



Broward County

Legislation Text

File #: 23-261, Version: 1

Broward County Commission Regular Meeting

Director's Name: Monica Cepero

Department: County Administration

Division: Cultural Division

Information

Requested Action

MOTION TO APPROVE four-party Agreement between Broward County, the City of Fort Lauderdale, the Performing Arts Center Authority, and Caballero Fierman Llerena & Garcia, LLP, for audit services for PACA for Fiscal Years 2022 through 2026, at a maximum amount not to exceed \$200,000 (with County and the City of Fort Lauderdale each being responsible for a maximum amount of \$100,000); authorize the Mayor and Clerk to execute same; authorize the County Administrator to approve and execute any amendments or modifications to the agreement that do not increase the financial obligations of the County, subject to review of any such amendments or modifications for legal sufficiency by the Office of the County Attorney; and authorize the County Administrator to take all necessary budgetary and administrative actions to implement the agreement.

Why Action is Necessary

The Special Act (Chapter 2005 - 335, Laws of Florida) establishing the Performing Arts Center Authority ("PACA") requires that Broward County ("County") and the City of Fort Lauderdale ("City") retain, employ, and compensate independent certified public accountants to audit PACA annually. PACA operates and manages the Broward Center for the Performing Arts.

What Action Accomplishes

Enables the approval and execution of the agreement for audit services and authorizes the County Administrator to approve and execute certain amendments to the agreement and take administrative and budgetary actions to implement the agreement.

Is this Action Goal Related

No

Previous Action Taken

None.

Summary Explanation/Background

THE BROWARD COUNTY CULTURAL DIVISION RECOMMENDS APPROVAL OF THE ABOVE MOTION.

The proposed agreement provides for five Fiscal Years of audit services (Fiscal Years 2022 - 2026) from Caballero Fierman Llerena & Garcia, LLP ("CFLG"). This firm was selected by PACA through a competitive procurement conducted by an audit committee, which included a representative from the County (the County Auditor), the City, and representatives from PACA. The audit committee

determined CFLG to be the highest ranked qualified firm.

Under the proposed agreement, the County and the City are each responsible for paying one-half of the annual fee for each Fiscal Year's audit beginning with the audit completed in calendar year 2023 for Fiscal Year 2022. This annual fee will increase by 5% for each subsequent Fiscal Year. The maximum total amount of the agreement is \$200,000 over the entirety of the term, with the City of Fort Lauderdale and the County each being responsible for no more than \$100,000.

The proposed agreement was approved by PACA on February 02, 2023, and by the City on February 21, 2023. The County Attorney's Office has approved the agreement as to form. Risk Management Division has reviewed and approved the insurance requirements.

Source of Additional Information

Phillip Dunlap, Director, Cultural Division, (954) 357-7456

Fiscal Impact

Fiscal Impact/Cost Summary

This agreement requires the County and the City to equally share the cost of audits for Fiscal Years 2022 through 2026, up to a maximum of \$100,000 each. The audit for Fiscal Year 2022 will cost \$33,875 total, with the County responsible for \$16,937.50, and will increase by 5% each fiscal year's audit through Fiscal Year 2026. The funding for the 2022 Fiscal Year audit has been included in the County's Fiscal Year 2023 budget.