

# Memorandum



**CITY OF DALLAS**

**DATE:** November 12, 2024

**TO:** Rosa Fleming, Director – Convention and Events Services  
Danielle Thompson, Director – Office of Procurement Services

**SUBJECT:** Independent Report on Agreed-Upon Procedures for: Attestation Engagement for the Construction Manager at Risk for Kay Bailey Hutchison Convention Center Dallas Master Plan Component 1 – Convention Center Expansion West of Lamar Only and Any Related Demolition – CIZ24-CCT-3096

Attached for your review is the *Independent Report on Agreed-Upon Procedures for: Attestation Engagement for the Construction Manager at Risk for Kay Bailey Hutchison Convention Center Dallas Master Plan Component 1 – Convention Center Expansion West of Lamar Only and Any Related Demolition – CIZ24-CCT-3096*. The Agreed-Upon Procedures are included in [Attachment 1](#). No exceptions were noted.

We have performed these procedures which were agreed to by Convention and Event Services and the Office of Procurement Services, solely to assist the City of Dallas City Council in evaluating the Convention and Event Services' and the Office of Procurement Services' compliance with the requirements of Administrative Directive 4-05, *Contracting Standards and Procedures*, relevant State of Texas statutes, and City of Dallas contracting and delivery procedures. Convention and Event Services and the Office of Procurement Services are responsible for the establishment of policies and procedures to comply with those requirements.

If you have any questions, please contact me at 615-974-8700 or [mark.swann@dallas.gov](mailto:mark.swann@dallas.gov).

Sincerely,

A handwritten signature in blue ink that reads "Mark S. Swann".

Mark S. Swann  
City Auditor

Independent Report on Agreed-Upon Procedures for: Attestation Engagement for the Construction Manager at Risk for Kay Bailey Hutchison Convention Center Dallas Master Plan Component 1 – Convention Center Expansion West of Lamar Only and Any Related Demolition – CIZ24-CCT-3096  
November 12, 2024  
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Attachment

C: Honorable Mayor and Members of the City Council  
Kimberly Bizer Tolbert, City Manager (I)  
Tammy Palomino, City Attorney  
Biliera Johnson, City Secretary  
Robin Bentley, Assistant City Manager (I)  
Donzell Gipson, Assistant City Manager (I)  
Jack Ireland, Chief Financial Officer  
Reginald Williams, Assistant Director – Convention and Event Services  
Sheri Kowalski, City Controller  
Alpha Jalloh, Assistant Director – Financial Compliance, Auditing & Monitoring  
Jeffrey Brill, Manager – Financial Compliance, Auditing, & Monitoring



# Independent Report on Agreed-Upon Procedures for the Construction Manager at Risk for Kay Bailey Hutchison Convention Center Dallas Master Plan – Component 1 – Convention Center Expansion CIZ24-CCT-3096

November 12, 2024

Mark S. Swann, City Auditor

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## Mayor

Eric L. Johnson

## Mayor Pro Tem

Tennell Atkins

## Deputy Mayor Pro Tem

Adam Bazaldua

## Council Members

Carolyn King Arnold

Paula Blackmon

Zarin D. Gracey

Cara Mendelsohn

Jesse Moreno

Omar Narvaez

Jaime Resendez

Paul E. Ridley

Jaynie Schultz

Kathy Stewart

Chad West

Gay Donnell Willis



## Executive Summary

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### Objective and Scope

The objective of the agreed-upon procedures attestation engagement is to ensure that Convention and Event Services and the Office of Procurement Services have complied with the requirements of City of Dallas Administrative Directive 4-05, *Contracting Standards and Procedures*, relevant State of Texas statutes, and City of Dallas contracting and delivery procedures.

Convention and Event Services requested this attestation in accordance with Administrative Directive 4-05, Section 9.5.5, *Attestation Engagement Requirement for All Construction Projects \$50 Million and Greater*. The requirement has since been changed to apply to projects greater than \$100 million.

### Background

The City of Dallas is expanding the Kay Bailey Hutchison Convention Center Dallas as part of the Convention Center Master Plan. This procurement is for Component 1 – expanding the convention center and demolishing part of the current convention center. Convention and Event Services is leading the project and decided to use the Construction Manager at Risk construction delivery method.

Convention and Event Services is seeking approval from the City Council to award a contract to Trinity Alliance Ventures, LLC, a joint venture, for pre-construction and construction services. The initial award for pre-construction services would be for an amount not to exceed \$7.55 million. Future construction costs will be based on guaranteed maximum price proposals. The construction cost is estimated to be between \$1.9 billion and \$2.5 billion.

### Observed Conditions

No exceptions were found for the 17 Agreed-Upon procedures. See [Attachment 1](#) for the full list of procedures.

## Results

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### Independent Agreed-Upon Procedures Report

The Office of the City Auditor conducted the procedures described in [Attachment 1](#), which were agreed to by the Convention and Event Services and the Office of Procurement Services, solely to assist the City of Dallas City Council in evaluating the Convention and Event Services and the Office of Procurement Services' compliance with the requirements of Administrative Directive 4-05, *Contracting Standards and Procedures*, relevant State of Texas statutes, and City of Dallas contracting and delivery procedures. Convention and Event Services and Office of Procurement Services is responsible for the establishment of policies and procedures to comply with those requirements.

No exceptions were noted for the Agreed-Upon Procedures. See [Attachment 1](#) for a list of the procedures performed.

Convention and Event Services requested this attestation on August 12, 2024, in compliance with the requirements of Administrative Directive 4-05, *Contracting Standards and Procedures*. The Office of the City Auditor completed the agreed-upon procedures on November 12, 2024.

The purpose of this report on applying agreed-upon procedures is intended solely for the information and use of the Dallas City Council and City management and is not intended to be and should not be used by anyone other than these specified parties. Accordingly, this report is not suitable for any other purpose. The Office of the City Auditor was not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on compliance. Accordingly, the Office of the City Auditor does not express such an opinion or conclusion. Had additional procedures been performed, other matters might have been identified that would have been reported.

We are required to be independent of Convention and Event Services and the Office of Procurement Services and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement. The agreed-upon procedures were conducted in accordance with the United States generally accepted government auditing standards which incorporate attestation standards established by the American Institute of Certified Public Accountants.

Signature:



Mark S. Swann, CPA  
City Auditor  
City of Dallas, Texas

**11/12/2024**

## Attachment 1: Agreed-Upon Procedures

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### Independent Report on on Agreed-Upon Procedures for: Attestation Engagement for the Kay Bailey Hutchison Convention Center Dallas (KBHCCD) Master Plan Convention Center Expansion West of Lamar Only and Any Related Demolition Associated with Portion of Component 1.

11/12/2024

#### Agreed-Upon Procedures

As stated in Administrative Directive 4-05, *Contracting Standards and Procedures*, Section 9.5.5:

- (a) Confirm the documentation to support the procurement is provided by Convention and Event Services, and other applicable City departments.

**No exceptions.**

- (b) Confirm solicitation procedures complied with Administrative Directive 4-05, *Contracting Standards and Procedures*, City Ordinances, application State Laws and departmental policies and procedures.

**No exceptions.**

- (c) Confirm the scope of work/specifications were written in a manner that promotes competition and competitive pricing.

**No exceptions.**

- (d) Confirm the specification identify the criteria for which Convention and Event Services could determine that a bid is responsive and responsible.

**No exceptions.**

- (e) Confirm that Convention and Event Services performed due diligence when developing the bid specifications by consulting with other departments, such as the City Attorney's Office, and documenting the consultation.

**No exceptions.**

- (f) Confirm the procurement was advertised appropriately in accordance with State law.

**No exceptions.**

- (g) Confirm the Convention and Event Services and the Office of Procurement Services used appropriate commodity code(s) to send notifications to the vending community from the City's solicitation system.

**No exceptions.**

- (h) Confirm the Office of Procurement Services sent solicitation notices and addenda (if applicable) to the vending community with sufficient time for response.

**No exceptions.**

- (i) Confirm the Convention and Event Services held a pre-bid meeting, if applicable.

**No exceptions.**

- (j) Confirm the specifications were posted for a reasonable period of time on the City's solicitation system.

**No exceptions.**

- (k) Confirm the Convention and Event Services obtained appropriate nondisclosure and conflict of interest forms for any consultants and/or subject matter experts used in the procurement process, if applicable. Additionally, if applicable, confirm the Convention and Event Services included conflict-of-interest and nondisclosure policy language in the scope of work/specifications.

**No exceptions.**

- (l) Confirm the City received sealed bids/proposals within the due date and time, opened them, and subsequently read them in compliance with State law.

**No exceptions.**

- (m) Confirm the City received and evaluated the bids/proposals and found them to meet the minimum requirements/qualifications for low bid or that the most advantageous proposer was determined based on the published evaluation criteria.

**No exceptions.**

- (n) Confirm the Convention and Event Services performed due diligence when a bidder is disqualified or in the event of a bid protest by consulting with the City Attorney's Office.

**No exceptions.**

- (o) Obtain a representation from the Office of Procurement Services that the Office of Procurement Services followed the City's Business Inclusion and Development policies outlined by City Council.

**No exceptions.**

- (p) Confirm the Convention and Event Services review and evaluation process confirmed the lowest bid or highest ranked vendor, and that Convention and Event Services appropriately documented the determination.

**No exceptions.**

- (q) Confirm Convention and Event Services used the Federal System for Award Management website to confirm that the lowest responsible bidder is not currently excluded.

**No exceptions.**