

SCHOOL BOARD OF BROWARD COUNTY

AUDIT COMMITTEE MEETING

KC WRIGHT ADMINISTRATION CENTER
BOARD ROOM
600 SE 3RD AVENUE
FORT LAUDERDALE, FLORIDA

THURSDAY, OCTOBER 13, 2022
11:00 A.M. - 1:48 P.M.

Court Reporter:
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Fort Lauderdale, FL 33301

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1 COMMITTEE MEMBERS IN ATTENDANCE:

- 2 MR. ANDREW MEDVIN, CHAIR
MS. MARY FERTIG, VICE CHAIR
3 MS. REBECCA DAHL
MS. ITOHAN IGHODARO (Telephonic)
4 DR. NATHALIE LYNCH-WALSH
MR. ROBERT MAYERSOHN
5 MS. PHYLLIS SHAW (Telephonic)
MS. JACLYN STRAUSS

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7 OFFICE OF THE CHIEF AUDITOR STAFF:

- 8 MR. JORIS JABOUIN, Chief Auditor
MS. ALI ARCESE, Audit Director
9 MS. ANN CONWAY, MANAGER, Internal Funds Audits
MR. ERIC SEIFER, Auditor III
10 MS. MICHELE MARQUARDT, Executive Secretary (Telephonic)
MS. JENNIFER DAILEY, Clerk Spec C
11 MS. WANDA RADCLIFF, Clerk Spec B

12
13 DISTRICT STAFF:

- 14 MR. SAM BAYS, Task Assigned Executive Director Capital
Program, Office of Chief Facilities &
Construction Management
15 MR. MARK DORSETT, Executive Director, Physical Plant
Operations
16 MS. MARY COKER, Director, Procurement & Warehousing
Services
17 MR. RON EGGENBERGER, Manager, Grounds,
Custodial/Grounds Services
18 MR. ROBERT MALONEY, Manager, Facilities Support
Services
19 MS. PAM NORWOOD, Manager, PPO Finance

20
21 INVITED GUESTS:

- 22 MR. DAVID LUKER, Director, RSM
MR. MATTHEW BLONDELL, Business Risk Consulting, RSM
MR. CHRIS GUMS, Risk Advisory Services, RSM
23 MS. KATHLEEN LANGAN, AECOM
MS. ASHLEY CARPENTER, Atkins
24 MR. JOSE MONTE DE OCA, MDO Consultants, LLC
MR. JULIO MIRANDA, MDO Consultants, LLC
25 MR. TIM BASS, Court Reporter, United Reporting

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Thereupon, the following proceedings were had:

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MR. MEDVIN: Good morning everyone. Let's get started. We know we're running a bit late. Let's start with the Pledge of Allegiance.

Please rise.

(Whereupon, the Pledge of Allegiance was recited.)

MR. MEDVIN: Would you do a roll call, please?

MR. JABOUIN: Thank you. Good morning.

Ms. Rebecca Dahl?

MS. DAHL: Here.

MR. JABOUIN: Welcome back, Ms. Dahl.

MS. DAHL: Thank you.

MR. JABOUIN: Mr. Anthony De Meo is excused.

Ms. Mary Fertig?

MS. FERTIG: Here.

MR. JABOUIN: On the phone, Ms. Itohan Ighodaro?

(No response.)

MR. JABOUIN: Dr. Nathalie Lynch-Walsh?

DR. LYNCH-WALSH: Here.

MR. JABOUIN: Ms. Evelyn Nicaragua?

1 (No response.)

2 MR. JABOUIN: Mr. Robert Mayersohn?

3 MR. MAYERSOHN: I'm here.

4 MR. JABOUIN: Mr. Andrew Medvin?

5 MR. MEDVIN: Here.

6 MR. JABOUIN: Ms. Phyllis Shaw, on the phone?

7 (No response.)

8 MR. JABOUIN: Ms. Phyllis Shaw, on the phone?

9 (No response.)

10 MR. JABOUIN: Ms. Jaclyn Strauss.

11 MS. STRAUSS: Here.

12 MR. JABOUIN: Ms. Shaw?

13 MS. SHAW: Hi, I'm here.

14 MR. JABOUIN: Can you please state your name
15 on who said that they were here?

16 MS. SHAW: Phyllis Shaw.

17 MR. JABOUIN: Thank you Ms. Shaw.

18 Ms. Ighodaro, are you on?

19 (No response.)

20 MR. JABOUIN: And do we have a third person
21 on the phone?

22 MS. MARQUARDT: Michele Marquardt, Office of
23 the Chief Auditor.

24 MR. JABOUIN: And I'm Joris Jabouin, Chief
25 Auditor.

1 MS. ARCESE: Ali Arcese, Audit Director.

2 MR. SEIFER: Eric Seifer, Office of the Chief
3 Auditor.

4 MS. RADCLIFF: Wanda Radcliff, Office of the
5 Chief Auditor.

6 MS. DAILEY: Jennifer Dailey, Office of the
7 Chief Auditor.

8 MS. CONWAY: Ann Conway, Office of the Chief
9 Auditor.

10 MR. JABOUIN: And we have Mr, Tim Bass, the
11 court reporter, as well.

12 All right. So with respect to the agenda,
13 Mr. Medvin?

14 MR. MEDVIN: May I have approval of the
15 agenda?

16 MS. FERTIG: Can I just raise something
17 first?

18 MR. MEDVIN: Please.

19 MS. FERTIG: Is it possible to reorder some
20 of those to make sure we get through a few of
21 these items? We're starting late and I don't
22 know what our hard stop time is, but do some of
23 these audits really need to be discussed? So I
24 would like to see us maybe prioritize.

25 MR. JABOUIN: Yeah, I think I can provide

1 some commentary that will help with that.

2 The items that need to be approved are Item
3 Number 8, the Internal Funds Audits. We do need
4 to have the Audit Plan approved as well as --
5 that's Number 12 and Number 13, the Florida
6 Auditor General.

7 Outside, we do have consultants from MDO
8 Consultants that are here on the asphalt
9 complaint. There are some scheduling challenges
10 for them in the November meeting.

11 We also have the individuals from PPO that
12 are here as well.

13 So I would say, Ms. Fertig, Items Number 8,
14 12, 13, 9 and 10.

15 MS. FERTIG: Okay. And my thought was, I
16 would like to see us take the 9, 10 and 11 first
17 to try to get through those.

18 I mean, if we have to have something, then I
19 guess we'll move that up, but I really feel like
20 some of these audits need to be moved quickly.

21 So if we're not going to finish today, let's
22 get done what we can and get a meeting date very
23 quickly.

24 MS. STRAUSS: I agree. I just want everyone
25 to know I have a hard stop at 1:45. I need to

1 pick my children up from school.

2 MR. JABOUIN: And we have another hard stop.
3 Mr. Bass needs to leave at 1:45. So that is a
4 hard stop.

5 DR. LYNCH-WALSH: I budget until 2 or 3:00,
6 knowing this group, particularly with a packed
7 agenda.

8 However, I will not be voting to transmit
9 this asphalt repair audit because there's a lack
10 of context. I did bring the asphalt audit from
11 2017. We had a discussion in 2018. Somebody
12 went to jail over asphalt issues. And I don't
13 see the bid that's being referred to in here. So
14 unless there's a copy of the bid hiding in there,
15 there's a lot going on in that one and there's no
16 way I'm voting. As the, also, chair of the
17 Facilities Task Force, we've had issues.

18 As far as property and Inventory on PPO, 9
19 and 10 are related issues.

20 The RSM Review already went to the board and
21 that was a disaster because it hadn't come here
22 first. And there are two issues related to that
23 one, is the process by which it wound up there,
24 and, two, we haven't discussed it, but, three, we
25 also have to get back to what RSM is actually

1 supposed to be holding AECOM accountable for,
2 which is contractually driven. Because we seem
3 to have really gone off the rails on that.

4 And then there's the Audit Plan, which we
5 have tried historically to add things to the
6 Audit Plan and it never happens. So, frankly, I
7 don't care what's in the Audit Plan at this point
8 because come November we'll just -- we can amend
9 it or get board members to amend it.

10 So I'm fine with it going through whatever,
11 literally, is in there today. Because it doesn't
12 matter. It's been proven that it really doesn't
13 matter what our input is on Policy or Audit Plan.
14 So I'm not going to waste time fighting over the
15 Audit Plan.

16 But I will not be voting for Asphalt Repairs.

17 And since we essentially have an audit that
18 says that PPO doesn't adhere to procurement
19 policies, but then are beating up Procurement,
20 I'm a fairly logical individual, so it's sort of
21 like where you have to take those two together,
22 because both A and B can't be true. You can't
23 have a department that has a historical lack of
24 compliance and then somehow try to rope
25 Procurement, which is subject to their lack of

1 compliance.

2 MR. MEDVIN: We're not discussing audits yet.

3 DR. LYNCH-WALSH: Well, so I'm giving you the
4 context for why I'm not supporting them.

5 MR. MEDVIN: Okay.

6 DR. LYNCH-WALSH: So I do not believe that we
7 are going to get through all of this, but --

8 MS. FERTIG: Even if you're not going to
9 support it, then we need to defer it.

10 So if we can just move those up and maybe do
11 the Administrative Matters, Public Speakers and
12 so forth later on, just so that we can just --
13 the ones that we're going to dispose of quickly,
14 then we've got addressed.

15 DR. LYNCH-WALSH: Right. So I don't see us
16 disposing quickly because we don't have all the
17 working facts on the Asphalt Repairs. I don't
18 see the bid. There's a lack of context.

19 MS. FERTIG: Then that would, to my mind, be
20 a motion to defer, but we would still have the
21 opportunity to say what we want to see before we
22 proceed.

23 But I'm just going to just ask you. Can I --
24 do you want me to move at this or do you want me
25 to just start with Number 8?

1 MR. JABOUIN: If you can please start with
2 Number 8 that has no exceptions, because the
3 Auditor General is asking for us to complete
4 those.

5 MS. FERTIG: Yeah, and do 8, 9, 10 11, 12.

6 MR. JABOUIN: I think based on Dr.
7 Lynch-Walsh's comments, if the rest of the
8 members agree, you'd go from 8 to 12 to 13.

9 MS. FERTIG: I want to bring 9 up because if
10 there's -- I'd want to have the advantage of a
11 discussion when the item's called so that if we
12 are gonna move to defer we've all got a common
13 expectation of what documents we expect to see
14 when we bring it back.

15 DR. LYNCH-WALSH: That's fine with me.

16 MR. JABOUIN: If I may ask, if you think you
17 will swiftly approve 8, 12 and 13, then that will
18 leave plenty of time for discussion on 9, 10 and
19 11.

20 DR. LYNCH-WALSH: We don't have everything we
21 need for 9.

22 MR. MAYERSOHN: Can we start moving this
23 agenda as opposed to discussing it? Otherwise,
24 we're --

25 MS FERTIG: Okay. Well, I was -- we were

1 moving to approve, so I'm moving to approve it
2 reordered starting with Number 8, moving 3 --
3 well, 4, 5, 6 -- 6 and 7 down to the bottom of
4 the agenda.

5 DR. LYNCH-WALSH: Let's just say we're
6 starting with 8 and see where it goes from there.

7 MR. MEDVIN: May I have a second, please?

8 MR. MAYERSOHN: Second.

9 MR. MEDVIN: Second by Mr. Mayersohn.

10 All in favor?

11 COMMITTEE MEMBERS: Aye.

12 MR. MEDVIN: Opposed?

13 (No response.)

14 MR. MEDVIN: Okay. Motion carries.

15 MR. JABOUIN: Number 3.

16 MS. DAHL: I thought we weren't going to do
17 that.

18 MR. MEDVIN: May I have a motion to approve
19 the minutes of the last meeting?

20 MR. MAYERSOHN: Motion to approve.

21 MS. FERTIG: Second.

22 MR. MEDVIN: Any discussion?

23 (No response.)

24 MR. MEDVIN: All in favor?

25 COMMITTEE MEMBERS: Aye.

1 MR. MEDVIN: All opposed?

2 (No response.)

3 MR. MEDVIN: Motion carries.

4 So we'll go to Number 8.

5 MR. JABOUIN: Okay. So Agenda Item Number 8,
6 this is a report of internal funds of all
7 schools. The table of contents has the schools
8 that were reviewed. There were no exceptions.
9 And in the interest of time I kindly ask the
10 board members to proceed to any questions and
11 transmission.

12 MR. MAYERSOHN: Motion to approve.

13 DR. LYNCH-WALSH: Second.

14 MR. MEDVIN: Any discussion?

15 (No response.)

16 MR. MEDVIN: All in favor.

17 COMMITTEE MEMBERS: Aye.

18 MR. MEDVIN: All opposed?

19 (No response.)

20 MR. MEDVIN: Okay. Motion carries to
21 transmit the report.

22 MR. MAYERSOHN: I do just want to thank Mr.
23 Jabouin for putting the addendum in the back, so
24 thank you for that.

25 MS. FERTIG: Yes, thank you.

1 MR. JABOUIN: Per Ms. Fertig we'll move on to
2 Number 9.

3 Would you care to have the outsiders come in,
4 the consultants?

5 MS. FERTIG: If there's a chance they're not
6 going to be here when we meet again, absolutely,
7 I'd like to hear the presentation from the
8 consultants and then we can --

9 MR. JABOUIN: Mr. Dorsett is retiring on
10 October 25 and he is outside?

11 MS. FERTIG: Well, let's hear their
12 presentation and then move to our concerns. Is
13 that okay?

14 MR. JABOUIN: Can somebody go get them?

15 MR. MAYERSOHN: Can we do 12 and 13 to get
16 those out of the way? Let's do those first. I
17 mean, that would be my recommendation. Because
18 Dr. Lynch-Walsh said the Audit Plan is what it
19 is.

20 DR. LYNCH-WALSH: Whatever it is. I haven't
21 even looked at it. Don't care. Amend it later,
22 fix it later. I'm on to the bigger picture.

23 MR. MAYERSOHN: If we get those out of the
24 way and then we've covered what we know we need
25 to.

1 MR. JABOUIN: Agenda Item 12, the Audit Plan.
2 You need a motion.

3 MR. MEDVIN: May I have a motion?

4 MR. MAYERSOHN: Motion to approve.

5 MS. DAHL: I move.

6 MS. FERTIG: Are there any changes in this
7 that you've made?

8 Did you want to speak to your adjustments
9 really quickly?

10 MR. JABOUIN: Yes, I think it is worthy of
11 mentioning one significant adjustment, is there
12 is an audit for the grand jury controls that I
13 added since you saw it last. One of the
14 important reasons for approval is that I need to
15 get the funding for that. And so moving forward
16 with it will allow me to -- to make that request.
17 So that is something that I thought that was
18 important to add on that front since the
19 Superintendent came out with a report that she'll
20 be updating the board on, and there are certain
21 aspects of it that I can corroborate, verify and
22 test.

23 Ms. Fertig, that's the main addition that I
24 thought was significant.

25 MS. FERTIG: Okay. Thank you.

1 MR. MEDVIN: There's a motion on the floor.

2 Is there a second?

3 DR. LYNCH-WALSH: I second.

4 MR. MEDVIN: Second by Dr. Lynch-Walsh.

5 Any other discussion?

6 DR. LYNCH-WALSH: I'd just like to make a
7 statement that the only reason I'm approving this
8 is that my input does not matter and the input of
9 the audit committee doesn't matter. So there's
10 no point in discussing it any further.

11 MR. MEDVIN: Do you have a comment to that?

12 MR. JABOUIN: No, I'm ready to go to Number
13 13.

14 MR. MEDVIN: All in favor of approving the
15 audit?

16 COMMITTEE MEMBERS: Aye.

17 MR. MEDVIN: Opposed?

18 (No response.)

19 MR. MEDVIN: Motion carries.

20 13.

21 MR. JABOUIN: Okay. Just give me one moment
22 on Number 13, please.

23 Okay. So Agenda Item Number 13, this is a
24 report of the Auditor General. The Auditor
25 General performs several audits here. So the

1 committee has seen an operational audit before
2 that had three observations. There was also a
3 financial audit that had no observations and a
4 single audit that had no observations.

5 Now this audit covers multiple districts.
6 There is one finding that relates to the School
7 Board of Broward County.

8 And this has to deal with the late submission
9 of regulatory reports that were filed by three
10 schools, Sheridan, McFatter and Atlantic Tech.
11 This was due to they being unaware of the timing
12 and the deadlines for those reports, even though
13 the reports, themselves, have the due dates on
14 there.

15 So there are other schools that are -- other
16 districts that are mentioned in this report, but
17 this is the issue regarding School Board of
18 Broward County. There was an exit meeting on
19 that that I attended with different members of
20 the district as well the Superintendent and Chair
21 Mayersohn at the time but that is the issue with
22 respect to Broward County.

23 The response indicates that, from Associate
24 Superintendent Wanza, that was used to prepare
25 the Superintendent Cartwright response, that

1 training has occurred for those particular
2 schools. That's the issue with Number 13.
3 That's an Auditor General finding that we need to
4 have transmitted to the board.

5 MR. MEDVIN: Any questions?

6 MS. FERTIG: It just seems peculiar that it's
7 those three schools.

8 MR. JABOUIN: Sure. I can provide you --

9 MS. FERTIG: Thank you.

10 MR. JABOUIN: So these three schools are the
11 tech schools where students qualify for the
12 Florida Student Assistant Grant. That is -- I
13 used to get that when I was a college student as
14 well. So that's unique to those particular
15 schools, that grant, as far as -- so the other
16 schools don't have that reporting requirement
17 like they do.

18 MS. FERTIG: Okay. So that's, that
19 particular program is the one that --

20 MR. JABOUIN: Yes, they were auditing just
21 the FSAG and those were the reports. Now,
22 there's a few non-reportable comments that I'm
23 aware of because of my involvement with the
24 Auditor General, because when they're here they
25 utilize a good chunk of my time, and I'm

1 following up on those as well.

2 MR. MEDVIN: Thank you.

3 DR. LYNCH-WALSH: Thank you. Nathalie
4 Lynch-Walsh.

5 So this would suggest the absence of
6 procedure that would let people know that they
7 were supposed to do this. So my question would
8 be, where are the procedures, related procedures,
9 and can we have a copy of those?

10 And then also, is it in their job
11 description?

12 And are these brand new people that suddenly
13 became responsible for these things?

14 MR. JABOUIN: Yeah, so Dr. Wanza is not able
15 to attend because she's dealing with the -- the
16 district's strategies regarding the verdict.

17 With respect to those schools, these are,
18 indeed, new principals. I don't understand why
19 they would miss the deadline because the form,
20 itself, has the due date on it.

21 DR. LYNCH-WALSH: Somebody would have to give
22 you the form if you're new. Hence, we get back
23 to the question of procedures.

24 MR. JABOUIN: So I'll find out about
25 procedures, but, to me, the form has the date. I

1 don't find an excuse on that front.

2 MS. FERTIG: So there should -- is there
3 somebody -- I mean, somebody within the district
4 who keeps a schedule of deadlines? And, I mean,
5 we send reminders out on everything and get
6 robocalls constantly in this, you know, parenting
7 community. I'm just thinking that there's
8 somebody who should have a list of deadlines to
9 make sure we're in compliance with them.

10 MR. JABOUIN: I concur. I don't find this an
11 excusable exceptions.

12 DR. LYNCH-WALSH: Okay. So then a follow-up
13 would be us getting the procedures.

14 MS. FERTIG: And finding out if somebody in
15 the district is responsible for monitoring that.

16 DR. LYNCH-WALSH: Right. And that would be
17 indicated in the procedures.

18 MS. FERTIG: I mean, obviously, the principal
19 should know, too, but, I mean --

20 DR. LYNCH-WALSH: Right, the procedures could
21 be district level, school level, who's
22 responsible for what and by when or annually they
23 are given a schedule of dates. This is not --
24 it's not rocket science.

25 MR. MEDVIN: Well, maybe we should ask Dr.

1 Wanza to give us a report on what the procedures
2 are.

3 DR. LYNCH-WALSH: I would like to see it in
4 writing. Procedures, by definition, are in
5 writing.

6 MS. FERTIG: So can I move to transmit with a
7 follow-up from Dr. Wanza on the procedures?

8 MR. JABOUIN: So noted.

9 DR. LYNCH-WALSH: Just to be -- she's no
10 longer in charge, but Wanza or whoever is
11 responsible.

12 MR. JABOUIN: She is responsible for those
13 schools. So she's the Associate Superintendent
14 for those particular schools. And I can seek a
15 follow-up from her to provide information with
16 respect to the procedures, the job description.

17 I'm assuming, Ms. Fertig, that you mean
18 overall deadlines and not just this FSAG?

19 MS. FERTIG: Not just this one; no. I'm
20 talking about every deadline we have for reports
21 whether it's federal, state or local. There
22 should be, you know, some kind of matrix.

23 But -- and so if it's not Dr. Wanza, Dr.
24 Wanza or the appropriate person is my motion if
25 you're writing it down.

1 MR. JABOUIN: Yes. The motion is that Dr.
2 Wanza provide information on the procedures, the
3 job description and indicate if someone is
4 responsible for monitoring the deadlines.

5 DR. LYNCH-WALSH: Strike the word
6 information. We're looking for the procedures,
7 not a story about them, but the procedures. And
8 not a story about job descriptions, but the job
9 descriptions.

10 Information isn't the same as the actual
11 document.

12 MS. FERTIG: And the first part of my motion
13 was to transmit with the understanding that at
14 the next meeting we'll get all this stuff you
15 just mentioned.

16 DR. LYNCH-WALSH: Right.

17 MS. SHAW: This is Phyllis.

18 MR. MEDVIN: Go ahead, Phyllis.

19 MS. SHAW: A friendly amendment?

20 MS. FERTIG: Sure.

21 MS. SHAW: And could we add, if possible,
22 those are the only schools because FSAG only goes
23 to college students and if there are any other
24 schools who are involved, whoever had to do it or
25 something to that degree.

1 DR. LYNCH-WALSH: I think the motion would
2 capture that because it's procedures
3 district-wide.

4 MS. FERTIG: District-wide; yeah.

5 MS. SHAW: Well, yes, but because those were
6 the only schools that were mentioned I want to
7 make sure that it is understood that this is
8 something we want district-wide.

9 MS. FERTIG: Okay. I'll put district-wide
10 procedures in my motion.

11 MR. MEDVIN: The issue is more than this
12 particular report. We're looking for procedures
13 to be listed for all reports. I think that's the
14 best way to look at it.

15 All in favor of the motion?

16 COMMITTEE MEMBERS: Aye.

17 MR. MEDVIN: Opposed?

18 (No response.)

19 MR. MEDVIN: Motion carries.

20 MR. JABOUIN: 12 and 13.

21 Are we ready for Number 9?

22 MR. MEDVIN: Yes. Thank you.

23 MR. JABOUIN: All right. I will introduce
24 Observation Number 9 in one moment.

25 They're all in here, so why don't we ask them

1 to announce themselves.

2 MR. DORSETT: Mark Dorsett, Executive
3 Director, Physical Plant Operations.

4 MR. BAYS: Good morning. Sam Bays, Task
5 Assigned Executive Director Office of Capital
6 Programs, formerly the Director of Physical Plant
7 Operations.

8 MR. JABOUIN: And I will introduce some more
9 later, but right now if I could have our
10 consultants, Mr. Jose Monte de Oca.

11 Oh, I'm sorry, Ron, please. Thank you. I
12 did see you.

13 MR. EGGENBERGER: Ron Eggenberger, Grounds
14 Manager, Physical Plant Operations.

15 MR. MONTE DE OCA: Good morning Audit
16 Committee members. My name is Jose Monte de Oca.
17 I'm the president of MDO Consultants.

18 MR. MIRANDA: Good morning. Julio Miranda,
19 MDO.

20 MS. COKER: Mary Coker, Director of
21 Procurement & Warehousing Services.

22 MR. JABOUIN: So the origin of this project
23 is from a complaint that the district received
24 from the Office of the Inspector General of
25 Florida Department of Education in 2021.

1 So the complaint was filed by the Office of
2 Inspector General by a gentleman named Allen
3 Johnson. Johnson was and is still a
4 subcontractor for one of our vendors, Atlantic
5 Southern Paving & Sealcoating.

6 Now, there were many points in the complaint
7 that Mr. Johnson covered. He had some points
8 regarding Facilities, regarding Physical Plant
9 Operations, Procurement and Audit. District
10 staff, and I was involved in meetings with them,
11 reviewed the complaint. The complaint's
12 conclusion was, as communicated to the Inspector
13 General, was that it was based on incomplete
14 information and a lack of familiarity with an
15 understanding of the district's policies and
16 procedures. The district prepared a response
17 which was a reasonable response that I concurred
18 with and I signed off on the response.

19 Now, I know, through my own reviews, that
20 there are issues in those areas from an audit
21 standpoint, but I realize that the information
22 that was provided to Mr. Johnson was through
23 public records requests and so his specific
24 requests were provided to him. But if you needed
25 more information he may not have necessarily

1 known to request it. But I was aware of the
2 historical issues and I know issues with respect
3 to those areas. So in the Audit Plan that you
4 approved, I have audits that would cover those
5 areas and those concerns.

6 However, I also wanted to mention, though, as
7 far as Mr. Johnson, he is a person that did wear
8 a wire and it was reported that he gave bribes to
9 Richard Ellis who was someone who used to work in
10 PPO. Ellis was sentenced and Johnson had some
11 other legal issues with the district. But
12 notwithstanding that, there are valid, general
13 audit concerns that a chief auditor needs to
14 note, and that's why we have contracts in the
15 plan that looks into those areas and those
16 concerns and more.

17 But, nevertheless, though, he did make some
18 allegations that I thought needed to have their
19 own review. So I contacted Mr. Monte de Oca from
20 MDO. And so the strategy was, let's take a look
21 at our contracts ourselves. Let's take a look at
22 some of the things that Johnson brought out that
23 he didn't have the understanding of as far as our
24 procedures and practices and so forth, and let's
25 look at those from an audit standpoint and those

1 are in the plan.

2 The second one is, let's look at some of
3 those allegations separately. There's one
4 allegation that says that the district was
5 overbilled by \$25,000. I want to know is it 25;
6 is it 50; is it more? Those are the buzz words
7 that I constantly look for when allegations come
8 up from whatever sources. Is there fraud; is
9 there potential fraud; and so forth.

10 And, hence, I discussed this project with MDO
11 Consultants to look into those particular
12 allegations while we had the separate audit going
13 on. MDO is headed by Mr. Montes de Oca. He is a
14 professional auditor with more than 30 years of
15 audit experience. The last decade of his tenure
16 he was a chief auditor for Miami-Dade County
17 Public Schools, a gentleman who is knowledgeable
18 in audit and controls. So we engaged him to do
19 the work and we do have -- we went through the
20 process where Mr. -- Mr. Dorsett, Mr. Eggenberger
21 was involved in some exit meetings.

22 So I do want to mention that there is a
23 demand letter that's included in this report.
24 Subsequent to the printing of the report legal
25 was able to respond back to them as we continue

1 to pursue that. I did not get a chance to put
2 that in the package. I will submit that to the
3 committee members subsequent to this meeting.

4 Let me go ahead and introduce Mr. Montes de
5 Oca for any commentary or any statement he wishes
6 to say before audit committee member questions.

7 MR. MONTES DE OCA: Good morning ladies and
8 gentlemen. I'm glad to be able to assist Broward
9 County Public Schools in this endeavor. I was
10 assisted on it by the gentleman to my right,
11 Julio Miranda, who is a CPA, as well as I am, and
12 a fraud examiner with experience with over 50
13 years of experience.

14 So we were engaged, as Mr. Jabouin noted, to
15 look into these allegations. We looked into four
16 allegations. We found two of them were not
17 accurate and in so doing we brought some -- we
18 noted some concerns -- we had some concerns over
19 internal controls, which are not in the report.
20 We provided four recommendations which have been
21 addressed, in my opinion, entirely by the
22 administration.

23 I think there were two major savings to the
24 district and those were, as noted in the report,
25 there were -- we looked at eight sites and we

1 found two of them where overcharges had occurred.
2 The company went out and remeasured and agreed
3 that the district had been overcharged and
4 provided two checks amounting to somewhat over
5 \$5,000. We also had measured improvement in the
6 redesigning of the verification form, which in
7 our opinion was one of the reasons why these
8 overcharges occurred. And as noted in the report
9 the redesigned form should address those
10 concerns.

11 We also had -- we noted that the company was
12 charging \$1.58 per yard for disposing of the
13 asphalt when the repairs had taken place. In our
14 opinion those -- that \$1.58 per yard should have
15 been -- is already included on the either the
16 \$105, depending on the size of the repair, if
17 it's under 15 yards, or \$170 per yard if it's
18 over 15 yards.

19 I would be pleased to answer any questions
20 the audit committee may have.

21 MR. MEDVIN: I'll start out. In your review
22 of these allegations did you consider or find out
23 any information about the potential liability of
24 this individual who made them?

25 MR. MONTE DE OCA: The individual who made

1 the allegations?

2 MR. MEDVIN: Yes. I mean, did you do any
3 investigation to see if he was credible or not?

4 MR. MONTE DE OCA: I did not do any
5 investigation as to his credibility. However, I
6 did look at the records that he pointed out and
7 that was the basis for my findings and my
8 conclusions.

9 MR. MEDVIN: All right. And the other thing,
10 if I could find the page, I mean, the issue of
11 the dollar-and-change charge, was that on the
12 original bid or the contract?

13 Because I think that, obviously, was a point
14 of confusion.

15 MR. MONTE DE OCA: It is. And we contacted
16 -- the vendor was contacted and he claims that
17 the \$1.58 was not included in the price. It's
18 noted in the report sometimes the \$1.58 was not
19 charged. Most of the times it was.

20 It is our opinion that the \$1.58 should have
21 been included, and, therefore, the district
22 should not have paid the \$1.58. And when we
23 looked at over 400 invoices we determined that
24 the amount overcharged in our opinion was over
25 \$24,000.

1 MR. MEDVIN: And most of these jobs are,
2 basically, relatively small repair type jobs?

3 MR. MONTE DE OCA: Yes. Typically, they
4 were -- most of the ones we looked at, if memory
5 serves me correctly, were over 15 yards, 15
6 square yards. And that's where the price range
7 varies. If it's under 15 square yards it's \$105.
8 If it's over 15 square yards it's \$70 -- I'm
9 sorry, the other way around. If it's smaller
10 it's 70, if it's a larger one then the price
11 increases.

12 MR. MEDVIN: Well, in a normal job of that
13 type is it customary for the contractor to remove
14 the waste asphalt or is that something that the
15 owner would be responsible for?

16 MR. MONTE DE OCA: Again, looking at --
17 reading the bid, we are of the opinion that the
18 price per yard included the removal of the
19 material, and, therefore, the \$1.58 per yard
20 should not have been charged.

21 MR. MEDVIN: Okay. Thank you.

22 MR. MONTE DE OCA: You're welcome.

23 MR. MEDVIN: Nathalie, do you have anything?

24 DR. LYNCH-WALSH: Until I see the bid,
25 itself, I don't really have any questions. I

1 mean, you're talking to somebody that had to
2 recalculate interview scores to show that the
3 district's HR staff can't add. And I'm not
4 saying they can't add, but I'm saying we are
5 listening to opinions about a bid we haven't
6 seen.

7 MR. MEDVIN: Well, does anybody know where to
8 find that page in the report, that listed -- that
9 listed the \$1.58 line item?

10 DR. LYNCH-WALSH: No, no, I want the bid.

11 MR. MEDVIN: I know what you're talking
12 about, but I was referring to that and I can't
13 find it.

14 DR. LYNCH-WALSH: Oh, that they're referring
15 to? That's a different problem.

16 MR. MEDVIN: And it was in the report. Does
17 anybody no what page?

18 DR. LYNCH-WALSH: I mean, I'm on DemandStar
19 trying to pull the bid, but either way, I haven't
20 read it.

21 MS. FERTIG: Yeah, I don't think that would
22 work because we're gonna all want the same
23 material. Thank you for trying, but --

24 MR. MEDVIN: All right. I'm referring to the
25 bid summary sheet, but that's not the full bid.

1 DR. LYNCH-WALSH: I want the whole thing.
2 When the asphalt audit, I had all the bids, read
3 them all, and I will not be comfortable speaking
4 to this until I've read the entire bid. Because
5 based on my 11 years of experience with this
6 district, the first thing that made my eyebrow go
7 up was the very first sentence on this letter.
8 After receiving allegations of irregularities in
9 the procurement of asphalt repairs during 2021,
10 and I stop right there. Because if you're
11 reading this, you're like, oh, wait, 2021 is when
12 this stuff was happening? But, no, once you read
13 past the cover you realize that these things date
14 back to 2018.

15 Also, the word "procurement" is -- implies in
16 this district the procurement department, not
17 necessarily all the cast of characters that's
18 involved in the work being done, which would
19 include PPO and the people that sign off. And
20 then we also have, if you're potentially
21 overpaying, that they're signing off and that's
22 more of a payables issue. But that bothered me.

23 Then there's things about splitting
24 purchases. That's been a problem historically.
25 So recommending that PPO not split purchases is

1 like recommending, you know, that the sun should
2 rise and set every day. Of course they shouldn't
3 split purchases, but -- and then the other thing
4 is, you know, the way this is being couched. Mr.
5 Dorsett is on his way out the door and we have a
6 habit around here of having findings, having faux
7 outrage, and then we blame the person that's out
8 the door when they had nothing to do with it.
9 Because Mr. Dorsett only took over as the
10 executive director as a result of the Council of
11 Great City Schools scathing PPO review.

12 So there's a lot of context that is missing
13 here. And, actually, we haven't seen an update
14 on the -- on PPO's progress with the
15 recommendations from the Council of Great City
16 Schools.

17 So this is a systemic problem and there are
18 common denominators. And the way we do task
19 assignments around here created the effect of Mr.
20 Dorsett being executive director with nobody in
21 the director position. Because when some people
22 are task assigned you get to abandon post number
23 1 and go over to post number 2 and they left a
24 hole there. So everybody's known Mr. Dorsett's
25 retiring. There no succession plan. So who

1 knows what's going on over there?

2 And that's a whole other problem. I think
3 there's managers missing over there. And that
4 came up at a board meeting and still nothing is
5 being done.

6 So, one, I want the bid, but also --

7 MS. FERTIG: And you want an update, just as
8 an aside, on the recommendations.

9 DR. LYNCH-WALSH: Right. Where are we on the
10 recommendations? Because I believe it was a
11 three-year plan and may have been three years
12 already or getting close.

13 So -- and I think we need a definition of
14 "procurement". Because what I see happening is
15 that come -- when this goes to the board, the
16 person that's going to be in the line of fire is
17 going to be Mary Coker because the word
18 "procurement" is here. And I sense a disturbance
19 in the force here, because the Superintendent
20 threw her under the bus or tried to when they
21 just did those resignations and retirements even
22 though that department is not in the grand jury
23 report.

24 So, based on experience, I sense a
25 disturbance -- I sense some unsettling reasons

1 why this is being couched this way.

2 Meanwhile, this is a systemic problem that
3 started years ago and is still out of control
4 because there's nobody, you've got poor Mr.
5 Dorsett trying to be executive director and
6 manger running around putting out fires because
7 nothing's being solved, and then he's going to
8 retire, and what then?

9 But the bid, I don't like discussing terms of
10 a bid without having the bid in front of me. I
11 don't know why we would be asked to do that
12 either.

13 MS. COKER: Through the Chair, can I provide
14 a copy of it? Is that something --

15 MR. MEDVIN: Please.

16 MS. COKER: I mean, I can get a link sent now
17 to us to look at it. Would that be --

18 MS. FERTIG: Well, I appreciate that, but I
19 was just going to ask now that we've had an
20 opportunity to talk about it -- and thank you for
21 this report. Thank you for having it done.
22 Thank you for the great report.

23 I was just gonna move to defer this until we
24 had -- I'm assuming when you want the bid you
25 want a chance to look at it and kind of read the

1 report --

2 DR. LYNCH-WALSH: Read it.

3 MS. FERTIG: -- which we wouldn't have if we
4 got it right this second.

5 DR. LYNCH-WALSH: Correct.

6 MS. FERTIG: Can I just make the motion now
7 to defer this until -- until -- until whenever,
8 next meeting, with the understanding that we're
9 going to get a copy of the bid and also an update
10 of the -- of the progress on the Council of Great
11 City Schools --

12 DR. LYNCH-WALSH: Council of Great City
13 Schools' recommendation?

14 MS. FERTIG: Yeah.

15 DR. LYNCH-WALSH: Second.

16 MR. MAYERSOHN: The only concern that I have
17 is that Mr. Dorsett is retiring. So at your next
18 meeting that we have discussions on this he won't
19 be here to answer any questions.

20 MS. FERTIG: And I am hoping he has wonderful
21 retirement because he deserves it.

22 MR. MAYERSOHN: So, I mean, that's a concern.
23 I mean, one of the -- and I'll just bring this
24 up, you know, on, I guess, it's the -- Mr.
25 Dorsett's response to Ms. Marte on allegation

1 number 3, it says recommendation to recommend the
2 practice of splitting purchase orders should not
3 be allowed by the district. The response being,
4 it is not the practice of PPO to split work
5 orders.

6 Okay. So if it's not the practice, then it
7 says PPO will develop, you know, an SOP and
8 distribute it to all PPO employees.

9 That, to me, is troubling, if you're telling
10 me that it's not the practice. Then there should
11 have already been an SOP that everybody knows
12 it's not a practice or is that just an assumption
13 that it's not a practice?

14 DR. LYNCH-WALSH: What page is that on?

15 MR. MAYERSOHN: The last page.

16 MS. FERTIG: Do you want him to speak to
17 that?

18 MR. MAYERSOHN: If he could.

19 I mean if it's not a standard practice, then
20 there should be a standard operating procedure.

21 MR. DORSETT: Good afternoon. Mark Dorsett,
22 Executive Director. That is correct. It is not
23 a practice to split work orders. That's an
24 effort to circumvent the procurement process.
25 And we all agree with that. So that's a standard

1 product that we have at PPO. We've had people
2 that try to split work orders in order to avoid
3 the three-quote process or whatever process they
4 are.

5 So the process is a part of the purchasing
6 procedure. It is in there that if a product
7 is -- or a service exceeds \$5,000 you must
8 acquire three quotes. And Mary Coker can speak
9 more to that.

10 MR. MAYERSOHN: I guess, I mean -- but I
11 guess my question is, if everybody knows that
12 this is not the standard practice, then there
13 should be a standard operating procedure that's
14 already written, which is what you're explaining
15 to me is part of the purchasing process that's
16 already written, everybody should know about it.
17 So if somebody tries to circumvent that process
18 there should be some sort of progressive
19 discipline to that.

20 MS. COKER: I would like to comment on that.
21 Because this is not about the purchasing process.
22 We're not talking about the threshold of
23 purchasing that if you place a purchase
24 requisition that's over \$5,000, those thresholds
25 are not related to any of this because this is a

1 bid.

2 What that means is, when you have a current
3 bid in place, Policy 3320 clearly explains you
4 must use a bid. So there is no threshold to have
5 because the bid allows you to issue a purchase
6 order for \$50,000, \$200,000, whatever the work
7 order of that project is. So this is not a
8 purchasing issue.

9 Operationally, at the user level, the orders
10 being placed are by project. And because there
11 is a standard, a framework purchase order,
12 procurement purchasing department does not see
13 invoices, does not see those projects and/or
14 orders. It's a one-purchase order and as the
15 work is being given to the vendor per project,
16 per order, however they give it to the vendor,
17 then that is what I believe this audit is
18 referencing, which is the breaking of those
19 projects to do what? I didn't understand that.
20 I just wanted to clearly state that it's not a
21 purchasing threshold issue.

22 MR. DORSETT: No. And let me clarify it. It
23 is not a purchasing issue. We -- we -- we
24 instruct staff all the time, if a project
25 requires -- whatever that dollar amount is, it

1 should be on one work order, regardless of what
2 it is. So I was just referring to why some
3 people circumvent that process, whether there's a
4 bid or not, you have some people -- some
5 situations that allow -- that make the
6 opportunity for -- for staff to do that.

7 We -- the management team, we are aware that
8 in some situations these things happen. When
9 they do happen we try to take action against it.
10 Some of these things, you know, for some reason
11 or another they're not caught all the time, but
12 when we notice them we bring that to the
13 attention of the end user and we correct that
14 issue and that's what we were stating in the
15 report.

16 MR. MAYERSOHN: So I'm still -- I guess, I'm
17 confused. Is that -- if you know that this is
18 not the standard practice, okay, management
19 understands it's not the standard practice, it's
20 not what you guys do or it's, again, prohibited
21 being done, that there should be some, whether
22 it's procedural, administrative, whatever it may
23 be there, to have it in writing. Because this is
24 not -- you know, we're not starting new and it's
25 been uncovered. This has been -- I mean, you've

1 been here for 30 years, you know, obviously, in
2 different roles.

3 MR. DORSETT: Correct.

4 MR. MAYERSOHN: But if you're saying that
5 this is not the standard practice, that should
6 have already been addressed in an administrative
7 policy 10 years ago, 30 years ago, and everybody
8 should understand that. That's what I'm confused
9 about, why are you -- because, again, the
10 statement says, we are now writing a policy to
11 ensure that this doesn't take place. I would be
12 concerned or question, and, again, you know the
13 Superintendent's designee is not here, but is
14 this something that was written 20 years ago or
15 10 years ago or just never was addressed?

16 Because I'm sure this is not the first time that
17 somebody has decided to split purchase orders.

18 And I'm not asking -- I mean, again, this is
19 more of, to me, you know, finding material
20 weaknesses as the gentlemen over here have
21 discussed. How do we address those material
22 weaknesses? If we're starting to write a policy
23 now, why wasn't that administrative policy
24 written 10 years ago when I'm sure we could find
25 audits or whatever that reveal that purchase

1 orders were split? So --

2 MR. MEDVIN: Ms. Strauss?

3 MS. STRAUSS: Thank you. So I'm newer to
4 this committee, so I'm coming in definitely not
5 deep in the trenches; right? So, essentially,
6 from an outsider as a CPA looking in from a
7 professional perspective, first and foremost, my
8 biggest concern of what I just saw between Mrs.
9 Coker and yourself is, it doesn't appear to me
10 that the left hand is speaking to the right hand;
11 okay? Like you were like, okay, and whatever
12 that process is, whoever it goes to,
13 I-don't-really-know type of situation, and it
14 goes.

15 Well, I think that we all need to take a step
16 back and really have a processes flow chart on
17 the way everything is supposed to happen. That's
18 first and foremost. It's the most basic thing to
19 do that many large organizations miss. Because
20 we're all operating in our silos and just out,
21 you know, worrying about our department,
22 controlling cost, whatever our objective is,
23 placing orders, you know, taking three bids
24 according to policy, comparing those, whatever
25 the case may be. But I don't know that everybody

1 on board and on your team knows what the full
2 picture is. I think that, moving forward, could
3 very much eliminate some of the confusion and,
4 quite honestly, inappropriate utilization of
5 funds.

6 Now, in regards to splitting purchase orders,
7 everyone is on the take. I don't think that
8 anyone can deny that. Anyone, when they come to
9 do work with any government agency, in my opinion
10 and from what I've seen in my professional
11 experience, everybody knows there are deep
12 pockets; okay? And they're going to be on the
13 take. And you said that a way around it is they
14 split these purchase orders. Right? People have
15 figured it out. It's not rocket science. And
16 there needs to be internal controls within your
17 department, specifically, to find that these
18 things are reviewed. No dollar should be
19 slipping through the cracks because they're my
20 tax dollars as well as the rest of the Broward
21 County residents' tax dollars. And I think
22 everyone's sick of misuse of funds.

23 I don't expect things to be perfect,
24 certainly, but what is the threshold that our
25 auditor is going to define as allowable to slip

1 through the cracks? What is that dollar amount?

2 Mr. Auditor, do you have a threshold for
3 that?

4 Because, I mean, I know I would have a very
5 low threshold as far as this type of stuff is
6 concerned. Because it's enough already, that
7 thousands and hundreds of thousands of dollars
8 have been absolutely wasted by people on the take
9 simply because the appropriate internal controls
10 are not in place and, clearly, the departments
11 are not speaking and don't understand each
12 other's roles.

13 MR. JABOUIN: So in response to your
14 question, Ms. Strauss, this is the reason why the
15 audits are done, so these issues can be
16 identified and that they can be dealt with.

17 MS. STRAUSS: Okay. But as Mr. Mayersohn
18 pointed out, things like this in past audits have
19 probably come up; okay? Probably I would say
20 there's a 99 percent chance if we were to go back
21 and pull previous audits, this splitting of work
22 orders and all this stuff was probably there.
23 Why wasn't anything done?

24 MR. JABOUIN: So, Ms. Strauss, please take a
25 look at the Audit Plan on pages 29 where the

1 process is getting looked at in the audits that I
2 mentioned that are going on.

3 So when these issues come up they are
4 considered serious and there are historical
5 issues as to why this is a higher audit risk area
6 and those historical issues are part of it. So
7 the audits are done, the findings are identified,
8 the processes are looked at on that end.

9 MS. STRAUSS: Okay. So what have you done in
10 the past?

11 MR. JABOUIN: One moment. I am not done.

12 So when this complaint was brought up, it was
13 reviewed, the district responded to it, and then
14 the audit since required us to take a look at
15 these allegations while looking at the entire
16 process. And that is what is getting done.

17 MS. STRAUSS: That is getting done now. But
18 you've been here for how many years?

19 MS. FERTIG: Can I -- can I respond to
20 something that I think came to this in another
21 audit?

22 So when we -- yeah, I'm just gonna take it
23 away from PPO and go to some of the school audits
24 where we've seen purchases done inappropriately
25 or --

1 MS. STRAUSS: Beating the system. Or trying
2 to beat the system.

3 MS. FERTIG: Well, in any event, in those
4 contexts, and we've seen the difference in the
5 reports over the years, there were internal
6 reports and property reports and so forth, we've
7 seen a difference in areas where you've put an
8 annual training in place.

9 So I guess my question to you is, what annual
10 training do you have and then I'm sure Dr.
11 Lynch-Walsh --

12 MS. STRAUSS: Turn on your thing. They can't
13 hear you.

14 MS. FERTIG: I'm sorry. I'm asking what
15 annual training they have. I'm sorry about that.
16 I have microphone issues. And then I forgot my
17 next one, which I'm sure you're going to cover,
18 but what are the consequences when someone
19 doesn't follow this? But those are the kinds of
20 issues that have been laid out in the
21 school-related property inventory audits to
22 correct some of the problems we've seen there. I
23 just don't know what the answer is for PPO as far
24 as whether they do trainings, whether they have
25 consequences and so forth.

1 MS. STRAUSS: So the accountability
2 remediation.

3 DR. LYNCH-WALSH: Promotion is the
4 consequence.

5 MS. STRAUSS: That's lovely. That's
6 encouraging, Nathalie.

7 MS. FERTIG: So is there annual training? Is
8 there a type of training that you do with people
9 on record keeping and procurement?

10 MR. DORSETT: With regard to the staff that's
11 out there performing the work that provides the
12 service for us, there is no training for that.
13 You know, as far as them cutting work orders. We
14 have our standard process where we go out and we
15 do estimates and we meet with them there, we
16 determine what that cost would be. So it's a
17 case by case situation when it comes to
18 requesting that work. But as far as a training
19 for staff or maintenance mechanics to follow that
20 process, there is no training for that.

21 MS. FERTIG: So I guess what I'm looking for
22 is annually train them on what they are supposed
23 to -- okay. I'm sorry.

24 MS. COKER: I just wanted to chime in on the
25 procurement side. Thank you for the question.

1 Regarding the Procurement & Warehousing side,
2 we have annual training for purchase
3 requisitioners. Everyone who has access to SAP
4 to create a purchase requisition, which is, you
5 know, a PR in SAP requires to have the annual
6 training. It's done on Canvas. And the
7 following new school year, if you have not
8 completed that training on Canvas I get the
9 report and you're not allowed to get access to
10 SAP.

11 Within that training it talks about the
12 different thresholds and things that are required
13 as part of backup for purchase requisitions. In
14 the case of a bid, there is no backup needed as
15 you're using an existing bid that would be
16 current. As long as there's funds and spending
17 authority available, the requisition could be
18 issued, approved, and then the purchase order is
19 complete. And we also have a standard operating
20 procedures that has been in effect since 2018 and
21 we have work instructions as well.

22 MR. DORSETT: See, the maintenance mechanics,
23 they don't do purchase reqs and -- they don't
24 follow that procedure. These are the guys that's
25 out there performing the service. After all of

1 the internal stuff is done, they go out there and
2 perform the work. So to say that -- and are they
3 trained? Absolutely. They are trained for what
4 they are doing, that physical work. A lot of
5 them are licensed mechanics or so forth and so
6 on. So as far as processing paperwork into the
7 system, yeah, our internal staff, we follow that
8 process and there's a training for that. But as
9 far as the physical maintenance guys out there
10 that's performing this work, I -- I -- I'm not
11 aware of any training for that.

12 MR. MEDVIN: Dr. Lynch-Walsh?

13 DR. LYNCH-WALSH: Thank you. Getting back to
14 Mr. Mayersohn's comments, because we're using
15 words interchangeably that do not mean the same
16 thing. And, also, I'm not quite sure, because
17 the recommendation was we recommend the practice
18 of splitting purchases should not be allowed by
19 district. The response says, it is not the
20 practice of PPO to split work orders. So do
21 "purchases" and "work orders" mean the same thing
22 from your perspective, the perspective of the
23 auditors? When you said "purchases" did you mean
24 work orders?

25 MR. MONTE DE OCA: When I say "purchases"

1 it's the amount of -- if I may, through the
2 Chair, provide an example?

3 For instance, the threshold for the level of
4 authorization which is what happened here was
5 \$5,000. Anything over \$5,000 needed an
6 additional authorization, and correct me if I'm
7 wrong, Mr. Dorsett. What happened here is the
8 employee, for whatever reason, whether to
9 expedite the process or to avoid going to the
10 person that has authority to authorize over
11 \$5,000 decided to make it into two purchase
12 orders.

13 DR. LYNCH-WALSH: A purchase order or a work
14 order?

15 MR. BAYS: Work orders.

16 MR. DORSETT: He's talking about work orders.

17 DR. LYNCH-WALSH: Okay. I just want to be
18 precise.

19 MS. STRAUSS: Nathalie, I just want to
20 quickly point out, we have somebody shaking their
21 head yes and someone no. So there's clear
22 disagreement.

23 DR. LYNCH-WALSH: So we'll get clarity on
24 that. Okay. That's one thing.

25 All right. So --

1 MS. FERTIG: Can we resolve that issue that
2 orders and purchase orders are the same?

3 DR. LYNCH-WALSH: No, no, they're not.
4 They're not the same at all.

5 MS. FERTIG: They are not the same. So we're
6 talking two different things. Thank you.

7 MS. COKER: The process that the auditor is
8 discussing is an internal PPO process and that's
9 the process I alluded to to say that whatever the
10 processes is. I apologize for having said it
11 that way.

12 PPO has an internal process which is what
13 this gentleman is describing. That is not the
14 purchasing process, because I don't have an
15 internal process that says anything over 5,000
16 needs a director's signature. That is a PPO
17 internal process.

18 Therefore, a work order and a purchase order
19 is not same thing.

20 DR. LYNCH-WALSH: Right. Okay. So if I can
21 have the floor back because everyone keeps taking
22 it.

23 All right. So we need clarification on that
24 before we should be transmitting this thing.
25 But, also, last night we had to have a short

1 primer on the difference between policy process
2 and procedures and then practice.

3 So the policy could be the speed limit. Or
4 you have a purchasing policy. I don't think that
5 PPO has a policy. And these are things that we
6 should have. So then you have a process. In
7 this case the process of getting asphalt repairs.
8 In a -- in terms of a speed limit, the process of
9 driving your car from A to B. The procedure is
10 step by step what you're supposed to be doing.
11 So if you're driving and you need to get from
12 point A to point B, you're coming to KCW from
13 Plantation, you're going down Pine Island and you
14 turn left on Broward and stay on it until 3rd and
15 go over the bridge to grandma's house. So that's
16 the procedure. But let's say I know the speed
17 limit is 35 and Nathalie has the practice of
18 driving 50, am I following policy? No. Am I
19 following -- I'm going through the process, am I
20 following procedures? No, because part of the
21 procedure would say that you stay between this
22 speed and that speed.

23 So a practice just means you're doing -- you
24 may be following policy and procedure but you
25 might not be. So when they say, we recommend the

1 practice of splitting, whether it be -- from
2 their perspective of splitting -- when they say
3 practice, that's their observation. There is
4 definitely a practice, but it is not part of the
5 standard operating procedure and there seems to
6 be a lack of policy.

7 Now, getting back, because we seem to be
8 straying from what their observations pertain to,
9 they mention in the second -- the second big
10 paragraph the cost of removal was already
11 included in the approved bid price. I don't know
12 how we got talking about mechanics and all that
13 type of thing, but I'm guessing they don't
14 approve -- they don't approve invoices, that the
15 guys out in the field are not approving.

16 So we had this problem with the termite
17 audit. Remember, they knew what the costs were
18 supposed to be and they kept approving it. They
19 kept overpaying repeatedly.

20 MS. FERTIG: Can you just get an answer to
21 that last question you asked, because I'd like to
22 hear it? Mr. Dorsett?

23 MR. DORSETT: Can you repeat the question,
24 please?

25 MS. FERTIG: The question was whether the

1 guys actually doing the work that he was
2 mentioning --

3 DR. LYNCH-WALSH: Oh, you mentioned, you
4 somehow got out to the guys in the field, the
5 mechanics, and you said they don't do paperwork
6 or --

7 MR. DORSETT: Yeah, normally, that's handled
8 by someone from the foreman level assigning that
9 work. What the auditors were speaking about,
10 again, that's where I started, we were talking
11 about work orders. I was explaining that there
12 is a practice of us not allowing the splitting of
13 work orders. So work orders -- if you -- if a
14 work order exceeds \$5,000 you need approval to
15 move forward with that.

16 DR. LYNCH-WALSH: Is that written anywhere?

17 MR. DORSETT: Yes, it is. Yes, it is. And I
18 can provide you with that. But as far as --

19 DR. LYNCH-WALSH: Okay. Right, because
20 you're saying that you're going to develop an
21 SOP, and to Mr. Mayersohn's point, he was -- it
22 sounds like there's nothing written. But
23 whatever's written we should have as part of this
24 conversation. Because a practice is just you
25 doing something. It's not something dictated in

1 writing. A policy and procedure, by definition,
2 should be in writing. Although, this district is
3 known for claiming that there's a policy or a
4 procedure and we're like, well, where is it?
5 Well, it doesn't exist because it's not in
6 writing. So you can't hold people accountable to
7 things that aren't in writing. But if that is in
8 writing, that would be helpful, and I'm
9 requesting that for the continued discussion.

10 Okay. So -- and, also, to point out, it is
11 not the people generating the work orders, just
12 like with the termite audit, it's the same cast
13 of characters. We saw the same names signing off
14 on overcharges over and over again.

15 MR. JABOUIN: I'm sorry to interrupt, Dr.
16 Lynch-Walsh. Could you please -- I'm trying to
17 take note of what you're requesting. Can you
18 kindly repeat that again?

19 DR. LYNCH-WALSH: I'm requesting the --
20 whatever's written in PPO as far as the \$5,000
21 limit, whether we call them a procedure, an SOP,
22 or somebody's notes. Whatever we want to call
23 them, I'm requesting that. I'm kind of shocked
24 that that wouldn't be included in here. That's
25 something I would expect to see because at least

1 it's in writing.

2 Okay. So then moving on in the letter, so it
3 says -- because it says, in our opinion the cost
4 of removal was already included in the approved
5 bid price, and Procurement seems to be taking a
6 hit here, but I am guessing that the person with
7 the authority to sign off before this thing gets
8 paid should know what the contract says or
9 doesn't say. And we have the bid, but then I
10 don't know if that would also get us the actual
11 contract. So that would be another piece of the
12 puzzle that's missing, potentially.

13 Is that an additional piece of the --

14 MS. COKER: Just for clarification purposes,
15 this is an ITB and the ITB, itself, the document,
16 is the contract. So there is no additional
17 contract. The ITB, itself, is the actual
18 contract.

19 DR. LYNCH-WALSH: So then the only other
20 thing would be the invoices. And the work
21 orders, invoices --

22 MS. COKER: Invoices. And, by the way, Mr.
23 Jabouin, I do have access to the link. I have
24 the link for the bid. But I know -- I would send
25 it to you, but if I send it to you it would only

1 be good for internal staff. Therefore, I'm not
2 going to send the link. I'm going to actually
3 send you the document that you may forward to the
4 committee members. Because if I send you the
5 link it would only be valid for internal
6 employees, because it's through internal email.

7 DR. LYNCH-WALSH: Okay. So getting back to
8 this statement, cost removal was already included
9 in the approved bid price. Who at management
10 level is supposed to be familiar with the terms
11 and whether or not the cost of removal should be
12 in there or not?

13 MR. DORSETT: Okay. That was a subject for
14 some discussion as well, because it wasn't really
15 clear in the contract that the removal was
16 included. So Ron Eggenberger, the manager for
17 custodial grounds, contacted the procurement
18 department to determine what is a viable solution
19 because it wasn't clear in the bid.

20 DR. LYNCH-WALSH: Okay. So before he signed
21 the first one or does he not sign it? Like I
22 would think that before you sign and pay the
23 first time, especially when your department that
24 has a tendency to pay too much for termite
25 inspections, because that was an audit where

1 people just kept (indicating) for years, without
2 looking at it, and it was crystal clear that they
3 shouldn't have been, so before or clearly after,
4 because it looks like the district is getting
5 some money back.

6 MR. DORSETT: Ron, can you speak to the issue
7 with regard to whether the \$1.58 was included in
8 the contract and your communication with the
9 procurement department on that?

10 DR. LYNCH-WALSH: That's actually not what I
11 asked.

12 Are you responsible for signing off on these
13 invoices?

14 MR. EGGENBERGER: Yes.

15 MR. DORSETT: Yes, he is.

16 DR. LYNCH-WALSH: So did you raise the
17 question before you paid the first one?

18 MR. EGGENBERGER: Yes. The question came to
19 me from Atlantic Southern Paving regarding that
20 line item. They felt that that line item was not
21 inclusive with the removal of the asphalt. So,
22 after reviewing the bid and going through the
23 language and speaking with a member of
24 Procurement, in my opinion, it was a separate
25 item. When you have the chance to look at the

1 bid, when you look at the line items, it's a
2 menu, for lack of a better term. So you would,
3 based on the project and what the scope of work
4 you're performing, then you utilize those line
5 items and that's how it's estimated.

6 DR. LYNCH-WALSH: But then how do invoices
7 get paid to the point where the vendor is now
8 reimbursing the district based on their findings?

9 If you contacted and got clarity prior to
10 paying the first invoice that had that -- that
11 had the fee that was already included, if you did
12 it beforehand, how did they get paid to the point
13 where the district is now being reimbursed?
14 Because I would expect that if you raise the
15 question before paying that they would then
16 correct it and then there would be no overpayment
17 for the auditors to find.

18 MR. EGGENBERGER: The bid went back out where
19 we did clean up, where we changed the language to
20 make it clearer for that line item. It was
21 then -- I don't want to go too deep into it all,
22 but we ended up having to reject that bid and
23 we're still utilizing the original bid. So we're
24 -- that is a legal issue. I don't feel like I'm
25 comfortable to speak to that, but --

1 DR. LYNCH-WALSH: That's not what I'm asking
2 at all. So, basically, it sounds like what
3 you're telling me is that it didn't get caught
4 before payments were made to the vendor.

5 I only base this on the logic that we're
6 getting money back. So that implies -- actually,
7 that doesn't imply, that indicates that payments
8 -- overpayments had to have been made on
9 something that was already included in the bid
10 price, that you were being -- you overpaid and
11 then it got caught. Or else there wouldn't be --
12 or else why are we getting these reimbursements?

13 MR. MONTE DE OCA: Through the Chair, if I
14 may clarify? These are two different issues.
15 One is \$1.58 where the payments are included in
16 there. The reimbursement was for repairs that
17 were billed at a larger amount than the work that
18 had taken place. In other words, they are two
19 different issues. These two are two different
20 issues.

21 DR. LYNCH-WALSH: Okay. Thank you for that
22 clarification.

23 MR. MONTE DE OCA: And by the way, while I
24 have the floor, when we use the term "procurement
25 process" it's a generic term of procuring

1 something, not necessarily the Procurement
2 Department.

3 DR. LYNCH-WALSH: I have no doubt that that's
4 your meaning of the word, but that's not the
5 district's interpretation of it.

6 Did you, in fact, go to the -- include the
7 Procurement Department in any of this?

8 MR. MONTE DE OCA: Yes, we visited with them.
9 And, if I may add, the complaint or the
10 allegation title is Appearance of Irregularities
11 Regarding the Procurement Process for so on and
12 so forth. So that's where we generated the term
13 procurement process. Again, it was the
14 procurement of asphalt materials by PPO. And
15 that's the way we intended it to be used. If I
16 created some confusion by that, I apologize for
17 it.

18 DR. LYNCH-WALSH: Okay. It's more a happy
19 coincidence for some people that was created. So
20 the 24,000 of overcharges that are due to the
21 1.58, is that being reimbursed?

22 MR. MONTE DE OCA: No, ma'am. The
23 reimbursement was 5,000-and-change.

24 DR. LYNCH-WALSH: Right. I see that. I'm
25 looking at your letter. But it says you

1 identified overcharge totals of more than 24,000.

2 MR. MONTE DE OCA: And those were based on
3 the \$1.58.

4 DR. LYNCH-WALSH: Okay. So what's happening
5 with those?

6 MR. MONTE DE OCA: We -- the district
7 contacted the vendor and the vendor has provided
8 a reply on -- on Appendix H. G, I'm sorry.

9 DR. LYNCH-WALSH: Hold on. It's not easy to
10 find the appendices. G? Is the response that
11 they are fighting it?

12 MR. MONTE DE OCA: There is -- through the
13 Chair, the response is that they do not agree
14 with us and my understanding is that they're --

15 MR. JABOUIN: Yeah, I can add to that. So
16 they don't agree with us, but it's not really --
17 we're still pursuing it, obviously, because we
18 think that that's correct. So a letter has gone
19 out from legal that I will forward to the audit
20 committee based on that opinion that you have.
21 And I'm trying to find that page for you. But
22 there is another letter. We are continuing to
23 pursue that. Appendix G is --

24 DR. LYNCH-WALSH: I found it.

25 MR. JABOUIN: That's the letter from them and

1 there is a reply to that letter because we
2 disagree with it that I will send to the Audit
3 Committee?

4 DR. LYNCH-WALSH: Okay. Yeah, this is
5 starting to sound like the termite audit.

6 So, basically, the 24 grand is in dispute,
7 and, hence, the need to see the bid, to see from
8 start to finish what was said. And what happened
9 before the bid gets developed? Shouldn't there
10 be something documented as to what's to be
11 included and not included?

12 And I'm not saying that Ms. Coker generates
13 that, because last I checked Ms. Coker doesn't
14 work in PPO and wouldn't know anything
15 necessarily about asphalt removal. That's on PPO
16 to know, to make sure that things are clear
17 before it goes to Procurement.

18 MS. COKER: Through the Chair? There's a
19 scope of work that my staff works with PPO in
20 generating and creating the scope of work and the
21 scope of services. So that -- the needs of the
22 department are created by the department and
23 that's compiled by PPO and then we put it into
24 the template and then we go out to bid.

25 DR. LYNCH-WALSH: Okay. And the bid in

1 question was developed when?

2 MS. COKER: In 2018.

3 DR. LYNCH-WALSH: Okay. Because we're kind
4 of short on dates sometimes in this report.

5 MS. COKER: The bid that I will be providing
6 a copy is ITB 18-123C, which is bid in question.
7 As Mr. Eggenberger referred to, yes, we do have a
8 new bid based on some of the recommendations from
9 a previous finding that we will be incorporating
10 as changes to the new bid that would come out in
11 2023 because this one expires in, I believe it's
12 in May of '23. So we are going to start working
13 on the new bid in January of this -- of the new
14 year.

15 DR. LYNCH-WALSH: Okay. So adding to the
16 things we would like to see, the needs that led
17 to the ITB from PPO, in terms of -- because
18 somewhere it should specify asphalt removal and
19 removal and disposal or be clear so that you know
20 what you need to put into the ITB. So is there
21 something documented in writing?

22 Okay. All right. If we could have that, as
23 well, basically, the scope of services from PPO,
24 that would be great.

25 All right. And the reason I wasn't clear on

1 whether you included the Procurement Department
2 is it said, it was made -- the completion of our
3 investigation was made possible by the
4 cooperation and support received from the staff
5 of the Office of the Chief Auditor and Physical
6 Plant Operations team, but didn't mention
7 Procurement, so I wasn't clear.

8 MR. MONTE DE OCA: Through the Chair? The
9 reason we didn't mention it is because our
10 interaction with Procurement was not nearly as
11 thorough as it was with PPO. We visited the
12 Procurement Department once to discuss the bid
13 and that was the extent of our engagement with
14 that department.

15 DR. LYNCH-WALSH: Okay. Those are all my
16 questions regarding -- or comments as far as --
17 and requests for additional backup before I would
18 ever entertain transmitting this.

19 MR. JABOUIN: Those are a copy of the bids,
20 and I'll work with Procurement to get the link
21 and provide the documents, what is written in PPO
22 regarding \$5,000 limits and the scope of
23 services. Those are the items that I have.

24 MR. MEDVIN: Ms. Strauss?

25 MS. STRAUSS: Yeah, so I just want to ask, I

1 mean, we're focusing on, you know, one situation
2 here, it sounds like there was a termite
3 situation that this is like, you know --

4 DR. LYNCH-WALSH: Oh, yeah, and the earlier
5 asphalt audits.

6 MS. STRAUSS: Earlier asphalt audits. So,
7 you know, it's like Groundhog Day.

8 So my request, or my suggestion, I don't know
9 how we get this done, is I want to understand
10 everybody's roles, their level of accountability,
11 and what course of actions will be taken if
12 policy is not followed.

13 So I think that this district is trying to
14 get better. If we continue to rely on what's
15 already in place it clearly is not working. So I
16 would like to see and make a recommendation that
17 we revisit these processes and fix it.

18 So if you would like our professional input
19 and our advice, obviously, you don't work for us,
20 we're just the audit committee with a dotted line
21 to the school board, but I am, personally, asking
22 that we fix it. Because this is a broken system.
23 Or else you guys wouldn't be experiencing
24 Groundhog Day on this committee over and over
25 again. I mean, who can imagine how much money

1 this has cost us?

2 So what are we going to do to get better?

3 That's what I want to know.

4 DR. LYNCH-WALSH: So there's an audit
5 follow-up that's in policy --

6 MS. STRAUSS: Okay.

7 DR. LYNCH-WALSH: -- that does not always get
8 followed.

9 MS. STRAUSS: Okay.

10 DR. LYNCH-WALSH: But in -- and I'm going off
11 of the original one, so Policy 1002.1 --

12 MS. STRAUSS: Uh-huh.

13 DR. LYNCH-WALSH: -- number 11, unless that's
14 changed, and -- actually, yeah, the Chief Auditor
15 of the Office of the Chief Auditor will follow up
16 with departments, slash, divisions to obtain a
17 current status on the action taken on each audit
18 recommendation of the audit report. The current
19 status will be performed periodically and will
20 contain for each accepted recommendation on which
21 action has been completed a brief description of
22 the action taken, for each accepted
23 recommendation on which further action is
24 necessary, a brief description of the action plan
25 and the established target date of completion,

1 for each rejected recommendation a statement of
2 the specific reasons why the recommendation is
3 not adopted and a description of any alternative
4 course of action that is being considered. And
5 that ties back to --

6 MR. JABOUIN: A brief interruption. These
7 are all in the Audit Plan. The document that I
8 submitted includes that. Also, I just wanted to
9 mention --

10 MS. STRAUSS: But auditing a broken system
11 doesn't do anything clearly.

12 DR. LYNCH-WALSH: That is different from a
13 follow-up.

14 MS. STRAUSS: Correct.

15 MR. JABOUIN: I ask that one person speaks,
16 please.

17 DR. LYNCH-WALSH: Well, I have the floor, so
18 I'll take it back.

19 So there's a difference between performing an
20 audit -- to Ms. Strauss's point, performing an
21 audit of a broken process and following up on
22 whether or not they tried to fix said process.

23 So I do not want to gloss over this last
24 bullet point which is still in even the proposed
25 policy because it hasn't been adhered to.

1 In fact, the reason I don't care what's in
2 the Audit Plan is that we would try to get this
3 exact type of thing done in the Audit Plan and it
4 wouldn't happen. So it is in policy that there
5 has to be follow-up.

6 MR. JABOUIN: So the plan includes follow-up,
7 just like the policy says. And there are audits
8 that are ongoing right now that is looking at
9 that particular process from budget, to request,
10 to procurement, to contract, to bid, to payment.
11 That is the process that is getting looked at.
12 In the audit world it's called from procurement
13 to pay. Those are part of the plan.

14 MS. STRAUSS: So you're looking at it and
15 what are you going to do?

16 DR. LYNCH-WALSH: And accountability.

17 MR. JABOUIN: We're going to do the audit and
18 we will also look at the processes because that's
19 fundamental.

20 MS. STRAUSS: You're looking. Looking. But
21 as a conclusion of your looking what are you
22 doing?

23 DR. LYNCH-WALSH: Right, the action taken.

24 MS. STRAUSS: Right. That's what I want to
25 know.

1 MR. JABOUIN: So, obviously, there are
2 recommendations if there are findings. But at
3 the same time the process is looked at and
4 recommendations to change the process and revisit
5 the process will also be part of it, because that
6 makes sense. Because you don't want to have a
7 flawed process continue into perpetuity. You
8 have to fix it. And that is what needs to be
9 done.

10 DR. LYNCH-WALSH: Didn't you just say that?

11 MS. STRAUSS: That's what I thought.

12 MR. JABOUIN: And that's how I'm responding
13 to you.

14 MR. MEDVIN: Ms. Fertig?

15 MS. FERTIG: Yeah. Thank you.

16 So I want to go back to where Mr. Mayersohn
17 began. We've looked at split purchases in all
18 kinds of areas. It's not just with this area. I
19 believe we had it in technology. We've seen it
20 in a number of areas. We know the district has a
21 certain number of -- you know, a level of
22 purchases that you can do under certain
23 circumstances. So I believe there is policy on
24 this. And I'm assuming we'll be seeing that in
25 our next meeting. If there is not a policy then

1 that will tell us that.

2 And, Ms. Coker, thank you for coming today
3 because I know you can shed light on all of this,
4 but when in the past -- and to go back to when
5 the, you know, standard operating policies were
6 being broken for -- for coaches selling tickets
7 at games and all, a lot of this did come back to
8 training, so I'm really unclear after today's
9 conversation, who is splitting these purchases in
10 PPO and what their level is and what their
11 training is. And I also want to see the -- I
12 also want to see the purchase on -- this is not
13 exclusive to this, you just haven't sat through
14 where it happened on something else. And there
15 are rules.

16 So the question becomes, what are you doing
17 to make sure people know what the rules are? And
18 then what are you doing if they're not followed?
19 It's very simple, kind of, to me, I am not quite
20 sure.

21 So, in any event, Ms. Coker, I'm going to be
22 quiet, but I don't think that's what it -- I
23 don't think this is exclusive to this department,
24 but I'm really unsure who in this department is
25 calling the shots on when they split that

1 purchase order, because somebody would have to
2 be.

3 MS. COKER: So, thank you for that
4 explanation. Again, I know that a lot of times
5 people use purchase orders for everything. So,
6 for me, it's very important that it's -- there is
7 a Policy 3320, which talks about the breaking of
8 purchases when, obviously, you know that they're
9 not that amount and you break them down to be
10 under the threshold.

11 Again, as I said earlier, specifically, this
12 is -- this is not about breaking up purchase
13 orders. Because when you look at the purchase
14 orders that were audited, the purchase orders
15 were within the threshold of the bid. The bid,
16 itself, doesn't limit you. If you have a hundred
17 thousand dollars of spend authority in budget and
18 the department issues a purchase requisition for
19 \$25,000, it will be processed because it is
20 accordingly able to be processed under the terms
21 and conditions and the policy of procurement.

22 What we're discussing here is not purchase
23 order splitting, which does happen across the
24 district a lot, and that falls under my
25 responsibility. When I receive a purchase

1 requisition from any department that I can
2 clearly see that they've broke it down to 4,999
3 and I get five orders of 4,999 for the same
4 service the same day, then, obviously, that is my
5 responsibility to not allow for that to happen
6 and that is breaking of the purchases so that
7 they don't go over the threshold.

8 What happens here is internally they have
9 their own process, which, if it is \$5,000, I
10 guess, they have to get approval from the
11 director and so on and so forth.

12 So I believe it's not a breaking of purchase
13 orders, but mostly breaking of their work orders
14 and/or purchases, if you will, internally.

15 Because I don't have a problem with this bid or
16 with the department issuing the purchase orders
17 that have been issued because they have a
18 framework, blanket purchase order, which means
19 they have a check, that as long as they keep
20 placing work orders and invoices keep coming in
21 and they're approved and there is budget, they
22 can continue to do what they have to do. So it
23 is a breaking of the work orders within the
24 department, not breaking of the purchase orders.

25 MR. DORSETT: Right. And that is clear.

1 This audit has cleared that up. Basically, we're
2 talking about work orders, not necessarily
3 purchase orders, to your point, Mary.

4 We have -- we've had situations where
5 internally, staff, mechanics, I know we said we
6 shouldn't be talking about mechanics, but in
7 order to circumvent situations, in order to
8 circumvent getting that approval level from the
9 manager or a supervisor they will cut two work
10 orders to -- to not follow.

11 DR. LYNCH-WALSH: So, but following Mary's
12 logic, if it's for the same location at the same
13 time for the same thing, if Mary can spot
14 somebody attempting shenanigans shouldn't PPO be
15 able -- and if someone's really working hard you
16 may miss it, but following the same logic that
17 procurement does, and especially since people
18 have seen these things over and over, if it's two
19 work orders that look very similar for the same
20 school, same time, same issue, isn't it on the
21 person above them before they pay it to say, hey,
22 what was this?

23 MR. DORSETT: And, again, like I've mentioned
24 to you before, you know, there have been
25 situations where staff did catch situations where

1 they split work orders and we address that when
2 we find it. But there are situations where it
3 may have for some reason gotten missed. And I
4 think this situation here, you have an individual
5 who, of course, we all know what happened there,
6 he actually split work orders for whatever
7 reason. He was caught doing it. And that's why
8 he's where he is right now, you know.

9 So -- and if it wasn't a process or a legal
10 issue, he wouldn't be where he is. But he did
11 that, he had an ulterior motive. That employee
12 is no longer with the district and we're trying
13 to correct the process and move forward.

14 MR. MEDVIN: Mr. Mayersohn?

15 MR. MAYERSOHN: Yeah. So, Ms. Coker, what
16 was the total amount of spend authority on this
17 bid?

18 MS. COKER: I apologize, I don't have it, but
19 if you give me two minutes I can get it for you.
20 I don't have the actual amount of the entire
21 bid --

22 MR. MAYERSOHN: Okay.

23 MS. COKER: -- but I will have that
24 information for you.

25 MR. MAYERSOHN: So was it in a three-year bid

1 with options to renew?

2 MS. COKER: Yes, it was an ITB, an Invitation
3 to Bid, with options to renew, and we have
4 exercised the last option which expires in June
5 of '23. Therefore, we're gonna go back out to
6 bid shortly and we will take into consideration
7 all the recommendations made by the auditors as
8 it relates to ensuring that there is clear line
9 items, because --

10 MR. MAYERSOHN: Right. So as you're
11 researching it, answer me the question of what
12 was the initial bid amount, and was there a
13 request for any additional spend authority? So
14 did it come back to the board and say, hey, we've
15 spent whatever it is, \$5 million and now we need
16 another 5 million?

17 MS. COKER: I can have that to you in five
18 minutes.

19 MR. MAYERSOHN: Okay. So that's number one.

20 Number two, and this is more to Ms. Strauss's
21 point is that, there are businesses, there are
22 organizations out there that have spent multiple
23 millions and trillions of dollars. I'm wondering
24 in the sense of looking at best practices. We
25 operate looking at this by paper. We need to get

1 up to using electronics where something that
2 becomes duplicative may be easier to identify
3 through an electronic means than my eyes looking
4 here and going, well, let's see what looks
5 similar in the sense of, as you said, splitting
6 work orders or purchase orders or whatever you
7 want to include in them.

8 I think we need to look at trying to upgrade
9 as a district in the technology aspect. And
10 that's not just for this. This is for everything
11 that we've seen. Because the common thread has
12 been, even from the grand jury report, that, you
13 know, the district is still operating with paper
14 and pencil. And I think Mr. Jabouin has
15 mentioned that numerous times as well. We need
16 to take a serious look at trying to figure that
17 out, because inevitably the cost that it may cost
18 to find a program may, in turn, save us tons of
19 money on the other end. So those are my
20 comments.

21 MR. MEDVIN: Ms. Fertig?

22 MS. FERTIG: Yeah, I just wanted to say, on
23 the next audit that's coming up, I'm assuming
24 we're doing Property & Inventory on PPO next, and
25 there was that comment about the manual process,

1 and I just was struck reading that, because last
2 year we had that conversation, the year before we
3 had that conversation and the year before and
4 they're always going to be putting a system in.
5 I mean, it's 2022.

6 DR. LYNCH-WALSH: Maximo.

7 MS. FERTIG: Huh?

8 DR. LYNCH-WALSH: Maximo.

9 MS. FERTIG: So it just -- yes, I agree with
10 you, it's -- until they get that done we'll be
11 having this conversation next year.

12 So are we ready to make a motion because
13 we're gonna run out of time with Ms. Strauss's --

14 MS. STRAUSS: I was just going to say we have
15 45 minutes.

16 MR. MAYERSOHN: I think Ms. Coker has an
17 answer to my question.

18 MS. COKER: Thank you, through the Chair.
19 Yes, so the total amount of the bid at hand here,
20 IT18-123C, the total amount is \$3.498 million and
21 we came to the board for an additional spend
22 request of \$898,000. So the total, including the
23 \$898,000 was \$3.498 million. And that was from
24 2018 all the way to '23.

25 MR. MAYERSOHN: And what was the initial

1 amount of the bid?

2 MS. COKER: \$898,000.

3 MR. MAYERSOHN: That was the total in 2018
4 when it was awarded, was 800 --

5 MS. COKER: No. So before the additional
6 spend request of \$898,000, so subtract 898 from
7 the 3.4, that was the original amount.

8 MR. MAYERSOHN: Like 2-point-something.

9 MS. COKER: Yes.

10 MR. MAYERSOHN: 6? Right? 2.6?

11 MS. COKER: So we came to the board to ask
12 for in '22, 898. And then the new amount,
13 including the 898,000, including the original
14 amount, is a total of 3.498.

15 MR. MAYERSOHN: Okay.

16 MS. COKER: All the way through 2023.

17 MR. MEDVIN: I'd like to get a motion to
18 defer transmitting of this item until we see the
19 documents.

20 MS. FERTIG: I think I moved to defer, but
21 then we stopped.

22 DR. LYNCH-WALSH: And I seconded it.

23 MS. FERTIG: Yeah, I think we had the motion.
24 I think.

25 MR. MAYERSOHN: We had the motion and then --

1 MS. FERTIG: Because it was an hour ago, so

2 --

3 MR. MEDVIN: Let's take a vote.

4 All in favor?

5 COMMITTEE MEMBERS: Aye.

6 MR. MEDVIN: Opposed?

7 (No response.)

8 MR. MEDVIN: Motion carries.

9 MS. FERTIG: And can we wish Mr. Dorsett a
10 happy retirement? Thank you for your service all
11 these years.

12 MR. DORSETT: Thank you very much for that.

13 MR. MAYERSOHN: And if you want to come back,
14 you're more than welcome.

15 MR. EGGENBERGER: Thank you, Mr. Chair. Have
16 a good day.

17 MR. JABOUIN: A quick question. This
18 deferral -- there's two reports on the floor
19 here. Did we address both?

20 DR. LYNCH-WALSH: No.

21 MS. FERTIG: We just addressed the --

22 MR. JABOUIN: Okay. So you're probably ready
23 to address the next one, Number 9.

24 Is there a deferral for number 9, as well?

25 MS. DAHL: Thank you gentlemen for the audit.

1 Thank you.

2 MR. JABOUIN: Is there a deferral for Number
3 9, as well?

4 MS. FERTIG: You know, it makes sense
5 because, as Nathalie said, she's asking -- you
6 know we added the request for the update of the
7 Great City Schools.

8 DR. LYNCH-WALSH: You mean 10? We just did
9 9.

10 MR. JABOUIN: Number 9 was deferred. Was 10
11 also deferred?

12 MR. MAYERSOHN: No.

13 MR. JABOUIN: What would the committee like
14 to do with Number 10?

15 MS. FERTIG: I mean, if we're going to --

16 MR. MEDVIN: We could do it quickly.

17 MS. FERTIG: Okay.

18 DR. LYNCH-WALSH: We may need additional
19 information again.

20 MR. MAYERSOHN: I mean, my only comment on
21 Number 10 is, if we're going to defer it, is that
22 somebody from the Superintendent's office be
23 here.

24 MS. FERTIG: Be here. Yeah.

25 MR. MAYERSOHN: Because it may get lost in

1 the translation.

2 MS. FERTIG: And, actually, I would like
3 that, because at the bottom of page 12, this is
4 what we were just talking about, these assets are
5 at higher risk of being misplaced, lost, or prone
6 to theft because the current manual process does
7 not track assets in real-time. So I would kind
8 of like to hear where we are on --

9 DR. LYNCH-WALSH: Maximo? The thing that's
10 supposed to track all things assets.

11 MS. FERTIG: So -- but I'm happy to discuss
12 this, I just -- I just, when I made these
13 questions last night --

14 MR. MEDVIN: I think we should get through
15 Number 11.

16 MR. JABOUIN: Which is next.

17 DR. LYNCH-WALSH: Oh, she has nothing to do
18 with this. This is all --

19 MS. FERTIG: PPO should create and maintain a
20 professional inventory system that enables them,
21 every effort should be made to continue to
22 locate, I mean, there's just a lot that's going
23 to come back.

24 DR. LYNCH-WALSH: Right. So, you know what,
25 we do need to defer this because we need the

1 Council of Great City Schools initial, an update
2 on what's been done. The Facilities Task Force
3 has been asking for, I think, two years for an
4 update on Maximo's implementation, which was
5 supposed to be implemented, I don't know, so many
6 years ago.

7 Mr. Bays, you were tasked with implementing
8 Maximo, when was that supposed to be in place?

9 MS. FERTIG: And the other thing that we
10 asked, we asked on the record keeping, well, this
11 is keeping a semiannual inventory. So I just
12 think some of this stuff would be included.

13 So are we good with deferring and then we can
14 go to the next one? Is that okay, Mr. Medvin, if
15 we do that or do you want to --

16 MR. MEDVIN: Yes.

17 MS. FERTIG: Okay. So I'm gonna move to
18 defer.

19 DR. LYNCH-WALSH: Second.

20 MR. MAYERSOHN: Mr. Jabouin?

21 MR. JABOUIN: I'm sorry, Mr. Mayersohn?

22 MR. MAYERSOHN: Where are we -- because we
23 talked about this before about Property &
24 Inventory, about getting it up to speed, whatever
25 we are. Where are you at with that process?

1 MR. JABOUIN: So are you referring to the
2 process where it's gonna get looked at from
3 beginning to end?

4 MR. MAYERSOHN: Correct.

5 MR. JABOUIN: So there was a meeting on that
6 this morning that I missed because I was
7 preparing for this meeting, but it is proceeding,
8 where they're working with a consultant to look
9 at the inventory process and identify the key
10 controls.

11 Now, the semiannual inventory will be a key
12 control, because if that is working effectively,
13 then our audits should find exceptions, that
14 they're working on on that end. And so this
15 particular audit, I would say that if we were
16 doing the semiannual inventory, we would expect
17 to see those things in there.

18 But it is proceeding, as far as your
19 question.

20 MR. MAYERSOHN: Okay.

21 DR. LYNCH-WALSH: Am I reading this right,
22 there was a whole vehicle missing? Did I see
23 that?

24 MS. ARCESE: It was a golf cart. I think it
25 was disposed of incorrectly. It was not missing,

1 it's just it was disposed of without the proper
2 documentation.

3 MR. MEDVIN: So let's get to the RSM SMART
4 Bond.

5 MR. MAYERSOHN: So we're gonna defer this?

6 MR. MEDVIN: Yeah.

7 MR. MAYERSOHN: So are we going to vote on
8 it, deferring it?

9 DR. LYNCH-WALSH: We didn't vote.

10 MR. MAYERSOHN: Okay.

11 DR. LYNCH-WALSH: I seconded it.

12 MS. FERTIG: I moved it.

13 MR. MEDVIN: Okay. All in favor?

14 COMMITTEE MEMBERS: Aye.

15 MR. MEDVIN: Opposed?

16 (No response.)

17 MR. JABOUIN: So I did get a text from Ms.
18 Ighodaro that she's not on. I texted Ms. Shaw.
19 Ms. Shaw, are you on?

20 MS. SHAW: I am.

21 MR. JABOUIN: Okay. Thank you.

22 Okay. Thank you very much.

23 So Agenda Item Number 11, this is the RSM
24 Program Management Quarter 1 report that's
25 periodically done by RSM on the program manager

1 and the owner's representative.

2 So the normal process is to take these
3 reports to the audit committee, then the school
4 board and Chair Alston and I do agree with that
5 process.

6 At the July 19th school board meeting when
7 the previous report was being presented I was
8 asked by the board and I confirmed that with the
9 chair at the time to take those to a workshop.
10 So that's what we did. If it wasn't for that
11 direction, we would not have done so. But,
12 nevertheless, the -- even though the board
13 approved it at the workshop, before going to the
14 board we are bringing it to the audit committee,
15 so that way your comments can be absorbed before
16 it goes on to the board.

17 So as you look through the report, and Mr.
18 Luker, Mr. Blondell and Mr. Gums are here, there
19 are four new observations. But there are a
20 number of prior observations, particularly on the
21 prior open findings on the contract time
22 modification from February of 2020.

23 You know, during the discussions with the
24 board I did indicate to them that that is an area
25 of frustration from an audit standpoint, and yet

1 I understand some of the challenges that the
2 business faces. So I do have Mr. Luker and his
3 team from RSM to answer any questions on the
4 report.

5 Mr. Chair?

6 MR. MEDVIN: Do you gentlemen have any
7 comment to start?

8 MR. LUKER: We don't have any comments unless
9 you'd like for us to walk through the report.
10 And we're happy to do that if that's your
11 request.

12 MS. STRAUSS: Can you guys introduce
13 yourselves, please?

14 MR. LUKER: Sure. David Luker, Director,
15 RSM.

16 MR. GUMS: Chris Gums, RSM supervisor.

17 MR. BLONDELL: Matt Blondell, Director, RSM.

18 MS. LANGAN: Kathleen Langan, AECOM, Program
19 Director.

20 MR. MEDVIN: I'm going to start. I really
21 made a concerted effort to read this whole thing.
22 And on the screen sometimes it was a little
23 small. And in reading it I was thinking about
24 the whole process. To go along, I think, with
25 Ms. Strauss's comments about the prior audit was

1 regarding systemic things, I think it's important
2 that I, as a member of the committee, understand
3 and everybody understands some of the procedures.
4 So if you will go along with me a little bit I'll
5 ask you a couple of very basic questions to help
6 me get a better understanding about this.

7 And this thing was dealing mostly with change
8 orders; is that correct?

9 Okay. Now, every time there's a change
10 order, does that mean previously at some point in
11 time there was a contract and a bidding process
12 done establishing the original project as far as
13 following procedure?

14 MR. LUKER: Yes, sir, that's correct. The
15 change orders that we reviewed as a part of our
16 process were all preceded by a procurement
17 process and an executed contract with a prime
18 contractor to perform the work.

19 MR. MEDVIN: And because these are major
20 repairs and new buildings and what have you, this
21 is something that would go through the whole
22 procedure and the board would approve it, as a
23 matter of course? Before a contract starts, the
24 board's approved it; is that your understanding?

25 MR. LUKER: Yes, sir, that's my

1 understanding.

2 MR. MEDVIN: Okay. And in preparing that
3 contract for the board on the same procedures
4 that were detailed in here in the meetings and
5 the re-meetings and over and over and over again,
6 does every project at its original formation go
7 through that same, what appears to me, extremely
8 tedious and long procedure?

9 MR. LUKER: I would defer to management to
10 respond to their process for procuring contracts
11 at inception, but would generally respond that,
12 yes.

13 MR. MEDVIN: It's a general question.

14 MR. LUKER: Yes, sir, projects follow a very
15 robust initial procurement and evaluation process
16 before the contractors are selected and
17 contracted with.

18 MR. MEDVIN: Okay. And my hope would be that
19 in that process the appropriate architects and
20 experts and people involved would have planned
21 out this project in really good detail and cost
22 estimates so when it's ready to start everybody
23 knows where they stand; right?

24 Now, I also believe it's inevitable that with
25 any major project there will be changes.

1 Somebody wants something new, the contractor
2 discovers additional problems, whatever it is, I
3 think it's part of the normal process.

4 Now, reading this, and reading your findings,
5 it seems when that almost guaranteed event
6 occurs, we have a major bog-down in the process
7 of approving it, getting it through. And I think
8 that's basically what you were auditing.

9 And my comment is, what can we do to
10 streamline the procedure?

11 Because I think, in construction, time is
12 money and I think a lot of money has been wasted,
13 just in the time value of money. And I think
14 this has come up before in various areas and it's
15 always been a problem. I would like to hear your
16 opinion and your expertise and maybe your
17 suggestions to improve the whole procedure from
18 top to bottom. Because I think we have some
19 major difficulties. And I think Dr. Lynch-Walsh
20 may agree with me on that and have a comment or
21 two, I don't know, but I'm willing to hear from
22 her now.

23 DR. LYNCH-WALSH: Okay. Thank you.

24 I appreciate that you read this thing in
25 detail, but I need to add some context. And I

1 think a document -- because, once again, we may
2 need to defer something. Everybody needs the
3 contract for AECOM and RFQ FY20-192. Because
4 some of these reviews are so far removed from
5 what we should be looking at. You do not hear me
6 crying about change orders because the question
7 that we asked is, are the change orders out of
8 control for the program? There's some -- is
9 Ashley -- there she is. So the answer is always,
10 no, they're like one -- one percent?

11 Okay. The question that nobody asks because
12 we fixate on change orders, and I'll get to why
13 we really have change orders on this program in a
14 second is, look at them on a school-by-school
15 basis. Is there a correlation between the
16 oldest, decrepit schools where there are things
17 that are claimed to be unforeseen but should have
18 been foreseen when you're forcing a renovation on
19 a building that you have a Castaldi on for 20
20 years and should be demolishing and rebuilding,
21 but we're continuing this crazy narrative that
22 renovations were the way to go, so let's now beat
23 up on the change order process?

24 Understand that throughout the life of this
25 SMART Program we had to continuously look for

1 someone to blame so that the blame didn't fall on
2 the shoulders of the people actually responsible
3 for this steaming pile of pooh and fraud that was
4 perpetuated on the people of Broward County, in
5 that, 800 million was never going to do what
6 needed to be done. All 800 million has brought
7 us is a generation of kids and teachers and staff
8 in buildings that we can't potentially fix.

9 Because in order to then demolish and rebuild a
10 building that you put a new roof and an HVAC on
11 you need to ask the state. And the person you
12 would ask was just deemed not qualified for the
13 Facilities Chief position, but that's a whole
14 other bit of drama. So the Office of Facilities
15 for the Department of Education, when you stick a
16 roof on and an HVAC, isn't going to let you turn
17 around and demolish it, even though you should.
18 It's like Building 6 at Stranahan, they're still
19 trying to get the kiln to work, that building
20 should have been demolished.

21 So when you start opening buildings up and if
22 you saw the front end -- so we had 800 million
23 was the ask, they never got the final needs
24 assessment report from Jacobs and refuse to just
25 admit that, there's still -- until this district

1 admits to the mistakes that were made and says,
2 mea culpa, we totally screwed up, we forced 800
3 million to look like something that it wasn't, we
4 put in roof repairs for roofing estimates, which
5 is why every time a project goes to the board for
6 award there's millions of dollars more in
7 additional funding needed because we're still in
8 the DEFP. And Laurie Rich-Levinson would not let
9 Judith Marte put in a line item to show that
10 these are the additional funds needed to finish
11 the project. They are still in at the 2014
12 estimates. Anyone who has done budgeting knows
13 that your budget is based on your best estimate,
14 and our best estimate is not the 2014 estimates
15 that are roofing repairs, not the actual
16 replacements that need to be done. And, I mean,
17 replace of a roof, because God forbid we replace
18 the whole building.

19 So that has been the problem. So, first, and
20 they were too confident about when they could
21 start building. They claimed they could do that
22 in 2015. Didn't happen. Then they didn't get
23 the program manager in place until they got
24 Heery. And, remember, by the time AECOM came the
25 majority of, I want to say maybe 70 percent of

1 design was already in the hopper. Yeah, so,
2 anyway, so it was all in design. So to your
3 point, yes, in theory, but you've got to
4 understand that design work didn't start in 2015
5 or '16. There was like a two-year delay because
6 of who was running Procurement. You couldn't get
7 anything out of Procurement. And they flooded
8 the design market. And so you have competent
9 architects up here that got work first, and then
10 because of how things worked, you can't overload
11 them, yeah, at the end some lesser experienced
12 architects got work. And everything was done at
13 the front end with haste, with poorly designed
14 scopes because everything was hastily done to
15 push it out the door.

16 So, yes, in a perfect world where everybody
17 gets together and agrees on scope it shouldn't
18 have this degree of change orders, especially
19 when you're using CM at Risk, which they're using
20 for some of the larger projects. There's a lot
21 of hard bids. But this isn't a perfect world.

22 If you were writing a playbook for how to
23 screw up a bond program, we wrote it.

24 So first it was, let's blame the architects,
25 then it came out that the architectural reviews

1 being done by Heery in Atlanta, by people that
2 didn't know Florida building code, were not
3 adding any value. That was in an earlier RSM
4 review. That should factor in to where we are
5 today with change orders. Because nobody -- you
6 could say renovate media center. Okay. What
7 does that mean? We're designing on the fly. As
8 projects are happening is when decisions are now
9 being made. So don't be surprised by change
10 orders. Be surprised that there aren't more.

11 And they're still within -- well within
12 industry standards because they do hash things
13 out before going for the additional funding. And
14 then it's when they open things up or you have to
15 look at type. So I said look at schools. Look
16 at which schools have change orders. When it was
17 Falcon Cove and Cypress Bay they ate the entire
18 contingent -- both sets of contingency budgets
19 up. But where you want to look and where I've
20 heard from architects, because they were told to
21 stay within budget, there are people practically
22 flogged to stay within budget, and then when that
23 doesn't work is when you also have the change
24 order because then the truth wins out and people
25 are like yeah, we keep trying to make this work.

1 Markham, they were going to dismantle a brand
2 new HVAC system to avoid the additional cost of
3 creating one big door and they were going to
4 force it through the two old doors until I
5 pointed out that they were supposed to replace
6 the entire building per the DEFP.

7 So there's a whole pack of foolishness that's
8 been going on behind the scenes where architects
9 were being told to adhere to budget. There's
10 lack of communication. Contractors are being
11 told to adhere to budget, so they force the subs
12 to do things without being compensated. I
13 actually have to respond to a sub that keeps
14 coming back to me because they got approved for a
15 change order and then were told to eat the cost,
16 which is why, long story short, you don't hear
17 the Facilities Task Force jumping up and down
18 about change orders in term of the amount.
19 They're insignificant. We've literally spent
20 more money talking about it than the actual value
21 of change orders.

22 But it is important to look at which schools
23 have them, why they have them, to see if it
24 provides a hint as to whether the scope was
25 really what it should be.

1 So that's -- that's one issue as far as
2 change orders go, because -- and could the
3 process be better? Sure. Is there some paper
4 and a lot of manpower involved? That could be
5 changed.

6 But the amount of change orders, that is not
7 what's holding this up. First it was the
8 architects, then we came for the building
9 department. Now we're coming for the change
10 order process.

11 At some point we have to understand it was --
12 if you fail to plan you plan to fail. And we are
13 seeing the inevitable outcome of failing to plan.
14 There's no getting around it. There's no
15 massaging it. There's no blaming somebody else.
16 I don't know who's going to be the next person
17 that somebody tries to blame. It's a mess. It's
18 a complete cockup of it didn't follow best
19 practices, policies haven't been followed, people
20 have been vilified. There's incompetence from
21 soup to nuts. There was the way they prioritized
22 roofs as PPO sat around looking at work orders
23 and that's how they got prioritized, because they
24 could never produce anything otherwise.

25 So it isn't just about change orders. But we

1 could spend the next half hour talking about
2 change orders but that ain't going to be it
3 either.

4 MR. MEDVIN: Okay. Thank you. Okay.

5 MS. FERTIG: Well, I would kind of like to
6 address the issue that's in this report on change
7 orders, which is not the number of change orders
8 or the cost of the change orders, but the fact
9 that their average duration is 335 days and I --

10 DR. LYNCH-WALSH: Because of confusion of
11 what the scope is. They're still deciding.

12 MS. FERTIG: I'm sorry, I think that should
13 be a concern. And I don't want to minimize it or
14 make excuses.

15 DR. LYNCH-WALSH: You can't undo it though.

16 MS. FERTIG: We sat here -- we can. We can
17 move forward, which we're gonna have to do as a
18 district. And the whole point of their work,
19 which they have done an excellent job of pointing
20 out things that we can do better and processes
21 that we can change, and that's what we've been
22 sitting here talking about all day, so I don't
23 want to ignore it.

24 DR. LYNCH-WALSH: The scope's already out
25 there. It's been in design for 10,000 years.

1 MS. FERTIG: So just as with roofs, we talked
2 about why are projects taking so long.

3 MS. SHAW: Excuse me. Ms. Fertig, can you
4 use your mike?

5 MS. FERTIG: Yes. I'm so sorry. I just
6 discovered I wasn't. Can you hear me? Hello?

7 MS. SHAW: Yes. That's better. Thank you.

8 MS. FERTIG: Okay. So, just as with roofs,
9 we discovered that a major reason for the delays
10 on these schools was the length of time it was
11 taking to get through the permitting process on
12 roofs, I want to talk about the fact that the
13 average duration of a change order is 335 days.

14 And Observation 4 that projects being updated
15 and change orders going to the board when they're
16 behind time is not happening. So I just want to
17 see what can we do to make sure -- we're not
18 going to be able to go. Nathalie, you and I sat
19 here and we begged them not to move forward in
20 2014 and we lost; okay? But what we can do is
21 try to improve the processes. If we save a
22 month, if we save two months.

23 DR. LYNCH-WALSH: Paper. Can you get it off
24 of paper? Because there's so much paper involved
25 in that.

1 MS. FERTIG: Well, I have real concerns about
2 the first one and I would just like to hear
3 from -- from RSM if they have any suggestions and
4 where you think this is now.

5 MR. LUKER: Sure. Thank you. David Luker,
6 again.

7 I think the thing that jumped out to me the
8 most with respect to the first finding is, on the
9 table to the right, the Individual Process Owner
10 Data, this gives you an idea, the far-right
11 column, Total Days in Queue (Average), gives you
12 an idea of where the change order sat for the
13 longest periods of time.

14 Now, there are multiple rounds of review and
15 back and forth. So it is logical that the PM
16 would be the primary person that would be
17 responsible for pushing the change order through
18 the process, but I think that also creates the
19 biggest opportunity for us to create additional
20 layers of accountability utilizing e-Builder and
21 automation opportunities in e-Builder to hold
22 those PMS accountable to pushing that paperwork
23 through the process.

24 I know that AECOM and Atkins have spent some
25 time now improving the change order workflow and

1 updating their process for pushing change orders
2 all the way from RFI to an executed change order,
3 so they may be able to speak to what automations
4 have been built in. But I think that project
5 manager accountability is really the most
6 impactful thing we could do at this point.

7 MS. FERTIG: Okay. So let me ask Ms. Langan
8 if she can respond to that?

9 I'm sorry. I was just going to say, if
10 you've made changes, if you could just say that.

11 MR. MEDVIN: Please.

12 MS. LANGAN: Yes. Kathleen Langan, Program
13 Director.

14 Yeah, so we -- Mr. Luker is correct. We at
15 some time, actually, back in the State of the
16 Program in December of '20, we identified similar
17 issues that RSM has now brought forward. We
18 actually identified for 192 days that it took
19 from start to finish.

20 So this is something that we have been
21 working on. As everybody knows, the e-Builder
22 process has been being worked on to improve and
23 automate the processes. You know, we still in
24 Facilities have what's called a red folder. And
25 these red folders get stacked up on my desk, as

1 I'm sure they do Mr. Bays and others, and they go
2 around Facilities for maybe six signatures. So
3 there is still work to be done in the OCP and the
4 bond project process. But we have actually just
5 launched the new PCO and the change order
6 process.

7 The automation will now notify each person
8 who has a change order in their court that they
9 have them in for this many days and it has to be
10 moved.

11 What I would offer is -- so that's -- maybe
12 you want to give more detail, but, basically, we
13 have finalized the automation of PCOs and COs and
14 we expect that the improvement will be
15 significant because of, as Mr. Luker identified,
16 people are getting pings. And, you know, when
17 you have 40 projects per team leader, it's
18 helpful to have automation for sure.

19 So that's being done. If you look at our
20 management response it gives a very detailed
21 level of everything that's going on to improve
22 the processes.

23 Mr. Luker is right that the project manager
24 will typically have in his court the change order
25 for the most time. And that is because he is

1 required to get all the backup, every bit of
2 backup. And it's a lot. It's a tremendous
3 amount of backup that we have to bug the
4 contractor for and we've actually recommended now
5 that the project manager move the change order
6 back to the contractor if he owes -- if he owes
7 backup. They're negotiating pricing. They're
8 confirming that the scope is correct. They're
9 doing all kinds of work. So it's typical that it
10 would be there the longest.

11 Do you want to add anything?

12 MS. CARPENTER: Sure, I'd like to.

13 Ashley Carpenter with Atkins. It says it's
14 on but maybe I can sit closer. With the
15 e-Builder workflow it is now -- that AECOM's team
16 built, it is now live and the -- some additional
17 automation and things that have taken place, to
18 your point, Nathalie, about paper, the workflow
19 is now generating all the district forms related
20 to the change orders. So the contractor puts in
21 the data and then all the forms are automatically
22 generated and put into the process automatically.
23 Everything -- the process precedes all the way
24 from the time the contractor even thinks of
25 something in his mind related to a change order,

1 all the way through passed board approval, with
2 the generation of Capital putting it in SAP and
3 Purchasing preparing or modifying the purchase
4 order. So it's the entire soup-to-nuts process
5 that is within one trackable, auditable process
6 in e-Builder, so there aren't any gaps now
7 between, oh, well, yes, they've finished the
8 e-Builder process, but then through paper and
9 emails and it goes through the board process,
10 it's just all much more integrated and tied in
11 now, which I believe will help and that will give
12 the vendors and anybody on the project team the
13 ability to always be able to see where that is.
14 Plus it's automated. Some processes that
15 previously were done through red folders, like
16 Kathleen mentioned. For instance, architect
17 proposals and negotiations and amendments, those
18 were typically handled through emails and
19 meetings and things outside of e-Builder and now
20 the whole entire process is in e-Builder, so I
21 think there's a lot more controls that are in
22 place through the new workflows.

23 MS. FERTIG: So is it -- can I just follow
24 up?

25 MR. MEDVIN: Yes.

1 MS. FERTIG: My question to that was, and I
2 know this is probably a tough question to answer,
3 so I probably shouldn't ask it, but do you see --
4 do you have an idea of what kind of a time
5 savings you might have on this? So if the
6 average is 335 days now, which is nearly a year
7 on a change order, what's it going to be now that
8 you finally have the automation? And I don't
9 mean "finally" you, because you've heard us talk
10 today about automation across the board. So what
11 do you project -- how do you project that this
12 will change the timeframe for delivery to the
13 schools?

14 MS. LANGAN: I don't know that we have a
15 specific projection right now. What we do have,
16 at the board meeting when the audit was presented
17 we have some follow-up, and one of them is a
18 question on, what does the workflow look like?
19 And you can't see this, but this is, basically,
20 what it looks like.

21 What we will now do based on the board's
22 questions are, and we're meeting tomorrow to,
23 actually, put a timeline of each element of the
24 process that we expect it to take and that we
25 will track. And so we're going to be very

1 conscious of this. We will follow what we think
2 the timelines are going to be and we'll be able
3 to start tracking and reporting on it. Right now
4 we don't have a sense of it because e-Builder has
5 always been set up after the fact rather than
6 virtual.

7 MS. FERTIG: Okay. Thank you. I do have a
8 question when we get to Number 4.

9 DR. LYNCH-WALSH: Yes, my comment or question
10 is still on 1. Did you do anything like this
11 when Heery was here?

12 MR. LUKER: Thank you for the question. I
13 was, actually, just messaging back and forth with
14 Mr. Blondell to try to recall whether this had
15 come up in previous audits and what we
16 recommended in previous audits. I would have to
17 get back to you. But we have consistently
18 reviewed change orders as a part of our audits at
19 least annually. I would imagine that we've had a
20 scope that has touched that, but I would have to
21 get back with you.

22 DR. LYNCH-WALSH: Right. So, but, here's my
23 thing with this. Because the problem with the
24 board members that were removed is we had a
25 constant wanting to blame somebody, and AECOM has

1 been the most recent scapegoat that, you know --
2 I remember the -- I think it was the July 26th or
3 something or both or the one before that. And my
4 point is, nobody cared. No board member cared
5 about how long change orders were taking. Nobody
6 looked at how much paper was involved in the
7 Building Department or any process. If you want
8 to see another paper process, try getting your
9 bill paid. There's a bunch of paper and a bunch
10 of approvals that it has to go through.

11 So Heery was here from the beginning through
12 2020. They did not put in a proposed -- they did
13 not put in a response to RFQ in 2020. They were
14 done. They took their 70 million and left.

15 So the point is, so, yes, are these numbers
16 great? No. Do they surprise me? No. Because
17 we have paper-based processes and we have things
18 that are so messed up, projects with scopes that
19 are so messed up, that it'll take you through the
20 completion of the project to finally get
21 something moving. But there was no outrage
22 over -- and no look-ahead and no holding Heery
23 accountable or the board or the superintendent
24 for the paper-based processes in any of the
25 departments along the way that are causing

1 delays.

2 MS. FERTIG: Well, I don't necessarily agree
3 with that because I think we've been discussing
4 this right along. And I'm not blaming anybody --

5 DR. LYNCH-WALSH: I'm not saying you were.

6 MS. FERTIG: -- for the processes.

7 But I think when we have data in front of us,
8 regardless of what the company is or who the
9 employee is, you said earlier -- as you said
10 earlier, we always like to blame the person who
11 left. I think it's our responsibility to look at
12 the data in front of us and see what can we do to
13 put things in places that are going to address
14 these issues so we don't see them on the next
15 audit. And I see a number of things here. And
16 they're routine things. And, listen, someone
17 said, how are we ever going to fix this? Well,
18 we're never gonna have a perfect world so there
19 will always be an audit committee.

20 DR. LYNCH-WALSH: Right. But it can't be
21 fixed. The point is -- but it can't. Because it
22 was so messy from the beginning.

23 MS. FERTIG: Are you telling me or Rebecca?
24 Because we sat here with you. I'm just kidding.
25 That was a joke.

1 DR. LYNCH-WALSH: No, no, no. I'm saying
2 that the data is what the data is. But what I'm
3 saying is, whether we can shave days, should it
4 take a year, no, but are we going to have others
5 that are taking longer?

6 So I would think -- I don't know if this is
7 the first time you've done this, but if we're
8 gonna compare the delays and the process, because
9 everybody over in OCP -- remember, there's a
10 whole other piece to this, which is the Office of
11 Capital Programs. And there's not two people
12 working over there. So everybody kept trying to
13 tinker with the change order process. Did any of
14 them bring to the board we need to automate
15 something? And they had years to do it.

16 MS. FERTIG: I'm just trying to look at the
17 audit before us.

18 DR. LYNCH-WALSH: I know, but I don't want it
19 taken out of context.

20 MS. FERTIG: I think we are. I think every
21 time we get on this and I -- well, I'm not gonna
22 say what I'm thinking. But I think -- I think we
23 have different standards for different people.
24 We have some data in front of us. There's some
25 things we can do. We can make sure we get some

1 forms signed when they're supposed to be signed.
2 If you're supposed to update a plan, whenever
3 you're supposed to update it by, it should be
4 updated by then. Those are some very clear
5 findings in here. And I know you're aware of
6 them. I know you work hard. You do a good job.
7 That's not the issue. The issue is, I'm sure
8 that, internally, you're fixing some of this.

9 MS. LANGAN: Agreed. If I could just go back
10 and reiterate. Totally agree. Because when we
11 came in -- AECOM came in and the State of the
12 Program, as I said, in December of 2020, we
13 recognized this problem and started immediately
14 to address the how to figure out, within the
15 systems that district had, what could we do to
16 improve the 196 days. So as the process has gone
17 along, it has taken us over 12 months to get all
18 of those processes fixed and updated in e-Builder
19 to the point where we have just launched the
20 final cost and financial portions of this system.
21 It's been a huge effort, much more than we ever
22 anticipated.

23 So we expect it will improve and it's
24 important to improve. I mean, this isn't the
25 first data that we've seen.

1 MS. FERTIG: Right.

2 MS. LANGAN: So we've been working on it and
3 I think RSM would back us up. I'm sorry to take
4 your spot.

5 MS. STRAUSS: Yeah, I just -- I agree, Mrs.
6 Fertig. And, Nathalie, with all due respect, I
7 know you've been intimately involved in this
8 process, nobody is disputing that from the very
9 beginning this whole thing was a disaster. But
10 all we can do is try and move forward. It's now
11 money wasted, down the toilet. That's the sum
12 cost. Done. It's unfortunate that every Broward
13 County taxpayer has suffered.

14 But, to your point, and I do have an
15 appreciation for how long technology does take to
16 implement as I own a tech startup company, it's a
17 long time; okay? And so I just think that if you
18 could just provide the answer. We want to see
19 that things are getting better. And I'm
20 confident it will get better with technology.
21 But taking the amount of days for a change order,
22 and, Nathalie, it could be insignificant, right,
23 a change order is not something that Facilities
24 Task Force harps on because of whatever it may or
25 may not mean, whatever, I'm not disputing that,

1 but it's something that's getting better. Time
2 is money. I think we'll all agree on that.

3 So if you could let us know, with the
4 implementation of these systems, what improvement
5 in the form of days are we going to see so we can
6 equate that to money. Because time is money.

7 So, by the way, the cost of implementing that
8 system, what was it? How long is it going to
9 take for us to get our ROI on that? Because I
10 know it's expensive to do these implementations.
11 So then we can make very reasonable,
12 well-informed decisions around what processes do
13 we implement moving forward we'll have an ROI
14 that's worth it; okay? Because continuing to ask
15 outside consultants and this and that and lawyers
16 and this -- that's expensive, too.

17 So if we can just all agree on systems that
18 are gonna work, that there's an ROI on to improve
19 whatever we can on this horrible disaster is the
20 only thing we can do. We cannot continue to harp
21 on the past. It's done. What's done is done.

22 DR. LYNCH-WALSH: It's done but it's
23 trickling -- it's cycling through.

24 So, seeing this updated -- so the first thing
25 that's confusing about this report, and I don't

1 like the departure we made, is this is either a
2 quarterly report or it's not. So it says fiscal
3 year 2022-23 Q1. We are still in Q1. So -- and
4 then it says September 2022, and I'm not sure
5 this actually clarifies when the dates stop in
6 here. Like all your other reports are pretty
7 clear as to what period you were looking at.
8 There are dates in here, but it's never clear
9 what dates we're looking at in here.

10 MR. LUKER: Sure. I'd like to answer your
11 first question and then answer this question.

12 So I was able to find prior recommendations
13 issued under Heery's management with respect to
14 automating workflows including RFI and PCO and
15 change order processes. And I think we've also
16 seen some follow-up reports in 2020, I think,
17 when Atkins and Ashley first came on talking
18 about some of the similar automation initiatives
19 using e-Builder to streamline some of those
20 workflows. So we have looked at that in the
21 past. I'm happy to follow up and share the
22 specifics of where those recommendations were and
23 what they --

24 DR. LYNCH-WALSH: Well, you know I have all
25 these.

1 MR. LUKER: I know you do.

2 But to answer your question, currently, about
3 this report, the sample -- the populations that
4 we pulled our samples from for these transactions
5 were not limited to only one quarter's worth of
6 data. For example, the change orders' population
7 was data that was for the entire year of 2022.
8 And so -- go ahead.

9 DR. LYNCH-WALSH: You mean fiscal year '22.

10 MR. LUKER: Calendar year of '22.

11 DR. LYNCH-WALSH: Well, we're still in --

12 MR. LUKER: Correct. Starting in January of
13 '22 until --

14 MR. GUMS: Through -- Chris Gums, RSM
15 supervisor, through the July 19th board meeting.

16 DR. LYNCH-WALSH: Through the what, July
17 19th?

18 MR. GUMS: July 19th board meeting.

19 DR. LYNCH-WALSH: Okay.

20 MR. LUKER: And the reason that we picked
21 that timeframe was because we've heard feedback
22 in the past that some of the data we've provided
23 has been dated. So we wanted to make sure that
24 we were picking the most current change orders
25 that we possibly could that would have been all

1 the way through the change order process to do
2 this evaluation.

3 DR. LYNCH-WALSH: Okay. But to the point of
4 evaluating AECOM on a quarterly basis, if you're
5 doing this table every quarter then we have to be
6 comparing apples to apples and oranges to
7 oranges. It can't be nine months this time from
8 that year, three months this time from this year.
9 Because then we can't tell if they're improving.
10 Because I'm -- when I look at these I go we're
11 putting roofs on things we're gonna end up having
12 to beg the state to demolish and possibly
13 consolidate, but if it would make everybody else
14 happy, if you're going to do this on a quarterly
15 basis, then it needs to be clear that for this
16 quarter, if they're saying we're implementing X,
17 Y and Z, you should be able to see some sort of
18 improvement by comparing quarter to quarter.

19 So if it went through July, and getting to
20 the date of this, July 19th is the first month of
21 the current year, so then what, pray tell, period
22 would we be looking at? And one of the things I
23 think I emailed about getting clarity on is, when
24 do we get this report and what period will it
25 cover? Because I'm getting tired of having to

1 look at dates in the report to figure out,
2 because when we look at their report, we get
3 monthly reports. I'm used to quarterly results.
4 We departed from that and now it's just sort of
5 whatever timeframe somebody asks them to look at,
6 and yet it will still have Q1 or Q3 or Q4.

7 So I would like to see some consistency in
8 terms of what we're getting. Because now the
9 next one would be July 20th through September?

10 MR. LUKER: And, if I may, I appreciate the
11 comments and I think the reason that we've maybe
12 departed from a very structured period of samples
13 is because of the dynamic nature of the scope of
14 work that we perform each quarter. The scope of
15 work does have some standard components to it, so
16 there are, for example, Atkins and AECOM invoices
17 that we do a review over after they've already
18 been processed. That, the timeframe for those
19 invoices is always in a, you know, following the
20 three-month process. But there are unique --
21 there are unique elements of our scope that -- I
22 can stop.

23 MR. MEDVIN: I hate to interrupt you. We
24 have a hard stop time of 1:45 which is almost
25 here.

1 DR. LYNCH-WALSH: Some people do.

2 MR. MEDVIN: We're gonna lose our quorum.

3 MS. FERTIG: We're losing our quorum.

4 DR. LYNCH-WALSH: I'm fine deferring this
5 one, too.

6 MS. FERTIG: Okay. So I'm gonna move to
7 defer before we lose our quorum.

8 MR. MAYERSOHN: I'll second.

9 MR. MEDVIN: All in favor?

10 COMMITTEE MEMBERS: Aye.

11 MR. MEDVIN: All opposed?

12 (No response.)

13 MR. MEDVIN: Okay. So 1:45 was a hard time
14 for several individuals.

15 MS. DAHL: I'm sorry, but the agenda says
16 1:15.

17 MR. MEDVIN: When have we been on time?

18 MS. DAHL: Never, but I have a chauffeur now.
19 I can't drive.

20 MR. MAYERSOHN: We were once -- once upon a
21 time we were on time.

22 MR. MEDVIN: All right. Well, motion for
23 adjournment?

24 MS. FERTIG: Move to adjourn.

25 MR. MEDVIN: We could talk but we have to

1 adjourn the meeting.

2 MR. JABOUIN: We lose our court reporter as
3 well.

4 MR. MEDVIN: The court reporter has to leave
5 also.

6 DR. LYNCH-WALSH: I just want to ask for one
7 thing before we lose Mr. Bass then. Or I just
8 want to ask about one thing.

9 MPUs. So if I have one complaint, there is a
10 major concern, because we find the MPUs very
11 helpful to know what's going on at the schools,
12 but if we're three months behind, then we don't
13 know what's going on and we're no better than BOC
14 at knowing what's going on.

15 So any recommendations for how to get those
16 reports? Coming from an accounting background,
17 the world comes to an end at month's end and you
18 put in whatever, whether it be invoices, purchase
19 orders, any paperwork from month end or progress
20 updates at month end and all work ceases, you
21 keep the month open and then it's done.

22 But what has been happening historically is
23 that project managers are putting in stuff for --
24 let's say we're in October and today is October
25 13th, they're still putting in or haven't yet put

1 in the stuff for September. It's like, no, no,
2 you're doing this now in October, you put in
3 October's date for stuff you're doing today and
4 you should have been done with --

5 MS. LANGAN: Could I just comment real quick
6 before everybody has to go?

7 So you're right. Over the last -- over the
8 course of the summer we got way behind. And
9 primarily because, you know, we completed 181
10 projects this summer that we had to get
11 occupancy. Everybody was out in the field.
12 Nobody focused on MPUs. I can tell you that we
13 have submitted our August report and we are
14 finishing up with MPUs this week, by Monday, for
15 the September report.

16 So we will get back on track and hopefully be
17 submitting our monthly reports within, you know,
18 the first two, two and a half weeks of the
19 following month.

20 We have to wait until the following month.
21 We don't get contractor schedules until at least
22 the 5th. So we're forecasting in a lot of cases.
23 So it's important that, you know, the 5th of the
24 month is what we've told contractors we have to
25 have the schedules. Some comply, some don't. If

1 they don't we -- you know, we work through that.
2 But that's the reason for at least having for the
3 first two weeks of the following month.

4 And I'll just commit to you that now that
5 we're back on track I think that you're gonna be
6 happier with the reports.

7 DR. LYNCH-WALSH: Right. Because I'm getting
8 the impression people think I'm easier on you
9 guys, but it's because I understand. I'm not
10 gonna blame you for stuff Heery created or a
11 board member.

12 MS. FERTIG: I'm really uncomfortable with
13 substantive conversation with no quorum.

14 MR. MEDVIN: Okay. We've got to stop. The
15 reporter has an appointment. He has to leave.

16 DR. LYNCH-WALSH: We're not voting on
17 anything.

18 MS. FERTIG: We will ultimately be voting on
19 this and we do not have a quorum. So I --

20 DR. LYNCH-WALSH: Okay. I'll just repeat
21 everything I just said next time and that'll cure
22 it. That's how you cure it is you say it all
23 over again. That is how it works.

24 MR. MEDVIN: I think we're adjourned. Thank
25 you all.

(Meeting was concluded at 1:48 p.m.)

REPORTER'S CERTIFICATE

STATE OF FLORIDA

COUNTY OF BROWARD

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

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

Dated this 18th day of October, 2022, Fort Lauderdale, Broward County, Florida.



TIMOTHY R. BASS
Court Reporter



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