

Memorandum



CITY OF DALLAS

DATE: May 27, 2025

TO: Rosa Fleming, Director – Convention and Events Services
Juanita Ortiz, Director – Office of Procurement Services

SUBJECT: Independent Report on Agreed-Upon Procedures for: *Attestation Engagement for the Construction Manager at Risk for the Kay Bailey Hutchison Convention Center Dallas Master Plan Component 3 Construction Manager at Risk for Dallas Memorial Arena - CIZ24-CCT-3117.*

Attached for your review is the *Independent Report on Agreed-Upon Procedures for: Attestation Engagement for the Construction Manager at Risk for the Kay Bailey Hutchison Convention Center Dallas Master Plan Component 3 Construction Manager at Risk for Dallas Memorial Arena - CIZ24-CCT-3117*. 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.

Sincerely,

Mark S. Swann
City Auditor

Independent Report on Agreed-Upon Procedures for: Attestation Engagement for the Construction Manager at Risk for the Kay Bailey Hutchison Convention Center Dallas Master Plan Component 3
Construction Manager at Risk for Dallas Memorial Arena - CIZ24-CCT-3117.

May 27, 2025

Page 2 of 2

Attachment

C: Honorable Mayor and Members of the City Council

Kimberly Bizer Tolbert, City Manager

Tammy Palomino, City Attorney

Biliera Johnson, City Secretary

Bart Bevers, Inspector General (I)

Robin Bentley, Assistant City Manager

Donzell Gipson, Assistant City Manager

Jack Ireland, Chief Financial Officer

Elizabeth Saab, Chief of Strategy, Engagement, and Alignment (I)

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

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Independent Report on Agreed-Upon Procedures for the Kay Bailey Hutchison Convention Center Dallas Master Plan Component 3 Construction Manager at Risk for Dallas Memorial Arena - CIZ24-CCT-3117

May 27, 2025

Mark S. Swann, City Auditor

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



City of Dallas

Executive Summary

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 \$100 Million and Greater*.

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 3 – renovation and reconstruction of Dallas Memorial Arena. 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 Beck Azteca, a joint venture, for pre-construction and construction services, selected as the best value proposer of two. The initial award for pre-construction services would be for an amount not to exceed \$519,755. The construction cost is estimated to be \$200 million. Future payments for management services will be 3.85 percent of construction costs.

Observed Conditions

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

Results

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 October 23, 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 May 27, 2025.

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

5/27/2025

Attachment 1: Agreed-Upon Procedures

Independent Report on Agreed-Upon Procedures for: Attestation Engagement for the Construction Manager at Risk for the Kay Bailey Hutchison Convention Center Dallas Master Plan Component 3 Construction Manager at Risk for Dallas Memorial Arena - CIZ24-CCT-3117.

5/27/2025

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*, 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 Service 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.