



Office of the City Auditor and Clerk

Construction Contract Oversight: Sarasota Police Department Headquarters Building

Detailed Audit Report

Audit # EX 10-04

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Background and Introduction

In 2006, City of Sarasota residents approved a bond referendum for \$50 million to finance a new Sarasota Police Department (SPD) headquarters building. In 2007, the City issued General Obligation Bonds in the amount of \$46,305,000 to fund the design and construction of the building, which would replace the current police headquarters.

The new building went through two design iterations. The original design was a four-story building that included shared parking with Sarasota County in a connecting parking garage. However, due to timing uncertainty of the availability of nearby parking facilities, the building was redesigned as a slimmer, six-story building that would include parking on the three bottom floors of the building. The slimmer structure required the Architect to redesign the building in order to better recognize operational efficiencies. The end result is a building that is approximately 100,000 square feet, includes about 200 parking spaces for police department staff, provides a community meeting room for citizens, and is expected to act as the City's Emergency Operations Center in the future.

In order to design, build, and manage this construction project, the City of Sarasota let three major contracts to an Architect, a Construction Manager, and an Owner's Representative.

Contract costs for the main three vendors were as follows as of the end of audit testing (October 29, 2010):

Owner's Representative: Project Development International (PDI)	
Original Contract	\$ 570,000.00
Amendment 1- <i>(LEED certification services)</i>	\$ 309,500.00
Change Order¹ - <i>(Unspecified additional services)</i>	\$ 75,300.00
Total Adjusted Contract Price <i>(includes change orders executed as of 10/29/10)</i>	\$ 954,800.00
Total % Change from Original Contract Price	68%

Architect: Architects Design Group (ADG)	
Original Contract	\$ 2,810,675.00
Amendment 1- <i>(Integrate three levels of parking; update to schematic design)</i>	\$ 450,724.00
Amendment 2- <i>(Design changes for curtain wall; include fiber optics and timeclocks)</i>	\$ 13,022.00
Amendment 3- <i>(Modifications to add shell spaces)</i>	\$ 25,500.00
Amendment 4² - <i>(Lobby and gym redesign; modifications to security; additional storage closets)</i>	\$ 35,160.00
Total Adjusted Contract Price <i>(includes change orders executed as of 10/29/10)</i>	\$ 3,335,081.00
Total % Change from Original Contract Price	19%

Construction Manager: Kraft Construction Company	
Original Contract	\$ 150,000.00
Amendment 1- <i>GMP (for purposes of % change calculation, this is being totaled with the original contract amount)</i>	\$ 33,677,129.00
Total Deductive Change Orders <i>(direct purchase of materials)</i>	\$ (7,238,548.84)
Total Increase Change Orders <i>(changes in work)</i>	\$ 1,046,977.77
Total Adjusted Contract Price <i>(includes change orders executed as of 10/29/10)</i>	\$ 27,635,557.93
Total % Change from Original Contract Price	(18%)

¹ This change order extended scope of services and granted a time extension. It is the auditor's opinion that this should have been approved by the City Commission as a contract amendment.

² Amendment 4 to the Architect's contract was not appropriately approved by the City Commission as it did not appear on the City Commission Meeting Agenda for approval. See [Exhibit B](#) for more information.

In addition to the three major contracts the total project included other costs including demolition of the current building, purchase of land, purchase of furniture, etc.

Ground breaking for the new building was on October 10, 2008 and the Certificate of Occupancy was issued July 29, 2010.

Purpose

This audit was performed to ensure that appropriate internal controls were in place for contract management oversight for the new SPD headquarters building. This audit was not originally included as part of Internal Audit's 2010-2012 Audit Schedule; however, due to the high-risk nature of construction projects and because it is one of the most expensive capital projects undertaken by the City in years, Internal Audit amended the schedule to include this audit.

Scope

This was an audit of contract oversight operations which included a review of construction and design contracts pertaining to the SPD headquarters building, change orders and supporting documents, applicable City ordinances, project management documents and reports, and invoice and payment documents. The auditor also interviewed several individuals involved in the project. The period audited was November 1, 2006 to October 29, 2010.

In order to avoid duplication of efforts, the auditor performed limited testing of accuracy of financial documents as the Owner's Representative was contracted to perform a financial project cost audit of all expenses, including invoices provided by subcontractors. The project cost audit report was not yet available for the auditor to review as of the end of audit testing.

Audit Objective

This audit focused on the following objective:

Determine whether contract management oversight controls were in place and functioning as intended pertaining to the SPD headquarters building construction/design, specifically related to:

- I. Contract Administration and Monitoring
- II. Change Management Processes
- III. Appropriate Personnel for Project Management
- IV. Invoice Review and Approval Processes

Audit Standards

The auditor conducted this audit in accordance with generally accepted government auditing standards. Those standards require that the auditor plan and perform the audit to provide a reasonable basis for findings and conclusions based on audit objectives. The auditor believes that the evidence obtained provides a reasonable basis for findings and conclusions based on the audit objectives.

The Internal Audit Division plans on having a peer review within the next two years by the Institute of Internal Auditors (IIA). While the Internal Audit Division strives to follow the guidance included in the IIA's International Professional Practices Framework, the *Standards* do not allow the department to

note that the department is in accordance with IIA *Standards* until the peer review indicates such compliance.

Testing Methodology

To achieve the audit objective, the auditor:

- Reviewed the City's contracts and contract amendments with the Architect, Construction Manager, and Owner's Representative.
- Interviewed various project team members to obtain information concerning roles and responsibilities during the project and controls associated with contract oversight.
- Reviewed the project oversight structure, monitoring and communication processes, and tools utilized by the Project Manager to ensure that project progress was adequately tracked and overseen.
- Analyzed relevant reports, project schedules, and other project documents, and reviewed change orders and invoices to determine process flow and compliance with City rules and regulations and contract specifications.
- Identified and assessed key controls over contract oversight including those related to monitoring processes, approval processes, change management, and payment processes.
- Reviewed personnel qualifications for the City's Project Manager to ensure adequate expertise and knowledge and interviewed members of SPD to ensure that, as end-users, their needs and resource requirements were taken into consideration.

Audit Conclusions

Statements on the status of each audit objective component are noted below. Relevant exceptions to compliance and effective contract administration are noted in the Audit Observations and Recommendations section of this report.

Ratings were applied to each component of the audit objective to provide management with an indication of the auditor’s opinion of controls for each at the time of the audit. Definitions are as follows:

Auditor Rating	Rating Definition
Commendation	Project management is clearly defined, organized, monitored, and controlled to meet project objectives. Good practices have been identified to utilize in other projects.
Satisfactory	Defined project management process is in place and the project scope is in line with objectives. Project meets time and budget constraints and project team member skills match the project needs.
Adequate/ Fair	Basic project management processes are in place so that the project objectives are met. Time and budget constraints are mostly adhered to, but there may be some minor exceptions. Project team members have skills to advance the project so that project results are generally in line with objectives.
Weak	Project management processes may be defined, but are not properly applied or followed. Project scope is not in line with project objectives. Project team members do not possess adequate skills, which may result in poor organization, time delays, and cost overruns.
Seriously Deficient	There are no defined project management processes for planning, organizing, monitoring, or controlling the project. Time delays and/or cost overruns are excessive. The project team members do not have any skills related to the project. Project does not meet its intended objectives.

Internal Audit determined through fieldwork and testing:

I. Contract Administration and Monitoring

There is evidence that some controls associated with contract administration and monitoring were in place after a Project Manager was assigned to the project. There are opportunities for improvement in this area, which may assist in managing future projects of this type.

Controls associated with contract administration and monitoring were determined to be adequate/ fair, as the City also hired an Owner’s Representative to perform some administration functions.

The Project Manager lacked standard tools for contract oversight and did not document the performance of the vendors; reliance for monitoring was placed upon the vendors to provide information concerning project status, progress, and performance. However, there is evidence to suggest that the Project Manager was diligent in his communications and correspondence to resolve issues.

A review of the Construction Manager's schedule and monthly reports revealed that the project was on-time and met budget expectations throughout most of construction. Minor exceptions to the Construction Manager's June 8, 2010 schedule were noted at the end of the project:

- Substantial completion occurred nine days later than expected, and
- Final completion (includes a final payment to the Construction Manager) had not yet occurred as of the end of audit testing (originally expected to occur on July 13, 2010).

Although the new building has opened to the public and SPD staff has relocated, a number of design and functionality issues have surfaced since the time of opening which continue to be addressed by the project team. Some cost estimates have been obtained from subcontractors to remedy these issues, while costs are unknown for other issues. These issues have been included as part of this audit report as there is a possibility that they will impact the final project cost. As of the end of audit testing, significant issues included:

- Flat paint on walls- touching the walls results in scuff marks; attempts to clean scuff marks resulted in paint removal; Owner's Representative recommended repainting prior to moving SPD staff into building. ***Estimated Cost to Resolve: \$50,000***

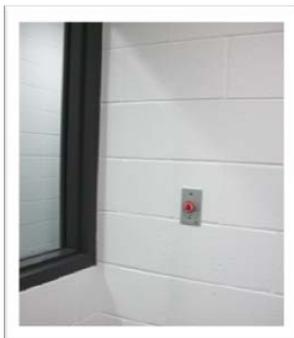


Scuff marks on paint



Scuff marks on paint

- Sound from chillers exceeds that allowed by the City's noise ordinance³ (**Exhibit D**)- complaints have been received from people on tennis courts across the street. ***Estimated Cost to Resolve: \$30,227***
- Air ventilation issues- loud whistling noises echo through hallways; problems with doors not closing properly which leads to breaches in security. ***Estimated Cost to Resolve: Unknown***
- Electrical outlets, panic buttons, temperature controls- for prisoner safety, rooms should not be used until these items are removed. ***Estimated Cost to Resolve: Unknown***



Exposed panic button in 1st floor holding room



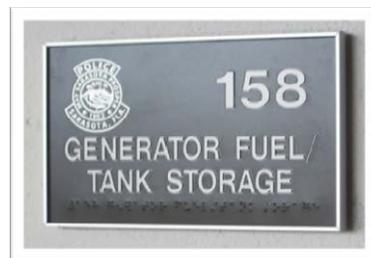
Exposed controls and sockets in 4th floor interview room



Upside-down and unsealed socket in 4th floor interview room hallway

³ Chapter 20, Sarasota City Code. Specific reference to Section 20-5(b)(2), Sarasota City Code regarding sound regulations.

- Interview rooms were not designed to be completely soundproof- should be corrected before rooms are used as the final SPD design review notes dated July 9, 2008 states that rooms must be soundproof. ***Estimated Cost to Resolve: Unknown***
- Several issues with hot/cold water in building; toilet flushing issues; no water in dog kennels; someone was injured in shower as a result of water container missing from at least one shower. ***Estimated Cost to Resolve: Unknown***
- Significant roof leak in Chief's Office noted after a rainstorm (estimated to be 3 feet by 3 feet)- the building is expected to be used as the City's Emergency Operations Center and was supposedly built to withstand a Category 5 hurricane.
- Slope in floor grading in Chief's Administrative Assistant's Office- file cabinets slope in towards each other. ***Estimated Cost to Resolve: Unknown***
- Fuel tank is non-compliant with County standards- numerous major violations were noted including plumbing leaks, missing valve parts, and a non-functioning alarm system. ***Estimated Cost to Resolve: Unknown***



Non-compliant 7,500 gallon fuel tank

II. Change Management Processes

Controls associated with change management, specifically regarding approvals, were not in place and functioning as intended during the time of the audit which resulted in non-compliance with City purchasing rules.

Controls associated with the change management process for this project were determined to be weak.

The auditor noted that change management procedures existed and were communicated to project team members early in the project. The procedures laid out a process for initiating and processing change orders and appropriately specified that City Commission approval was needed for certain dollar thresholds. However, the change management process was determined to be weak because the established approval/ authorization process was not followed.

At the end of audit testing, there were a total of 53 change orders to the project. The majority of the change orders were deductive, which had the effect of reducing the Construction Manager's total Guaranteed Maximum Price (GMP), due to the City's direct purchase of materials.

Six change orders that increased the Construction Manager’s contract amount are listed in the table below. The cost and elapsed time for approvals for each of those change orders is noted.

Change Order #	Change Order Amount	Brief Description	Date of Earliest Notice to Contractor to Proceed with Work	Date of City Commission Approval ⁴	Elapsed Time from Notice to Proceed until City Commission Approval
46	\$195,297.76	Various changes to building (electrical outlets, HVAC system, security changes, evidence lockers, etc)	April 23, 2009	City Manager approved on 2/23/10, but this should have been approved by City Commission. Appears a portion of this (\$120k) may have been presented at the May 3, 2010 meeting.	375 days until a portion of this change order was presented to City Commission.
49	\$172,977.98	Build out of shell spaces	December 10, 2009	May 3, 2010*	144 days
50	\$16,153	Modifications to room on sixth floor to accommodate physical fitness equipment in gym- electrical and floor covering changes	May 26, 2010	May 3, 2010*	N/A- evidence suggests work appropriately commenced after approval.
51	\$498,102.27	Relocation of the security/ reception desk and modifications to the locker rooms (adding lockers)	January 20, 2010	May 3, 2010*	103 days
52	\$30,226.49	Install sound insulation panels on chillers to diminish elevated sound levels heard in areas adjoining the new Police Headquarters building	N/A- work had not yet occurred as of end of audit testing	Purchasing Manager indicated this was not included in the amount approved on May 3, 2010 and that this was expected to go to the City Commission in an upcoming meeting.	N/A
53	\$136,314	Substitution of Kalwall system to Kawneer system	December 10, 2009	May 3, 2010*	144 days

* The auditor was informed that the majority of the change orders in the table were approved through a combined request to the City Commission in their regular meeting of May 3, 2010; the total approved change order amount was not-to-exceed \$1,133,000. **Staff indicated to the auditor which change orders were approved May 3; the auditor was unable to independently confirm all of the change orders that were included in the \$1,133,000 approved total as staff was unable to provide documentation outlining the itemized expenses that comprised this amount. See Exhibit C for more information.**

III. Appropriate Personnel for Project Management

While the Project Manager has worked for the City of Sarasota for over 20 years and has experience with other capital projects including the Mooring Field Project, his personnel file lacked evidence of formal education and training for management of construction projects of this type; during his tenure with the City, his area of expertise has been in storm water drainage issues and related projects. Although he appeared to possess adequate knowledge of general construction concepts as noted through discussions, it was less evident that he had the necessary expertise to manage the vertical construction of a specialized law enforcement building.

The City may have benefitted from an additional level of oversight over the Project Manager, especially for a project of this caliber, since the Project Manager was delegated authority over

⁴ Pursuant to Section 2-5(3)(c), Chapter 2, Sarasota City Code, all change orders that increase the contract amount by \$200,000 or 10% (whichever is less) must be approved by the City Commission. The Construction Manager’s original contract amount was \$150,000.

all final decisions relating to construction of the building (ie, oversight of the Project Manager by a department director whose actions are, in turn, directly accountable to the City Manager).

Although some SPD staff members were appropriately solicited for input during the project, during the design phase there was a noted over-reliance on law enforcement staff, who admittedly have limited knowledge of construction, to convey the current and future needs of the building on behalf of the City. Of course, participation and feedback from end-users for a project of this scale is encouraged; however, end-users should not be expected to take on the roles or responsibilities commensurate with a project manager. While a primary project liaison was assigned to the project by the SPD at all times to communicate department needs, personnel turnover resulted in a change to this liaison four times during the course of the project.

Controls associated with ensuring appropriate personnel had oversight of the project were determined to be weak. Accountability can be improved on future projects through defining an oversight organizational structure and clarifying roles and responsibilities of all project participants.

IV. Invoice Review and Approval Processes

There were some controls over invoice and approval processes, but they were not designed to effectively control the payment process.

Controls associated with the invoice review and approval process for this project were determined to be weak.

Review of invoices and compliance with contract specifications- Some minor exceptions were noted where invoices either did not adequately reflect rates allowed by contract specifications or vendors did not provide sufficient supporting documentation to verify expenses.

Approval processes- The auditor was unable to find evidence that a formal payment process flow was established, communicated to, and accepted by members of the City's project team, although an ad-hoc approval process was implemented by the Purchasing Division. Approvals lacked integrity as some staff members indicated that they had no knowledge of the validity of the expenditures, did not necessarily understand the document they were requested to sign, or had no direct control over the project funds. The auditor noted some concerns as to whether individuals authorizing payments were the most appropriate signatory authorities for expenditures of this magnitude; the auditor did not locate formal documentation which granted final authorization powers over the spending of the bond funds.

Audit Observations and Recommendations

Observations and recommendations in this report are offered as independent guidance to management for consideration in strengthening controls and are meant to offer lessons learned for future projects of this type. The Robert L. Taylor Community Complex and the Palm Avenue Parking Garage are two such examples of current projects that may also benefit from the audit recommendations. A full list of observations and recommendations begins on page 11 of this report. For information on priority levels assigned to audit recommendations, please see [Exhibit A](#).

Audit Observations and Recommendations

Issue #	Subject	Priority	Observation	Recommendation	Concur	Do not concur	Management Response (black) Auditor Comment to Management Response (red)	Committed Action Item Due Date
1	Assignment of the Project Manager	High	<p>A City Project Manager was not assigned to the project until a year and a half after the Architect began design work.</p> <p>Department staff indicated that they were often the only individuals interacting with the Architect during the design process. This placed a large degree of responsibility on law enforcement officers to determine current and future needs for the building on behalf of the City.</p>	<p>Assign a knowledgeable Project Manager at the inception of each construction project to ensure the City's best interests are considered throughout the project and to provide adequate oversight of all vendors' compliance with contract terms.</p> <p>The individual should be someone who understands both constructability and the City's resource needs.</p>		X	<p>Management's [sic] plan for large projects that span multiple years will be to continue to use a team approach beginning with the initiation of the project that includes staff from multiple City departments and specialized consultants/owner representatives to assist the project manager. The team approach will be used to provide the knowledge base from multiple disciplines and reduce the risk of knowledge loss associated with employee turnover.</p> <p>Auditor Comment: Management has indicated "do not concur", but the response appears to indicate otherwise as a "team approach" is suggested to help assist the project manager and enhance skill sets. Ensuring that knowledgeable people have accountability over a large project such as this \$46 million project is essential to its success.</p> <p>The implementation of this model will satisfy the audit recommendation when it is established at the inception of the project and includes an assigned project manager.</p>	N/A
2	Project Manager Tools and Oversight	High	<p>The Project Manager did not have specific tools or reports to monitor the progress of the project. There is no City project file which documents the project status, vendor performance, schedule tracking, compliance with contract terms, etc.</p> <p>Prior to the assignment of the Project Manager, no one was specifically responsible for managing project vendors (at least a year and a half).</p> <p>There is no Project Manager Handbook or formal training provided to employees when they take on project management responsibilities.</p>	<p>Consider developing a Project Manager Handbook for project/ construction management to provide consistent guidance and clear definition of responsibilities for employees charged with managing aspects of construction projects.</p> <p>Also, consider investing in training or memberships offered by professional organizations, such as the Construction Management Association of America, to provide project managers with added knowledge and resources.</p>		X	<p>Provide continuing education through SCTI's public works academy and professional associations. Work with SCTI's public works academy in the development of resources to assist project managers.</p> <p>Auditor Comment: Management has indicated "do not concur", but the response appears to indicate otherwise.</p> <p>Although management has not accepted the auditor's specific recommendation, a different plan of action has been identified by management which also aids in the reduction of risk associated with lack of resources or tools. Management plans to offer educational sessions and develop project resources, which, if implemented to appropriately equip project managers with tools, will successfully address the audit observation.</p>	N/A

Issue #	Subject	Priority	Observation	Recommendation	Concur	Do not concur	Management Response (black) Auditor Comment to Management Response (red)	Committed Action Item Due Date
3	Excessive Authority for Project Manager	High	Assignment of the Project Manager was appropriately executed by the City Manager via a formal memo, which was communicated to all members of the Project Team. However, the memo allowed for the Project Manager to be "...the final call on decisions affecting the project...ultimately, he will decide what direction to give to the contractor, the architect, and the Owner's Representative", which is excessive authority.	Establish authorization limits for the Project Manager to prevent issues associated with excessive authority; one individual should not have complete control over all final decisions. Adding a level of oversight for higher dollar thresholds (ie, department director) introduces another layer of accountability over the project and reduces the probability of excessive changes and the potential for misuse of authority.		X	Ordinance No. 03-4440 and Ordinance [sic] No.07-4763 Auditor Comment: Management has referenced ordinances relating to administrative approval of contracts; the auditor assumes management is referencing the clause for change orders, which must be approved by the City Commission after reaching a specified amount. Management's response does not answer the audit recommendation, which suggests that by adding department director oversight there will be more direct accountability over the project, as he/she reports directly to the City Manager. The Owner's Representative has indicated through discussions with the auditor, that it would have been more appropriate to have a department director oversee the actions and decisions of the project manager rather than granting the project manager unlimited authority.	N/A
4	Change Order Approvals	High	There is evidence to suggest that work commenced prior to approval by the City Manager/ City Commission for over 50% of change orders in the auditor's sample and that the changes were made several months prior to notifying the City Commission. It was indicated to the auditor that changes were intentionally not brought to the City Commission when they occurred because of the expense associated with halting construction while awaiting approvals.	Advise staff to comply with local purchasing rules and the City Code, especially concerning large construction projects where cost overruns and unapproved changes are a major potential risk. The City Commission should be apprised of all major monetary changes to any project, as stipulated by City Code. Changes to the scope of work should commence only after the appropriate approvals have been obtained.	X		At the beginning of a large complex project purchasing will meet with staff to review City's policy and procedures.	On-going
5	Change Order Detail	High	A total not-to-exceed summary change order amount of \$1,133,000 was approved at the regular City Commission meeting of May 3, 2010. During audit testing of change orders, the auditor was unable to confirm which change orders were included in that approved amount as staff was unable to provide a full itemized list of changes that totaled the approved amount.	Provide detailed information to the City Commission concerning change orders that require their approval to assist them in their decision-making responsibilities. All change orders brought before the City Commission should include itemized detail of the funds requested for approval. This will help keep a documented, detailed record of changes to the project and establish a record of approval.	X		On May 3, 2010, staff went before the City Commission seeking approval of a do not exceed amount of \$1,133,000.00, in changes, to be executed by the City Manager to complete the police headquarter's [sic] construction project. The exact amount was unknown because staff was still negotiating the costs. Based upon the City Commission's authorization and after the changes were finalized [sic], the City Manager was able to approve the detailed change orders. In fact the change orders came in under one million dollars. Amend change order policy - Purchasing	6/30/11

Issue #	Subject	Priority	Observation	Recommendation	Concur	Do not concur	Management Response (black) Auditor Comment to Management Response (red)	Committed Action Item Due Date
6	Document Management System	High	<p>Documents for this project were largely not managed by the City, but through the vendors' document management systems. While the City has stored many documents in hard-copy format, a variety of documents exist in two separate systems maintained by the Owner's Representative and the Construction Manager, which raises concerns about future access to public records and how the permanent retention of project documentation will be controlled to ensure compliance with state laws.</p> <p>The auditor was unable to obtain project notes and documents, including minutes of design meetings, for November 2006- June 2008 as project team members indicated they are unaware of the location of those documents.</p>	<p>Request copies of all records relating to this project from the key vendors so that the City has a complete record of the project in its custody.</p> <p>Utilize one central document management system, of which the City has control, to effectively manage, catalogue, retrieve, and retain project documentation for future projects.</p> <p>Keeping an accurate record of the project from initiation until completion is essential to comply with state recordkeeping requirements.</p>		X	<p>A City staff member was on the job site for record retention. Purchasing staff pursuant to comment contacted PDI, ADG and Kraft to verify that City had all documentation [sic] concerning this project. It was determined that the City had all copies as does Kraft and ADG.</p> <p>Auditor Comment: Management has indicated "do not concur", but the response appears to indicate otherwise.</p> <p>Management has indicated that staff contacted vendors and successfully reports that all records have been obtained by the City, which satisfies the first portion of the auditor's recommendation.</p> <p>The auditor encourages management to consider utilizing one central records repository, of which the City has control, for future projects. It is important to take into account that the City is ultimately responsible for compliance with state recordkeeping requirements and adhering to Florida's public records law.</p>	N/A
7	Invoice Review and Approval	High	<p>While the Purchasing Division did implement controls over the invoice and approval process, the controls lacked effective design. Some individuals indicated to the auditor that they had no knowledge of the validity of the expenditures or the fund availability and were uncomfortable attesting to payments.</p> <p>Obtaining numerous signatures on an approval document does not necessarily mean that the process is better controlled.</p>	<p>Document a formal payment review and approval process and communicate the process to all project team members at the beginning of each project to ensure expectations are understood.</p> <p>Avoid requiring excessive signatures so that only individuals with real responsibility and accountability over project deliverables and City funds are involved in the payment process.</p>		X	<p>Administrative Regulations No. 037.A006.0802 and 037.A004.1008 were in place well before the project commenced.</p> <p>Auditor Comment: Management has indicated that there are policies and procedures to guide invoice review and approval processes.</p> <p>The audit observation speaks to the fact that the controls were not functioning as intended as payment approvers did not understand or were uncomfortable with their approval responsibilities. A policy or process cannot be considered effective unless the participants are engaged and understand their role in the process.</p> <p>The audit recommendation encourages management to document participant responsibilities at the beginning of large projects, which will increase understanding and accountability of all involved.</p>	N/A

Issue #	Subject	Priority	Observation	Recommendation	Concur	Do not concur	Management Response (black) Auditor Comment to Management Response (red)	Committed Action Item Due Date
8	Signatory Authority	High	<p>The auditor was unable to obtain evidence to specify which individuals were granted final approval authority over funds associated with the project.</p> <p>The Purchasing Manager, or her designee, provided the final approving authority for payments, many of which exceeded \$1,000,000. It was not clear who was ultimately responsible for all expenditures associated with the project.</p>	<p>Document authorization limits and specify which individuals have signatory authority over a project in a formal Authorization Document at the beginning of each large project to ensure accountability over funds.</p> <p>Ideally, the City Manager should approve of and sign the document for validation.</p>		X	<p>City Commission approved contracts. Administrative Regulation No. 037.A004.1008 details staff authorization for approval purposes.</p> <p>Auditor Comment: Similar to the audit item above, the auditor encourages documenting project participants' responsibilities at the inception of the project. While there is an administrative regulation in place to prescribe how to delegate signatory authority, the auditor was unable to locate forms for some payment approvers and unable to verify that specific funds were authorized for others. It was not clear who was ultimately responsible for all expenditures associated with the project.</p> <p>Confusion over spending authority may be better avoided by documenting responsibilities at the beginning of a project and by assigning a contract owner who has ultimate responsibility over the terms in the contract to ensure nothing is overlooked.</p>	N/A
9	Instruments of Service	Medium	<p>The City of Sarasota does not own the rights to the design of the SPD headquarters building.</p> <p>The contract specifies that the Architect and its consultants are authors and owners of the instruments of service. Per contract terms, any future modification or addition to the building will require prior written agreement with the Architect and Architect's consultants, which may result in an additional cost to the City.</p>	<p>Consider whether the City desires to own the rights to Instruments of Service on future projects.</p> <p>At management's discretion, the auditor recommends pursuing one of two options:</p> <ul style="list-style-type: none"> • Seek ownership of instruments of service on new projects to avoid future costs- contract language should stipulate that the City owns the documents, which may be purchased from the Architect. <p>Or</p> <ul style="list-style-type: none"> • Include cost of instruments of service in cost negotiations- if Architect wishes to own the rights, the City should negotiate a lower price for losing those rights. <p>Further, to ensure the originality of the building design, consider including a provision in the contract where the Architect must warrant the originality of the design.</p>		X	<p>Will review on project by project basis.</p> <p>Auditor Comment: Management has indicated "do not concur", but the response appears to indicate otherwise as management states that this recommendation will be considered on a project by project basis.</p>	N/A

Issue #	Subject	Priority	Observation	Recommendation	Concur	Do not concur	Management Response (black) Auditor Comment to Management Response (red)	Committed Action Item Due Date
10	Contract Changes	Medium	<p>The auditor was unable to obtain evidence that the Fourth Amendment to the Architect's contract was properly approved by the City Commission.</p> <p>The Fourth Amendment outlined redesign services associated with the lobby area as well as additional security provisions and storage rooms.</p> <p>Requested approval of this amendment is not included in the agenda request, the final agenda, or the meeting back-up materials.</p>	<p>Ensure that amendments to contracts are properly introduced to and approved by the City Commission.</p> <p>The Fourth Amendment to the Architect's contract should be scheduled to re-appear before the City Commission at a future meeting so that approval of the Amendment can be appropriately documented in the record of official proceedings.</p>		X	<p>On May 3, 2010, staff went before the City Commission seeking approval of a do not exceed amount of \$1,133,000.00, in changes, to be executed by the City Manager to complete the police headquarter's [sic] construction project. The referenced amendment was part of the overall request for the do not exceed funding to complete the project. The amendment was executed by the Mayor. As stated perviously [sic], the actual total of changes was under \$1,000,000.00 as compared to the approved \$1,133,000.00.</p> <p>Auditor Comment: While the auditor believes that management may have intended to request and obtain approval for the Fourth Amendment to the Architect's contract during the May 3, 2010 City Commission meeting, it was not actually formally communicated to the City Commission at that time. The auditor encourages management to present the Fourth Amendment to the City Commission for formal approval at an upcoming meeting and inclusion in official meeting minutes.</p>	N/A

Exhibit A

Exhibit A- Internal Audit Recommendation Priorities

Internal Audit utilizes the following classification scheme applicable to internal audit recommendations and the appropriate corrective actions:

Priority Level₁	Description	Implementation Action₃
High	Fraud or serious violations are being committed or have the potential to occur, security issues, significant financial or non-financial losses are occurring or have the potential to occur. ₂	Immediate
Medium	A potential for incurring moderate financial or equivalent non-financial losses exists. ₂	Within 60 days
Routine	Operation or administrative process will be improved.	60 days to 6 months

1

The City Auditor and Clerk is responsible for assigning internal audit recommendation priority level categories. A recommendation that clearly fits the description for more than one priority level will be assigned the higher level.

2

For an audit recommendation to be considered related to a significant financial loss, it will usually be necessary for an actual loss of \$25,000 or more to be involved, or for a potential loss (including unrealized revenue increases) of \$50,000 to be involved. Equivalent non-financial losses would include, but not be limited to, omission or commission of acts on behalf of the City which would be likely to expose the City to adverse criticism in the eyes of its citizens.

3

The implementation time frame indicated for each priority level is intended as a guideline for establishing target dates. Determining proposed action dates is the responsibility of the Charter Official(s) over the area(s) or function(s) audited.

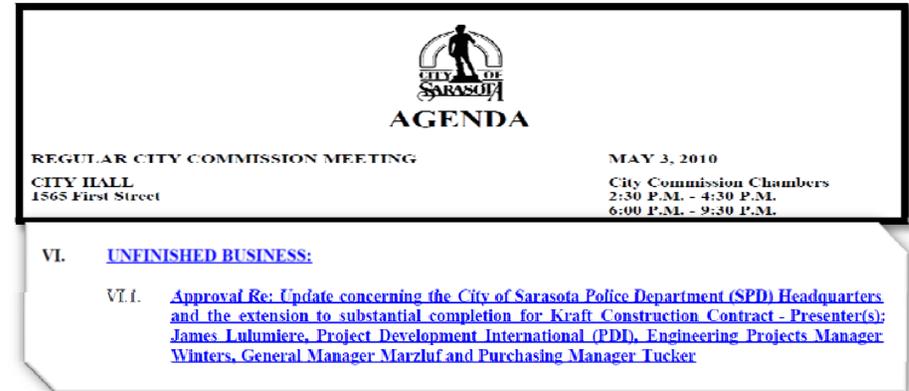
NOTE: Please note that this exhibit is a standard form which appears in every audit and is meant to be utilized to aid management in understanding the seriousness or potential seriousness of an audit observation. A “High” or “Medium” priority rating assigned to an audit observation should not be construed to mean that fraud or wrongdoing is, in fact, occurring but rather fraud or wrongdoing has the potential to occur in the absence of adequate internal controls.

Exhibit B

Changes to Contracts- Not Properly Approved

A change order for the Owner's Representative's Contract and a fourth amendment to the Architect's Contract were noted to have been approved at the 5/3/10 City Commission Meeting.

However, neither of these items appear on the 5/3/10 City Commission Agenda for approval. The only item related to the SPD building appears under "Unfinished Business" and provides an update on the project.



The Fourth Amendment did not appear on the City Commission meeting agenda for approval on 5/3/10. Contrary to this document, this was not "adopted by the City Commission".

CITY OF SARASOTA

TRANSMITTAL OF CONTRACTS FOR REVIEW & SIGNATURE

CONTRACT NAME: **Fourth Amendment to Standard Form of Agreement between Owner and Architect (Architects Design Group/ADG, Inc)**

INITIATING DEPARTMENT: **Purchasing Dept (for SPD Headquarters Project)**

DATE ADOPTED BY CITY COMMISSION: **05/03/2010**

The attached Contract Agreement has been adopted by City Commission and signed by the Contractor. Please review and initial before forwarding to the next recipient department. Return back to Purchasing with Contracts when routing is completed.

DEPARTMENT	SIGNATURE	DATE
Purchasing		Date: 09/23/10
City Auditor & Clerk		Date: 10/6/10
City Attorney		Date: 9/27/10
Mayor		Date: 9/23/10

CITY OF SARASOTA **CONTRACT CHANGE ORDER NO. 2**

RFP NO. 07-12T **Page 1 of 3**

PROJECT: **Owner's Representative for a Police HQs** DATE: 05-03-10

CONTRACTOR: Project Development International, Inc. (PDI)

CONDITIONS: The changes described herein shall be governed by the terms and conditions of the contract between the City of Sarasota, and Project Development International, Inc. dated May 21, 2007 and shall not in any way alter the terms of the Contract, but shall hereafter be a supplement to said Contract.

PURPOSE: **Additional professional services for assisting the City with oversight on construction of the police headquarters.**

DESCRIPTION: Amend the scope of work to extend owner's representative services for 90 days.

City Commission approved May 3, 2010.

Authorized Contract Price	=	\$879,500.00	Original Contract Time	=	Until May 6, 2010
Previous Change Orders	=	\$0.00	Net Change from Previous Change Order	=	
Contract Price Prior to this Change Order	=	0.00	Contract Time Prior to this Change Order	=	
Net Increase by this Change Order	=	\$75,300.00	Net Increase by this Change Order	=	90 days
Adjusted Contract Price	=	\$954,800.00	Adjusted Contract Time	=	Expires August 4, 2010

Approval for a change order to PDI's contract did not appear on the City Commission meeting agenda for approval on 5/3/10. This was not approved and these additional services were not discussed.

Meeting Agenda Back-up Materials
May 3, 2010 City Commission Meeting

Auditor was unable to find evidence that amendments/ changes to contracts for both the Owner's Representation and Architect were requested to be approved at this meeting.



AGENDA REQUEST

AGENDA HEADING: Unfinished Business	COMMISSION MEETING DATE: May 3, 2010	AGENDA ITEM NO.: VI.1.
BY Public Works	William Hallisey	James Lulumiere, Project Development International (PDI), Engineering Projects Manager Winters, General Manager Marzluf and Purchasing Manager Tucker
<small>Originating Department</small>	<small>Department Head</small>	<small>Presenter</small>
SUBJECT: Approval Re: SPD Headquarters: Construction Progress Report, Final Summary Change Order, and Public Art.		
COMMISSION PRIORITIES: Business Requirement		
EXPLANATION: (see next page for additional explanation) City Staff along with Project Development International (PDI), the City's Owner's Representative, will be providing an update of the construction project. As the project nears completion, a final summary change order to the construction contract with Kraft Construction, Inc. is being prepared. Because the change order items are still in active negotiation, the request is for the City Commission to authorize the City Manager to approve the change order. Staff anticipates the costs to be negotiated down, but the not-to-exceed amount is \$1,133,000. A portion of the \$1,133,000 will be included in various contingency amounts already approved within the Guaranteed Maximum Price (GMP) contract, but this exact amount is also still in negotiation.		
ADMINISTRATION'S RECOMMENDATION: Receive report. Authorize the City Manager to approve final summary change order to the project in an amount not-to-exceed \$1,133,000. Authorize the purchase and installation of a Police Management System, and FFE (Furniture, Fixtures and Equipment) costs as part of the project budget. Authorize the Mayor to sign a letter of support regarding use of a piece of steel salvaged from the World Trade Center in public art.		
APPROVAL SUMMARY:		
Approval	Required	Date Completed
Department Head Approval	Y	04/27/2010
Finance Review / Approval	Y	04/27/2010
Deputy City Manager Approval	Y	04/27/2010
City Manager Approval	Y	04/27/2010
City Auditor and Clerk Approval	Y	04/27/2010
Completed By	Status	
Glenn Marzluf	APPROVED	
Marv Tucker	APPROVED	
Marlon Brown	APPROVED	
Marlon Brown	APPROVED	
Pamela Nadalini	APPROVED	



AGENDA REQUEST

ADDITIONAL EXPLANATION: Other necessary business items include: Requested to authorize expenditures within the existing project budget for a Police Management System, and FFE (Furniture, Fixtures and Equipment) costs. All costs will be covered as part of the original \$46-million budget, and no additional appropriations are necessary. Authorize a letter signed by the Mayor showing support for use of a piece of steel salvaged from the World Trade Center to be utilize as public art requirement for the SPD Headquarters. The New York Port Authority has indicated the City has been approved to receive a piece of this steel, but providing a letter showing City Commission support will assist in expediting the process of obtaining the piece for placement.		
ADDITIONAL ADMIN RECOMMENDATION:		
FUNDING SOURCE: General Obligation Bonds 330-070-000-000000-000381	AMOUNT: \$1,133,000.00	
HOUSING IMPACT (Per House):	NEW CONSTRUCTION: \$ 0	REHABILITATION: \$ 0
SUPPORT DEPARTMENTS: Police - Peter Abbott Purchasing - Mary Tucker		
AGENDA DISPOSITION		
COMMISSION ACTION: Final Action Motion: _____ Motion By: _____ Second By: _____ Vote: _____		



Police Headquarters

Construction Project

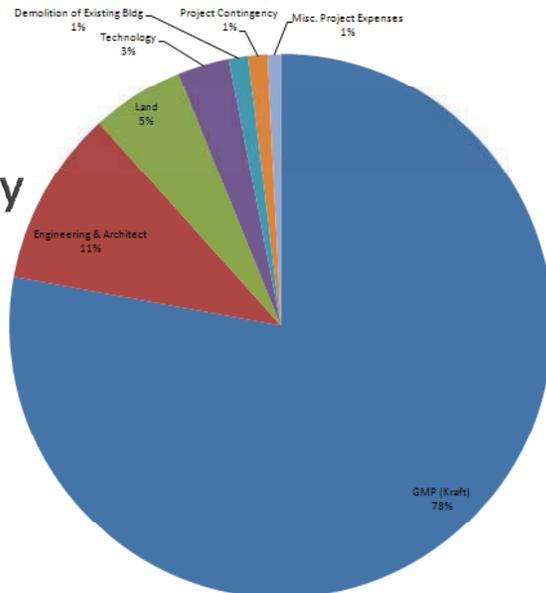


Approved Budget

- ▶ Voter Approved Referendum \$50 million
 - ▶ Police Building Budget(Bonds) \$46 million
- | | |
|----------------------------------|----------------------|
| ◦ GMP (Kraft) | \$34,080,188 |
| ◦ Engineering & Architect | \$ 4,585,748 |
| ◦ Land | \$ 2,395,317 |
| ◦ Technology | \$ 1,349,266 |
| ◦ Demolition of Existing Bldg | \$ 500,000 |
| ◦ Project Contingency (City) | \$ 500,000 |
| ◦ <u>Misc. Project Expenses</u> | <u>\$ 349,859</u> |
| ◦ Total Construction Cost | \$ 43,760,378 |



Budget Summary



Proposed Change Orders

- ▶ Authorize Change orders not to exceed \$1,133,000
- Funding for Change orders
 - GMP Contingency (Kraft) \$449,080
 - GMP Buy-out (Kraft) \$350,000
 - Project Contingency (City) \$333,920

Project will still be under budget.



Building Improvements

Significant Improvements Made to Building Function & Form

Project Management Team
Accomplished Within Project Budget

- ❑ **Improved Exterior Panel System (\$136K)**
 - Resulting in stronger wind resistance
 - Reduce future maintenance
- ❑ **Finished Shell Space (\$163K)**
 - Building space more marketable
 - Reduce future costs
 - Reduce future security risks / liability
 - Take Advantage of Current Favorable Market Conditions
- ❑ **Improved Lobby (\$112K)**
 - Security System
 - City-wide video surveillance
 - Parking consolidation
- ❑ **Increased Locker Room Space (\$189K)**
- ❑ **Upgraded HVAC Control System (\$120K)**
 - Better control over HVAC related costs and automation



Request for Remaining Funds

► Furniture, Fixtures and Equipment (FF&E)

◦ \$ 1,000,000

► Management System

◦ \$ 1,000,000



Interest and Savings



► Earned Interest

◦ \$3,500,000

► Sales Tax Savings

◦ \$413,555.39



Overview



- Construction Cost \$43,760,378
- FF&E \$ 1,000,000
- **Total Project Cost \$44,760,378**

- Management System \$ 1,000,000
- **Final Cost \$45,760,378**



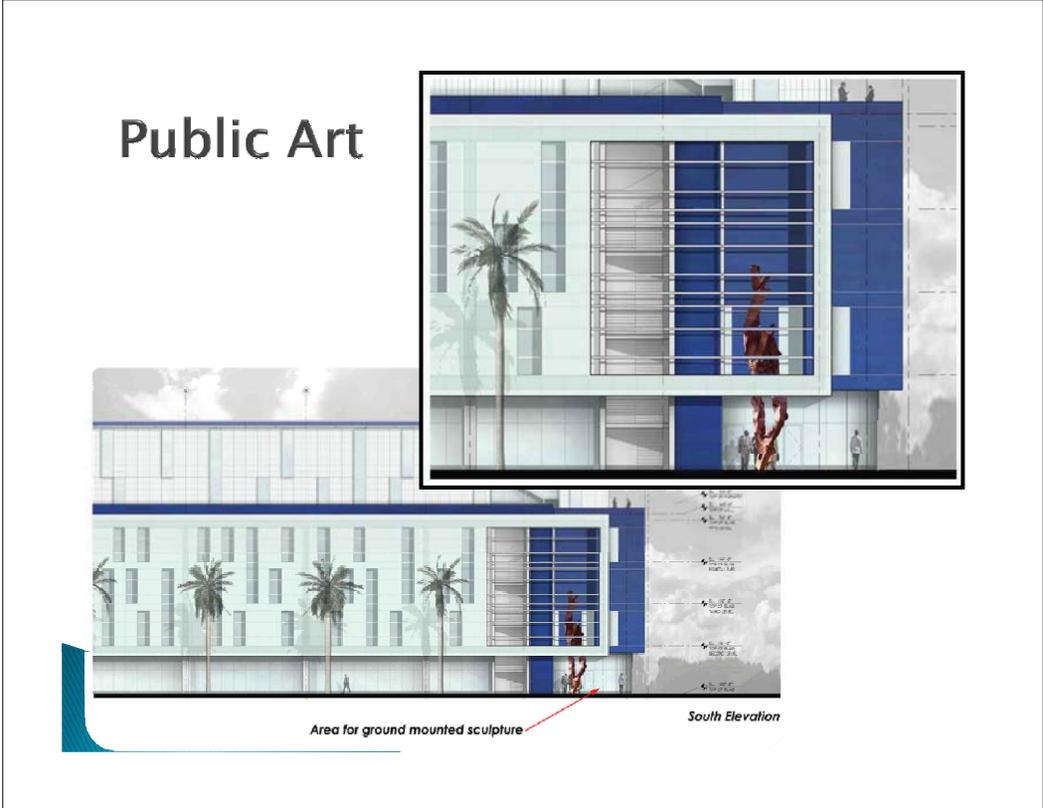


Exhibit C

May 3, 2010 City Commission Meeting Back-up Materials
 Summary Change Order Information

Total Requested Change Order Amount:
\$1,133,000
 Presentation materials identify \$720,000;
 \$413,000 is not identified.

Building Improvements

Significant Improvements Made to Building Function & Form

Project Management Team
 Accomplished Within Project Budget

❑ Improved Exterior Panel System **(\$136K)**

- Resulting in stronger wind resistance
- Reduce future maintenance

Actual Change Order #53 was \$136,314

❑ Finished Shell Space **(\$163K)**

- Building space more marketable
- Reduce future costs
- Reduce future security risks / liability
- Take Advantage of Current Favorable

Actual Change Order #49 was \$172,977.98

❑ Improved Lobby **(\$112K)**

- Security System
- City-wide video surveillance
- Parking consolidation

Actual Change Order #51 was \$498,102.27;
 \$197,102 of that amount is not identified here.

❑ Increased Locker Room Space **(\$189K)**

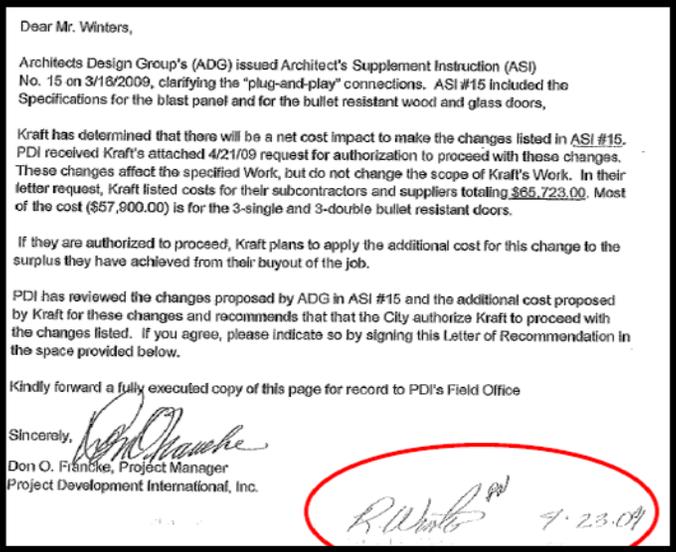
❑ Upgraded HVAC Control System **(\$120K)**

- Better control over HVAC related costs and automation

Actual Change Order #46 was \$195,297.76
 The \$120k noted here was actually approved
 by City Manager on 2/23/10; should have
 been brought to City Commission.



Change Order Approvals and Details

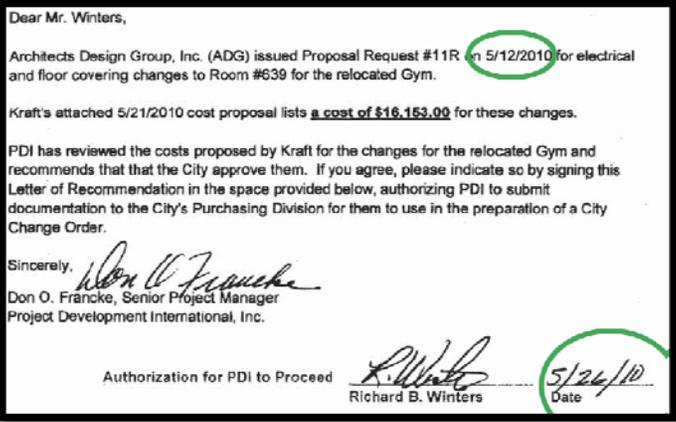
Date of Earliest Notice to Contractor to Proceed with Work*	Information Provided to City Commission	Approval Condition "What Happened"	Approval Criteria "What Should Have Happened"
Change Order #46: \$195,297.76			
<p>April 23, 2009</p>  <p>(Reference Document: ASI 15; date of first change among several included in change order)</p> <p>Then, City Manager approved the change order on 2/23/10.</p> 	<p>Appears a portion of this (\$120k) may have been presented at the May 3, 2010 meeting.</p> <p><i>The remaining \$75,297.76 in this change order was not identified in the meeting back-up material.</i></p>  <p><i>Excerpted from Power Point presentation at 5/3/10 City Commission meeting.</i></p>	<p>City Manager approved increase on 2/23/10.</p> <p>A portion of this change order amount was then presented at 5/3/10 meeting (120k).</p> <p>City Commission approved "not to exceed" change order amount on 5/3/10.</p> <p>375 days between first notice to proceed and City Commission approval.</p>	<p>City Commission approval should have been requested prior to the authorization for the change.</p> <p>Pursuant to section 2-5(3)c, Chapter 2, City Code, the City Manager did not have the authority to sign this change order. Construction Manager's original contract was \$150,000.</p>

* Construction Change Directive (CCD): written order signed by the Owner and Architect directing a change in the work; Architect's Supplemental Instructions (ASI): Used by the architect to issue additional instructions or interpretations or to order minor changes in the work; Proposal Request (PR): written request from Owner for cost estimate for change in work. PDI sent recommendation letters as follow-up to each of these documents and signature by the Project Manager acted as notice to proceed.

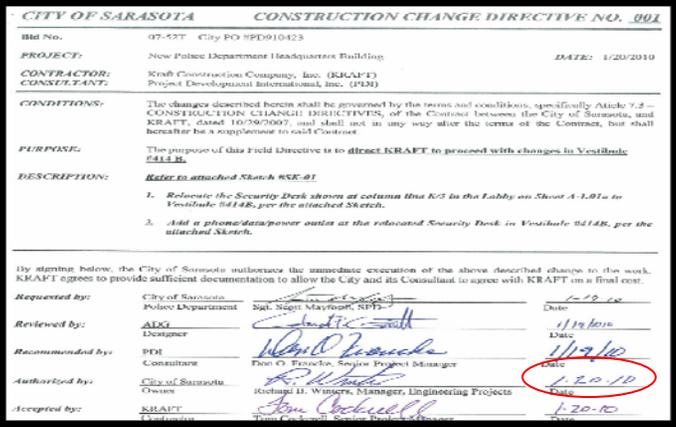
Change Order Approvals and Details

Date of Earliest Notice to Contractor to Proceed with Work	Information Provided to City Commission	Approval Condition "What Happened"	Approval Criteria "What Should Have Happened"
Change Order #49: \$172,977.98			
<p>December 10, 2009</p> <div data-bbox="86 435 726 976" style="border: 1px solid black; padding: 5px;"> <p>Dear Mr. Winters,</p> <p>Kraft submitted the attached cost proposal in response to Architect's Design Group's (ADG) 9/1/09 Proposal Request (PR) No. 3 for the build-out of the three shelled spaces on the 4th, 5th and 6th Floors of the new Building, per the Plans and Specifications prepared by ADG.</p> <p>The Plans prepared by ADG show these spaces to receive heating, air conditioning and ventilation, electrical outlets around the perimeter walls, where required by Code, electrical power circuits in the ceilings for future power poles, lighting, finished drywall walls around the perimeter of the spaces, acoustical tile ceilings and carpeted floors.</p> <p>Kraft's attached 10/1/2009 request for authorization to proceed with the added work listed a cost of <u>\$162,847.98</u> for the shell build-out work.</p> <p>PDI has reviewed the cost proposed by Kraft for this change and recommends that that the City authorize Kraft to proceed with the work listed. The cost for this work will be listed in an upcoming change order, as required by the Contract for this out-of-scope work. If you agree, please indicate so by signing this Letter of Recommendation in the space provided below.</p> <p>Sincerely,  Don O. Francke, Senior Project Manager Project Development International, Inc.</p> <div data-bbox="373 824 716 976" style="border: 1px solid red; border-radius: 50%; padding: 10px; display: inline-block;">  12-10-09 </div> </div> <div data-bbox="86 997 762 1235" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Dear Mr. Winters,</p> <p>The City previously authorized Kraft to proceed on 12/10/09 with the build-out of the shelled spaces in the new Building, as described in ADG's PR#3, for a cost of \$162,847.98. As Kraft's attached 4/30/2010 letter explains, there was an accounting error in their calculation of the total cost for this change. Specifically, the cost for the additional acoustical ceiling work from Hanlon Acoustical Ceilings, Inc. should have been \$18,988.00, per Hanlon's 9/16/09 proposal, instead of the \$8,858.00 Kraft used in their calculation of the total cost. The +\$10,130.00 difference between these two amounts increases the total cost for the shell build-out work <u>\$172,977.98</u></p> </div>	<p>May 3, 2010</p> <div data-bbox="806 435 1199 500" style="border: 1px solid black; padding: 5px; display: inline-block;"> <input type="checkbox"/> Finished Shell Space (\$163K) </div> <p><i>Excerpted from Power Point presentation at 5/3/10 City Commission meeting.</i></p>	<p>Project Manager authorized notice to proceed 12/10/09.</p> <p>City Commission approved change 5/3/10.</p> <p>144 days between notice to proceed and City Commission approval.</p>	<p style="color: red;">City Commission approval should have been requested prior to the authorization for the change.</p>
<p>(Reference Document: PR #3)</p>			

Change Order Approvals and Details

Date of Earliest Notice to Contractor to Proceed with Work	Information Provided to City Commission	Approval Condition "What Happened"	Approval Criteria "What Should Have Happened"
Change Order #50: \$16,153.00			
<p>May 26, 2010</p>  <p>(Reference Document: PR #11r)</p>	<p>No evidence that this specific change order amount was communicated to City Commission.</p>	<p>Project Manager authorized notice to proceed 5/26/10.</p> <p>City Commission approved "not to exceed" change order amount on 5/3/10.</p>	<p>N/A- Appears this may have been included as part of "not to exceed" summary change; appears work commenced on this item after approval was obtained.</p>

Change Order Approvals and Details

Date of Earliest Notice to Contractor to Proceed with Work	Information Provided to City Commission	Approval Condition "What Happened"	Approval Criteria "What Should Have Happened"
<p>Change Order #51: \$498,102.27</p>			
<p>January 20, 2010</p>  <p><i>(Reference Document: CCDs #001 and 003)</i></p>	<p>May 3, 2010</p>  <p><i>The remaining \$197,102.27 in this change order was not identified in the meeting back-up material.</i></p> <p><i>Excerpted from Power Point presentation at 5/3/10 City Commission meeting.</i></p>	<p>Project Manager authorized notice to proceed 1/20/10.</p> <p>City Commission approved change 5/3/10.</p> <p>103 days between notice to proceed and City Commission approval.</p>	<p>City Commission approval should have been requested prior to the authorization for the change.</p>

Change Order Approvals and Details

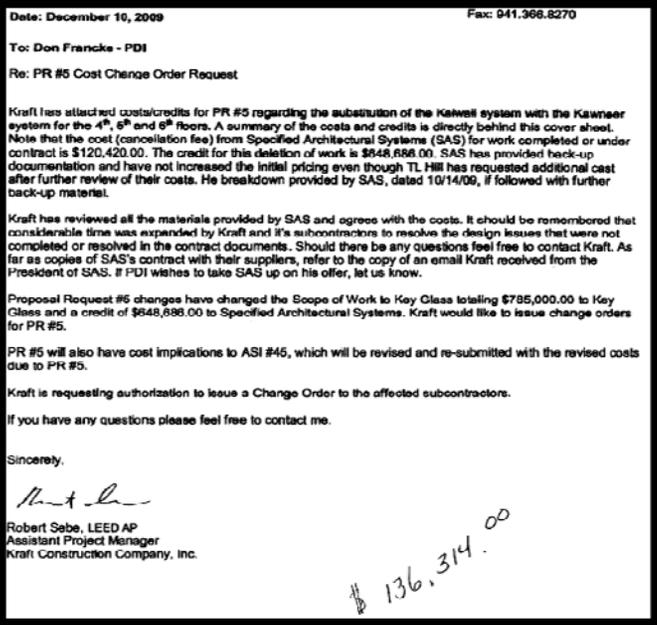
Date of Earliest Notice to Contractor to Proceed with Work	Information Provided to City Commission	Approval Condition "What Happened"	Approval Criteria "What Should Have Happened"
Change Order #52: \$30,226.49			
N/A- work had not yet occurred as of end of audit testing	N/A	Purchasing Manager indicated this was not included in the amount approved on May 3, 2010 and that this is expected to go to the City Commission at the 11/15/10 meeting.	N/A- Appears this will be appropriately approved by the City Commission at the 11/15/10 meeting.
Change Order #53: \$136,314.00			
<p>December 10, 2009</p>  <p>(Reference Document: PR #5)</p>	<p>May 3, 2010</p>  <p>Excerpted from Power Point presentation at 5/3/10 City Commission meeting.</p>	<p>Project Manager authorized notice to proceed 12/10/09.</p> <p>City Commission approved change 5/3/10.</p> <p>144 days between notice to proceed and City Commission approval.</p>	<p>City Commission approval should have been requested prior to the authorization for the change.</p>

Exhibit D

Email re: Night Noise Levels from Chillers EXHIBIT D



From: [Marlon Brown](#) Sent: 8/20/2010 8:42:39 AM
To: [Robert Bartolotta](#); [Rick Winters](#)
CC: [Mary Tucker](#); [Douglas Jeffcoat](#); [Susan Dodd](#); [Jeffrey Karr](#)
Subject: RE: Night time noise levels associated with the new PD chiller system.

Message
 Rick/Capt. Karr:
 Thanks. I look forward to the daytime readings.
 Marlon

From: Rick Winters
Sent: Friday, August 20, 2010 7:31 AM
To: Marlon Brown
Cc: Douglas Jeffcoat; Mary Tucker; Jeffrey Karr
Subject: FW: Night time noise levels associated with the new PD chiller system.

Mr. Brown,
 From Capt. Karr's very helpful information below, the sound levels do exceed code allowances in the areas where the sound is reflected off the old building. But at the tennis courts (at night), the sound levels are within code parameters (see the yellow highlighted).

Thanks
 Rick

From: Jeffrey Karr
Sent: Friday, August 20, 2010 6:57 AM
To: Rick Winters
Cc: Mikel Hollaway
Subject: FW: Night time noise levels associated with the new PD chiller system.

Location	Time	Reading 1	Reading 2	Reading 3
N/W corner of new PD Building	2350 Hours	77.9 Db/81.8 dB	76.9 Db/81.5 dB	77.0 Db/80.4 dB
Alleyway between new & old building	11:pm and 7:00 am exceeding 75dB C, 75dB A or has a 10dB or greater difference	78.3 Db/80.7 dB	78.8 Db/81.7 dB	76.4 Db/80.1 dB
SE side old building		68.0 Db/ 75.5 dB	67.2 Db/74.7 dB	67.7 Db/74.7 dB
NE side old building		62.4 Db/71.1 dB	61.9 Db /69.8 dB	63.1 Db /70.4 dB
NE alley/corner of new building		63.3 Db /70.1 dB	62.7 Db /74.1 db	63.1 Db /70.4 dB
SW sidewalk new building		64.8 Db /74.8 dB	65.2 Db /74.1 dB	64.9 Db /73.2 dB
Sidewalk/Fire hydrant area tennis court side of Adams Lane		61.5 Db /68.4 dB Reading closes to tennis court Not in violation	60.4 Db /68.1 dB Reading closes to tennis court Not in violation	60.2 Db /67.8 dB Reading closes to tennis court Not in violation
NE Payne park sidewalk near fountain		50.5 Db /59.7 dB	50.8 Db /58.6 dB	50.3 Db /58.4 dB

All readings taken at ground level. Tennis courts were locked at time of reading. Weather condition; clear night, wind 3-5 mph. Reflective surfaces: old police building (4) stories tall. (2) single story buildings, Sarasota County garage (5) stories tall, Payne park fountain at East Ave and Adams Lane, Clay surface tennis courts, Sarasota County Court House (15 +) stories tall. Back ground Noises; minimum - no vehicular traffic on Ringling Blvd, no vehicular traffic on Adams Lane.

Sarasota Noise Ordinance, chapter 20-4 states CONTINUOUS SOURCE between 7:00am and 11:00 pm is in violation when exceeding 80dB C, 75dB A or has a 10dB or greater difference. **Between 11 pm and 7:00 am exceeding 75dB C, 75dB A or has a 10dB or greater difference**

Day time readings are forth coming and will be more specific to the tennis court area itself, since it will be open and we can take direct readings from court areas.

Jeff
[Lt. Jeffrey W. Karr](#)
 Interim Captain, Support Services Division
 2050 Ringling Blvd.
 Sarasota Police Department
 Office (941)954-7027