



ORANGE COUNTY MAYOR

**Jerry L. Demings**

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September 2, 2022

Dear Orange County Residents:

On April 26 of this year, the Orange County Board of County Commissioners voted to place a one-cent sales tax referendum on the November 8, 2022 ballot. If passed by voters, the revenue raised by the sales tax would be earmarked solely for transportation projects in our County.

Florida law requires the state's Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct a performance audit of Orange County. OPPAGA selected the firm of McConnell Jones LLP to complete this audit. The objectives of the audit were to evaluate the program associated with the proposed one-cent sales tax based on the following tasks:

- The economy, efficiency, or effectiveness of the program
- The structure or design of the program to accomplish its goals and objectives
- Alternative methods of providing services or products
- Goals, objectives, and performance measures used by the program to monitor and report program accomplishments
- The accuracy or adequacy of public documents, reports, and requests prepared by the County, which relate to the program
- Compliance of the program with appropriate policies, rules, and laws

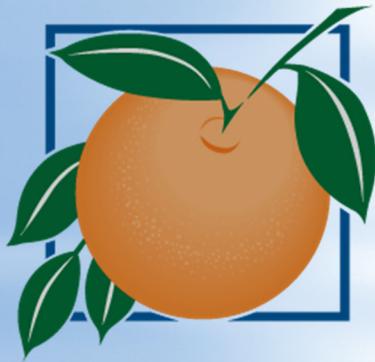
It is with great pride that we share the results of the performance audit. The audit found Orange County met all six-audit tasks for the proposed sales surtax. In making this determination, OPPAGA evaluated 25 subtasks and Orange County either "met" (21) or "partially met" (4) 100 percent of these subtasks. This means there were no subtasks that were determined "not met". We have demonstrated that Orange County has sufficient policies and procedures in place to deliver the transportation projects needed should Orange County voters approve the one-cent transportation surtax.

Finally, the audit recognized and reinforced that Orange County is prepared to receive and responsibly spend the funds by following our written policies and procedures. We stand ready to carry out and deliver the transportation projects needed to move our County to the next level.

Please do not hesitate to contact me at [Mayor@ocfl.net](mailto:Mayor@ocfl.net) with any questions regarding the contents of the audit.

Sincerely,

Jerry L. Demings  
Orange County Mayor



**ORANGE COUNTY  
GOVERNMENT**  
**F L O R I D A**

PERFORMANCE AUDIT OF

# **Orange County**

## **FINAL REPORT**

August 31, 2022

# **McConnell Jones**

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# Overview of Performance Audit Findings

*Orange County*  
*August 31, 2022*

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## Overall, Across 25 Areas, the County Met Expectations in 21 Areas and Partially Met Expectations in 4 Areas

Issue Area (Number of Subtasks Examined)	Overall Conclusion	Did the County Meet Subtask Expectations?		
		Yes	Partially	No
Economy, efficiency, or effectiveness of the program (7)	Met	6	1	0
Structure or design of the program (2)	Met	2	0	0
Alternative methods of providing program services or products (4)	Met	3	1	0
Goals, objectives, and performance measures (3)	Met	3	0	0
Accuracy or adequacy of public documents, reports, and requests prepared by the County (5)	Met	3	2	0
Compliance with appropriate policies, rules, and laws (4)	Met	4	0	0
<b>All Areas (25)</b>		<b>21</b>	<b>4</b>	<b>0</b>

### **Results in Brief**-----

In accordance with s. 212.055(11), F.S., and Government Auditing Standards, McConnell & Jones LLP conducted a performance audit of the Orange County programs within the administrative unit(s) that will receive funds through the referendum approved by Resolution adopted by the Orange County Board of Commissioners on April 26, 2022. The performance audit included an examination of the issues identified below.

- The economy, efficiency, or effectiveness of the program.
- The structure or design of the program to accomplish its goals and objectives.
- Alternative methods of providing program services or products.
- Goals, objectives, and performance measures used by the program to monitor and report program accomplishments.
- The accuracy or adequacy of public documents, reports, and requests prepared by the County or which relate to the program.

- Compliance of the program with appropriate policies, rules, and laws.

Findings for each of the six issue areas were based on the extent to which the programs met expectations established by audit subtasks. Overall, the audit found that Orange County met expectations in all 6 areas. Of the 25 total subtasks, the audit determined that the County met 21 and partially met 4.

A summary of audit findings by issue area is presented below. A more detailed overview of the findings can be found in the Executive Summary.

### **Findings by Issue Area**-----

#### **Economy, Efficiency, or Effectiveness of the Program**

The MJ Team reviewed the Public Works Department, and the Planning, Environmental & Development Services Department’s Transportation Planning Division as one (1) program, that will benefit from the Transportation System Sales Surtax (“surtax”) and determined that all program

managers use various reports and data on a regular basis and that the information is adequate to monitor program performance and costs. The program reviewed is periodically evaluated using performance information and other reasonable criteria to assess performance and cost. These periodic evaluations include both internal evaluations related to established performance targets and external evaluations from funding sources such as the Florida Department of Transportation. We reviewed findings and recommendations in relevant internal and external reports on program performance and cost noting that program administrators took reasonable and timely actions to address deficiencies in program performance and costs identified in such reports. All program administrators evaluate performance and cost based on reasonable measures, including best practices except the Roads & Drainage (R&D) Division. The review team identified an improvement opportunity for R&D to acquire Pavement Management System (PMS) software and automate manual pavement management practices to facilitate using best practices. Based on testing a sample of six completed projects selected from Orange County's Capital Improvement Program (CIP), covering 41% of the total cost of completed projects in the CIP, County construction projects were of reasonable cost and completed well, on time, and within budget. Finally, the County has written policies and procedures to take maximum advantage of competitive procurement, volume discounts, and special pricing agreements for its procurements.

#### **The structure or design of the program to accomplish its goals and objectives**

The County maintains an organizational structure that has clearly defined units,

minimizes overlapping functions, and has no excessive administrative layers. Since the COVID pandemic began, vacancy and turnover rates have been considerably higher nationally. Of the program areas reviewed, the Highway Construction Division of Public Works has the highest vacancy rate at 33 percent. Overall, the key Public Works divisions have a vacancy rate of 16 percent. County administrators are well aware of the challenges faced in filling vacancies. The County regularly reviews staffing levels with a view to right-size the County's staff. A consultant study is underway to determine how best to staff the growing personnel needs assuming the sales tax referendum passes. This study will evaluate whether new staff should be County or contractor employees, and how best to divide the responsibilities among each group.

#### **Alternative methods of providing services or Products**

County program administrators have formally evaluated existing in-house services and activities to assess the feasibility of alternative methods of providing services. An example described by PW for evaluating in-house services and looking at alternative methods of delivery included privatizing most of its mowing services and all road resurfacing services. PW evaluated its cost per acre to provide mowing services with in-house crews, determining that the County saved \$79.23 per acre in mowing costs by privatizing 99% of its right-of-way mowing services. Additionally, program administrators have made changes to service delivery methods when their evaluations/assessments found that such changes would reduce program cost without significantly affecting the quality of services. PW Traffic Engineering outsourced sign fabrication and installation services in new

residential developments to land developers because of large backlog of sign installations and improved the quality of its services. The County should actively pursue identifying alternative service delivery methods to reduce costs and speed the delivery of transportation projects by reviewing Design-Build, Construction Manager/General Contractor (CM/GC), Project Bundling, and Public Private Partnerships (PPP) to support projects included in its Transportation Initiative.

**Goals, objectives, and performance measures used by the program to monitor and report program accomplishments**

The Public Works Department’s (PW) Division’s goals align with the PW Department’s goals in five (5) Strategic Service Areas included in PW’s Strategic Plan aligned with the County’s Strategic Plan. PW’s goals are clearly stated, measurable, and can be completed within budget. PW’s performance measures used to evaluate the performance of programs within PW divisions are unique to each PW division, monitored quarterly and annually, and are sufficient to assess progress toward meeting established targets (goals). The County’s Administrative Regulations and Article III, Section 17-310 of Orange County’s Procurement Ordinance contain policies and procedures that establish internal controls over the County’s budgeting and procurement processes, providing reasonable assurance that program goals and objectives will be met.

**The accuracy or adequacy of public documents, reports, and requests prepared by the County which relate to the program**

The County has developed financial and non-financial information systems that provide

useful, timely, and accurate data to the public. Internal and external data is used to evaluate the accuracy and adequacy of public documents. The County makes program budget, cost, and program performance data available on its website and provided evidence that processes are in place to ensure accuracy and completeness of financial data. The County has processes in place to correct erroneous and incomplete information in a timely manner.

More detailed and current information should be provided for current transportation projects, including more frequent updates to the Transportation Projects webpages and the inclusion of cost vs. budget performance information. For the Transportation Initiative, the County has established an oversight process with the creation of the Transportation & Transit Initiative Citizens Oversight Board.

The mechanisms for accomplishing this information flow are still being developed, but the requirement for transparency is inherent in its duties.

**Compliance of the program with appropriate policies, rules, and laws**

The County has a full-time legal staff responsible for providing legal services related to transactions, litigation, interpretation of federal, state, and local laws, and preparing ordinances for approval by the Board of County Commissioners. In this capacity, the attorneys review all contracts requiring board approval for compliance with legal requirements and board policy. The County Attorney also stays abreast of federal, state, and local legislation that could impact County departments. Program internal controls such as external audits in the form of the annual Single Audit and internal audits conducted by the Office

of the Comptroller's County Audit Division are reasonable to ensure compliance with applicable federal, state, and local laws, rules, and regulations; contracts; grant agreements; and local policies and procedures. County administrators have taken reasonable and timely actions to address any noncompliance issues and local policies and procedures that have been identified by internal or external evaluations, audits, or other means as indicated by no "repeat findings" in the County's Single Audit or Management Letters issued by external auditors. Finally, County administrators have taken reasonable and timely actions to determine whether its planned uses of the surtax comply with applicable laws by having the County Attorney draft Ordinance No. 2022-14, which the BCC adopted April 26, 2022. The Ordinance established a Citizens Oversight Board, through Orange County's Transportation Initiative, intended to continuously monitor planned uses of surtax proceeds to ensure the County's ongoing compliance with *Florida Statutes*.



# McConnell Jones

August 31, 2022

Mr. Byron W. Brooks, County Administrator  
Orange County Board of County Commissioners  
201 S Rosalind Ave.  
Orlando, Florida 32801

Dear Mr. Brooks:

McConnell & Jones LLP (the “MJ Team”) is pleased to submit our final report of the performance audit of Orange County pursuant to 212.055(11), *Florida Statutes*. In accordance with the requirements of Ch. 2018-118, *Laws of Florida*, the Office of Program Policy Analysis and Government Accountability (OPPAGA) selected the MJ Team to conduct a performance audit of the program areas related to transportation and transit improvement uses within the County and regional transportation system associated with the discretionary sales surtax. The IBI Group Professional Services (USA), Inc. and Mr. Anthony Johnson augmented the Orange County review team.

We conducted this performance audit in accordance with Government Auditing Standards issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on the audit objectives.

The objective of the audit was to fulfill the requirements of 212.055(11) *Florida Statutes*. This statute requires that Florida local governments, with a referendum on the discretionary sales surtax held after March 23, 2018, undergo a performance audit conducted of the program associated with the proposed sales surtax adoption. The audit must be conducted at least 60 days before the referendum is held. OPPAGA is charged with procuring and overseeing the audit. The primary county departments that expend Local Option Sales Tax funds, which are the subject of this performance audit, are the Orange County’s Public Works Department in collaboration with Transportation Planning and supporting divisions.

The objectives of the audit are consistent with the requirements of the statute, which are to evaluate the program associated with the proposed sales surtax adoption based on the following criteria:

1. The economy, efficiency, or effectiveness of the program

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2. The structure or design of the program to accomplish its goals and objectives
3. Alternative methods of providing services or products
4. Goals, objectives, and performance measures used by the program to monitor and report program accomplishments
5. The accuracy or adequacy of public documents, reports, and requests prepared by the County, which relate to the program
6. Compliance of the program with appropriate policies, rules, and laws

We developed a work plan outlining the procedures to be performed to achieve the above audit objectives. Those procedures and the results of our work are summarized in the Executive Summary and discussed in detail in the body of the report.

Based upon the procedures performed and the results obtained, the audit objectives have been met. We conclude that, except for the findings discussed in the report and based upon the work performed, the departments that expend funds have sufficient policies and procedures in place, supported by appropriate documentation, reports, monitoring tools, and personnel to address the statutory criteria defined in s. 212.055(11), *Florida Statutes*.

*McConnell + Jones LLP*

McConnell & Jones LLP  
Houston, Texas

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## EXECUTIVE SUMMARY



### ORANGE COUNTY OVERVIEW

Orange County (the County) is in Central Florida at the approximate geographic center of the state and is comprised of 13 municipalities in the incorporated area and 17 distinct neighborhoods in the unincorporated area. The County has a total area of 1,003 square miles, of which 903 square miles are land and 100 square miles are water. Orange County is the central county of the Orlando-Kissimmee-Sanford, Florida Metropolitan Statistical Area, and has a population of 1,415,260 based on 2020 estimates from the University of Florida Bureau of Economic and Business Research, making the county the fifth most populous county in Florida. The County seat is in Orlando, Florida, which is a leading center for tourism and a premier business center which includes the presence of major businesses such as Orlando Health, AdventHealth, Publix, and Lockheed Martin.

### ORANGE COUNTY GOVERNMENT

Orange County has a County Mayor, elected countywide, and a Board of County Commissioners (BCC), consisting of seven members, including the County Mayor. The BCC has the power to originate, terminate, and regulate legislative and policy matters including, but not limited to adoption or enactment of ordinances and resolutions it deems necessary and proper to govern the County. The BCC also adopts and amends as necessary the county administrative code to govern the operation of the county and adopts ordinances as necessary for the health, safety, and welfare of County residents. The County Mayor is the chairman of the BCC and manages the operation of all elements of county government under the jurisdiction of the BCC, consistent with the policies, ordinances, and resolutions enacted by the BCC.

### FISCAL YEAR 2021 AND 2022 BUDGET SUMMARY

Orange County's Fiscal Year runs from October 1st through September 30th. The County's Fiscal Year 2022 budget totaled approximately \$5.361 billion. The Fiscal Year 2022 budget is comprised of 17 organizational units. The organization units highlighted in **Figure ES-1** are the program areas that are the subject of this review (i.e., Public Works) or contain program areas that are the subject of this review (i.e., Planning, Environmental & Development Services). Public Works is the primary program area that will use the surtax funds, in coordination with the Transportation Planning Department, which resides in the Planning, Environmental & Development Services unit. Public Works and Planning, Environmental & Development Services comprise 8% and 5.8% of the County's Fiscal Year 2022 budget, respectively, with the Transportation Planning Department comprising only 0.09% of the Fiscal Year 2022 budget.

Description	FY 2022	FY 2021	Percent Increase (Decrease)	Percent of FY 2022 Budget
Constitutional Officers	\$ 400,281,567	\$ 415,505,814	(3.7)%	7.5%
Administration and Fiscal Services	\$ 403,037,805	\$ 402,137,495	0.2%	7.5%
Administrative Services	\$ 141,573,333	\$ 168,677,249	(16.1)%	2.6%
Community & Family Services	\$ 244,299,322	\$ 328,372,059	(25.6)%	4.6%
Convention Center	\$ 430,643,538	\$ 455,178,769	(5.4)%	8.0%
Corrections	\$ 176,051,960	\$ 179,716,998	(2.0)%	3.3%
Fire Rescue	\$ 289,436,201	\$ 324,844,649	(10.9)%	5.4%
Health Services	\$ 117,331,288	\$ 132,622,619	(11.5)%	2.2%
Planning, Environmental & Development Services	\$ 312,757,589	\$ 249,348,337	25.4%	5.8%
Public Works	\$ 427,837,862	\$ 495,124,463	(13.6)%	8.0%
Utilities	\$ 678,561,104	\$ 723,263,517	(6.2)%	12.7%
Capital Projects	\$ 210,546,583	\$ 180,636,449	16.6%	3.9%
Municipal Service Taxing Units (MSTUs)*	\$ 37,504,045	\$ 38,136,598	(1.7)%	0.7%
Other Appropriations	\$ 238,576,001	\$ 349,355,723	(31.7)%	4.4%
Other Court Funds	\$ 17,461,756	\$ 18,805,387	(7.1)%	0.3%
Other Offices	\$ 23,537,676	\$ 22,307,809	5.5%	0.4%
Special Revenue **	\$ 1,212,013,390	\$ 1,049,612,016	15.5%	22.6%
<b>Total</b>	<b>\$ 5,361,451,020</b>	<b>\$ 5,533,645,951</b>	<b>(3.1)%</b>	<b>100.0%</b>

**FIGURE ES-1:** Orange County budget comparison for the last two years.

Source: Orange County FY 2021-22 Budget Book.

\* - A MSTU is a taxing district created by property owners in a defined geographical area who vote to levy a tax to support improvements to the area.

\*\* - Special Revenue accounts for resources received from special sources, dedicated, or restricted uses. Over 90% of Special Revenue Includes Public Service Tax, Sales Tax, School Impact Fees, and Special Tax MTSU.

## DISCRETIONARY SALES SURTAX

According to the State of Florida Department of Revenue website, a one cent infrastructure tax program funded by a discretionary sales surtax (DSS) is imposed by most Florida counties and applies to most transactions subject to sales tax. The State of Florida Department of Revenue collects and distributes the sales surtax to counties and municipalities based on the state's sales tax formula. Each county is responsible for administering the funds it receives. On April 26, 2022, the Orange County Board of County Commissioners voted 4-3 to approve Orange County Ordinance No. 2022-14, dated April 26, 2022, providing for the levy of a 1% Charter County and Regional Transportation System Sales Surtax, subject to voter approval of a referendum scheduled for November 8, 2022.

## GOVERNANCE IMPLICATIONS OF SURTAX PASSAGE

Under Florida state law, Orange County's Board of County Commissioners is responsible for administration of the surtax funds, if the referendum passes. If the referendum passes, Orange County Ordinance No. 2022-14 provides for the following:

- Promoting and protecting the health and safety of the traveling public in the County by providing safe and adequate road, transportation, and transit facilities.
- Providing adequate public transit, roadway improvements, and public safety measures including lighting, pedestrian and cyclist safety measures, and road resurfacing in the County.
- Adoption of the Orange County Transportation Initiative Report, which includes updated transportation infrastructure project priorities developed following an extensive community engagement process, with the following required contents at all times:
  - a list of projects separated into distinct funding categories;
  - a transportation Surtax proceeds allocation methodology for the funding of projects in each distinct funding category;
  - a requisite technical committee that shall (1) review the status of projects submitted by each jurisdiction; (2) review the approved projects and ensure they are compatible and coordinated amongst various jurisdictions; and (3) identify opportunities for collaboration on joint projects;
  - a requisite citizens oversight board that shall: (1) ensure accountability and transparency in the expenditure of sales tax proceeds; (2) ensure that the County, municipalities, LYNX, and other funding recipients are spending funds appropriately, timely, and in full compliance with all applicable laws; (3) request and review audits of the transportation program by the Orange County Comptroller; and (4) oversee the preparation of a non-technical report or consolidated schedule of projects which shall be updated and posted prominently on the County's website at least annually; and
  - a Transportation Surtax management process that ensures that project prioritization and any proposed revisions to the project lists are completed in a manner that: (1) uses a data-driven and needs-based approach through the use of objective criteria in the prioritization of transportation improvement projects throughout the County; (2) is flexible enough to address shifting and emerging needs over the 20-year period for which the Transportation Surtax will be levied; and (3) is adaptive to new transportation and transit technologies and innovations as they are developed.

## AUDIT OBJECTIVE

In accordance with s. 212.055(11), *Florida Statutes*, and Government Auditing Standards, a certified public accountant must conduct a performance audit of Orange County program areas within the administrative unit(s) that will receive funds through the referendum.

Audit fieldwork must include interviews with program administrators, review of relevant documentation, and other applicable methods to complete the assessment of the six (6) research tasks.

## PROJECT SCOPE

The subject auditee for the performance audit was Orange County. The performance audit was conducted in accordance with *Generally Accepted Government Auditing Standards (GAGAS)*. Those standards require that the audit be conducted in a manner to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on the audit objectives. We believe that the evidence obtained provides a reasonable basis for our observations and conclusions.

## SCOPE OF WORK (PURPOSE)

In accordance with s. 212.055(11), *Florida Statutes*, and Government Auditing Standards (2011 Revision) issued by the Comptroller General of the United States, the certified public accountant must conduct a performance audit of Orange County program areas within the administrative unit(s) which will receive funds through the referenda approved in the County's final resolution. The performance audit must evaluate the county administrative units responsible for transportation and transit improvement uses within the County and regional transportation system, including:

- **County Transportation Improvements** - Safety improvements to include pedestrian and bicycle safety, Americans with Disabilities Act (ADA) compliance, lighting, intersections, and technology and operations; major roadway improvements (including county roads that run through cities), complete streets, widening projects; intersection capacity improvements; new traffic signals, and mast arm upgrades; operations and maintenance to include roadway resurfacing and grading, bridge repair and maintenance, railroad crossing repair, roadway pond/drainage improvements and maintenance; and associated transit accommodations and passenger amenities.
- **Transit Improvements** - Increasing coverage, availability, and frequency of bus routes; expanding service hours; improving paratransit services; increasing frequency and connectivity to airport; optimizing high-capacity corridors; providing faster more direct service to work; reducing headway times; enhancing and expanding commuter rail system including frequency, routes, and stations.
- **Municipal Partnership Plans & Projects** - Roadway, safety, and operations and maintenance projects based on the individual needs of each municipality, as reflected in the transportation plans and project lists from each participating municipality.

## METHODOLOGY

McConnell & Jones LLP (the “MJ Team”) held an introductory kick-off-meeting on July 5, 2022, to discuss the project scope via teleconference. All interviews and focus groups were conducted using Teams software. Audit team members met virtually with a total of 21 Orange County executive and management-level staff during the fieldwork period regarding each of the six audit research tasks. Most of the interviews were conducted via focus groups and had varying management team members in attendance depending on their involvement with a particular research task.

During the focus group meetings, management team members’ roles were discussed along with processes and procedures the County follows to address the six research tasks and underlying subtasks. The MJ Team initiated multiple individual interview follow-up contacts with nearly all County management team members to clarify information outlined in processes, procedures, and management reports the County provided to address the research tasks. Our interviews included employees of Public Works; Planning, Environmental & Development Services; Administration & Fiscal Services; Office of the Comptroller; Office of Management and Budget; Chief of Staff and the County Administrator. Additionally, performance audit team members reviewed relevant operational and financial data to document and report findings and conclusions.

## SUMMARY OF RESULTS

Orange County’s Public Works and Planning, Environmental & Development Services departments are the administrative units responsible for the following: County Transportation improvements (category 1); Transit improvements (category 2); and Municipal Partnership Plans & Projects (category 3). The Central Florida Regional Transportation Authority, DBA LYNX benefits from transit improvements through its relationship with counties in the Central Florida Region. LYNX provides public transit services to customers in Orange, Seminole, and Osceola counties. LYNX also provides fixed-route bus services, bus rapid transit, neighborhood circulators, paratransit services, and vanpool services. Most of these services are in Orange County and LYNX works closely with the Transportation Planning Division within the Planning, Environmental & Development Services Department and Public Works. Since LYNX’s inception, Orange County has served as a member of LYNX’s Governing Board either through interlocal agreement or state statute.

Should voters pass the November 8, 2022, referendum, surtax funds will flow through The Public Works and Planning, Environmental & Developmental Services departments for the purposes outlined in the ordinance. **Figure ES-2** through **Figure ES-7** present a summary of the overall results of the performance audit required by statute. As required in the contract between OPPAGA and the MJ Team, this report includes an analysis of six (6) research tasks, containing 25 subtasks. The MJ Team’s assessment of two administrative units against the subtasks revealed that 21 of the 25 subtasks were met, 4 were partially met, and 0 were not met.

## RESEARCH TASK 1 – The Economy, Efficiency, or Effectiveness of the Program.

### **Finding Summary: Overall, Orange County meets Research Task 1.**

The MJ Team reviewed the Public Works Department, and the Planning, Environmental & Development Services Department’s Transportation Planning Division as one (1) program, that will benefit from the Transportation System Sales Surtax (“surtax”) and determined that all program managers use various reports and data on a regular basis and that the information is adequate to monitor program performance and costs. The program reviewed is periodically evaluated using performance information and other reasonable criteria to assess performance and cost. These periodic evaluations include both internal evaluations related to established performance targets and external evaluations from funding sources such as the Florida Department of Transportation. We reviewed findings and recommendations in relevant internal and external reports on program performance and cost noting that program administrators took reasonable and timely actions to address deficiencies in program performance and costs identified in such reports. All program administrators evaluate performance and cost based on reasonable measures, including best practices except the Roads & Drainage (R&D) Division of Public Works. The review team identified an improvement opportunity for R&D to acquire Pavement Management System (PMS) software and automate manual pavement management practices to facilitate using best practices. Based on testing a sample of six completed projects selected from Orange County’s Capital Improvement Program (CIP), covering 41% of the total cost of completed projects in the CIP, County construction projects were of reasonable cost and completed well, on time, and within budget. Finally, the County has written policies and procedures to take maximum advantage of competitive procurement, volume discounts, and special pricing agreements for its procurements.

#### FIGURE ES-2

#### SUMMARY OF ORANGE COUNTY RESEARCH RESULTS – RESEARCH TASK 1

Research Subtask	Overall Conclusion	Recommendation
<b>1. The Economy, Efficiency, or Effectiveness of the Program</b>		
1.1	Met	None
1.2	Met	None
1.3	Met	None
1.4	Met	None
1.5	Partially Met	<b>RECOMMENDATION 1.5 –</b> Acquire Pavement Management System software and automate the manual pavement management practices to facilitate using best practices to improve the efficiency of the County’s Road Resurfacing Program.
1.6	Met	None
1.7	Met	None

## **RESEARCH TASK 2 – The Structure or Design of the Program to Accomplish its Goals and Objectives.**

### **Finding Summary: Overall, Orange County meets Research Task 2.**

The County maintains an organizational structure that has clearly defined units, minimizes overlapping functions, and has no excessive administrative layers. Since the COVID pandemic began, vacancy and turnover rates have been considerably higher nationally. Of the program areas reviewed, the Highway Construction Division of Public Works has the highest vacancy rate at 33 percent. Overall, the key Public Works divisions have a vacancy rate of 16 percent. County administrators are well aware of the challenges faced in filling vacancies. The County regularly reviews staffing levels with a view to right-size the County’s staff. A consultant study is underway to determine how best to staff the growing personnel needs assuming the sales tax referendum passes. This study will evaluate whether new staff should be County or contractor employees, and how best to divide the responsibilities among each group.

#### **FIGURE ES-3**

#### **SUMMARY OF ORANGE COUNTY RESEARCH RESULTS – RESEARCH TASK 2**

Research Subtask	Overall Conclusion	Recommendation
<b>2. The Structure or Design of the Program to Accomplish its Goals and Objectives</b>		
2.1	Met	None
2.2	Met	None

## RESEARCH TASK 3 – Alternative Methods of Providing Services or Products.

### **Finding Summary: Overall, Orange County meets Research Task 3.**

County program administrators have formally evaluated existing in-house services and activities to assess the feasibility of alternative methods of providing services. An example described by PW for evaluating in-house services and looking at alternative methods of delivery included privatizing most of its mowing services and all road resurfacing services. PW evaluated its cost per acre to provide mowing services with in-house crews, determining that the County saved \$79.23 per acre in mowing costs by privatizing 99% of its right-of-way mowing services. Additionally, program administrators have made changes to service delivery methods when their evaluations/assessments found that such changes would reduce program cost without significantly affecting the quality of services. PW Traffic Engineering outsourced sign fabrication and installation services in new residential developments to land developers because of large backlog of sign installations and improved the quality of its services. The County should actively pursue identifying alternative service delivery methods to reduce costs and speed the delivery of transportation projects by reviewing Design-Build, Construction Manager/General Contractor (CM/GC), Project Bundling, and Public Private Partnerships (PPP) to support projects included in its Transportation Initiative.

**FIGURE ES-4**

#### **SUMMARY OF ORANGE COUNTY RESEARCH RESULTS – RESEARCH TASK 3**

Research Subtask	Overall Conclusion	Recommendation
<b>3. Alternative Methods of Providing Services or Products</b>		
<b>3.1</b>	Met	None
<b>3.2</b>	Met	None
<b>3.3</b>	Met	None
<b>3.4</b>	Partially Met	<b>RECOMMENDATION 3.4 –</b> Actively pursue identifying alternative service delivery methods to reduce costs and speed the delivery of transportation projects by reviewing Design-Build, Construction Manager/General Contractor (CM/GC), Project Bundling, and Public Private partnerships (PPP) to support projects included in the County’s Transportation Initiative.

## **RESEARCH TASK 4 – Goals, Objectives, and Performance Measures Used by the Program to Monitor and Report Program Accomplishments.**

### **Finding Summary: Overall, Orange County meets Research Task 4.**

The Public Works Department’s (PW) Division’s goals align with the PW Department’s goals in five (5) Strategic Service Areas included in PW’s Strategic Plan aligned with the County’s Strategic Plan. PW’s goals are clearly stated, measurable, and can be completed within budget. PW’s performance measures used to evaluate the performance of programs within PW divisions are unique to each PW division, monitored quarterly and annually, and are sufficient to assess progress toward meeting established targets (goals). The County’s Administrative Regulations and Article III, Section 17-310 of Orange County’s Procurement Ordinance contain policies and procedures that establish internal controls over the County’s budgeting and procurement processes, providing reasonable assurance that program goals and objectives will be met.

#### **FIGURE ES-5**

#### **SUMMARY OF ORANGE COUNTY RESEARCH RESULTS – RESEARCH TASK 4**

<b>Research Subtask</b>	<b>Overall Conclusion</b>	<b>Recommendation</b>
<b>4. Goals, Objectives, and Performance Measures Used by the Program to Monitor and Report Program Accomplishments</b>		
<b>4.1</b>	Met	None
<b>4.2</b>	Met	None
<b>4.3</b>	Met	None

## **RESEARCH TASK 5 – The Accuracy or Adequacy of Public Documents, Reports, and Requests Prepared by the County, which Relate to the Program.**

### **Finding Summary: Overall, Orange County meets Research Task 5.**

The County has developed financial and non-financial information systems that provide useful, timely, and accurate data to the public. Internal and external data is used to evaluate the accuracy and adequacy of public documents. The County makes program budget, cost, and program performance data available on its website and provided evidence that processes are in place to ensure accuracy and completeness of financial data. The County has processes in place to correct erroneous and incomplete information in a timely manner.

More detailed and current information should be provided for current transportation projects, including more frequent updates to the Transportation Projects webpages and the inclusion of cost vs. budget performance information. For the Transportation Initiative, the County has established an oversight process with the creation of the Transportation & Transit Initiative Citizens Oversight Board.

The mechanisms for accomplishing this information flow are still being developed, but the requirement for transparency is inherent in its duties.

#### **FIGURE ES-6**

#### **SUMMARY OF ORANGE COUNTY RESEARCH RESULTS – RESEARCH TASK 5**

Research Subtask	Overall Conclusion	Recommendation
<b>5. The Accuracy or Adequacy of Public Documents, Reports, and Requests Prepared by the County which, Relate to the Program</b>		
<b>5.1</b>	Met	None
<b>5.2</b>	Partially Met	<b>RECOMMENDATION 5.2 –</b> The Orange County Office of Communications is ultimately responsible for public facing information. It should regularly review the Transportation Projects webpages and verify that the information is correct and up to date rather than relying on the Project Coordinators to initiate any changes. An indication should be provided on each webpage stating “This page was last updated on [date]” to facilitate tracking.
<b>5.3</b>	Partially Met	<b>RECOMMENDATION 5.3 –</b> The Transportation Projects webpages should include information on the project budget. Additionally, the Transportation Projects webpages should include the same status information on phase and overall project completion that is shown on the Project Trak mapping system, and Project Trak should include budget information as one of the status items.
<b>5.4</b>	Met	None
<b>5.5</b>	Met	None

## **RESEARCH TASK 6 – Compliance of the Program with Appropriate Policies, Rules, and Laws.**

### **Finding Summary: Overall, Orange County meets Research Task 6.**

The County has a full-time legal staff responsible for providing legal services related to transactions, litigation, interpretation of federal, state, and local laws, and preparing ordinances for approval by the Board of County Commissioners. In this capacity, the attorneys review all contracts requiring board approval for compliance with legal requirements and board policy. The County Attorney also stays abreast of federal, state, and local legislation that could impact County departments. Program internal controls such as external audits in the form of the annual Single Audit and internal audits conducted by the Office of the Comptroller’s County Audit Division are reasonable to ensure compliance with applicable federal, state, and local laws, rules, and regulations; contracts; grant agreements; and local policies and procedures. County administrators have taken reasonable and timely actions to address any noncompliance issues and local policies and procedures that have been identified by internal or external evaluations, audits, or other means as indicated by no “repeat findings” in the County’s Single Audit or Management Letters issued by external auditors. Finally, County administrators have taken reasonable and timely actions to determine whether its planned uses of the surtax comply with applicable laws by having the County Attorney draft Ordinance No. 2022-14, which the BCC adopted April 26, 2022. The Ordinance established a Citizens Oversight Board, through Orange County’s Transportation Initiative, intended to continuously monitor planned uses of surtax proceeds to ensure the County’s ongoing compliance with *Florida Statutes*.

#### **FIGURE ES-7**

#### **SUMMARY OF ORANGE COUNTY RESEARCH RESULTS – RESEARCH TASK 6**

Research Subtask	Overall Conclusion	Recommendation
<b>6. Compliance of the Program with Appropriate Policies, Rules, and Laws</b>		
<b>6.1</b>	Met	None
<b>6.2</b>	Met	None
<b>6.3</b>	Met	None
<b>6.4</b>	Met	None

## PROGRAM DESCRIPTION AND MANAGEMENT

On April 26, 2022, the Orange County Board of County Commissioners approved Orange County Ordinance No. 2022-14, under §212.055(1), *Florida Statutes*, providing for the levy of a 1% Charter County and Regional Transportation System Sales Surtax (“Transportation Surtax”) to place a referendum on the ballot in the November 8, 2022 election to impose a 1% Transportation Surtax upon the residents of Orange County for the purpose of making County transportation improvements, transit improvements, and joint transportation improvement projects with municipalities in the Central Florida Region. Should voters approve the referendum, Orange County departments and divisions presented in **Figure ES-8** will receive, manage, oversee, and monitor the performance of transportation improvement projects using the funds for the programs indicated.

**FIGURE ES-8**  
**SURTAX FUND PROGRAMS BY COUNTY UNIT**

Department/Division	Programmatic Use
<i>Infrastructure, Community &amp; Development Services/Public Works</i>	County transportation infrastructure improvements, including: <ul style="list-style-type: none"> <li>• Safety improvements such as pedestrian and bicycle safety, Americans with Disabilities Act (ADA) compliance, lighting, intersections, technology, and operations.</li> <li>• Major roadway improvements (including County roads that run through cities), complete streets, and widening projects.</li> <li>• Intersection capacity improvements.</li> <li>• New traffic signals and mast arm upgrades.</li> <li>• Operations and maintenance to include roadway resurfacing and grading, bridge repair and maintenance, railroad crossing repair, and roadway pond/drainage improvements and maintenance.</li> <li>• Associated transit accommodations and passenger amenities.</li> <li>• Roadway, safety, and operations and maintenance projects based on the individual needs of each municipality, as reflected in the transportation plans and project lists from each participating municipality.</li> </ul>
<i>Infrastructure, Community &amp; Development Services/Planning, Environmental &amp; Development Services</i>	Transit improvements, including: <ul style="list-style-type: none"> <li>• Increasing coverage, availability, and frequency of bus routes.</li> <li>• Expanding service hours.</li> <li>• Improving paratransit services.</li> <li>• Increasing frequency and connectivity to the airport.</li> <li>• Optimizing high-capacity corridors.</li> <li>• Providing faster, more direct service to work.</li> <li>• Reducing headway times.</li> <li>• Enhancing and expanding commuter rail system including frequency, routes, and stations.</li> </ul>

## RESEARCH TASK 1

### FINDING SUMMARY

#### **THE ECONOMY, EFFICIENCY, OR EFFECTIVENESS OF THE PROGRAM.**

Overall, Orange County met expectations for Research Task 1.

The MJ Team reviewed the Public Works Department, and the Planning, Environmental & Development Services Department’s Transportation Planning Division as one (1) program, that will benefit from the Transportation System Sales Surtax (“surtax”) and determined that all program managers use various reports and data on a regular basis and that the information is adequate to monitor program performance and costs. The program reviewed is periodically evaluated using performance information and other reasonable criteria to assess performance and cost. These periodic evaluations include both internal evaluations related to established performance targets and external evaluations from funding sources such as the Florida Department of Transportation. We reviewed findings and recommendations in relevant internal and external reports on program performance and cost noting that program administrators took reasonable and timely actions to address deficiencies in program performance and costs identified in such reports. All program administrators evaluate performance and cost based on reasonable measures, including best practices except the Roads & Drainage (R&D) Division. The review team identified an improvement opportunity for R&D to acquire Pavement Management System (PMS) software and automate manual pavement management practices to facilitate using best practices. Based on testing a sample of six completed projects selected from Orange County’s Capital Improvement Program (CIP), covering 41% of the total cost of completed projects in the CIP, County construction projects were of reasonable cost and completed well, on time, and within budget. Finally, the County has written policies and procedures to take maximum advantage of competitive procurement, volume discounts, and special pricing agreements for its procurements.

### **SUBTASK CONCLUSIONS, ANALYSIS AND RECOMMENDATIONS**

**SUBTASK 1.1 – Review any management reports/data that program administrators use on a regular basis and determine whether this information is adequate to monitor program performance and cost.**

### **OVERALL CONCLUSION**

Subtask 1.1 is met overall. To reach this conclusion the MJ Team assessed the reports and documents produced by the Public Works Department, which will administer and/or benefit from the Transportation System Sales Surtax in collaboration with the Transportation Planning Division.

## ANALYSIS

The County's Public Works (PW) and Planning, Environmental, & Development Services (PEDS) Departments reside within Infrastructure, Community & Development Services, which reports directly to the County administrator. However, the Transportation Planning Division is the only division within PEDS that will administer and/or benefit from the Transportation surtax. Divisions within PW will primarily administer the funds with cooperation from Transportation Planning through ongoing collaboration.

To address the requirements of this subtask as it relates to PW and the Transportation Planning Division within PEDS, the MJ Team conducted individual interviews with the following positions:

- County Administrator
- Deputy County Administrator, Administration & Fiscal Services (Lead for Transportation Initiative)
- Deputy County Administrator, Infrastructure, Community & Development Services
- Economic Development Administrator
- Project Director & Policy Analyst, Orange County Comptroller

The MJ Team also conducted joint interviews (focus groups) with individuals in the following positions:

- Director, Public Works
- Manager, Public Works Engineering
- Manager, Traffic Engineering
- Manager, Stormwater
- Manager, Roads & Drainage
- Economic Development Administrator
- Manager, Transportation Planning
- Director of Administrative Services
- Management & Budget Administrator

The MJ Team reviewed the structure of the County's Transportation Initiative Workgroups formed to ensure the successful implementation of a comprehensive transportation program and its role in the successful implementation of the County's Capital Improvement Program (CIP). We also reviewed the County's Capital Improvement Program (CIP) budgets and related management reports PW department managers and directors use to monitor the County's PW program. These documents included the PW CIP Monthly Financial Reports, CIP Project Prioritization Report, and departmental Operations and Maintenance Progress Reports. We

reviewed the agenda and related notes of CIP Quarterly meetings with the county administrator, and agendas and related notes for the County Administrator’s Bi-Weekly Management Staff Meeting and the County Auditor’s Quarterly Audit Update Meeting.

### *Transportation Initiative Workgroups*

At the onset of the Transportation Initiative, which served as the foundation for Orange County to pursue the surtax, the County developed a top-level organization structure to ensure the planning, development, and successful implementation of a comprehensive transportation program with enhanced accountability to build on their past success implementing capital improvement programs, projects, and initiatives. This organization structure, identified as “Transportation Initiative Workgroups” (TIW), includes 10 primary work groups that work collaboratively to achieve key objectives related to planning, implementation, oversight of programs/projects included in the Transportation Initiative and produce specific deliverables, where applicable. Each workgroup has a group leader and includes multi-departmental and multi-disciplinary representatives with specific experience and insight within the respective workgroup focus area. **Figure 1-1A** presents the structure and composition of the County’s TIWs.



### Transportation Initiative Workgroups

**COMMUNICATIONS**

- Roseann Harrington (Mayor's Office)*
- Carol Burkett** (Mayor's Office)
- Jeff Williamson** (Communications Division)
- Jane Watrel** (Communications Division)
- Despina McLaughlin** (Communications Division)
- Lucas Boyce** (County Administration)

**RESEARCH/COORDINATION**

- Natalia Garcia (County Administration)*
- Lucas Boyce** (County Administration)
- Alissa Torres** (Transportation Planning)

**COMMUNITY/STAKEHOLDER ENGAGEMENT**

- Roseann Harrington (Mayor's Office)*
- Carol Burkett** (Mayor's Office)
- Ronda Robinson** (Mayor's Office)
- Ilia Torres** (Mayor's Office)
- Shally Wong** (Mayor's Office)
- Kelley Teague** (Intergovernmental Affairs)
- Eric Ushkowitz** (Economic Trade & Tourism Development)
- Stephen Sperandio** (Communications Division)
- Stephen Williams** (Community Action Division)
- Leanne O'Regan** (Communications Division)

**MUNICIPAL/REGIONAL COORDINATION**

- Byron Brooks (County Administration)*
- Chris Testerman** (County Administration)
- Kate Latorre** (County Attorney's Office)
- Carla Bell Johnson** (County Administration)
- Renzo Nastasi** (Transportation Planning)
- Lucas Boyce** (County Administration)

**FINANCIAL**

- Kurt Petersen (Office of Management & Budget)*
- Fred Winterkamp** (Office of Management & Budget)
- Scott Skraban** (Fiscal & Operational Support)

**LEGAL/LEGISLATIVE**

- Kate Latorre (County Attorney's Office)*
- Kelley Teague** (Intergovernmental Affairs)

**OPPAGA PERFORMANCE AUDIT**

- Ralphetta Aker (Public Works)*
- Jim Harrison** (or designee) (LYNX)
- Raymond Williams** (Public Works Engineering)
- Dave Hardison** (Office of Management & Budget)
- Ken Leeming** (Public Works-Highway Construction)
- Brian Sanders** (Transportation Planning)
- Kate Latorre** (County Attorney's Office)

**PROGRAM DEVELOPMENT AND DELIVERY**

- Raymond Williams (Public Works Engineering)/Renzo Nastasi (Transportation Planning)*
- Jim Harrison** (or designee) (LYNX)
- Joe Kunkel** (Public Works)
- Jon Weiss** (Planning Environmental and Development Services)
- Eduardo Avellaneda** (Public Works-Roads and Drainage)
- Humberto Castellero** (Public Works- Traffic Engineering)
- Ken Leeming** (Public Works-Highway Construction)
- Carrie Mathes** (Procurement)
- Sheena Ferguson** (Business Development)
- Jennifer Cummings** (Public Works Engineering)

**ECONOMIC ANALYSIS**

- Eric Ushkowitz (Economic Trade & Tourism Development)*
- Scott Skraban** (Fiscal & Operational Support)
- Stephanie Taub** (Fiscal & Business Services)

**DIVERSITY & INCLUSION BUSINESS OPPORTUNITIES**

- Anne Kulikowski (Administrative Services)*
- Sheena Ferguson** (Business Development)
- Tonya Raysor** (Business Development)
- Zulay Millan** (Procurement)
- Kate Latorre** (County Attorney's Office)

Updated 7-20-22

**FIGURE 1-1A:** Orange County's Transportation Initiative Work Group is structured to ensure the successful implementation of transportation programs funded by the Transportation System Surtax.

Source: [Orange County Transportation Initiative website](http://www.ocfl.net/transportation).

Representatives from PW and Transportation Planning, within PEDS, co-chair the Program Development and Delivery workgroup shown in **Figure 1-1A**. The Program Development and Delivery Workgroup created the County's Transportation Initiative Plan, a 1,156-page document that outlines specific programs/projects to improve the County's transportation infrastructure, consists of PW and Transportation Planning staff responsible for all phases and activities necessary for project development, from planning through construction and maintenance. This workgroup is focused on developing and executing the strategies necessary to implement the Transportation Initiative programs and projects, including evaluating existing processes to streamline, accelerate, and scale the projects to the level of investment proposed with the Transportation Initiative. More specifically, **Figure 1-1A** shows this workgroup consists of the director of PW, a representative from LYNX (the public transit system), and managers of each department responsible for CIP projects and initiatives benefitting from the surtax, as well as the manager of Transportation Planning.

The Orange County Board of County Commissioners (BCC), through Orange County Ordinance No. 2022-14, dated April 26, 2022, established a requisite technical committee that will use the Transportation Initiative Report to always align transportation infrastructure project priorities included in the report by: (1) reviewing the status of projects submitted by each jurisdiction; (2) reviewing the approved projects and ensuring they are compatible and coordinated between various jurisdictions; and (3) identifying opportunities for collaboration on joint projects. The Program Development and Delivery Work Group periodically meets with the County Administrator to report updates of its oversight activities. **Figure 1-1B** presents the agenda for the most recent Transportation Initiative Interdepartmental Group Meeting with the County Administrator on May 16, 2022.



**Transportation Initiative Interdepartmental Group Meeting**  
**Monday, May 16, 2022**  
**1:30pm-3:00pm**

- ✓ Meeting Purpose
- ✓ Recap of BCC Action – April 26, 2022 (Kate Latorre)
- ✓ Development of a Major Tasks List and Timeline
  - ✓ OPPAGA (Ralphetta Aker)
  - ✓ Program Delivery (Raymond Williams)
    - ✓ Diversity & Inclusion Business Opportunities (Anne Kulikowski)
- Report out/update from each working group
  - Communications - J.W.
  - Research/Coordination - N.C.
  - Community/Stakeholder Engagement - R.H.
  - Municipal/Regional Coordination - BB → Interlocal Agreements
  - Financial - X.P.
  - Program Development - R.W./B.S.
  - Economic Analysis - E.V.
- House Bill 921 – Communications & Community/Stakeholders Implications (Also, PTC - R.H.?)
- Resources Needed and Associated Budget
- Future Meeting Schedule
  - June 29, 2022-Transportation Initiative Interdepartmental Group Meeting

*Handwritten notes:*

- \* Opportunities for New policies / New ways of doing business
- \* Raymond → timing of GEC solicitation
- \* Capacity → likely national
- Call on Jim Harrison

**FIGURE 1-1B:** Orange County’s County Administrator holds periodic meetings to monitor oversight activities performed by the Program Development and Delivery Workgroup.

Source: County Administrator’s Meeting Agenda Binder.

### Capital Improvement Plan (CIP) Budget – FY 2021-2022

The County’s FY 2021-2022 Adopted Budget includes its Capital Improvements Program (CIP) Budget for FY 2021-22 through FY 2025-26 by Department / Division. The CIP Budget lists each project funded by department and division, recording the name of the project, prior expenditures related to the project (calculated over the previous 3 or 5 fiscal years), the approved budget for FY 20-21, the adopted budget for FY 21-22 and proposed budgets for FY 22-23 through FY 25-26, and total project cost. The Adopted CIP Budget for FY 21-22 totals \$635.6 million and the cost budgeted for all projects included in the CIP Budget for FY 21-22 through FY25-26 is \$5.6 billion. **Figure 1-1C** presents an excerpt from the PW section of the Adopted CIP and **Figure 1-1D** presents an excerpt from the Transportation Planning section of the Adopted CIP.

Adopted CIP - by Department / Division FY 2021/22 - FY 2025/26											
Org	Fund	Project Name	* Prior Expenditures	Approved Budget FY 20-21	Adopted Budget FY 21-22	Proposed Budget FY 22-23	Proposed Budget FY 23-24	Proposed Budget FY 24-25	Proposed Budget FY 25-26	Proposed Budget Future	Total Project Cost
<b>Public Works</b>											
<b>Engineering</b>											
2722	1003	Intersection WID/CW	3,783,501	4,279,191	3,000,100	3,000,100	3,000,100	3,000,100	3,000,100	0	23,063,192
	1246	Intersection WID/CW	0	249,855	251,000	0	0	0	0	0	500,855
	1306	Intersection WID/CW	0	396,906	450,000	130,000	326,282	0	0	0	1,303,188
	1308	Intersection WID/CW	0	2,884	43	0	0	0	0	0	2,927
	1311	Intersection WID/CW	0	468	90,872	0	0	0	0	0	91,340
	1327	Intersection WID/CW	68,156	89,335	66,678	0	0	0	0	0	224,169
	7511	LAP - Oakland Ave Roundabout	0	2,308,882	0	0	0	0	0	0	2,308,882
	7515	LAP-Tiny Road at Tilden Road	8,871	491,130	0	0	0	0	0	0	500,001
	7516	LAP - University Blvd at Dean Rd	0	997,837	0	0	0	0	0	0	997,837
	7533	LAP - Vineland Ave/SR 535	0	1,276,024	0	0	0	0	0	0	1,276,024
		<b>Org Subtotal</b>	<b>3,860,528</b>	<b>10,092,512</b>	<b>3,858,693</b>	<b>3,130,100</b>	<b>3,326,382</b>	<b>3,000,100</b>	<b>3,000,100</b>	<b>0</b>	<b>30,268,415</b>
2743	1034	Vineland Avenue	0	0	1,387,046	1,650,000	1,000,000	500,000	3,000,000	3,000,000	10,537,046
	1333	Vineland Avenue	0	0	212,954	0	0	0	0	0	212,954
		<b>Org Subtotal</b>	<b>0</b>	<b>0</b>	<b>1,600,000</b>	<b>1,650,000</b>	<b>1,000,000</b>	<b>500,000</b>	<b>3,000,000</b>	<b>3,000,000</b>	<b>10,750,000</b>
2744	1246	International Drive Pedestrian Overpass	0	0	100,000	0	0	0	0	0	100,000
		<b>Org Subtotal</b>	<b>0</b>	<b>0</b>	<b>100,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100,000</b>
2752	1023	INVEST - R. Crotty Pkwy (436-Dean)	522,127	2,050	0	0	0	0	0	0	524,177
	1032	Richard Crotty Pkwy (436-Dean)	1,683,343	3,577,813	4,600,000	13,000,000	10,700,000	550,000	0	47,780,000	81,891,156
	1335	Richard Crotty Pkwy (436-Dean)	0	0	213,190	0	0	0	0	0	213,190
		<b>Org Subtotal</b>	<b>2,205,470</b>	<b>3,579,863</b>	<b>4,813,190</b>	<b>13,000,000</b>	<b>10,700,000</b>	<b>550,000</b>	<b>0</b>	<b>47,780,000</b>	<b>82,628,523</b>
2766	1003	ROW & Drainage	8,116	5,000	5,000	5,000	5,000	5,000	5,000	0	38,116
		<b>Org Subtotal</b>	<b>8,116</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>	<b>0</b>	<b>38,116</b>

\* Prior Expenditures is calculated using 3 or 5 years.

**FIGURE 1-1C:** PW uses Orange County’s CIP Budget to monitor the performance and cost of projects benefitting from the Transportation System Sales Surtax.

Source: Orange County Adopted CIP Budget, FY 21-22 through FY 25-26.

Adopted CIP - by Department / Division  
FY 2021/22 - FY 2025/26

Org	Fund	Project Name	* Prior Expenditures	Approved Budget	Adopted Budget	Proposed Budget	Total Project Cost					
				FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	Future		
Orange County	3195	1246	I-Drive Wayfinding and Signage	0	840,122	0	0	0	0	0	840,122	
			<b>Org Subtotal</b>	0	840,122	0	0	0	0	0	840,122	
	3196	1246	Tangelo Pk Nbrhd Beautification & Aestheti	0	100,000	0	0	0	0	0	100,000	
			<b>Org Subtotal</b>	0	100,000	0	0	0	0	0	100,000	
			DIVISION SUBTOTAL	0	940,122	0	0	0	0	0	940,122	
		Transportation Planning										
Capital Improvement Program	2137	1450	Lakeside Village Neighborhood Park	1,264,960	200,041	0	0	0	0	0	1,465,001	
			<b>Org Subtotal</b>	1,264,960	200,041	0	0	0	0	0	1,465,001	
	2663	1246	Regional Transit Connectivity	0	1,500,000	0	0	0	0	0	1,500,000	
			<b>Org Subtotal</b>	0	1,500,000	0	0	0	0	0	1,500,000	
				DIVISION SUBTOTAL	1,264,960	200,041	1,500,000	0	0	0	0	2,965,001
			DEPARTMENT SUBTOTAL	14,949,643	23,828,108	107,586,358	1,475,000	5,385,000	4,930,000	4,930,000	9,860,000	172,944,109

\* Prior Expenditures is calculated using 3 or 5 years.

**FIGURE 1-1D:** Transportation Planning uses Orange County’s CIP Budget to monitor the cost and performance of projects collaborating with PW.  
Source: Orange County Adopted CIP Budget, FY 21-22 through FY 25-26.

PW and PEDS use budget information included in the CIP as a baseline to track budget to actual progress by project each month for each department within their respective divisions.

**Capital Improvement Program (CIP) Project Prioritization Report**

PW uses the CIP Project Prioritization Report to delineate projects in the Fiscal Year 2021-2022 CIP as “partially funded” or “funded” to identify and prioritize projects that are partially funded in the CIP. The report lists the following relevant fields:

- priority project name;
- roadway name included in each project;
- beginning and ending locations of the improvements;
- length of the roadway in miles;
- funding status;
- adopted budget for FY 21-22;
- projected budget for FY22-FY26;
- total 5-year cost for funded projects;

- total future year costs for partially funded projects; and
- total project cost.

Figure 1-1E presents a snapshot of the CIP Project Prioritization Report for March 2022.

ProjectType	ProjectName	Category	RoadwayName	From	To	Length_Mi	FUNDING STATUS	FY21-22 ADOPTED FY22	FY22-FY26	TOTAL YEAR	TOTAL FUTURE YEAR	Total Cost
CIPProject	Intersection Improvements						Funded	\$ 9,318,053.00	\$ 14,671,915.00	\$ 23,989,968.00	\$ -	\$ 23,989,968.00
CIPProject	Vineland Ave	2	Vineland Avenue	Small Shrine of Mary, Our	Marriott Village	0.64	Partial	\$ 1,600,000.00	\$ 6,150,000.00	\$ 7,750,000.00	\$ 3,000,000.00	\$ 7,750,000.00
CIPProject	I-Drive SLR Pedestrian Bridge	3					Partial	\$ 100,000.00	\$ 2,600,000.00	\$ 2,700,000.00	\$ 16,700,000.00	\$ 2,700,000.00
CIPProject	Richard Crotty (Goldenrod to Dean)	2	Richard Crotty Parkway	Dean Road	Goldenrod Road	3.15	Partial	\$ -	\$ -	\$ -	\$ -	\$ 49,660,000.00
CIPProject	Richard Crotty (SR 436 to Goldenrod)	2	Richard Crotty Parkway	SR 436	Goldenrod Road	3.15	Partial	\$ 5,381,795.00	\$ 24,250,000.00	\$ 29,631,795.00	\$ 5,100,000.00	\$ 29,631,795.00
CIPProject	ROW & Drainage Total 1003	4					Funded	\$ 5,000.00	\$ 20,000.00	\$ 25,000.00	\$ -	\$ 25,000.00
CIPProject	Sidewalk Program	3					Funded	\$ 3,431,111.00	\$ 12,529,611.00	\$ 15,960,722.00	\$ -	\$ 15,960,722.00
CIPProject	ADA	3					Funded	\$ 2,677,108.00	\$ 9,670,788.00	\$ 12,347,896.00	\$ -	\$ 12,347,896.00
CIPProject	Major Drainage Structures	4					Funded	\$ 1,580,652.00	\$ 4,485,271.00	\$ 6,075,923.00	\$ -	\$ 6,075,923.00
CIPProject	Pine Hills Landfill	4					Funded	\$ 485,755.00	\$ 424,000.00	\$ 909,755.00	\$ -	\$ 909,755.00
CIPProject	Sand Lake Road	2	Sand Lake Road	Turkey Lake Road	Apopka-Vineland Road	1.33	Funded	\$ 1,403,885.00	\$ 11,720,626.00	\$ 13,124,411.00	\$ -	\$ 13,124,411.00
CIPProject	Orange Avenue	2	Orange Avenue	Florida's Turnpike	Orange/Osceola CL	0.83	Partial	\$ 900,000.00	\$ 900,000.00	\$ 1,800,000.00	\$ 18,940,000.00	\$ 1,800,000.00
CIPProject	Taft-Vineland	2	Taft-Vineland Road	Orange Avenue	Orange Blossom Trail	2.03	Funded	\$ 3,215,915.73	\$ 29,252,274.00	\$ 32,468,189.73	\$ -	\$ 32,468,189.73
CIPProject	Holden Avenue	2	Holden Avenue	Orange Blossom Trail	John Young Parkway	1.25	Funded	\$ 4,796,357.00	\$ 700,000.00	\$ 5,496,357.00	\$ -	\$ 5,496,357.00
CIPProject	Kirkman Road Extension	2	Kirkman Road	Sand Lake Road	Universal Boulevard	1.31	Partnership	\$ 16,813,869.00	\$ 60,100,025.00	\$ 76,913,894.00	\$ -	\$ 76,913,894.00
CIPProject	I-Drive Ultimate Transit	2	I-Drive Ultimate Transit	Sand Lake Road	Sea Harbor Drive	5.98	Partial	\$ 2,067,495.00	\$ 307,677.00	\$ 2,375,172.00	\$ 28,000,000.00	\$ 2,375,172.00
CIPProject	Connector Parkway	2					Funded	\$ 57,724.00	\$ -	\$ 57,724.00	\$ -	\$ 57,724.00
CIPProject	Kennedy Boulevard	2	Kennedy Boulevard	Wymore Road	Forest City Road	1.76	Funded	\$ 7,548,520.00	\$ 33,146,374.00	\$ 40,694,894.00	\$ -	\$ 40,694,894.00
CIPProject	All American	2	All American Boulevard	Forest City Road	Edgewater Drive	0.46	Funded	\$ 1,268,359.00	\$ 14,100,000.00	\$ 15,368,359.00	\$ -	\$ 15,368,359.00
CIPProject	Street Lights County Roads	3					Funded	\$ 7,295,186.24	\$ -	\$ 7,295,186.24	\$ -	\$ 7,295,186.24
CIPProject	John Young Parkway Interchange	3	John Young Parkway	Florida's Turnpike	Commodity Circle	2.30	Funded	\$ 105,716.00	\$ -	\$ 105,716.00	\$ -	\$ 105,716.00
CIPProject	Chuluota Road	2	Chuluota Road	Lake Pickett Road	Colonial Drive	1.93	Partnership	\$ 803,200.55	\$ 10,106,236.00	\$ 10,909,436.55	\$ -	\$ 10,909,436.55
CIPProject	McCulloch Road	2	McCulloch Road	Tanner Road	Orion Boulevard	1.06	Funded	\$ 625,088.00	\$ 12,349,900.00	\$ 12,974,988.00	\$ -	\$ 12,974,988.00
CIPProject	Econ Trail Lake Underhill to College Lane	2	Econlockhatchee Trail	Valencia College Lane	Lake Underhill Road	1.02	Funded	\$ 9,885,741.00	\$ 19,559,099.00	\$ 29,444,840.00	\$ -	\$ 29,444,840.00
CIPProject	Texas Avenue	2	Texas Avenue	Holden Avenue	Oak Ridge Road	1.51	Funded	\$ 8,838,377.00	\$ 24,712,381.00	\$ 33,550,758.00	\$ -	\$ 33,550,758.00
CIPProject	Valencia College Lane	2	Valencia College Lane/William C. Coleman Dr.		Goldenrod Road	0.45	Funded	\$ 113,830.00	\$ -	\$ 113,830.00	\$ -	\$ 113,830.00
CIPProject	Raleigh Street Improvements	3					Funded	\$ 1,000,050.00	\$ -	\$ 1,000,050.00	\$ -	\$ 1,000,050.00
CIPProject	CR545 Widening Village 1 and Gap	2	Avalon Road	Schofield Road	Bedtime Story Drive	3.63	Funded	\$ 1,463,471.86	\$ 1,735,750.00	\$ 3,199,221.86	\$ -	\$ 3,199,221.86
CIPProject	Flemings Road Improvements (CR 545 to Lake County Line)	2	Flemings Road	Avalon Road	Lake/Orange CL	0.99	Partnership	\$ 5,000,000.00	\$ 3,610,826.00	\$ 8,610,826.00	\$ -	\$ 8,610,826.00
CIPProject	CR545 Turnpike to SR 50	2	Avalon Road	SR 50	Florida's Turnpike	0.42	Partial	\$ 654,687.00	\$ 600,000.00	\$ 1,254,687.00	\$ 4,100,000.00	\$ 1,254,687.00
CIPProject	FDOT Landscaping, Lighting and Agreements	3					Funded	\$ 1,306,449.47	\$ -	\$ 1,306,449.47	\$ -	\$ 1,306,449.47
CIPProject	Woodbury Road	2	Woodbury Road	SR 50	Lake Underhill Road	1.50	Partial	\$ 1,500,000.00	\$ 6,100,000.00	\$ 7,600,000.00	\$ 15,000,000.00	\$ 7,600,000.00
CIPProject	Innovation Way	2	Innovation Way	John Wycliffe Boulevard	Wewahootee Road	0.53	Partnership	\$ 535,754.00	\$ 903,238.00	\$ 1,438,992.00	\$ -	\$ 1,438,992.00
CIPProject	Reams Road (Delmar to Taborfield)	2	Reams Road	Delmar Avenue	Taborfield Avenue	2.28	Funded	\$ -	\$ 53,000.00	\$ 53,000.00	\$ -	\$ 53,000.00
CIPProject	I-Drive Transit Lanes	2	International Drive	Sand Lake Road	Destination Parkway	2.85	Funded	\$ 1,957,771.00	\$ 22,800,099.00	\$ 24,757,870.00	\$ -	\$ 24,757,870.00
CIPProject	Tangelo Park Pedestrian Traffic Calming	3					Funded	\$ 50,000.00	\$ 200,000.00	\$ 250,000.00	\$ -	\$ 250,000.00
CIPProject	Boggy Creek Road (Osceola County Line to SR 417)	2	Avalon Road	ater Springs Boulevard	New Hartzog Road	2.26	Funded	\$ 4,934,471.96	\$ 7,882,395.97	\$ 12,816,867.93	\$ -	\$ 12,816,867.93
CIPProject	Destination Parkway	2	Destination Parkway	Tradeshow Boulevard	International Drive	0.33	Funded	\$ 100,000.00	\$ -	\$ 100,000.00	\$ -	\$ 100,000.00
CIPProject	Lake Underhill Road	2	Lake Underhill Road	Rouse Road	Goldenrod Road	3.97	Partial	\$ 1,967,203.00	\$ 24,425,063.00	\$ 26,392,266.00	\$ 41,350,000.00	\$ 26,392,266.00
CIPProject	TSM Traffic Calming	3					Funded	\$ 32,904.00	\$ -	\$ 32,904.00	\$ -	\$ 32,904.00
CIPProject	Pedestrian Enhancements	3					Funded	\$ 3,496,909.00	\$ 2,400,000.00	\$ 5,896,909.00	\$ -	\$ 5,896,909.00
CIPProject	Alafaya/University Safety Improvements	3					Funded	\$ 842,988.11	\$ -	\$ 842,988.11	\$ -	\$ 842,988.11
CIPProject	Pine Hills Pedestrian Safety Project	3	Pine Hills Road	Bonnie Brae Circle	SR 50	3.17	Funded	\$ 10,713,436.00	\$ 11,646,834.00	\$ 22,360,270.00	\$ -	\$ 22,360,270.00
CIPProject	Reams Road (Summerlake - Taborfield)	2	Reams Road	Taborfield Avenue	Immerlake Park Boulev	2.90	Partial	\$ 3,048,698.33	\$ 35,093,700.00	\$ 38,142,398.33	\$ 1,210,000.00	\$ 38,142,398.33
CIPProject	Ficquette Road (Summerlake - Overstreet)	2	Ficquette Road	Overstreet Road	Immerlake Park Boulev	1.74	Funded	\$ 3,878,892.00	\$ 24,049,670.00	\$ 27,928,562.00	\$ -	\$ 27,928,562.00
CIPProject	East OC Transportation Needs	2					Funded	\$ 677,027.00	\$ 14,071,083.00	\$ 14,748,110.00	\$ -	\$ 14,748,110.00
CIPProject	Intersections and Pedestrian Safety	3					Funded	\$ 7,780,626.00	\$ 2,061,700.00	\$ 9,842,326.00	\$ -	\$ 9,842,326.00
CIPProject	Median Tree Program	4					Funded	\$ 3,641,786.00	\$ 300,000.00	\$ 3,941,786.00	\$ -	\$ 3,941,786.00
CIPProject	Oak Ridge Pedestrian Study	3	Oak Ridge Road	Orange Blossom Trail	Milena Boulevard	2.77	Funded	\$ 7,904,777.00	\$ 3,609,886.00	\$ 11,514,663.00	\$ -	\$ 11,514,663.00
CIPProject	East Bay Streets Drainage 2	4					Funded	\$ 317,969.00	\$ 55,213.00	\$ 373,182.00	\$ -	\$ 373,182.00
CIPProject	Sunbridge	2	Sunbridge Parkway	Aerospace Way	Orange/Osceola CL	7.21	Partnership	\$ 568,357.00	\$ -	\$ 568,357.00	\$ -	\$ 568,357.00
CIPProject	Avalon Rd/CR 545 (US 192-Hartzog)	2	w Independence Parkw	Avalon Road	Orange/Lake CL	1.04	Funded	\$ 490,063.00	\$ -	\$ 490,063.00	\$ -	\$ 490,063.00
CIPProject	Tiny Rd (Bidgewater Crossing - Tilden)	2	Tiny Road	Tilden Road	ridgewater Middle Scho	1.95	Funded	\$ 860,426.00	\$ 286,850.00	\$ 1,147,276.00	\$ -	\$ 1,147,276.00
CIPProject	University Blvd (Goldenrod - SR 436)	3	University Boulevard	Goldenrod Road	SR 436	1.26	Funded	\$ 450,100.00	\$ -	\$ 450,100.00	\$ -	\$ 450,100.00
CIPProject	Tradeshow Blvd	2	Tradeshow Blvd	Universal Boulevard	Destination Parkway	0.62	Partial	\$ 2,600,000.00	\$ 400,000.00	\$ 3,000,000.00	\$ 3,800,000.00	\$ 3,000,000.00
								\$ 158,213,854.25	\$ 453,941,384.97	\$ 612,155,239.22	\$ 186,860,000.00	

FIGURE 1-1E: Public Works uses the CIP Prioritization Report to identify and track partially funded transportation infrastructure projects that will receive funds from Transportation Surtax proceeds.  
Source: Orange County Public Works Department.

Partially funded projects will receive priority with the supplemental funding from the surtax, as these projects require \$187 million through FY 2026. The estimated costs to be funded for these partially funded projects are shown in the Total Future Year column. The remaining projects are programmed to be funded from the CIP. PW included this baseline report table in the Transportation Initiative Report to identify priority projects funded by the surtax to be used by the Technical Committee as a basis for its ongoing review of the status of priority transportation infrastructure projects.

### Public Works (PW) Capital Improvement Program (CIP) Monthly Financial Reports

The PW Director (Director) uses management reports to monitor performance and cost for all PW programs and projects. These reports include the CIP Monthly Financial Report, prepared by PW's Fiscal & Operational Support Division, which provides adopted and current budget information along with encumbered and expended fund amounts, including the percentage of funds encumbered and expended to date by program and project. The Director uses this information as an executive-level evaluation of the pace of expenditures for every fund account

for all the Public Works projects and programs. Based on a review and evaluation of the CIP Monthly Financial Report, the Director can immediately determine if a particular project is either underspending or overspending when compared to the CIP budget. For projects and programs that are either over or under budget, the Director initiates discussions with the appropriate project manager to determine the reason for the overspending/under spending and initiate the necessary corrective actions to get the program or project back on track.

**Figure 1-1F** presents a snapshot of the Roads & Drainage Division Financial Report included in PWs CIP Monthly Financial Report for June 2022, which has tabs for PW Engineering, Stormwater Management, and Traffic Engineering as well.

Public Works Department - CIP Budget Monthly Financial Report - June FY 21-22 Roads & Drainage Division									
Fund	Unit	Project Name	Adopted Budget	Current Budget	\$ Enc	\$ Exp	Remaining Balance	% Enc & Exp	% Exp
1004	2912	Bridge Maintenance and Repairs	\$3,000,000	\$3,186,707	\$87,300	\$177,341	\$2,922,066	8.3%	5.6%
		<b>Project Subtotal:</b>	<b>\$3,000,000</b>	<b>\$3,186,707</b>	<b>\$87,300</b>	<b>\$177,341</b>	<b>\$2,922,066</b>	<b>8.3%</b>	<b>5.6%</b>
1004	2913	Multipurpose Path Conversion and Maint.	\$0	\$14,819	\$0	\$12,195	\$2,624	82.3%	82.3%
		<b>Project Subtotal:</b>	<b>\$0</b>	<b>\$14,819</b>	<b>\$0</b>	<b>\$12,195</b>	<b>\$2,624</b>	<b>82.3%</b>	<b>82.3%</b>
1004	2947	Mtrc Yards Improvments	\$1,200,000	\$2,555,652	\$1,139,672	\$263,798	\$1,152,182	54.9%	10.3%
		<b>Project Subtotal:</b>	<b>\$1,200,000</b>	<b>\$2,555,652</b>	<b>\$1,139,672</b>	<b>\$263,798</b>	<b>\$1,152,182</b>	<b>54.9%</b>	<b>10.3%</b>
1004	2990	Rehab Existing Rdwys C/W	\$31,000,000	\$34,564,233	\$22,785,048	\$6,259,320	\$5,519,865	84.0%	18.1%
		<b>Project Subtotal:</b>	<b>\$31,000,000</b>	<b>\$34,564,233</b>	<b>\$22,785,048</b>	<b>\$6,259,320</b>	<b>\$5,519,865</b>	<b>84.0%</b>	<b>18.1%</b>
1004	3010	Drainage Rehab	\$5,000,000	\$8,883,441	\$3,239,968	\$3,678,312	\$1,965,161	77.9%	41.4%
		<b>Project Subtotal:</b>	<b>\$5,000,000</b>	<b>\$8,883,441</b>	<b>\$3,239,968</b>	<b>\$3,678,312</b>	<b>\$1,965,161</b>	<b>77.9%</b>	<b>41.4%</b>
1002	5086	Railroad Crossing Replacements	\$545,500	\$545,500	\$0	\$73,352	\$472,148	13.4%	13.4%
		<b>Project Subtotal:</b>	<b>\$545,500</b>	<b>\$545,500</b>	<b>\$0</b>	<b>\$73,352</b>	<b>\$472,148</b>	<b>13.4%</b>	<b>13.4%</b>
<b>Total Roads &amp; Drainage:</b>			<b>\$40,745,500</b>	<b>\$49,750,352</b>	<b>\$27,251,988</b>	<b>\$10,464,318</b>	<b>\$12,034,046</b>	<b>75.8%</b>	<b>21.0%</b>

**FIGURE 1-1F:** Public Works uses the CIP Monthly Financial Report to review and evaluate the pace of expenditures for all PW projects and programs each month.  
Source: Orange County Public Works Department.

### Public Works (PW) Procurement Schedule

The PW Director (the Director) uses the Procurement Schedule, which includes multiple reports that provide project procurement schedule information for Engineering Division projects and project status information on Public Works safety projects, as an additional tool to monitor the progress of procurement of services to begin PW projects in the CIP and the status of PW safety programs. The Director reviews and evaluates this information monthly, comparing month-over-month data to review the progress of CIP projects moving through the County’s bidding process. If the Director identifies projects with delays in the procurement cycle that could potentially affect the project mobilization or delivery schedule, they send an email to the appropriate individual responsible for the stage in the procurement process causing the delay to initiate discussions regarding corrective actions necessary to get the procurement cycle back on schedule.

Figure 1-1G presents a snapshot of the Procurement Schedule, which includes the following information to allow the Director to effectively monitor the progress of PW CIP projects in the bidding process as well as department/position responsibility to facilitate accountability throughout the process:

- Project name and responsible party for every stage of the procurement process.
- Dates Request for Proposal (RFP) or bid submitted to Fiscal and Purchasing, including dates advertised and dates proposals were received and reviewed by Procurement Committee.
- Recommended responsible bidder and date of Board of County Commission’s approval, and stages of the negotiation process.
- Length of time project in bid process in number of months.
- Explanatory comments.

Procurement Schedule																			
Responsible Parties	Project Name	Item Type	To Fiscal	To Purch	Advertised	Received Proposals	Procurement Committee	Bid Opening	MWBE Due Date	MWBE Received Date	Low Bid Amount	Bid Recommendation	End of Protest Period	BCC	Contract Negotiations Complete	Contract Executed	PO/CO Processed	Time in Progress (months)	Comments
1	Continuing Design Services LAP Y21-902	RFP	4/15/20 7/31/18 12/31/18	04/26/21	06/15/21 06/03/21	9/03/2021 8/25/2021		2/3/21 4/4/21	02/24/21	02/23/21	2,398,367							43	Haven't completed negotiations due to no upcoming LAP design projects
2	University Blvd & Rouse Rd Intersection Y21-729	BID	11/17/20	11/18/20	12/04/20													19	non-responsive bids - MWBE
3	University Blvd & Rouse Rd Intersection Y21-7035	BID	06/01/21	07/02/21				08/05/21 4/26/22 3/22/22	09/24/21	09/21/21	1,452,700							13	non-responsive bids - MWBE
4	University Blvd & Rouse Rd Intersection Y22-743	BID		02/07/22				3/28/22	05/26/22	05/26/22	2,501,550	05/19/22		06/21/22					2/3 bids responsive
5	Little Econ Trail Phase 3 LAP Y21-807	RFP	01/13/21	04/30/21	06/17/21	07/29/21							08/06/21	08/24/21				17	Sent the fee proposals (initial and final) with mock-up calculations to FDOT on 04/14/2022.
6	Shingle Creek Trail Ph. 3 CEI LAP Y22-815	RFP	01/21/21 06/23/22	05/02/22	6/16/22 6/02/22	07/27/22													received 1 proposal
7	Shingle Creek Ph 3 LAP	BID	02/04/22 10/21/21	03/02/21				8/12/21 7/29/21											FDOT sent NTP on 06/14/2022 to advertise for Construction Services.
8	Texas Ave Y21-7030	BID	5/26/21 Dec '20	06/11/21				7/29/21 5/31/22 6/24/22 5/02/22 3/10/22										13	to be re-bid - 0 bids
9	Texas Ave Y22-718	BID	12/24/21 Dec '20	2/8/22 1/9/22														13	re-bid - 0 bids
10	Woodbury Rd Design Y21-815	RFP	06/24/21	07/07/21	08/10/21	10/13/21								11/09/21	06/24/22			12	received 8 submissions; 5 selected, 2 sits
11	Engineering continuing design contracts Y22-900	RFP	6/30/21	09/03/21	10/12/21	12/08/21							02/17/22	03/23/22				10	received 8 submissions; 5 selected, 2 sits
12	Tradeshow Blvd Y22-802	RFP	08/09/21	09/03/21	10/12/21	12/08/21							12/16/21	01/25/22	06/30/22			9	FDOT review
13	Continuing CEI Services LAP Y22-902	RFP	09/22/21					7/5/22 6/21/22 6/07/22 6/17/22											
14	Little Econ Trail Phase 3 Independent Peer Review Y22-805	RFP	11/15/21	04/13/22	04/20/22	06/01/22												7	
15	CEI Conting services Y22-903/905	RFP	12/30/21	03/07/22	04/20/22	06/01/22													
16	Buck Rd Bridge CEI LAP	RFP	01/10/22	05/26/22	6/28/22													5	
17	Pine Hills Trail Ph 2 Design LAP	RFP	01/18/22	06/01/22	07/07/22													5	
18	Conway Acres Wall Y22-784	BID	01/31/22	04/05/22				05/10/22 6/30/22 6/23/22 6/14/22	06/09/22									5	1 bid; to be rebid
19	Econ Trail CEI Y22-813	BID	02/28/22	05/12/22															
20	Taft Vineland Rd Design PM change	CO	04/13/22																PM was approved on 6/7/22 but the PE is still pending
21	Texas Ave Design PM change	CO	04/22/22																
22	Lake Lanier RSP	BID	05/06/22																
23	Pine Hills Ped Safety Ph 1	BID	05/13/22	06/01/22			07/07/22												
24	Econ Trail	BID	06/08/22																
25	Bates Rd Bridge Design	CO	06/15/22																
26	Lake Gandy Phase II / Magnolia Lake (Area B)	BID	06/15/22																
27	Pine Hills Landfill Monitoring	CO	06/21/22																

FIGURE 1-1G: PW’s Procurement Schedule Report is a tool to monitor the progress of CIP projects through the County’s procurement process.

Source: PW Fiscal and Operational Support Department.

### *Intersection & Pedestrian Safety Status Report*

The PW Director (the Director) reviews and evaluates the Intersection & Pedestrian Safety Status Report monthly, comparing month-over-month data, to determine the overall progress of projects in PW's Intersection & Pedestrian Safety Program. If the Director identifies projects with delays or lack of progress, he sends an email to the appropriate project manager to initiate discussions about the root cause for delays or lack of progress and require the project manager take corrective actions to resolve the matter.

**Figure 1-1H** presents a snapshot of the Intersection & Pedestrian Safety Program Status Report, which includes the following information to allow the Director to effectively monitor the overall progress of projects in PW's Intersection & Pedestrian Safety Program:

- Location and type of project, complete with a description of the project.
- Estimated cost, project priority, and funding source (i.e., CIP, Florida Department of Transportation (FDOT)–Local Agency Program, Investment).
- Status of project and percentage complete, by color-coded stage of the project (i.e., Aqua = Roadway Conceptual Analysis [RCA]/Study, Yellow = Design, Pink = Right-of-Way [ROW], and Orange = Construction).
- Color coded status milestone bars showing anticipated Fiscal Year of construction and anticipated cost.

Intersection & Pedestrian Safety Program Status Report

District	Location	Project ID	Type of Project	Estimated Cost	Project Description	Ranking	Funding	Status	% Complete	FY 21/22				FY 22/23				
										21 Q4	22 Q1	22 Q2	22 Q3	22 Q4	23 Q1	23 Q2	23 Q3	
										ICAD Study	Design	ROW	Construction					
1	5	Buck Rd Bridge at Little Econ River	001	Bridge	\$300,000		Invest	Design	100%									
2	3	Holden Ave (Judy Ct to Raymar Dr)	002	Sidewalk	\$194,674		Invest	Design	96%									
3	2	Overland Rd (Beggs Rd to Clark St)	003	Sidewalk	\$1,293,327		Invest	Construction				1,148,362						
4	2	Round Lake Rd (King Ave and Sadler Ave)	004	Sidewalk	\$164,071		Invest	Design	90%									
5	1	Turkey Lake Pedestrian Improvements	051	Safety Improvement	\$80,000		Invest											
6	5	McCulloch Mid Block Crossings	052	Ped Safety	\$500,000		Invest					500,000						
7		Wetherbee Rd & Orange Blossom Trail		Ped Safety	\$305,000		Invest											
8	5	University/Alafaya Safety	009	Ped Safety	\$7,056,000		Invest								7,056,000			
9	5	University/Alafaya Safety	009	Ped Safety	\$409,893		CiP	Design	100%									
10	All	Countywide	010	Crosswalk	\$25,000		Invest											
11	6	Rio Grande lane elimination study	048	Safety Improvement	\$1,037,000		Invest	Study	100%						80,000			
12	1	Conroy Windermere Access Management	049	Safety Improvement	\$35,000		Invest											
13	4	Landstreet Rd lane elimination	050	Safety Improvement	\$75,000		Invest											
14	6	SR 435 Kirkman Road At Old Winter Garden Road		Signals			CiP											
15	2	Belco Dr new Lynx Transfer Station	024	Intersection	\$520,000		CiP	Design	100%			520,000						
16	2/6	Pine Hills Pedestrian Safety		Ped Safety	\$2,000,000		CiP											
17	2	Sadler Rd at Dora Dr.	170	Intersection	\$650,000		CiP							275,000				
18	6	Oak Ridge Road Ped/Bike Safety		Ped Safety	\$3,000,000		CiP	Procurement				2,000,000						
19	All	Countywide		Sidewalk	\$2,000,000		CiP	Construction	76%									
20	2	Powers Dr at North Ln	139	Intersection	\$1,495,000		LAP	Design	100%							1,495,000		
21	5	University Ave at Rouse Rd	162	Intersection	\$1,421,049		CiP	Procurement				1,421,049						
22	5	Corporate Blvd. at Alafaya Trl	137	Intersection	\$815,000		LAP	Design	95%					510,000				
23	5	University Blvd at Dean Rd	165	Intersection	\$2,290,000		LAP	Design	95%	250,000								1,500,000
24	1	Tiny Rd at Tilden Rd	173	Intersection	\$1,460,000		LAP	Design	98%					1,100,000				

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**FIGURE 1-1H:** PW’s Intersection & Pedestrian Safety Program Status Report tracks the status and projected cost of projects underway in the Intersection & Pedestrian Safety Program.  
Source: Orange County PW Department.

### County Audit Division Quarterly Audit Update

The County Audit Division resides within the Office of the Comptroller, who is responsible for conducting audits and investigations of the County’s operations and administration where appropriate. Each quarter, the County Audit team including the Director of County Audit and the Deputy Director of County Audit, conducts a Quarterly Update Meeting with the County Administrator and three Deputy County Administrators to discuss and review the status of current audits and audits anticipated to start within the following quarter. The agenda includes a discussion of the status of Board of County Commissioners audits, estimated release dates for the audit reports, and a summary of significant issues identified in the audit.

The MJ Team reviewed agenda items for eight (8) Quarterly Audit Updates beginning March 4, 2020, and ending June 3, 2022, noting a discussion of the status of the Bridge Inspection and Monitoring audit in six (6) of the updates through the Quarterly Update dated October 6, 2021.

The County Comptroller issued the final report titled “*Audit of the Maintenance of the Bridges of Orange County*,” Audit Report No. 491 in October 2021.

Quarterly Audit Updates to the County Administrator and Deputy County Administrator responsible for PW and PEDS provide an additional layer of ongoing monitoring of the performance of PW programs by the County’s executive leadership team.

***County Administrator’s Bi-Weekly Management Meeting***

The County Administrator conducts bi-weekly management meetings with the County’s three (3) Deputy County Administrators, the Assistant County Administrator, Chief Sustainability and Resilience Officer, and the Assistant to the County Administrator to provide internal executive-level monitoring and oversight of key initiatives, programs, and projects throughout the County. The County Administrator sets the topics of discussion for the agenda to monitor the status and progress of projects and activities affecting County operations and administrative functions, including PW projects included in the CIP. Deputy County Administrators provide updates regarding agenda topics and discuss critical matters requiring executive-level action or decision-making. Agenda topics have historically included transportation projects and issues relevant to implementing specific projects.

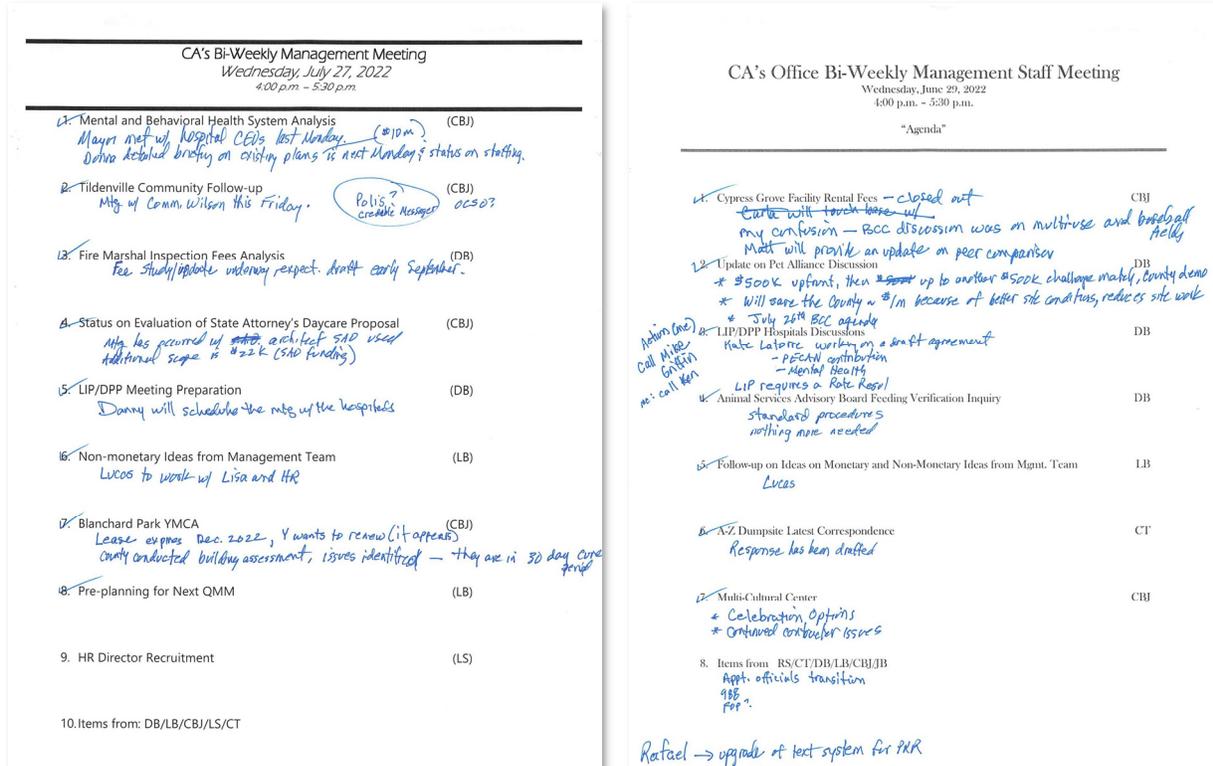
The MJ Team reviewed agendas for 30 County Administrator’s Bi-Weekly Management Meetings conducted from January 13, 2021, through June 29, 2022, noting seven (7) meetings in which transportation-related projects or topics were included in the agenda. **Figure 1-11** below summarizes the results of our review.

Bi-Weekly Management Meeting Date	Transportation-Related Agenda Topic
<i>January 13, 2021</i>	MMI Development, Inc. – Lake Underhill Road Project Update
<i>January 27, 2021</i>	Holden/Gatlin Intersection Study
<i>February 25, 2021</i>	MMI Development – Lake Underhill Road Project Update
<i>August 25, 2021</i>	MMI – Lake Underhill Road/Fieldstream Village Update
<i>September 8, 2021</i>	<ul style="list-style-type: none"> <li>• International Drive (I-Drive) Community Redevelopment Agency Transit Ridership Study Request</li> <li>• Update on Citizen Safety Task Force Assignments &amp; Schedule</li> </ul>
<i>March 9, 2022</i>	MMI Lake Underhill Road Project and Transportation Impact Fee (TIF) Analysis
<i>April 20, 2022</i>	Follow-up on Bridge Audit

**FIGURE 1-11:** Summary of Review of County Administrator’s Bi-weekly Management Meeting Agendas. Source: Compiled from County Administrator’s Bi-Weekly Agenda Binder.

Although the County Administrator does not designate a person as a “note-taker” to record formal notes for Bi-Weekly Management Meetings to capture follow-up actions related to discussions of topics in the agenda, he records notes directly in the agenda next to the topic discussed. His notes, recorded in the margins of the agenda, include follow-up items, actions

required going forward, and personnel responsible for addressing each item. The County Administrator uses these notes to develop future agendas, create work assignments for Deputy County Administrators and Department Directors, and ensure program and project timelines are met. In addition, these notes highlight any concerns identified with program and project timelines and budgetary issues to ensure they are addressed in an effective and efficient manner. **Figure 1-1J** presents a sample agenda from the County Administrator’s Bi-Weekly Management Meeting with notes recorded in the agenda by the County Administrator.



**FIGURE 1-1J:** The County Administrator’s Bi-Weekly Management Meetings provide executive-level monitoring and oversight for PW programs.  
Source: County Administrator’s Bi-Weekly Management Meeting Agenda Binder.

**SUBTASK 1.2 – Determine whether the program is periodically evaluated using performance information and other reasonable criteria to assess program performance and cost.**

## OVERALL CONCLUSION

Subtask 1.2 is met overall. To reach this conclusion the MJ Team assessed the reports and documents produced by the Public Works Department, which will administer and/or benefit from the Transportation System Sales Surcharge in collaboration with the Transportation Planning Division.

## ANALYSIS

The MJ Team conducted interviews with Public Works and Transportation Planning directors and managers and reviewed independent assessments and evaluation reports conducted by County staff and external agencies to evaluate program performance and cost. The results of our assessment follow.

### *Florida Department of Transportation (FDOT) Bridge Assessment*

FDOT inspects all public highway bridges in the state every two (2) years. Accordingly, every bridge in Orange County is inspected every two (2) years. FDOT performed Orange County's most recent bridge inspection in 2022.

FDOT is responsible for inspecting and rating most of the bridges in Florida. County governments are the next largest group responsible for bridge maintenance. FDOT hires consulting engineers to inspect and rate county bridges, while the responsibility for maintaining the bridges remains with the County government.

According to FDOT's 2021 Annual Bridge Report, there are 12,595 bridge-structures accounted for in FDOT's Bridge Management System. FDOT has maintenance responsibility for 7,079 bridges, or 56.20%. County governments maintain 3,935 bridges (31.24 %), cities and towns maintain 1,279 bridges (10.15%), while others, such as the federal government, railroads, private citizens, and organizations maintain the remaining 302 bridges (2.40%). There are 103 county-maintained bridges in Orange County. FDOT uses the following terminology and ratings to define a bridge's condition.

- **Structurally Deficient.** Bridge should undergo a series of repairs or replacement within the next six (6) years. FDOT's policy is to repair or replace all the structurally deficient state-owned bridges during that time. FDOT recommends that local governments follow the same schedule for their structurally deficient bridges. According to FDOT's 2022 Quarterly Report for the 3<sup>rd</sup> Quarter, Orange County had no structurally deficient bridges.
- **Functionally Obsolete.** Bridge does not meet current road design standards. For example, some bridges are "functionally obsolete" because they were built at a time when lane widths were narrower than the current standard. According to FDOT's 2022 Quarterly Report for the 3<sup>rd</sup> Quarter, eight (8) Orange County bridges were functionally obsolete.
- **Sufficiency Rating.** Used to help determine whether a bridge that is structurally deficient or functionally obsolete should be repaired or just replaced. A rating of 100 represents a perfect bridge (i.e., entirely sufficient for its current use). A rating of 0 percent is the worst possible bridge (i.e., entirely insufficient for its current use). The sufficiency ratings for bridges are part of a formula used by the Federal Highway Administration when it allocates federal funds to the states for bridge replacement. According to FDOT's 2022 Quarterly Report for the 3<sup>rd</sup> Quarter, most Orange County bridges, 89%, had a sufficiency rating between 76-100.

- Health Index.** Measures the overall condition of a bridge. The health index typically includes 10 to 12 different elements that FDOT evaluates. A lower health index means that more work would be required to improve the bridge to an ideal condition. A health index below 85 generally indicates that some repairs are needed, although it doesn't mean the bridge is unsafe. A low health index may also indicate that it would be more economical to replace the bridge than to repair it. According to FDOT's 2022 Quarterly Report for the 3rd Quarter, most Orange County bridges, 86%, had a health rating between 76-100.

FDOT maintains bridge information for all Florida counties on its website. **Figures 1-2A** through **1-2D** provide an overview of Orange County's bridges from FDOT's Third Quarter 2022 report and demonstrates that the County's bridges are periodically evaluated.

Orange County Bridge Age		
Range	Number	Percent
2-10 Years	15	15%
11-20 Years	26	25%
21-30 Years	19	18%
31-40 Years	26	25%
41-50 Years	7	7%
>51-66 Years	10	10%
<b>Total</b>	<b>103</b>	<b>100%</b>

**FIGURE 1-2A:** Orange County's bridges range from 2 to 66 years of age.  
Source: [Florida Bridge Information-2022 3rd Quarter](#).

FDOT Inspections of Orange County Bridges		
Year	Number	Percent
2020	11	11%
2021	79	76%
2022	13	13%
<b>Total</b>	<b>103</b>	<b>100%</b>

**FIGURE 1-2B:** FDOT inspected 76 percent of Orange County's bridges in 2021.  
Source: [Florida Bridge Information-2022 3rd Quarter](#).

Orange County Bridges Sufficiency Rating		
Rating	Number	Percent
25-50	1	1%
51-75	10	10%
76-100	92	89%
<b>Total</b>	<b>103</b>	<b>100%</b>

**FIGURE 1-2C:** FDOT assigned a high sufficient rating to 89 percent of Orange County's bridges.  
Source: [Florida Bridge Information-2022 3rd Quarter](#).

Orange County Bridges Health Index		
Rating	Number	Percent
25-50	1	1%
51-75	13	13%
76-100	89	86%
<b>Total</b>	<b>103</b>	<b>100%</b>

**FIGURE 1-2D:** FDOT assigned a high health index rating to 86 percent of Orange County’s bridges.  
Source: [Florida Bridge Information-2022 3rd Quarter](#).

### *Federal Department of Transportation (FDOT) Local Agency Program (LAP) Agreements*

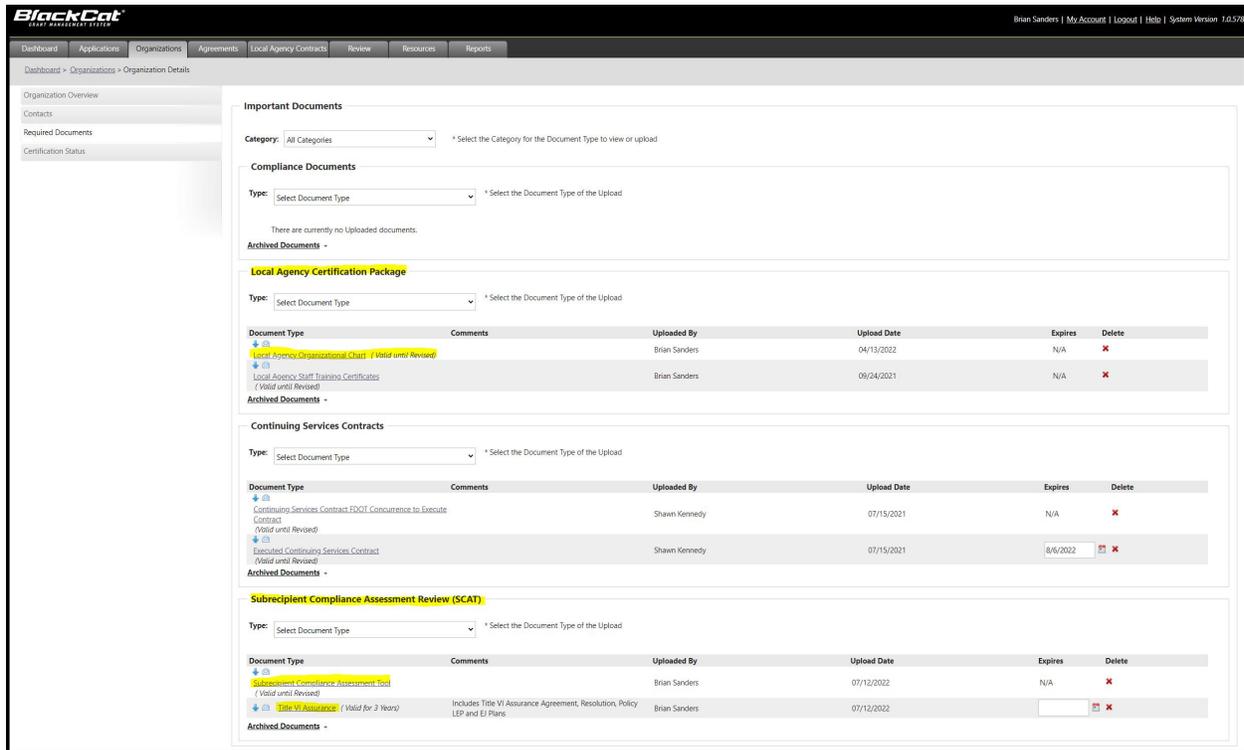
FDOT’s Local Agency Program (LAP) provides Federal funds to counties and other eligible jurisdictions to develop, design, and construct transportation facilities with federal funds. FDOT is responsible for administering LAP in Florida on behalf of the Federal Highway Administration (FHWA). Counties designated as LAP agencies prioritize and fund local projects and are then eligible for reimbursement for the services provided to the traveling public through compliance with applicable Federal statutes, rules, and regulations. To be eligible for LAP funding, counties must be LAP-certified with FDOT to demonstrate that the County meets program requirements. Through the LAP, counties are essentially certifying that if a project is funded through LAP, it will abide by LAP procedures and requirements. Certification and recertification demonstrate that the local agency is committed to complying with requirements of the Federal-Aid Highway Program (FAHP). Certification and recertification demonstrate that the local agency is committed to complying with requirements of the Federal-Aid Highway Program (FAHP).

Orange County is certified to deliver LAP projects. FDOT certified Orange County through a risk-based assessment and performance measures. The County had to complete an extensive questionnaire for the projects it wished to finance through the LAP. The following are sections of the LAP certification questionnaire, which demonstrates that PW is periodically evaluated using performance information and other reasonable criteria to assess program performance and cost:

- Risk Assessment
- Project Selection
- Responsible Charge
- Grant Application Process (GAP) Administrator
- Agency Staffing
- Agency Staff Augmentation
- Project Development
- Procurement
  - General
  - Continuing Service Contracts

- Professional Services
- Construction
  - Planning
  - Plans Specifications and Estimates
  - Construction
  - Construction Administration
    - Project Inspection
    - Contract Compliance with FHWA 1273
  - Invoicing
  - Certification Status

FDOT funded 21 of Orange County's 203 CIP projects from FY 2019 to FY 2022 through LAP Agreements, representing 10% of all projects included in the County's CIP. While Orange County is certified to deliver LAP projects, its current LAP certification expires August 15, 2022. Orange County and the FDOT are actively coordinating to fully recertify the County into LAP to receive funding from the Federal Highway Administration through its local Metropolitan Planning Organization, MetroPlan Orlando. All documents requested by FDOT have either been emailed to FDOT or uploaded into "BlackCat," which is FDOT's online grant management system. The County is in the process of addressing FDOT's comments related to uploaded recertification documents. FDOT is on track to recertify the County before the August 15, 2022, LAP certification expiration date. **Figure 1-2E** presents a screenshot verifying the County uploaded its certification documents.



**FIGURE 1-2E:** Orange County timely uploaded its documents to FDOT’s online grant management system to achieve LAP re-certification before its current certification expires August 15, 2022.  
Source: Transportation Planning, Screenshot of BlackCat Grant Management System.

To further verify the status of the County’s recertification, the MJ Team reviewed email traffic between FDOT’s Local Program Coordinator responsible for LAP recertification and the County’s Assistant Manager, Transportation Planning between January 22, 2022, and June 29, 2022. The Lap Program Coordinator cited two outstanding items necessary to complete the upload for recertification in an email to the Assistant Manager, Transportation dated June 29, 2022:

- An executed Title IV Assurance Agreement approved by the Board of County Commissioners
- Location in the County website where the Title IV/Nondiscrimination Plan approved by the board of County Commissioners is posted

The Assistant Manager, Transportation responded to the Local Program Coordinator in an email dated June 29, 2022, confirming the uploads of both documents into FDOT’s online grant management system.

**SUBTASK 1.3 – Review findings and recommendations included in any relevant internal or external reports on program performance and cost.**

**SUBTASK 1.4 – Determine whether program administrators have taken reasonable and timely actions to address any deficiencies in program performance and/or cost identified in management reports/data, periodic program evaluations, audits, etc.**

## **OVERALL CONCLUSION**

Subtasks 1.3 and 1.4 are met overall. Both Subtasks are assessed together because they are so closely related. To reach this conclusion the MJ Team assessed the reports and documents produced by the Public Works Department, which will administer and/or benefit from the Transportation System Sales Surtax in collaboration with the Transportation Planning Division.

## **ANALYSIS**

To address the requirements of these subtasks as they relate to Public Works and its collaborative relationship with Transportation Planning, the MJ Team interviewed the positions referenced in Subtask 1.1 and examined recommendations in the County Auditor’s report on its audit of the County’s Bridge Maintenance Program and external evaluations of road projects funded by FDOT through the County’s LAP Agreement. Our interviews and reviews provided evidence that PW administrators have taken reasonable and timely actions to address deficiencies in program performance and/or cost identified in management reports/data, periodic program evaluations, and audits.

### *Audit of the Maintenance of the Bridges of Orange County*

The County Comptroller conducted an internal audit of the Maintenance of the Bridges of Orange County (Bridge Audit) and issued the final report in October 2021. The MJ Team noted findings and recommendations in the report and management’s responses. The report contained seven (7) findings and related recommendations, with which PW management concurred. The recommendations were:

- All bridge inspections and deficiencies should be monitored and addressed (Recommendation 1)
- Bridge repairs should be timely completed (Recommendation 2)
- Bridge deficiency documentation should be improved (Recommendation 3)
- Routine maintenance should be performed to prevent additional repair costs (Recommendation 4)
- County departments should develop Bridge Maintenance Programs that include inspections by a qualified structural engineer (Recommendation 5)
- Procedures for field assessments of major drainage structures should be improved (Recommendation 6)
- Written procedures should be established to monitor and maintain the Bridge Management Program (Recommendation 7)

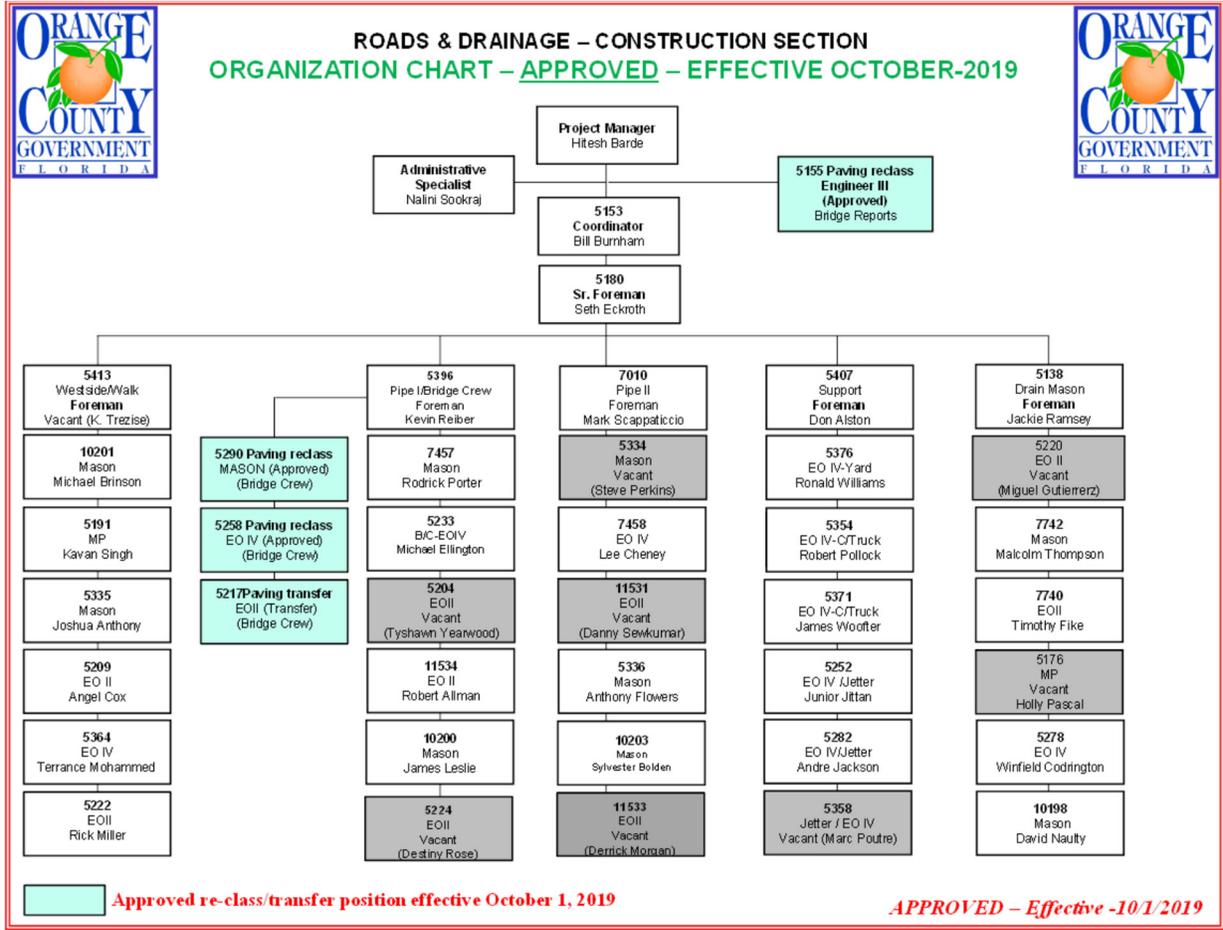
PW commissioned an internal evaluation of the County's Bridge Management Program by Hitesh Barde, Senior Project Manager in the County's Roads & Drainage Division (R&D), to develop a plan to address the recommendations included in the Bridge Audit. Mr. Barde's evaluation focused on improving the County's Bridge Maintenance Program by addressing the following areas:

- FHWA, FDOT, and National Bridge Inspection (NBI) Bridge Inspection Standards including bridge condition and deficiency rating indexes.
- Maintenance and rehabilitation of bridges according to FDOT's four (4) bridgework categories including general maintenance, routine maintenance (minor repairs or non-structural), periodic maintenance (major repairs or structural), and bridge rehabilitation.
- Outlining the County's and R&D's responsibility, respectively, in the County Bridge Maintenance Program.
- Defining and graphically depicting R&D's process flow for conducting bridge maintenance activities and ultimately notifying FDOT.
- Core structures requiring immediate attention including, eroded bridge piles, cracks on bridge circumference, underwater repairs, deck separation, and critical structural repairs.
- Limitations of R&D's in-house bridge maintenance crew including resource limitations, training limitations, and permitting limitations, and no personnel with experience conducting structural repairs.
- The need for consulting services to gain a better understanding of FDOT Comprehensive Inventory Data Reports (CIDR) submitted to R&D by PW's Engineering Division, which resulted in hiring FDOT's consultant, Ayers Associates.
- The approach R&D will take to implement recommendations in the Bridge Audit including planning activities, resources dedicated for non-structural repairs and functions (in-house bridge crew), and resources for major structural repairs and functions (i.e., use of consulting and contracted services).
- Accomplishments since the Bridge Audit began in 2019 through Spring 2022, including staffing changes, contracts with consultants to assess nine (9) bridges with structural deficiencies, and receiving final bid submittals from FDOT-certified contractors to complete structural repairs and deficiencies for seven (7) of the nine (9) bridges.

The Public Works Director adopted the revised Orange County Bridge Maintenance Program in Spring 2022. The MJ Team reviewed evidence to support the Accomplishments section on pages 13 through 15 of the evaluation report and referenced in the final bullet summarizing the focus areas above. **Figure 1-3A** through **Figure 1-3C** provide evidence of corrective actions taken by PW administrators included in the internal evaluation of the County Bridge Maintenance Program.

**Figure 1-3A** confirms that, although the County Auditor released the Bridge Audit in October 2021, R&D proactively obtained approval to fund the positions related to proposed in-house

staffing changes in 2019 after reviewing the status of the Bridge Audit during the County Auditor’s Quarterly Update Meetings.



**FIGURE 1-3A:** The Roads & Drainage Department obtained approval for reclassifying and adding positions proposed to address recommendations to improve the Orange County’s Bridge Maintenance Program. Source: Orange County FY 2019-2020 Budget Requests, Orange County Human Resources Department.

**Figure 1-3B** and **Figure 1-3C** present evidence R&D contracted with Inwood Consulting Engineers to assess structural deficiencies and provide construction oversight services to address deficiency repairs FDOT inspectors identified for the Old Winter Garden Road over S.R. 408, Bridge No. 750388. **Figure 1-3B** depicts the first page of the final Construction Completion Package Inwood Consulting Engineers submitted to R&D, while **Figure 1-3C** depicts the Certificate of Final Completion for Old Winter Garden Road over S.R. 408, Bridge No. 750388 that is attached to the Final Pay Request for the contractor, Proshot Concrete, Inc.



September 18, 2020

ORC-020-27

Mr. Johnny Rosario, P.E.  
 Orange County Public Works Roads & Drainage Division  
 4200 South John Parkway  
 Orlando, FL 32839

**Re: Construction Completion Package  
 Construction Oversight Services for  
 Old Winter Garden Road Over S.R. 408 Bridge No. 750388 Deficiency Repairs  
 Orange County, FL**

Dear Mr. Rosario,

The construction of the Old Winter Garden Road Over S.R. 408 Bridge No. 750388 Deficiency Repairs project has been completed by the contractor Proshot Concrete, Inc. For this project, four deficiencies were identified to be repaired. First, the East Parapet Fence, to tighten anchor bolts along the entire length of fence (See Photos 1 & 2). Second, West Parapet Fence, to replace the entire length of chain link fabric (See Photos 3 & 4). Third, Expansion Joint Replacement, to replace the existing silicone and backer rod with new poured silicone and foam backer at both abutments for southbound travel lanes (See Photos 5 & 6). Last, North MSE Wall Slip Joint Repair, to clean and prepare all surfaces for foam backer rod and silicone sealant to the vertical and horizontal joints to prevent further leaking of fill (See Photos 7 & 8).



**Photo 1: East Parapet Fence - Before**



**Photo 2: East Parapet Fence - After**

Roadway Design  
 PD&E Studies  
 Structures  
 Water Resources  
 Ecology  
 Utilities  
 Public Involvement

3000 Dovera Drive  
 Suite 200  
 Oviedo, FL 32765

P: 407-971-8850  
 F: 407-971-8955  
 www.inwoodinc.com

**FIGURE 1-3B:** PW's Road & Drainage Division contracted with consulting engineers to provide construction oversight to repair bridge deficiencies identified by FDOT inspectors.  
 Source: Construction Completion Package submitted by Inwood Consulting Engineers.



This Certificate is from the Roads & Drainage Division

Final Completion Date: 8/25/20

District: 1, Commissioner Betsy VanderLey

**CERTIFICATE OF FINAL COMPLETION**

**Old Winter Garden Road over SR 408 Bridge No. 750388  
Deficiency Repairs Construction Services  
Contract No: Y20-735**

Contract Between  
Orange County, Florida  
And  
Proshot Concrete Inc.

Contract Date: May 20, 2020  
Notice To Proceed: June 8, 2020

In accordance with Article 18, Page F31- F38 of the Contract Documents Orange County hereby accepts for its full and complete the project Old Winter Garden Road over SR 408 Bridge No. 750388 Deficiency Repairs Construction Services.

The acceptance is conditioned upon the Contractor's guaranteeing the subsequent remediation of any deficiencies in workmanship and materials, which may become apparent within a period of one-year following the Final Completion Date. This acceptance shall not release the Contractor from complete performance under the provisions of the aforementioned Contract.

**ROADWAY CATEGORY**

<u>New Construction</u>	<u>Lane Miles</u>	<u>Roadway Type</u>	
<input type="checkbox"/> Arterial	<u>N/A</u> Single lane miles	<input type="checkbox"/> Private	<input type="checkbox"/> Public
<input type="checkbox"/> Collector	<u>N/A</u> Single lane miles	<input type="checkbox"/> Private	<input type="checkbox"/> Public
<input type="checkbox"/> Subdivision (local)	<u>N/A</u> Single lane miles	<input type="checkbox"/> Private	<input type="checkbox"/> Public
<input type="checkbox"/> Alternative Surface	<u>N/A</u> Single lane miles	<input type="checkbox"/> Private	<input type="checkbox"/> Public

**Old Winter Garden Road over SR 408 Bridge No. 750388  
Deficiency Repairs Construction Services**

NO NEW LANE MILES ASSOCIATED WITH THIS PROJECT

 _____ Joseph C. Kunkel, P.E. PUBLIC WORKS DIRECTOR	9-25-20 Date	 _____ Johnny Rosario, P.E., Engineer III ROADS AND DRAINAGE DIVISION	Sept 21, 2020 Date
 _____ Deodat Budhu, P.E., Manager ROADS AND DRAINAGE DIVISION	9/25/20 Date	 _____ Hitesh Barde, P.G., GISP, Project Manager ROADS AND DRAINAGE DIVISION	09-21-2020 Date

**FIGURE 1-3C:** PW's Roads & Drainage Department timely completed construction correcting Old Winter Garden Road bridge deficiencies identified by FDOT inspectors.

Source: Construction Completion Package submitted by Inwood Consulting Engineers.

R&D's review of the recommendations included in the Maintenance of the Bridges of Orange County Audit Report and subsequent actions to evaluate the County's Bridge Maintenance Program, obtain approval for additional positions, hire an engineering firm to oversee construction activities to repair bridge deficiencies, and hire a construction contractor to repair bridge deficiencies demonstrates that PW managers and administrators took reasonable and timely actions to address bridge deficiencies.

### *Local Agency Program (LAP) Performance Evaluation – North Fort Christmas Road*

FDOT assesses the County's compliance with each phase of projects funded through its LAP Agreement by performing a Local Agency Performance Evaluation to determine areas where compliance is satisfactory or less than satisfactory as measured by designated performance evaluation ratings in Section 2.6.2 of the LAP Manual. LAP Performance Evaluation groups project compliance attributes into four phases:

- Professional Services Procurement Phase
- Design Phase
- Construction Advertisement and Award Phase
- Construction and Construction Administration Phase

Performance Evaluation ratings in each phase result in one of the three ratings:

- **Unsatisfactory Performance, Rating of 1** – The Local Agency failed to develop the project in accordance with applicable federal and state regulations, standards, and procedures, required excessive FDOT involvement/oversight, or required corrective actions by FDOT to complete the project.
- **Satisfactory Performance, Rating of 2** – The Local Agency developed the project in accordance with applicable federal and state regulations, standards, and procedures, with minimal FDOT involvement/oversight.
- **Above Satisfactory Performance, Rating of 3** – The Local Agency developed the project in accordance with applicable federal and state regulations, standards, and procedures and FDOT did not have to exceed the minimum oversight and monitoring requirements identified for the project.

FDOT assigns an average score, based on a numerical performance rating from 1-3, to each phase of the LAP-funded project based on predetermined compliance criteria, and provides general comments identifying specific instances of non-compliance. These specific instances of non-compliance offer opportunities for the Local Agency to improve its program and maintain its LAP certification. The County uses these performance evaluations to assess where improvements in its project management may be needed, as satisfactory performance evaluations are part of the criteria for the County to maintain its LAP certification.

The MJ Team reviewed a LAP Performance Evaluation for the County’s North Fort Christmas Road Safety Project, Financial Project Number: 437458-1-58/68-01 and noted the following average ratings for the phases evaluated:

- Professional Services Procurement – 2.0
- Design Phase – Not Evaluated
- Construction Advertisement and Award – 2.0
- Construction and Construction Administration – 2.6

In the General Comments section reported for the Construction and Construction Administration Phase at the end of the evaluation, the District LAP Administrator wrote that “although the County submitted invoices at the frequency required by the LAP agreement, of the 13 invoices submitted, five (5) needed corrections or additional information.” This comment in the LAP Performance Evaluation offered the County an opportunity for improvement in its project management and invoicing practices.

The County subsequently corrected the process deficiency that caused them to submit incorrect invoices without all required information by modifying its “INVOICE CHECKLIST (Highway Construction)” for submitting invoices to include four additional quality control steps:

- Accounting lines on memo to match purchase order.
- Check contract information on Asbestos Certification.
- All close-out documents for final pay applications need to be notarized.
- Project Monitoring Status Report (PMSR) needs to be included on FDOT Reimbursement Requests (LAP projects).

The MJ Team compared the previous INVOICE CHECKLIST (Highway Construction) attached to the County’s pay request for the North Fort Christmas project (dated March 22, 2021) to the revised INVOICE CHECKLIST (Highway Construction) verifying the four additional quality control steps were added to the revised checklist. The County’s action to include additional quality control steps in its checklist demonstrates that program administrators took timely actions to address process deficiencies highlighted in FDOT’s North Fort Christmas Road Safety Project LAP Evaluation.

**SUBTASK 1.5 – Evaluate program performance and cost based on reasonable measures, including best practices.**

## **OVERALL CONCLUSION**

Subtask 1.5 is partially met overall. To reach this conclusion, the MJ Team assessed relevant departments within Public Works that will administer and/or benefit from the sales surtax, as

well as management practices that demonstrate whether PW departments use best practices to evaluate program performance.

## **ANALYSIS**

To address the requirements of this subtask, the MJ Team conducted interviews with the positions referred to in Subtask 1.1. We also reviewed Public Works performance measures and pavement management practices to determine that program administrators evaluate program performance and cost based on reasonable measures, including best practices. Based on our analysis, this subtask is partially met because PW's Road & Drainage Division relies on a cumbersome manual Pavement Management System driven by spreadsheet analysis which compromises the efficiency of the County's Road Resurfacing Program because of the absence of automation.

### *Public Works Performance Measures – FY 2021*

The County has a Performance Measurement System (PMS) consisting of updated key performance measures for each department, which is included in the Orange County FY 2021-22 Budget Book. The specific performance measures facilitate monitoring the outcome of program services to determine if the purpose of a program is being achieved. Throughout the fiscal year, County departments report actual progress toward target performance measures quarterly to the Office of Management and Budget (OMB).

The County budget contains performance measures for each PW division. Specifically, the Roads & Drainage Division (R&D), Public Works Engineering Division, and Traffic Engineering Division have performance measures directly related to the County's intended uses of the surtax. R&D performance measures include: (1) Total Number of County Lane Miles Maintained; (2) Percent of Residential Miles Rated in Good Condition; and (3) Lane Miles Identified for Resurfacing. Public Works Engineering performance measures include: (1) Number of Transportation CIP Projects in Progress and (2) Number of Transportation Projects Bid. Traffic Engineering performance measures include the Percentage of Signal Preventative Maintenance Completed. **Figure 1-5A** presents actual performance and target PW performance measures included in the Orange County FY 2021-22 Budget Book.

**Public Works**

Key Performance Measures	Notes	FY 2019-20 Actual	FY 2020-21 Target	FY 2021-22 Target
<b>Development Engineering</b>				
- Number of Projects Reviewed		2,393	2,251	2,323
- % of Projects Reviewed within Specified Time Frame		90%	90%	90%
- Cost Per Plan Reviewed		\$ 284	\$ 346	\$ 315
<b>Public Works Engineering</b>				
- % of CIP Budget Expended and Encumbered	1	12%	60%	60%
- Number of Transportation CIP Projects in Progress		150	195	190
- Number of Transportation Projects Bid		109	140	160
<b>Public Works Stormwater Mgt.</b>				
- Number of Flood Plain Permit Applications		432	380	408
- % of CIP Budget Expended and Encumbered		96%	90%	92%
- Number of Drainwells, Control Structures, and Pump Stations		155	155	155
- Number of Miles of Primary Canals Maintained		95	95	95
- Number of Ponds Maintained		1,925	1,925	1,925
- MSBU Ponds Maintained		1,543	1,543	1,543
- Non-MSBU Ponds Maintained		382	382	382
<b>Roads &amp; Drainage</b>				
- Total Number of County Lane Miles Maintained		5,844	5,814	5,840
- Arterial Lane Miles Maintained		1,775	1,697	1,694
- Residential Lane Miles Maintained		4,069	4,117	4,146
- % Arterial Lane Miles Rated in Good Condition		85%	85%	85%
- % Residential Lane Miles Rated in Good Condition		88%	88%	88%
- Lane Miles Identified for Resurfacing		315	340	320
- Number of Miles of Secondary Canals Maintained		90	90	90
- % of CIP Budget Expended and Encumbered		98%	90%	90%
<b>Traffic Engineering</b>				
- % of MOT Permits Processed within 1 week		93%	90%	91%
<i>Maintenance of Traffic (MOT)</i>				
- % of Signal Preventative Maintenance Completed		91%	90%	91%
- % of Traffic Studies Completed within 60 days		71%	80%	84%
- % of Signal Timing Complaints Completed within 1 Week		92%	90%	91%

1 Modified Measure

**FIGURE 1-5A:** PW has identified key performance measures as targets to meet for individual departments to monitor the overall performance of the PW program.

Source: Orange County FY 2021-22 Budget Book.

When reviewing PW's Key Performance Measures (KPM) included in the Orange County FY2021-22 Budget Book, we noted the County's practice to include "actual" KPM's that lag two fiscal years behind the current fiscal year and one year behind the immediately preceding fiscal year. Accordingly, the County presents actual KPMs for one year and Targets for the next two consecutive fiscal years. We examined the Orange County FY 2020-21 Budget Book and FY 2019-20 Budget Book to confirm this practice, noting the County included actual KPMs for FY 2018-19 in the Orange County FY 2020-21 Budget Book and actual KPMs for FY 2017-2018 in the Orange County FY 2019-20 Budget Book. Although the County prefers to present in its annual Budget Books future KPM targets for PW divisions, the department routinely assesses actual versus target performance for each KPM in each PW division quarterly and annually. As of the date of this report, the PW had not compiled FY 2021-22 KPM actual data.

The MJ Team reviewed the Performance Based Measurement System FY 2021-22 Quarterly and Annual Targets for R&D, PW Engineering, and Traffic Engineering to determine if the department tracks actual performance against targets quarterly and annually. We noted each department compares actual results to target each quarter in a color-coded spreadsheet, explaining all variances over or under 15% of target in a "Comments/Highlights" section.

### *Roadway Resurfacing Practices*

The County used general industry guidance and FDOT pavement life cycle estimations to implement a 15-year roadway resurfacing program cycle for local roadways and 12-year cycle for arterial and collector roads or major roadways. This estimation is based on the Mill & Overlay (MO) resurfacing method.

The County contracted with Southeastern Surveying and Mapping Corp. to complete an extensive inventory of its 5,844 lane miles in 2014, giving each roadway segment a specific Pavement Condition Index (PCI) score, using microPAVER software, initially purchased in 2007, as its Pavement Management System (PMS). Roads & Drainage (R&D) reassessed its inventory and PMS software in 2016 and determined the microPAVER software to be inefficient and costly, and discontinued using the software.

After discontinuing the microPAVER PMS program in 2016, R&D implemented manual methods to conduct planning for the County's roadway resurfacing program. The basis of the manual PMS program is the PCI Ranking Spreadsheet initially created with the report generated by the contract with Southeastern Surveying and Mapping Corp. A manual spreadsheet lists road segments ranked from lowest PCI score to highest PCI score.

R&D automatically depreciates PCI scores by one (1) to two (2) points a year manually. At the beginning of each budget year, R&D uses the depreciated PCI scores to rank the roads in the spreadsheet from lowest to highest PCI score. Based on the 12- or 15-year roadway resurfacing cycle, R&D manually prepares an Excel spreadsheet listing approximately 170 to 200 miles of roadways with the lowest PCI scores targeted for resurfacing. R&D summarizes roadways targeted for resurfacing in a Projected Paving List, which is subsequently adjusted based on actual field conditions noted in road inspections.

The MJ Team reviewed a sample Pavement Program Report detailing the results of assessment of Lake Underhill Road by a Paving Senior Foreman in R&D and a spreadsheet titled “Paving Trend 97-21,” which lists the number of center lane miles of roads resurfaced each year from 1997 to 2021. The spreadsheet indicates R&D is resurfacing a median 191 miles per year, which meets its manual pavement management program’s minimum performance standards for a 15-year resurfacing cycle. Based on our review, R&D is not using the most efficient method to evaluate its pavement management program; although the measures used to evaluate the program are reasonable. Best practices suggest using PMS software programs to model future pavement deterioration and recommend maintenance and repairs to the roads based on the type and age of the pavement and various measures of the quality of the existing pavement. This information is used to develop automated, manageable pavement management workplans.

**RECOMMENDATION 1.5 – Acquire Pavement Management System software and automate the manual pavement management practices to facilitate using best practices to improve the efficiency of the County’s Road Resurfacing Program.**

**SUBTASK 1.6 – Evaluate the cost, timing, and quality of current program efforts based on a reasonably sized sample of projects to determine whether they were of reasonable cost and completed well, on time, and within budget.**

## **OVERALL CONCLUSION**

Subtask 1.6 is met overall. To reach this conclusion, the MJ Team interviewed the Managers of Roads & Drainage, Engineering, Stormwater, Traffic Engineering and the Director of Public Works. We selected a sample of six completed projects from the County’s Capital Improvement Program (CIP) to review and evaluate the cost, timing, and quality of Public Works program efforts. Our review evaluated the following attributes for each of the projects included in our sample:

- Basis for vendor selection
- Original contract amount
- Net change order
- Total contract cost
- Final payment
- Notice to Proceed
- Date approved by Board of County Commissioners
- Target completion date
- Certificate or Notice of Substantial Completion date

- Completion date per Certification of Completion Letter

Based on our evaluation and detailed review of supporting documents, the majority of project’s costs were reasonable, and each project was completed well, on time, and within budget, with the exception of one project with unsatisfactory performance where the County and contractor entered into a global settlement agreement to avoid the cost of litigation.

## ANALYSIS

The Board County Commissioners (BCC) original Capital Improvement Program (CIP) went through FY 2019. As of this report’s assessment date, three (3) roads are awaiting construction and one (1) is completing the design phase. Although the BCC CIP period has ended, the County has a process in place to approve outstanding/incomplete projects.

### Sample Selection

The MJ team obtained the list of all projects in the County’s CIP to select a sample of projects to determine whether they were of reasonable cost and completed well, on time, and within budget. To select the sample, we determined which projects in the CIP were identified as 100% completed on the Public Works Engineering (PWE) Department’s list and grouped them by type of project. We then reviewed the groupings and selected six projects based upon the total cost of the project and type of project to select a representative sample of completed projects. The six completed projects selected as our sample represent approximately 41% of project expenditures for completed projects in the CIP. **Figure 1-6A** summarizes the completed projects we selected in our sample for review.

Project Number	Project Name	Asset	Project Type	Cost	FY Completed
<i>Y19-1128D</i>	Rehab Existing Roadways Lake Steer Pointe	Roads	Improvements	\$138,747	2018
<i>WR25062045</i>	Rock Springs Road Roadway Lighting	Lighting	Improvements	\$415,571	2021
<i>37173</i>	Boggy Creek Rd. North	Roads	Roadway Improvement	\$11,864,380	2020
<i>Y15-750-CH</i>	International- Drive from Westwood	Roads	Roadway	\$19,981,766	2018
<i>Y20-708</i>	John Young Parkway at American	Intersections	Intersection Improvement	\$378,776	2021
<i>Y18-777</i>	Little Egypt Sidewalk	Sidewalk and Drainage	Sidewalk Improvement	\$974,051	2019
<i>Total Sample Selection</i>				\$33,753,291	

Project Number	Project Name	Asset	Project Type	Cost	FY Completed
<b>Total Completed Projects</b>				\$83,470,965	
<b>Percentage Projects Sampled</b>				41%	

**FIGURE 1-6A:** Team MJ’s sample selection covered 41% of the cost of total CIP projects completed.  
Source: Capital Improvements Project List for Traffic Engineering, Roads & Drainage, and PW Engineering.  
Note: The amounts listed in this table do not always agree to the amounts discussed in the respective project analysis projects. This is due to the differences between estimated, budgeted, contracted, and actual costs that are presented in the various documents we were provided. Furthermore, the total project costs included in the CIP project list we were provided includes all project costs, not just construction costs.

Figure 1-6B provides summaries of the projects the MJ Team sampled, including a description of attributes reviewed and evaluated for each project. The MJ Team’s detailed analysis of each project follows **Figure 1-6B**.

Description	Rehab Existing Roadways Lake Steer Pointe (Y19-1128D)*	Rock Springs Rd. Lighting Program (WR2506045)	Boggy Creek Rd. North (Public/Private/ Partnership) (37173)	International- Drive from Westwood (Y15-750-CH)	John Young Parkway at American Blvd (Y20-708)	Little Egypt Sidewalk (Y18-777)
<b>Basis for Vendor Selection</b>	Competitive solicitation and approval of four vendors.	Utility Companies – projects are assigned based on jurisdiction.	Private partner exercised option, under agreement, to undertake construction of project. Solicited bids, executed contract w/lowest bidder, and constructed the project.	Competitive solicitation and approval of two bidders.	Competitive solicitation and approval of five bidders.	Competitive solicitation and approval of seven bidders.
<b>Original Contract Amount</b>	\$138,747	\$415,570.81	\$11,350,225.05 (County responsibility). The private partner (contractor) has responsibility for the remaining costs.	\$21,662,394.89	\$696,377.15	\$685,360
<b>Net Change Order</b>	No change orders issued.	Multiple Change Orders netted to \$0 between Change Orders for credits and charges.	No change orders issued.	No change orders issued.	\$9,940.78	\$288,693
<b>Contract Sum</b>	\$138,747	\$415,570.81	\$12,484,392.90	\$21,662,394.89	\$706,317.93	\$974,053
<b>Final Cost</b>	\$129,980	\$415,570.81	\$11,846,380.02	\$19,981,765.64	\$706,317.93	\$823,408

Description	Rehab Existing Roadways Lake Steer Pointe (Y19-1128D)*	Rock Springs Rd. Lighting Program (WR2506045)	Boggy Creek Rd. North (Public/Private/Partnership) (37173)	International-Drive from Westwood (Y15-750-CH)	John Young Parkway at American Blvd (Y20-708)	Little Egypt Sidewalk (Y18-777)
<b>Notice to Proceed By</b>	Purchase Order issued 1/26/2021 serves as the notice to proceed	8/14/2018 via Lighting Proposal and payment made by Orange County PW.	7/5/2017	9/14/2015	4/27/2020	2/26/2019
<b>Date Approved by Board</b>	9/3/2020	9/14/2014	4/25/2017	06/02/2015	12/3/19	11/13/18
<b>Target Completion Date</b>	9/30/21	June 2019	6/12/2019	6/2/2017	12/22/2020	10/25/2019
<b>Certificate or Notice of Substantial Completion Date</b>	2/18/21 - Punchlist was used as substantial completion.	Not Required	5/10/2019	7/3/2018	11/2/2020 - Punch List was used as substantial completion.	8/09/2019
<b>Final Completion per Certification of Completion Letter</b>	3/02/2021	N/A for this type of project	3/23/2020	Settlement agreement used as final completion.	12/18/2020	9/6/2019
<b>Reasonable Costs?</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Completed within Budget?</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Completed Timely?</b>	Yes	Yes	Yes	No	Yes	Yes
<b>Completed Well?</b>	Yes	Yes	Yes	Yes	Yes	Yes

**FIGURE 1-6B:** Orange County's CIP projects selected for testing costs were reasonable and were completed well, timely, and within budget.

Source: Orange County Staff, Project File Documents.

\* This project is one of several projects included in project #Y19-1128D.

### Rock Springs Road Analysis

The Rock Springs Road program is an approved roadway lighting program by the Board of County Commissioners. The purpose of the lighting program was to light 85 miles of County collector and arterial roadways across six County districts. The original cost estimate was \$356,400 with a final cost of \$415,570.81. Each vendor provided monthly status reports throughout the project. Team MJ reviewed the monthly status reports and observed that this project is included in the status reports.

The County partners with the local utility companies to implement the program. The utility companies are required to follow the Florida Public Service Commission's regulations. Standard

operating procedures for the lighting program are established which includes design review and field verification once construction is complete.

Orange County is required to pay for roadway lighting projects in advance based upon the proposal provided by the respective utility company. **Figure 1-6C** provides a copy of the Rock Springs Road proposal.



**DE Contact:** Trevor Sullivan  
**Address:** 3250 Bonnett Creek Rd. Lake Buena Vista, FL 32830  
**Phone:** 303-912-4486

## Lighting Proposal WR 25062045

August 14, 2018

Project Details	
<b>Customer:</b>	ORANGE COUNTY GOVERNMENT
<b>Account:</b>	7664670185
<b>Site:</b>	0000 ROCK SPRINGS RD *LITE, WELSH TO PONKAN APOPKA FL 32712
<b>Contact:</b>	Colleen Lutz
<b>Phone:</b>	407-836-8669

Scope of Request
The customer is responsible for the cost, repair or replacement of (1) sod, trees, shrubbery or other plants damaged in the normal course of performing or gaining access to the above work, except to the extent that such damages caused by Duke Energy's negligence and (2) damages to non-Duke Energy underground wires, conduit, pipes or other utility facilities that have NOT been staked or located by owner of the facility.

Quantity Required	Product Description Fixtures and Poles	Per Unit				Sub-Total
		Rental	Maint.	Fuel & Energy	Unit Total	
43	216W LED Roadway, UG Q161	\$13.11	\$1.39	\$5.09	\$19.59	\$842.37 LF
43	216W LED Roadway, OH L160	\$11.61	\$1.39	\$5.09	\$18.09	\$777.87 LF
43	30/35' CONCRETE PLBC301 / 351	\$5.05	\$0.00	\$0.00	\$5.05	\$217.15 DL
					\$0.00	\$0.00
					\$0.00	\$0.00
					\$0.00	\$0.00
					\$0.00	\$0.00
					\$0.00	\$0.00
<b>Rental, Maintenance, F&amp;E Totals:</b>		\$1,280.11	\$119.54	\$437.74		
		<b>Project Summary Totals</b>	<b>Estimated Monthly Rental</b>		<b>\$1,837.39</b>	
			† <b>Deposit</b>		<b>N/A</b>	
			◇ <b>CIAC</b>		<b>\$415,570.87</b>	

*Estimates valid for 30 days and subject to change.*

**Estimated Monthly Rental** excludes any applicable taxes, franchise fees or customer charge.  
 † **Deposit** - The required deposit (applied separately to your lighting bill) will equal approximately two months of the monthly rental bill, but no less than \$25.00 and subject to change upon review of the account's existing deposit.  
 ◇ **CIAC** - The invoice for the Contribution in Aid of Construction will be mailed to you separately upon approval of this proposal and payment is due before the work can be released to scheduling of construction.

**In order for us to proceed with the above proposed lighting design we will need an authorized signature on this proposal and any other required documents enclosed. Do not remit any payment with this form and do not fax. Return these signed documents to the mailing address above or email the color scanned PDF if instructed.**

The CIAC charge is subject to change after 30 days or in the event you request or cause any changes to this proposal.  
 Duke Energy will call for locate of all public facilities. Any customer owned utilities would need to be located and marked at your expense.  
 If any or all of these lighting facilities will eventually be submitted to a governmental agency for inclusion into a taxing district, MSTU or MSBU special assessment program, please verify that these facilities meet the requirements within that jurisdiction. Should the agency not accept these facilities into their program, the entity who signs the Lighting Service Contract will remain responsible for payment.

*Thank you for your lighting request. We look forward to working with you on this project.*

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

**FIGURE 1-6C:** Duke Energy's lighting proposal requires the County to pay the entire \$415,570.87 proposed project cost in advance.

Source: Duke proposal provided by Orange County Public Works.

Per the Roadway Lighting’s Standard Operating Procedures (SOP) the following documents are to be provided upon completion of each lighting project, as shown in **Figure 1-6D**. The SOP effective date is July 20, 2022 and was implemented after this project.

9. PM emails Roads & Drainage, and copies Director, with a package that includes:
  - a. Copy of lighting installation plan
  - b. Copy of signed proposal with monthly maintenance cost
  - c. Statement that the scope of the lighting installation was field verified

**FIGURE 1-6D:** *Public Works’ Roadway Lighting SOP requires specific documents upon completion of lighting projects.*

*Source: Public Works Roadway Lighting’s Standard Operating Procedures.*

The MJ Team verified that the required documents exist for the Rock Springs Road lighting project. At the time that this project was completed the confirmation of project completion was verbal and therefore the document was not required and not provided.

The MJ Team reviewed the budget hearing approval, BCC meeting minutes for the FY14/15 CIP budget presentation, the proposal, monthly status updates, and the Roadway Lighting SOP. Based upon these documents. The MJ Team concludes that processes are in place to monitor cost, timing, and quality of program efforts for road lighting projects.

### ***Rehab Existing Roadway – Lake Steer Point Segment***

The Rehab of Existing Roadways Projects has an annual goal of approximately 320 lane miles throughout Orange County. The initial project budget is \$34 million and includes several roadway projects. The MJ Team performed testing based on one segment, “Lake Steer Pointe.” Ranger is the vendor who repaired the segment. The project started on January 26, 2021, and was completed on September 30, 2021. The MJ Team reviewed the final invoice, project Completion Notice, Delivery Order, Delivery Order Request, Measurement Matrix conducted by inspectors, the Project Walkthrough Log, and punch list. We noted that the Roads & Drainage function does not have written SOPs in place. However, an Interoffice Memorandum is in place to reiterate project requirements and enforcement measures. See **Figure 1-6E** for page one of this memo.



Interoffice Memorandum

October 30, 2019

TO: Edward Quinn, Contract Administrator, Roads & Drainage Division  
 Jason Smith, Engineering Inspector III, Roads & Drainage Division  
 Javiel Rodriguez, Engineering Inspector I, Roads & Drainage Division  
 Wanda Vargas, Engineering Inspector I, Roads & Drainage Division  
 Sharon Knight, Engineering Inspector I, Roads & Drainage Division

FROM: Michael Baker, Project Manager, Roads & Drainage Division

SUBJ: **Reiteration of Resurfacing Contracts  
 Requirements and Enforcement – Field Operations**

The following memo serves to reiterate the processes, requirements and expectations for the handling and coordination of the resurfacing projects performed by contractors.

The following guidelines are provided:

- ✓ **Before any resurfacing project starts, it is important that the following aspects are taken into consideration and the following requirements fulfilled:**
  - Pre-Assessment of Areas - Review project areas to identify needs prior to resurfacing
    - Take pre-work pictures/video
      - Must be labeled with address/locations
    - Identify depressions, pavement deficiencies, manholes/water valve locations, low hanging trees, and any other issues that could affect the operations or the new asphalt mat,
      - Coordinate repairs/corrections as needed.
    - Identify possible need for law enforcement operations based on the area.
    - Identify areas for loop replacement.
  - Field measurements - Shall be performed to determine amount and type of work to be performed. The following needs to be included as part of this step:
    - A detailed map of the area to be worked on including length, width, from/to, etc. must be developed for each project. A copy of any handwritten information concerning these measurements must be provided to the Contract Administrator to be incorporated as part of the project file.
    - The true edge of the road is taken into consideration when measuring areas for resurfacing.
    - The paving matrix showing the final measurements for the project must be signed by both the Contractor and the Inspector.
  - Pre-Work Meeting - A field meeting must be held for each project
    - Coordinate the meeting by contacting the Contractor, Maintenance Unit, Paving Section, Construction Section staff. Notification must be sent to all attendees and Supervisors.
    - Prepare a pre-work agenda and sign in sheet for the meeting
    - Request the contractor to provide evidence of notification to residents in subdivisions and confirmation on message boards for major roadways and industrial parks. Copy of door hanger notification per project shall be faxed/emailed to the County Representative

**FIGURE 1-6E:** Roads & Drainage Interoffice Memorandum reiterates process requirements and expectations for coordinating field resurfacing projects performed by contractors.

Source: Orange County Public Works Department.

The MJ Team reviewed the Purchase Order, Project Completion Notice, final invoice, Punch List, and images, provided by the County for this project. Based upon these documents, the MJ Team concludes that the County has processes in place to monitor cost, timing, and quality of program efforts for road resurfacing projects.

### *Boggy Creek Rd. North*

The Boggy Creek Road North Improvement project represents Phase II of a Public/Private Partnership project between the County and Crockett Development Property LLC, for the widening of an existing two-lane road to a four-lane road from near the Airport South Access Road to approximately 600 feet north of Wetherbee Road. The project included a bridge structure over a tributary to Boggy Creek. The project also incorporated a force main by the City of Orlando and a water main by the Orlando Utility Commission (OUC) under separate agreements between Crockett Development Property LLC and each entity. These utilities were bid and constructed as part of the project at no cost to the County.

The design cost per the agreement was the responsibility of the private partner. Crockett Development Property LLC also exercised its option to undertake the construction of the project. Therefore, Crockett Development Property LLC was responsible for project timeliness and managing costs.

The County was responsible for a maximum cash contribution to the project of \$12,484,392.90. Crockett Development Property LLC was responsible for a cash contribution of \$2,450,000.00 and any construction cost overruns. Crockett Development Property LLC received Impact Fee Credits for its contribution per the agreement.

The roadway construction estimate was \$14,079,810.35. The lowest responsible bid was awarded to Jr. Davis Construction in the total amount of \$13,764,061.05. The bid was comprised as follows:

- \$11,350,225.05 for the roadway (County responsibility)
- \$942,775.00 for the force main (City of Orlando responsibility)
- \$1,467,661.00 (OUC responsibility) for the water main

Project construction began on July 5, 2017, and the County issued a Certificate of Completion on March 23, 2020. The project was completed within budget, with a final construction cost to the County of \$11,864,380.02, or \$620,012.88 less than its maximum allowed cash contribution of \$12,484,392.90.

The MJ Team reviewed documents for project approval, planning, and monitoring. These documents included BCC approved agreements, Notice to Proceed with construction to the contractor with an effective date of September 14, 2015. The construction was substantially completed on July 3, 2018, at a final cost of \$21,508,742.45.

The original project schedule proposed a final completion date of June 2, 2017; however, the actual completion date was July 3, 2018. The reasons for the time extension, defined in the

vendor evaluation and other supporting documentation provided by Orange County, included utility relocation delays by a utility provider, weather days, a hurricane, holidays, and other delays related to lack of adequate staffing and poor management by the contractor. Orange County did assess liquidated damages. The contractor filed a claim against the County in response. The County and contractor engaged in negotiations and subsequently reached a mutually agreed global settlement. The contractor ultimately completed the project and the County and contractor completed project closeout.

The MJ Team reviewed the project cost sheet, status report, bid tabulation and recommendations, BCC approval of construction contract, the contract, Notice to Proceed, purchase order, invoice tracking, Construction Schedule, Letter of Substantial Completion, Global Settlement Agreement, and contractor evaluation documents. Based on documents, the MJ Team concludes that processes are in place to monitor cost, timing, and quality of program efforts for roadway projects.

### *John Young Parkway at Americana Boulevard*

The purpose of the John Young Parkway at Conroy Road/Americana Boulevard project was to improve pedestrian safety. After design was completed, the County bundled the John Young Parkway at Americana Boulevard project with the Texas Avenue at Rio Grande Avenue intersection improvement project and bid the construction of both projects together. The County adopted this alternative project delivery method to take advantage of the cost savings and efficiencies.

The preliminary estimated construction cost for both John Young Parkway at Americana Boulevard and the Texas Avenue at Rio Grande Avenue project that were bundled was \$632,390.00. The County based the preliminary estimate on average historical costs at the time, prior to developing the project scope.

The County issued a Notice to Proceed for construction of the John Young Parkway at Americana Boulevard project and the Texas Avenue at Rio Grande Avenue intersection project on April 27, 2020, in the amount of \$696,377.15. The contractor completed construction on December 18, 2020, with a final construction cost of \$706,317.93, of which \$308,054.53 was for the cost related to the John Young Parkway at Americana Boulevard improvement. The contractor completed the project early and within budget.

Team MJ reviewed the project map, bid and award recommendation, BCC approval of construction contract, construction contract, Notice to Proceed, purchase orders, change orders, invoice tracking, Project Cost Sheet, Project Status Reports, Substantial Completion Notice, Certificate and Letter of Final Completion, and contract evaluation documents. Based upon these documents, the MJ Team concludes that processes are in place to monitor cost, timing, and quality of program efforts for pedestrian safety projects.

### *Little Egypt Sidewalk*

The Little Egypt sidewalk project consisted of the construction of sidewalks, drainage improvements and driveways within the Little Egypt neighborhood. Over 5,700' of five-foot-wide sidewalks were constructed on one side of each road within the neighborhood. Crosswalks and ramps were added at intersections to enhance pedestrian safety.

The County bid the project and awarded a construction contract to the lowest responsive bidder in the amount of \$685,359.50, with a scheduled completion date of 240 consecutive days from the Notice to Proceed or October 23, 2019. The contractor completed the project on September 6, 2019, earlier than the scheduled completion date, at a final cost of \$840,572.79. The increase in construction cost was due to the greater than expected quantity of muck that was encountered during construction and design changes that were necessary to avoid excavating the muck as much as possible. Although the final construction cost was higher than the original bid amount, actual costs were significantly under the engineer's estimate of \$1.1 million.

The MJ Team reviewed the bid recommendation, BCC approval of construction contract, construction contract, Notice to Proceed, purchase orders, change orders, invoice tracking, Project Cost Sheet, Project Status Reports, Substantial Completion Notice, Certificate and Letter of Final Completion, and pictures. Based upon these documents, the MJ Team concludes that processes are in place to monitor cost, timing, and quality of program efforts for pedestrian sidewalk projects.

**SUBTASK 1.7 – Determine whether the County has established written policies and procedures to take maximum advantage of competitive procurement, volume discounts, and special pricing agreements.**

## **OVERALL CONCLUSION**

Subtask 1.7 is met overall. To address the requirements of this subtask, the MJ Team interviewed the county's manager of procurement, the manager of business development, and reviewed the respective procurement policies, and regulations. We noted that the written procedures promote maximum advantage of competitive procurement, volume discounts and special pricing agreements.

## **ANALYSIS**

The County's Procurement Department serves as the central purchasing office for the County and controls the spend on goods, and services while ensuring compliance with all applicable local, state, and federal purchasing laws in addition to County policies and procedures.

The manager of procurement and manager of business development provided the established written policies and procedures to take maximum advantage of competitive procurement,

volume discounts, and special pricing agreements. The MJ Team reviewed the following documents supporting the County's procurement policies and procedures:

- Orange County, Florida Code of Ordinance Article III; and
- County Procurement Procedures Manual.

### *Code of Ordinance Article III – Procurement*

The purpose of this article is to place the County's purchasing function under a centralized system which enables the County to:

- a) Establish policies governing all purchases and contracts.
- b) Encourage and promote fair and equal opportunity for all persons doing business.
- c) Obtain goods and services of satisfactory quality and quantity at reasonable cost for Orange County.
- d) Permit the continued development of procurement policies and procedures through promulgation of administrative regulations and internal procedures for purchasing and contracts.
- e) Foster effective brand-based competition within the free enterprise system.
- f) Provide safeguards for the maintenance of a procurement system of quality and integrity.

Article III of the ordinance further states the County shall comply with all applicable federal and state laws. The county attorney and procurement manager stated the Procurement Procedures Manual is consistent with the regulations and Florida law. The MJ Team reviewed the County's Procurement Procedures Manual and confirmed this assertion.

### *Procurement Procedures Manual*

The County has established a Procurement Procedures Manual (PPM). The PPM is currently in use and last updated January 27, 2022. The PPM serves as the basis for procurement policies and procedures for the County. The objectives of the Procurement Division are as follows:

- a) To deal fairly and equitably with all vendors seeking to do business with Orange County.
- b) Provide Professional procurement services for all department and divisions within the County.
- c) Assure adherence to all laws, regulations, and procedures related to County Procurement.
- d) Maximize competition for all procurements of the County.
- e) Obtain maximum savings through innovative buying and application of value analysis techniques.
- f) Administer the contracting function with internal efficiency.

- g) Procure goods and services from capable vendors at the lowest price, consistent with the quality, performance, and delivery requirements of the County.

In addition, the PPM outlines details of relevant policies and procedures to ensure the County takes maximum advantage of competitive procurement, volume discounts, and special pricing agreements. The County defines these processes in the following sections of the Procurement Procedure Manual summarized in the table in **Figure 1-7A**.

Section	Purpose/Procedures
<p><b>5: Term Contract (Master Agreements) and Delivery Orders</b></p>	<p>The Procurement Division will survey user departments/divisions to determine estimated usage of items to be placed on term contracts. User departments/ divisions may also request that the Procurement Division establish a term contract for frequently required goods or services. All solicitation requests shall be accompanied by a Project Information Sheet (See Exhibits 5, 6 and 34). The Procurement Division shall issue a formal solicitation and award the contract on an item-by-item, lot-by-lot, or all-or-none total offer basis. A contract is executed with the vendor(s).</p> <p>Once a contract is established, departments/divisions are notified of the awarded vendor(s) and line-item pricing or percentage discount off a specified price list. The departments/divisions may then order from the term contract via issuance of a Delivery Order (DOOC) directly to the awarded vendor for the item required unless specifically prohibited by the contract. Divisions are cautioned not to order any items via Delivery Order other than those awarded for the specific term contract. Delivery Orders are controlled documents issued through the Advantage system identified as DOOC documents.</p> <p>The following are allowable timeframes for issuing Delivery Orders. Occurrences outside of these timeframes will result in a Non-PO.</p> <ul style="list-style-type: none"> <li>• Creation of a new Delivery Order at fiscal year start: within ten (10) working days after October 1st.</li> <li>• Creation of Delivery Orders for a new Master Agreement: within three (3) working days of Advantage update.</li> <li>• Creation of Delivery Orders for a Master Agreement renewal: within three (3) working days of Advantage update.</li> <li>• The division should identify each item on the Delivery Order by the contract-assigned line-item number, when applicable.</li> </ul>
<p><b>6: Quotations, Bids, and Proposals</b></p>	<p>Every effort will be made to obtain a minimum of three (3) written quotations (one of which shall be a certified M/WBE firm if available) for each item or group of items required. A firm's failure to reply shall be documented as a no-quote and shall qualify as an attempt toward the three-quote minimum. If there is no M/WBE availability matching the scope of the procurement this shall be documented on the Expedited Quoting Form.</p> <p>Written Requests for Quotations (RFQ) may be mailed or faxed to prospective bidders and shall indicate the deadline for receipt of the quote. Emergency purchases are exempt from competition with prior approval of the procurement manager. RFQ's shall be maintained with the purchase order. User departments/ divisions are responsible for ensuring that adequate descriptions and specifications are provided to the Procurement Division, including manufacturer brand and part numbers.</p> <p>The user department/division may obtain competitive quotes for commodities and services up to \$100,000 from at least three (3) vendors (including at least one M/WBE vendor) independent of the Procurement Division provided the names of the vendors, vendor number, date of quote, quotes per item, quote number, individuals submitting</p>

Section	Purpose/Procedures
	<p>such quotes, and total pricing from each vendor are submitted to the Procurement Division, and quotes are verifiable. The Procurement Division reserves the right to verify such quotes or to obtain additional quotes at its discretion. The user department/division will be contacted if the vendor or product is changed.</p> <p>RFQ's are not governed by the same rules and procedures applicable to formal solicitations. Therefore, the strict time and date requirements for the receipt of bids or proposals are not applicable to quotations. Quotation(s) may be negotiated with concurrence of the procurement manager or assistant manager.</p> <p>The Procurement Division is responsible for all procurements over the mandatory bid limit. Although the user divisions are not to obtain quotes for these procurements, they should focus on the development of adequate purchase descriptions and specifications. When a purchase or contract (including leases) may extend over multiple periods or years, the maximum amount to be paid for all years shall be the amount that determines if a formal solicitation is required.</p>
<p><b>7: Request for Proposals (RFP) Evaluations Procedures</b></p>	<p>The purpose of these procedures is to establish a fair, equitable and impartial process by which the Board of County Commissioners makes awards in competitive sealed proposals procurement for services of all types and when the Board otherwise selects architects, engineers, landscape architects, surveyors, and cartographers/ mappers, in accordance with the requirements of <i>Florida State Statute 287.055</i>.</p> <p>The procurement manager and the staff of the procurement division retain overall control of the administration of the competitive sealed proposal process, including scheduling, record keeping, distribution of proposals and other materials, and preparation of all documents and recommendations required by the Board of County Commissioners and county administrator.</p> <p>The following delineates specific responsibilities of appropriate parties during this process. These procedures also incorporate the methodology whereby the Board of County Commissioners makes awards in competitive sealed proposal procurement.</p>
<p><b>8: Grant Funded Procurement and Contracting</b></p>	<p>This procedure shall be a general guideline for externally funded Procurements and sub-recipient contracts. Funding sources may include State and Federal Grants. Recognizing that each grant will have its own terms, conditions, and contingencies the guideline below is not inclusive of all requirements or steps that may arise for regulatory compliance. Additionally, see Exhibit 38, Guideline for Federal Funding Procurement Thresholds as a resource.</p> <p>Additionally, noting that some emergency procurement activities may be reimbursable by the Federal Emergency Management Agency, term contracts which may be utilized during an emergency activation shall be procured in compliance with the latest Federal guidance.</p>
<p><b>9: Contract Modifications and Terminations</b></p>	<p>Modifications are written changes to a contract or purchase order that revise the quantities or make changes within the scope of services and may include an extension of time to complete the contract. A change order is a contract modification.</p>

**FIGURE 1-7A:** Orange County's Procurement Procedures Manual outlines procedures to ensure Procurement personnel take maximum advantage of competitive procurements.  
Source: Orange County Procurement Procedure Manual.

As noted below in **Figure 1-7B**, the County has established guidelines for externally funded procurements and sub recipient contracts for both formal and informal solicitation processes. For example, County procurement officials use informal solicitations such as Requests for Quotations for items greater than \$10,000 and less than \$150,000, and formal Invitation for Bids and Request for Proposals for items above \$150,000.

### Guideline for Standard Orange County Procurement Thresholds

Small Purchase (F-Card or Single Quotation) Up to \$10,000	Informal Solicitations (Request for Quotations) Above \$10,000 up to \$150,000	Formal Solicitations (Invitation for Bids / Request for Proposals) Above \$150,000
<b>Competition:</b> Procured on the open market with or without competition.	<b>Competition:</b> Procured on the open market by soliciting a minimum of three (3) written quotes.	<b>Competition:</b> Procured formally on the open market by the Procurement Division.
<b>Board Approval:</b> Not Applicable	<b>Board Approval:</b> Applicable to solicitations, emergencies, sole sources and exemptions over \$100,000.	<b>Board Approval:</b> Applicable to solicitations, emergencies, sole sources and exemptions over \$100,000.
<b>Solicitation:</b> Departments/Divisions may solicit quotations.	<b>Solicitation:</b> Departments/Divisions may solicit written quotes for projects <u>under \$100,000</u> subject to the review and acceptance of the Procurement Division. Requirements <u>over \$100,000</u> shall be solicited by the Procurement Division.	<b>Solicitation:</b> All formal procurements shall be solicited by the Procurement Division.
<b>Project Information Sheet</b> may be required for requirements established by the Procurement Division (generally, term contracts; not applicable to P-Card).	<b>Project Information Sheets</b> are required for all items solicited by the Procurement Division.	<b>Project Information Sheets</b> are required for all items solicited by the Procurement Division.
<b>Business Development Requirements:</b> Sourcing efforts should include certified M/WBE vendors, if available. See listing: <a href="http://apps.ocfl.net/orangebids/minorityvendorlisting/default.asp">http://apps.ocfl.net/orangebids/minorityvendorlisting/default.asp</a>	<b>Business Development Requirements:</b> Sourcing efforts should include certified M/WBE vendors, if available. See listing: <a href="http://apps.ocfl.net/orangebids/minorityvendorlisting/default.asp">http://apps.ocfl.net/orangebids/minorityvendorlisting/default.asp</a>	<b>Business Development Requirements:</b> Requires coordination with the Business Development Division to ensure the County's M/WBE goals are incorporated and evaluated.
<b>Sole source:</b> Documentation is not required	<b>Sole source:</b> Documentation is required for any proprietary or unique need impacting competition. Analysis to establish price reasonableness shall be sufficiently documented.	<b>Sole source:</b> Documentation is required for any proprietary or unique need impacting competition. Analysis to establish price reasonableness shall be sufficiently documented.
<b>Emergency procurement:</b> Documentation is required for any procurement requiring expedited coordination due to operational urgency, health and public safety hazards.	<b>Emergency procurement:</b> Documentation is required for any procurement requiring expediting or ratification due to operational urgency, health and public safety hazards. Analysis to establish price reasonableness shall be sufficiently documented.	<b>Emergency procurement:</b> Documentation is required for any procurement requiring expediting or ratification due to operational urgency, health and public safety hazards. Analysis to establish price reasonableness shall be sufficiently documented.
<b>Competition Exemptions:</b> Documentation of Procurement Ordinance Exemption is not required.	<b>Competition Exemptions:</b> Documentation of Procurement Ordinance Exemption is required if applicable.	<b>Competition Exemptions:</b> Documentation of Procurement Ordinance Exemption is required if applicable.
<b>Alternate Contract Source:</b> Documentation and Piggy-back forms are not required.	<b>Alternate Contract Source:</b> Alternate Contract Source documentation and Piggy-back forms are required for use of other entity contracts.	<b>Alternate Contract Source:</b> Alternate Contract Source documentation and Piggy-back forms are required for use of other entity contracts.
<b>Risk Management/Insurance:</b> Requires coordination with the Risk Management Division to ensure insurance requirements are established and met.  P-Card Transactions for services limited to firms listed as "Approved Insurance Certificates" with a compliant and non-expired status. See link: <a href="https://view.monday.com/49597421-720e0aad773e0fce079ef65f53f8758c">https://view.monday.com/49597421-720e0aad773e0fce079ef65f53f8758c</a>	<b>Risk Management/Insurance:</b> Requires coordination with the Risk Management Division to ensure insurance requirements are established and met.	<b>Risk Management/Insurance:</b> Requires coordination with the Risk Management Division to ensure insurance requirements are established and met.
<b>Other Division Coordination/Approvals:</b> May be applicable in accordance with the Procurement Procedures Manual (Technology, Health Services, Geographic Information Systems, Fleet, Capital Projects, etc.)	<b>Other Division Coordination/Approvals:</b> May be applicable in accordance with the Procurement Procedures Manual (Technology, Health Services, Geographic Information Systems, Fleet, Capital Projects, etc.)	<b>Other Division Coordination/Approvals:</b> May be applicable in accordance with the Procurement Procedures Manual (Technology, Health Services, Geographic Information Systems, Fleet, Capital Projects, etc.)
<b>Orange County Suspension and Debarment</b> limitations are applicable. See: <a href="http://orangecountyfl.net/Portals/0/resources%20library/vendor%20services/Suspende-d-Debarred%20Contractors.pdf">http://orangecountyfl.net/Portals/0/resources%20library/vendor%20services/Suspende-d-Debarred%20Contractors.pdf</a>	<b>Orange County Suspension and Debarment</b> limitations are applicable. See: <a href="http://orangecountyfl.net/Portals/0/resources%20library/vendor%20services/Suspende-d-Debarred%20Contractors.pdf">http://orangecountyfl.net/Portals/0/resources%20library/vendor%20services/Suspende-d-Debarred%20Contractors.pdf</a>	<b>Orange County Suspension and Debarment</b> limitations are applicable. See: <a href="http://orangecountyfl.net/Portals/0/resources%20library/vendor%20services/Suspende-d-Debarred%20Contractors.pdf">http://orangecountyfl.net/Portals/0/resources%20library/vendor%20services/Suspende-d-Debarred%20Contractors.pdf</a>

Based on the information received, and the interviews conducted, Orange County has established written policies and procedures to take maximum advantage of competitive procurement, volume discounts, and special pricing agreements.

**FIGURE 1-7B:** Orange County defines procurement thresholds for three different types of procurements.

Source: Orange County Procurement Procedure Manual, Exhibit 38.

## RESEARCH TASK 2

### FINDING SUMMARY

#### **THE STRUCTURE OR DESIGN OF THE PROGRAM TO ACCOMPLISH ITS GOALS AND OBJECTIVES.**

Overall, Orange County met expectations for Research Task 2.

The County maintains an organizational structure that has clearly defined units, minimizes overlapping functions, and has no excessive administrative layers. Since the COVID pandemic began, vacancy and turnover rates have been considerably higher nationally. Of the program areas reviewed, the Highway Construction Division of Public Works has the highest vacancy rate at 33 percent. Overall, the key Public Works divisions have a vacancy rate of 16 percent. County administrators are well aware of the challenges faced in filling vacancies. The County regularly reviews staffing levels with a view to right-size the County's staff. A consultant study is underway to determine how best to staff the growing personnel needs assuming the sales tax referendum passes. This study will evaluate whether new staff should be County or contractor employees, and how best to divide the responsibilities among each group.

### SUBTASK CONCLUSIONS, ANALYSIS AND RECOMMENDATIONS

**SUBTASK 2.1 – Review program organizational structure to ensure the program has clearly defined units, minimizes overlapping functions and excessive administrative layers, and has lines of authority that minimize administrative costs.**

### OVERALL CONCLUSION

Subtask 2.1 is met overall. To reach this conclusion, the MJ Team assessed the County's program organizational structure to ensure it has clearly defined units that minimize overlapping functions and has lines of authority that minimize administrative costs.

### ANALYSIS

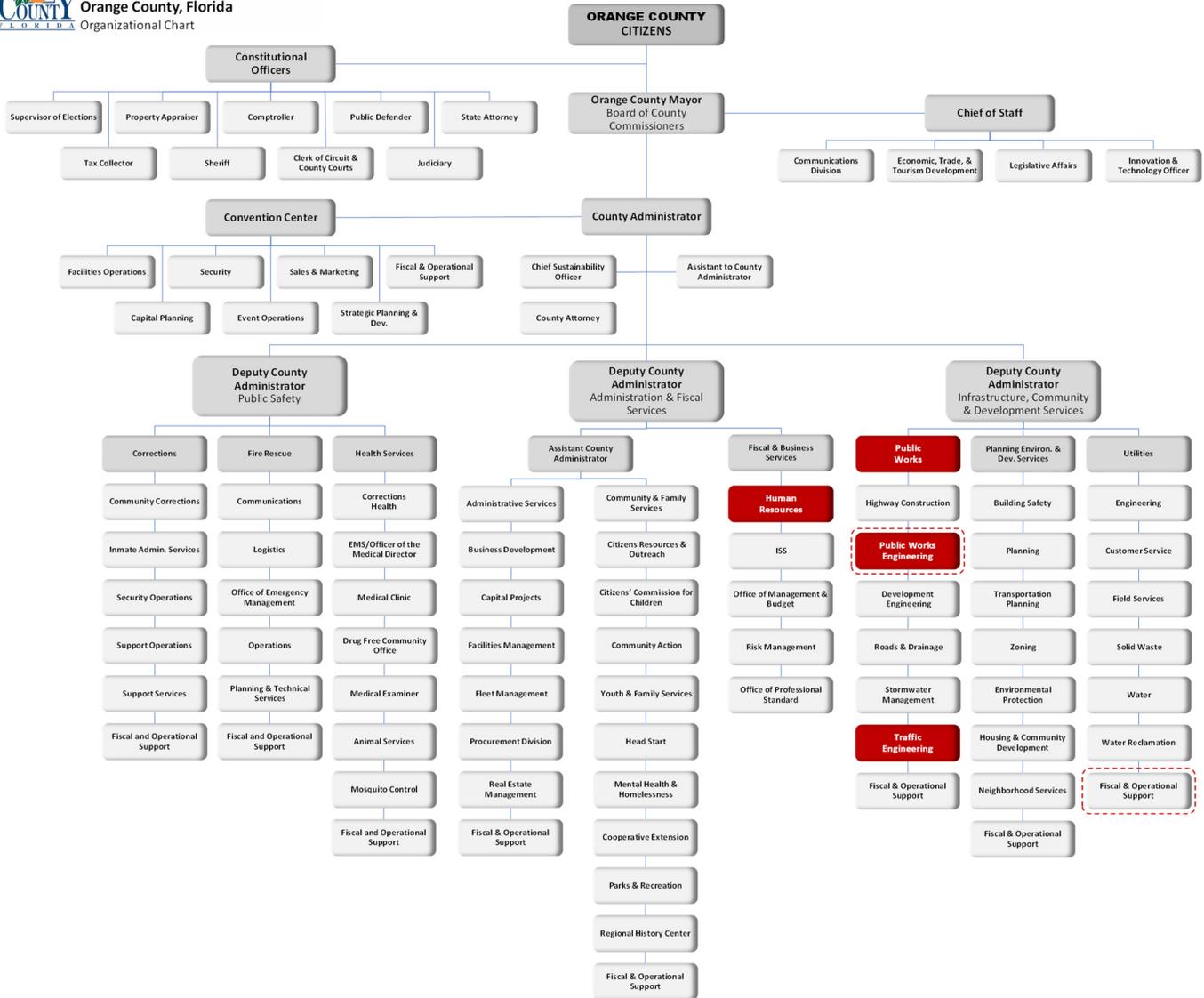
#### *Existing Programs*

To address the requirements of this subtask, the MJ Team reviewed the organizational charts for the County and for the Public Works Department, which has the major responsibility for transportation projects.

The MJ Team used the Society of Human Resources Management (SHRM) span of control indicators as an assessment resource. For executive level (directors and managers) the recommended span of control ratio is between 1:2 and 1:9 or slightly higher and 1:15 to 1:20 for the lower-level manager and supervisory levels. Several factors influence span of control guidelines, as described below:

- **Organizational size.** Large departments tend to have a narrow span of control, whereas smaller departments often have a wider span of control. This difference is usually due to the costs involved with more managers and the financial resources available to an organization.
- **Workforce skill level.** The complexity or simplicity of the tasks performed by the employees will affect the number of desirable direct reports. Generally, routine tasks involving repetition will require less supervisory control of a manager, allowing a wider span of control, whereas complex tasks or dynamic workplace conditions may be best suited for a narrower span of control, where managers can provide more individualized attention.
- **Director's and Manager's responsibilities.** Departments and organizational units' expectations allow many managers to be effective with the number of direct reports they have, especially related to individual responsibilities, departmental planning and training. For example, executives often have fewer direct reports than other managers in the organization.

**Figure 2-1A** depicts Orange County's organizational structure, which shows that the County has clearly defined units and clear lines of authority with no overlapping functions or excessive administrative layers.



**FIGURE 2-1A:** Orange County's organizational structure. Highlight cells indicate departments/divisions interviewed for Task 2.  
Source: Orange County.

According to the Transportation Initiative Report, the Public Works Department is the Orange County department that will see the greatest impact if the surtax is passed. Other affected departments/divisions are:

- Transportation Planning Division of Planning, Environmental & Development Services Department
- Procurement Division of Administrative Services Department
- Human Resources Division of Administration & Fiscal Services Department

- Citizen Resources & Outreach Division of Community & Family Services Department

The two key departments for planning and implementing transportation projects are Public Works Department and Planning, Environmental & Development Services Department. Both departments report to the same Deputy County Administrator for Infrastructure, Community, & Development Services. The other two departments report to the Deputy County Administrator for Administration & Fiscal Services. By having only two Deputy County Administrators over the key departments, with the two most affected departments reporting to the same Deputy County Administrator, the development and implementation of transportation projects is more easily coordinated.

The key department is the Public Works Department, which has seven divisions:

- Public Works Engineering
- Traffic Engineering
- Highway Construction
- Fiscal & Operational Support
- Roads & Drainage
- Stormwater Management
- Development Engineering

The first four divisions are the ones most affected by transportation projects, including any projects funded by the surtax. The remaining divisions will see increased responsibility in later years as they are responsible for maintenance of the projects or work closely with new developers that will use the new transportation projects.

The MJ Team obtained a summary of the primary job functions related to the existing Transportation program, and the future surtax administration oversight as shown in **Figure 2-1B**. Also shown are that key staff and direct reports have clearly defined responsibilities and that the span of control for staff they oversee falls within SHRM guidelines, which is a ratio of between 1:2 and 1:9.

Position Title / Tenure	Major Position Responsibilities Related to the Surtax Program Areas	Span of Control
<p><i>Deputy County Administrator for Infrastructure</i></p> <p><i>Tenure with County:</i> 35 years</p> <p><i>Tenure in Current Role:</i> 4 years</p>	<ul style="list-style-type: none"> <li>• Manages the department’s public works; planning, environmental &amp; development services; and utilities departments.</li> <li>• Manage and oversee special key projects such as County expansion project, major County purchases, and section of County officials.</li> <li>• Supervise daily activities of Department Directors to monitor interpretation and implementation of policy.</li> <li>• Manage County’s debt issuance by determining timing and terms of debt issues or recommending the sale of bond or other instruments.</li> <li>• Make recommendations to County Administrator regarding labor relations issues such as acceptance or rejection of contract proposals and enforcement of personnel policies.</li> </ul>	<p>1:3</p>

Position Title / Tenure	Major Position Responsibilities Related to the Surtax Program Areas	Span of Control
	<ul style="list-style-type: none"> <li>• Responsible for various personnel matters including hiring, discipline, training and development, performance appraisals and related activities.</li> <li>• Provide recommendations to County Administrator on selection of firms to perform professional architectural and engineering services by determining the most highly qualified providers.</li> <li>• Respond to citizen complaints by determining appropriate County action to resolve issues.</li> <li>• Review budgets to ensure that departments and divisions follow sound procurement practices and established policy and that capital improvement projects are completed in a timely manner within budget constraints.</li> </ul>	
<p><b>Public Works Director</b></p> <p><b>Tenure with County:</b> 35 years</p> <p><b>Tenure in Current Role:</b> 3 years</p>	<ul style="list-style-type: none"> <li>• Manages highway construction; public works engineering; public works development engineering; roads &amp; drainage; stormwater management; traffic engineering; and fiscal &amp; operational support divisions.</li> <li>• Directs and oversees the activities of the Public Works Department. Ensures adherence to all codes, standards, laws, regulations, etc. that pertain to the department. Keeps abreast of regulatory changes and participates in technical/professional society activities.</li> <li>• Plans, organizes, and directs all work programs and formulates general operating policies with respect to all phases of public works, engineering, stormwater, construction, and other related areas.</li> <li>• Provides direction and guidance to Division Managers through supervision of the Deputy Director. Directs and oversees highway, street, sidewalk, and roads and drainage maintenance, construction, and related programs. Inspects construction projects in progress for compliance to plans and specifications.</li> <li>• Provides leadership to various projects related to public works, development, and traffic engineering. Reviews, evaluates, and approves engineering plans and designs for department projects.</li> <li>• Advises and assists County Mayor, County Administrator and Board of County Commissioners in developing policies, regulations, and ordinances, evaluating situations, and administering programs. Reviews, approves, and presents amendments to County rules, regulations, policies, etc. as necessary.</li> <li>• Develops and implements short and long-term plans for meeting capacity, financial and regulatory demands, including the capital improvements program.</li> <li>• Reviews, approves, and presents annual capital and operating budgets for Department.</li> <li>• Maintains relationship with state and federal agencies involved in the Department's responsibilities including engineering, highway construction and maintenance, traffic engineering and stormwater management functions.</li> </ul>	<p>1:7</p>

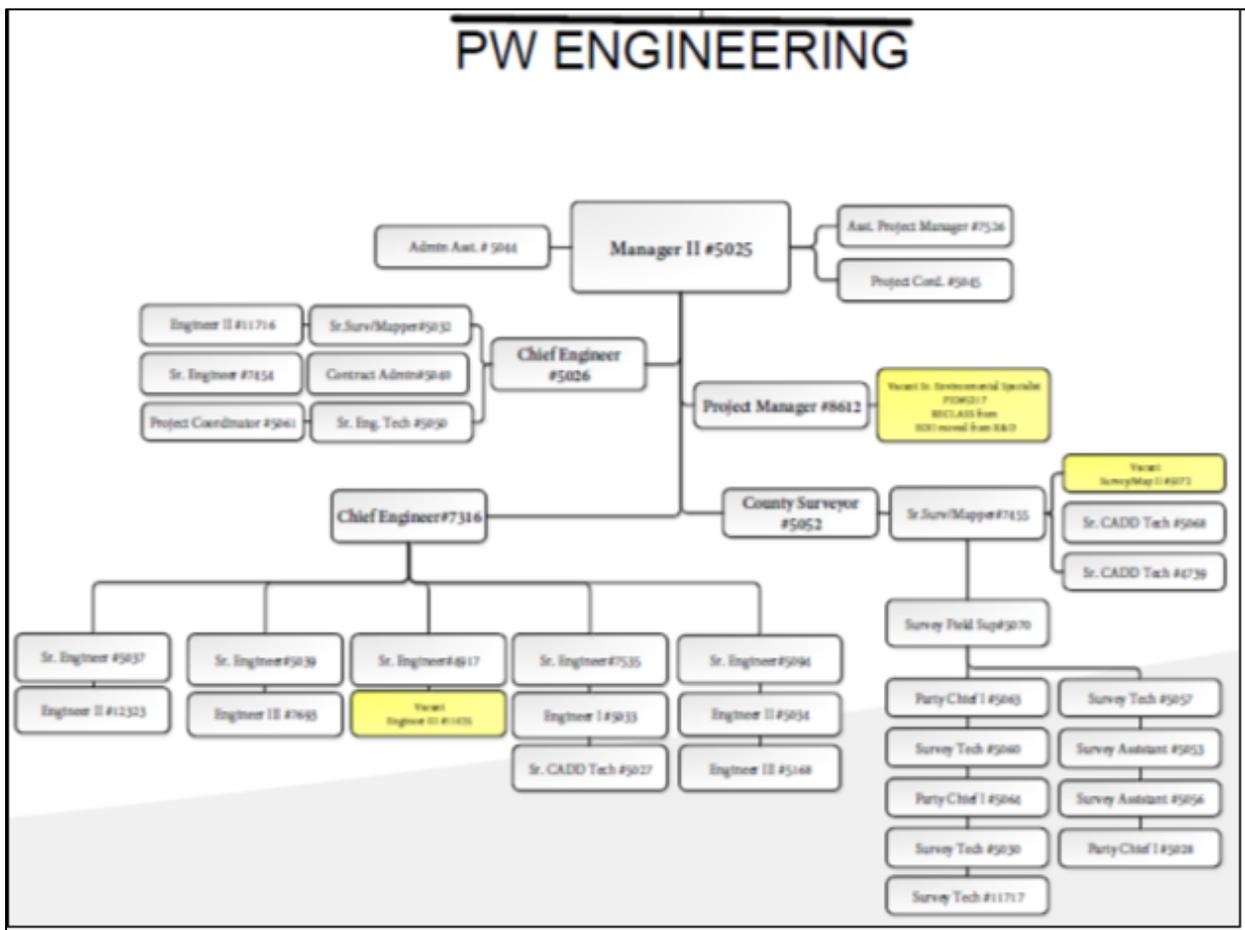
Position Title / Tenure	Major Position Responsibilities Related to the Surtax Program Areas	Span of Control
<p><b>Manager, Engineering</b></p> <p><i>Tenure with County:</i> 10 years</p> <p><i>Tenure in Current Role:</i> 6 years</p>	<ul style="list-style-type: none"> <li>• Monitors expenditures and ensures fiscal responsibility. Receives, reviews, prepares and/or submits various records and reports, including invoices, change orders, payroll documents, job applications, performance appraisals, inspection reports, construction plans and specifications, right-of-way documentation, purchase orders, budget documents, program schedules, memos, correspondences.</li> <li>• Manages division personnel matters to include hiring, discipline, training and development, performance appraisals and related activities. Reviews the work of staff for completeness and accuracy; evaluates and makes recommendations as appropriate; offers advice and assistance as needed. Develops and administers adequate training programs for divisional employees.</li> <li>• Receives and responds to inquiries and complaints regarding division activities; resolves conflicts unresolvable by staff. Makes presentations to the Board of County Commissioners, the public, the news media, and other groups in response to questions on projects under the direction of the Division. Receives, implements, and monitors County and Departmental policies to ensure Divisional adherence.</li> <li>• Conducts meetings with senior county personnel relating to issues involving more than one Division including litigation, coordination of regulations, studies, recommendation to the County Administrator and County Commission. Conducts meetings with citizens to discuss and resolve various problems relating to engineering activities of the Division. Attends and coordinates meetings with representatives of various governmental agencies including Regional Planning Council, other counties, city and state agencies.</li> <li>• Directs and oversees the activities of the County right-of-way acquisition program. Monitors program expenditures, evaluates and makes recommendations as appropriate and provides direction and guidance. Provides recommendations to the Department Director for additions to the County capital improvement program. Performs other duties of a comparable level as assigned.</li> </ul>	<p>1:7</p>
<p><b>Manager, Traffic Engineering</b></p> <p><i>Tenure with County:</i> 4 years</p> <p><i>Tenure in Current Role:</i> 2 years</p>	<ul style="list-style-type: none"> <li>• Performs transportation planning and engineering work, manages consultants and coordinating the development of long-range capital surface transportation projects and programs. Oversees various projects including installing, designing, and maintaining traffic signals, traffic control signs, traffic counts and pavement stripping.</li> <li>• Supervises and directs the operation of the Traffic Engineering Division including development and maintenance of its goals and objectives, preparing budgets, and monitoring expenditures, negotiating design contracts and change orders.</li> <li>• Works with Metropolitan Planning Technical committees, serves as the liaison with state and local agencies. Develops and maintains agreements, handles the planning, design and traffic operations of roads, networks, terminals, and abutting land and relationships with</li> </ul>	<p>1:4</p>

Position Title / Tenure	Major Position Responsibilities Related to the Surtax Program Areas	Span of Control
	<p>other modes of transportation for the achievement of safe and efficient travel.</p> <ul style="list-style-type: none"> <li>Manages division personnel matters to include hiring, discipline, training and development, performance appraisals and related activities. Reviews the work of staff for completeness and accuracy; evaluates and makes recommendations as appropriate; offers advice and assistance as needed. Administers adequate training programs for Divisional employees.</li> </ul>	
<p><b>Manager, Highway Construction</b></p> <p><b>Tenure with County:</b> 6 years</p> <p><b>Tenure in Current Role:</b> 0.5 years</p>	<ul style="list-style-type: none"> <li>Manages construction and materials testing contracts to ensure compliance with contract provisions. Negotiates change orders; participates in contract dispute resolution. Supervises inspection of construction sites to verify compliance with plans and specifications. Keeps abreast of regulatory changes, construction trends and technologies, participates in technical/professional society activities.</li> <li>Develops, oversees, maintains, and implements goals and objectives of the division including annual budget and expenditures. Monitors expenditures and ensures fiscal responsibility. Receives, reviews, prepares and/or submits various records and reports, including invoices, change orders, payroll documents, job applications, performance appraisals, inspection reports, construction plans and specifications, right-of-way documentation, purchase orders, budget documents, program schedules, memos, correspondences.</li> <li>Manages division personnel matters to include hiring, discipline, training and development, performance appraisals and related activities. Reviews the work of staff for completeness and accuracy; evaluates and makes recommendations as appropriate; offers advice and assistance as needed. Develops and administers adequate training programs for divisional employees.</li> <li>Receives and responds to inquiries and complaints regarding division activities; resolves conflicts unresolvable by subordinates. Makes presentations to the Board of County Commissioners, the public, the news media, and other groups in response to questions on projects under the direction of the Division. Receives, implements, and monitors County and Departmental policies to ensure Divisional adherence.</li> </ul>	1:5
<p><b>Manager, Fiscal &amp; Operational Support</b></p> <p><b>Tenure with County:</b> 27 years</p> <p><b>Tenure in Current Role:</b> 17 years</p>	<ul style="list-style-type: none"> <li>Responsible for Department budget administration including Capital Improvement Projects (CIP) budgets, expense and revenue budget preparation, control, and coordination, expenditure and revenue analysis, reconciliation, and validation, approving of purchases, financial accountability for incoming revenues, inventory control, grant submission and reporting, and audits of cash collections.</li> <li>Interprets policies and procedures to ensure purchase validity and propriety of purchase requests.</li> <li>Oversees and coordinates contract renewals and Request for Bids/Proposals processes for all departmental service and goods contracts.</li> </ul>	1:8

Position Title / Tenure	Major Position Responsibilities Related to the Surtax Program Areas	Span of Control
	<ul style="list-style-type: none"> <li>Formulates and reports various monthly and bi-weekly reports for use by upper management and submission to outside agencies. Conducts financial studies and cost analyses.</li> </ul>	

**FIGURE 2-1B:** Orange County Key Staff with job functions critical to the Surtax.  
Source: Orange County, PW Department.

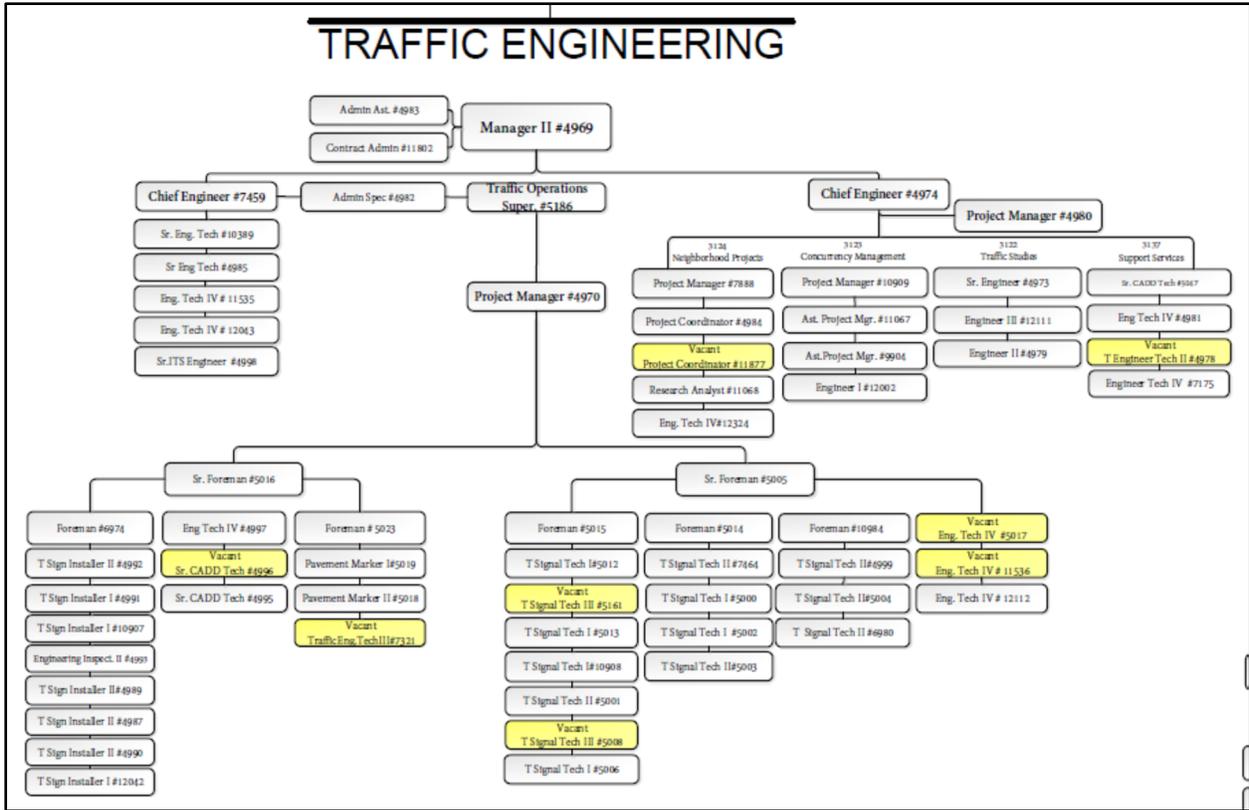
Figure 2-1C depicts Public Works Engineering Division, which shows that the Division has clearly defined units and clear lines of authority with no overlapping functions or excessive administrative layers. Yellow highlights show the three vacant positions out of the 41 positions, a 7 percent vacancy rate.



**FIGURE 2-1C:** Public Works Engineering Division organizational chart, July 11, 2022.  
Source: Orange County.

Figure 2-1D depicts Traffic Engineering Division, which shows that the Division has clearly defined units and clear lines of authority with no overlapping functions or excessive

administrative layers. Yellow highlights show the eight (8) vacant positions out of the 68 positions, a 12 percent vacancy rate.



**FIGURE 2-1D:** Traffic Engineering Division organizational chart, July 11, 2022.  
*Source:* Orange County.

**Figure 2-1E** depicts Highway Construction Division, which shows that the Division has clearly defined units and clear lines of authority with no overlapping functions or excessive administrative layers. Yellow highlights show the nine (9) vacant positions out of the 27 positions, a 33 percent vacancy rate. Five (5) of these vacancies are Engineering Inspectors.

# HIGHWAY CONSTRUCTION

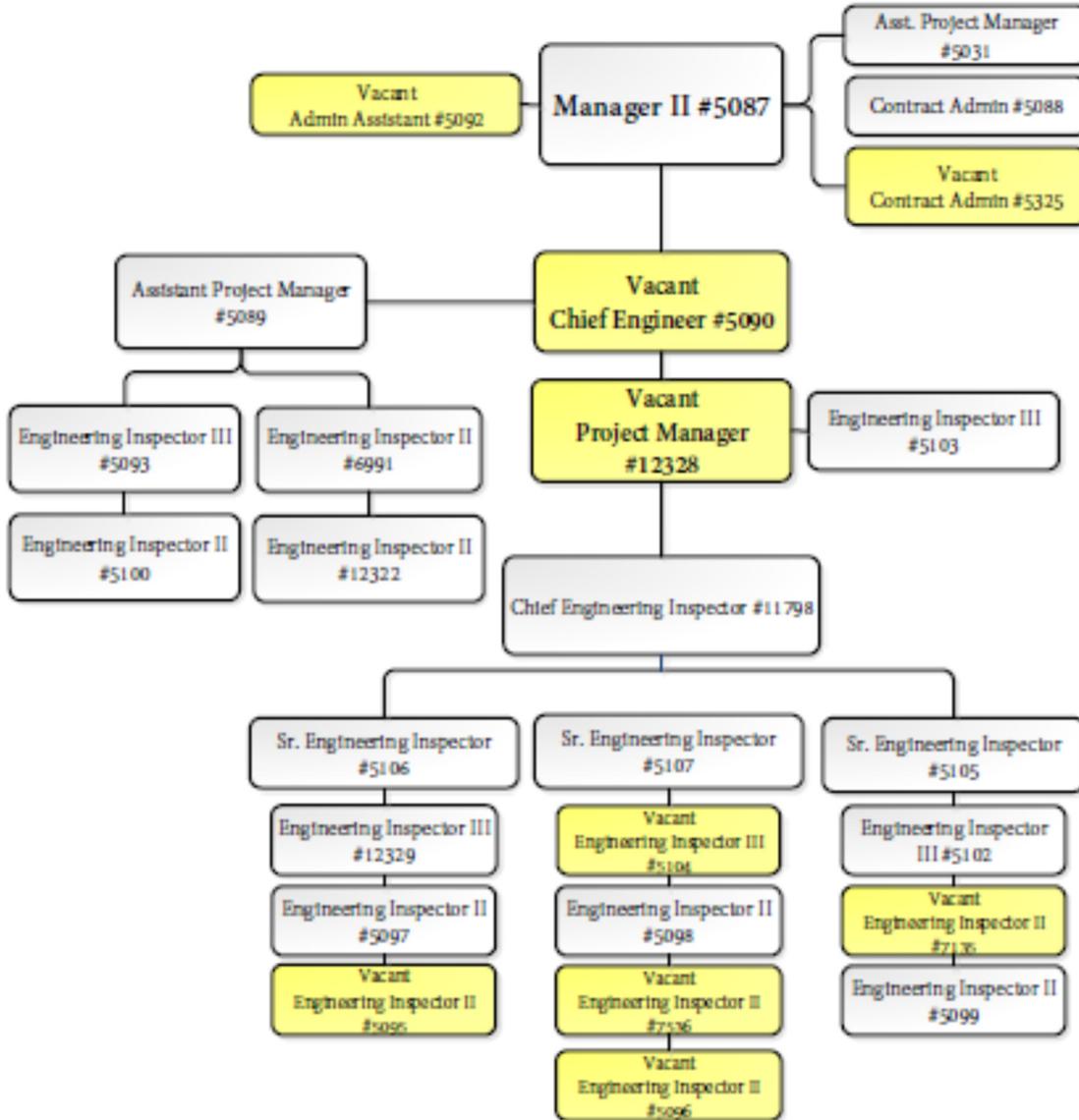
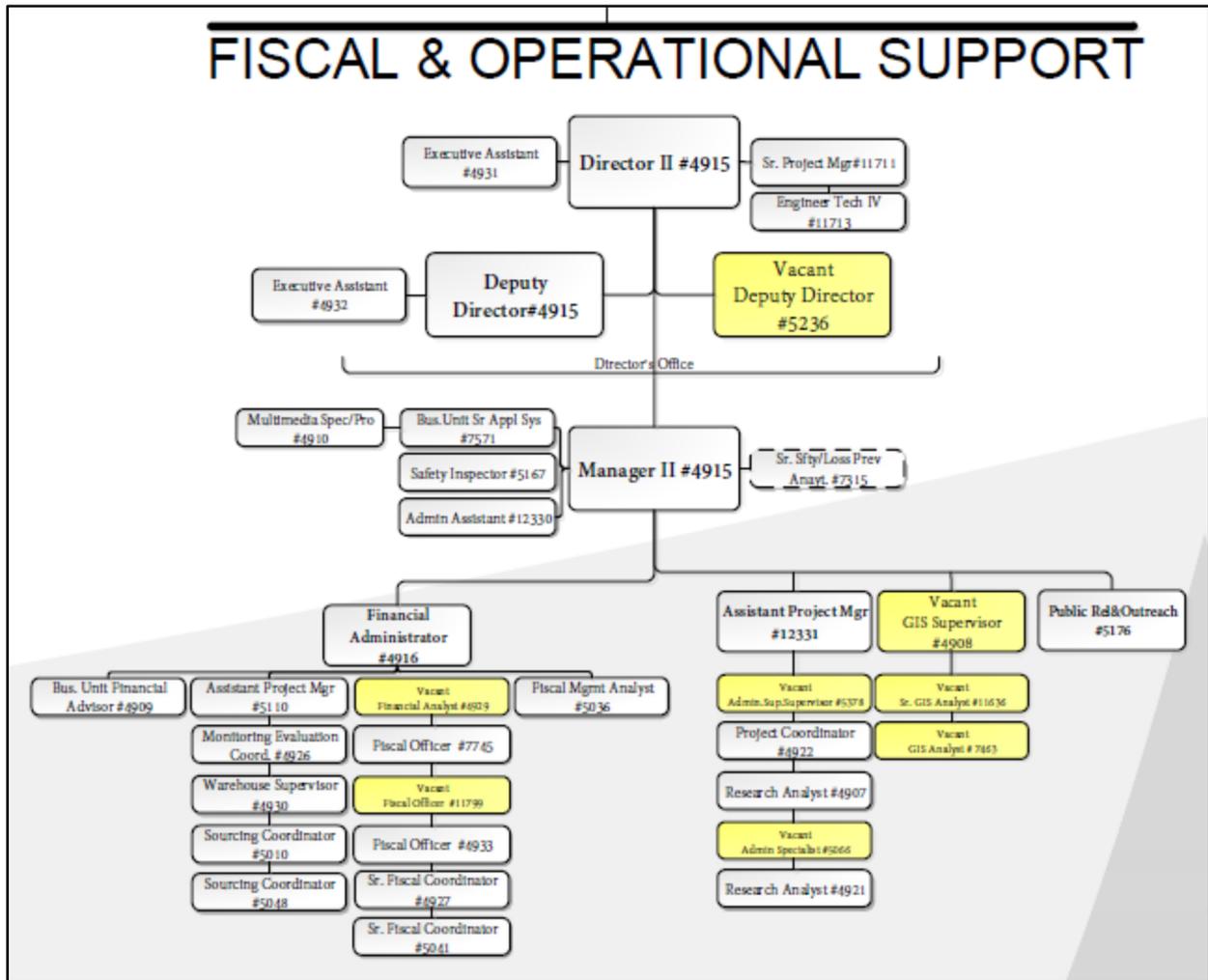


FIGURE 2-1E: Highway Construction Division organizational chart, July 11, 2022.  
Source: Orange County.

**Figure 2-1F** depicts Fiscal & Operational Support Division, which shows that the Division has clearly defined units and clear lines of authority with no overlapping functions or excessive administrative layers. Yellow highlights show the eight (8) vacant positions out of the 37 positions, a 22 percent vacancy rate. Three (3) of these vacancies are in the GIS division, representing the entire division.



**FIGURE 2-1F:** Fiscal & Operational Support Division organizational chart, July 11, 2022.  
Source: Orange County.

According to a benchmarking study conducted by the Society for Human Resource Management (SHRM), the average span of control for executive management is seven direct reports and for middle management is twelve direct reports. The span of control for the department and division directors falls within this range. **Figure 2-1G** presents the span of control benchmarking results.

Management Level	25 <sup>th</sup> Percentile	Median	75 <sup>th</sup> Percentile	Average
	Number of Direct Reports			
<i>Executive Level</i>	4	5	8	7
<i>Middle Management</i>	5	8	14	12

**FIGURE 2-1G:** *Span of Control Data.*

*Source: Society for Human Resource Management, Human Capital Benchmarking Report, December 2017.*

The MJ Team found that the County’s existing organizational structure has clearly defined units, minimizes overlapping functions and excessive administrative layers, and has lines of authority that minimize administrative costs.

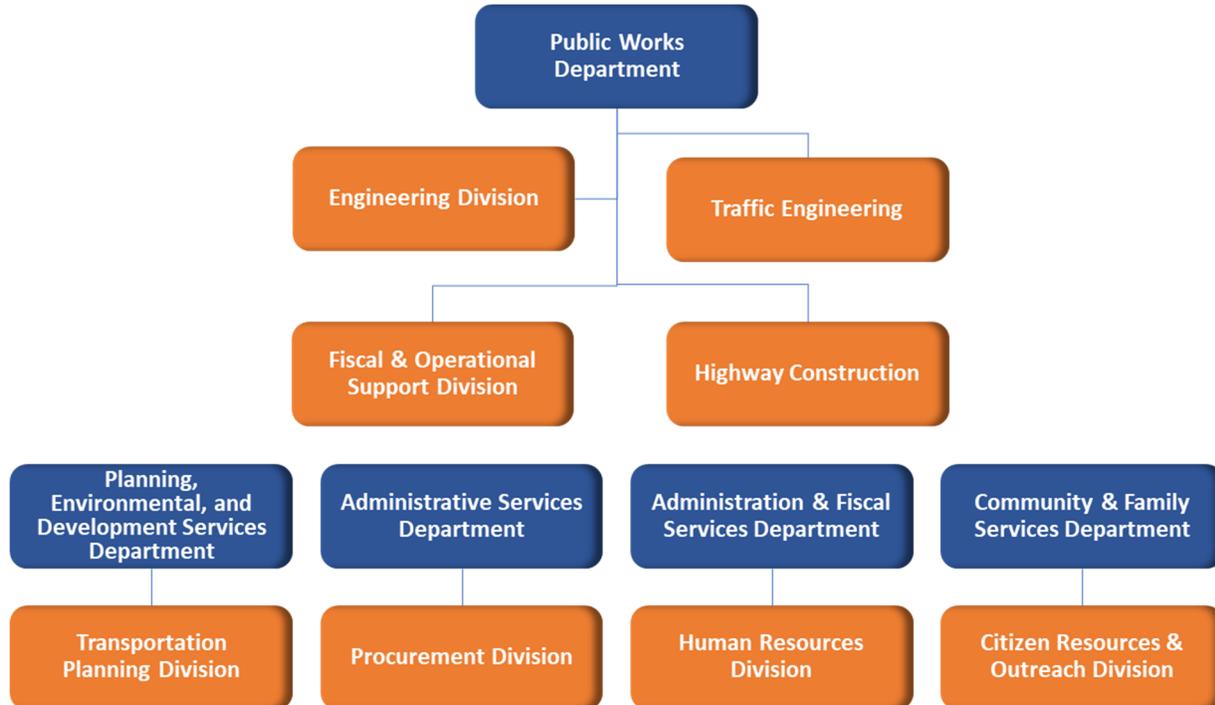
### *Transportation Initiative*

The Transportation Initiative Report outlined the approaches that are available and suggested that Orange County may consider program management structures like that used by CFX and FDOT for a General Engineering Consultant (GEC). A GEC consists of one or more consulting firms with expertise in civil engineering, project management, financial controls, and other specialized skills. The GEC prepares the plans that a separate construction firm uses to build the projects. CFX has a GEC for services related to general planning, design, engineering, management, and other services for its existing and future infrastructure system. Under the GEC approach, the GEC may perform a variety of tasks. **Figure 2-1H** depicts an exhibit from the Transportation Initiative Report outlining potential GEC tasks.



**FIGURE 2-1H:** Examples of GEC potential tasks from Transportation Initiative Report.  
Source: Orange County Transportation Initiative Report.

The Transportation Initiative Report goes on to note that even if a GEC is brought on, there will still be significant impacts on the needed County employees to successfully complete such an aggressive number of projects in the 20-year timeframe. While the GEC will be responsible for hiring the necessary design staff, the GEC’s work is still directed and managed by County staff. County staff will ultimately be responsible for ensuring the projects are built on-time, within budget, and to design specifications. County staff will also be responsible for keeping the public involved throughout the process and will have responsibility for maintaining the projects after completion. The Report recommends that each department conduct a self-assessment to determine the needed staff resources, considering staff availability and capability. As part of that assessment, roles and responsibilities of both County staff and consultant staff should be clearly defined. **Figure 2-1I** depicts departments and divisions potentially impacted by staff shortages.



**FIGURE 2-11:** Potential County departments and divisions impacted by the Transportation Initiative.  
Source: Transportation Initiative Report.

Orange County has begun to study the most appropriate program delivery method for the program of projects included in the Transportation Initiative. The County awarded a Task Work Order to a consulting firm for the preparation of an implementation plan for the Transportation Initiative. Task 4 of the current study is to prepare a Staffing Plan. The plan should...

*“summariz(e) the need for staff as presented in a comprehensive Organizational Chart that identifies the current and planned for staffing levels. This org chart will identify if the staff need is County or provided through the GEC. Org chart will also provide guidance of (sic) the coordination and relationships between individual County and GEC staff positions.”*

This Task Work Order is not scheduled to be complete until after the surtax referendum results are known—its completion will be dependent upon whether the referendum passes or not. The results of this task will provide the blueprint for how to organize future staff involved with the Transportation Initiative to meet Subtask’s 2.1 objectives.

**SUBTASK 2.2 – Assess the reasonableness of current program staffing levels given the nature of the services provided and program workload.****OVERALL CONCLUSION**

Subtask 2.2 is met overall. To reach this conclusion, the MJ Team assessed the reasonableness of current program staffing levels given the nature of the services provided and program workload.

**ANALYSIS**

As shown in Subtask 2.1, out of the four key divisions in Public Works Department, 28 of 173 positions are vacant, for a vacancy rate of 16 percent overall.

Public Works, and Orange County in general, have been affected by the same hiring challenges as most employers around the country. To address these challenges, on a bi-weekly basis Public Works receives two reports from its Human Resource Information Services section. One report provides the comprehensive list of filled positions and the other report provides a list of vacancies. These reports are reviewed by the Department Director, Deputy Director, and Fiscal & Operational Support Manager to determine vacancy rates for the department and critical recruitment needs.

Decisions are made to prioritize positions for advertisement and recruitment, along with determining the need to reclassify or adjust duties and responsibilities within the affected division or department. Varying recruitment strategies may be implemented depending on level of service needs.

As an example of a recruitment and retention strategy that is regularly considered, the County Human Resources office reviews compensation levels. Public Works recently completed an assessment of its Equipment Operator IV positions to determine if adjustments to address pay equity were needed. It was determined that salary adjustments were warranted based on the highly competitive market conditions and the anticipated increasing demand for these skilled operators as the construction projects associated with the American Rescue Plan Act get underway. Comprehensive salary structure reviews such as this occur through the Central Human Resources office and modifications are implemented with Board of County Commissioner approval.

***Transportation Initiative***

As discussed in Subtask 2.1, the Transportation Initiative Report noted that regardless of the program delivery method selected, there will still be significant increases in the number of County employees needed to successfully complete such an aggressive number of projects in the 20-year timeframe. The Report recommends that each department conduct a self-assessment to determine the needed staff resources, considering staff availability and capability.

The MJ Team found that the County’s existing organizational structure has reasonable current and planned program staffing levels given the nature of the services provided and program workload, taking into consideration the challenging current national hiring environment.

## RESEARCH TASK 3

### FINDING SUMMARY

#### **ALTERNATIVE METHODS OF PROVIDING SERVICES OR PRODUCTS.**

Overall, Orange County met expectations for Research Task 3.

County program administrators have formally evaluated existing in-house services and activities to assess the feasibility of alternative methods of providing services. An example described by PW for evaluating in-house services and looking at alternative methods of delivery included privatizing most of its mowing services and all road resurfacing services. PW evaluated its cost per acre to provide mowing services with in-house crews, determining that the County saved \$79.23 per acre in mowing costs by privatizing 99% of its right-of-way mowing services. Additionally, program administrators have made changes to service delivery methods when their evaluations/assessments found that such changes would reduce program cost without significantly affecting the quality of services. PW Traffic Engineering outsourced sign fabrication and installation services in new residential developments to land developers because of large backlog of sign installations and improved the quality of its services. The County should actively pursue identifying alternative service delivery methods to reduce costs and speed the delivery of transportation projects by reviewing Design-Build, Construction Manager/General Contractor (CM/GC), Project Bundling, and Public Private Partnerships (PPP) to support projects included in its Transportation Initiative.

### SUBTASK CONCLUSIONS, ANALYSIS AND RECOMMENDATIONS

**SUBTASK 3.1 – Determine whether program administrators have formally evaluated existing in-house services and activities to assess the feasibility of alternative methods of providing services, such as outside contracting and privatization, and determine the reasonableness of their conclusions.**

### OVERALL CONCLUSION

Subtask 3.1 is met overall. To reach this conclusion, the MJ Team interviewed program administrators and assessed the Roads & Drainage Division's (R&D) process and related decisions to contract road resurfacing, sidewalk repair, and mowing services. Our analysis included reviewing relevant internal and external reports and contracts, including contract evaluation documents and contract renewals.

### ANALYSIS

To address the requirement of this subtask, the MJ Team interviewed the following positions:

- Director, Public Works

- Manager, Engineering/Public Works
- Manager, Transportation Planning
- Management and Budget Administrator
- Senior Project Manager
- Financial Administrator
- Manager, Traffic Engineering
- Manager, Highway Construction
- Manager, Roads & Drainage

Additionally, Orange County provided the following information to inform our analysis:

- Public Works Department – CIP Budget, Monthly Financial Report – June FY21-22
- Internal Audit Report No. 447 - Audit of Public Works Department’s Mowing Services Contract
- Spreadsheet report titled: Sidewalk Repairs for FY 2005-06 through FY 2018-19
- Infrastructure Repair and Replacement contracts for FY 2020-21, FY 2021-22, and related Amendments for FY 2022-23, executed with RMS Constructors Group, LLC

During interviews, program administrators told the MJ Team that the County has contracted or privatized many of the services previously performed in-house. In the mid-1990s the Roads & Drainage Division (R&D) performed an internal audit of overhead costs and decided to outsource several maintenance operations that were being done with in-house personnel at a higher cost than the outsourced cost. Public Works management could not locate a copy of the audit report in its archives.

Since making the initial decision to outsource some maintenance activities in the mid-1990s, R&D has continued to expand the type of maintenance activities that are outsourced, and gradually changed its in-house staff profile to maximize contract administration and inspection services to monitor and evaluate outsourced maintenance services, thereby reducing activities performed in-house. While lower personnel costs and the ability to reduce a number of personnel issues—such as the County’s inability to fill vacant positions and excessive personal absences related to the Family Medical Leave Act (FMLA)—made privatization of certain maintenance services an easy decision at the time. R&D managers told the MJ Team that they continued to assess the feasibility of outsourcing additional services and evaluated the in-house provision of right-of-way mowing, road resurfacing, and sidewalk repair and decided to privatize those services because of the boom in development in Orange County over the past three (3) decades. R&D managers stated that with each new development comes new infrastructure and increased impact to older roads and drainage systems resulting in greater demand for maintenance of the County’s roads and drainage systems. To maintain adequate service levels for County residents, R&D used “sustaining adequate service levels” as its primary criteria when deciding to privatize these services.

R&D further cited sidewalk repair work as a second example of evaluating in-house services to determine the feasibility of privatizing services previously performed by the County's maintenance units. R&D managers told the MJ Team that, while the County's maintenance units' staff can perform sidewalk repairs, given the volume of sidewalk repair work required each year, they decided to outsource most of this work to support the demands of sidewalk infrastructure maintenance. This would allow R&D's in-house crews to focus on evaluating constituent inquiries related to repairs, emergency response activities, and proactive maintenance assessments, while maintaining adequate levels of services to the public.

### *Road Resurfacing Services*

The MJ Team requested data to support the County's evaluations of in-house services, specifically road resurfacing. The Director of Public Works stated that the County performed the original evaluations of these services in the 1980s and 1990s and they are no longer archived by the County. Orange County submitted the following condensed chronology of the evolution of the County privatizing road resurfacing services.

- Roads & Drainage Division (R&D) provides roadway resurfacing services for Orange County.
- Between 1970s and 1980s in-house R&D paving crews resurfaced approximately 50 lane miles annually.
- Beginning in 1980, road resurfacing became a major concern for the County because of road infrastructure concerns related the Central Florida building boom. Roadway failure became an issue as resurfacing requirements increased to 10- to 15-year cycles, requiring the County to resurface 255 lane miles annually.
- In FY 1998-99 Public Works developed the initial Strategic Plan, with one objective to *“conduct activity-based costing to increase efficiency in basic service delivery.”* As a result, R&D evaluated the resources required to increase the efficiency of road resurfacing service delivery to County residents and signed a resurfacing contract to mill and overlay asphalt paved roads.

In continuing the privatization of road resurfacing services, in FY 2019-2020 the County contracted 312 lane miles of roadway resurfacing at a cost of \$30,754,085, which was 70% of R&D's Current CIP budget for FY 2019-20. The MJ Team reviewed the Master Paving List spreadsheet that lists all paving projects completed in FY 2019-20, including the project description, estimated cost, contractor, invoice amount and the Contractors remarks on the status of the project. Based on our review, we noted that the County used five (5) separate contractors to perform these services. **Figure 3-1A** presents R&D's Current CIP Budget for FY 2019-20 totaling \$44.2 million.

Public Works Department - CIP Budget  
Monthly Financial Report - Period 13 FY 19-20  
**Roads & Drainage Division**

Fund	Unit	Project Name	Adopted Budget	Current Budget	\$ Exp	Remaining Balance	% Exp
1004	2912	Bridge Maintenance and Repa	\$1,000,000	\$1,000,000	\$635,179	\$364,821	63.5%
		<b>Project Subtotal:</b>	<b>\$1,000,000</b>	<b>\$1,000,000</b>	<b>\$635,179</b>	<b>\$364,821</b>	<b>63.5%</b>
1004	2913	Multipurpose Path Conversion	\$680,000	\$680,000	\$611,214	\$68,786	89.9%
		<b>Project Subtotal:</b>	<b>\$680,000</b>	<b>\$680,000</b>	<b>\$611,214</b>	<b>\$68,786</b>	<b>89.9%</b>
1004	2947	Mtnc Yards Improvmnts	\$400,000	\$793,770	\$202,406	\$591,364	25.5%
		<b>Project Subtotal:</b>	<b>\$400,000</b>	<b>\$793,770</b>	<b>\$202,406</b>	<b>\$591,364</b>	<b>25.5%</b>
1004	2990	Rehab Existing Rdwys C/W	\$32,991,000	\$34,741,007	\$30,102,406	\$4,638,601	86.6%
		<b>Project Subtotal:</b>	<b>\$32,991,000</b>	<b>\$34,741,007</b>	<b>\$30,102,406</b>	<b>\$4,638,601</b>	<b>86.6%</b>
1004	3010	Drainage Rehab	\$5,000,000	\$6,358,517	\$3,608,531	\$2,749,986	56.8%
		<b>Project Subtotal:</b>	<b>\$5,000,000</b>	<b>\$6,358,517</b>	<b>\$3,608,531</b>	<b>\$2,749,986</b>	<b>56.8%</b>
1002	5086	Railroad Crossing Replacements	\$500,000	\$674,896	\$534,043	\$140,853	79.1%
		<b>Project Subtotal:</b>	<b>\$500,000</b>	<b>\$674,896</b>	<b>\$534,043</b>	<b>\$140,853</b>	<b>79.1%</b>
		<b>Total Roads &amp; Drainage:</b>	<b>\$40,571,000</b>	<b>\$44,248,190</b>	<b>\$35,693,779</b>	<b>\$8,554,411</b>	<b>80.7%</b>

**FIGURE 3-1A:** Roads & Drainage Current Budget in Fiscal Year 2019-2020 exceeded \$44.2 million.  
Source: Orange County Fiscal Years 2019-2020 Budget Book.

As a result of the County’s evaluation of in-house services vs. privatization, R&D is not only contracting out 100% of Rehab of Existing Roadways (i.e., Road Resurfacing) in its Current CIP Budget for FY 2021-22, totaling \$34,564,233, but has also privatized its entire Current CIP Budget. **Figure 3-1B** presents R&D’s Current CIP Budget for FY 2021-22 totaling \$47.2 million.

0.7.b Roads & Drainage CIP

Public Works Department - CIP Budget  
Monthly Financial Report - June FY 21-22  
**Roads & Drainage Division**

Fund	Unit	Project Name	Adopted Budget	Current Budget	\$ Enc	\$ Exp	Remaining Balance	% Enc & Exp
1004	2912	Bridge Maintenance and Repairs	\$3,000,000	\$3,186,707	\$87,300	\$177,341	\$2,922,066	8.3%
		<b>Project Subtotal:</b>	<b>\$3,000,000</b>	<b>\$3,186,707</b>	<b>\$87,300</b>	<b>\$177,341</b>	<b>\$2,922,066</b>	<b>8.3%</b>
1004	2990	Rehab Existing Rdwys C/W **	\$31,000,000	\$34,564,233	\$22,785,048	\$6,259,320	\$5,519,865	84.0%
		<b>Project Subtotal:</b>	<b>\$31,000,000</b>	<b>\$34,564,233</b>	<b>\$22,785,048</b>	<b>\$6,259,320</b>	<b>\$5,519,865</b>	<b>84.0%</b>
1004	3010	Drainage Rehab	\$5,000,000	\$8,883,441	\$3,239,968	\$3,678,312	\$1,965,161	77.9%
		<b>Project Subtotal:</b>	<b>\$5,000,000</b>	<b>\$8,883,441</b>	<b>\$3,239,968</b>	<b>\$3,678,312</b>	<b>\$1,965,161</b>	<b>77.9%</b>
1002	5086	Railroad Crossing Replacements	\$545,500	\$545,500	\$0	\$73,352	\$472,148	13.4%
		<b>Project Subtotal:</b>	<b>\$545,500</b>	<b>\$545,500</b>	<b>\$0</b>	<b>\$73,352</b>	<b>\$472,148</b>	<b>13.4%</b>
		<b>Total Roads &amp; Drainage:</b>	<b>\$39,545,500</b>	<b>\$47,179,881</b>	<b>\$26,112,316</b>	<b>\$10,188,325</b>	<b>\$10,879,241</b>	<b>76.9%</b>
		** Roadway Resurfacing						

**FIGURE 3-1B:** Roads & Drainage Current Budget in Fiscal Years 2021-2022 is 100% privatized and exceeds \$47.1 million.  
Source: Orange County Fiscal Years 2021-2022 Budget Book.

### *Audit of Public Works Department's Mowing Services Contract*

The MJ Team reviewed relevant sections of the Audit of Public Works Department's Mowing Services Contract (Internal Audit Report). In the Background section of the Internal Audit Report, we noted that originally Roads & Drainage (R&D) personnel performed all ground maintenance services in-house including mowing, edging, litter removal, brush control, applying herbicides, landscape sodding, and tree removal. In 1997 the Road & Drainage Division began to outsource ground maintenance services (i.e., especially mowing) to private contractors. Mowing services are a large portion of ground maintenance expenses. The three types of mowing contracts are:

- Roadway right-of-way
- Retention ponds
- Canals and ditches

R&D is responsible for mowing roadway rights-of-way, certain canals, and ditches, performing these mowing operations with in-house crews because there are multiple locations where the access to areas requiring mowing is limited or compromised (e.g., lack of easement), requiring R&D to use different options for mowing. For example, before the COVID 19 pandemic, maintenance units used Inmate Road Crews to perform hand mowing for hard to access locations. However, the County suspended the program since the beginning of the pandemic and replaced hand mowing with a Mechanical Walking Excavator (i.e., Minzie Muck) to mow the bottom of ditches and canals. County personnel use the Minzie Muck to mow these areas because contractors' mowing equipment is too large to access the bottom of ditches and canals.

R&D continuously evaluates the cost of providing the in-house mowing services and periodically compares the unit cost per acre for mowing in-house versus outsourced mowing services. R&D Management reported the FY 2021-22 year-to-date in-house mowing cost using in-house crews is approximately \$175 per acre versus an average outsourced contract cost of \$95.27 per acre.

The MJ Team reviewed R&D's "Quarterly Statistics Report - FY 21/22," an Excel spreadsheet that tracks expenditures for every service R&D provides by function and activity. R&D submits this spreadsheet to PW's Fiscal and Operational Support Division responsible for preparing the PW Quarterly Report to the Public Works Director. R&D program administrators use the Quarterly Statistics Report – FY 21/22 to monitor annual performance and cost by tracking volumes and costs for performance categories each quarter. In this report, R&D compiles costs and specific volumes by activity to calculate unit costs for each activity for the following functions within the scope of R&D's responsibilities:

- Maintenance Unit
- Construction
- Heavy Equipment
- Paving

- Contracts (i.e., Term Contracts for Outsourced Services)

The MJ Team noted R&D calculated the FY 2021-22 year-to-date (i.e., through the 3<sup>rd</sup> Quarter) in-house mowing cost using in-house crews of \$175 per acre based on 124 “Right-of-Way” acres mowed at a cost of \$21,731. Similarly, we noted R&D calculated its mowing cost using outsourced contractors to be \$95.27 per acre based on 30,046 Right-of-Way acres mowed at a cost of \$2,862,310 for the same period. **Figure 3-1C** presents a snapshot of the section of R&D’s Quarterly Statistics Report -FY 21/22 related to its in-house Maintenance Unit.

Roads & Drainage Quarterly Statistics Report - FY21/22												
Work Code	Annual Performance	Maintenance Unit (MU) Quarterly								MU Total		Unit cost
		Q1	\$\$	Q2	\$\$	Q3	\$\$	Q4	\$\$	Qty	Cost	
	Citizen Inquiries (each)	1,726		1,727		3,128				6,581	\$0	
820	Emergency Call Outs (each)	117	\$21,235	86	\$15,490	135	\$22,619			338	\$59,344	
120	Potholes Repaired (each)	966	\$45,888	1,196	\$58,854	1,472				3,634	\$104,742	
440	Tree Trimming/Removal (each)	2,644	\$74,978	2,147	\$59,765	2,403	\$75,444			7,194	\$210,187	
420 & 425	Right-of-Way Mowed (acres)	45	\$7,670	23	\$5,257	57	\$8,804			124	\$21,731	\$175
	Right-of-Way Landscaped (acres)									-	\$0	
	Canal mowing (acres)									-	\$0	
	Curb Miles Swept (curb miles)									-	\$0	
350 & 351	Roadside Ditch Cleaned & Reshaped (sq ft)	66,644	\$69,766	87,664	\$71,426	105,712	\$77,100			260,020	\$218,293	
360 & 361	Secondary Outfalls Cleaned & Reshaped (sq ft)	1,941	\$1,782	12,435	\$6,746	4,890	\$3,457			19,266	\$11,984	
715	Sidewalk Repaired (sq ft)	13,752	\$190,067	9,957	\$174,472	9,463	\$165,962			33,172	\$530,500	
780	Driveways Repaired (sq ft)	120	\$405	6	\$376	1,070	\$1,991			1,196	\$2,773	
530	Debris Removal from R/W (lbs)	790,972	\$134,260	936,135	\$159,463	762,918	\$126,271			2,490,025	\$419,994	

**FIGURE 3-1C:** Roads & Drainage monitors cost per acre to provide mowing services with in-house crews to compare to the cost per acre for mowing services outsourced to private contractors.  
Source: Public Works Department, Roads & Drainage Division.

**Figure 3-1D** presents a snapshot of the section of R&D’s Quarterly Statistics Report -FY 21/22 outsourced Term Contracts.

Roads & Drainage Quarterly Statistics Report - FY21/22												
Work Code	Annual Performance	Contracts Quarterly								Contracts Total		Unit Cost
		Q1	\$\$	Q2	\$\$	Q3	\$\$	Q4	\$\$	Qty	Cost	
	Citizen Inquiries (each)									0	\$0.00	
820	Emergency Call Outs (each)									0	\$0.00	
120	Potholes Repaired (each)									0	\$0.00	
440	Tree Trimming/Removal (each)	7,744	\$688,208	8,668	\$707,586	13,781	\$1,058,434			30193	\$2,454,227.44	
420 & 425	Right-of-Way Mowed (acres)	9,478	\$877,402	9,518	\$925,572	11,050	\$1,059,337			30046	\$2,862,310.42	\$95.27
	Right-of-Way Landscaped (acres)	5,144	\$478,172	4,369	\$509,108	3,830	\$492,845			13343	\$1,480,125.65	
	Canal mowing (acres)	1,158	\$283,671	1,160	\$284,237	1,161	\$284,482			3479	\$852,389.30	
	Curb Miles Swept (curb miles)	1,101	\$33,512	4,839	\$150,537	33,410	\$1,051,550			39350	\$1,235,598.64	
350 & 351	Roadside Ditch Cleaned & Reshaped (sq ft)									0	\$0.00	
360 & 361	Secondary Outfalls Cleaned & Reshaped (sq ft)									0	\$0.00	
715	Sidewalk Repaired (sq ft)	164,082	\$1,261,055	243,312	\$1,777,311	125,930	\$1,132,245			533324	\$4,170,610.63	
780	Driveways Repaired (sq ft)									0	\$0.00	
530	Debris Removal from R/W (lbs)									0	\$0.00	

**FIGURE 3-1D:** Roads & Drainage monitors cost per acre to provide mowing services with private contractors to compare to the cost per acre for mowing services provided by in-house crews.  
Source: Public Works Department, Roads & Drainage Division.

**SUBTASK 3.2 – Determine whether program administrators have assessed any contracted and/or privatized services to verify effectiveness and cost savings achieved and determine the reasonableness of their conclusions.**

## **OVERALL CONCLUSION**

Subtask 3.2 is met overall. To reach this conclusion, the MJ Team interviewed program administrators and assessed Public Works' contractor evaluation process and reviewed sample Term Contract Annual Performance Evaluations. Public Works Road & Drainage Division (R&D) evaluated pricing offered by companies providing asphalt milling and resurfacing services under term contracts eligible for renewal by comparing line-item pricing offered by the contractors to comparable line item pricing in Invitation to Bid documents for local jurisdictions, and Federal Department of Transportation Reports. R&D's conclusions from its analysis and resulting evaluation were reasonable.

## **ANALYSIS**

To address the requirement of this subtask, the MJ Team interviewed the positions referenced in Subtask 3.1. Additionally, Public Works program administrators provided the following information to inform our analysis:

- Road Maintenance Asphalt Milling and Resurfacing Contract Evaluation
- Orange County Term Contract Performance Evaluation – Middlesex Paving LLC

Public Works Roads & Drainage Division (R&D) manages and evaluates contracted services through daily inspections to ensure services are performed in accordance with the contract and its scope of work. For service contracts performed on a cycle basis (i.e., right of way mowing, street sweeping, landscape maintenance and mowing, canal and ditch mowing, etc.), R&D issues a delivery order for each service cycle, as defined in the corresponding contract. For example, right-of-way mowing cycles are completed once every 18 workdays from April to October, and once every 24 workdays from November to March, and contractors develop a route to follow to service each location under contract. R&D inspects contracted services daily after contractors report the areas completed. Inspectors determine if the contractors satisfactorily completed the services outlined in contract documents. If contractors did not satisfactorily complete contractually obligated services, R&D inspectors will issue deficiency notices for the corrections required. R&D records inspection dates for each service area into the division's database, and inspectors sign off on the invoices as confirmation that the services in the cycle were satisfactorily completed.

For other contracted services like resurfacing, pipe repair, sidewalk repair, shoulder repair, underdrain installation, and other civil work services, R&D issues delivery orders for each project. R&D inspectors, Maintenance Unit staff, or consultants inspect all contractors' work daily. These inspectors also determine if the contractors satisfactorily completed maintenance services specifically outlined in contract documents. If contractors did not satisfactorily complete contractually obligated maintenance services, R&D inspectors will also issue deficiency notices (i.e., to include in Reports of Unsatisfactory Services) for any maintenance services that the contractor failed to perform as required in the contract before the contractor can receive final payment.

Throughout the daily monitoring and administration of these contracts, R&D inspectors identify contractor performance issues and timely address each issue with the corresponding contractor via emails requiring action, through in-person meetings, and through the Procurement Division's processes through Report of Unsatisfactory Services and Cure Notices.

Since Public Works outsourced maintenance contracts are term contracts that typically provide renewal options for up to three (3) years, the department uses information reported from inspections, Reports of Unsatisfactory Services, and Cure Notices to complete formal annual performance evaluations for each contractor and submits the evaluations to the Procurement Division at the time of each contract renewal. The performance evaluation form includes a section titled Assessment of Performance Elements that includes the following: Overall Evaluation, Quality of Work, Timely Performance. Each contractor is rated as Outstanding, Satisfactory, or Unsatisfactory, with Unsatisfactory ratings requiring the evaluator to attach specific documentation. **Figure 3-2A** presents a completed Term Contract Performance Evaluation.



**ORANGE COUNTY PROCUREMENT DIVISION**  
**TERM CONTRACT PERFORMANCE EVALUATION**

[rev. 3-17]

**Contract Information**

1. Contract Number	2. Contract Title
Y20-1031A	Asphalt Milling with Resurfacing with Friction Course and Asphalt Berms

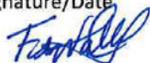
**Contractor Information**

3. Contractor Name	4. Vendor Number
Middlesex Paving LLC	46110
5. Contractor Address	
1 Spectacle Pond Rd., Littleton, MA 01460	
6. Description and Location of Work	
Work under this contract consists of Asphalt Milling and Resurfacing w Friction Course of Orange County maintained roadways.	

**Assessment of Performance Elements**

7. Overall Evaluation	<input type="checkbox"/> Outstanding <input checked="" type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory (attach documentation)
8. Quality of Work	<input type="checkbox"/> Outstanding <input checked="" type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory (attach documentation)
9. Timely Performance	<input type="checkbox"/> Outstanding <input checked="" type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory (attach documentation)
10. Other	<input type="checkbox"/> Outstanding <input checked="" type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory (attach documentation)
11. Comments: (Required)	Middlesex Corp. has provided Satisfactory work for Contract Y20-1031A. The quality of work is satisfactory and complies to the scope of services in the contract.

**Evaluator(s)**

Division Contract Administrator Name/Title	Signature/Date
Fernando Valladares / Contract Administrator	 3/10/21
Division Manager Name	Signature/Date
Maricela Torres / Interim Manager, Roads & Drainage	 3/10/21

**FIGURE 3-2A:** Public Works collaborates with the County Procurement Division and annually evaluates all term contracts for privatized services before granting contract extensions.  
Source: Public Works Division, Road & Drainage Division.

### *Road Maintenance Asphalt Milling and Resurfacing Contract Evaluation*

The MJ Team reviewed an interoffice memorandum documenting the Road & Drainage Division's (R&D) assessment of the County's privatized contract for asphalt milling and resurfacing to verify effectiveness and cost savings. The County reviewed the following asphalt milling and resurfacing contracts to determine the reasonableness of pricing when deciding to exercise options to extend existing term contracts:

- Y20-1031A The Middlesex Corporation
- Y20-1031B Hubbard Construction
- Y20-1031C Ranger Construction
- Y20-1031D Preferred Materials

To determine the reasonableness of pricing in evaluating asphalt and resurfacing bids received from Middlesex Paving LLC, Hubbard Construction, Ranger Construction, and Preferred Materials, R&D conducted an extensive price analysis using pricing in asphalt resurfacing contracts procured in the nearby jurisdictions of Lake County and the City of Orlando. Since certain units of measure for specific line items included in Lake County and the City of Orlando's pricing evaluations were not comparable for R&D's analysis, R&D engineers converted the units of measure using industry recognized formulas to make the units of measure for evaluating pricing comparable to units of measure in the Orange County pricing analysis. R&D engineers also considered Lake County and the City of Orlando's practice of paying its contractors in separate line items for mobilization costs and maintenance of traffic costs, which R&D includes in a turnkey price for each line item evaluated. Additionally, as a part of its analysis to determine the reasonableness of pricing for these four contracts, R&D compared unit prices published by the Florida Department of Transportation (FDOT) in its publication Historical Item Average Unit Costs publication. **Figure 3-2B** presents R&D's comparison of contract renewal pricing for the four contractors listed above to provide Asphalt Milling and Resurfacing services to Lake County's Invitation to Bid (ITB) No. 17-0802 – Roadway Resurfacing and Related Services.

Line-Item for Type of Asphalt	Lake County Unit Pricing at 1" Thick per Square Yard (SY)	Conversion Factor Based on Engineering Formula	Comparable Unit of Measure at 1.5", 2.0" and 1.25" Thickness	Comparable Lake County Pricing after Conversion	Orange County Renewal Pricing Evaluated*
SP12.5	\$5.80 - \$5.85/SY	1.5	1.5" Thickness	\$8.70 - \$8.78/SY	\$10.00 - \$12.40/SY
SP12.5	\$5.80 - \$5.85/SY	2.0	2.0" Thickness	\$11.60 - \$11.70/SY	\$12.25 - \$16.50/SY
FC9.5	\$6.35 - \$6.75/SY	1.25	1.25" Thickness	\$7.93 - \$8.44/SY	\$8.85 - \$16.50/SY

**FIGURE 3-2B:** Public Works’ Road & Drainage Division evaluates the reasonableness of line-item pricing offered by contractors in Asphalt Milling and Resurfacing bids by comparing pricing jurisdictions paid for similar line-items. Source: Public Works Road & Drainage Division.

\* Lake County’s contract includes separate line items for mobilization cost, whereas Orange County’s contract pricing line-items include mobilization, maintenance of traffic, and all incidentals.

Figure 3-2B shows that Lake County’s line-item prices for SP12.5 and FC9.5 asphalt are based on square yards per one-inch (SY/1”), while Orange County’ line-item pricing for comparable asphalt is based on square yards at either 1.5”, or 2.0” thick for SP12.5 asphalt and 1.25” for FC9.5 asphalt. After converting line items to comparable units of measure and allowing for differences in mobilization, maintenance of traffic, and incidental costs included in Orange County’s pricing, R&D’s evaluation determined renewal prices offered by the four contractors were within a reasonable range given comparable pricing in Lake County. R&D completed the same evaluation exercise comparing pricing to the City of Orlando and FDOT Historical Average Item Unit Reports.

The MJ Team reviewed R&D’s evaluation of pricing for the four Asphalt Milling and Resurfacing contracts up for renewal and determined their conclusion to be reasonable based on comparisons with local jurisdictions and FDOT reports.

**SUBTASK 3.3 – Determine whether program administrators have made changes to service delivery methods when their evaluations/assessments found that such changes would reduce program cost without significantly affecting the quality of services.**

## OVERALL CONCLUSION

Subtask 3.3 is met overall. To reach this conclusion, the MJ Team interviewed program administrators and assessed the County’s decision to outsource subdivision sign fabrication services to land developers, determining that the County’s decision to change its method of delivering sign fabrication services reduced costs through “cost avoidance” measures, while maintaining and exceeding the quality of its sign fabrication services for new residential developments.

## ANALYSIS

To address the requirement of this subtask, the MJ Team interviewed the positions referenced in Subtask 3.1. The MJ Team reviewed the process the County used to ultimately decide to outsource sign fabrication services previously performed in house to land developers.

The County's Public Works employees historically completed the design and placement of street signs and regulatory signs in new subdivisions. The County's rationale for delivering these services with in-house staff was to ensure uniform sign types in new subdivisions (i.e., all street signs look the same by having uniform name placement, County logo, abbreviations, color, reflectivity, etc.) using uniform materials and proper placement. The County had its own sign shop with the ability to produce signs at a reasonable cost and had in-house sign installers that understood the height and offset requirements for sign placement. The County would only install the final signs upon completion of the subdivision infrastructure construction; any necessary temporary signs were the responsibility of the developer or their contractor.

The County experienced a backlog of sign installation exceeding 600 units because of the housing surge that occurred in Orange County in 2018, and County staff could not keep up with the demand to fabricate signs for new developments. Accordingly, after evaluating its method of service delivery related to sign fabrication and its growing backlog of sign installations, the County determined in 2018 that its in-house personnel could not sustain the design, fabrication, and installation of street signs and took the following steps to change its service delivery method for sign fabrication and installation in new subdivisions:

- In 2018, the County required developers to install the signs fabricated by the County, which allowed the County to control the design, sign types, and materials for street signs on County roadways.
- In 2019, the County required developers to complete the sign design in accordance with Manual of Uniform Traffic Control Devices (MUTCD) standards. County Traffic Engineering staff would review the design to ensure it was compliant with MUTCD standards. The County continued to fabricate the signs to control the sign types and materials.
- In 2021, the County evaluated the sign fabrication processes for other counties and cities and found no other jurisdiction fabricated street signs for new developments. As a result of its evaluation, the County decided to outsource sign fabrication services to developers and prepared specifications for street signs to include materials, size, color, reflectivity, etc., and allowed the developers to fabricate and install the signs, effective June 1, 2021.

The MJ Team interviewed program administrators in the Traffic Engineering Division (Traffic Engineering) and the Director of Public Works and confirmed the County did not conduct a "formal" evaluation process, complete with a cost analysis, when deciding to pursue alternate methods of delivering its sign fabrication services to new residential developments. Rather, the leader of the County's Sign Fabrication shop initiated the concept of having developers fabricate signs for developments to reduce the County's backlog of signs requiring installation.

Additionally, the MJ Team found that Traffic Engineering issued an RFP in 2018 for sign installation, including as one of its components establishing a fee schedule for developers to cover the County’s in-house materials costs for fabricating signs. The cost of aluminum used to fabricate the signs increased between 2018 and 2021, but the County did not adjust the fees it charged developers to cover its in-house cost, resulting in the County subsidizing developers’ cost because it could not recover the rising cost of aluminum. Accordingly, the rising cost of aluminum also factored into the decision to pursue alternate service delivery methods and require developers to assume responsibility for installation and the cost of materials.

The MJ Team reviewed evidence of meetings scheduled on May 5, 2021, at 2:30 p.m. with the leader of the Sign Fabrication Shop, Traffic Engineering Manager, and Public Works Director to discuss the new procedure for signs in new subdivisions as a component of outsourcing fabrication services to developers, requiring developers to provide their own signs based on County specifications. We reviewed the talking points for the meeting which included the following benefits to the County and developers:

- Cost of signs may be less expensive for developers
- Developers can shop around for the best prices on materials
- Reduction of costs of labor and materials in the County’s Sign Fabrication Shop

The Public Works Director and Traffic Engineering Manager approved the leader of the Sign Fabrication Shop’s proposal to outsource sign fabrication and installation services, effective June 1, 2021, as mentioned above. While the County did not undertake a formal evaluation process, the County’s assessment and evaluation of its method of delivering sign fabrication services to County residents in new developments, although conducted out of necessity by the leader of the Sign Fabrication Shop because of the large backlog of sign installations and limited in-house resources, resulted in changing its service delivery method to an outsourcing service delivery model allowing developers to procure the signs on their schedule and assume responsibility for materials cost and installation with final inspection of the signs by the County. Outsourcing the fabrication of signs to developers reduced the County’s labor and materials costs without significantly affecting the quality of sign fabrication services.

**SUBTASK 3.4 – Identify possible opportunities for alternative service delivery methods that have the potential to reduce program costs without significantly affecting the quality of services, based on a review of similar programs in peer entities (e.g., other counties, etc.).**

## OVERALL CONCLUSION

Subtask 3.4 is partially met. To reach this conclusion, the MJ Team interviewed program administrators and assessed the County’s actions to review similar programs in local peer jurisdictions that have alternate delivery methods that could reduce the County’s costs without significantly affecting the quality of services. Public Works’ (PW) Engineering Division assumed

lead responsibility for exploring four (4) alternate contracting models to achieve the Transportation Initiative's desire to decrease the time to complete transportation projects and reduce the overall costs. PW Engineering only explored one of the alternate contracting models. The County has an opportunity to fully meet this subtask if PW Engineering accepts the MJ Team's recommendation to actively pursue identifying alternative service delivery methods to reduce costs and speed the delivery of transportation projects by reviewing Design-Build, Construction Manager/General Contractor (CM/GC), Project Bundling, and Public Private partnerships (PPP) to support projects included in the County's Transportation Initiative.

## ANALYSIS

To address the requirement of this subtask, the MJ Team interviewed the positions referenced in Subtask 3.1. Additionally, the MJ Team reviewed alternative service delivery methods considered by PW Engineering and evidence provided to support the County personnel's review of similar programs provided by peer jurisdictions.

Public Works (PW) worked with Orange County's Transportation Initiative to implement alternative contracting procurement methods with a stated goal to *"shave years off of transportation project schedules, thereby reducing costs, minimizing work-zone delays, and improving traffic conditions faster."* To accomplish this goal, the PW's stated objective *"is to help engineers and contractors complete quality projects and meet owner expectations, as the Federal Highway Administration (FHWA) is promoting accelerated project delivery methods to help reduce the time it takes to deliver highway projects to the public and reduce construction-related risks."*

Through its participation in the Transportation Initiative Program Delivery Workgroup, PW Engineering identified four possible alternate service delivery methods. Then PW Engineering selected peer jurisdictions to examine methods that have the potential to reduce costs without significantly affecting the quality of service the County provides to construct transportation infrastructure. These alternate procurement-related service delivery methods include the following contracting methods aligned with its stated goal and related objective to reduce the time it takes to deliver highway projects to the public:

1. **Design Build Contracts.** A project delivery system used to deliver a project in which the design and construction services are contracted and performed by a single contractor known as a design-build contractor. Design-build contracting continuously outperforms traditional delivery methods when analyzing project cost, construction speed, delivery speed, and schedule growth. In addition to time savings design-build contractors estimate clients can save from 6% - 10% on projects when using a design-build process instead of traditional construction.  
[\[https://www.kconinc.com/design-build-construction-saves-time-money/\]](https://www.kconinc.com/design-build-construction-saves-time-money/)
2. **Construction Manager/General Contractor (CM/GC).** A project delivery method that allows an agency/owner to engage a construction manager during the design process

to provide constructability input. CM/GC is the most collaborative contract model and can help boost transparency and efficiency for the agency/owner during a pivotal phase of the project. General contractors can be brought on early as a consultant, providing guidance on the project schedule that will reduce costs in later phases of the project. Once the agency/owner and construction manager agree on a reasonable cost, known as the Guaranteed Minimum Price, the construction manager becomes the general contractor once the fieldwork begins.

[\[https://www.fieldwire.com/blog/benefits-of-the-cmgc-model/\]](https://www.fieldwire.com/blog/benefits-of-the-cmgc-model/)

3. **Project Bundling.** A comprehensive and accelerated delivery solution for addressing strategic program goals. This method streamlines design, contracting, and construction; allows agencies/owners to capitalize on economies of scale to increase efficiency; and supports greater collaboration during project delivery and construction. The benefits of project bundling include expedited project delivery, reduced cost, and contracting efficiency.

[\[https://www.fhwa.dot.gov/innovation/everydaycounts/edc\\_5/project\\_bundling.cfm\]](https://www.fhwa.dot.gov/innovation/everydaycounts/edc_5/project_bundling.cfm)

4. **Public/Private Partnerships (PPP).** A legal contract between a government body and a private entity to provide an asset or service as a public benefit. In a PPP, a local government engages with a private partner who hires, pays, and supervises the contractor, as well as participates in designing, financing, operating, and maintaining the project in the construction process. The private owner assumes the risk of schedule and cost overruns and creates strong incentives for contractors to prevent these risks to deliver projects on-time and within budget. This collaboration between local government and private entities can result in millions of dollars of cost savings.

[\[https://esub.com/blog/public-private-partnerships-in-construction-benefits-and-faults/\]](https://esub.com/blog/public-private-partnerships-in-construction-benefits-and-faults/)

PW Engineering assumed the responsibility for reviewing these alternate service delivery methods with local peer jurisdictions and collaborated with Central Florida Expressway, Osceola County, and Seminole County. **Figure 3-4A** presents the jurisdictions with whom PW Engineering collaborated, the alternate delivery method reviewed and discussed with the local peer jurisdiction, and the supporting documentation reviewed by the MJ Team.

Jurisdiction	Alternative Service Delivery Method Reviewed with Local Peer Jurisdiction	Supporting Documentation the MJ Team Reviewed
<i>Central Florida Expressway</i>	General Engineering Consultant (GEC) Services *	Central Florida Expressway, General Engineering Consultant Services RFP no. 00145, September 29, 2016.
<i>Osceola County</i>	Design-Build/Construction Manager (CM) at Risk **	E-mail communication between PW Engineering Manager and Osceola County Civil Engineer,

		Transportation and Transit between February 7, 2019, and February 12, 2019.
<i>Seminole County</i>	General Engineering Consultant (GEC) Services *	<ul style="list-style-type: none"> <li>Email communication between PW Engineering Manager and Seminole County, Assistant County Engineer, between June 21, 2022, and June 22, 2022.</li> <li>Email communication between PW Engineering Manager and Seminole County, Assistant County Engineer, dated June 21, 2022, referencing an attachment of a PDF of Seminole County's GEC agreement together with an Integrated Team Program Structure.</li> </ul>

**FIGURE 3-4A:** Public Works' PW Engineering Division reviewed alternate procurement and construction management methods of local peer jurisdictions to potentially reduce the County's engineering and construction costs and project delivery time.

Source: Public Works Engineering Division.

\* PW Engineering only discussed and reviewed alternative service delivery methods for General Engineering Consultant Services, rather than the four (4) alternative service delivery methods envisioned by the Transportation Initiative's Program Delivery Workgroup.

\*\* PW Engineering discussed and reviewed alternative service delivery methods for Design-Build and Construction Manager at Risk, which covered two (2) of the four (4) alternative service delivery methods envisioned by the Transportation Initiative's Program Delivery Workgroup.

Based on the MJ Team's review of supporting documentation verifying the County consistently reviews similar programs in local peer entities that have the potential to reduce program costs without significantly affecting the County's quality of services, this subtask is partially met. Although the PW Engineering Division inquired about Design-Build/Construction Manager at Risk services with Osceola County, the inquiry was made over three and one-half years ago and it appears the PW Engineering Division is not actively pursuing the remaining alternate service delivery methods included in its goals submitted to the Transportation Initiative's Program Delivery Workgroup. The MJ Team considers inquiries to Central Florida Expressway, although six years old, and Seminole County related to General Engineering Consulting services to be alternate service delivery methods that could possibly reduce costs without significantly affecting the quality of services. However, the County has an opportunity to significantly reduce costs and speed schedule delivery if PW is more intentional about reviewing local peer jurisdictions' alternate service delivery methods related to Design-Build, Construction Manager/General Contractor (CM/GC), Project Bundling, and Public Private Partnerships (PPP).

**RECOMMENDATION 3.4 – Actively pursue identifying alternative service delivery methods to reduce costs and speed the delivery of transportation projects by reviewing Design-Build, Construction Manager/General Contractor (CM/GC), Project Bundling, and Public Private partnerships (PPP) to support projects included in the County's Transportation Initiative.**

## RESEARCH TASK 4

### FINDING SUMMARY

#### **GOALS, OBJECTIVES, AND PERFORMANCE MEASURES USED BY THE PROGRAM TO MONITOR AND REPORT PROGRAM ACCOMPLISHMENTS.**

Overall, Orange County met expectations for Research Task 4.

The Public Works Department's (PW) Division's goals align with the PW Department's goals in five (5) Strategic Service Areas included in PW's Strategic Plan aligned with the County's Strategic Plan. PW's goals are clearly stated, measurable, and can be completed within budget. PW's performance measures used to evaluate the performance of programs within PW divisions are unique to each PW division, monitored quarterly and annually, and are sufficient to assess progress toward meeting established targets (goals). The County's Administrative Regulations and Article III, Section 17-310 of Orange County's Procurement Ordinance contain policies and procedures that establish internal controls over the County's budgeting and procurement processes, providing reasonable assurance that program goals and objectives will be met.

### SUBTASK CONCLUSIONS, ANALYSIS AND RECOMMENDATIONS

**SUBTASK 4.1 – Review program goals and objectives to determine whether they are clearly stated, measurable, can be achieved within budget, and are consistent with the County's strategic plan.**

### OVERALL CONCLUSION

Subtask 4.1 is met overall. To reach this conclusion, the MJ Team assessed Public Works (PW) goals for each of its seven (7) divisions that are aligned with Strategic Service Areas included in the County's Strategic Plan noting that the goals were clearly stated, measurable, and can be achieved within budget. PW's Director established a process to ensure the linkage of each PW division's goals to the Strategic Service Areas by including each PW division's goals in each division manager's Manager Annual Performance Review and periodically meeting with each manager throughout the year to monitor progress toward achieving their goals. PW also has specific performance measures for each PW division and monitors budget vs. actual performance quarterly, explaining variances more than 15% over or under budget to ensure each PW division's goals will be achieved within budget.

### ANALYSIS

To address the requirement of this subtask, the MJ Team interviewed the following positions:

- Management & Budget Administrator
- Manager, Transportation Planning

- Manager, Engineering/Public Works
- Economic Development Administrator
- Project Director and Policy Analyst
- Deputy County Administrator

Additionally, we reviewed and assessed the following information to inform our analysis:

- Public Works Accomplishments and Objectives
- The Orange County Budget Fiscal Year 2021-2022
- Bi-weekly Projects Update
- Performance Measures Spreadsheets for Development Engineering, Public Works Engineering, Stormwater Management, Roads & Drainage, and Traffic Engineering

The MJ Team reviewed the goals of PW divisions to determine if they were clearly stated, measurable and can be achieved within budget. Team MJ reviewed the Strategic Plan and determined it identified five (5) Core Service Areas (Divisions), and developed key priorities and actions based on the five (5) Strategic Service Areas.

The County measures the objectives with performance measures specific to each of its seven (7) divisions (i.e., Highway Construction, Public Works Engineering, Development Engineering, Roads & Drainage, Stormwater Management, Traffic Engineering, and Fiscal and Operational Support). PW Links performance measures to each PW division's goals and reports actual results vs. target quarterly to Program Administrators and County Administration. Program administrators monitor the performance measures and submit bi-weekly status reports to the County Administrator.

**Figure 4-1A** depicts an example of a bi-weekly Project Update Status Report. The bi-weekly update is a status review of progress toward meeting quarterly and annual targets for performance measures monitored for each project.



**Projects Update as of August 4, 2022**

**INVEST CIP No. 2752 – Richard Crotty Pkwy (a.k.a. East-West Rd) – Segment 1A**  
S.R. 436 to Goldenrod Road

**Consultant:** Inwood Consulting Engineers      **OC Sr. Engineer:** Roberto Ng, P.E.  
**PM:** Jessica Ballock, P.E.                              **OC Staff Engineer:** Eric Haertjens, E.I.  
**PE:** David Shine, P.E.

**Project At-a-Glance**

		<b>Date Submitted</b>	<b>Date Comments Sent</b>
<b>Construction Plans</b>	Surcharge plans 100% submittal (9-19-22) Final submittal (4-14-23)	06-06-2019	06-21-2019 03-08-2019 ?
<b>Right-of-way maps</b>			
<b>Legal Description &amp; Sketches</b>			
<b>Lighting Utility Co Coordination</b>			
<b>Utility Design/Construction Est.</b>			
<b>Design Contract Amount</b>	\$3,507,055.12	2/24/22	
<b>Engineer's Construction Estimate</b>	1A = \$20,288,457 – 1.95 miles	11/15/18	
<b>Engineer's Construction Estimate</b>	\$2,529,413 (surcharge portion)	07/20/20	
<b>Grants</b>	No grants assigned to this project		

**Project Schedule**

	<b>Phase %</b>	<b>Start Date</b>	<b>End Date</b>		<b>Phase %</b>	<b>Start Date</b>	<b>End Date</b>
<b>Plan updates</b>	100%	06-2017	05/01/23	<b>End of Protest</b>	0.0%		
<b>ROW</b>	75%	07-2005	08/24/24	<b>BCC Award</b>	0.0%		
<b>Sent to Procurement</b>	0.0%			<b>Contract Execution</b>	0.0%		
<b>Advertised</b>	0.0%			<b>NTP</b>	0.0%		
<b>Bid Open</b>	0.0%			<b>Construction</b>	0.0%	02-2025	02-2027
<b>Bid Recommendation</b>	0.0%						

**Project Status**

<b>Permits - SJRWMD</b>	Permit No. 4-095-103416-7 (issued 05/17/19)	<b>Exp.</b>	05-08-2029
<b>Permits - ACOE</b>	Permit No. SAJ-2006-00620 - Renewed	<b>Exp.</b>	01-21-2016

C:\Users\dhudson\Downloads\4.1a PW Engineering Bi-weekly Project Updates 07-12-22 (example).docx

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**FIGURE 4-1A:** Bi-weekly Project Status Updates are an effective tool to monitor the status of Public Works projects in progress.  
Source: Public Works Department.

**Figure 4-1B** presents performance measures for Public Works Development Engineering and Public Works Engineering.

Performance measures provide program administrators an indication of whether the division is on track to meet the established annual goals. Each performance measure has an annual target established at the beginning of the fiscal year and monitored quarterly. The performance measures also include percentage of CIP Budget Expended and Encumbered which allows the County to monitor projects expenditures to the Actual Annual Target.

DEVELOPMENT ENGINEERING				
	Actual FY 21-22 Q1	Target FY 21-22 Q1	Annual Target FY 21-22	YTD FY 21-22
Number of Projects Reviewed	801	566	2,323	1,683
% of Projects Reviewed within Specified Time Frame	90%	90%	90%	90%
Cost Per Plan Reviewed	\$215	\$323	\$315	\$205
PUBLIC WORKS ENGINEERING				
	Actual FY 21-22 Q2	Target FY 21-22 Q2	Annual Target FY 21-22	YTD FY 21-22
% of CIP Budget Expended and Encumbered	9%	30%	60%	17%
Number of Transportation CIP Projects in Progress	195	190	190	193
Number of Transportation Projects Bid	34	40	160	62

**Figure 4-1B:** Public Works uses performance measures to monitor the departments' progress toward meeting targeted goals.

Source: Orange County FY 2021-22 Budget Book.

### *Linkage of Goals to Public Works Strategic Plan*

Orange County's Public Works Strategic Plan (PW Strategic Plan) states: "The Strategic Plan Framework reflects the strategies and goals of Orange County Government and the priorities of the Board of County Commissioners. Several strategic focus areas were identified to guide Public Works business strategy over the next three (3) to five (5) years. Our Strategic Plan will serve as a tool to align communication and decision making across the seven (7) divisions of the Orange County Public Works Department." The PW Strategic Plan identifies five (5) Strategic Service Areas to focus Public Works on its commitment to the Vision, Mission, and Values included in the PW Strategic Plan to achieve the desired Orange County of tomorrow, and guide PW in meeting its goals. These areas are:

- Innovation & Technology
- Employee Empowerment
- Organization Structure

- Customer Service
- Communication

Additionally, each division in Public Works has identified key priorities and actions that are either on-going essential activities or stand-alone activities to be initiated and/or completed in the fiscal year.

PW's Director established a process to identify each division's goals and each division manager's expectations and link those goals and key priorities and actions to the five (5) Strategic Service Areas. Each division's goals are also included in the County's Annual Comprehensive Financial Report (ACFR). The PW Director embeds each PW division's goals in the annual performance evaluations for each PW division manager, with shared expectations, in this process at the beginning of each fiscal year. Division goals included in the annual report, as well as division manager expectations, must align with and link to the five (5) Strategic Service Areas. For example, the R&D Division goals are linked to PW's five (5) Strategic Service Areas, included in the R&D Manager's annual performance evaluation, and provide for:

- Applying new technology by investigating and recommendation of a new Asset Management System (Strategic Service Area: Innovation & Technology).
- Addressing employee morale in the Contract Management Section (Strategic Service Area: Employee Empowerment).
- Identifying expansion of the organizational structure through the addition of a new maintenance unit (Strategic Service Area: Organization Structure).
- Continuing to improve customer service through enhancing performance measures (Strategic Service Area: Customer Service).
- Proactively addressing turnover and vacancies through better communication with the County's Human Resources Division (Strategic Service Area: Communication).

**Figure 4-1C** presents an excerpt from the Manager Annual Performance Review for the R&D Manager dated September 15, 2021, signed by both the R&D Manager and PW Director, titled Roads and Drainage Division Goals, Fiscal Year 2021-2022. Note goals 1, 2, 3, 4, and 6 designated by red borders align with PW's five (5) Strategic Service Areas listed above.

**ROADS AND DRAINAGE DIVISION GOALS  
FISCAL YEAR 2021-2022**

1. Establish and Identify Performance Key Indicators and Measurement tools to develop an accurate and representative process that evaluates efficiency, goals, and performance standards for all activities within the division using the SMART approach.

The Division has established very accurate and detailed performance indicators, and a reorganization plan is being developed to streamline and create reporting tools that would support Department's performance. Goals is in progress.

2. Establish processes to improve recruitment, reduce turnover, and decrease vacancies within the Division.

The Division is aggressively pursuing increased communications with HR Personnel to try to increase the Division's decision making role in the recruitment process, and is working on a Hiring Event on the west side of the County for mid October 2021.

3. Evaluate and make recommendations to improve performance and morale within Contract and Inspection Section.

The Section has made significant improvements in the management style and supervision process, and combined with return of key staff, promotion within the section, and new recruits, has resulted in a much more efficient, and seemingly more productive unit.

4. Evaluate and make recommendations regarding Asset Management and its interaction with Division procedures.

Currently evaluating multiple alternatives, this goal is more a Departmental goal than a Divisional goal. Updates of Project Track, the requirements of the MS4 Program, and the ISS Oversight of the appropriate Asset Management make Roads and Drainage just another player of the decision making game. This goal is also crucial in the Performance Indicator goal described above.

5. Develop plan for updating the Resurfacing Program and Pavement Management System.

The tracking process is very accurate and consistent; however, it is not very efficient. Multiple tools are used just to get the database current and the reporting mechanism is very outdated. This is another goal closely tied to Asset Management.

6. Initiate study for Horizon West Maintenance Unit.

The Division has nearly completed the current workload and scope of each unit, and now is working on a equitable breakdown of areas to attempt to propose new boundary lines for each unit. Goal in progress

7. Provide quarterly management oversight for Bridge Maintenance Program.

The Maintenance Tracking System (MTS) is continuously updated, and as part of current Audit Process for bridges, several improvements are being contemplated to the program, which has basically been fully developed. Orange County is currently exceeding FDOT requirements.

**FIGURE 4-1C:** Public Works links each PW division's goals to the five Strategic Service Areas in the PW Strategic Plan and includes the goals in each division manager's annual performance evaluation.

Source: Roads & Drainage Division Manager, Annual Performance Review, September 15, 2021.

To ensure PW division managers are making progress toward accomplishing goals linked to the five (5) Strategic Focus Areas and included in their respective Manager Annual Performance Review, the PW Director conducts on-going meetings throughout the year to discuss each division manager's progress or important issues.

Based on reviewing PW's goal-setting process, strategic plan, and related linkages, including accountability measures established through Manager Annual Performance Reviews, the MJ Team determined that each PW division's goals were consistent and linked to the five (5) Strategic Service Areas.

**SUBTASK 4.2 – Assess the measures, if any, the County uses to evaluate program performance and determine if they are sufficient to assess program progress toward meeting its stated goals and objectives.**

## **OVERALL CONCLUSION**

Subtask 4.2 is met overall. Public Works (PW) program administrators tailor specific Key Performance Measures (KPMs) to evaluate performance of programs for divisions within the department, regularly monitoring the division's progress toward meeting established quarterly and annual goals. PW program administrators developed KPMs to allow the Public Works Engineering Division to evaluate the timeliness of completing the design, engineering, and permitting of projects in the Capital Improvement Plan (CIP) based on complexity and priority, giving them the ability to monitor and evaluate actual progress toward meeting timeliness of completion targets by project. PW program administrators actively monitor the LYNX's progress to meet its targets for specific performance measures related to its modes of transportation because of the collaborative relationship between PW and Transportation Planning. The MJ Team determined the County uses performance measures to evaluate program performance and project status, and these measures are sufficient. The County also monitors performance measures of LYNX to assess program performance and cost.

## **ANALYSIS**

To address the requirement of this subtask, the MJ Team interviewed the positions referenced in Subtask 4.1. Based on our interviews, we selected the Public Works Engineering Division and LYNX as baselines for assessing performance measures the County uses to evaluate the performance of its programs. We included performance reporting for LYNX in our analysis because of Public Works Department's (PW) collaboration with the Transportation Planning Division within the Planning, Environmental & Development Services Department.

Additionally, the MJ Team reviewed the LYNX Performance Measures- FY 2022 2nd Quarter Report, Key Performance Measures Matrix for Design/Engineering & Permitting Timelines, LYNX FY 2021 Monthly Modal Performance Data Sheet – January 2022, to inform our analysis.

PW program administrators define performance measures for each division within the department and establish goals (i.e., targets) for each performance measure at the beginning of each fiscal year. Program administrators monitor actual project performance and costs against targets for each measure quarterly and annually, reporting the results to County Administrators. County and PW program administrators require PW divisions to provide written variance analysis if actual performance versus target for any performance measure is over or under target by 15% or more. The MJ Team reviewed the Fiscal Year 2022 Q2 Performance Measures included in the Orange County Fiscal Year 2021-2022 Budget Book to verify performance measures established for Public Works departments. Based on our review, the performance measures for each PW division are sufficient for Program administrators to effectively monitor and assess quarterly and annual progress toward meeting each PW division's targets.

### *Public Works Engineering Division Key Performance Measures (KPM) & Goals*

Public Works Engineering provides an example of performance metrics specifically designed to facilitate evaluating the division's progress toward meeting its quarterly and annual targets. PW program administrators require Public Works Engineering to report the percentage of CIP budget encumbered and expended, number of projects in progress, and the number of projects bid each quarter and annually, compared to targets.

PW program administrators also developed additional Key Performance Measures (KPM) to allow the Public Works Engineering Division to evaluate the timeliness of completing the design, engineering, and permitting of projects in the Capital Improvement Plan (CIP) based on complexity and priority. For example, Design Engineering, a function within the Public Works Engineering Division, must assign a level of complexity (Low, Medium, High) to each project in the CIP. PW program administrators document the Design Engineering KPMs, and the Public Works-Engineering Division establishes the criteria used to determine whether a project is of Low, Medium, or High Complexity. Design Engineering uses a KPM Matrix for Engineering Design projects based on the complexity and priority of each project. This "Design Engineering Matrix" defines project priority criteria and levels of complexity, using both to develop KPMs to establish targets for the length of time it should take to complete design projects. **Figure 4-2A** presents an actual Design Engineering KPM Matrix PW uses to establish target project completion timelines based on priority and complexity of the project.



KPM MATRIX for DESIGN/ENGINEERING & PERMITTING TIMELINES			
	High Complexity	Medium Complexity	Low Complexity
High Priority	36 months	24 months	15 months
Regular/Normal Priority	42 months	30 months	18 months

**FIGURE: 4-2A:** KPM Matrix uses priority and complexity of design projects to determine project completion timeline. Source: Orange County Public Works Department.

### Lynx Performance Measures -Fiscal Year 2022 2nd Quarter Report

LYNX is not formally assessed in this performance audit but will benefit from the surtax through its collaboration with Public Works. Public Works provided LYNX Performance Measures for Fiscal Year 2022, 2<sup>nd</sup> Quarter Report to the MJ Team as an example of performance measures the department monitors quarterly. The MJ Team reviewed the LYNX FY 2022, 2<sup>nd</sup> Quarter Report and evaluated a sample of the performance measures reported by LYNX.

LYNX submits a Quarterly Route Summary Report by county that includes performance statistics used to develop performance measures in the Orange County service area. LYNX statistics in this report include number of bus stops and shelters by route, headway reported in base, peak, and non-peak service, and a summary of revenue hours. **Figure 4-2B** presents a sample of LYNX routes, frequencies, and total revenue hours analyzed by County.

ORANGE COUNTY ROUTES											
Link #	Link Name	# of Bus Stops	# of Shelters	Base Headway	Peak Headway	Non-Peak Headway	WKD REV HRS	FRI REV HRS	SAT REV HRS	SUN REV HRS	TOTAL VEH HOURS
1	WINTER PARK/ALTAMONTE	44	14	60	60	0	22.94	22.94	16.06	-	1,696.95
3	LAKE MARGARET	163	25	60	60	0	39.63	39.63	41.00	35.37	3,718.58
6	DIXIE BELLE	75	14	60	60	0	25.68	25.68	-	-	1,445.13
7	S ORANGE AVE/FLORIDA MALL	96	14	60	60	0	32.83	32.83	32.17	22.50	2,685.93
8	W OAK RIDGE RD/INTL DR	211	93	15	12	30 60	227.95	227.95	140.72	134.90	18,686.57
9	WINTER PARK/ROSEMONT	120	27	60	60	0	31.17	31.17	23.52	27.15	2,624.25
11	S ORANGE AVE/ORLANDO INTL	103	14	30	30	60	60.72	60.72	55.53	24.73	5,043.03
13	UNIVERSITY OF CENTRAL	136	36	60	60	0	48.52	48.52	47.33	35.95	4,356.37
15	CURRY FORD RD/VCC EAST	145	48	30	30	30	67.27	67.27	62.72	32.60	5,444.00
18	S ORANGE AVE/KISSIMMEE	134	25	60	60	0	34.71	34.71	33.13	-	2,697.42

**FIGURE: 4-2B:** LYNX Routes, Frequencies, and Total Hours by County, Fiscal Year 2022 Quarter Report. Source: LYNX FY 2022 2<sup>nd</sup> Quarter Service Planning Report for all Fixed Routes (January, February, March 2022).

LYNX submitted the Farebox Performance Report-Performance Measures for the 2<sup>nd</sup> Quarter for bus ridership for each route by month. LYNX provided the data in this report from Farebox reports compiled from farebox ridership and revenue data compared to service metrics. Performance measures in this report include:

- Passengers by Revenue Mile
- Passengers by Revenue Hour
- Farebox Recovery
- Subsidy by Passenger
- Passengers by Trip

LYNX reports rankings by route for each performance measure. **Figure 4-2C** presents an excerpt of the Farebox Performance Report for March 2022 for the top 10 routes ranked by the number of passengers by revenue mile, revenue hour, farebox recovery, subsidy by passenger, and passenger by trip.

<i>LYNX GFI Performance Report - Performance Measures</i>													
<i>January 2022</i>													
<i>ALL</i>													
Month	Route Name	Route Rank	Passengers by Revenue Mile	PRM Rank	Passengers by Revenue Hour	PRH Rank	Farebox Recovery	FBR Rank	Subsidy by Passenger	SP Rank	Passengers by Trip	PT Rank	
2022-01-01	48 W. Colonial Dr./Powers Drive	(01)	2.32	(01)	23.01	(03)	29.39	(03)	2.69	(03)	18.41	(14)	
2022-01-01	107 U.S. 441 (Orange Blossom Trail)/Florida	(02)	2.32	(02)	22.48	(04)	31.99	(02)	2.32	(01)	20.20	(11)	
2022-01-01	08 W. Oak Ridge Rd./International Drive	(03)	1.59	(04)	20.20	(06)	32.17	(01)	2.58	(02)	32.56	(01)	
2022-01-01	49 W. Colonial Dr./Pine Hills	(04)	2.11	(03)	22.46	(05)	25.55	(06)	3.24	(05)	17.66	(17)	
2022-01-01	112 S.R. 436/Fernwood/Orlando Int'l Airport	(05)	1.46	(05)	18.70	(07)	27.54	(05)	2.97	(04)	24.95	(05)	
2022-01-01	105 West Colonial Drive	(06)	1.28	(08)	16.92	(08)	24.06	(08)	3.47	(07)	18.18	(15)	
2022-01-01	42 International Dr./Orlando Int'l Airport	(07)	1.16	(12)	16.13	(10)	24.65	(07)	3.74	(08)	23.68	(06)	
2022-01-01	07 S. Orange Ave./Florida Mall	(08)	1.43	(06)	16.47	(09)	17.38	(17)	4.70	(17)	13.55	(23)	
2022-01-01	108 S. U.S. 441 (Orange Blossom Trail)/Kissi	(09)	1.25	(09)	15.00	(14)	23.21	(09)	3.90	(10)	13.05	(24)	
2022-01-01	106 N. U.S. 441 (Orange Blossom Trail)/Apopk	(10)	1.13	(14)	15.82	(11)	21.21	(10)	3.79	(09)	15.04	(20)	

**FIGURE: 4-2C:** LYNX GFI Performance Report, Performance Measure, January 2022.  
Source: Orange County Public Works Department.

LYNX submitted a Fiscal Year 2021 Monthly Modal Performance Data Sheet, which reports monthly performance statistics for each mode of service provided by LYNX including LYMMO (a free Bus Rapid Transit “rail like” service using rubber-tired vehicles), Fixed Route, NeighborLink, and Access LYNX. Performance measures provided for each mode include:

- Ridership
- On-Time Performance
- Collected Fares
- National Transition Database (NTD) reportable accidents
- Complaints per 100,000 Miles
- Fleet Availability
- Preventable Maintenance Inspections Completed On-Time

**Figure 4-2D** presents performance measures LYNX and Public Works use to monitor the performance of NeighborLink and Access LYNX for January 2022.

FY21 Monthly Modal Performance Data Sheet - January 2022

Month End Reporting	Ridership	On-Time Performance	Collected Fares	NTD Reportable Incident	Complaints per 100,000 Miles	Fleet Availability	Preventable Maintenance Inspection Completed On-Time
<b>NeighborLink</b>							
Oct	5,727	100%	100%	0	9.7	90%	100%
Nov	4,839	100%	100%	0	19.7	95%	99%
Dec	6,051	100%	100%	0	8.1	99%	100%
Jan	4,693	100%	100%	0	21.0	100%	99%
Feb							
Mar							
Apr							
May							
Jun							
Jul							
Aug							
Sep							
YTD	21,310	100%	100%	0	14.6	96%	99%
<b>ACCESS LYNX</b>							
Oct	42,649	59.27%	99.77%	0	10.0	88%	100%
Nov	43,574	64.64%	99.77%	2	10.0	90%	99%
Dec	44,257	77.96%	99.83%	1	11.6	88%	100%
Jan	38,222	86.49%	99.83%	0	6.1	89%	99%

**FIGURE: 4-2D:** Public Works monitors the performance of LYNX service modes monthly with measurable metrics to consistently evaluate LYNX’s performance.

Source: Orange LYNX Monthly Performance Measures Report for NeighborLink and ACCESS LYNX, January 2022.

Based on Team MJ’s review of performance measures for Public Works Engineering and LYNX, PW program administrators use an array of performance measures sufficient to assess the performance of PW programs’ progress toward meeting quarterly and annual goals and objectives.

**SUBTASK 4.3 – Evaluate internal controls, including policies and procedures, to determine whether they provide reasonable assurance that program goals and objectives will be met.**

**OVERALL CONCLUSION**

Subtask 4.3 is met overall. To reach this conclusion the MJ Team assessed internal controls established in the County’s Administrative Regulations and Article III, Section 17-310 of Orange County’s Procurement Ordinance. We verified that the County complied with its Change Order Request/Approval policies and related controls by examining the entire process for a highway construction Change Order Request exceeding \$500,000 and determined the County followed

its procedures and adhered to internal controls established to ensure compliance with its Procurement Ordinance. Accordingly, our analysis determined policies and procedures in the County’s Administrative Regulations and Procurement Ordinance establish internal controls that provide reasonable assurance that the cost and performance objectives of PW’s programs will be met.

## ANALYSIS

To address the requirement of this subtask, the MJ Team interviewed the positions referenced in Subtask 4.1. The County has policies and procedures establishing internal controls for its budget process and procurement process that are directly related to providing reasonable assurance that program goals and objectives will be met. Our analysis included a detailed review of the County’s Administrative Regulations containing policies and procedures establishing internal controls for the Capital Improvement Plan Budget and Operating Budget processes, as well as a review of the County Procurement Ordinance containing policies establishing internal controls for change order requests.

### *Budget Process – Internal Controls*

The Office of Management and Budget (OMB) developed a Budget Process Document that outlines the method by which staff will develop and submit departmental budget requests and the process for budget approval, including internal controls governing budget amendments and transfers. The Orange County Administrative Regulations approved by the Board of County Commissioners (BCC) is the foundational policy reference establishing internal controls governing for the County’s Operating Budget and Capital Improvements Program (CIP) Budget, with detailed procedures outlined in the Office of Management and Budget (OMB) Reference Manual. **Figure 4-3A** presents a summary of internal controls related to the CIP and Operating Budget processes enumerated in Administrative Regulation No. 6.02.02 and 6.02.03.

Administrative Regulation Reference	Budget Process Control Area	Description of Policy and Procedures Governing Internal Control
<i>No. 6.02.02</i>	CIP Budget Adoption	BCC must adopt CIP annually and incorporate into the Orange County Budget.
<i>No. 6.02.02</i>	CIP Budget Amendments	OMB handles Amendments to CIP Budget with forms requiring specific approvals from Department Directors, Deputy County Administrators, and County Administrator, with final approval by BCC.t
<i>No 6.02.02</i>	Quarterly CIP Reports	OMB prepares Quarterly CIP Reports and submits to BCC, County Administrator, and participating divisions and departments to monitor actual vs. budgeted expenditures.
<i>No. 6.02.03</i>	Budget Amendments	Fund revenue and expenditure amounts may be increased or decreased by formal action of the BCC following proper notice and

Administrative Regulation Reference	Budget Process Control Area	Description of Policy and Procedures Governing Internal Control
		hearing as specified in Chapter 129.03(a) of the Florida Statutes and any applicable federal laws. Fund revenue and expenditure amounts may be increased by the BCC without public notification in the event of unanticipated revenue from an unanticipated source, or in the Enterprise Fund.
No. 6.02.03	Budget Transfers	OMB has initial approval authority for interdepartmental budget transfers and must maintain an ongoing list of OMB-approved transfers. The BCC must review and formally approve interdepartmental budget transfers prior to OMB executing the budget transfer. OMB maintains forms department must complete to initiate budget transfer requests which include routing and approval requirements.

**FIGURE: 4-3A:** Orange County Administrative Regulations include policies and procedures establishing internal controls for the County’s CIP and Operating Budget processes.  
Source: Orange County Administrative Regulations.

The MJ Team’s review of the Orange County Administrative Regulations determined that the County’s policies and procedures establish internal controls that provide reasonable assurance that the cost and performance objectives of PW’s programs will be met.

**Procurement Process – Internal Controls for Change Orders**

Article III, Section 17-310 of Orange County’s Procurement Ordinance is the policy document for the County’s competitive sealed bid process. Section 17-310(i), Amendments/Changes After Award, outlines policies governing the County’s change order process. The section reads in part: *“The chief of purchasing and contracts may authorize changes/amendments for construction, and goods and/or services within the overall scope of the project or procurement up to a cumulative amount of five (5) percent or fifty thousand dollars (\$50,000.00), whichever is higher. If the amendment/change order exceeds the maximum amounts herein, the amount of the amendment/change order must be approved by the board of county commissioners...”*

The County established its change order process with internal controls designed to provide reasonable assurance PW and Procurement complied with the provisions in its Procurement Ordinance. Accordingly, the Public Works Highway Construction Division established Standard Operating Guidelines including the following procedures/internal controls related to authorizing and approving change orders for construction contracts over 5% of the contract or \$50,000, whichever is higher:

- Highway Construction Project Manager reviews scope of work in contract to determine that requested change order is for work that is in scope.
- Project Manager discussed change order request with vendor and vendor submits change order proposal with supporting documentation.

- Project Manager prepares Orange County Highway Construction Change Order Request Form, including supporting documentation, with vendor approval signature and PW Highway Construction Division Manager's signature indicating approval.
- Highway Construction completes Orange County Procurement Division Change Order Request Form with amount of change order requested and authorized signature of vendor/contractor and submits to Public Works Director.
- Public Works Director prepares Change Order Memorandum to the BCC with all supporting documentation to include in BCC meeting agenda for approval.
- BCC approves Change Order Request in Commission meeting.
- Procurement prepares purchase order for Change Order/Amendment and submits to Public Works Fiscal and Operations Support Division.

The MJ Team reviewed a complete Change Order Packet for Change Order Request No. 4-OCPS from J.R. Davis Construction Co. related to the Connector Roadway Construction CO 4 highway project \$541,980.36 and noted the following:

- The Orange County Highway Construction Change Order Request Form included the net amount of the change order requested noting the \$541,980.35 net increase was 5.5% of the total dollars of the previous contract, exceeding the 5% threshold required by the County's Procurement Ordinance. The form included the appropriate signatures of the vendor's representative and PW's Highway Construction Division Manager.
- The Orange County Procurement Division Change Order Request Form included the net dollar amount of the request and accompanying vendor's authorizing signature.
- The Change Order Memorandum from the PW Director to the BCC outlined the request for ratification of the Change Order Request and was signed by the PW Director and the Highway Construction Division Manager, indicating their approval.
- The Final Minutes of the BCC meeting held on Tuesday, May 5, 2020, showed the BCC ratified item 20-671 in the Consent Agenda related to the Ratification of Change Order request No. 4-OCPS, Contract Y19-751-CH, Connector Road (Hilton Driveway to Apopka Vineland Road), with J.R. Davis Construction Co. in the amount of \$541,980.41, for a revised total contract amount of \$10,299.932.62. District 1. (Highway Construction Division)
- PO Number C19751-5 included the appropriate amount of the Change Order Request and authorizing signature.

The MJ Team's review of the Change Order Packet for highway construction to validate the County's internal controls to ensure compliance with Article III, Section 17-310 of Orange County's Procurement Ordinance determined that the County's policies and procedures establish internal controls that provide reasonable assurance that the cost and performance objectives of PW's programs will be met.

## RESEARCH TASK 5

### FINDING SUMMARY

#### **THE ACCURACY OR ADEQUACY OF PUBLIC DOCUMENTS, REPORTS, AND REQUESTS PREPARED BY THE COUNTY WHICH RELATE TO THE PROGRAM.**

Overall, Orange County met expectations for Research Task 5.

The County has developed financial and non-financial information systems that provide useful, timely, and accurate data to the public. Internal and external data is used to evaluate the accuracy and adequacy of public documents. The County makes program budget, cost, and program performance data available on its website and provided evidence that processes are in place to ensure accuracy and completeness of financial data. The County has processes in place to correct erroneous and incomplete information in a timely manner.

More detailed and current information should be provided for current transportation projects, including more frequent updates to the Transportation Projects webpages and the inclusion of cost vs. budget performance information. For the Transportation Initiative, the County has established an oversight process with the creation of the Transportation & Transit Initiative Citizens Oversight Board.

The mechanisms for accomplishing this information flow are still being developed, but the requirement for transparency is inherent in its duties.

### SUBTASK CONCLUSIONS, ANALYSIS AND RECOMMENDATIONS

**SUBTASK 5.1 – Assess whether the program has financial and non-financial information systems that provide useful, timely, and accurate information to the public.**

### OVERALL CONCLUSION

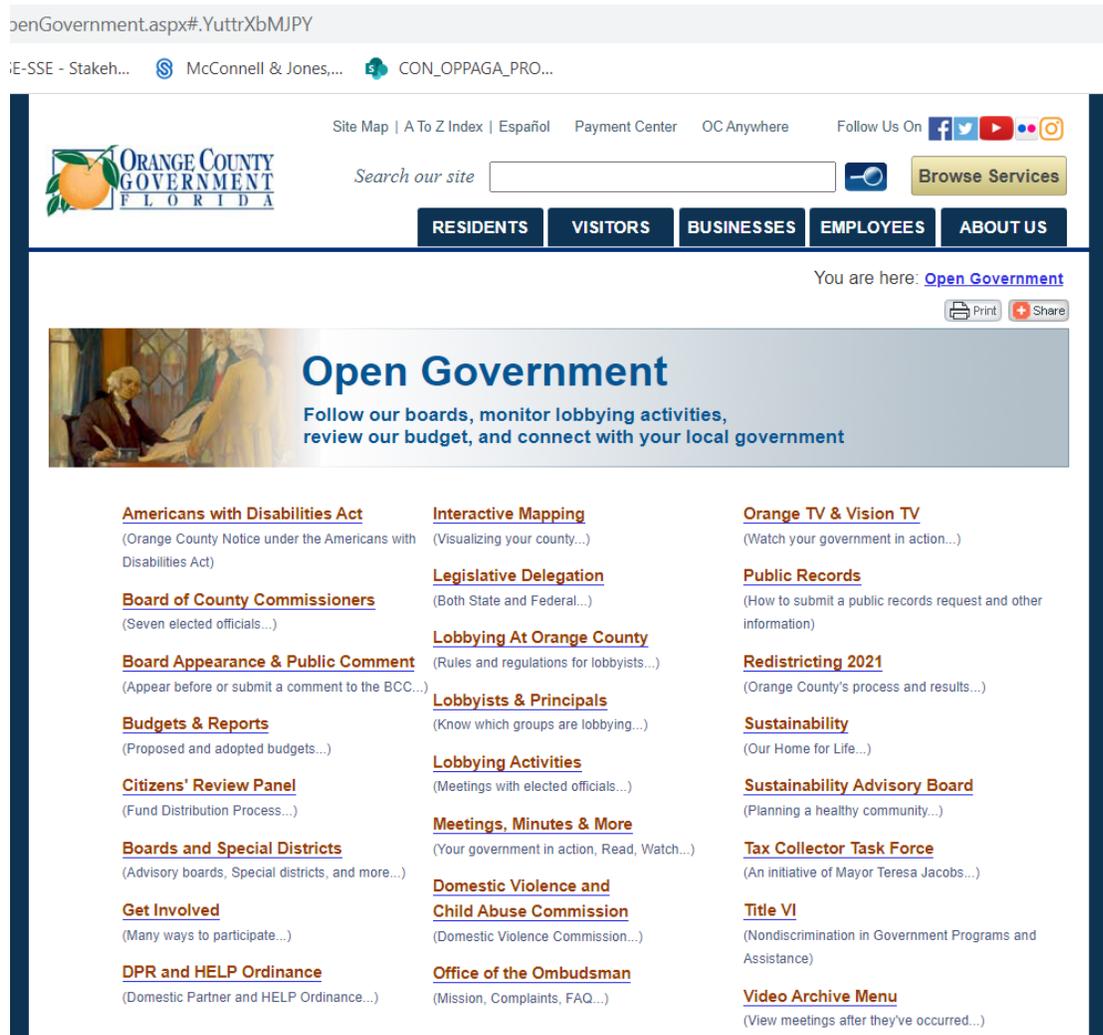
Subtask 5.1 is met overall. To reach this conclusion, the MJ Team assessed the availability and accessibility of useful, timely, and accurate program-related financial and non-financial information systems that the County provides to the public for existing and the future programs.

### ANALYSIS

The Orange County Office of Communications is primarily responsible for ensuring that public information is up-to-date, readily available, and easy to locate. According to interviews, the Communications Office works in concert with the County leadership and other support staff to communicate, in a unified and consistent manner, the vision of the County Commission and the activities of County government.

### Existing Programs

Besides in-person meetings, hearings, and outreach efforts, the principal method of communicating information to the general public is through the County website (<http://orangecountyfl.net>). On the homepage is a link to the “Open Government” webpage; additional links to Open Government are provided through the “Residents” and “Businesses” tabs at the top of the homepage. The Open Government webpage provides links to 24 subject areas ranging from budget information; profiles of elected officials and boards/commissions; public services; public records; and invitations to “get involved.” **Figure 5-1A** presents a screenshot of the County’s Open Government webpage.



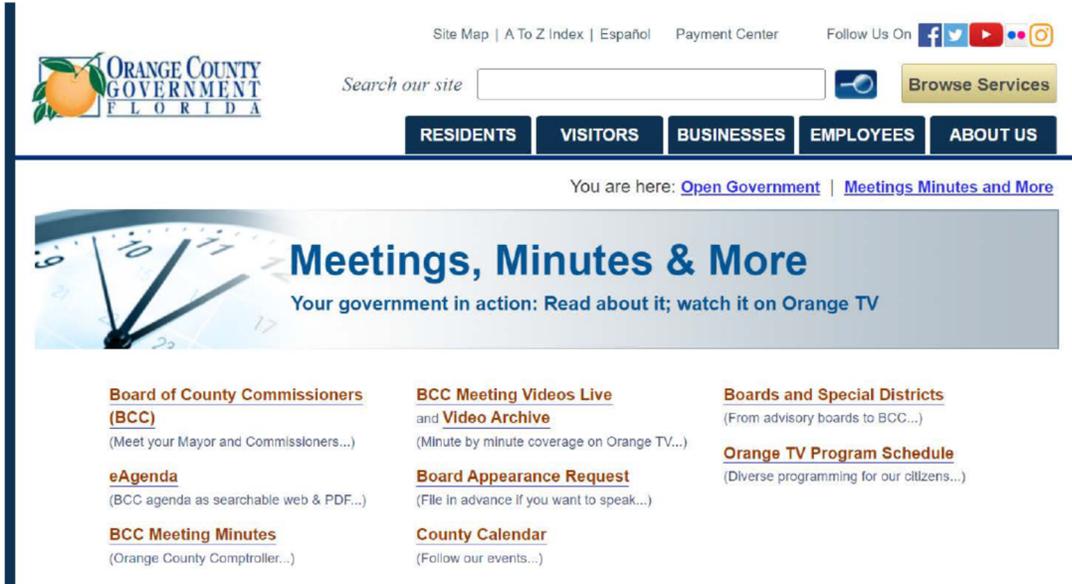
**FIGURE: 5-1A:** The Open Government webpage is an effective tool for the County to communicate information to the general public.  
Source: Orange County Website, <http://orangecountyfl.net>.

Figure 5-1B provides examples of financial and non-financial information available to the public through this portal.

Sample Documents Available to the Public on the Website	
Financial Information	Description/Purpose
<b><i>FY 2023 Proposed Budget</i></b>	The FY23 Proposed Budget is sectionally organized: 1. Budget in Brief, 2. Revenues & Expenditures Summary, 3. Constitutional Officers, 4. Administrative Services, 5. Community & Family Services, 6. Convention Center, 7. Corrections, 8. Fire Rescue, 9. Health Services, 10. Planning, Environmental & Development Services, 12. Public Works, 13. Utilities, 14. Administration & Fiscal Services, 15. Other Offices, 16. Other Appropriations, 17. Capital Improvements Program (CIP), and 18. Index.  Information is provided on the CIP Approved Budget FY 21-22; Proposed Budget FY 22-23, and Annual Proposed Budgets for the next four years and for future years. Departmental budgets are provided for FY 2020-21 Actual, FY 2021-22 Budget as of 03/31/2022, and FY 2022-23 Proposed Budget.
<b><i>FY 2021-22 Annual Budget (Adopted)</i></b>	The FY 22 Annual Budget is sectionally organized in the same way as the FY 23 Proposed Budget. Information is provided on the CIP Approved Budget FY 20-21; Adopted Budget FY 21-22, and Annual Proposed Budgets for the next four years and for future years. Departmental performance measures are provided for FY 2019-20 Actual, FY 2020-21 Target, and FY 2021-22 Target.
Non-Financial Information	Description/Purpose
<b><i>Public Records Request</i></b>	Webpage through the Open Government portal that allows citizens to file public records requests for Orange County, county municipalities, and other governmental groups (courts, public schools, aviation authority, and others).
<b><i>Meetings, Minutes, and More</i></b>	Webpage through the Open Government portal that provides links to agendas, calendars, minutes, and videos of public meetings. A search function is provided allowing for the use of key words to search minutes and associated items.
<b><i>Traffic &amp; Transportation</i></b>	Traffic and transportation related items, regardless of department, are grouped into the Traffic and Transportation webpage available through the Residents or Businesses tabs. Links are provided to get information on projects, reporting problems, and requesting permits.
<b><i>Social Media</i></b>	Orange County has a webpage devoted to social media sites, <a href="https://newsroom.ocfl.net/social-media/">https://newsroom.ocfl.net/social-media/</a> . The County has a presence on Facebook, Twitter, LinkedIn, Instagram, NextDoor, and Flickr.
<b><i>Project Trak</i></b>	Orange County has established the “Project Trak” website, <a href="https://ocfl.maps.arcgis.com/apps/webappviewer/index.html?id=67ac2772ca304d3f92fae29cd68b8006">https://ocfl.maps.arcgis.com/apps/webappviewer/index.html?id=67ac2772ca304d3f92fae29cd68b8006</a> that presents roadway projects in an ArcGIS format, a common Geographical Information System (GIS) program. This website presents a map of the projects throughout the County in a manner that allows a user to click on a project and see information on the current phase of a project, the percent complete of that phase and the overall project percent complete. The overall project start date and estimated completion date is also provided.

**FIGURE 5-1B:** Current Financial and Non-Financial information that can be found on the Orange County’s website. Source: Compiled by the MJ Team from an analysis of the County’s website.

**Figure 5-1C and Figure 5-1D** depict screenshots of the County’s public-facing webpages providing links to meetings, minutes, and videos, and traffic and transportation issues.



**FIGURE 5-1C:** Orange County’s public facing webpage provides links to meeting schedules, minutes, and videos to effectively communicate with the public.  
Source: Orange County website.



**FIGURE 5-1D:** Orange County’s public facing webpage provides links to Traffic and Transportation to effectively communicate information regarding intersections, roadways, and pedestrian safety to the public.  
Source: Orange County website.

### *Transportation Initiative*

Orange County has established a webpage devoted to the Transportation Initiative. A link to this page is provided on the homepage of the County's website. While no existing information is provided since the initiative has not been voted on, links are provided that give a comprehensive overview of what the plan includes and the types of information that will be provided.

The Webpages provide information on:

- Transportation Initiative Report
- Open Houses
- Board of County Commissioners Work Sessions
- Community Feedback
- Fast Facts
- FAQs
- In the News

Upon a successful referendum, the County will update this information as the initiative moves through its implementation phases. This webpage is planned to be active throughout the 20-year lifespan of the tax levy. **Figure 5-1E** presents a screenshot of the Transportation Initiative webpage.

You are here: [Traffic & Transportation](#) | [Transportation Initiative](#)

Print Share

# TRANSPORTATION INITIATIVE

Transportation Initiative

Transportation Initiative Report

Open Houses

BCC Work Sessions

Community Feedback

Fast Facts

Frequently Asked Questions

In the News

## Transportation Initiative *(Español)*

OCFL Transportation Initiative: Back on Track

Orange TV

### FUNDING OPTIONS

IMPACT FEES, PROPERTY TAXES, GAS TAXES, & SALES TAX

Category	Amount
IMPACT FEES	\$44M
PROPERTY TAXES	\$161M
GAS TAXES	\$25M
ONE-CENT SALES TAX	\$600M

\$800M, \$600M, \$400M, \$200M, \$0M

\$600M PER YEAR

### Back on Track

**Voters to Decide on the Orange County Transportation Sales Tax Referendum**

This November, Orange County voters will decide if they want a one-cent sales tax increase to fund transportation needs across the County. On April 26, 2022, the Orange County Board of County Commissioners voted 4-3 to put the transportation sales tax referendum on the fall ballot.

Mayor Jerry L. Demings began the push for the referendum in 2019 by implementing a transportation survey and hosting more than 200 community meetings to better understand the concerns and needs of the residents. Unfortunately, those efforts were suspended several months later due to the COVID-19

**FIGURE 5-1E:** Orange County’s Transportation Initiative webpage provides up-to-date information about the progress of the initiative to the public.

Source: Orange County website.

The MJ Team found that the County’s website, social media platforms, and print/electronic media sources provide effective communications to Orange County residents that fosters an informed and engaged citizenry. Using these tools, the County has the capacity to communicate useful, timely, and accurate information regarding existing projects and future surtax projects under consideration.

**SUBTASK 5.2 – Review available documents, including relevant internal and external reports, that evaluate the accuracy or adequacy of public documents, reports, and requests prepared by the County related to the program.**

## **OVERALL CONCLUSION**

Overall, subtask 5.2 is partially met. To reach this conclusion, the MJ Team assessed relevant internal and external reports that evaluate the accuracy or adequacy of public documents.

## **ANALYSIS**

The Orange County Office of Communications is primarily responsible for disseminating public information that is up-to-date, readily available, and easy to locate. According to interviews, the Communications Office works in concert with County leadership and other support staff to communicate, in a unified and consistent manner, the vision of the County Commission and the activities of County government. Each department/division is responsible for ensuring the accuracy and timeliness of the information provided. The review of the Transportation Project individual webpages found that some information is out of date or incomplete. A recommendation is made to improve the coordination with Project Coordinators and the Office of Communications.

### *Existing Programs*

The previous subtask lists the key webpages related to existing transportation projects. Key among them is the “Transportation Projects” and “Intersection Projects Updates” webpages under the Traffic & Transportation webpage. The Transportation Projects webpage lists the active transportation projects by phase. There are 15 projects listed under the Study Phase, 19 projects under the Design Phase, two projects under the Right-of-Way Acquisition phase, eight (8) projects under the Construction Phase, two projects under Small Area Studies, seven (7) projects under Other Projects, and one (1) project under Concurrency. Additionally, under the “Links” section on the left-hand side, is a link to the ProjectTrak GIS mapping. **Figure 5-2A** presents a screenshot of the Transportation Projects webpage.

You are here: [Traffic & Transportation](#) | [Transportation Projects](#)

**LINKS**

- [ProjectTrak – Current Infrastructure Projects](#)
- [5-Year Transportation Improvement Program \(MPO\)](#)
- [Long Range Transportation Plan Map](#)

**COMMISSION DISTRICTS**

- [District 1](#)
- [District 2](#)
- [District 3](#)
- [District 4](#)
- [District 5](#)
- [District 6](#)

**RESOURCES**

- [Archived Projects](#)
- [Alafaya Trail](#)
- [Clarcona-Ocoee Road](#)
- [County Road 535 - Segment A](#)
- [Innovation Way Road E](#)
- [Innovation Way South – Beachline Interchange](#)
- [Innovation Way South](#)
- [John Young Parkway](#)
- [John Young Parkway RCA](#)
- [Lake Underhill RCA](#)
- [Pine Hills Trail](#)

## Transportation Projects

FROM CONCEPTUAL ANALYSIS TO CONSTRUCTION

**STUDY PHASE**

- Chuluota Road
- C.R. 545 and Flemings Rd.
- C.R. 545 (Avalon Road)
- Gatlin - Holden Avenue
- Horizon West Bicycle / Pedestrian and Traffic Calming Study
- Innovation Way
- International Drive Transit Feasibility and Alternative Technology Assessment (TFATA)
- McCulloch Road
- NEOCATS
- New Independence Parkway
- Orange Avenue
- Taft Area Commercial Freight Study
- Tiny Road
- Town Center
- Williamsburg Areawide Study

**DESIGN PHASE**

- Avalon Road North
- Chickasaw Trail
- Econlockhatchee Trail
- Ficquette Road
- Innovation Way Design Segments 1 and 2
- International Drive Transit Lanes
- Lake Lotus Regional SWT Facility
- Lake Underhill Road
- Oak Ridge Road Pedestrian/Bicycle Safety
- Reams Road
- Richard Crotty Parkway
- Rio Grande Avenue Pedestrian Safety Study
- Sand Lake Road
- Sunbridge Parkway
- Taft-Vineland Road
- Tradeshow Boulevard
- UCF Pedestrian Safety
- Vineland Avenue

**RIGHT-OF-WAY ACQUISITION**

- All American Boulevard
- Kennedy Blvd

**CONSTRUCTION PHASE**

- Avalon Road
- Boggy Creek Road South
- Holden Avenue
- Pine Hills Road Pedestrian/Bicycle Safety
- Seidel Road
- John Young Parkway/Sand Lake Road Interchange
- Palm Parkway to South Apopka-Vineland
- Texas Avenue

**SMALL AREA STUDIES**

- NW Apopka Small Area Study
- Texas-Americana Small Area Study

**OTHER PROJECTS**

- Apopka Boulevard
- Dean Road
- Edgewater Drive
- Pine Hills Road
- Pine Hills Road Extension
- Shingle Creek Trail
- Valencia College Lane West

**Concurrency**

- Concurrency Data August 2022

**FIGURE 5-2A:** Orange County lists its transportation projects in a public facing webpage to effectively communicate relevant information to the public.

Source: Orange County website.

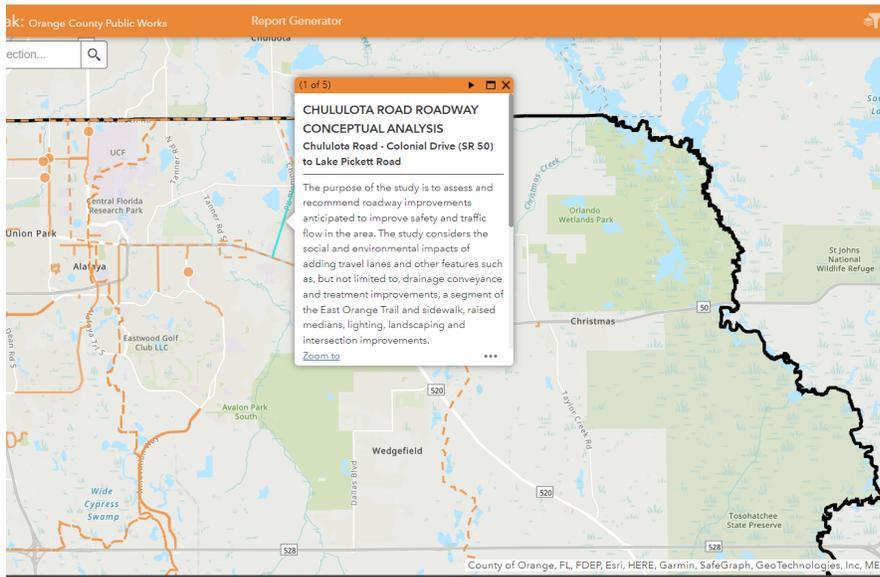
The level of information provided varies with the individual projects, but typically includes (1) project description; (2) project purpose; (3) project status; and (4) contact person. For projects that are earlier in the process, more information is provided on the public outreach page, including links to studies, and information on upcoming meetings. The contact person listed for each project has responsibility for providing up-to-date and accurate information to the Office of Communications for inclusion in the project webpages.

The MJ Team conducted a review of the first project listed under each phase to determine if the project information was up to date and matched with the information provided on the Project Trak GIS map. The project information for each phase indicates some information is out of date:

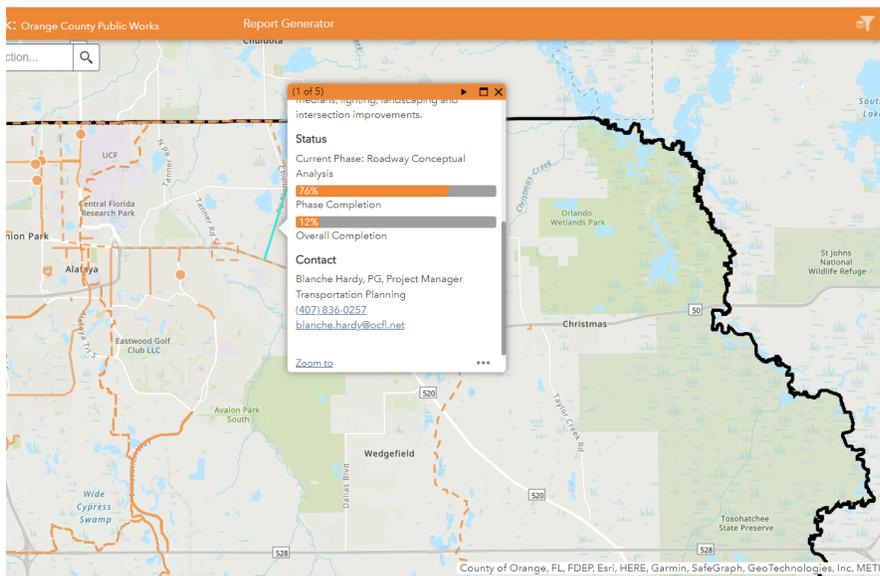
- **STUDY PHASE** – Chuluota Road. Status is “The study is anticipated to begin in Spring 2021 and is expected to be complete within 2022.” Staff indicated that the study was started on 8/16/21 and is anticipated to be complete in Spring 2023.
- **DESIGN PHASE** – Avalon Road North. Status is “Final Design will begin in fall of 2020.” Staff indicated the design is still in progress.
- **RIGHT-OF-WAY ACQUISITION** – All American Boulevard. Status is “The design was completed in March 2011 but was not funded for right-of-way acquisition or construction. The construction plans currently are being updated to meet current design standards and right-of-way acquisition is ongoing.” The project timeline indicates “Construction Begins Summer 2024, Construction Ends Summer 2026.” According to staff, the dates are still correct as of this time.
- **CONSTRUCTION PHASE** – Avalon Road. While the project link is under “Construction Phase”, the page title has Avalon Road in Preliminary Design Study. No status is provided. No contact person is provided either, just “Highway Construction Division.” Staff indicated that this is a developer project, with minimal involvement by Orange County staff. No further information was available.
- **SMALL AREA STUDIES** – NW Apopka Small Area Study. The project link takes you directly to the “Northwest Orange County Traffic Safety Audit,” prepared in 2010. Staff was not familiar with this particular study, but did indicate that additional studies have been done: the SW Orange County Transportation Needs Study, the Southeast Orange County Transportation Needs Study, the East Orange County Transportation Needs Study and most recently the Northeast Orange County Areawide Transportation Study. None of these additional studies could be located on the Orange County website.
- **OTHER PROJECTS** – Apopka Boulevard. No status is provided. No contact person is provided. No documents are provided. Staff indicated that this study was completed in 2002. The traffic generation for this project was low and it was decided not to proceed with design, ROW and construction.
- **CONCURRENCY DATA** – this is quite current, with the data from August 2, 2022. However, it is a data source, not a “project.” Concurrency is a technical transportation process tied to development submittals.

From this sample, the MJ Team found that the Transportation Projects webpage is not regularly reviewed to ensure up-to-date and accurate information is being provided on the listed projects.

Separate information is provided on the Project Trak GIS map, as noted in Subtask 5.1. **Figures 5-2B & 5-2C** show the information available on Project Trak by clicking on the project of interest. **Figure 5-2B** shows the top of the pop-up window, and **Figure 5-2C** shows the information visible when scrolling down.



**FIGURE 5-2B:** Initial pop-up window on the Project Trak webpage.  
Source: Orange County.



**FIGURE 5-2C:** Phase Completion and Overall Completion information from scrolling down in pop-up window.  
Source: Orange County.

According to Orange County staff, updates are made on a bi-annual basis at a minimum to the Transportation Projects webpages. The steps to follow for updating the project webpages are:

1. Project Coordinator reviews project list for new projects that need to be added or completed projects to be removed. Necessary changes are emailed to Transportation Planning for uploading to the website.

2. Project Coordinator reviews individual projects for updates regarding project status, updated community meetings or communications, updated project maps and timelines. Necessary changes are emailed to Transportation Planning for uploading to the website.
3. New projects are added using the project template
  - a. Template is emailed to Transportation Planning for uploading to the website.
  - b. Project Coordinator confirms that project has been submitted for Project Trak review and approval.

Project Trak is updated more frequently monthly.

The sample the MJ Team reviewed indicates that there is room for improvement in monitoring and updating the Transportation Projects webpage. Of the seven (7) projects reviewed, three (3) projects are assigned to the proper phase of work, but one project has an outdated completion date; one project is the responsibility of another governmental agency and has no current information; one study is 12 years old and four similar studies are not listed; one project is no longer being pursued; and one category is data only with no project.

**RECOMMENDATION 5.2 – The Orange County Office of Communications is ultimately responsible for public facing information. It should regularly review the Transportation Projects webpages and verify that the information is correct and up-to-date rather than relying on the Project Coordinators to initiate any changes. An indication should be provided on each webpage stating “This page was last updated on [date]” to facilitate tracking.**

### *Transportation Initiative*

Orange County officials have indicated that the Office of Communications will be responsible for the public dissemination of information related to the Transportation Initiative. As noted in Subtask 5.1, the County has established a webpage devoted to the Transportation Initiative. This webpage is separate from the Transportation Projects webpage.

Given that the Transportation Initiative has not yet been passed, the webpage information has not yet moved into an active phase. Orange County officials have indicated that the same staff that manages the Transportation Projects webpage will also be responsible for posting information related to the Transportation Initiative. The BCC Resolution 2022-M-20, detailed in Subtask 5.3 following, lists the type of information that should be made available to the public regarding the projects included in the funding. Since these projects have not yet moved into the active phase, they cannot be assessed beyond the information provided in Subtask 5.1 and 5.3.

**SUBTASK 5.3 – Determine whether the public has access to program performance and cost information that is readily available and easy to locate.**

## **OVERALL CONCLUSION**

Subtask 5.3 is partially met overall. To reach this conclusion, the MJ Team assessed availability of program performance and cost information.

## **ANALYSIS**

The MJ Team found that the County has an extensive performance management program that provides information on its integrated strategic planning, evaluation, management, and reporting system which promotes an accountable, transparent, and responsive organization by aligning performance efforts with budgeting activities. Cost information is only updated annually in the CIP, and performance measurement of actual cost vs. budget should be added to the Transportation Projects individual webpages.

### *Existing Programs*

The County's FY 22 Adopted Budget provides program performance metrics for all departments. An overview of the County's performance management system is outlined in the annual budget document and guides the development of meaningful measures to gauge program success.

**Figure 5-3A** provides an example of program performance metrics for Public Works. These measures provide the tools and data necessary to help staff focus on delivering desired outcomes. Additionally, the performance management system increases organizational coordination by providing department managers with data on established measures that allow for necessary management decisions to achieve desired results more effectively and efficiently. This program performance is available to the public as part of the annual budget posted on the Open Government portal.

**Public Works**

Key Performance Measures	Notes	FY 2019-20 Actual	FY 2020-21 Target	FY 2021-22 Target
<b>Development Engineering</b>				
- Number of Projects Reviewed		2,393	2,251	2,323
- % of Projects Reviewed within Specified Time Frame		90%	90%	90%
- Cost Per Plan Reviewed		\$ 284	\$ 346	\$ 315
<b>Public Works Engineering</b>				
- % of CIP Budget Expended and Encumbered	1	12%	60%	60%
- Number of Transportation CIP Projects in Progress		150	195	190
- Number of Transportation Projects Bid		109	140	160
<b>Public Works Stormwater Mgt.</b>				
- Number of Flood Plain Permit Applications		432	380	408
- % of CIP Budget Expended and Encumbered		96%	90%	92%
- Number of Drainwells, Control Structures, and Pump Stations		155	155	155
- Number of Miles of Primary Canals Maintained		95	95	95
- Number of Ponds Maintained		1,925	1,925	1,925
- MSBU Ponds Maintained		1,543	1,543	1,543
- Non-MSBU Ponds Maintained		382	382	382
<b>Roads &amp; Drainage</b>				
- Total Number of County Lane Miles Maintained		5,844	5,814	5,840
- Arterial Lane Miles Maintained		1,775	1,697	1,694
- Residential Lane Miles Maintained		4,069	4,117	4,146
- % Arterial Lane Miles Rated in Good Condition		85%	85%	85%
- % Residential Lane Miles Rated in Good Condition		88%	88%	88%
- Lane Miles Identified for Resurfacing		315	340	320
- Number of Miles of Secondary Canals Maintained		90	90	90
- % of CIP Budget Expended and Encumbered		98%	90%	90%
<b>Traffic Engineering</b>				
- % of MOT Permits Processed within 1 week		93%	90%	91%
<i>Maintenance of Traffic (MOT)</i>				
- % of Signal Preventative Maintenance Completed		91%	90%	91%
- % of Traffic Studies Completed within 60 days		71%	80%	84%
- % of Signal Timing Complaints Completed within 1 Week		92%	90%	91%

1 Modified Measure

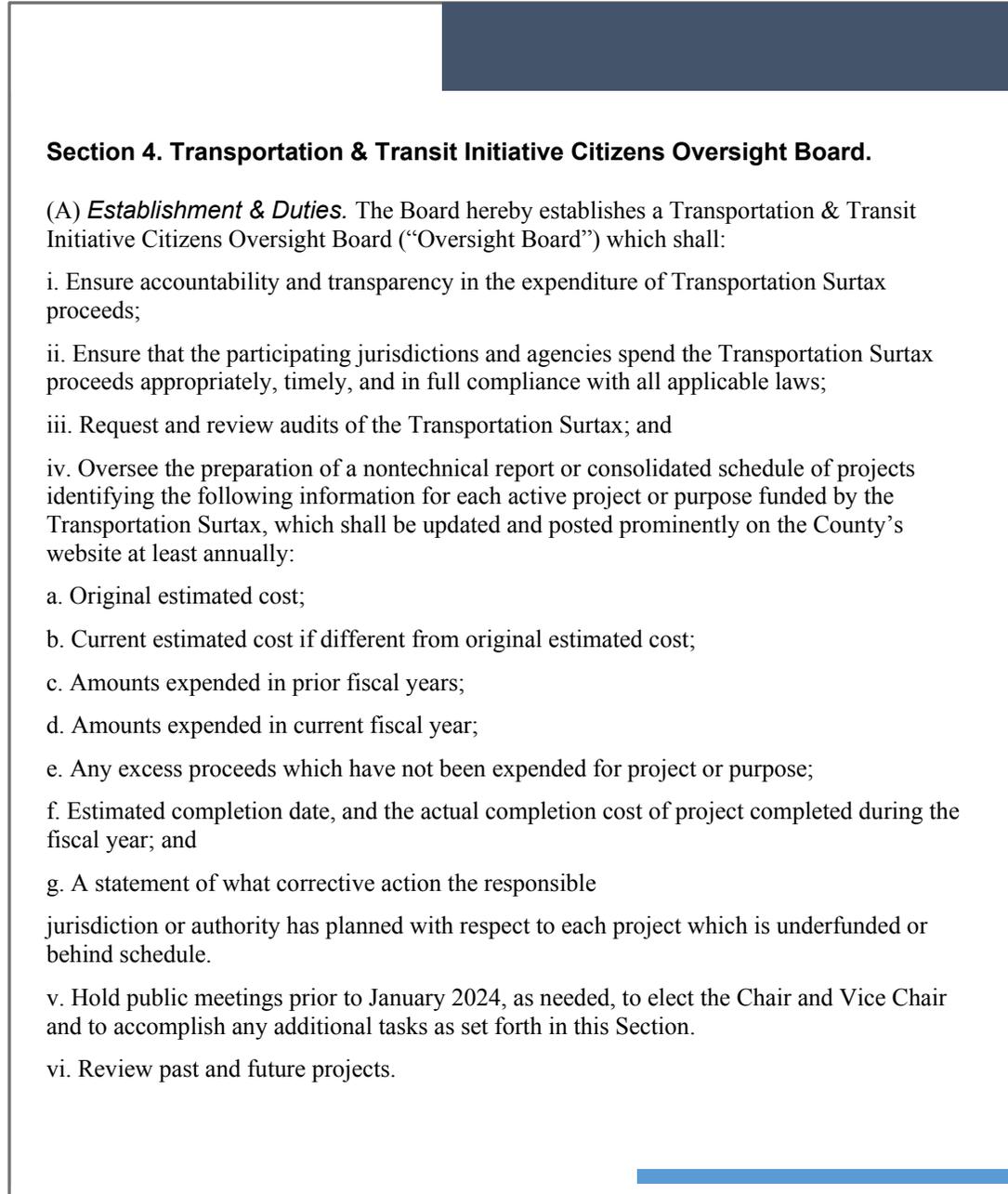
**FIGURE 5-3A:** Example program performance metrics summary for the Public Works Department.  
Source: Orange County's FY 2021-22 Adopted Budget.

The Project Trak GIS website provides individual projects performance information for the current phase of a project, the percent complete of that phase and the overall project percent complete. The overall project start date and estimated completion date is also provided when available.

Cost information is not provided on the Transportation Projects webpages. The only cost information is provided through the annual CIP process and is reported as part of the annual budget. No current or historical information is provided for individual projects on whether the project is on-budget.

### Transportation Initiative

BCC Resolution 2022-M-20, which established the requirements for the use of the proposed Transportation Initiative surtax, created the Transportation & Transit Initiative Citizens Oversight Board. **Figure 5-3B** depicts an image of Section 4 (A), which sets forth the duties of this Oversight Board:



**FIGURE 5-3B:** *The Citizens Oversight Board enhances transparency and accountability for use of surtax funds. Source: Orange County Board of County Commissioners Resolution 2022-M-20.*

The Oversight Board will be responsible for ensuring performance is tracked, by individual project, and reported to the public.

The mechanism to report the necessary data to the Oversight Board is still being determined. According to County administrators, the current preferred approach is to hire a General Engineering Consultant (GEC) to manage the program. The GEC would have the responsibility to track the performance information and report results to the Oversight Board. The Board is responsible for ensuring that up-to-date information is posted on the County’s website at least annually.

The County has an extensive performance management program that is updated annually as part of the budgeting process. However, this information is not readily available for individual projects and the cost information is not updated during the year. The planned detailed duties of the new Transportation & Transit Initiative Citizens Oversight Board are structured to provide more information to general public to track program performance and cost.

**RECOMMENDATION 5.3 – The Transportation Projects webpages should include information on the project budget. Additionally, the Transportation Projects webpages should include the same status information on phase and overall project completion that is shown on the Project Trak mapping system, and Project Trak should include budget information as one of the status items.**

**SUBTASK 5.4 – Review processes the program has in place to ensure the accuracy and completeness of any program performance and cost information provided to the public.**

## **OVERALL CONCLUSION**

Subtask 5.4 is met overall. To reach this conclusion, the MJ Team assessed processes the County has in place to ensure the accuracy and completeness of any program performance and cost information provided to the public.

## **ANALYSIS**

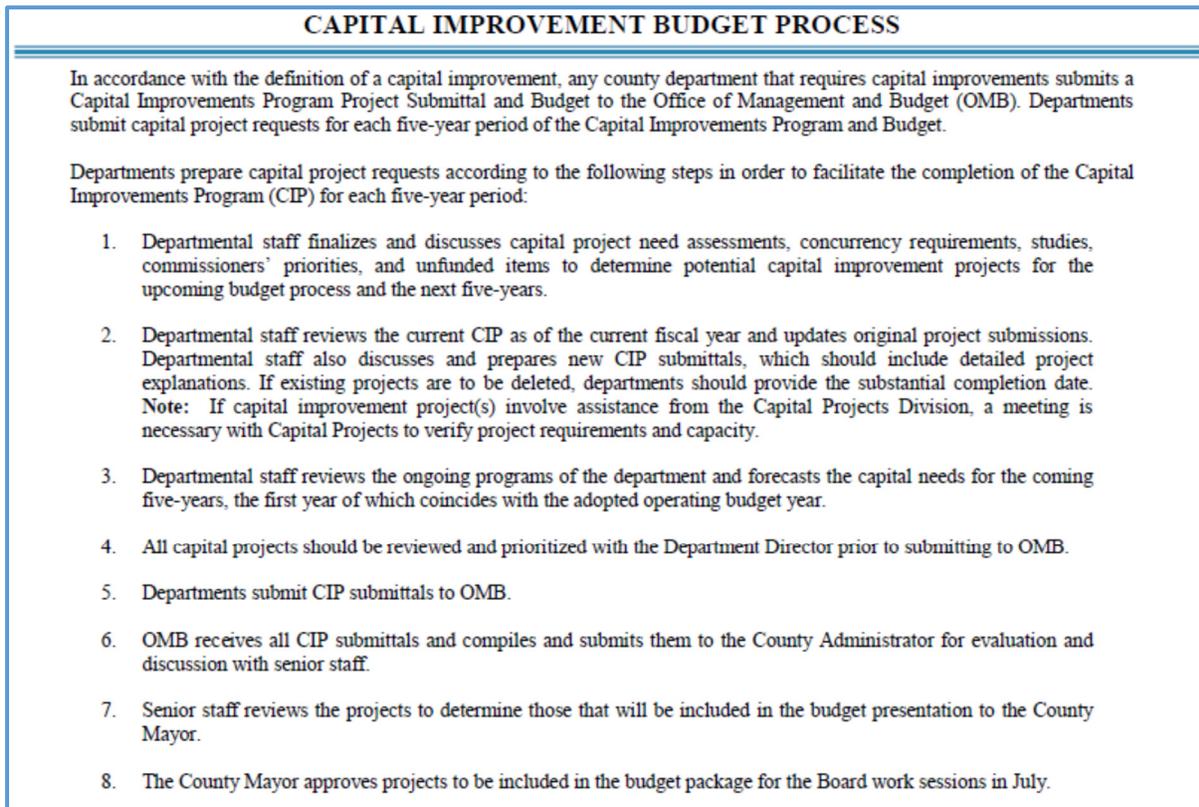
### *Existing Programs*

The Adopted Budget in the Orange County Budget Book sets the Capital Improvement Program (CIP) budget for each year. The document outlines the following process that is followed to develop an accurate and complete picture of the CIP needs:

- Departmental staff finalizes and discusses capital project needs to determine potential capital improvement projects for the upcoming budget process and the next five (5) years.

- Departmental staff reviews the CIP as of the current fiscal year and updates original project submissions. Departmental staff also discusses and prepares new CIP submittals, which should include detailed project explanations.
- Departmental staff reviews the ongoing programs of the department and forecasts the capital needs for the coming five (5) years, the first year of which coincides with the adopted operating budget year.
- All capital projects should be reviewed and prioritized with the Department Director prior to submitting to OMB.
- Departments submit CIP submittals to OMB.
- OMB receives all CIP submittals and compiles and submits them to the County Administrator for evaluation and discussion with senior staff.
- Senior staff reviews the projects to determine those that will be included in the budget presentation to the County Mayor.
- The County Mayor approves projects to be included in the budget package for the Board work sessions in July.

Figure 5-4A summarizes the County’s CIP budget process.



**FIGURE 5-4A:** *The Capital Improvement Budget Process is essential to providing accurate project cost information to the public.*

Source: Orange County FY 2021-22 Budget Book.

This multi-step review process ensures that accurate and complete CIP budgets are prepared annually. Updates during the year go through the Project Trak system noted in Subtask 5.1. This system updates the project information in GIS and includes updates to the project attributes including the current status relative to project completion and budget expenditure. As noted in Subtask 5.2, each department/division is responsible for ensuring the accuracy and timeliness of the information provided. The Project Trak GIS map is updated monthly by the division responsible for the project. This update is entered on the background spreadsheet that is linked to the map's associated data.

### *Transportation Initiative*

As noted in Subtask 5.3, County administrators are discussing how best to implement and monitor projects associated with the Transportation Initiative. According to County administrators, the current preferred approach is to hire a General Engineering Consultant (GEC) to manage the program. The GEC would have the responsibility to track the accuracy and completeness of program information and report this to the Oversight Board.

Based on the management practice noted above, the MJ Team concludes that the County has adequate internal processes in place to ensure performance and cost information are both accurate and complete.

**SUBTASK 5.5 – Determine whether the program has procedures in place that ensure that reasonable and timely actions are taken to correct any erroneous and/or incomplete program information included in public documents, reports, and other materials prepared by the County and that these procedures provide for adequate public notice of such corrections.**

## **OVERALL CONCLUSION**

Subtask 5.5 is met overall. To reach this conclusion, the MJ Team assessed if formal procedures are in place to ensure that reasonable and timely actions are taken to correct erroneous and/or incomplete program information included in public documents. We also assessed whether corrections are made timely in instances where errors have occurred.

## **ANALYSIS**

### *Existing Programs*

Orange County Social Media Policy 5:02:02 states “Orange County Government shall use all effective and efficient marketing tools to inform citizens of information including programs, services, activities events and other department associated interests.” Section II of the Social media Policy states: “The appropriate department or division personnel must complete and submit a request, on an approved form to the Communications manager.” The digital team receives requests on major initiatives and presents them at weekly meetings with the Digital

Team Manager, Communications Section Manager and Director of the Office of Communications and creates a strategy to best inform citizens of Orange County as it relates to the suggested initiative.

This social media approach is used when immediate communication is needed to correct any erroneous or incomplete information. For less pressing corrections or updates, the regular processes are followed. For transportation projects, the principal example is the Project Trak approach noted in Subtask 5.1 and Subtask 5.4. The current status information is updated monthly and is immediately populated into the Project Trak GIS database.

Regular updates to the Transportation Projects webpages are scheduled to occur at least bi-annually. The Project Trak information is updated monthly to provide more timely information. Corrections can be initiated at any time. The process for all is:

1. Project Coordinator reviews project list for new projects that need to be added or completed projects to be removed, or other updates that are required. Necessary changes are emailed to Transportation Planning for uploading to the website.
2. Project Coordinator reviews individual projects for updates regarding project status, updated community meetings or communications, updated project maps and timelines. Necessary changes are emailed to Transportation Planning for uploading to the website.
3. New projects are added using a template created for this process; this template is emailed to Transportation Planning for uploading to the website.
4. Project Coordinator confirms that project has been submitted for Project Trak review and approval.

Citizens can also directly initiate this process. Orange County staff provided an example of an update request received through the County's 311 phone number, which was established for non-emergency help and information. A citizen requested through 311 a potential need for ADA sidewalks. 311 was unable to locate the necessary forms for this request on the County's website and initiated the process to add the forms to the website and submit the citizen request. These changes were submitted through our formal webpage update process. The Multimedia/Special Projects Coordinator in Fiscal & Operational Support Division collected the forms, updated them, and sent the documents to Information Systems and Services Division with instructions on where the forms were to be placed. An incorrect phone number was also updated through the same request, so citizens would be able to reach the ADA Coordinator directly. The 311 representative was notified of the website changes so the ticket could be resolved.

### *Transportation Initiative*

As noted in Subtask 5.3, County administrators are discussing how best to implement and monitor the program of projects associated with the Transportation Initiative. According to County administrators, the current preferred approach is to hire a General Engineering

Consultant (GEC) to manage the program. The GEC would have the responsibility to track the accuracy and completeness of program information and report this to the Oversight Board.

Based on the management practice noted above, the MJ Team concludes that the County has adequate internal processes in place to ensure performance and cost information are both accurate and complete.

## RESEARCH TASK 6

### FINDING SUMMARY

#### **COMPLIANCE OF THE PROGRAM WITH APPROPRIATE POLICIES, RULES, AND LAWS.**

Overall, Orange County met expectations for Research Task 6.

The County has a full-time legal staff responsible for providing legal services related to transactions, litigation, interpretation of federal, state, and local laws, and preparing ordinances for approval by the Board of County Commissioners. In this capacity, the attorneys review all contracts requiring board approval for compliance with legal requirements and board policy. The County Attorney also stays abreast of federal, state, and local legislation that could impact County departments. Program internal controls such as external audits in the form of the annual Single Audit and internal audits conducted by the Office of the Comptroller's County Audit Division are reasonable to ensure compliance with applicable federal, state, and local laws, rules, and regulations; contracts; grant agreements; and local policies and procedures. County administrators have taken reasonable and timely actions to address any noncompliance issues and local policies and procedures that have been identified by internal or external evaluations, audits, or other means as indicated by no "repeat findings" in the County's Single Audit or Management Letters issued by external auditors. Finally, County administrators have taken reasonable and timely actions to determine whether its planned uses of the surtax comply with applicable laws by having the County Attorney draft Ordinance No. 2022-14, which the BCC adopted April 26, 2022. The Ordinance established a Citizens Oversight Board, through Orange County's Transportation Initiative, intended to continuously monitor planned uses of surtax proceeds to ensure the County's ongoing compliance with Florida Statutes.

### SUBTASK CONCLUSIONS, ANALYSIS AND RECOMMENDATIONS

**SUBTASK 6.1 – Determine whether the program has a process to assess its compliance with applicable (i.e., relating to the program's operation) federal, state, and local laws, rules, and regulations; contracts; grant agreements; and local policies.**

### OVERALL CONCLUSION

Subtask 6.1 is met overall. To address the requirements of this subtask, the MJ Team interviewed the senior assistant county attorney, assistant manager of procurement, and the county comptroller special project director, and reviewed evidence of the County's legal infrastructure and its process to assess legal compliance as noted below for the following divisions:

- County Attorney

- Procurement
- County Comptroller

The Comptroller is an elected official and serves as an independent reviewer of operations and transactions and the Audit Division. The Audit Division is responsible for assessing compliance with applicable federal, state, and local laws, rules, and regulations; contracts; grant agreements; and local policies.

Based on the analysis performed, the County has a process to assess its compliance with applicable federal, state, and local laws, rules, regulations; contracts; grant agreements; and local policies.

## **ANALYSIS**

To address the requirements of this subtask, the MJ Team interviewed the senior assistant county attorney, assistant manager of procurement, and the Orange County comptroller special project director. The MJ Team reviewed evidence of the County legal infrastructure and its process to assess respective compliance requirements. Based on the roles and responsibilities, the County has a process to assess its compliance with applicable federal, state, and local laws, rules, and regulations; contracts; grant agreements; and local policies.

### *County Attorney*

The County Attorney's Office (CAO) serves as the informational component for the compliance with applicable laws, regulations, and policies. The CAO serves as legal advisors to provide guidance on regulatory changes that could impact the respective programs. The CAO is currently comprised of 18 attorneys divided into three subject-matter departments: General Administrative, Land Use and Environmental, and Litigation. The CAO assists with the implementation and administration of policy, drafts ordinances and resolutions, negotiates contracts, and handles litigation matters from trial through appeal. The CAO also monitors changes to applicable regulations.

The assistant county attorneys attend the Mayor's Senior Staff meetings and the county administrator's senior staff meetings based on the topics presented at each meeting to provide compliance insights on federal, state, and local laws, rules, and regulations; contracts; grant agreements; and local policies. We reviewed agendas and noted that transportation is a frequent topic of these staff meetings. Additionally, the Transportation Funding Initiative has created an Interdepartmental team that includes a senior assistant county attorney to lead the Legal/Legislative team.

### *Procurement Division*

The Procurement Office is a division of the County Executive Office (CEO) that provides entity-wide procurement support to the County. The county procurement manager is responsible for implementing and enforcing Board of County Commissioners (BCC) and CEO policies, and state regulations, pertaining to County procurement. The Procurement Division is charged with ensuring that the County's process is fair, competitive, efficient, and conducted under strict ethical guidelines.

Divisions needing contractor work for projects are required to complete and submit a Project Information Sheet to initiate a formal solicitation process. The Project Information sheet includes the following sections: general, project sponsors, funding, competitive standards, contract type, performance/delivery requirements, potential vendors, vendor qualifications, respondent qualifications, specification/scope of services, sustainability/environmental elements, bid form/fee proposal form. Also, the Procurement Division uses a Formal Solicitation Checklist form for each procurement to ensure all steps throughout the process are performed in accordance with policies, procedures, and applicable regulations. See **Figure 6-1A** for the solicitation checklist template:



## Formal Solicitation Checklist IFB / RFP # \_\_\_\_\_

Title: \_\_\_\_\_

Purchasing Agent: \_\_\_\_\_ Previous Contract No.: \_\_\_\_\_

[if applicable] Expires: \_\_\_\_\_

<p><b>1. PLANNING</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Project Information Sheet Received (with back-up)</li> <li><input type="checkbox"/> Federal Comp. Supp. Checklist Applies OR <input type="checkbox"/> N/A</li> <li><input type="checkbox"/> Requisition Encumbered OR <input type="checkbox"/> N/A</li> <li><input type="checkbox"/> Acceptable Specification/Scope Received</li> <li><input type="checkbox"/> Other Division Approval [ISS / GIS etc...] OR <input type="checkbox"/> N/A</li> <li><input type="checkbox"/> Insurance Matrix OR <input type="checkbox"/> Consult with Risk Mgmt.</li> <li><input type="checkbox"/> Draft Developed for Collaboration</li> <li><input type="checkbox"/> Procurement Source List Developed             <ul style="list-style-type: none"> <li>✓ Department Source List Received</li> <li>✓ Advantage Commodity Search</li> <li>Codes: _____</li> </ul> </li> <li>✓ Purchasing Agent's Supplemental Source List [GovSpend/ SBA / Research]</li> <li><input type="checkbox"/> Procurement Plan Issued [Copy to Dept &amp; BDD]</li> <li><input type="checkbox"/> Dept. Proposed Procurement OR <input type="checkbox"/> N/A [IFB]</li> <li><input type="checkbox"/> Committee Members [RFP]</li> <li><input type="checkbox"/> BDD Minority Participation OR <input type="checkbox"/> N/A [IFB]</li> <li><input type="checkbox"/> Analysis Requested for Scope [RFP]</li> </ul>	<p><b>2. DOCUMENT REVIEW AND APPROVAL</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Procurement Committee OR <input type="checkbox"/> N/A [IFB]</li> <li>Members Approved [RFP]</li> <li><input type="checkbox"/> Procurement Trainings OR <input type="checkbox"/> N/A [IFB]</li> <li>Scheduled</li> <li><input type="checkbox"/> Supervisor Review</li> <li><input type="checkbox"/> Modified [if applicable]</li> <li><input type="checkbox"/> Supervisor Approved OR <input type="checkbox"/> N/A [RFP]</li> <li>for publication [IFB]</li> <li><input type="checkbox"/> Manager's Final Approval</li> <li>for publication [RFP] [Grant IFB]</li> <li><input type="checkbox"/> Email Publication/Distribution instruction to Admin.</li> <li><input type="checkbox"/> Final Package Issued</li> <li><input type="checkbox"/> Confirm Solicitation Notifications Completed             <ul style="list-style-type: none"> <li>✓ Department List [Internal Contacts]</li> <li>✓ BDD Representative</li> <li>✓ Source List: [GovSpend/ SBA / Research]</li> <li>✓ Commodity codes</li> <li>✓ Pre-bid included in Notification (if applicable)</li> </ul> </li> </ul>
<p><b>3. ACTIVE SOLICITATION PERIOD</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Pre-Bid/Pre-Proposal OR <input type="checkbox"/> N/A</li> <li><input type="checkbox"/> Conference Meeting Sign-in Sheet</li> <li><input type="checkbox"/> Confirm Pre-Bid/Pre-Proposal OR <input type="checkbox"/> N/A</li> <li><input type="checkbox"/> Sign in Sheet Posted to Website post meeting.</li> <li><input type="checkbox"/> All solicitation questions and email inquiries added to the solicitation file.</li> <li><input type="checkbox"/> Addendum(s) Issued OR <input type="checkbox"/> N/A</li> <li><input type="checkbox"/> Public Opening</li> <li><input type="checkbox"/> Plan holder Print-out Added to the File</li> <li><input type="checkbox"/> Review for Responsiveness &amp; Prepare Memo to Supervisor for Non-Responsive items</li> <li><input type="checkbox"/> W9 indicates the Legal Name of the Bidder</li> <li><input type="checkbox"/> Confidential Information Identified &amp; Addressed</li> <li><input type="checkbox"/> Prices Tabulated</li> <li><input type="checkbox"/> Print SAM.gov Status (Grant Funded) OR <input type="checkbox"/> N/A</li> <li><input type="checkbox"/> Print Florida State (Grant Funded) OR <input type="checkbox"/> N/A</li> <li><input type="checkbox"/> Debarred/Convicted/Suspended Status</li> <li><input type="checkbox"/> Review/Print/Dist. Vendor's Past Perf. Evals. to Dept.</li> </ul>	<p><b>4. PRE-AWARD EVALUATION</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Reciprocal Preference Applies OR <input type="checkbox"/> N/A</li> <li><input type="checkbox"/> BDD Minority Analysis Requested</li> <li><input type="checkbox"/> BDD Recommendation Received             <ul style="list-style-type: none"> <li><input type="checkbox"/> Prepare Memo to Supervisor for any BDD Non-Responsive items</li> </ul> </li> <li><input type="checkbox"/> Department Recommendation OR <input type="checkbox"/> N/A</li> <li>Requested [IFB]</li> <li><input type="checkbox"/> Procurement Committee Scheduled OR <input type="checkbox"/> N/A</li> <li><input type="checkbox"/> RFP &gt;100K Commissioner Required OR <input type="checkbox"/> N/A</li> <li><input type="checkbox"/> RFP Eval. Packet Distribution &amp; Public Mtg. Posting             <ul style="list-style-type: none"> <li><input type="checkbox"/> Supervisor Review <input type="checkbox"/> Peer Review <input type="checkbox"/> N/A</li> </ul> </li> <li>! <input type="checkbox"/> Confirm reference checks are complete or on-track one week prior to meeting date.</li> <li><input type="checkbox"/> Department Recommendation Received - OR - Procurement Committee Meeting Complete</li> <li><input type="checkbox"/> Procurement Committee Minutes OR <input type="checkbox"/> N/A</li> <li><input type="checkbox"/> Review recommendations for Non-Responsibility &amp; Prepare Memo to Supervisor for Non-Responsible items</li> </ul>

5. PRE-AWARD DOCUMENTATION	6. AWARD
<input type="checkbox"/> Procurement Award Recommendation Posted <u>Attach the following for approval:</u> 1. CA Tabulation (Not Departments Tabulation) 2. Technical Evaluation (IFB) 3. BDD Analysis 4. Determination Memos for Non-Responsive and Non-Responsible (through Supervisor)	<input type="checkbox"/> Addressed exceptions to Terms & Conditions [RFP] OR <input type="checkbox"/> N/A <input type="checkbox"/> Addressed exceptions to Scope of Work [RFP] OR <input type="checkbox"/> N/A <input type="checkbox"/> Negotiations [RFP] [Single Response IFB] OR <input type="checkbox"/> N/A <input type="checkbox"/> Received Memorandum of Negotiation OR <input type="checkbox"/> N/A <input type="checkbox"/> Facilitated Negotiations Kick-Off meeting OR <input type="checkbox"/> N/A <input type="checkbox"/> Developed and Filed Negotiation minutes OR <input type="checkbox"/> N/A
<input type="checkbox"/> Irrevocable offers extended OR <input type="checkbox"/> N/A <input type="checkbox"/> Review current contract status to avoid lapse between contract and re-solicitation OR <input type="checkbox"/> N/A <input type="checkbox"/> Agenda Item Developed OR <input type="checkbox"/> N/A <input type="checkbox"/> Agenda Item Provided to Department Manager OR <input type="checkbox"/> N/A <input type="checkbox"/> BCC Approved OR <input type="checkbox"/> N/A <input type="checkbox"/> Posting Removed and filed <input type="checkbox"/> Protest Review [IFB] OR <input type="checkbox"/> N/A <input type="checkbox"/> Public Meeting Notice Filed <input type="checkbox"/> Public Meeting Minutes Filed <input type="checkbox"/> Protest Hearing [RFP] [IFB Appeal] OR <input type="checkbox"/> N/A <input type="checkbox"/> Binders/Materials Distributed <input type="checkbox"/> Sign-in Sheet Developed <input type="checkbox"/> Print Extra Agenda Copies for Audience <input type="checkbox"/> Public Meeting Notice Filed <input type="checkbox"/> Public Meeting Minutes Filed <input type="checkbox"/> BCC Appeal OR <input type="checkbox"/> No Appeal <input type="checkbox"/> Civil Appeal OR <input type="checkbox"/> No Appeal <input type="checkbox"/> Email Notice of Intent to Award [Copy BDD] OR <input type="checkbox"/> N/A <input type="checkbox"/> Sunbiz.org Florida Business Registration OR <input type="checkbox"/> N/A (Interstate Commerce) <input type="checkbox"/> Confirm E-Verify Employer Registration <input type="checkbox"/> Insurance Certificates Validated Coverage OR <input type="checkbox"/> N/A <input type="checkbox"/> Insurance Validated for Endorsements OR <input type="checkbox"/> N/A <input type="checkbox"/> Verified AM Best Rating for all Carriers OR <input type="checkbox"/> N/A <input type="checkbox"/> Bond(s) Received and Reviewed OR <input type="checkbox"/> N/A <input type="checkbox"/> BDD Subcontracts Received by CA OR <input type="checkbox"/> N/A <input type="checkbox"/> BDD Subcontracts Approved by BDD OR <input type="checkbox"/> N/A	<input type="checkbox"/> Received Signed Contract from Awardee <input type="checkbox"/> Documents Fully Executed/Counter-signed <u>Attach the following for approval:</u> 1. Risk Management Confirmation 2. BDD Sub-Agreement Confirmation (if applicable) 3. Sunbiz.org Confirmation 4. E-Verify Confirmation 5. BCC Agenda Confirmation (if applicable) 6. Bonds (if applicable) 7. SAM.gov (Grant Funded Only) 8. Florida State Compliance (Grant Funded Only) <input type="checkbox"/> Contract Completed / P.O. Encumbered
	<p><b>Key Links</b></p> <p>SUNBIZ - <a href="https://dos.myflorida.com/sunbiz/search/">https://dos.myflorida.com/sunbiz/search/</a></p> <p>E-VERIFY - <a href="https://www.e-verify.gov/about-e-verify/e-verify-data/how-to-find-participating-employers">https://www.e-verify.gov/about-e-verify/e-verify-data/how-to-find-participating-employers</a></p> <p>AM Best - <a href="http://www.ambest.com/home/default.aspx">http://www.ambest.com/home/default.aspx</a></p> <p>SAM - <a href="http://www.SAM.gov">www.SAM.gov</a></p> <p>FLORIDA - <a href="http://DMS.MYFLORIDA.COM">DMS.MYFLORIDA.COM</a></p>
<p><b>7. COMMENTS</b></p> <div style="background-color: #e0e0ff; height: 100px; width: 100%;"></div>	

Procurement Division [Rev.1-19]

**FIGURE 6-1A:** The County Procurement Division’s Formal Solicitation Checklist ensures all steps throughout the process are performed in accordance with policies, procedures, and applicable regulations.  
Source: Orange County, Procurement Division.

The Procurement Division uses OpenGov Procurement, an e-Procurement platform, to issue formal solicitations and intake electronic responses for both Invitations for Bids (IFB) and Requests for Proposals (RFP). Bid Notices are also posted in the Orlando Sentinel to allow citizens the opportunity to submit bids and proposals in response to IFBs or RFPs. Our review and testing of completed capital improvement projects for Research Task 1.6, confirmed that the County's procurement process ensures bidders have equal opportunity to be selected to provide the County supplies, construction, commercial services, and professional services.

### *Orange County Comptroller – County Audit Division*

The Comptroller is an elected official and serves as an independent reviewer of operations and transactions. The County Audit Division of the Comptroller's Office is responsible for assessing compliance with applicable federal, state, and local laws, rules, and regulations; contracts; grant agreements; and local policies. The MJ team obtained a list of audits performed and researched the Orange County Comptroller's website for internal audits performed, noting that several internal audits are conducted for internal controls and compliance. However, there were minimal audits and/or investigations performed relating to business operations or functions where surtax proceeds will be used.

The County Audit Division meets quarterly with the County Administration to provide details of the status of each on-going audit and the issues identified for these audits. **Figure 6-1B** presents the formal agenda for the meeting held on June 3, 2022. The MJ Team received support for two other agendas dated February 18, 2022, and October 6, 2021. Currently there are 13 audits in progress, and one Constitutional Office audit.

**County Audit Division  
Quarterly Audit Update  
6/3/2022**

**On-Going Audits**

- 1) Follow-up Audit OCU Environmental Surcharge Audit
- 2) Audit of Utilities Hazardous Material Safety Program
- 3) Fleet Preventive Maintenance
- 4) County's CDL Random Drug and Alcohol Testing Program
- 5) Audit of Utilities Hazardous Material
  - a. Construction and Field Services
  - b. Solid Waste
  - c. Water Lab
  - d. Water Regional Facilities
  - e. Water Reclamation
- 6) P-Card Fire Rescue
- 7) P-Card Convention Center
- 8) Hazardous Materials – Parks
- 9) Code Enforcement Liens
- 10) G4S/Allied Corrections
- 11) Corrections Pharmacy Review
- 12) Follow-up Audit of the Historical Society of Central Florida, Inc.
- 13) Follow-up Audit of the Orange County Animal Services Division Dangerous Dog Compliance Program

**Constitutional Officer Audits**

- 1) Orange County Property Appraiser

**FIGURE 1-6B:** *The County Auditor provides updates on the status of audits in progress during quarterly meetings with County Administrators.*

*Source: Orange County Comptroller Audit Division.*

**SUBTASK 6.2 – Review program internal controls to determine whether they are reasonable to ensure compliance with applicable federal, state, and local laws, rules, and regulations; contracts; grant agreements; and local policies and procedures.**

## OVERALL CONCLUSION

Subtask 6.2 is met overall. To address the requirements of this subtask, the MJ Team interviewed the senior assistant county attorney, assistant manager of procurement, the Orange County comptroller special project director and performed the following:

- Reviewed written policies, procedures, and practices for compliance components and the most recent update.
- Reviewed the Consolidated Annual Financial Reports (CAFR) to identify applicable internal control-related audit findings.
- Developed and administered an Internal Control Questionnaire to obtain management’s evaluation of the internal control infrastructure.
- Reviewed and evaluated management responses to the Internal Control Questionnaire.

Based on the analysis performed, the program internal controls such as documented policies and procedures and external audits of the County’s internal control environment are reasonable to ensure compliance with applicable federal, state, and local rules and regulations; contracts; grant agreements; and local policies and procedures.

## ANALYSIS

The MJ Team reviewed applicable policies and procedures, the Consolidated Annual Financial Reports, and internal control questionnaire responses. These are discussed in the paragraphs below.

### *Policies and Procedures*

Policies and procedures provide formal documentation of key internal controls. The Orange County Fiscal Year 2021-2022 Budget Book states: “the County shall establish sound fiscal policies and procedures that comply with all applicable state and federal laws.” Orange County has the following policies in place to ensure compliance with applicable regulations:

- Budget Management
- Capital Program
- Financial Management
- Procurement Policies

### *Consolidated Annual Financial Reports*

In addition to reviewing policies and procedures, the MJ Team reviewed the Compliance and Internal Control Section of the Annual Comprehensive Financial Reports (ACFRs) for fiscal years

2019, 2020, and 2021. These reports were issued by Cherry Bekaert LLP and included any findings discovered and corresponding management responses. Their report also included any unresolved prior year audit findings. A summary of these findings is included in Research Task 6.3.

### *Internal Control Questionnaire*

In addition to reviewing policies and procedures, the MJ Team submitted an Internal Control Questionnaire to key management positions. This questionnaire asked management staff to rate themselves from one (1) through five (5), with a one (1) indicating “Weak” and a five (5) indicating “Strong” controls. Orange County provided the MJ team with three (3) completed Internal Control Questionnaires. **Figure 6-2A** presents a summary of the relevant responses which indicate internal control strengths and their comments.

Area	Overall Rating of Processes for Segregation of Duties and Effectiveness (1-Weak to 5-Strong)	Additional Comments
<i>Purchasing</i>	5	No additional comments provided.
<i>Payroll</i>	5	Payroll is automated and all personnel receive direct deposit.
<i>Accounts Payable</i>	5	This process is managed by the Comptroller’s Office who is independently elected.
<i>Cash Management</i>	5	Bank accounts are approved by the County Comptroller. Orange County is the only one in the state with an independently elected Comptroller.
<i>Contracts Management</i>	5	No comments provided.
<i>Grants Management</i>	5	No comments provided.
Area	Overall Rating of Processes for Segregation of Duties and Effectiveness (1-Weak to 5-Strong)	Example Comments Regarding Overall Internal Controls
<i>Overall Internal Controls</i>	5	<ol style="list-style-type: none"> <li>1. Comptroller auditing procedures.</li> <li>2. Budget approval process through the Board of County Commissioners that include public hearings.</li> <li>3. County procurement procedures/policies.</li> <li>4. Department organization and procedural control structure.</li> <li>5. Community &amp; stakeholder oversight.</li> </ol>
<i>Aware of any areas of noncompliance?</i>		No

**FIGURE 6-2A:** Summary of Internal Control Questionnaire Responses.  
Source: Responses to the MJ Team’s Internal Control Questionnaire.

Additional internal controls that we noted through discussions and policy reviews include:

1. Segregation of duties.
2. Multi-level approval processes.
3. Reconciliation.
4. Policies and Procedures reviewed regularly.
5. System Workflows.
6. Risk Assessment – Approval Authority
7. Pre-Approvals, Reconciliations & Checks and Balances in Each Department
8. Policies and training in place.
9. Reviews of performance – quarterly budgets to actuals.
10. Audits.
11. Robust electronic workflow with multiple approvers for grants, contracts, and regular payments.
12. With each review step there are opportunities for communication and collaboration should there be any questions or concerns.
13. An external review board (Independent Transportation Surtax Oversight Board) was created with the aim to provide transparency and public participation.

**SUBTASK 6.3 – Determine whether program administrators have taken reasonable and timely actions to address any noncompliance with applicable federal, state, and local laws, rules, and regulations; contracts; grant agreements; and local policies and procedures identified by internal or external evaluations, audits, or other means.**

## **OVERALL CONCLUSION**

Subtask 6.3 is met overall. To reach this conclusion, the MJ Team interviewed the senior assistant county attorney, assistant Manager of procurement, the Orange County comptroller special project director and reviewed the following reports:

- County Comptroller Audits and follow ups
- Annual Comprehensive Financial Report – Independent Auditor Report for FY 2019-FY 2021

Based on the support received, and the review completed, Orange County has reasonable and timely process in place to ensure program administrators address recommendations related to noncompliance with applicable federal, state, and local laws, rules, and regulations.

## ANALYSIS

To address the requirements of this subtask, the MJ team interviewed the senior assistant county attorney, assistant manager of procurement, and the Orange County comptroller special project director regarding knowledge of any noncompliance and or outstanding action items for the County.

In addition, the MJ Team reviewed the Annual Comprehensive Financial Reports (ACFR) for Fiscal Years 2019-2021 and the list of internal audits completed by the Comptrollers Internal Audit function.

Based on the reviews performed in Subtasks 6.1 and 6.2, the MJ Team concludes the County takes reasonable and timely actions to address any noncompliance with applicable federal, state, and local laws, rules, and regulations; contract; grant agreements and local policies and procedures identified by internal or external evaluations, audit or other means.

### *County Comptroller*

In addition, the County Comptroller Audit Division follows Government Auditing Standards and requires auditors to evaluate whether the audited entity has taken appropriate corrective action to address findings and recommendations from previous engagements that are significant within the context of the audit objectives as noted in Section F of the Policy Manual.

- **Follow-Up Reviews:** It is the policy of County Comptroller Audit Division to conduct follow-up reviews on most audits performed. These reviews will normally be conducted approximately one (1) to three (3) years after the report was issued. However, depending on staff availability and other resources, follow-up reviews may not be conducted until after that time, or not at all. In addition, large audits with significant issues that require resolution may not be performed until several years after the report has been issued, or broken into separate smaller reviews, to give management adequate time to address the issues. The scope of the follow-up review is solely to verify the status of each recommendation and whether the original condition noted in the report has been addressed. A written report is issued on each follow-up review that summarizes the nature of the finding, repeats the recommendation, and indicates its status. Normally, the status will be implemented, partially implemented, or not implemented. If a recommendation is only partially implemented or not implemented, there will be further explanation as to its status or why it was not implemented. If further action is still needed, the County Auditor will make additional recommendations in the status section. Consideration should be given to commending management if they implement or partially implement most recommendations. In those instances where an operation has changed significantly since the original audit, a follow-up audit may not be performed. This decision is considered auditor judgment and the Director will make the final determination.

The County Comptroller issued an audit report in July 2022 (report No. 495) on the follow-up to the one recommendation included in the Orange County Utilities Department’s Environmental Surcharge Program (Report No. 444) issued in January 2015. The recommendation was that the Utilities Department should consider reducing the frequency of sampling and testing Program participants with annual surcharges less than the sampling cost. The follow-up audit concluded that the recommendation was implemented for one (1) year and was poorly received by customers because less frequent testing made it more difficult for customers to appeal applicable surcharges. In response to this adverse customer reaction, Utilities changed its practices by removing customers from the program. The County Comptroller acknowledged the efforts made to reduce testing frequencies to achieve cost savings. However, they cited that there were no written procedures or documented approvals for removing these accounts.

### *Annual Comprehensive Financial Report*

The County is required to undergo an annual “Single Audit” to comply with provisions of the Single Audit Act of 1984, the Single Audit Act Amendments of 1996, and the Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Furthermore, with respect to certain grants funded by the State of Florida, the County is required to comply with the requirements of the Florida Single Audit Act and the related Rules of the Florida Audit General.

The MJ Team reviewed the Single Audit Report presented in the latest three (3) Annual Comprehensive Financial Reports (ACFR). The Fiscal Years 2019-2021 ACFRs showed that the County had no repeat findings in the Single Audit and every year the financial statements had an unqualified opinion.

A summary of the findings noted in each CAFR are the following:

#### *March 29, 2022*

- Cherry Bekaert LLP, the contracted auditor, gave opinion that the financial statements present fairly, in all material respect, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information on the County as of September 30, 2021.
- Finding 2021-001: Recognizing unearned revenue - Material Weakness - Statement of Condition: Unearned revenue recorded at the fund level for certain COVID-19 funding was improperly recorded as revenue at the government-wide level in FY 2020 and FY 2021 requiring adjustment of the County's fiscal 2021 government activities financial statements and restatement of FY 2020 County’s governmental activities financial statements.

- Finding 2021-002: Recording FEMA transactions - Significant Deficiency - Statement of Condition: Expenditures for the Public Assistance Presidential Declared Disaster (Hurricane Irma) grant were recorded on the cash basis in the general ledger and on the draft Schedule of Expenditures of Federal Awards ("SEFA"). In addition, the SEFA included expenditures reimbursed through state match as expenditures of federal awards.

### *March 22, 2021*

- Cherry Bekaert LLP gave opinion that the financial statements present fairly, in all material respect, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information on the County as of September 30, 2020.
- No findings noted.

### *March 22, 2019*

- Cherry Bekaert LLP gave opinion that the financial statements present fairly, in all material respect, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information on the County as of September 30, 2019.
- No findings noted.

**SUBTASK 6.4 – Determine whether program administrators have taken reasonable and timely actions to determine whether planned uses of the surtax are in compliance with applicable state laws, rules, and regulations.**

## **OVERALL CONCLUSION**

Subtask 6.4 is met overall. To address the requirements of this subtask, the MJ Team interviewed the Senior Assistant County Attorney, and Project Director and Policy Analyst. We also examined the following:

- Section 212.055(2), *Florida Statutes*;
- The Orange County Transportation Initiative Report;
- Orange County Ordinance No. 2022-14, adopted by the Board of County Commissioners (BCC) on April 26, 2022;
- Orange County's Website; and
- Transportation Initiative Work Sessions and Agendas.

Based on information obtained and analysis performed, the County has a process to take reasonable timely actions to determine whether planned uses of the surtax are in compliance with applicable state laws, rules and regulations.

## ANALYSIS

The County Attorney and staff has been actively involved with the Mayor’s Transportation Initiative since its inception in 2019, engaging in an extensive process leading up to drafting the surtax ordinance. The County held six Transportation Initiative open houses between February 28, 2022, and March 21, 2022, holding at least one open-house in each Commissioner District. Additionally, Orange County held community meetings and deployed a survey to gather public comments and opinions regarding Orange County’s Transportation Initiative.

The County Attorney provided research and guidance to the BCC on applicable Florida Statutes related to the surtax process and legality of uses of surtax proceeds. The BCC has had work sessions on the following dates: January 25, 2022, March 22, 2022, and April 26, 2022. An example of an agenda is provided in **Figure 6-4A**.

## List of BCC Work Sessions

**January 25, 2022 Work Session #1** - This work session was intended to relaunch the Transportation Initiative and refresh the Board of County Commissioners as well as the community on the prior efforts that took place in 2019 and 2020. Topics that were discussed include:

- 2020 Community Engagement
- 2020 Transportation Needs
- Legally Available Transportation Revenues
- 2020 Transportation Plan Framework
- Timeline
- [Full Presentation | Video](#)

**March 22, 2022 Work Session #2** - This work session provided details of the Transportation Plan, including proposed investments in Transit, Roadways, Safety, Operations & Maintenance and other transportation needs. Topics that were discussed include:

- Transportation Plan Overview
- Economic Impact Analysis
- Explanation of OPPAGA Audit
- Legal Documents/Ballot Language
- [Full Presentation | Video](#)

**April 5, 2022 Work Session #3** - This work session will include details of the Transportation Initiative Report, including an update on the economic impact, a review of legal documents and a recommendation on the rate and duration of the surtax. Topics that were discussed include:

- Review of County Revenue Sources
- Economic Impact Update
- Review of Legal Documents
- Summary/Next Steps
- [Full Presentation | Video](#)

**April 26, 2022 BCC Public Hearing** - Following a staff presentation and public hearing, the Board of County Commissioners will make the decision on whether or not to place the sales tax referendum on the November 8, 2022 ballot in order to allow the citizens to vote on the proposed transportation sales tax.

- [Full Presentation](#)
- [Video \(Part 1\) - Presentation](#)
- [Video \(Part 2\) - Public Comment](#)
- [Video \(Part 3\) - Commissioner Discussion](#)

**FIGURE 6-4A:** Orange County's Board of County Commissioners conducted a series of Work Sessions related to the Transportation Initiative determining proposed uses of the Transportation System Sales Surtax.

Source: Orange County Website - Transportation Initiative Work Sessions

(<https://www.orangecountyfl.net/TrafficTransportation/TransportationInitiative/WorkSessions.aspx#.YvY8xXbMJEZ>).

According to the April 2022 Transportation Initiative Report Revised per BCC Hearing April 26, 2022, the County community feedback from meetings, open houses, and the survey to identify top challenges and priorities.

Orange County dedicated a section of its website to the Transportation Initiative. This webpage includes links to the Transportation Initiative Report, the Ordinance, the Resolution, facts, frequently asked questions (FAQs), community feedback, open house information, and BCC work session documents. According to the frequently asked questions posted on the Orange County Transportation Initiative website, the Transportation System Sales Surtax dollars will go through an oversight process. This will include review by a Technical Committee, as well as by an appointed Citizens Oversight Board and ultimately the Board of County Commissioners.

Concurrently, the Board of County Commissioners approved Resolution No. 2022-M-20 established the Transportation and Transit Initiative Citizens Oversight Board to oversee the preparation of a nontechnical report or consolidated schedule of projects identifying certain information for each active project or purpose funded by the Transportation System Sales Surtax. This board is tasked with preparing an annual report summarizing project costs, surtax expended during the fiscal year, any excess proceeds that have not been expended for a project or purpose, the estimated project completion date and the actual completion cost during the fiscal year, and a statement of what corrective action the responsible jurisdiction or authority has planned with respect to each project which is underfunded or behind schedule. This report is to be published on the County's website.

Based on the documents provided, Orange County took reasonable and timely actions to determine whether planned uses of the surtax are in compliance with applicable state laws, rules, and regulations. Additionally, the County has put mechanisms in place to monitor surtax usage compliance should the referendum pass.

## MANAGEMENT COMMENTS



August 24, 2022

McConnell Jones,

Orange County welcomes the opportunity to respond to the Performance Audit conducted by McConnell & Jones LLP, in accordance with s. 212.055(12), Florida Statutes.

We are pleased you determined Orange County has “Met” all six audit tasks for the proposed sales surtax. The audit demonstrates that Orange County has sufficient policies and procedures in place, supported by appropriate documentation, report monitoring tools and personnel to deliver the transportation projects needed should the one-cent transportation surtax be approved by Orange County voters.

During the audit process, a testing sample of six completed projects were selected from Orange County’s Capital Improvement Program (CIP), covering 41% of the total cost of completed projects in the CIP. County construction projects were of reasonable cost, within budget, completed well and on time. Additionally, the audit recognized and reinforced that Orange County is prepared to receive and responsibly expend the funds by adhering to our written policies and procedures to take maximum advantage of competitive procurement, volume discounts, and special pricing agreements for our procurements. Of the total 25 subtasks evaluated, 100 percent were determined as “Met” (21) or “Partially Met” (4). There were no subtasks determined as “Not Met”.

Based on our review of this report, Orange County concurs with these findings, and offers the following responses to the recommendations made by auditors:

**RESEARCH TASK 1** – The Economy, Efficiency, or Effectiveness of the Program.

**Finding Summary: Overall, Orange County meets Research Task 1.**

**ORANGE COUNTY RESPONSE:** Orange County concurs with the assessment for Research Task 1, and has responded to the auditor’s recommendation for subtask 1.5 below.

**Research Subtasks 1.5 Results: Partially Met**

Recommendation: The Review team identified an improvement opportunity for the Roads & Drainage Division of Public Works to acquire a Pavement Management System (PMS) software and automate the manual pavement management practices to facilitate using best practices to improve the efficiency of the County’s Road Resurfacing Program.

*Byron W. Brooks, A.I.C.P., County Administrator*  
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Telephone: 407-836-7370 • Fax: 407-836-7399  
Byron.Brooks@ocfl.net

**ORANGE COUNTY RESPONSE SUBTASK 1.5:** The Public Works Roads and Drainage Division has programmed in its FY '23 budget the acquisition of an asset management software system that includes a pavement management system (PMS) component.

The selected software system should be able to perform:

- ✓ Condition Assessments
- ✓ Maintenance Strategies Analysis
- ✓ Queries and Reporting
- ✓ Asset Valuation
- ✓ Multi-Year Budgeting
- ✓ GIS Integration

More so, the software should be customizable to meet the County's PMS needs. Users will have the ability to add treatments, descriptions, and costs as well as custom database fields.

**RESEARCH TASK 2** – The structure or Design of the Program to Accomplish its Goals and Objectives.

**Finding Summary:** Overall, Orange County meets Research Task 2.

**ORANGE COUNTY RESPONSE:** Orange County concurs with the assessment for Research Task 2.

**RESEARCH TASK 3** – Alternative Methods of Providing Services or Products.

**Finding Summary:** Overall, Orange County meets Research Task 3.

**ORANGE COUNTY RESPONSE:** Orange County concurs with the assessment for Research Task 3, and has responded to the auditor's recommendation for subtask 3.4 below.

**Research Subtasks 3.4 Results: Partially Met**

Recommendation: Actively pursue identifying alternative service delivery methods to reduce costs and speed the delivery of transportation projects by reviewing Design-Build, Construction Manager/General Contractor (CM/GC), Project Bundling, and Public Private partnerships (PPP) to support projects included in the County's Transportation Initiative.

**ORANGE COUNTY RESPONSE SUBTASK 3.4:** Over the past decade, we have implemented alternate service delivery methods which have reduced costs, project time and increased efficiencies. These have included: Public/Private Partnerships (i.e. Boggy Creek Road North and Crockett Development Property LLC) and the use of Bundling (i.e. John Young Parkway at Americana Boulevard and Texas Avenue at Rio Grande).

Orange County is continuously looking to improve upon our delivery of services to our citizens by actively pursuing alternate service delivery methods. The County is committed to consistently research and reach out to peer agencies such as Osceola County, Seminole County and the Central Florida Expressway Authority to evaluate and potentially implement similar programs.

**RESEARCH TASK 4** – Goals, Objectives, and Performance measures used by the program to Monitor and Report Program accomplishments.

**Finding Summary: Overall, Orange County meets Research Task 4.**

**ORANGE COUNTY RESPONSE:** Orange County concurs with the assessment for Research Task 4.

**RESEARCH TASK 5** – The accuracy or adequacy of Public Documents, reports, and requests prepared by the County, which relate to the program.

**Finding Summary: Overall, Orange County meets Research Task 5.**

**ORANGE COUNTY RESPONSE:** Orange County concurs with the assessment for Research Task 5, and has responded to the auditor’s recommendation for subtasks 5.2 and 5.3 below.

**Research Subtasks 5.2 Results: Partially Met**

**Recommendation:** The Orange County Office of Communications is ultimately responsible for public facing information. It should regularly review the Transportation Projects webpages and verify that the information is correct and up-to-date rather than relying on the Project Coordinators to initiate any changes. An indication should be provided on each webpage stating “This page was last updated on [date]” to facilitate tracking.

**ORANGE COUNTY RESPONSE SUBTASK 5.2:** While the Orange County Communications Division is ultimately responsible for public facing information, the Public Works Department relies on its Multimedia/Special Project Coordinator to collaborate with its internal divisions to ensure updated/additional information is provided on project webpages. The Department currently uses a standard “Request for Public Information” form to initiate any modifications to the County webpages. This form has been modified to include the budget and “last updated” information as recommended.

**Research Subtasks 5.3 Results: Partially Met**

**Recommendation:** The Transportation Projects webpages should include information on the project budget. Additionally, the Transportation Projects webpages should include the same status information on phase and overall project completion that is shown on the Project Trak mapping system, and Project Trak should include budget information as one of the status items.

**ORANGE COUNTY RESPONSE SUBTASK 5.3:** Orange County reviewed the existing Project Trak application and the addition of the budget information will require a substantial re-development of the tool. The Public Works Department is finalizing the purchase of a Project Management System (budgeted for FY ’23) that will include detailed budget and project cost information and will allow for a public facing dashboard and connection to GIS.

**RESEARCH TASK 6** – Compliance of the program with appropriate policies, Rules, and Laws.

**Finding Summary:** Overall, Orange County meets Research Task 6.

**ORANGE COUNTY RESPONSE:** Orange County concurs with the assessment for Research Task 6.

In closing, thank you to the McConnell & Jones team for taking the time and effort to conduct this Performance Audit of Orange County. Please know that we will consider your recommendations and immediately move to evaluate and implement as a result of the final audit.

Sincerely,



Byron W. Brooks, AICP  
County Administrator  
Orange County Florida