

Memorandum



CITY OF DALLAS

DATE: January 23, 2026

TO: Jennifer Nicewander, Director – Office of Bond and Construction Management
Juanita Ortiz, Director – Office of Procurement Services

SUBJECT: Independent Report on Agreed-Upon Procedures for: Attestation Engagement for the
Construction Manager at Risk for Dallas Police Department Law Enforcement Training Center at
University of North Texas – Dallas CIZ25-BCM-3173

Attached for your review is the Independent Report on Agreed-Upon Procedures for: Attestation Engagement for the Construction Manager at Risk for Dallas Police Department Law Enforcement Training Center at University of North Texas – Dallas CIZ25-BCM-3173. The Agreed-Upon Procedures are included in Attachment 1. No exceptions were noted.

We have performed these procedures which were agreed to by the Office of Bond and Construction Management and the Office of Procurement Services, solely to assist the City of Dallas City Council in evaluating the Office of Bond and Construction Management's 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. The Office of Bond and Construction Management 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 214-670-3222 or mark.swann@dallas.gov.

Sincerely,

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

Mark S. Swann
City Auditor

Attachment 1

C: Honorable Mayor and Members of the City Council

Kimberly Bizer Tolbert, City Manager

Tammy L. Palomino, City Attorney

Biliera Johnson, City Secretary

Baron Eliason, Inspector General (I)

Dev Rastogi, Assistant City Manager

Donzell Gipson, Assistant City Manager

Jack Ireland, Chief Financial Officer

Efrain Trejo, Assistant Director, Office of Bond and Construction Management

Sheri Kowalski, City Controller

Jeffrey Brill, Manager – Financial Compliance, Auditing, & Monitoring



Independent Report on Agreed-Upon Procedures for: Attestation Engagement for the Construction Manager at Risk for Dallas Police Department Law Enforcement Training Center at University of North Texas – Dallas CIZ25-BCM-3173

January 23, 2026

Mark S. Swann, City Auditor

Mayor

Eric L. Johnson

Mayor Pro Tem

Jesse Moreno

Deputy Mayor Pro Tem

Gay Donnell Willis

Council Members

Adam Bazaldua

Lorie Blair

Paula Blackmon

Laura Cadena

Zarin D. Gracey

Maxie Johnson

Cara Mendelsohn

Jaime Resendez

Paul E. Ridley

William Roth

Kathy Stewart

Chad West

Executive Summary

Background

The Dallas Police Training Academy will replace the current facility that is in a stretch of rental space in an industrial strip in the Red Bird area of southern Dallas. The current facility was meant to be temporary when it opened in 1990.

The project is to be completed in two phases. This procurement is to hire a Construction Manager at Risk for the project. The Project Site for the Dallas Police Department Law Enforcement Training Center is a twenty-acre section of the University of North Texas at Dallas campus.

The Office of Bond and Construction Management is seeking approval from City Council to award a contract to Swinerton Builders, for pre-construction and construction services, selected as the best value proposer of two. The award for pre-construction services and construction services is not to exceed \$150 million. Future payments for management services will be 1.856 percent of construction costs.

Observed Conditions

No exceptions were found for 16 Agreed-Upon procedures and determined one was not applicable. See **Attachment 1** for the full list of procedures.

Objective and Scope

The objective of the agreed-upon procedures attestation engagement is solely to assist the City of Dallas City Council in evaluating the Office of Bond and Construction Management's and the Office of Procurement Services' compliance 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.

The Office of Bond and Construction Management 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*.

Report Classification

Final Report – For Public Use.

This report is a product of the Office of the City Auditor and is issued in accordance with the Texas Public Information Act (Texas Government Code, Chapter 552).

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 Office of Bond and Construction Management and the Office of Procurement Services, solely to assist the City of Dallas City Council in evaluating the Office of Bond and Construction Management 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.

The Office of Bond and Construction Management and the Office of Procurement Services are responsible for the establishment of policies and procedures to comply with those requirements. The sufficiency of these agreed-upon procedures is solely the responsibility of the parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures described in Attachment 1, either for the purpose for which this report has been requested or for any other purpose.

No exceptions were noted for the Agreed-Upon Procedures. See Attachment 1 for a list of the procedures performed.

The Office of Bond and Construction Management requested this attestation on May 15, 2025, 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 January 23, 2026. No exceptions were noted.

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 the Office of Bond and Construction Management 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

1/23/2026

Attachment 1: Agreed-Upon Procedures

Independent Report on Agreed-Upon Procedures for: Attestation Engagement for Construction Manager at Risk for Dallas Police Department Law Enforcement Training Center at University of North Texas–Dallas CIZ25-BCM-3173

1/23/2026

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 the Office of Bond and Construction Management and other applicable City departments.

No exceptions

- (b) Confirm solicitation procedures complied with Administrative Directive 4-05, Contracting Standards and Procedures, City Ordinances, applicable 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 specifications identify the criteria for which the Office of Bond and Construction Management could determine that a bid is responsive and responsible.

No exceptions

- (e) Confirm that the Office of Bond and Construction Management 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 Office of Bond and Construction Management 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 Bond and Construction Management sent solicitation notices and addenda (if applicable) to the vending community with sufficient time for response.

No exceptions

- (i) Confirm the Office of Bond and Construction Management 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 Office of Bond and Construction Management 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 Office of Bond and Construction Management 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 Office of Bond and Construction Management performed due diligence when a bidder is disqualified or in the event of a bid protest by consulting with the City Attorney's Office and informed the City Council of a bid protest and response in accordance with Administrative Directive 4-05, Contracting Standards and Procedures, 9.5.3.

No exceptions

- (o) Obtain a representation from the Small Business Center that the Small Business Center followed the City's Business Inclusion and Development policies outlined by City Council.

Not Applicable.

- (p) Confirm the Office of Bond and Construction Management review and evaluation process confirmed the lowest bid or highest ranked vendor, and that the Office of Bond and Construction Management appropriately documented the determination.

No exceptions

- (q) Confirm the Office of Bond and Construction Management used the Federal System for Award Management website to confirm that the lowest responsible bidder is not currently excluded.

No exceptions