

Bond Performance Audit Tracker
 Status of Performance Audit Recommendations
 February 2023 - BAC Report

2018: FHS/RHS Construction Audits Controls Recommendations				
Bond Year	#	Abbreviated Recommendation	Response	Status
2012	1	Require documented review and approval of all agreed upon self-performed work cost and pricing. Where insufficient competitive bidding is available for establishment of self-performed subcontract price: a) obtain independent cost analysis to support self-performed work pricing and negotiate a fair and reasonable price and/or b) price lump-sum work on a not-to-exceed cost reimbursable basis on future projects. Obtain self-performed work subcontracts to better establish self-performed work scope, pricing and payment terms. [FHS #12]	Completed	Complete
2012	2	Require visibility and reconciliation of project management systems and accounting systems of record utilized for project cost accounting and subcontractor payments. [FHS #13]	Concur with comment	Complete
2012	3a	Perform quarterly review of project change order files for application of expected cost analysis and related approval requirements. [FHS #14]	Concur with comment	Complete
2012	3b	Add approval controls designed to prevent proceeding with work prior to full vetting of project design along with related budget. Verify architect progress against key milestones to help ensure timely and complete project work scope inclusion in plans. To prevent untimely and expensive owner-directed changes, require further approval controls for work scope modification. [FHS #14]	Completed	Complete
2012	4	To strengthen existing District controls over system information integrity and consistent with good payment application approval control practices, prior to each payment require eBuilder to include monthly secondary review of the reconciliation between District electronic records to Contractor cumulative payment application contract totals, commitments and costs incurred. [FHS #15, RHS #12]	Concur	Complete
2012	5	Require consistent and compliant application of contract rates to deduct change orders. [FHS #16]	Concur	Complete
2012	6	On future projects, require contractors to identify and account for changes by contract line item and in compliance with contract requirements. Require maintenance of an allowance log that specifies budget as included under the GMP schedule of values, cost support for proposed uses of allowance amounts, approved allowance amounts used along with approval documentation by project allowance item. [FHS #17, RHS #13]	Concur	Complete
2012	7	Verify application of the contractual requirement for fixed fee calculation. [FHS #18]	Concur	Complete
2012	8	For future projects, add approval controls designed to prevent proceeding with work prior to full vetting of project design, along with related budget and to reduce owner-directed changes, where possible. [RHS #10]	Completed	Complete
2012	9	Implement construction program oversight controls to document verification of independent cost analysis performed on self-performed work procurements, when District competitive bidding procedures are not applied. [RHS #11]	Completed	Complete
2012	10	District project management personnel should require visibility, timely access and sign-off on work cost application applied by the Contractor. [RHS #14]	Concur with comment	Complete

<u>Audit Year</u>	<u>Summary of Recommendations</u>	<u>Percent Completed</u>
2018	11 Recommendations, 11 completed	100% Completed
	<u>Recommendations Marked as Complete Since Last Reporting</u>	
2018	5	This audit observation noted change order mark-ups had not been applied consistently to deductive changes. OSM has developed a Standard Operating Procedure for change requests that directs staff to review this issue as part of project review and approval of change orders.

THIS AUDIT YEAR'S RECOMMENDATIONS ARE COMPLETE AND THIS PAGE WILL BE REMOVED FROM FUTURE REPORTS.

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2019 Phase 2 Bond Performance Audit Recommendations				
Bond Year	#	Abbreviated Recommendation	Response	Status
2017	1	Develop a written plan for establishing and prioritizing corrective actions needed to address project delivery issues related to change orders, contractor invoices, and other recommendation noted in prior audits of 2012 Bond projects.	Concur	Complete
2017	2	Develop a written plan or strategy for identifying and incorporating additional funding options if future bond funds are not available and regularly communicate and discuss progress with the Board and Bond Accountability Committee	Complete	Complete
2017	3	Ensure cost estimates are fully documented with underlying support and rationale used for soft costs and FF&E - in addition to other cost components - including variations or deviations from stated methodology.	Concur	Complete
2017	4	Implement the new cash flow planning process as intended at the start of the Fiscal Year 2019-2020, and update cash flows regularly.	Concur w/ comment	Complete
2017	5	Immediately allocate and concentrate efforts on completing the overdue Fiscal Year 2018-2019 reconciliations between e-Builder construction management system and the PeopleSoft financial system, as well as ensure future reconciliations are regularly performed in a timely manner	Concur	Complete
2017	6	Update and re-issue the PMP, in addition to individual school PTMPs, as well as consider developing quick tools, guides, and checklists to help project teams implement the protocols identified in the PMP and PTMPs.	Concur	Complete
2017	7	Formally communicate, clarify and train OSM project teams and individuals involved with project delivery on existing document management protocols including requirements and expectations for usage.	Concur	Working
2017	8	Standardize design deviation logs by identifying consistent information to be maintained for each project and ensure approvals are documented	Concur w/ comment	Complete
2017	9	Establish a tracking mechanism to store proposed changes to Ed Specs and Design Standards in an accessible location	Concur w/ comment	Complete
2017	10	Supplement the "Decision Making Hierarchy" process with written guidance on what decisions to bring forward and elevate beyond the project team as well as train project teams on standard practice for value engineering deviations - as well as Ed Spec and Design Standard deviations	Concur w/ comment	Working
2017	11	Better document lessons learned by: categorizing lessons learned log items into separate subcategory section allowing project managers to more easily identify relevant items; and summarizing lessons learned and regularly distribute or discuss items with project teams.	Concur	Complete

<u>Audit Year</u>	<u>Summary of Recommendations</u>	<u>Percent Completed</u>
2019 Ph 2	11 Recommendations, 9 completed	82% Completed

Status Notes on Recommendations Not Completed

2019 Ph 2	7	OSM has ordered and distributed PPS computer equipment for all non-PPS staff and requires that all PPS-related work be performed on PPS equipment utilizing PPS document management systems. A working group of staff and program management was convened to develop revised file naming and document management systems. A new file naming convention has been implemented. Folder structure revisions are under discussion.
2019 Ph 2	10	OSM is developing decision examples and working with project staff to identify inconsistencies or questions that will need to be addressed by the guidance.

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2020 Bond Performance Audit Recommendations				
Bond Year	#	Abbreviated Recommendation	Response	Status
2017	1	Provide the Board an analysis discussing implications if voters do not approve the November 2020 Bond on the Benson High School Project, in particular, as well as other 2017 Bond projects, as appropriate. At the minimum, this analysis should provide cash flow projections for the Benson High School project, and deliberate on the effects of a full faith and credit loan option to ensure the Board can make informed decisions going forward.	Nonconcur	Complete
2017	2	Implement plans to ensure project team members have needed access to e-Builder and that key non-PPS employees in critical project roles have computers to access project information.	Completed	Complete
2017	3	Revisit systems and tools used on a go-forward basis for capturing H&S project expenditure and status data to be able to more efficiently generate reliable data to address H&S project status reporting needs to oversight bodies and the public.	Concur with Comment	Complete
2017	4	Complete the development of the interactive map tool and ensure the map is supplemented with summary information about the H&S program. At the minimum, the public information should provide common data from each H&S category in a standardized format that provides easy tracking of current budget, schedule, status, and delivery plans in relation to initial Bond plans.	Concur	Complete
2017	5	Require and maintain more consistent documentation associated with the review of price proposals or quotes from construction contractors related to change orders through means such as incorporating project team notes, uploading negotiations in email correspondence, or marked-up price proposals, into the e-Builder system to provide evidence of OSM's due diligence in reviewing contractor change order prices.	Concur	Complete
2017	6	Prohibit contractors to perform any work for the district until a fully executed contract is in place or a formal written authorization is provided to allow for pre-contract execution work to start.	Concur with Comment	Complete
2017	7	Conduct a post-project completion analysis for the Madison and Lincoln High School projects to evaluate benefits and challenges of the CM/GC delivery method overall, as well as specific aspects such as timing of Guarantee Maximum Price (GMP) contract amendments, and make process changes as warranted. The evaluation should consider components suggested by ORS279.103 and provide a comparison of actual project cost against original project estimates, change order number, value and type, as well as descriptions of success and failures during design and construction.	Concur with Comment	Working
2017	8	Memorialize and discuss underlying rationale and decisions related to the timing of GMP negotiations with the Bond Accountability Committee, and present to the Board for future CM/GC GMP contract amendments as appropriate.	Concur with Comment	Complete
2017	9	Clarify and incorporate language in CM/GC contracts, as appropriate, related to contractor financial records in accordance with generally accepted accounting principles.	Concur	Complete
2017	10	Address inconsistencies between the contract for architect/engineer services and the CM/GC contract for construction services related to the timing of reconciled cost estimates for future projects by ensuring that the same deliverable milestones are included in both contracts.	Concur	Complete
2017	11	Evaluate payment terms and conditions for all H&S low-bid lump-sum contracts to ensure consistency between procurement documents, contract language, and actual payment process practices.	Concur	Working

<u>Audit Year</u>	<u>Summary of Recommendations</u>	<u>Percent Completed</u>
2020	11 Recommendations, 9 completed	82% Completed

Recommendations Marked as **Complete** Since Last Reporting

2020	5	Through additional training, staff has improved their attachment of change order review materials to provide documentation of their change order analysis and recommendations. OSM has also now developed a Standard Operating Procedure for change requests that directs staff to include documentation as part of project review and approval of change orders.
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Recommendations Marked as **Complete** Since Last Reporting

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| 2020 | 8 | GMP timing for the Jefferson HS Modernization project was presented to the Bond Accountability Committee (BAC) for discussion on 10/5/2022, and reported to the Board as part of the BAC and OSM Quarterly Updates to the Facilities & Operations Committee on 12/14/2022. There are no other CM/GC projects currently scheduled and/or funded with existing bond funds, but future projects will continue to have GMP timing explicitly discussed with the BAC. |
| 2020 | 10 | The CM/GC contract template language regarding timing of reconciled cost estimates has been updated to align with language in the architect/engineer services contract template. |

Status Notes on Recommendations Not Completed

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| 2020 | 7 | Post-project analysis of the Madison and Lincoln High School CM/GC contracts is already required by Portland Public Schools Public Contracting Rules for contracts procured through an alternative delivery method, following the requirements of ORS 279C. However, this analysis cannot be completed until after the later of the date of final payment or the date of final completion. As such, this recommendation will not be able to be resolved until 2024 at the earliest for the Lincoln project. The Madison (McDaniel) project has recently closed out its CM/GC contract and is commencing the post-project analysis. |
| 2020 | 11 | Staff are reviewing H&S contract templates to determine if additional templates are needed to accommodate all industry-standard payment practices. |

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2021 Bond Performance Audit Recommendations				
Bond Year	#	Abbreviated Recommendation	Response	Status
2017	1	The PPS Board should revisit its Equity in Public Purchasing and Contracting ("EPPC") Policy to clarify and define the District's vision, goals, and commitment to business equity. This should include reassessing the overall intent, determining how equity is characterized, and expanding on what attainment of business equity goals for the District should entail.	Concur with Comment	Working
2017	2	Further develop the Board's overarching vision into more succinct measurable subgoals or objectives, support new goal setting defensible data, and define qualitative and quantitative metrics to measure against new goals.	Concur	Working
2017	3	Conduct a cost-benefit analysis of available business equity strategies, such as those outlined in this report, and include considerations such as long-term versus short-term strategies, direct versus intangible "investment" type strategies, and unintended consequences.	Concur	Working
2017	4	Develop tools and protocols to capture outcomes of chosen equity strategies, and validate outcome data accuracy.	Concur with Comment	Working
2017	5	Create protocols to expand on existing business equity annual reporting to include an assessment of whether annual equity outcomes realized meet the intent of the EPPC Policy and goals of the Administrative Directive, or if modification to the portfolio of equity strategies is warranted, and based on results, adjust strategies as necessary.	Concur	Working
2017	6	Develop and formalize operating procedures to define the roles, responsibilities and expectations of PPS staff specific to managing contractor and consultant business equity compliance, reporting on outcomes, and coordinating efforts to bolster PPS' presence and visibility in the certified business community.	Concur	Complete
2017	7	Provide context and explanation of nuances and limitations of B2GNow data in presentations and reports to the Board and the Bond Accountability Committee.	Concur	Complete
2017	8	Develop a PPS-led training to provide new and existing contractors and consultants guidance on equity reporting requirements and expectations; and provide refreshers on training materials on an established schedule over the course of the contract duration.	Concur with Comment	Working
2017	9	Conduct a review to explore system capabilities, functions, and reports with the B2GNow vendor that could enhance PPS' management of business equity efforts.	Concur	Complete
2017	10	Develop new and strengthen existing protocols for capturing institutional knowledge currently held by one OSM staff member to ensure information and processes about Bond Communication efforts is retained with PPS. Protocols could include establishing key policies and procedures, cross-training staff on communication activities and knowledge, creating a resource library, and providing data sources, timestamps, "as of" dates, and follow-up contact information, as appropriate.	Concur	Complete

<u>Audit Year</u>	<u>Summary of Recommendations</u>	<u>Percent Completed</u>
2021	10 Recommendations, 4 completed	40% Completed
	<u>Recommendations Marked as Complete Since Last Reporting</u>	
2021	6 A living document has been developed to formalize roles and responsibilities of staff and vendors regarding business equity-related procedures and reporting. The document has been shared with all OSM and P&C staff.	
2021	9 Staff have have thoroughly explored and documented all current system capabilities, functions and reports. Documentation is now available for future use.	

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Status Notes on Recommendations Not Completed

2021	1	<p>Policy updates are scheduled by the Board and are therefore subject to the Board’s timeline. The Board has recently expressed interest in reviewing policy in this area and staff awaits further direction.</p>
2021	2	<p>As an initial step, staff have begun working on new focus areas in reporting, in addition to total amount paid to Certified Businesses. These new focus areas include: number of firms and number of unique Certified Businesses utilized at prime and sub level; number of Certified Businesses that access bid documents, number that bid, and percent awarded; and percentage of total prime contract awards going to Certified Businesses. A new Certified Business Program Manager has recently been hired by OSM to help with implementation efforts of this recommendation.</p>
2021	3	<p>This recommendation is under review by the AIT. It is anticipated this will be developed as part of an annual business equity review and reporting cycle. Staff are working on developing the components, scope and schedule of this new annual review. A new Certified Business Program Manager has recently been hired by OSM to help with implementation efforts of this recommendation.</p>
2021	4	<p>This recommendation is under review by the AIT. As noted in the Draft Report, it can be difficult to find a direct correlation between “how a particular strategy employed results in increased or decreased utilization rates.” Staff will look to develop tools to capture outcomes, with the understanding that not all outcomes may be able to be directly attributed to chosen equity strategies. A new Certified Business Program Manager has recently been hired by OSM to help with implementation efforts of this recommendation.</p>
2021	5	<p>This recommendation is under review by the AIT. Staff agrees that an annual review of business equity strategies, and plan of changed or new strategies for the upcoming year, would allow for a more structured framework in which to identify potential changes or new strategies, develop cost-benefit analyses, and collect and analyze outcome data. Staff are working on developing the components, scope and schedule of this new annual review. A new Certified Business Program Manager has recently been hired by OSM to help with implementation efforts of this recommendation.</p>
2021	8	<p>Staff concur with this recommendation but have not been able to implement previously due to lack of staff resources. A new Certified Business Program Manager has recently been hired by OSM to help with implementation efforts of this recommendation. Staff have begun collecting all prior written training materials to assess additional needs.</p>