional work. And it does not 25 necessarily need to be information technology,</p>	<p style="text-align: right;">Page 16</p> <p>1 you take a look at page 18, this is where they 2 indicate the noninvolvement of EDCO as they did 3 their work. And then on page 19 is where they 4 commented on the different vendors that bid and 5 the fact that they exceed the specifications of 6 the district. And then on page 19, as well, 7 towards the bottom, they mentioned that the 8 purchases that were done were in line with what 9 the bid called for in the post procurement and 10 the subsequent periods after that. And then on 11 page 25 it's important to note that the report 12 states that the district purchased the best 13 quality products for the budget allocation that 14 they had available during 2016 to 2018. 15 The findings, those are on pages 13 and 15, 16 but there are no issues with respect to the 17 policies that we discussed. 18 And, in closure, there are some significant 19 strategic points that I'd like to point out to 20 the committee. Pages 4 through 6 of the report 21 links the strategic plan, the SMART Bond and 22 several district initiatives, such as the 23 computer refresh initiative, the computer gap 24 initiative, and those were part of the strategic 25 planning of the district and the district worked</p>

<p style="text-align: right;">Page 17</p> <p>1 with the Gartner Group with respect to the plan.  2 So HCT, they looked at some of their -- the  3 service tickets to gain information about some of  4 the service issues and Dr. Hicks was part of that  5 review for HCT. And they interviewed a variety  6 of different persons.  7 So, Ms. Fertig, and to the committee, as you  8 ask your questions, we do have with us in the  9 meeting Mr. Roderick Harvey, who is the partner  10 of HCT, and then we also have Dr. Fred Hicks, as  11 well.  12 And that does conclude my introduction.  13 Thank you.  14 MS. SHAW: Mr. Chair, before -- I don't mean  15 to interrupt, but since this is a recorded  16 meeting, and I don't know if there are any  17 attorneys on board, have we asked everyone or let  18 them know that they will be recorded?  19 MR. JABOUIN: We did indicate at the  20 beginning of the meeting, Ms. Shaw, that we were  21 going to start the recording, but those of you  22 who joined the meeting later may not have heard  23 that portion.  24 MS. SHAW: Thank you.  25 MR. MAYERSOHN: Was that your only question,</p>	<p style="text-align: right;">Page 19</p> <p>1 MS. FERTIG: Okay. I'm not sure this clearly  2 states that, because it says the director  3 explained his response -- the bid was presented  4 before the TAC and he discussed the specification  5 and the cost maximum was imposed by the  6 management. So you're saying they're part of the  7 management. Is there someone else who would be  8 included in that management?  9 MR. HARVEY: From my understanding there were  10 several departments that participated  11 unilaterally on a linear basis with this bid,  12 Procurement. Of course, the IT department would  13 be part of those people who would make sure. I  14 believe the board would have given some guidance  15 on the amounts for the budget -- for the budget  16 for the cost spent.  17 MS. FERTIG: Okay. If we could note, Mr.  18 Mayersohn, I would just ask that we -- if we  19 could just get a couple sentences in this I think  20 it would be helpful to people reading it rather  21 than just a blanket SBBC management.  22 And then there's been -- and another thing  23 that's pertinent about this, there's been an  24 ongoing conversation about whether TAC was  25 involved with this or not involved with this. So</p>
<p style="text-align: right;">Page 18</p> <p>1 Ms. Shaw?  2 MS. SHAW: I have other questions, but I'll  3 wait. Thank you.  4 MR. MAYERSOHN: Ms. Fertig, you're on mute.  5 MS. FERTIG: Thank you. I'm going to start  6 with some questions, just a few, and then I'll  7 follow up later, if that's okay, after I hear  8 everyone else's. But on page 9 of 32, the  9 director -- sentence 2 under the first paragraph,  10 the director explained in his response that the  11 bid was presented before the TAC Committee  12 several times, blah, blah, blah. The director  13 discussed, I'm sorry, it's the next -- the  14 specifications and the cost maximum imposed by  15 SBBC management.  16 So can you tell us who SBBC management is?  17 MR. JABOUIN: Mr. Harvey, if you can respond  18 to Ms. Fertig for us?  19 MR. HARVEY: Good morning. Thank you for  20 that.  21 We view the SBBC management as the various  22 departments so TAC Committee would be and then  23 also the folks that head up the department of  24 technology were folks that we would consider to  25 be in the management team.</p>	<p style="text-align: right;">Page 20</p> <p>1 at what meetings -- can we get a list of meetings  2 where this was discussed? Not us having to go  3 find it, but have the meetings listed where these  4 specifications were actually discussed?  5 Going down to TAC hired an independent --  6 now, TAC's an advisory committee, right,  7 Technology Advisory Committee? TAC hired an  8 independent consulting firm to review and assist  9 with the process. Can you explain to me how TAC  10 hired them; what their budget was; what their  11 process was for selecting the consultant?  12 MR. HARVEY: Good question. So the spirit of  13 the comment is that the TAC Committee, which is  14 noted in the minutes, had access to Gartner,  15 Gartner Consulting Group. That group, I would  16 imagine, may have been hired or the process of  17 hiring was maybe through another department of  18 the school board. But the spirit of the comment  19 is that Gartner Consulting was hired by the  20 district. I'm not aware of the on-boarding  21 process, but with the goal to assist TAC with the  22 implementation and review and the crafting and  23 the implementation of Bid 16-059E.  24 MR. JABOUIN: And just to add to that, Ms.  25 Fertig, the TAC does not make any hiring, no</p>

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1 different than this committee does. So the  
2 district is the one that hired Gartner.

3 MS. FERTIG: So I believe that that sentence  
4 should read differently, then, because it  
5 specifically says, TAC hired an independent  
6 consulting firm to review and assist with the  
7 process. And I know that Gartner was on -- I  
8 just know anecdotally, I'll just tell you, they  
9 were retained by the school board well before  
10 this bid, so I guess that's an outstanding  
11 question of when they were hired and how much  
12 input they had into the technology program. But  
13 I don't believe that it's correct to say that an  
14 advisory committee hired and independent -- and,  
15 Mr. Mayersohn, I'll get back to questions.  
16 Sorry. I just want to see these corrections made  
17 so we can have a more accurate document.

18 Okay. TAC had direct involvement and  
19 knowledge of Bid 16-059E. And I guess my  
20 question on that is, is it direct involvement  
21 because it came to one of their meetings? I'm  
22 still unclear on this because we're seeing that  
23 they were -- they discussed the specifications  
24 imposed by management, which may or may not  
25 include TAC, in the previous paragraph, and then

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1 in this paragraph they hired an independent  
2 consultant but really they had access to the  
3 independent consultant the school board hired.  
4 And then in this paragraph they had direct  
5 involvement and knowledge. And I'd just like to  
6 know what the extent of that direct involvement  
7 and knowledge was.

8 I'll go on to the next questions. I don't  
9 know if you're going to take this by sections,  
10 Mr. Mayersohn, but if anybody else has questions  
11 on that section I'm happy to stop and let them  
12 ask.

13 MR. JABOUIN: Quick question, Ms. Fertig,  
14 would you like HCT to respond to that last point  
15 that you made about TAC's involvement?

16 MS. FERTIG: Sure.

17 MR. JABOUIN: Mr. Harvey, I know you looked  
18 at the January 2015 TAC meeting and the February  
19 2015 TAC meeting and the March and so forth and  
20 you did see discussion with the TAC, keeping them  
21 in the loop, can you describe that to the  
22 committee and respond to Ms. Fertig's question?

23 MR. HARVEY: Yes. Thank you for that. So I  
24 also want to bring in Policy 5306.1 that talks  
25 about the requirement of TAC to be involved. So,

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1 from a procedural policy standpoint, their  
2 involvement is important. Based on those minutes  
3 enumerated by the Chief Auditor we saw where TAC  
4 was involved from the beginning at the creation  
5 of the bid, also reviewing the bid throughout the  
6 process, and then ultimately agreeing or having  
7 involvement to make sure that the final bid was  
8 in accordance with -- or given their input, let  
9 me say that, say it that way, with Bid 16-059E.

10 MS. FERTIG: And could you tell us at what  
11 meeting they were given that final -- the ability  
12 for final input?

13 MR. HARVEY: I reviewed the minutes going  
14 back to December of 2014. My notes here talk  
15 about the minutes that went through September 21,  
16 2015. And at that meeting in the minutes it  
17 discussed the protest policy or that no protest  
18 had come forward as a result of Bid 16-059E.

19 MS. FERTIG: So that would be the September  
20 of 2016?

21 MR. HARVEY: Yes. Yes. Yes. I'm sorry.

22 MR. JABOUIN: Hold on a second. The bid was  
23 approved in November of 2015.

24 MS. FERTIG: No. No. Excuse me.

25 MR. JABOUIN: Or December.

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1 MS. FERTIG: No, the bid -- let me just --  
2 let me tell you why I'm asking these questions.  
3 The bid was issued November 2015. It was opened  
4 December 2015 and it went to the board February  
5 9th, 2016. And I'm asking these for a specific  
6 reason. At our last meeting it was stated or  
7 inferred, however you took it, that there were  
8 problems with the previous purchasing person, not  
9 Ms. Coker. And, in fact, the previous purchasing  
10 person, although her name was on the bid issued  
11 November 2015, Ms. Ruby Crenshaw, was no longer  
12 in the employ of the school board. She had  
13 resigned October 6th, 2015. So, in fact, I want  
14 to know when this went to the TAC committee to  
15 get a complete picture of just exactly who was  
16 involved with this bid. I, personally, think  
17 that it's wrong to implicate Ms. Crenshaw if she,  
18 in fact, did not have anything to do with the  
19 bid. And so I'm going to be asking more  
20 questions along that line, but I want to know,  
21 when was the last TAC -- the last TAC meeting  
22 prior to November of 2015 in which this matter  
23 was discussed?

24 Sorry, I -- is that clear? I just want to  
25 know when was the last time they discussed it

<p style="text-align: right;">Page 25</p> <p>1 before the bid was actually sent out?</p> <p>2 MR. JABOUIN: I think Mr. Harvey can research</p> <p>3 that for you. I know that my notes indicate that</p> <p>4 in March of 2015 there was some lengthy</p> <p>5 discussion. So, Mr. Harvey, as you research</p> <p>6 that, I did notice a good amount of discussion at</p> <p>7 the March 2015 TAC meeting.</p> <p>8 MR. HARVEY: That's -- that's correct. But I</p> <p>9 will research. But they definitely talked about</p> <p>10 it in March and April of 2015.</p> <p>11 MS. FERTIG: And, obviously, what concerned</p> <p>12 me is there's a lengthy gap between that and the</p> <p>13 bid being issued, particularly with the director</p> <p>14 of purchasing having then resigned prior to the</p> <p>15 bid going out. So I would have thought that it,</p> <p>16 maybe, would have been a little closer to when</p> <p>17 the bid was actually put out.</p> <p>18 Okay. Can I ask -- do you want me to stop</p> <p>19 with this section or can I go ahead and ask some</p> <p>20 other questions?</p> <p>21 MR. MAYERSOHN: You can -- I'm trying to get</p> <p>22 to questions we can then have discussions about</p> <p>23 this whole bid scenario, because there's a lot of</p> <p>24 information.</p> <p>25 MS. FERTIG: Okay.</p>	<p style="text-align: right;">Page 27</p> <p>1 MR. MAYERSOHN: Ms. Shaw?</p> <p>2 MS. SHAW: On the dates, could we get a</p> <p>3 chronological order of events that took place,</p> <p>4 because, I mean, we have bits and pieces of what</p> <p>5 happened, but a chronological order I think would</p> <p>6 be so much easier than asking the auditors who</p> <p>7 may not have looked at the chronological order,</p> <p>8 including TAC, et cetera, et cetera, you know, so</p> <p>9 they may not be able to give us all of that. So</p> <p>10 I would like a chronological order of the various</p> <p>11 statements.</p> <p>12 MR. JABOUIN: Mr. Harvey, we had provided a</p> <p>13 chronological order in the previous project you</p> <p>14 did for us, so something in that manner would</p> <p>15 probably suffice for Ms. Shaw' request.</p> <p>16 MR. HARVEY: Yes.</p> <p>17 MS. FERTIG: And I, actually -- I, actually,</p> <p>18 started trying to put that together and then</p> <p>19 found there were a few gaps I couldn't fill in.</p> <p>20 So hence my questions today.</p> <p>21 Okay. I have questions for Coker unless I</p> <p>22 see Dr. Lynch-Walsh, do you want to comment on</p> <p>23 what we were just talking about or can I move on</p> <p>24 to Ms. Coker?</p> <p>25 DR. LYNCH-WALSH: Well, if we're doing</p>
<p style="text-align: right;">Page 26</p> <p>1 MR. MAYERSOHN: So if we could focus on just</p> <p>2 questions, and just as a note, in DemandStar the</p> <p>3 bid was released November 10th, 2015, it closed</p> <p>4 December 3rd, 2015.</p> <p>5 MR. JABOUIN: And only to add to that point,</p> <p>6 it's also important to remember that Ms. Coker</p> <p>7 started her employment in March of 2016 after the</p> <p>8 bulk of this bid -- after this bid had already</p> <p>9 been done.</p> <p>10 MS. FERTIG: And I think -- and I think I</p> <p>11 said that, that she was not there, but it was</p> <p>12 stated at the last meeting that the previous</p> <p>13 purchasing director, it was inferred that she had</p> <p>14 something to do with it and, in fact, she might</p> <p>15 have had something to do with it, but though her</p> <p>16 name is on the letterhead of the bid going out</p> <p>17 November 10th, it is not -- she was no longer in</p> <p>18 the employ of the school board. So I just think</p> <p>19 that's an important fact to note. And, in fact,</p> <p>20 it was Mr. Woods who sat with Mr. Hunter at the</p> <p>21 table on the February 9th meeting, so --</p> <p>22 Okay. I have a question for Ms. Coker if</p> <p>23 she's on, if we're allowed to keep -- oh, I'm</p> <p>24 sorry, Ms. Shaw, I think, has a question on</p> <p>25 something. Yeah.</p>	<p style="text-align: right;">Page 28</p> <p>1 questions --</p> <p>2 MS. FERTIG: Well, I have questions. I mean,</p> <p>3 mine are all questions.</p> <p>4 DR. LYNCH-WALSH: Yeah, well, before we get</p> <p>5 too far gone I have sort of an overarching</p> <p>6 question which is, were the ITB responses</p> <p>7 reviewed by HCT, meaning, the responses that we</p> <p>8 now all have on the audit committee?</p> <p>9 MR. JABOUIN: Mr. Harvey?</p> <p>10 MR. HARVEY: Yes. Yes, we reviewed the ITBs</p> <p>11 that --</p> <p>12 DR. LYNCH-WALSH: No, I mean the completed</p> <p>13 responses from the vendors.</p> <p>14 MR. HARVEY: From the vendors who submitted?</p> <p>15 DR. LYNCH-WALSH: Yes.</p> <p>16 MR. HARVEY: Yes, we have those and we've</p> <p>17 reviewed those responses.</p> <p>18 DR. LYNCH-WALSH: Okay. Because then my</p> <p>19 follow-up question to that is, where is the</p> <p>20 pricing sheet for Dell? That does not seem to be</p> <p>21 included in their ITB response. It is for HP, it</p> <p>22 is for Lenovo, but I couldn't find it in the</p> <p>23 document we were provided, so I'm not sure how</p> <p>24 you could speak to pricing if you couldn't see</p> <p>25 the Dell pricing and summary sheet. So was that</p>

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1 missing from yours?

2 MR. HARVEY: I will scroll through and see.  
3 I don't have it noted as missing, but I can  
4 double check and make sure as we go through this  
5 meeting.

6 DR. LYNCH-WALSH: Okay. And then --

7 MR. JABOUIN: I'm sorry to interrupt, Dr.  
8 Lynch-Walsh. I'm trying to keep track of those.  
9 Can you kindly repeat what your request was? I'm  
10 sorry to ask you to do that.

11 DR. LYNCH-WALSH: The most important thing,  
12 I'm asking them whether they had the bid summary  
13 sheet for the Dell ITB because it is not in the  
14 documents that we received. So first we  
15 established -- I asked them whether they actually  
16 had the ITB responses from the vendors that  
17 submitted, the documents we all just got provided  
18 after I had to try every trick in the book to get  
19 them, and then within that whether they had the  
20 bid summary sheet for Dell, because it is not,  
21 unless I can't see straight anymore, in that  
22 document. So how could they have spoken to  
23 pricing if it's not in there unless they got a  
24 different document than what we were provided?

25 MR. JABOUIN: Okay. I put that on my list.

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1 MR. MAYERSOHN: Well, that's a question.

2 DR. LYNCH-WALSH: Yes.

3 MS. FERTIG: I have a few questions on mine,  
4 too.

5 MR. MAYERSOHN: So let's just go to Dr.  
6 Walsh's questions and then I'll go back to Ms.  
7 Fertig.

8 MS. FERTIG: Okay. Thank you.

9 DR. LYNCH-WALSH: If we go in order I'm  
10 beginning with page 1 of the report which has to  
11 do --

12 MR. MAYERSOHN: I understand that, but let's  
13 have the question answered and then we'll go back  
14 to Ms. Fertig.

15 DR. LYNCH-WALSH: Okay. It would be easier  
16 for me to go in order. Thank you. Okay.

17 MR. MAYERSOHN: So can we get Dr. Walsh's  
18 question answered?

19 MR. HARVEY: Yes, the guidance, and I will  
20 double-check the date, the guidance, the AICPA  
21 guidance that Mrs. Lynch-Walsh speaks of, I  
22 believe, was implemented, became effective, after  
23 the date of our report.

24 DR. LYNCH-WALSH: I'm sorry. I have to  
25 interrupt.

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1 Thank you, Dr. Lynch-Walsh.

2 MR. MAYERSOHN: Dr. Lynch-Walsh, did you have  
3 another question?

4 DR. LYNCH-WALSH: I have questions. This  
5 sort of goes -- this goes against how my thought  
6 process works. I work from general to specific  
7 and in order. I don't like taking questions out  
8 of context. So if we're gonna go through the  
9 different observations, I have questions. I have  
10 a lot of questions, comments that summarize my  
11 conclusions. But there's a lot in here that I  
12 can only pose as a comment, because otherwise I'd  
13 be asking questions like, can you explain why you  
14 didn't adhere to attestation standards regarding  
15 agreed upon procedures, because those procedures  
16 say that you don't have opinions or conclusions  
17 which suggest that you wouldn't then make  
18 recommendations. And, as I put in my email from  
19 a few weeks ago, there are words that are  
20 considered vague and ambiguous that in 215A this  
21 engagement should not include conclusions or  
22 opinions and should avoid vague or ambiguous  
23 language. So for me to pose that as a question,  
24 I would say, why did you not follow these  
25 standards in developing this report?

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1 MR. MAYERSOHN: Dr. Walsh, let him -- let him  
2 go and then you can -- go ahead.

3 MR. HARVEY: We believe that that guidance  
4 was effective for reports issued after the date  
5 of our report and so we believe that our report  
6 as presented is within the AICPA guidelines for  
7 type of a task report.

8 DR. LYNCH-WALSH: Okay. So let me say that  
9 again. Some what -- there were some changes  
10 between SSAE 18 and 19 and 19 kicks in for  
11 reports dated after July 15th, 2021. This is why  
12 I put all of this into a detailed email.

13 MR. MAYERSOHN: Dr. Walsh --

14 DR. LYNCH-WALSH: I'm trying, but it's not  
15 possible, because their answer -- okay. So can  
16 you explain what differences between -- what  
17 standard are you adhering to and what changed  
18 between the two standards that is allowing you to  
19 make -- to draw conclusions, opinions and make  
20 recommendations and use ambiguous or vague  
21 language?

22 MR. MAYERSOHN: There you go.

23 DR. LYNCH-WALSH: You're killing me.

24 MR. HARVEY: Let me try to answer it this  
25 way, because I think what you said, if I heard



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1 you right, you said that the AUP or the guidance  
2 or the guidance you gave went into effect July  
3 15th of 2021. And so --

4 DR. LYNCH-WALSH: What changed -- what  
5 changed between 18 and 19 that is allowing you --  
6 because I'm not aware, when I read it, it didn't  
7 seem like what changed -- what changed was some  
8 minor things. So what do you believe changed  
9 between these two? Because in 2015A this type of  
10 engagement should not conclude conclusions or  
11 opinions and should avoid vague or ambiguous  
12 language and that does not appear to have changed  
13 between 18 and 19. So what are you following  
14 that --

15 MR. JABOUIN: Here's something that's very  
16 important to note. Regarding the opinions of  
17 HCT, as part of the objectives, I wanted their  
18 opinions regarding quality -- regarding the  
19 quality of the Lenovo product. That was one of  
20 the discussion items that came up during the  
21 committee meetings of the school board. And so I  
22 want their opinions on that.

23 DR. LYNCH-WALSH: Okay. But then my question  
24 then is to you, Mr. Jabouin, is it possible that  
25 you don't understand the purpose of AUPs?

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1 if that is the objective, it should be stated in  
2 the objective that you want them to issue an  
3 opinion, which would be an audit, not an AUP,  
4 which all the numbers in the report would have  
5 been significantly more examined. But past that,  
6 the opinions that they gave would require  
7 expert -- expert knowledge.

8 They just went and said we think that these  
9 are the best products; based on what? We think  
10 that these are the best available at the time --  
11 I put these in my questions. Are you experts in  
12 Lenovo and 2016 to 2019 like computers that can  
13 also be tablets? Did you use experts to derive  
14 these opinions?

15 MR. HARVEY: Mr. Fred Hicks can give a little  
16 bit on his background. He is our expert as  
17 relates to technology. So can I have Mr. Hicks  
18 talk a little bit about his experience and  
19 background and his level of attainment?

20 DR. HICKS: Good morning. Going back to Dr.  
21 Walsh's question and aligning with what we were  
22 asked to do in terms of providing an opinion, if  
23 you examine my resume you will see that I have  
24 been in a C level, and I apologize for pausing,  
25 but last week I was actually hospitalized with

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1 Because they specifically prohibit opinions.  
2 That is specifically -- in black and white that's  
3 the very thing you don't put in agreed upon  
4 procedures. So then the level that they were --  
5 the standard -- this is the wrong engagement  
6 then.

7 MR. JABOUIN: Dr. Lynch-Walsh, so that this  
8 doesn't sort of digress into the wrong angle,  
9 what I want to mention is the objectives that HCT  
10 had included having an opinion because I needed  
11 their opinion on the quality of the Lenovo  
12 product.

13 DR. LYNCH-WALSH: And I'm not  
14 misunderstanding what you're saying. I am saying  
15 that contradicts what agreed upon procedures are  
16 about.

17 MR. JABOUIN: But that was my request to them  
18 in the objectives.

19 DR. LYNCH-WALSH: Then you can't do an AUP.  
20 But I'll let another accountant explain that to  
21 you.

22 MR. MAYERSOHN: Let Ms. Disch go, because I  
23 think she's got something that she wants to say.

24 MS. DISCH: Yeah, I just wanted to piggyback  
25 off of what Dr. Lynch-Walsh was saying and that

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1 COVID, so I may get short on breath. Almost 30  
2 years of C level decision making purchasing  
3 technology for -- starting with the Broward  
4 Children's -- Children's Services Council, the  
5 Work Force Development Board in Broward and Early  
6 Learning Coalition here in Miami-Dade County and  
7 Monroe. I recently obtained as early as January  
8 my doctorate in cyber security.

9 Having served with Mr. Harvey and his team  
10 for several years I think my opinion matters as  
11 it relates to the technological purchases. And  
12 if you take a step back and examine what I  
13 commented on, it is all based on the allocated  
14 budget for the school board purchases at that  
15 time. If I were in the decision making capacity  
16 I would have opted for a tier higher, investing a  
17 little bit more per student to ensure the  
18 viability and strength of the equipment would  
19 last even longer. The fact that they wrapped  
20 everything with a robust set of protectors, if  
21 you will, in enclosed cases, huge kudos to the  
22 school board for making that decision to extend  
23 the life based on the budget that they received  
24 and they bought very prudent equipment in terms  
25 of not wasting the taxpayer dollars. I live in

<p style="text-align: right;">Page 37</p> <p>1 Sunrise and my children go to school in Sunrise 2 and I admire the fact that, hey, they went for a 3 tablet that is as robust as the budget would 4 allow. They did not get exorbitant and they went 5 for the warranties that were available at the 6 time. 7 So my pull-back opinion is, you might look at 8 the microcosm of each individual question and see 9 how we went in and said, yes, I think they did a 10 pretty good job here, in my own personal opinion 11 and my professional experience I may have opted 12 for a little bit more in terms of money 13 allocated, pushing the envelope. For example, 14 one of your questions was the equipment should 15 last four to five years and I'm pushing to say, 16 when we're dealing with students who are on the 17 go, I'm estimating that, look, that's nice, but 18 two to three years would probably be a best 19 timeframe to start that new procurement so that 20 the kids will see new equipment maybe every three 21 and a half years in their hands. If I'm a ninth 22 grader, by the time I start my senior year and 23 now I'm dealing with chemistry and complex math 24 applications on my tablet, if I'm looking at a 25 software in a package that's two and a half,</p>	<p style="text-align: right;">Page 39</p> <p>1 DR. HICKS: I did include quite a bit of 2 documentation and in the back-and-forth editing 3 we were told to take some of that documentation 4 away. I still have original drafts that look and 5 show, look, we looked at PC World magazine, we 6 looked at top industry results even from 2015 7 leading up through 2018 showing where the 8 equipment was in the purchasing, the life cycle 9 and the expectations, and in the back and forth a 10 lot of that dissertation style support was 11 actually sifted out of the original writing. So 12 I concur and I would've loved to have seen some 13 of those footnotes and some of those articles 14 that point to this is why. 15 MR. JABOUIN: Just to add to what Mr. Hicks 16 is saying, in the report process, the report 17 could have been 50 times longer, and so we do 18 summarize the report out. So some of the data 19 that sometimes is asked for by the committee, 20 those aren't things that you would normally put 21 in an audit committee report, otherwise, it gets 22 to be very lengthy. So Mr. Hicks did provide us 23 with a substantial amount of information and we 24 included what we thought was the pertinent 25 information, but not the detail. There's a lot</p>
<p style="text-align: right;">Page 38</p> <p>1 three years old, productivity, even in any 2 industry is going to say that that student is not 3 going to be as productive as he or she could be. 4 MS. DISCH: I assume the software package is 5 something different than the actual hardware that 6 is being purchased? 7 DR. HICKS: Correct. 8 MS. DISCH: And the accountant in me is dying 9 when it appears that you're saying in your 10 opinion which you also quoted best practice but 11 didn't state what that best practice is based off 12 of, and the accountant in me is just like slowly 13 dying because I would bet nearly anything that 14 the accounting department is depreciating these 15 things over a five-year life and yet their 16 auditor comes in and tells us 2.52. So there's a 17 clear disconnect with what you're saying -- just 18 based off of a MACRS depreciation model, like on 19 Google, so that is just -- and then, so if you 20 are the expert and these are opinions based off 21 of an expert part of the audit team and the 22 opinion is the objective of the report, I would 23 have thought to have a lot of documentation 24 supporting your expert opinion and there wasn't 25 enough.</p>	<p style="text-align: right;">Page 40</p> <p>1 of detail underneath -- 2 MS. DISCH: I could not disagree with notion 3 more. And when you give an opinion that's not 4 based in the report and all I have is the report 5 to review, I immediately discredit the opinion. 6 MR. JABOUIN: I disagree with that, Ms. 7 Disch, respectfully. 8 MS. DISCH: Well, as an accountant that's my 9 perspective. 10 MR. JABOUIN: Thank you for your perspective. 11 MS. DISCH: You're welcome. 12 MR. MAYERSOHN: Okay. Ms. Disch did you have 13 any additional questions relating to this or -- 14 MS. DISCH: Not to this, but I, obviously, 15 sent over my questions, so as it's appropriate 16 I'll bring them back up. Thank you. 17 DR. LYNCH-WALSH: My question hasn't been 18 answered. 19 MR. JABOUIN: Yeah, I have a question for Mr. 20 Hicks to make sure he clarifies for the committee 21 whether or not your opinions were your personal 22 opinions or your professional opinions on the 23 Lenovo product? 24 DR. HICKS: My professional opinions. 25 MR. JABOUIN: Thank you. And your</p>

<p style="text-align: right;">Page 41</p> <p>1 information, do you view them as being factual?</p> <p>2 DR. HICKS: Yes. Based on the information</p> <p>3 that I was given and some knowledge of some of</p> <p>4 the modules, hands-on with some of them, but,</p> <p>5 again, having seen the breadth of both Apple as</p> <p>6 well as Microsoft Surfaces, the Lenovos were a</p> <p>7 solid purchase. I admire the school board for</p> <p>8 making that decision for the budget at hand.</p> <p>9 MR. JABOUIN: Thank you.</p> <p>10 MR. MAYERSOHN: Okay. Before Ms. Fertig and</p> <p>11 Dr. Lynch-Walsh go, Ms. Dahl, did you have any</p> <p>12 questions related to this?</p> <p>13 MS. DAHL: Mr. Mayersohn, I'm a little</p> <p>14 confused about, are you asking us to do questions</p> <p>15 as we go along? I probably am going to echo with</p> <p>16 what Dr. Lynch-Walsh had said. If we could go</p> <p>17 through it chronologically, then we ask questions</p> <p>18 when we have them? Because I think when we start</p> <p>19 flipping around we will not be able to get that</p> <p>20 feeling or information that we need to have. So</p> <p>21 I appreciate the fact that you're following</p> <p>22 something that somebody else did, I guess the</p> <p>23 state legislators, but I don't feel that that's</p> <p>24 appropriate at this time. Thank you.</p> <p>25 MR. MAYERSOHN: Okay. Well, we can go</p>	<p style="text-align: right;">Page 43</p> <p>1 discussed in some of the findings so that's why I</p> <p>2 wanted to have this conversation up front.</p> <p>3 Ms. Coker, did you review the -- did you</p> <p>4 review the sign-in sheets of that meeting?</p> <p>5 MS. COKER: For the bid opening?</p> <p>6 MS. FERTIG: Yes.</p> <p>7 MS. COKER: So, no, I have not reviewed the</p> <p>8 sign-in sheets of the bid opening meeting that</p> <p>9 took place in December of 2015, because they are</p> <p>10 not available in the file.</p> <p>11 MS. FERTIG: Okay. Did you review the</p> <p>12 minutes of the bid opening in December of 2015?</p> <p>13 MS. COKER: No.</p> <p>14 MS. FERTIG: Why?</p> <p>15 MS. COKER: Because they don't exist.</p> <p>16 MS. FERTIG: Okay. Did you listen to the</p> <p>17 tape of the meeting from 2015, December 2015?</p> <p>18 MS. COKER: No. It goes back to my response</p> <p>19 about saying that in the past or back then,</p> <p>20 though part of the requirement for the bid was to</p> <p>21 receive the bids by 2:00 p.m., there was no</p> <p>22 formal process as it relates to bid opening,</p> <p>23 formality to sign-in sheets, et cetera.</p> <p>24 MS. FERTIG: Okay. So, in fact, there are no</p> <p>25 minutes of the meeting, there is no sign-in sheet</p>
<p style="text-align: right;">Page 42</p> <p>1 through the findings one by one if that's more in</p> <p>2 line. That's why I said, I'm just -- I'm just</p> <p>3 trying to narrow down and make things run a</p> <p>4 little bit smoother, because sometimes we get</p> <p>5 lost in conversation. So, I mean, I'll throw it</p> <p>6 out and go back to --</p> <p>7 MR. JABOUIN: Why don't we go to page 13?</p> <p>8 That would be a good place to start, on page 13</p> <p>9 of the report?</p> <p>10 MS. FERTIG: Let me ask you a question. I</p> <p>11 began on page 9. Did anybody have anything</p> <p>12 before page 9? Because I have gone</p> <p>13 chronologically. On page 9, I think I'm up to --</p> <p>14 I don't know what page I'm up to, but if there</p> <p>15 was something before page 9, then that's fine.</p> <p>16 But I think before we get into the findings I</p> <p>17 wanted to have some of the background of what</p> <p>18 their comments were and I still have one</p> <p>19 background question before we actually go to the</p> <p>20 findings. So --</p> <p>21 MR. MAYERSOHN: Why don't you ask the</p> <p>22 background question?</p> <p>23 MS. FERTIG: Thank you. It's to Ms. Coker.</p> <p>24 At the last meeting we raised questions about the</p> <p>25 actual opening of the bids. And it's going to be</p>	<p style="text-align: right;">Page 44</p> <p>1 for the meeting, there is actually no record of</p> <p>2 the meeting and I will get to this -- I'm sorry,</p> <p>3 I will ask a question, Mr. Mayersohn, when I</p> <p>4 finish my comments. There's no minutes, there's</p> <p>5 no recording and there are no sign-in sheets from</p> <p>6 the opening of these bids and which the two</p> <p>7 winning bids were not timestamped; is that</p> <p>8 correct.</p> <p>9 MS. COKER: That is correct, but I want to</p> <p>10 note that there is no Policy 3320 that states</p> <p>11 that these procedures are required to be done.</p> <p>12 Therefore, in procurement best practices,</p> <p>13 obviously, you would want to have those, which is</p> <p>14 the reason why we have those now, to be able to</p> <p>15 justify the actions that took place.</p> <p>16 Unfortunately, back then those were not formally,</p> <p>17 they were not in a formal procedure. I do want</p> <p>18 to state, though, that I am making every effort,</p> <p>19 though we looked in the files themselves, they</p> <p>20 were not available, those documents that are</p> <p>21 being requested. We have taken a step further</p> <p>22 just to make sure at least for my own benefit to</p> <p>23 go ahead and obtain records or copies of our --</p> <p>24 in our building at TSSC where these bid openings</p> <p>25 are held, we do have a sign-in sheet that every</p>

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1 guest must sign in when they arrive as a visitor.  
2 So I'm hoping that I can get those. I understand  
3 they are from 2015, so I'm at the mercy of what  
4 back then was happening at the security in our  
5 front office. And the next step that we're  
6 taking, also, just to be able to satisfy the  
7 request is we've reached out to the vendors that  
8 participated and are asking them to provide a  
9 written affidavit of their presence for that  
10 meeting. So, hopefully, we will be able to have  
11 more information. But as of now there are no  
12 documents that I can validate having reviewed in  
13 the file.

14 MS. FERTIG: And it was always anticipated  
15 that this would be a bid in which you took the  
16 lowest price; is that right?

17 MS. COKER: This is an ITB; correct.

18 MS. FERTIG: And so, consequently, there is  
19 absolutely, from what you're telling me, not a  
20 single piece of proof; not timestamped bids; not  
21 a sign-in sheet; not minutes; not a recording;  
22 there is no evidence whatsoever that the meeting  
23 was held and that the bids were opened and  
24 processed at exactly the time they were supposed  
25 to be; is that correct?

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1 MS. SHAW: Thank you. So if there's no  
2 formal policy in place for the procurement, if  
3 there were no -- if it were best practice and  
4 apparently the best practice was not listed in  
5 the procurement document, why then was a bid  
6 rejected? Because there wouldn't be -- if we  
7 don't have any reason at all to document when  
8 those bids were actually received, any document  
9 after how long -- if you know Florida statute  
10 says so, why then would a bid be rejected, on  
11 what basis, documented basis in some kind of  
12 policy was that bid rejected?

13 And I have a bunch of questions on this but  
14 I'm just going to leave it at one because as  
15 Hagen said, the accountant in her was dying, mine  
16 is dead.

17 MS. COKER: I appreciate your question. I  
18 hope you're not directing that question in  
19 reference to my actions. I see you're very  
20 excited. So I will answer, because I was not  
21 present, again, I can assure that there is a  
22 procurement policy in place, 3320, and in no  
23 policy does it state that you have to record  
24 the -- or have a -- it doesn't state that you  
25 have to have timestamps. It doesn't state that

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1 MS. COKER: That is correct. But I want to  
2 note also that there was one bid that was  
3 rejected because apparently it was received after  
4 that 2:00 p.m. timeframe, which I believe it was  
5 stated that it was 3:30.

6 MS. FERTIG: At 3:00 p.m.; yes. And that is  
7 of absolutely more concern to me than probably --  
8 I mean, this whole conversation I find to be very  
9 irregular. I understand, Ms. Coker, I want to  
10 say again for the record, I understand you were  
11 not here and this was not you. And I also will  
12 state for the record because it was misstated  
13 last time, Ms. Crenshaw was not here. Though her  
14 name was on the bid, she was not in the employ of  
15 the Broward County School Board when the  
16 Invitation to Bid was sent out.

17 MR. MAYERSOHN: Is that a question, Ms.  
18 Fertig?

19 MS. FERTIG: That is a question. So I will  
20 make it a question unless you want me to shut up  
21 and let Ms. Shaw speak because her hand's up.

22 MR. MAYERSOHN: I hear where you're going,  
23 but let Ms. Shaw speak because she's itching to  
24 go and then I've got something to say on the bid  
25 document, but, go ahead. Go ahead, Ms. Shaw.

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1 you have to -- I'm talking about the policy. We  
2 have procedures, procedures that indicate what  
3 those steps are and what those work instructions  
4 are for those processes. But under Policy 3320  
5 it does not state anywhere that we receive bids  
6 by 2:00 p.m. and you have to have a checklist and  
7 you have to have all of those things that you are  
8 asking for, which would very much validate that  
9 those processes were indeed followed and those  
10 actions or events did take place. So it's part  
11 of a procedure. I just want to highlight when I  
12 say that there was no formal procedure. Because  
13 there is a policy and there has been a policy  
14 which does not include those specifics. It talks  
15 about the things that we can and can't do.

16 MR. JABOUIN: A policy is designed to be very  
17 high level. The procedures need to include some  
18 of the aspects that Ms. Coker mentioned on that  
19 end. And we do -- and given that there's a  
20 timeframe for when the bids are due and they're  
21 not timestamped and we don't have the sign-in  
22 sheets for the bid meeting as Dr. Lynch-Walsh  
23 asked, that is something that when we select the  
24 new bids to look at, the controls that Ms. Coker  
25 has indicated she's put in place, that is going

1 to be tested when we select the new contracts  
2 that we look for.

3 MS. SHAW: So then -- and, Ms. Coker, you're  
4 absolutely right, this is not directed at you in  
5 no way. We understand you came in afterwards and  
6 we're just hoping that those documents -- when  
7 you put out a bid -- I put out a bid last year,  
8 actually, yes, last year. When you put out a  
9 bid, they are supposed to have the bid in and by  
10 what time the document -- when you're going to be  
11 opening the bid, whether it's going to be done in  
12 front of an attorney or a city clerk or whatever  
13 the case may be, all of these will be listed in  
14 the bid document. It means that whether you want  
15 to call it it's not in 3320 or Florida statute,  
16 it should be in your policy somewhere. So  
17 whatever it is in your bid, those are what --  
18 those are part of the policies that you're  
19 applying, whether it's written or unwritten, it's  
20 in your bid. This is what --

21 MS. COKER: Yes, they are.

22 MS. SHAW: Which means, if you said to me a  
23 bid is due at 2:00 and you don't timestamp my bid  
24 and everybody else's bid at 2:00, how does the  
25 committee or whoever is reviewing it know those

1 in attendance. So I'm hoping and praying that  
2 with the additional research that I am conducting  
3 that we may find, you know, a positive outcome in  
4 locating or confirming that indeed there was a  
5 bid opening and that I can confirm those in  
6 attendance. If not, there's not much more that  
7 we can do but to assume that there was no  
8 documents.

9 MS. FERTIG: But I thought at the last  
10 meeting, and this is my one follow-up question,  
11 Mr. Mayersohn, at the last meeting I thought you  
12 said that you know they must have turned their  
13 bid in on time because they were at the bidders  
14 meeting. I was looking for the minutes so I  
15 could verify that, but, unfortunately, the  
16 minutes that were published end with -- end just  
17 before this conversation, half minutes were  
18 presented.

19 MS. COKER: I can state that you are correct.  
20 I did state that. And I was referring to the  
21 pre-bidders conference document, which includes  
22 all of the vendors present for that pre-bidders  
23 conference.

24 MS. FERTIG: So, in fact, we don't know that  
25 they turned their bid in on time because there

1 bids actually came in at 2:00? And if you're not  
2 adhering to some kind of policy whether it's  
3 written in your bid document or it's in your  
4 house somewhere how do you reject someone then  
5 being late?

6 MR. JABOUIN: The bid document clearly states  
7 2:00. The bid document says 2:00.

8 MS. COKER: Yeah, the ITB clearly states  
9 there was going to be a bidders conference held  
10 prior and the date of the bid, which should have  
11 been the bid opening. And the bid documents also  
12 as part of the ITB contractual terms and  
13 conditions, it does state that the bids will be  
14 opened at 2:00 p.m. You are correct, Ms. Shaw,  
15 that the fact of the matter is that some  
16 documents were timestamped. And when I arrived  
17 to the school district they were timestamping  
18 them on memo notepads, the stickies, that's how  
19 they would -- and they would stick them onto the  
20 file. So, again, it wasn't a formal procedure,  
21 hence why I cannot locate. Some vendors were  
22 timestamped, others were not. But what we were  
23 trying to demonstrate in the previous meeting is  
24 that we did have a pre-bidders conference sign-in  
25 sheet that demonstrated that all the vendors were

1 was no bidders meeting. And that's the point  
2 I've been trying to get to. So, thank you, I  
3 will move to the next item.

4 MR. MAYERSOHN: So, just to follow up on  
5 that, if I may, Ms. Coker? Are you aware that  
6 the district did an audit in 2011 regarding --  
7 and this is obviously facilities and construction  
8 management bidding and bid opening process.

9 MS. COKER: No, I was not aware that there  
10 was an audit; no.

11 MR. MAYERSOHN: Okay. And in that audit  
12 there was the -- I guess management response came  
13 up with bid receiving procedures. And in that  
14 exhibit it talks about some of the things that  
15 you were talking about, sticky files, you know,  
16 on timestamps, minimizing the size of the bid,  
17 including only items that were necessary, but it  
18 gave a list of procedures. Now, again, granted  
19 this is for facilities management division,  
20 understanding you weren't there at the time, but  
21 there was some procedures that seemed to be  
22 established. Whether or not they were adhered  
23 to, different story, but there were procedures.

24 MS. COKER: And I want to highlight that back  
25 in 2011 the procurement of construction sourcing

<p style="text-align: right;">Page 53</p> <p>1 and facilities was not part of the Procurement 2 and Warehousing Services Departments, it was 3 overseen by facilities, themselves. So, 4 unfortunately, you know, we didn't share best 5 practices back then, but that department has 6 absolutely nothing to do with the Procurement and 7 Warehousing Services Department. 8 MR. MAYERSOHN: Okay. So in the invitation 9 to bid documents, when a bidder signs the, I 10 guess the document in their submittal, does that 11 mean that they agree to all the general 12 conditions as well? 13 MS. COKER: Yes. 14 MR. MAYERSOHN: Okay. So in the Invitation 15 to Bid in Section 3, General Conditions, is there 16 anything that would say that a bidder is required 17 or must have their bid timestamped? 18 MS. COKER: No. 19 MR. MAYERSOHN: If you refer to on the 20 Invitation to Bid document -- 21 MS. COKER: I'm sorry, I don't have those 22 documents. I mean, it says that it must be 23 turned in by 2:00 p.m. 24 MR. MAYERSOHN: It says bid submitted, 25 complete bid must be submitted in sealed envelope</p>	<p style="text-align: right;">Page 55</p> <p>1 instructions pertaining to supplies and services. 2 Failure to do so will be at bidder's risk. Would 3 you say that's -- I mean, I'm reading it to you. 4 Based upon your knowledge of the General 5 Conditions, would you say that's correct? 6 MS. COKER: Yes. 7 MR. MAYERSOHN: Okay. On Item Number 37 on 8 the General Conditions it says, Submittal of 9 Bids. It says all bidders are reminded that it 10 is the sole responsibility of the bidder, and 11 bidder is in capitalized letters, to assure that 12 their bid is timestamped in Procurement and 13 Warehousing on or before 2:00 p.m. eastern 14 standard time on the due date. Would you say 15 that's a fair statement? 16 MS. COKER: Yes, sir. 17 MR. MAYERSOHN: Okay. Now, in this -- in the 18 General Conditions it also says that the School 19 Board of Broward County reserves the right to 20 reject any bid that fails to comply with these 21 submittal requirements. So if a bid was not 22 submitted with a timestamp, which it says must, 23 in your opinion, what would be the recourse or 24 rationale if a bidder failed to have a timestamp 25 but yet the Broward County School Board, I guess,</p>
<p style="text-align: right;">Page 54</p> <p>1 with bid name, number clearly typed or written on 2 the front of the envelope. Bids must be 3 timestamped in Procurement Warehouse on or before 4 2:00 p.m. to be considered. So it does state 5 that in the bid documents. I'm just reading it 6 for you. So would you agree that that's a 7 correct statement? 8 MS. COKER: Yes, that is a correct statement; 9 yes. 10 MR. MAYERSOHN: Okay. Would you also -- 11 MS. COKER: But as a bidder I would want to 12 make sure that someone gave me a receipt of me 13 turning in my bid, a proof that I turned it in 14 timely. I would have wanted to as a bidder and 15 that is something that should have taken place. 16 And, again, back then, there were bids that were 17 stamped and there were some that were not. 18 MR. MAYERSOHN: No, I understand. 19 MS. COKER: I cannot answer as to why they 20 were not. 21 MR. MAYERSOHN: Right. Would you also agree 22 with the statement that's in this General 23 Conditions, it says, Mistakes, bidders are 24 expected to examine the specifications, delivery 25 schedule, bid prices and extensions and</p>	<p style="text-align: right;">Page 56</p> <p>1 waived that compliance? 2 MS. COKER: I'm not sure if the Broward 3 County School Board waived the compliance because 4 I want to believe because some were stamped that 5 all of them should have been stamped. 6 Unfortunately, we cannot validate that because we 7 cannot locate specific vendors that apparently 8 responded and turned in the bid but do not have a 9 timestamp. Should -- we currently in today's 10 process where we do indeed timestamp a document 11 and record it and have them sign it, if indeed 12 they did not have it, then I would disqualify 13 them. But because we are assuming that some -- 14 because some were, that that process at some 15 point should have been done correctly, maybe we 16 cannot say that the board knew that they weren't 17 timestamped, but we still went ahead and awarded 18 it; right? I don't think that's the position of 19 the board or I want to believe that that might 20 not have been the position at that time based on 21 what I would have done with how our processes are 22 today. But, again, this is all hearsay because 23 there's no one to validate what actually took 24 place and if indeed they were not timestamped. 25 They could have been easily timestamped and the</p>

<p style="text-align: right;">Page 57</p> <p>1 little papers got lost. They could have not been  2 timestamped and we, unfortunately, because we  3 can't prove otherwise will have to go with the  4 fact that they were not timestamped, which would  5 then lead us to not having have them awarded or  6 considered to be responsible and responsive.  7 MR. MAYERSOHN: Right. So just one last, I  8 guess, follow-up question. In the backup that  9 was submitted to the school board, in the revised  10 copy of the recommendation for the award, there  11 was a note that said that the one vendor was  12 rejected because of a timestamp. In today's --  13 and, again, I can't -- we're not talking about,  14 obviously, because you weren't there and you  15 didn't prepare it, but in today's, I'll call it  16 procedures, if you, as the director of  17 procurement, had a situation and for some reason  18 the timestamp wasn't there, wasn't qualified, you  19 know, there was an issue, the clock went out or,  20 you know, power failure, whatever it may be, is  21 that -- would you denote these irregularities on  22 your submission for recommendation?  23 MS. COKER: They would have been recommended  24 as nonresponsive.  25 MR. MAYERSOHN: So if the power outage went</p>	<p style="text-align: right;">Page 59</p> <p>1 personally, giving the vendors the opportunity.  2 Because I know the difficulty it is in responding  3 to these bids because they're very, very long and  4 tedious. So I try to be as human as possible  5 ensuring that I'm always compliant with the  6 policy and state regulations. So we would make  7 sure that everyone in the room is aware of the  8 situation, there's a consensus, and if, indeed,  9 we did not, I want to highlight that the bidders  10 always have the opportunity to file a protest.  11 They have three days to do so. Therefore, in  12 this particular case, no bidder filed a protest.  13 That only means that --  14 MR. MAYERSOHN: That doesn't mean anything.  15 MS. COKER: It gives indication to me that  16 there may not have been any irregularities, but,  17 again, you're absolutely right it doesn't prove  18 anything.  19 MR. JABOUIN: We can't rely on that,  20 obviously. We need to do it right. I mean, just  21 because the bidders didn't protest is not  22 sufficient.  23 And the thing is, though, as I mentioned  24 during the beginning of this, though, Ms. Coker  25 has implemented a lot of the controls. And when</p>
<p style="text-align: right;">Page 58</p> <p>1 out and a person brought their bid in at 1:59 and  2 couldn't get it electronically timestamped?  3 MS. COKER: We have other mechanisms today  4 that would allow for us to be able to justify  5 whether or not, the fact that they were present,  6 the fact that there's a witness as well. We  7 don't only have just the purchasing agent, we  8 have two people from our staff to validate. Just  9 to avoid having a purchasing agent, you know,  10 have one opinion versus another vendor we have  11 two people present. So we have mechanisms.  12 So, if indeed today -- and we do this, and  13 this happens a lot, believe it or not, where they  14 come and it might have been 2:01 and they're like  15 my clock says 2:00, this one says 2:03, you know,  16 we're very specific in ensuring that we have the  17 means by which we can justify if the vendor  18 indeed turned it in on time. And that would have  19 been shared in the rec tabulation at the time of  20 recommendation. So -- and we've done it with  21 recent bids where we've, you know, had to  22 disqualify them for specific reasons. But in  23 your example, if the lights went off and there  24 was an emergency, obviously, there's always  25 mitigation to that and -- I'm always, for myself,</p>	<p style="text-align: right;">Page 60</p> <p>1 we select a bid that's from a different period,  2 like let's just say the year 2000, then we'll be  3 able to see quite a bit of her improvements.  4 MS. COKER: 2000?  5 MR. JABOUIN: No, we'll take a bid for --  6 because we have to make sure there's enough data  7 after the purchases start, so I think fiscal year  8 2000 will be a good year to select a bid.  9 MS. COKER: The school year 2000 or 2020?  10 MR. JABOUIN: Oh, my goodness. 2020. I'm 20  11 years behind. I did say 2000. Okay. Thank you.  12 MR. MAYERSOHN: Ms. Fertig, did you want to  13 continue? Are you done with your background?  14 MS. FERTIG: The background, what we just got  15 is what I wanted to get out, and I just want to  16 say one thing. I think we're doing this audit  17 for a very specific reason and always you hope  18 with these audits you are able to change what you  19 find to be mistakes --  20 MR. MAYERSOHN: Those are comments.  21 MS. FERTIG: -- so you don't make the same  22 mistakes. That's my comment. But I want to go  23 back to what -- we're not doing this because  24 we're looking for that. We're doing this in  25 response to an audit that showed a lot of</p>

<p style="text-align: right;">Page 61</p> <p>1 problems. And we picked the largest single 2 purchase of \$81 million, 10 percent of the bond 3 to audit. So in that context, yes, I'm ready to 4 move on to the actual findings. And though I 5 don't know much more that we could say than there 6 was no bid sheets -- I mean, there was no 7 opening, absolutely no documentation of what was 8 done right. And I agree with you, Mr. Mayersohn, 9 this was attached to the board agenda. This is 10 what they saw. And I can't even imagine what 11 it's based on.</p> <p>12 Okay. I'm done. I'm ready for -- I'll let 13 somebody else start with questions.</p> <p>14 MR. MAYERSOHN: All right. Dr. Lynch-Walsh, 15 are you ready to go with page -- starting on page 16 13?</p> <p>17 DR. LYNCH-WALSH: No, because I was back on 18 page 9. I actually will have to double back to 19 page 1 because we still have a huge problem there 20 in terms of the type of engagement this was. But 21 I'll save that for later.</p> <p>22 MR. MAYERSOHN: Let's put that in the parking 23 lot.</p> <p>24 DR. LYNCH-WALSH: Yeah. That's going to be a 25 huge problem.</p>	<p style="text-align: right;">Page 63</p> <p>1 you've already addressed the Gartner thing. 2 Obviously, we all know as volunteers that 3 volunteer groups cannot hire consultants, we were 4 just trying to clarify whether everybody else 5 knew that.</p> <p>6 So my question here is, why are there minutes 7 attached to this response that are after -- if 8 we're trying to determine that they were involved 9 in the inception, drafting and bid 10 specifications, that's a level of detail, why, 11 first of all, was I provided with at least three 12 sets of minutes that are after the bid was 13 awarded? I guess, let me leave it at that as my 14 first question.</p> <p>15 We have February 11th, 2019 in here. We have 16 March 14th, 2016. And I believe I saw a 2020 17 date in here. All dates well after the award 18 date of this particular ITB. So why are they in 19 here, in this response?</p> <p>20 MR. JABOUIN: Mr. Harvey?</p> <p>21 MR. MAYERSOHN: Mr. Harvey or Mr. Hicks?</p> <p>22 MR. HARVEY: Yes, thank you. I'm logging in 23 again. We noted that there were several minutes 24 that TAC was involved. Those minutes were 25 attached to kind of show their involvement after.</p>
<p style="text-align: right;">Page 62</p> <p>1 So I'm on page 9, because when Mary asked the 2 question I started flipping through the pages 3 very quickly, and my initial questions that I did 4 send in pertain to page 9.</p> <p>5 By the way I've just been made aware the 6 minutes have been posted somewhere from our last 7 meeting, I just don't know where.</p> <p>8 MS. FERTIG: They're incomplete minutes 9 because they only cover the first half of the 10 meeting, Dr. Lynch-Walsh, so -- which I find 11 curious that we would publish incomplete minutes, 12 but, okay.</p> <p>13 DR. LYNCH-WALSH: There's a lot of curious -- 14 they are many curious things occurring, so why 15 not?</p> <p>16 Okay. So -- and in all my paper shuffling 17 here I may have misplaced that pile.</p> <p>18 So my questions had to do, just taking us 19 back to the TAC minutes -- oh, I found that file. 20 And so I got a response to my questions. My 21 question specifically asked about where TAC 22 participated in the inception, drafting and bid 23 specifications of the bid. And I asked for the 24 agendas and minutes from the TAC meetings where 25 the participation listed on page 9 occurred, and</p>	<p style="text-align: right;">Page 64</p> <p>1 We've also noted the minutes that happened -- 2 that occurred, again, 12/8/2014, 2/9/2015, 3 3/9/2015, which would have been more consistent 4 with your request.</p> <p>5 DR. LYNCH-WALSH: That is attached here?</p> <p>6 MR. HARVEY: I'm not sure what you have 7 that's attached, but we sent over some minutes 8 that were after the fact. But we also noted 9 other minutes where TAC reviewed, discussed the 10 bid 16059E.</p> <p>11 DR. LYNCH-WALSH: Yes, but I specifically 12 asked for where they participated in the 13 inception, drafting and bid specifications. And 14 maybe I'm confused as to what the word 15 participation means, because -- and maybe TAC 16 was, too, because what they asked at the March 17 14th, 2016, they had a concern that since we meet 18 only once a month and there are items that are 19 moving quickly, how can IT best inform TAC in the 20 interim? IT can engage us early on as part of 21 the requirement gathering stage of RFP/RFI. This 22 way TAC has some input into the process.</p> <p>23 So, if they thought that they had, in fact, 24 been involved in the inception, drafting and bid 25 specifications, don't you think this is an odd</p>



1 observation to make right after the bid was  
2 awarded?

3 MR. HARVEY: I don't think that's an odd  
4 observation. I think it relates to TAC wanting  
5 to be a part of the cradle to grave. But in  
6 those minutes that go back to 2014 it does show  
7 that TAC was involved with the help of Gartner  
8 with the inception, the crafting, consistent with  
9 Policy 5306 -- 5306-1, that they were involved.

10 DR. LYNCH-WALSH: Which minutes are you  
11 citing?

12 MR. HARVEY: There are several minutes that I  
13 will point you to. 12/8/2014, 2/9/2015, 3/9/2015  
14 and then also 4/13/2015, which, obviously, you  
15 don't have in your hand.

16 DR. LYNCH-WALSH: No, I do. And here's my  
17 problem. I reviewed these minutes long before I  
18 asked for them and I'm not drawing the same  
19 conclusion, so we're gonna have to agree to  
20 disagree on the definition of TAC being involved.  
21 I do -- I will say that they seem to be more  
22 involved on the last one. So it's possible that  
23 those two different bids, in terms of your review  
24 of the minutes, that if you went back and  
25 reviewed what happened in 2019 meetings is more

1 consistent with them being involved as opposed to  
2 what happened to them before. Because when it  
3 was happening to them before, and there are  
4 minutes where they are complaining that things  
5 are being brought to TAC after it's a done deal.  
6 It's in a set of minutes somewhere. Because I do  
7 have all of the minutes associated with this bid.  
8 And even beforehand I have all of the minutes. I  
9 think I have them for all the years at this  
10 point.

11 MR. MAYERSOHN: Dr. Lynch-Walsh, is that a  
12 question?

13 DR. LYNCH-WALSH: I did ask a question. But,  
14 as you know, I can't -- I can't -- my brain does  
15 not work out of context. It just can't do it.  
16 But I do have another question.

17 MR. MAYERSOHN: Okay.

18 DR. LYNCH-WALSH: Okay. So that was that.  
19 We've answered the Gartner question.

20 MR. MAYERSOHN: Before you continue, Mr.  
21 Jabouin, is there a way, and I don't need it now,  
22 but for our next meeting, to have the contract  
23 that Gartner had with the district at that time?  
24 Because I don't know what their -- I don't know  
25 what their engagement is and --

1 MR. JABOUIN: Mr. Mayersohn, I'm trying to  
2 keep a list as the meeting goes on as to what the  
3 committee may want. We probably are headed to a  
4 situation where, if there are too many things, I  
5 won't be able to get them in time to have for the  
6 May 6th meeting, but I put that on my list as  
7 something to get, is the Gartner contract, which  
8 may date way before this stuff. But if that's  
9 what you'd like, I put it on my list.

10 MR. MAYERSOHN: Yeah, because the only thing  
11 I've seen is a 2002 award that Gartner has. I  
12 don't have any -- that was just in school board  
13 minutes. It didn't say any information on what  
14 their engagement was, but they were awarded a  
15 contract for consulting.

16 MR. JABOUIN: Noted.

17 MR. MAYERSOHN: Go ahead, Dr. Walsh.

18 DR. LYNCH-WALSH: Okay. So I'm now up to  
19 page 12 because I'm trying get caught up to Mary.

20 So on page 12, the table there for Lenovo and  
21 CDI, and I have a reference to page 16 for some  
22 reason, the difference between amount awarded and  
23 spent, for me, it has amount awarded, the total  
24 PO spent, total invoices applied. Why -- why  
25 wasn't there a breakdown by group? Because

1 Lenovo was awarded groups 1, 2 and 4, CDI was  
2 awarded group 3. And if we're looking at award  
3 versus spent and the difference, once I broke it  
4 down, Lenovo, the difference is about 23.8  
5 million in terms of what they got awarded versus  
6 spent, but CDI, which you can't tell from looking  
7 at this table, was awarded 12 million for tablets  
8 but the district only purchased 40,000 in  
9 tablets, which is a difference between award and  
10 spend of 11.9 million. So why -- why not break  
11 it down by group to be even more clear in terms  
12 of what was actually spent versus awarded?  
13 Because, to me, the way this comes across, and  
14 just to --

15 MR. MAYERSOHN: Wait. Wait. That's your  
16 question. So go ahead. I'm -- go ahead.

17 MR. HARVEY: So, again, we do have the  
18 underlying data that can support that request.  
19 We reflected it this way at a high level. We  
20 also noted that CDI received a lot less. There  
21 was an email sent that some of their items, CDI  
22 I'm referring to was discontinued and so --

23 MR. JABOUIN: Yeah, can I please have Max  
24 Rosario comment on that, Mr. Mayersohn, as far as  
25 the CDI situation, Max?

1 DR. LYNCH-WALSH: Well, I think that we're  
2 getting into a different page. I'm strictly  
3 asking about this table and the way the data was  
4 presented. Because, to me, it looks like we're  
5 not being transparent. Yes, you said drastically  
6 lower, but that's vague. What's specific is 11.9  
7 million lower than what was awarded. So I  
8 appreciate that you said drastically lower but  
9 especially because you are auditors, and just so  
10 you know, my background is in accounting, I'm a  
11 degreed accountant who has passed the CPA exam  
12 and has done financial reporting, so I would  
13 never put a table like this together without  
14 setting it up the way that I said. Because if  
15 you're going to say drastically lower you have to  
16 quantify it, unless someone's trying to sort of  
17 obscure the -- what drastically lower actually  
18 adds up to. I'm not saying you did that. I'm  
19 saying that, hopefully, you can understand how  
20 that might be a conclusion one of us might come  
21 to. So that gets me to page 12.

22 MR. HARVEY: Point noted.

23 DR. LYNCH-WALSH: Okay. Thank you. I have a  
24 lot of comments about conclusions and opinions.

25 MR. MAYERSOHN: Let's stick with the

1 that earlier, that when I made that statement and  
2 when this management response was prepared months  
3 ago that was the intention, that --

4 DR. LYNCH-WALSH: That was your belief at the  
5 time is that it was --

6 MS. COKER: Yes. Yes.

7 DR. LYNCH-WALSH: Okay. I just want to  
8 clarify. Because if that's a mistake, I want to  
9 know whether that can be removed from this report  
10 as part of your response or it can be amended in  
11 some way? Because otherwise we have something in  
12 here that's misleading, unintentionally.

13 MR. JABOUIN: I'll speak with Mr. Harvey  
14 after this meeting on that. Either we could have  
15 some sort of addendum, memorandum from Ms. Coker  
16 to clarify that, but I hear your point.

17 DR. LYNCH-WALSH: Okay. Then my last  
18 question on this page is for HCT, were you aware  
19 of all of the prior bids? Because this group  
20 asked for everything essentially that Hunter  
21 touched and then it got -- the scope of what we  
22 were trying to audit got reduced until we were  
23 left with one bid number which was this bid  
24 number. And I'm asking, were you aware of the  
25 Dell bid protest and the rejection of all bids

1 questions and then we can --

2 DR. LYNCH-WALSH: I'm getting there. I think  
3 I might be up to page 15, so it brings me back  
4 full circle. Okay. So in -- so I think we hit  
5 on where it says there's not a standardized  
6 process.

7 I requested the ability to share a document.  
8 I haven't received that ability, but -- because I  
9 was going to pull up the ITB which had the  
10 instructions which are referenced in an email, so  
11 it says -- and this has to do more with Ms.  
12 Coker's response, and I kind of think we need to  
13 clarify this because I'm a little concerned here  
14 because this contradicts what was said at the  
15 last meeting or in this written response.

16 So then is this -- is this an error and then  
17 will this error be fixed? Because this comment  
18 on page 15 says, current staff did manage to  
19 locate the list of attendees of this public bid  
20 opening which included the list of all  
21 participants. So if that's -- is this an error  
22 that can be fixed if there actually is a list of  
23 basically the bidders conference which occurs  
24 before, long before the bid opening date?

25 MS. COKER: Correct. And I think I mentioned

1 and the piggyback contracts and the post-award  
2 board memo? So, essentially, are you aware that  
3 the process by which Lenovo became the district's  
4 laptop of choice followed somewhat closely the  
5 way Recordex became the smart boards of choice,  
6 in that it started with a post-award board memo  
7 where they went right under that million dollars,  
8 then we had a lot of piggyback confusion, whether  
9 they may have been operating with or without a  
10 contract, then there was a Dell bid protest where  
11 Dell was winning the protest process by all  
12 accounts, because I have read those documents,  
13 and then in 2015 -- so if we had looked at things  
14 from 2015 instead of being limited to this one  
15 bid we would have discovered and we would have  
16 backed into all of these other -- other Lenovo  
17 bids, were you aware of the recommendation to  
18 reject all proposals that happened on January 21,  
19 2015 and all of the piggybacks and the Dell  
20 protest?

21 MR. HARVEY: So we looked at this work very  
22 specifically based on the guidelines in the AUP.  
23 Through reading the minutes I am aware of the  
24 Dell -- the Dell bid protest, but that was just  
25 due to review of the minutes. So we looked at

<p style="text-align: right;">Page 73</p> <p>1 this bid, 16-059E and the procedures laid out in 2 the AUP only.</p> <p>3 DR. LYNCH-WALSH: Okay. Thank you. That's 4 my last question. Then I think I'm caught up to 5 where Ms. Fertig left off.</p> <p>6 MR. MAYERSOHN: Ms. Fertig, do you have any 7 follow-up questions?</p> <p>8 MS. FERTIG: Just one quick comment. When we 9 asked -- when we sent this to the board it was 10 with a request to cover audits over a specific 11 period of time. I believe the board's choice was 12 to start with one specific audit, the largest 13 purchase, and do that, with the clarification in 14 my mind being that they would add others if after 15 doing this one they felt there was a need to. So 16 I just want to add that on so we're not closing 17 the door and saying this was one audit.</p> <p>18 I don't want to make anyone nervous by saying 19 that, Mr. Jabouin, so I will just say I'm ready 20 to discuss the four things and I --</p> <p>21 MR. JABOUIN: I want to mention, I didn't 22 want to say this because I thought that Mr. 23 Harvey answered the question but that actually is 24 correct. There was a reason why this was 25 selected. I do want to say, Ms. Fertig, though,</p>	<p style="text-align: right;">Page 75</p> <p>1 addressed occurred after 2016 with the adoption 2 of the board. So okay.</p> <p>3 MS. COKER: And I also want to say something, 4 if I can, that this -- the origination of this 5 audit was not to audit Procurement and 6 Warehousing Services' procuring processes. That 7 was not the intention of the bid. My department 8 gets audited yearly by the state, by different 9 sectors. So we're constantly being audited and 10 we're used to that. But particularly this bid 11 was -- this was not the reasoning behind this 12 bid. At least that was my understanding.</p> <p>13 MR. MAYERSOHN: Okay. Are there -- let me go 14 this way. Are there any more -- I know we have a 15 lot of comments, but are there any more 16 questions?</p> <p>17 DR. LYNCH-WALSH: Yes.</p> <p>18 MR. MAYERSOHN: Okay. Ms. Dahl, did you have 19 any questions? Because I know you were --</p> <p>20 MS. DAHL: Not at this point. Thank you.</p> <p>21 MR. MAYERSOHN: All right. Dr. Lynch-Walsh.</p> <p>22 DR. LYNCH-WALSH: Okay. On objective number 23 3, page 18, it says we researched if EDCO 24 Education had any involvement in the purchases 25 related to bids -- to this bid, basically. Have</p>
<p style="text-align: right;">Page 74</p> <p>1 we're going to move on to some more current bids 2 and not necessarily in this department as we go 3 on. Because you can see that Ms. Coker has 4 implemented some very good procedures as she has 5 discussed. And I think that although I 6 erroneously said the year 2000 before that, we 7 need to take some more current bids and see how 8 those are looking as opposed to these that were 9 done years ago. Still important, but we need to 10 select some other types of contracts. Large, as 11 well, and a variety of different departments, 12 including IT and some other departments as well 13 to look at the process.</p> <p>14 MS. FERTIG: And I agree with that, but I 15 just want to clarify that the reason we were 16 doing these particular audits for this particular 17 thing is because of the irregularities that were 18 known under the previous CIO. And I believe Ms. 19 Shaw correctly expanded the scope of it to cover 20 a period of time. When I read this audit and am 21 reminded that this was current through 2019 of 22 when we were using this money, \$80 million, \$81 23 million, 10 percent of our bond. It's not like 24 it's something that ended in 2015. This behavior 25 was ongoing. In fact, some of your findings</p>	<p style="text-align: right;">Page 76</p> <p>1 you ever heard of AlertPoint?</p> <p>2 MR. HARVEY: No, I have not heard of 3 AlertPoint.</p> <p>4 DR. LYNCH-WALSH: Have you ever heard of 5 David Allen?</p> <p>6 MR. HARVEY: No, I have not heard of David 7 Allen.</p> <p>8 MR. JABOUIN: I'm sorry, Mr. Harvey, you have 9 heard of David Allen.</p> <p>10 MR. HARVEY: Okay.</p> <p>11 MR. JABOUIN: He is the -- he was part of the 12 previous report --</p> <p>13 MR. HARVEY: Okay. Okay.</p> <p>14 MR. JABOUIN: -- that you worked on.</p> <p>15 MR. HARVEY: Okay. Okay.</p> <p>16 DR. LYNCH-WALSH: Okay. Would it surprise 17 you to find that there is a Juan Cardenal who 18 last worked at AlertPoint and prior to that was 19 listed as the senior account executive Southeast 20 K-12 and Higher-Ed Lenovo Computer Systems from 21 July 2015 to September 2019? He actually worked 22 there from October 2010 to July 2015.</p> <p>23 MR. HARVEY: Can you repeat the question?</p> <p>24 DR. LYNCH-WALSH: Well, I'm not sure that 25 you'll be able to answer it since you were</p>

<p style="text-align: right;">Page 77</p> <p>1 unfamiliar with the words AlertPoint and the name  2 David Allen which was tied to Recordex and Tony  3 Hunter, and now the -- this Juan Cardenal last  4 worked at AlertPoint, which is the David Allen  5 company where Tony Hunter last worked, and prior  6 to that he was a senior account executive for  7 Lenovo. So I'm guessing none of these ring a  8 bell.  9 MR. JABOUIN: What is your question?  10 DR. LYNCH-WALSH: Well, I asked has he  11 ever -- has he ever heard of him?  12 MR. JABOUIN: I have a -- although the other  13 report's not on the agenda, I have an interest in  14 what you're saying but I can't tie it to this  15 report.  16 DR. LYNCH-WALSH: The question -- so EDCO --  17 the common denominator is AlertPoint -- well,  18 David Allen is the common denominator between  19 AlertPoint and EDCO. So if we're looking for a  20 connection, and there may not be a direct  21 connection, but there is a direct connection to  22 EDCO as a name, but if you were looking for the  23 name David Allen you would find AlertPoint, and  24 if you were looking for who works for AlertPoint  25 you would find this guy who last worked at</p>	<p style="text-align: right;">Page 79</p> <p>1 Okay.  2 MR. JABOUIN: Well, I would like to get some  3 advice from you at some point, but if you choose  4 not to, that's fine.  5 MR. MAYERSOHN: Okay. Dr. Walsh, any further  6 questions?  7 DR. LYNCH-WALSH: Yes, Mr. Mayersohn.  8 MR. HARVEY: Can I make a comment, a point?  9 MR. MAYERSOHN: Yes, you can, Mr. Harvey.  10 MR. HARVEY: Good day to everyone. And I'm  11 going to ask for you guys' apologies in advance.  12 There is a stark difference between an audit and  13 an AUP report. Both of them are attest  14 functions. An audit is you give an opinion  15 directly, it is overarching and you can delve  16 into various areas, i.e., some of the things  17 mentioned by Ms. Lynch-Walsh. With an AUP,  18 Agreed Upon Procedures engagement you stick very  19 narrowly to the procedures as designed and as  20 performance. And so in our engagement here we  21 would look at and perform work based on those  22 procedures that are listed. We would not and  23 this was not, even though it's being used  24 generically, an audit. It is an attest  25 engagement. And to your point, under SSAE 18 or</p>
<p style="text-align: right;">Page 78</p> <p>1 AlertPoint and that he worked for Lenovo as a  2 senior account executive for Southeast K-12 and  3 Higher-Ed, according to LinkedIn. And, in fact,  4 in his LinkedIn page mentions that he was  5 responsible, closed \$81 million project with  6 Broward County Public Schools.  7 So since this was all readily available, I'm  8 kind of curious, because it seems as though in  9 your conclusion you said, after performance of a  10 thorough review of bid documentation and  11 interviews with several BCPS staff there was no  12 indication and documentation or mentioning during  13 interviews of any involvement of EDCO Education  14 in the purchases related to 16-059. So I'm just  15 pointing out that there were a lot of common  16 factors -- there was a common denominator and  17 some common variables in terms of the people  18 involved. They may not have worked for EDCO, but  19 they were related. So that was my question. I  20 guess the answer is, no, you haven't heard of any  21 of them.  22 MR. JABOUIN: If you can email me some of  23 those names outside of this I would appreciate it  24 for our other report. Thank you.  25 DR. LYNCH-WALSH: I have to do your audit?</p>	<p style="text-align: right;">Page 80</p> <p>1 19, that applies and that's apparent.  2 DR. LYNCH-WALSH: Okay. And I couldn't agree  3 more, which is why I kept questioning why I saw  4 recommendations, opinions and conclusions, but  5 Mr. Jabouin clarified that he specifically wanted  6 your opinion, which then confuses everybody,  7 because this should have been an audit, which  8 takes me back to page 1 of the report and why  9 this wasn't an audit to begin with.  10 I do have other questions.  11 MR. HARVEY: May I reply to that?  12 MR. MAYERSOHN: Mr. Harvey, just a minute.  13 Ms. Disch, I saw you raise your hand and then  14 lower it. Did you have a question?  15 MS. DISCH: Sorry. Yes, I was just going to  16 further comment on that, that we all agree that  17 an AUP is very different from an audit, but Dr.  18 Lynch-Walsh already iterated, you don't give  19 opinions in an AUP, and that guidance hasn't  20 changed nearly ever. So the whole basis of this  21 report is very confusing to me. And I would like  22 to know why an opinion was provided in the AUP  23 and that opinion was also not in the objectives  24 of the report itself. But I've already stated  25 that comment and I think it's just an open</p>

<p style="text-align: right;">Page 81</p> <p>1 question that I really think needs to be 2 clarified.</p> <p>3 MR. MAYERSOHN: Mr. Jabouin, do you have any 4 comments to that?</p> <p>5 MR. JABOUIN: Yes. The objectives that were 6 graded were based on some of the comments from 7 the different meetings, the audit committee and 8 school board meetings. And so what I did is I -- 9 when I met with Mr. Harvey I indicated what I 10 needed done. And I did want to know, for 11 example, the thoughts around the Lenovo computer 12 because there were some questions about the 13 quality of them during the course of the 14 meetings. And so thus procedures were designed 15 for Mr. Hicks to take a look at the -- at the 16 help desk tickets that arrived and so forth. So 17 at the end of the day, as the customer, there 18 were certain things that I felt needed to be 19 covered, and one of them was the quality 20 component of the Lenovo product and that did 21 require an opinion.</p> <p>22 MR. MAYERSOHN: Okay. Dr. Walsh?</p> <p>23 DR. LYNCH-WALSH: Yes, I have questions on 24 objective 4, but I've also requested the ability 25 to share a document, because it's a lot easier to</p>	<p style="text-align: right;">Page 83</p> <p>1 DR. LYNCH-WALSH: You can start on page 18. 2 It starts getting into system specifications.</p> <p>3 MR. JABOUIN: Can I please get a confirmation 4 that you can see the --</p> <p>5 MR. MAYERSOHN: Yeah. Yeah.</p> <p>6 MR. JABOUIN: Okay. Page 19 you indicated, 7 Dr. Walsh?</p> <p>8 DR. LYNCH-WALSH: I asked for the Lenovo 9 response that is the HCT report.</p> <p>10 MR. JABOUIN: Yes. Can you please tell me 11 what page you're referring to?</p> <p>12 DR. LYNCH-WALSH: I asked for the Lenovo 13 response to the ITB. This is the HCT report.</p> <p>14 MR. JABOUIN: Oh, I'm sorry. So since the -- 15 I'm sorry. I thought what I mentioned was, the 16 documents that are on the agenda is what I'll put 17 up on the screen.</p> <p>18 DR. LYNCH-WALSH: We now all have these -- 19 are you telling me that I can't share a public 20 document with the people that you've sent it to, 21 that you're going to prohibit me as a member of 22 the audit committee from everybody being able to 23 look at this page at the same time? And to what 24 end would you do that?</p> <p>25 MR. JABOUIN: All right. So this wasn't in</p>
<p style="text-align: right;">Page 82</p> <p>1 demonstrate what I'm talking about if we can all 2 see it.</p> <p>3 MR. JABOUIN: Unfortunately, if your document 4 wasn't part -- the only thing that we can put up 5 are the meeting documents --</p> <p>6 DR. LYNCH-WALSH: That's what I was referring 7 to before.</p> <p>8 MR. JABOUIN: -- like the report. Would you 9 like me to go to a page in the report?</p> <p>10 DR. LYNCH-WALSH: I would like to see the 11 Lenovo response.</p> <p>12 MR. JABOUIN: Okay. I will put that up 13 shortly. Thank you.</p> <p>14 Would you care to go to your question while I 15 pull that up?</p> <p>16 DR. LYNCH-WALSH: I'd like you to pull it up 17 first. I know you have -- this starts to get 18 into control issues. Because in any other 19 committee, we can share documents.</p> <p>20 MS. FERTIG: I also have a question on this 21 objective, Mr. Mayersohn, when you get to that.</p> <p>22 MR. MAYERSOHN: Okay. So why don't we --</p> <p>23 DR. LYNCH-WALSH: So beginning with page 19 24 of the Lenovo response --</p> <p>25 MR. JABOUIN: One moment.</p>	<p style="text-align: right;">Page 84</p> <p>1 part of the meeting documents. Those are the 2 ones that I'll put up on the screen, the meeting 3 documents.</p> <p>4 DR. LYNCH-WALSH: Mr. Mayersohn, could you 5 pull up --</p> <p>6 MR. MAYERSOHN: Wait. Mr. Jabouin, since 7 this is an informational meeting I -- I, 8 personally, don't see a problem with putting up 9 information.</p> <p>10 MR. JABOUIN: Okay. So I will search for the 11 Lenovo response, which I don't have handy.</p> <p>12 DR. LYNCH-WALSH: I have it very handy. All 13 I need is the ability to share my screen.</p> <p>14 MR. JABOUIN: I will locate it.</p> <p>15 MR. MAYERSOHN: Dr. Walsh, while Mr. 16 Jabouin's looking for that, let's just go to Ms. 17 Fertig's question.</p> <p>18 MS. FERTIG: Okay. Thank you. On page 19 of 19 32, I want to know if maybe there's a way to 20 rephrase this question. I'm not sure it's 21 accurate given what we've seen today. But my 22 question would be, I'm going to read the 23 sentence, "we note the technology devices were 24 based on a specification of the dollars to be 25 extended based on TAC's recommendations and</p>

1 specifications". So I would like to see the  
2 actual TAC recommendation that recommended these  
3 specifications. Because I've seen there are  
4 minutes, I don't see anything, actually, like a  
5 motion passed, this is what we would like to see  
6 or something. But if there is something and I  
7 just have overlooked it I would either like to  
8 see that or see this rephrased. And this next  
9 part, "we reviewed Bid 16- --

10 MR. MAYERSOHN: So wait. So Ms. Fertig, I  
11 guess my question -- I guess the question you're  
12 asking --

13 MS. FERTIG: So is there something? My  
14 question is, is there a specific document that  
15 shows that TAC actually made the recommendation  
16 for these specifications?

17 MR. MAYERSOHN: Mr. Harvey?

18 MR. HARVEY: Yes, we will review -- I have  
19 made a note of that to provide once we -- once we  
20 pull all our documents and provide to the chief  
21 auditor. I have noted that one.

22 MR. MAYERSOHN: Okay.

23 MS. FERTIG: Thank you. Okay. Going to the  
24 next paragraph, "we reviewed the bid to ascertain  
25 if all vendors received fair review and

1 concluded if those vendors were treated in a fair  
2 and accurate manner.

3 COURT REPORTER: Excuse me. This is the  
4 court reporter. I was dropped. I just got back  
5 in but I can't hear anyone.

6 MR. JABOUIN: Mr. Bass, you can't hear us?

7 MR. MAYERSOHN: Mr. Bass, can you hear us  
8 now?

9 MR. JABOUIN: Michele, can you contact him  
10 and give him the dial-in number so he can call on  
11 his phone?

12 MS. MARQUARDT: Yes, I'm texting with him  
13 now. And I did just let him back in the meeting  
14 because he was dropped.

15 MR. JABOUIN: Okay.

16 MS. MARQUARDT: So I will see -- I'm sure he  
17 -- he says he can hear us.

18 MR. JABOUIN: He's nodding now.

19 MS. MARQUARDT: If he wants to disconnect and  
20 get back in?

21 MR. JABOUIN: Mr. Bass, can you hear us now?

22 COURT REPORTER: I'm back in and the audio  
23 just came back on when she was explaining that to  
24 you. So thank you.

25 MR. MAYERSOHN: Was that your break that you

1 consideration". And it goes on to talk about the  
2 bid process, it appears adequate. I think after  
3 what we've discovered today, that there are no  
4 minutes, there are no sign-in sheets, there is no  
5 recording, there is actually no documentation of  
6 what happened with the processing of this bid by  
7 the staff other than the initial meeting, I  
8 really feel like that we need to reconsider  
9 what's in this portion and I'm asking if there's  
10 something you based it on other than -- is there  
11 some other element I'm missing that shows how  
12 fairly this bid was handled?

13 MR. MAYERSOHN: Mr. Harvey?

14 MR. HARVEY: So I want to respond in two  
15 ways. One is, we reviewed the bids that were  
16 accepted and put forward, whatever that process  
17 is or was. It appears -- now, I'm out on a limb,  
18 that your question, the spirit of your question  
19 would be, well, was the bid that was disqualified  
20 or the other bids, bidders, was the totality  
21 looked at? We only narrowly looked at what had  
22 gone through the window and provided to us as  
23 these are the vendors, the bidders that  
24 submitted, here's their documents and then we  
25 took it from there. And based on that we

1 were taking?

2 COURT REPORTER: Absolutely. A little  
3 stressful, but, yes.

4 MR. MAYERSOHN: Okay. Ms. Fertig, go ahead.

5 MS. FERTIG: All right. So when I'm reading  
6 down the context, we object to purchase of Lenovo  
7 laptops made under the said method requirements  
8 and then we list a lot of things. We list that  
9 TAC actually made the specific recommendations of  
10 the specifications that we want to see. But,  
11 also, we've now ascertained that many of the  
12 things that should have been followed were not  
13 followed. And -- and so I really -- I really  
14 don't know that this section accurately  
15 represents that and I'm wondering if there's a  
16 way, given what you've now found out, to do that.  
17 And I'll just leave it at that, because when we  
18 come -- we're not voting today, but you could  
19 anticipate that when we vote I might bring that  
20 up.

21 MR. HARVEY: Can I have Mr. Hicks weigh in on  
22 your question and give you some commentary now?

23 MS. FERTIG: Sure.

24 DR. HICKS: We're going to absolutely review  
25 what you point out to ensure that we are as most

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1 accurate as possible. We thought that as part of  
2 the release of the request for proposals, if you  
3 will, that those specifications were, in fact,  
4 from internal. But we will ensure that we have  
5 some documentation that says, yes, this is who  
6 made those recommendations. Otherwise, we will  
7 revise accordingly.

8 MS. FERTIG: Thank you so much. And I think  
9 that's the real question that we've had, ongoing  
10 question for numerous of our audits, has TAC  
11 actually made the actual recommendations; or have  
12 they been told; or have they had a consultant  
13 make it; or what -- who is actually at SBBC  
14 management? I'm still -- I'm still wondering  
15 about that.

16 Okay. Well, then I'm going to just say this  
17 section as a whole troubles me and I hope on May  
18 6th that we can find some resolution on it. And  
19 -- and I want to go to your recommendation.

20 Did you as part of this process review the  
21 minutes or watch the meeting on February 9th,  
22 2016?

23 DR. HICKS: I did not.

24 MS. FERTIG: Okay. That is the board meeting  
25 where this was considered and it was five-four

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1 that meeting of February 9th, 2016. Thank you.  
2 And I just defer to Nathalie.

3 DR. HICKS: Thank you very much.

4 MR. MAYERSOHN: So, Ms. Fertig, so your  
5 question is, would you consider reviewing that  
6 meeting prior to our next meeting?

7 MS. FERTIG: You know, you're so much better  
8 at asking my questions than I am. I'm just going  
9 to say, go for it.

10 DR. HICKS: I perceived the same question.

11 MS. FERTIG: Thank you. Thank you, Dr.  
12 Hicks.

13 MR. MAYERSOHN: Ms. Shaw and then I'm gonna  
14 go back to Dr. Lynch-Walsh who has been waiting  
15 very patiently.

16 MS. SHAW: Thank you. So my question is, I  
17 don't really believe that this should be coming  
18 back to us next week. I think there's a lot and  
19 I'm hoping that, Mr. Jabouin, that you may be  
20 able to talk with the auditors. Based on some of  
21 these discussions, we're going to be here all  
22 day, which I'm going to have to get off in about  
23 another 11 minutes. And only basically two  
24 people have really spoken so far.

25 Is there any way, based on the questions and

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1 vote on this matter and there were many, many  
2 questions from the board and there was a lot of  
3 conversation regarding what level of -- and this  
4 is actually referred to in two places in your  
5 audit, but I'm only going to call it out on page  
6 20 and we'll email you the other section, about  
7 having surveys to determine customer  
8 satisfaction. There was a survey performed in  
9 which I think there were 49 responses. Somewhere  
10 here I have the minutes of that meeting. And  
11 there were a lot of board members concerned that  
12 this had not been properly vetted by the end user  
13 and they had -- there were promises made that  
14 that would be occurring. If that didn't occur  
15 between when that was represented to the board,  
16 February 9th, 2016, and today, that would be a  
17 glaring error. And I see Mr. Rosario actually  
18 did point out that you have some surveys in  
19 place, but this was one of the main concerns of  
20 the board as they discussed this item, was the  
21 lack of information received and opinion received  
22 from the public on how the Lenovos that had been  
23 purchased were holding up and how -- and  
24 performing. So I just would suggest to you that  
25 maybe you want to read those minutes and/or watch

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1 everything and also the listing that was sent  
2 out, that you may be able to sit with the  
3 auditors and have them go back through and take a  
4 look at this report? I don't think this report  
5 should come to us on the 5th. I think we should  
6 allow them some time now that we're having this  
7 dialogue to kind of now take a step back and take  
8 a look at the report.

9 MR. JABOUIN: So, Ms. Shaw, there is no time  
10 sensitivity to this report. I mean, if you think  
11 about it, all these happened a while ago. So, as  
12 I started to list some of the points from the  
13 audit committee members, I was sort of wondering  
14 if I'd be able to accomplish all that within the  
15 timeframe where the package needs to go out for  
16 the next meeting next Thursday.

17 So it's probably best, and I won't be able to  
18 do it tomorrow, but if I meet up with Mr. Harvey  
19 on Monday and we can debrief on this and what the  
20 next step is and what's being requested as well,  
21 and then if it seems like we can get it in for  
22 the May 6th meeting, then we will. And, if not,  
23 we will do it at a subsequent meeting.

24 So the answer is, most likely, yes, Ms. Shaw,  
25 but let me go ahead and take a look at them. I

<p style="text-align: right;">Page 93</p> <p>1 do have that document ready for Dr. Lynch-Walsh.  2 MR. MAYERSOHN: Dr. Lynch-Walsh?  3 DR. LYNCH-WALSH: Yes, and we're also going  4 to need the Dell response, as well.  5 So on page -- so, like I was saying, on  6 page -- and, Mr. Mayersohn, we really must have a  7 conversation about committee members not having  8 the autonomy to share documents. Because it  9 doesn't happen to me on any other committee but  10 this.  11 So we're looking for page 19. And my  12 questions have to do and tie to page 19,  13 interestingly enough, of the HCT report as well.  14 No, let's show the top of the page because  15 there's something specific I'm looking for.  16 Right there. Thank you.  17 So what Lenovo was bidding on in group 1A, we  18 have the laptops that are non-touch, this is  19 group 1A and then touch is 1B. Model N22 is not  20 the current production model and so -- because it  21 doesn't ship until March 2016, so to avoid gaps  22 they're going to ship the ThinkPad 11e, the  23 current district standard for student laptops  24 that meet or exceeds the specs listed below at no  25 additional cost to SBBC until N22 begins</p>	<p style="text-align: right;">Page 95</p> <p>1 find that? Because it's not in here and this is  2 in their response.  3 MR. JABOUIN: If I can kindly mention, that  4 response was from Mr. Phillip Dunn, our chief  5 information officer, just for the record.  6 DR. LYNCH-WALSH: That's lovely. Also,  7 didn't work here at the time. My question is,  8 why is it not here on this page? And I don't  9 think he can answer that because he only got  10 hired less than what, two years ago?  11 MR. JABOUIN: As was Ms. Coker, as well.  12 DR. LYNCH-WALSH: My question is, why is it  13 blank?  14 MR. MAYERSOHN: Dr. Walsh, I guess your  15 question is, and this would be to Coker --  16 DR. LYNCH-WALSH: No.  17 MR. MAYERSOHN: Just wait a second.  18 Ms. Coker, if you received a bid like this,  19 where the information was not included, would the  20 bid be rejected?  21 MS. COKER: I don't believe that the  22 information was not included.  23 DR. LYNCH-WALSH: I can't find it.  24 MR. MAYERSOHN: It's not included in the bid  25 documents.</p>
<p style="text-align: right;">Page 94</p> <p>1 shipping.  2 Now, I do have the Excel spreadsheet that  3 shows what the district purchased under this bid.  4 What I found concerning, and my first -- so the  5 N22 laptop, the bid is 199. What's the operating  6 system? The district specs are Windows 10,  7 64-bit.  8 Wait, we keep going past that. We keep going  9 past --  10 MR. JABOUIN: I'm trying to help you out, Dr.  11 Lynch-Walsh.  12 DR. LYNCH-WALSH: -- what I'm trying to get  13 to, which is that big blank where it should  14 specify what operating system comes with the  15 model N22. My question is, what is it? Because  16 the product information that follows the  17 specifications -- well, actually, it doesn't have  18 to do with the N22, it has to do with the thing  19 that, the 11e. So what is the -- if the  20 district's minimum specifications are Windows 10,  21 64-bit and the stuff in yellow has to do with  22 N22, what is N22's operating system? Windows 6,  23 7, 8, 10?  24 MR. DUNN: It's Windows 10 64-bit as well.  25 DR. LYNCH-WALSH: Where is that? Where do we</p>	<p style="text-align: right;">Page 96</p> <p>1 DR. LYNCH-WALSH: Okay. So my question is --  2 MR. MAYERSOHN: Wait. Wait. Wait. Go  3 ahead, Ms. Coker.  4 MS. COKER: I can't answer that because, as  5 Mr. Dunn said, it has it. I mean, I don't know.  6 I can't answer that.  7 MR. MAYERSOHN: Right. But all I'm saying  8 is, in your procedures and practices and  9 standards as it is today, if you were to receive  10 this bid that lists no -- nothing in the  11 operating system, would the bid be rejected or  12 accepted?  13 MS. COKER: No, this could be considered  14 definitely a technicality. It really depends on  15 if -- again, if there was a presentation where  16 you had the actual laptop in front of you, I  17 mean, there are so many other factors that could  18 have allowed for the information to have been  19 known that it was indeed a 10, 64-bit. So it  20 really depends on what the purchasing agent did  21 from having read this, but we have also processes  22 that we can go through and we check with legal  23 when we have questions. And I've seen in the  24 past where this can definitely be considered a  25 technicality.</p>



<p style="text-align: right;">Page 97</p> <p>1 MR. MAYERSOHN: Okay.</p> <p>2 DR. LYNCH-WALSH: Okay. Who was the</p> <p>3 purchasing agent on this bid?</p> <p>4 MS. COKER: James Williams.</p> <p>5 DR. LYNCH-WALSH: Who was the purchasing</p> <p>6 agent for Recordex?</p> <p>7 MS. COKER: Why should I just answer that?</p> <p>8 MR. JABOUIN: Why is that significant to this</p> <p>9 report?</p> <p>10 DR. LYNCH-WALSH: Same dude. Same</p> <p>11 interesting things happening. In fact, at one</p> <p>12 point I think TAC was told that he's going to be</p> <p>13 the purchasing agent for all things technology</p> <p>14 with Mr. Hunter.</p> <p>15 All right. Anyway, so the operating system,</p> <p>16 how can you say -- this is like when you hire</p> <p>17 people that don't meet minimum qualifications.</p> <p>18 How do you know that the computer -- if it isn't</p> <p>19 listed in the bid documents, how then can you do</p> <p>20 a bid tabulation sheet comparing all of the</p> <p>21 minimum requirements? And, also, how was HCT,</p> <p>22 what did they look at to determine that it did</p> <p>23 meet or exceed if you can't speak to this</p> <p>24 particular -- I mean, not for nothing, an</p> <p>25 operating system is a huge -- if you have an</p>	<p style="text-align: right;">Page 99</p> <p>1 again, on page 21 -- that's the next page I need,</p> <p>2 please. Stop right there. So for the N23,</p> <p>3 understand the N22 and the N23 is the models that</p> <p>4 were supposed to be purchased, again, we don't</p> <p>5 have the Windows -- we don't know -- it's not in</p> <p>6 here.</p> <p>7 So while Mr. Dunn may be -- may have been</p> <p>8 told or is familiar with or whatever, it's not in</p> <p>9 the bid document so that someone can determine</p> <p>10 whether or not it conforms.</p> <p>11 I find it -- me, I can't understand why this</p> <p>12 isn't in here. So my second question, why isn't</p> <p>13 the 11e on the chart of actual purchases? Did</p> <p>14 the district buy any? Because the whole point</p> <p>15 of, they did buy 11e Yogas, but the substitute</p> <p>16 for the N22, they don't seem to have bought any,</p> <p>17 and it isn't on HCT's chart, so maybe they</p> <p>18 didn't. I don't know why Windows 8 would be</p> <p>19 recommended and what is N23's operating system?</p> <p>20 The reason I ask these questions is, there's</p> <p>21 a reason they're called "Lenonos" and I'm</p> <p>22 beginning to wonder if it has to do with what was</p> <p>23 actually bought. And just from a paperwork</p> <p>24 standpoint, this seems very sloppy.</p> <p>25 So how were they able to determine whether</p>
<p style="text-align: right;">Page 98</p> <p>1 operating system that can't run your software,</p> <p>2 that's a problem.</p> <p>3 So that's on page 19 of the Lenovo response.</p> <p>4 On page 20 we have the ThinkPad 11e, which is</p> <p>5 the one that they were saying they were going to</p> <p>6 ship until the N22 was available. Notice that on</p> <p>7 this one it does say Windows 10 pro 64. All of a</p> <p>8 sudden we now know what the operating system is</p> <p>9 for the one that they're saying they're going to</p> <p>10 send. The one that the bid was based on, which,</p> <p>11 again, the price of the N22 was 199, that's the</p> <p>12 bid that was being -- that's the amount that went</p> <p>13 into the decision that was made. The ThinkPad is</p> <p>14 349 and we have no problem sharing all the specs</p> <p>15 on this one.</p> <p>16 Then the next page gives you -- tells you for</p> <p>17 some reason that Windows 8 is recommended for the</p> <p>18 11e and Yoga 11e, that's on page -- that's the</p> <p>19 next page after this. And then there's</p> <p>20 ThinkPads -- there's another page and it has</p> <p>21 warranty information in there, which I have</p> <p>22 questions on that, as well. And then we get into</p> <p>23 group 1B, which is the laptop touch. So say --</p> <p>24 which is 229 as per the bid and the Think Pad 11e</p> <p>25 Yoga is what the district actually paid. But,</p>	<p style="text-align: right;">Page 100</p> <p>1 they met or exceeded? So did someone at HCT just</p> <p>2 happen to know that this was Windows 10 and</p> <p>3 that's why they drew the conclusion?</p> <p>4 DR. HICKS: Yes.</p> <p>5 DR. LYNCH-WALSH: And as far as Dell goes --</p> <p>6 DR. HICKS: Can I kindly address some of your</p> <p>7 other concerns that you raised?</p> <p>8 If you wouldn't mind going back to the top of</p> <p>9 the document where she highlights N22s? We also</p> <p>10 made note of the similar concerns in our first</p> <p>11 version of the report, especially highlighting</p> <p>12 the fact that Windows 8 was a concern immediately</p> <p>13 after I read it. And when we looked at this they</p> <p>14 said that they would be available December 3rd,</p> <p>15 2015. What was the first date of purchase for</p> <p>16 the --</p> <p>17 DR. LYNCH-WALSH: This says not in current</p> <p>18 production but they'll begin shipping in March.</p> <p>19 DR. HICKS: Correct. What was the first date</p> <p>20 of the school board's purchases; in 2016?</p> <p>21 DR. LYNCH-WALSH: Somewhere in there. Yeah.</p> <p>22 So they never purchased the -- they did purchase</p> <p>23 N22s. They purchased them all day long. So they</p> <p>24 never did the 11e?</p> <p>25 DR. HICKS: Correct. And that was one of the</p>

<p style="text-align: right;">Page 101</p> <p>1 other concerns that I said for the budget, it  2 looks like they were erring on the side of being  3 more frugal, spending less per device per  4 student, and that was one of my other concerns.  5 And it highlighted above, like you mentioned  6 Lenovos, the "Lenonos", if you will, yes, common  7 phrase, especially during that window. And  8 during the 2016-2018 purchasing window the  9 competition to go against the Lenovos was quite  10 fierce. Their reputation of "Lenonos" proved  11 even stronger afterwards because of the  12 competition out there in the industry.  13 I apologize for pausing, I'm trying to  14 maintain my breathing.  15 One of the concerns that, if you'll scroll  16 down even further, the capacity of the  17 128-gigabyte solid state drives is at a minimum  18 what was available at the time. Students who may  19 have more robust needs, teachers who may have  20 more robust needs would need to upgrade  21 relatively quickly in order to keep pace with  22 some of the requirements that are out there for  23 storage and/or any documents that he or she  24 produced.  25 And you are correct, when I looked</p>	<p style="text-align: right;">Page 103</p> <p>1 MS. FERTIG: Please clarify that that would  2 be Mary Coker saying that it would be a  3 technicality.  4 DR. LYNCH-WALSH: Coker. Sorry.  5 MS. FERTIG: Thank you.  6 DR. LYNCH-WALSH: Let's not mix our Marys up.  7 I focused on Group 1, because by the time I got  8 these documents I had to pick and choose where to  9 spend my time.  10 So the next thing my next question has to do  11 with the warranty. On your report you talk about  12 warranty. I'm trying to find it.  13 Yeah. Okay. So on page 23, Warranty  14 Details, it says -- I'm trying to find it. It  15 says -- in about the middle of page 23 it says,  16 we found the warranty -- we were provided  17 warranty information associated with the Lenovo  18 laptops -- desktops, laptops and Windows devices  19 as well as tablets.  20 My question is, what were provided? Were you  21 provided the document we were just looking at?  22 So you said what is covered, details of the  23 coverage, various levels of warranties, who  24 provides the replacements and you have a comment  25 about the reliability of equipment after the</p>
<p style="text-align: right;">Page 102</p> <p>1 horizontally across, my eyes glanced, excuse me,  2 right across the operating system requirement?  3 Because when you look on-line at that model it  4 does come with the home version of the 64-bit  5 version of Windows 10.  6 But your observation in terms of sloppy  7 paperwork, from what I understand, this was not  8 submitted directly by Lenovo, this was a summary  9 spreadsheet created internally, and there may  10 have been some --  11 DR. LYNCH-WALSH: No, this is -- this is  12 their document.  13 DR. HICKS: I thought someone just mentioned  14 that this was prepared by someone internally,  15 this summary document.  16 DR. LYNCH-WALSH: This one was. But the  17 board document --the board backup is prepared  18 internally. I wanted the source document so that  19 I could confirm with my own eyes whether they,  20 you know, met -- I wanted to see the pricing for  21 each category and -- but now looking at this, I  22 don't understand why -- I know, you know, Mary is  23 saying this would have been a technicality, I  24 just don't know how you can verify it. It's not  25 complete paperwork.</p>	<p style="text-align: right;">Page 104</p> <p>1 one-year warranty expires engenders the need to  2 purchase equipment with a high history of  3 reliability beyond the basic one-year warranty.  4 Why is that in there when the bid spec is for  5 a minimum three-year warranty?  6 DR. HICKS: Even though that the manufacturer  7 provided their one-year standard warranty, the  8 distributor in this case assured in writing that  9 they would warranty the equipment up to three  10 years.  11 DR. LYNCH-WALSH: Yeah, three years on-site  12 reflects -- the pages we were just looking at, on  13 the bottom says three-year on-site.  14 DR. HICKS: Yes.  15 DR. LYNCH-WALSH: In the products pages it  16 does say that the battery has a one-year  17 warranty. I was confused as to why you guys were  18 focused on a one-year warranty when the price of  19 the product includes a three-year on-site  20 warranty, theoretically.  21 DR. HICKS: I was focused on the warranty  22 because at base purchase, if -- and I don't want  23 to throw things out of kilter too far, if you're  24 looking at an Apple device and in this case  25 compared it to a Lenovo, Apple will warranty</p>

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1 their equipment, especially their first version  
 2 of their iPads, automatically, for up to two to  
 3 three years, depending on which version you  
 4 purchase. But all of the other industry's  
 5 tablets, if you will, or laptops, if you will, go  
 6 with that one-year warranty on the  
 7 merchantability of the product itself. Beyond  
 8 that it's up to the resellers to decide to go to  
 9 the three-year marker. After three years, and  
 10 this goes to back to the alignment of the  
 11 recommendation, between two to three years we  
 12 should look to rotate the equipment for not only  
 13 the teachers but also the administrators and the  
 14 students who own one of these procured devices,  
 15 not only to stay current, but to also align with  
 16 the warranties that are available. If and when  
 17 we see hard drives starting to fail after two to  
 18 three years, screens break and other keyboards  
 19 start to fall apart, the school board, like  
 20 everybody else, would be relegated to have to  
 21 purchase additional warranties or additional  
 22 parts and then the productivity diminishes  
 23 tremendously.

24 And, again, I apologize, but I need to take a  
 25 drink of water.

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1 DR. LYNCH-WALSH: All right. Thank you.

2 So I'm on page 25 sort of in the middle of  
 3 the page. Actually, your explanations are  
 4 explaining a lot of your conclusions, which I  
 5 don't have so much an issue with the conclusions  
 6 except that they shouldn't be in an AUP.

7 So on mid page 25 there's a Tableau breakdown  
 8 of the various Lenovo ticketed issues. My  
 9 question is why not break it down by model?

10 DR. HICKS: You know, we had it in by model,  
 11 originally, and we were told to take it out. I  
 12 do have some Tableau presentations with different  
 13 views.

14 DR. LYNCH-WALSH: And I think this is -- I've  
 15 lost track of how many times you've made that  
 16 statement. And being told to take something out  
 17 on the exact opposite of something I would have  
 18 said put in is causing me a great level of  
 19 concern, but not on your part.

20 MS. FERTIG: Can I just interrupt and ask if  
 21 we could -- it might save us some time here if we  
 22 could just see the original version of what this  
 23 looked like?

24 DR. HICKS: I'm not sure that we --

25 MS. FERTIG: I'm sorry, that's not to you --

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1 I'm sorry, Dr. Hicks, I was just asking Mr.  
 2 Mayersohn at the appropriate time to direct that  
 3 question to the auditor. Sorry. It just seems  
 4 like so many of the things today have come down  
 5 to, you did have it in, but it got changed.

6 MR. JABOUIN: And I want to also mention  
 7 though, sometimes there is -- there is  
 8 information that is difficult to understand in  
 9 some of these besides the items that are there.  
 10 And so there was some information that there  
 11 wasn't any explanation for in some of these  
 12 tables. And so, to me, some of them caused more  
 13 confusion and they probably would have led to  
 14 some more questions. And so in that process  
 15 these items are in work papers. I'm sure they  
 16 can be provided.

17 MR. HARVEY: And I would also like to say  
 18 that that is a decision I would make, is what we  
 19 present in our report. In this case we chose a  
 20 document that was concise. We didn't put in all  
 21 of the extraneous exhibits and documents. We  
 22 wanted to have something that has a higher level  
 23 of readability.

24 As it relates to drafts, we don't publicize  
 25 or put forward our drafts. Of course, we're

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1 willing to supplement what questions are to make  
 2 the board aware of, you know, information  
 3 requested or to try to close any gaps in  
 4 knowledge.

5 MR. MAYERSOHN: Go ahead, Dr. Lynch-Walsh.

6 DR. LYNCH-WALSH: Okay. So before I lose  
 7 track of it --

8 MR. MAYERSOHN: Just before you continue, I  
 9 have another meeting in about 10 minutes. We can  
 10 continue on. Mr. Medvin can certainly chair the  
 11 meeting. I don't know what the other committee  
 12 members want to do. So before we continue I just  
 13 want to let everybody know, does everybody want  
 14 to continue?

15 MR. JABOUIN: So Mr. Dunn and I will both  
 16 have to leave at 2:00 as well.

17 MS. FERTIG: And I'm going to have to leave  
 18 shortly after that and I feel like there's so  
 19 much additional information. Ms. Shaw raised the  
 20 possibility earlier of being able to give them a  
 21 chance to get this information in the report and  
 22 bring it back to us at a time when the  
 23 information is there. And, certainly, not to --  
 24 no indication that HCT was responsible for this  
 25 in any way, I don't want to imply that, but I'm

<p style="text-align: right;">Page 109</p> <p>1 just wondering if the best course is to defer 2 this until we know we can actually -- the rest of 3 this conversation until we know we can actually 4 have some of the information. 5 So I'm sorry to interrupt, Nathalie, great 6 job, but I just -- I just -- I don't know. 7 There's so much here. 8 DR. LYNCH-WALSH: No, I agree with you, and I 9 actually, some of my other questions fall along 10 the lines, you know, why is this being presented 11 this way? And based on the answers they've 12 given, I kind of get a better picture of why 13 things are looking the way they are. 14 But I do have one more -- my one question 15 about the Dell response, in the document we were 16 given, can someone verify whether their bid 17 summary is in there? Because, unlike Lenovo, I 18 couldn't find that bid summary in the Dell 19 response, which suggests that either you guys 20 didn't have it or we have two different 21 documents. 22 MR. HARVEY: So I have that note request from 23 you in my notes to review and find and also 24 discuss with the -- we'll go back and look and 25 verify.</p>	<p style="text-align: right;">Page 111</p> <p>1 information that you send out, and I know we've 2 asked for a lot, on the bid itself there's a -- 3 there's a regular bid and then there's a revised 4 bid. If you can send those two pieces of 5 information out to the committee members, that 6 would also be appreciated. 7 MR. JABOUIN: Sure. Ms. Coker, this is what 8 you and I discussed earlier today. 9 I also wanted to mention something to the 10 committee and this is something for HCT and I to 11 talk through. So some of the charts that Mr. 12 Hicks has created, what I wanted to mention is 13 that there needs to be a corresponding narrative 14 to them. And so one of the things that I talked 15 about with Mr. Harvey is, just like you see here 16 where there is some narrative here, so we're 17 going to have to make sure that all of the data 18 has a narrative. Because if something is 19 presented as a chart and not explained, then it 20 just leads to some unknown questions. So those 21 were some of the issues on there where when I 22 looked at some of the charts I didn't understand 23 what some of the data was and where is that in 24 the report? So you can't just put a chart in 25 there without actually explaining it. And so</p>
<p style="text-align: right;">Page 110</p> <p>1 DR. LYNCH-WALSH: Right. But that's not -- 2 but that's as it pertains to you. We were sent a 3 document from -- the Dell response, the Dell bid 4 summary, at least, I can't find it. 5 MR. MAYERSOHN: Right. Hold on. Ms. Coker, 6 did you want to make a comment? 7 MS. COKER: Yes. Thank you. Dr. 8 Lynch-Walsh, I can confirm that, indeed, the 9 document is in the file. I have a copy of it. 10 So I was going to forward it, I'm not sure, I 11 guess when it was scanned and turned over, I had 12 my staff go to the office and rescan the 13 documents that are there in the file, and there 14 is a bid summary sheet with pricing from Dell. 15 DR. LYNCH-WALSH: Okay. Because we have the 16 complete document, Group 1, Group 2, Group 3, 17 Group 4, and then something called last part. 18 But no bid summary do I see in here, so -- 19 MS. COKER: I'm going to send it over to Mr. 20 Jabouin and then he can distribute accordingly. 21 But it does exist. 22 DR. LYNCH-WALSH: It does exist. That's 23 great to know. 24 MS. COKER: Yes. 25 MR. MAYERSOHN: Mr. Jabouin, in the other</p>	<p style="text-align: right;">Page 112</p> <p>1 those were some of the issues that led to that. 2 So we'll make sure that there is an explanation 3 to everything that's there. 4 MS. SHAW: Mary said earlier, this is Phyllis 5 Shaw, and I mentioned earlier, you know, we have 6 20 pages of questions plus all of the questions 7 here and I'm pretty sure others may have 8 questions. Some of those questions arise and 9 that brought about more questions for the rest of 10 the team. I would really recommend that this is 11 not considered for our next meeting but at a 12 later meeting allowing the team to kind of take a 13 step back and look at it. And just to -- to -- 14 to echo what Mary said, this is not on the 15 accounting firm. You know, they did what they 16 were supposed to do. You know, obviously, they 17 didn't need to list their opinions, but that's 18 neither here nor there. And I think allowing 19 them to kind of go back and look at those 20 questions based on this almost two-hour meeting 21 and see if there is a way to, you know, for you 22 Mr. Jabouin to work with them and come up with 23 something that you believe can be presented to 24 the school board without them having another 25 three or four hours of questions. You know,</p>

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1 let's see if we can do that.

2 MR. JABOUIN: Sure. I mean, ultimately, Ms.  
3 Shaw, if the -- I mean, despite the timeframes  
4 that we talked about, if the document is not  
5 ready by the May 6th meeting, then it won't be  
6 presented. And for that matter, if it's not  
7 ready by the June meeting it's not going to be  
8 presented. It will be presented when it's  
9 finished. So I will go through and I'll meet  
10 with Mr. Harvey early next week and go through my  
11 notes from the meeting and sort of talk to him  
12 about what the appropriate approach is. And, I  
13 mean, given the fact that this has to go out next  
14 Thursday, I don't think it's likely that it will  
15 be ready.

16 But, Mr. Mayersohn, to some of your bigger  
17 questions as far as this meeting, yes, both Mr.  
18 Dunn and I and several people on the call have  
19 entered the chat that they need to leave, so it  
20 really is a matter of picking it up whenever the  
21 report is ready.

22 MR. MAYERSOHN: Well, I think, Mr. Jabouin,  
23 you have some direction from some of our  
24 questions, concern and comments. I know that Dr.  
25 Lynch-Walsh probably has a list of questions, as

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1 well. I don't know if it would suffice for us to  
2 again submit questions and get answers or just  
3 wait to see what transpires in conversations you  
4 have in the next few days with HCT and see where  
5 we go from there.

6 MR. JABOUIN: Probably.

7 MR. MAYERSOHN: Then the report and your  
8 findings or conversations could be presented at  
9 the May meeting. Because, again, this is  
10 something that --

11 MR. JABOUIN: I think at the May meeting I  
12 can provide the committee with an update as to  
13 what happened subsequent to this meeting and, you  
14 know, the fact that I met with Mr. Harvey and how  
15 we're going to go forward with that. I can at  
16 least, verbally, go over that part, because I  
17 think the committee would like to know that.  
18 But, ultimately, it appears that this discussion  
19 will continue at the appropriate meeting.

20 MR. MAYERSOHN: Right. So Dr. Lynch-Walsh,  
21 because I know you have a list of questions, do  
22 you have something to say?

23 DR. LYNCH-WALSH: Yes, a couple of things.  
24 So the bid summary sheet for Dell, can we expect  
25 that in our inboxes sometime soon after Ms. Coker

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1 provides it to you, Mr. Jabouin?

2 MR. JABOUIN: Possibly.

3 DR. LYNCH-WALSH: No, no, no. Today is not  
4 the day. It's the day after we just had two key  
5 arrests happening. There is no reason. It  
6 should have been in the documents that we were  
7 sent. I realize you don't like to give it up,  
8 but you've got to give it up.

9 MR. JABOUIN: I think I've answered your  
10 question Dr. Lynch-Walsh. Do you have another  
11 question?

12 DR. LYNCH-WALSH: No. Mr. Mayersohn?

13 MR. MAYERSOHN: Yes, Dr. Lynch-Walsh.

14 DR. LYNCH-WALSH: I would like you to  
15 translate. This is the bid summary for Dell.  
16 It's public documents.

17 MR. JABOUIN: I will try, Dr. Lynch-Walsh.

18 MR. MAYERSOHN: So here's -- here's what I  
19 would suggest to help -- to kind of help us  
20 along. Mr. Jabouin, when you send out our bid  
21 packet next Thursday --

22 MR. JABOUIN: Our board package; yeah.

23 MR. MAYERSOHN: Board packet. Can you  
24 include if there are -- and what I would  
25 recommend is, anybody that wants documents,

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1 because, again, it's going to take some time, I  
2 don't know how quickly they're available for some  
3 of them or others may take some work, but items  
4 that are just a matter of forwarding, if that can  
5 be done sooner than later. If items that  
6 somebody may make a request that they want some  
7 additional things, if we can get that done at the  
8 latest by Thursday before we send out the -- our  
9 meeting packet, that would be appreciated.

10 MS. FERTIG: And I think digitally, too, Mr.  
11 Mayersohn if we could get all of that so we can  
12 search it while we are on our computers, which is  
13 sometimes an easier way to do it as well as  
14 getting the hard copy, it would be -- it would  
15 certainly probably make it easier for you to  
16 transmit and easier for us to take a look at.

17 MR. MAYERSOHN: You're talking about a link.

18 DR. LYNCH-WALSH: Yeah. I mean, a lot of  
19 these documents that he's sent, it's been very  
20 helpful, and I think it's important that we're  
21 all operating off the same set and that we  
22 don't -- you know, some of us were there at the  
23 meeting in 2016, so, you know, we might have  
24 recall of events, but we need to all start from  
25 the same point. So if we can just get that, the

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<p>1 minutes of the meeting, things that you can go 2 and look up but it takes a lot of time and just 3 email those to us it would probably be an 4 efficient way to handle it.</p> <p>5 MR. JABOUIN: Yes, I'll send those 6 electronically as well. Regarding Dr. 7 Lynch-Walsh, what happens is, I will try to get 8 to that stuff as much as I reasonably can. What 9 happens is, following this I have a series of 10 other meetings and that's why I can't meet with 11 Mr. Harvey tomorrow and so forth, because there's 12 a lot of work that's been accumulating over the 13 course of the last few days. But I will try to 14 get you the information as soon as I can. And 15 just like Mr. Mayersohn indicated, it will at 16 least be in the packet. That would be my 17 response to your question Dr. Lynch-Walsh.</p> <p>18 DR. LYNCH-WALSH: Okay. Mr. Mayersohn, I 19 have this also under a public records request. 20 Once the second that Ms. Coker sends it, it's not 21 like there aren't administrative assistants in 22 this department who can then forward it to the 23 audit committee because it was omitted somehow 24 from the Dell ITB response. This is a huge -- 25 this is a problem. Let's not gloss over what's</p>	<p>1 with it not being an audit and there being 2 opinions, recommendations and conclusions. So if 3 there's a way to sort this out and change it from 4 agreed upon procedures to what it should have 5 been, which is an audit, that would satisfy me. 6 Because the very last page of this thing has a 7 conclusion I can't argue with, but it has no 8 business in agreed upon procedures.</p> <p>9 MR. JABOUIN: So I will let Mr. Harvey make 10 that particular decision. So when -- when I 11 approached him at the meeting that we had in 12 August on this I did indicate that I needed to 13 have some opinions such as on the Lenovo product. 14 And so he did deliver on that. And then I'll let 15 him determine the substance of that. And if he 16 determines that there's some additional work that 17 he needs to do, then he can communicate that to 18 me as well.</p> <p>19 MR. MAYERSOHN: Ms. Shaw, did you have 20 something to say?</p> <p>21 MS. SHAW: My only issue if you turn it into 22 an audit is that you might be limited to all of 23 the information versus the agreed upon 24 procedures. That's my only -- that's my only 25 concern. I understand, you know, they've already</p>
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<p>1 occurring right in front of our eyes. Mr. 2 Jabouin is debating as though he can arbitrarily 3 comply with a public records request.</p> <p>4 MR. JABOUIN: Dr. Lynch-Walsh, I will try to 5 --</p> <p>6 DR. NATHALIE LYNCH-WALSH: I have the floor, 7 Mr. Jabouin. I have the floor. Stop talking, 8 please.</p> <p>9 MR. JABOUIN: I responded to your question.</p> <p>10 DR. LYNCH-WALSH: You don't have the option 11 to not comply.</p> <p>12 MR. JABOUIN: I will comply.</p> <p>13 DR. LYNCH-WALSH: I don't know what's in that 14 document, but you don't have the option to not 15 comply.</p> <p>16 MR. JABOUIN: I will try. If I can, I will 17 get it to you later today.</p> <p>18 DR. LYNCH-WALSH: Mr. Mayersohn, I believe I 19 have the floor.</p> <p>20 MR. MAYERSOHN: Go ahead, Dr. Lynch-Walsh.</p> <p>21 DR. LYNCH-WALSH: Okay. So it shouldn't -- I 22 don't know why he has such an issue with public 23 records, that's one thing. The other thing is, I 24 don't have such a problem with the conclusions 25 that were drawn on this report, I have a problem</p>	<p>1 completed the work for the agreed upon and, you 2 know, so they may not have to really do a lot, 3 you know, for the audit, but keep in mind the 4 audit is a bit more limited in terms of, you 5 know, what they would be doing. So we may want 6 to really think about that.</p> <p>7 MR. JABOUIN: Yeah, I'll go over that with 8 Mr. Harvey, but he's provided what I was looking 9 for as far as opinions on the different 10 objectives.</p> <p>11 MR. MAYERSOHN: Okay. Ms. Fertig, did you 12 have any last comments? Because you still have 13 your hand raised.</p> <p>14 MS. FERTIG: I know, I tried to put it down 15 at one point. But, no, I think -- I need to go 16 and it sounds like many of the people on this 17 call need to go. Thank you to HCT for your 18 initial audit and I think every time we meet it 19 leads us to a new place and so I'm looking 20 forward to the next -- I'm looking forward to the 21 next conversation with more information. A more 22 informed conversation.</p> <p>23 MR. HARVEY: Thank you.</p> <p>24 MR. MAYERSOHN: I want to -- before we all go 25 I just want to thank everybody for their</p>

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1 patience. Dr. Hicks, Mr. Harvey, I want to thank  
 2 you for participating, Mr. Bass, as always,  
 3 greatly appreciated, obviously, some of the  
 4 district staff that is on as well. This is --  
 5 you know, the good thing about this audit  
 6 committee and the people that are on it is, we  
 7 continue to look at these audits and try to do,  
 8 again, what is in the best interest of the  
 9 constituents of Broward County and our students.  
 10 And I applaud you for that and thank you for that  
 11 and greatly appreciate it. So sometimes it takes  
 12 us a little bit longer but we'll get to where we  
 13 need to get to. And thank you everybody, again,  
 14 and we will see you all, I guess, in May.

15 That being said, the meeting is adjourned.  
 16 (Meeting was concluded at 1:55 p.m.)  
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1 REPORTER'S CERTIFICATE  
 2 STATE OF FLORIDA  
 3 COUNTY OF BROWARD

4 I, Timothy R. Bass, Court Reporter and Notary  
 5 Public in and for the State of Florida at Large,  
 6 hereby certify that I was authorized to and did  
 7 stenographically report the foregoing proceedings, and  
 8 that the transcript is a true and complete record of  
 9 my stenographic notes thereof.

10 I FURTHER CERTIFY that I am neither an  
 11 attorney, nor counsel for the parties to this cause,  
 12 nor a relative or employee of any attorney or party  
 13 connected with this litigation, nor am I financially  
 14 interested in the outcome of this action.

15 Dated this 3rd day of May, 2021, Fort  
 16 Lauderdale, Broward County, Florida.

17   
 18  
 19 TIMOTHY R. BASS  
 20 Court Reporter  
 21  
 22  
 23  
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A				
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