

**Continuous Audit – Bond Funded
Construction Projects
Fiscal Year 2024-2025**

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Date: September 10, 2025

To: Board of Trustees
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Chief Internal Audit Officer

Subject: Continuous Audit - Bond Funded Construction Projects - Fiscal Year 2024-2025

Executive Summary

The Dallas Independent School District (District) Office of Internal Audit (OIA) has completed the Continuous Audit - Bond Funded Construction Projects for fiscal year (FY) 2024-2025.

Auditors continuously reviewed processes and tested transactions procured using the Competitive Sealed Proposal (CSP) and Job Order Contract (JOC) methods to verify proper controls were in place surrounding construction projects funded with 2020 bond program funds.

OIA reviewed sample selections of Contingency Allowance Expenditure Authorizations (CAEAs), applications for payments, and project closeouts approved from July 1, 2024, through June 30, 2025.

Overall, Construction Services has designed and continues to enhance their processes for the management and execution of bond funded projects. No observations requiring management's response were noted. OIA will continue to assist Construction Services throughout the term of the bond program to ensure the strongest controls are implemented.

Background

Construction Services' mission is to provide quality sustainable facilities to enhance student achievement. Their goals are to manage the architectural and engineering design for bond-funded construction projects; manage the construction of bond-funded school projects; oversee the procurement of real property for new schools and expansion of existing campuses; manage the procurement of fixtures, furniture, and equipment for new schools and additions; assist in the administration of construction-related warranties; and oversee a construction safety program to ensure safe activities on all campuses during construction projects.

Bond Program

The 2020 bond program was approved at \$3.5 billion to fund \$3.2 billion of repairs and upgrades for more than 200 District campuses and \$270 million for purchasing and District technology updates.

Competitive Sealed Proposals

The District uses the CSP method to procure general contractors (GCs) for the majority of its construction projects. Use of competitive procurement methods, such as CSPs, initiates competition amongst bidders to provide better value for the District. A CSP, under Texas Government Code Chapter 2269, is a procurement delivery method used for construction

contracts in which the District requests proposals for the project, evaluates and ranks the offerors, negotiates the offer, and then contracts with a GC to complete the project. Contractors typically submit offers to complete the project scope within a given timeframe for a lump sum price. Allowances and owner-controlled contingency amounts may also be determined in the proposal.

Job Order Contracting

The District uses the JOC method typically for smaller construction projects. It involves a multi-year agreement with Board of Trustees (Board) approved JOC vendors, who are pre-selected through a competitive bidding process. During a JOC competitive bidding process, instead of providing lump sum proposals as in CSPs, prospective JOC vendors propose a coefficient, or multiplier, which is later used, along with a unit price book, to accurately estimate the cost of their future assigned job order projects.

General Contractors

GCs are procured to coordinate construction projects and manage job sites. GCs are contracted within the American Institute of Architects (AIA) A101 and A201 contract documents, which establish a determined scope of work for a lump sum price plus any pre-determined owner-controlled contingency. Once contracted, GCs hire subcontractors to complete the required scope of work. GCs submit applications for payment monthly, for which the District makes progress payments to the GC, based on the percentage of work completed and materials obtained and stored. The District makes the final payment when the contract is fully fulfilled, and work completed has been accepted by the Board.

Architect/Engineer Firms

The District contracts with architect/engineer firms (A/E) to provide professional services for the design and oversight of construction projects. A/E services are divided into basic services and additional services, which are compensated differently. Basic services include schematic design, document production and review, and construction administration. Basic services are compensated based on a fee percentage multiplied by the construction cost limitation plus contingency budget. Any additional services performed outside of the basic services are compensated based on an agreed manner between the District and A/E.

Project Management Firms

The District also contracts with project management firms (PMFs) to oversee and manage bond-funded construction projects from planning and design through project closeout. PMFs are responsible for managing all project matters with the purpose of meeting the project completion date within the allotted budget. The District currently has contracts with five different PMFs, each of which are made up of around 10 – 21 employees solely working on District projects. Each PMF manages, on average, approximately 40 projects for the District. PMFs are paid on a fee-based structure based on the managed budget and are paid monthly based on the percentage of the project's completion. In addition, the District employs contract managers to assist and oversee PMFs. The District's contract managers, A/Es, and PMFs work closely together to coordinate and execute construction projects.

Contingency Funds

Owner-controlled contingencies are a part of the Board approved project budget and consist of funds set aside for unexpected costs encountered throughout the construction project. For the projects reviewed, these funds typically represent around five percent of the project budget. As these amounts are approved with the original project budget, additional Board approval is not required when funds are used. However, GCs must obtain written approval from Construction

Services via a CAEA form before using contingency funds. A CAEA form must be supported with a detailed breakdown of labor, materials, equipment, and other associated costs. The District provides GCs requesting the use of contingency funds with a standard template to use for breaking out the detailed costs. This template provides a format which separates detailed pricing between three individual categories: labor, materials, and equipment. Distinct columns for categories found in the template enable contractors to easily detail individual line items under each category and calculate subtotals. Along with the three categories above, the template includes areas for the contractor to detail additional allowable charges such as labor burden and overhead and profit. The template provides a standard a more efficient way for the PMFs to review.

Labor Burden

Whereas hourly rates and salaries for employees are considered direct labor costs, indirect labor costs such as workers compensation, insurance and benefits, taxes, and other overhead costs fall under the umbrella of labor burden. Generally, labor rates are presented as an hourly rate and labor burden is expressed as a percentage. Both direct and indirect labor costs are permissible to be included as line items in proposals, however, each have an alternative method of calculating their totals.

Direct labor costs are calculated by multiplying work hours proposed by a specified hourly rate. Hourly rates may vary depending on the type of specialty or trade. The proposed labor burden percentage is then multiplied by the total direct labor costs. Labor burden and direct labor totals are then added to determine the total labor cost of a proposed project or change in work.

Overhead and Profit

Current construction contract documents utilized by the District require that any changes necessary to complete a project must be accompanied by an approved CAEA. The CAEA proposal process differs as it uses the cost-plus pricing model. Line items for labor, both direct and indirect, materials, and equipment are detailed and itemized by the amounts to be reimbursed by the District at actual costs. To determine a proposal's overhead and profit, contractors add labor, material, and equipment actual costs and multiply the total by the allowable overhead and profit percentage stated in the contract. The 2020 bond program contracts state that overhead and profit should not exceed ten percent unless the work is performed by a third-tier subcontractor. If performed by a third-tier subcontractor, four percent may be added.

Applications for Payment

GCs submit applications for payment to the A/E and PMF on AIA Form G702, *Application and Certification for Payment* (Form G702), and AIA Form G703, *Continuation Sheet* (Form G703). However, only the A/E is required to sign form G702 certifying the information is accurate, work has progressed as indicated, and the quality of the work is in accordance with the contract documents. Form G702 provides a summary of the total amount due for the period. Form G703 provides a detailed breakdown of the contract sum, outlining the cost of each work item and its progress. GCs must have Form G702 notarized before submission to the A/E and PMF. The A/E has seven days to approve or reject all or any part of the Application for Payment. After approval, the A/E provides the District and PMF with a Certificate for Payment for review and approval. The District has 30 days after receiving the Certificate for Payment to pay the undisputed amount certified by the A/E.

Project Closeout

Project closeout refers to the final phase of a project where all outstanding tasks, documentation,

and issues are resolved, and the completed project is formally handed over to the District, ensuring compliance and readiness for use and occupancy. GCs must complete the General Contractor Closeout Checklist to ensure all required certificates, documents, manuals, training, permits, warranties, etc. have been completed and provided to the District. Key elements include substantial completion, punch list, and final completion, among others.

Substantial completion is the point where the District and the GC agree that the building is ready for its intended use, even if minor tasks remain. The substantial completion date is established in the contract documents. A change order approved by the Board is required to change the substantial completion date to a future date. Substantial completion is certified by the A/E in AIA Form G704, *Certificate of Substantial Completion*.

The punch list is a list of outstanding items that need to be completed before the project is considered finished.

Final completion means actual completion of the project, including any extras or change orders reasonably required or contemplated under the contract document. Final completion must be achieved within 60 days of the original or extended substantial completion date. To achieve final completion, GCs notify the A/E that the project is ready for final inspection and acceptance. The A/E and PMF inspect the project and if they find the work acceptable under the contract documents and the contract is fully performed, they issue a Certificate of Final Completion and a Final Certificate for Payment. Certifying to the District that the project has been completed in accordance with the terms and conditions of the contract documents. A project is finalized after the Board accepts completion of work and authorizes the final payment to the GC.

Scope

The audit period included activity and transactions occurring in fiscal year 2024-2025.

Objective

The objective of the audit is to continuously review transactions for the District's bond program construction projects. Primarily for projects procured using the CSP and JOC procurement methods.

Methodology

CAEA Testing

To determine if CAEAs were properly supported, reviewed, authorized, and accurate, auditors obtained a list of CAEAs approved from July 1, 2024, through June 30, 2025. The list contained 911 CAEA's totaling \$19,554,286 from 77 projects. Auditors selected a sample of 42 CAEA's totaling \$4,546,347 from 33 projects. Auditors selected CAEAs valued over \$25,000 and made sure all PMFs were represented. For each of the sample auditors performed the following:

1. Verified the CAEA was properly retained and stored in the District's shared drive.
No observations noted; however, results were communicated to management for review.
2. Verified CAEA forms were initialed and signed by the GC, A/E, PMF, Construction Services' Executive Director, and District Contract Manager.

No observations noted; however, results were communicated to management for review.

3. Verified the following supporting documents were attached to the CAEA form:
 - a. GC proposal.
 - b. Subcontractor proposal.
 - c. Sub-Contractor Labor / Material / Equipment Cost Breakdown sheet.No observations noted; however, results were communicated to management for review.
4. Recalculated the itemized labor, material, and equipment costs in the Sub-Contractor Labor / Material / Equipment Cost Breakdown sheet.
No observations noted; however, results were communicated to management for review.
5. Recalculated labor burden charges in the Sub-Contractor Labor / Material / Equipment Cost Breakdown sheet and verified the labor burden percentage was multiplied by the total direct labor cost.
No observations were noted.
6. Recalculated overhead and profit charges in the Sub-Contractor Labor / Material / Equipment Cost Breakdown sheet and verified the overhead and profit percent did not exceed the rates established in the contract.
No observations were noted.
7. Compared explanation of changes on the CAEA to the original scope of work to verify changes were not material or out of scope, requiring the use of an approved change order.
No observations were noted.

Applications for Payment Testing

To determine if payments were properly supported, reviewed, authorized, and accurate, auditors obtained a list of applications for payments approved from July 1, 2024, through June 30, 2025. The list contained 489 applications for payment totaling \$386,193,209 from 87 projects. Auditors selected a sample of 42 applications for payment totaling \$55,603,712 from 37 projects, ensuring all PMFs were represented. Auditors performed the following:

1. Auditors verified the following documents were attached to the application for payment:
 - a. General Contractors Invoice/Pay Application Cover Sheet.
 - b. GC Application for Payment Review & Sign-Off checklist.
 - c. AIA Form G702, *Application and Certification for Payment*.
 - d. AIA Form G703, *Continuation Sheet*.
 - e. CAEAs approved during the period.
 - f. Credit Authorization / Expenditure Logs approved during the period.
 - g. Compliance Audit Summary Page.
 - h. Photos of the work completed during the period.No observations noted; however, results were communicated to management for review.
2. Verified the General Contractors Invoice/Pay Application Cover Sheet was reviewed and approved by a District and PMF representative.
No observations noted; however, results were communicated to management for review.
3. To verify the payment was accurate, auditors performed the following:
 - a. Recalculated the amount billed, the retainage amount, and net payment.

- b. Verified the net payment matched the current payment due amount in Form G702.
- c. Verified the amount billed matched the amount for work completed during the period in Form G703.

No observations were noted.

- 4. Verified the application for payment was submitted, approved, and paid in accordance with the contract terms.

No observations were noted.

Project Closeouts Testing

To determine if project closeouts were conducted in accordance with contract requirements and District policies and procedures, auditors obtained a list of project closeouts completed from July 1, 2024, through June 30, 2025, noting 12 projects were completed. Auditors performed the following for all 12 projects:

- 1. Verified that substantial completion was achieved in accordance with the contract terms comparing the substantial completion date in the AIA Form G704, *Certificate of Substantial Completion* to the substantial completion date established in the project's AIA Document A101, *Standard Form of Agreement Between Owner and Contractor* or change order extending the substantial completion date for the project.
No observations were noted.
- 2. Verified any changes made to substantial completion dates were approved by the Board.
No observations were noted.
- 3. Verified any claims submitted were within the required 14 calendar days of first occurrence of an event or notice of first occurrence of an event and supported by a Notice of Claim.
No observations were noted.
- 4. Verified District response times to claims were within the 10-day window of claim submittal.
No observations were noted.
- 5. Verified the A/E submitted the Certificate of Final Completion prior to the final payment and Board acceptance and approval of the project.
No observations were noted.
- 6. Verified all sections of the General Contractor Project Close-out Checklist were completed and the checklist was signed by the GC, A/E, PMF, and District Representative prior to the Board's acceptance of the project.
No observations were noted.

JOC Testing

To determine if JOC projects were authorized and managed in accordance with contract terms and District policies and procedures, auditors obtained a list of purchase orders approved for JOC projects from July 1, 2024, through June 30, 2025, noting four projects during the time period totaling \$4,822,175. Auditors performed the following for all four projects:

- 1. Reviewed contract documentation and verified each project was supported with the following:

- a. Statement of Work for Awarded Suppliers – Construction Services document from the 2020 Bond Program
- b. Scope of Work document signed by District and vendor representatives
- c. Job Order Authorization form signed by a District representative
- d. Price Proposal Detail LEM No Comments Package Report

No observations noted; however, results were communicated to management for review.

2. Verified price proposal amounts were accurate by recalculating the following categories submitted on the detailed price proposal summary page:
 - a. Labor
 - b. Equipment
 - c. Material
 - d. Non-Pre-Priced Items (NPP)
 - e. Demo

No observations were noted.

3. Verified the vendor's project price proposal matched the pricing submitted and awarded on the bid.

No observations were noted.

The primary criteria used for this audit were:

1. American Institute of Architects (AIA) Document A101 – 2017, version March 25, 2022.
2. AIA Document A201 – 2017, version October 27, 2022.
3. Dallas ISD Policy – CV (LOCAL), *Facilities Construction*, dated June 3, 2022
4. Dallas ISD Policy – CVF (LOCAL), *Facilities Construction: Job Order Contracts*, dated June 22, 2021.

Results

Auditors obtained reasonable assurance that controls are in place and functioning as intended. As a result, no formal observations were identified. OIA will continue to assist Construction Services by reviewing CAEAs, payment applications, project closeouts, and JOC proposals on a continuous basis.

Conclusion

Overall, Construction Services has designed and continues to enhance their processes for the management and execution of bond funded projects procured using the CSP and JOC methods.

We would like to thank Construction Services and the PMFs for their cooperation and assistance with this audit.

The audit was conducted in conformance with the Institute of Internal Auditors' *Global Internal Audit Standards*. Those standards require OIA to plan and perform the audit to obtain sufficient, reliable, and relevant evidence to provide a reasonable basis for our observations and conclusions based on our audit objectives. OIA believes the evidence obtained provides a reasonable basis for our observations and conclusions based on our audit objectives.

Respectfully submitted,

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Acknowledgments:

Eva Narten, CPA, CIA, CISA, Deputy Chief, Internal Audit
Shelly Kelley, CPA, Audit Director
Sam Willson, CFE, Audit Manager
Enrique Fuentes Lazzarini, CFE, Auditor II