



DeKalb County Government

178 Sams Street
Decatur, GA 30030

Agenda Item Substitute

File #: 2025-0240
File Status: Action

6/10/2025

Public Hearing: YES ☐ NO ☒

Department: Board of Commissioners - District 5

SUBJECT:

Commission District(s): All Commission Districts

A Resolution of The Board of Commissioners of DeKalb County Establishing and Identifying the Roles and Responsibilities of an Independent CIP Monitor to Monitor Implementation of the County's Capital Improvement Program

Information Contact: Mereda Davis Johnson, District 5 Commissioner

Phone Number: 404-371-2159

PURPOSE:

Pursuant to the Code of DeKalb County, Sec. 10 (GA), the DeKalb County Board of Commissioners Has the Authority, Through Its Audit Committee, Known as Finance, Audit, and Budget ("FAB"), to Select an Outside Auditor. Pursuant to the Code of DeKalb County, Sec. 9 (a)(14), the DeKalb County Board of Commissioners May Determine the Priority of Capital Improvements Through Adoption of a Capital Improvement Plan ("CIP").

NEED/IMPACT:

An Independent Audit of the Department of Watershed Management and Other County Departments Is Essential to Ensure That Ratepayers' Funds Are Being Spent Properly and That the Board of Commissioners' Identified Capital Improvement Priorities Are Being Implemented.

FISCAL IMPACT:

\$800,000 has been set aside in the 2025 Budget for the referenced Monitor.

RECOMMENDATION:

Adopt the resolution and authorize the chief executive officer to execute all necessary documents in a form acceptable to the County Attorney or their designee.

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
DEKALB COUNTY ESTABLISHING AND IDENTIFYING THE ROLES
AND RESPONSIBILITIES OF AN INDEPENDENT WATERSHED CIP PROGRAM
MONITOR TO MONITOR IMPLEMENTATION OF THE COUNTY'S CAPITAL
IMPROVEMENT PROGRAM AND FOR OTHER PURPOSES**

WHEREAS, the DeKalb County Board of Commissioners recognizes the importance of effective watershed management in promoting public health and environmental sustainability, and believes water is a vital necessity that all residents have the right to access; and,

WHEREAS, the DeKalb County Watershed Management Department currently services over 5,000 miles of water and wastewater pipes in the county system and is committed to ensuring safe, reliable service to all residents; and,

WHEREAS, increases in water and sewer rates are crucial to ensure that the water and sewer systems are properly maintained and expanded over time; and,

WHEREAS, the DeKalb County Board of Commissioners recognizes rate increases can disproportionately impact vulnerable populations, including seniors, individuals with disabilities, and low-income families; and,

WHEREAS, the DeKalb County Board of Commissioners is dedicated to being responsible stewards of resources and maximizing the value of every dollar spent; and,

WHEREAS, independent and timely operational reviews and financial monitoring are crucial tools that can identify inefficiencies, enhance accountability, and can lead to cost savings and better service delivery; and,

WHEREAS, pursuant to the Organizational Act and the DeKalb County Purchasing Policy, the DeKalb County Board of Commissioners, through its Finance, Audit & Budget (FAB) Committee, has the authority to engage external professional-services vendors—including, when appropriate, independent monitors or outside auditors—to assist the Board in fulfilling its oversight responsibilities over capital improvement projects; and,

WHEREAS, pursuant to the Code of DeKalb County, Sec. 9 (a)(14), the Dekalb County Board of Commissioners may determine the priority of capital improvements through adoption of a Capital Improvement Plan ("CIP"); and,

WHEREAS, an independent monitoring of the Department of Watershed Management and other County departments is essential to ensuring that rate payers funds are being spent properly and that the Board of Commissioners' identified capital improvement priorities are being implemented; and,

WHEREAS, in order to perform the outlined tasks in an ongoing, thorough and timely manner, the Board shall engage an Independent Watershed CIP Program Monitor, who may utilize subcontracted personnel as necessary to fulfill the contract deliverables.

NOW, THEREFORE, BE IT RESOLVED by the DeKalb County Board of Commissioners that an Independent Watershed CIP Monitor be engaged to perform the following role and responsibilities:

- The primary purpose of the Independent Watershed CIP Monitor is to support government efficiency, accountability, and transparency, by providing taxpayers and the Board of Commissioners with independent monitoring reports and analyses to help ensure they are fully informed regarding all funds spent in implementing projects necessary to complete the Board's established capital improvement project priorities. In order to meet these objectives, the Independent Watershed CIP Monitor will:
 - Perform services pursuant to the terms of the contract of and report directly to the Board of Commissioners;
 - Operate independently from the Administration;
 - Work collaboratively with the Office of Internal Audit, in an advisory, non-decisional capacity;
 - Not supersede or duplicate OIIA's statutory audit authority.
 - Conduct monitoring reviews and analyses of the Department of Watershed Management and other County departments involved in implementing the Board's approved capital improvement priorities to ensure departmental efficiency and effectiveness;
 - Provide early-warning variance alerts on schedule, budget, or scope deviations with a focus on the process from contract procurement to completion of all work contemplated by the CIP.
 - Review pending regulations and make recommendations for updates or changes where necessary;
 - Provide reports upon request, including technical reports and technical interpretations, with a minimum requirement of quarterly reporting to the Board of Commissioners; and,
 - Engage or subcontract additional personnel, as needed, to fulfil the scope of work outlined in the contract.

BE IT HEREBY FURTHER RESOLVED, that:

- The specific requirements and duties of the Independent Watershed CIP Monitor shall initially be determined by Attachment A to this Resolution, "Water/Sewer CIP independent Program Monitoring Services";
- The Board may amend said duties after discussion in the Finance, Audit and Budget Committee, as appropriate;
- Professional-service fees for the Independent Watershed CIP Monitor and any subcontracted support staff will be based on regional standards and other customary factors, subject to the contract's not-to-exceed amount. ;
- All proposals for the contract Independent CIP Monitor Services shall be submitted via a standard Request for Proposals process; and,

- The Office of the Independent Monitor may serve in an advisory, non-voting capacity on the selection committee that reviews responses to the Request for Proposals;
- The Request for Proposals shall, unless otherwise amended by the Board of Commissioners, identify a Scope of Work in substantial compliance with Attachment A, “Water/Sewer CIP independent Program Monitoring Services”;
- An annual performance review of the activities and deliverables of the Independent Watershed CIP Monitor will be performed by the Board of Commissioners. Based on that evaluation, the Board may amend the scope of work, expectations, or other contract terms, consistent with procurement requirements.
- In no event shall the Monitor or the Monitor’s firm bid on or otherwise seek to perform any work related to the CIP other than such work identified in Attachment A to this scope or modifications made to the Monitor’s Scope of Work as authorized by this Resolution.

BE IT HEREBY FURTHER RESOLVED, that:

- The current members of the Board of Commissioners are committed to funding the Independent Watershed CIP Monitor and necessary support staff for each of the next ten years.

BE IT HEREBY FURTHER RESOLVED, that the Administration shall within 30 days, provide a written response to any recommendations or information requests issued by the Independent Watershed CIP Monitor that relate to the Board of Commissioners’ approved CIP schedule and priorities, and is encouraged to give full consideration to all other recommendations made by the Monitor.

RESOLVED this ____ day of _____, 2025.

MICHELLE LONG SPEARS

Presiding Officer

Board of Commissioners DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this ____ day of _____, 2025.

LORRAINE COCHRAN-JOHNSON

Chief Executive Officer

DeKalb County, Georgia

ATTEST:

BARBARA H. SANDERS-NORWOOD, CCC

Clerk to the Board of Commissioners and Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO FORM:

MATTHEW C. WELCH

Interim County Attorney
DeKalb County, Georgia

ATTACHMENT A

Water/Sewer CIP independent Program Monitoring Services

The DeKalb County Board of Commissioners is seeking the services of a firm with expertise in water and wastewater capital improvement program (CIP) monitoring, to regularly review and report to the Board on the efficiency and effectiveness of the CIP in delivering its priority projects per the County's stated water and sewer master plan priorities, in compliance with its Wastewater system consent decree with US EPA and GA EPD, and in compliance with sound financial management practices.

While the County CEO and Administration, the Watershed Management Department, the Finance Department, the Purchasing Department are collectively responsible, in their specific roles and responsibilities, to plan, organize, execute and review and report on the Water and Sewer CIP, the Board of Commissioners wish to independently monitor their engineering, operational and financial performance in the execution of the CIP, in order to ensure that water and sewer rate payers are provided with transparent and accountable documentation of how the CIP funds are utilized.

The Selected Firm will report to the Board of Commissioners in a timely and thorough manner that help the Board (a) identify and bring to the Board's attention any Watershed CIP project delivery concerns so that timely corrective action can be taken to protect schedule and affordability; (b) ensure that capital projects are planned, selected, prioritized, designed and built by schedule deadlines and thus avoid extra costs, including stipulated penalties for missed Consent Decree milestones, (c) assess whether the capital projects are planned, selected, prioritized, designed and constructed on or under budgeted costs, and (d) assess whether changes made to the Watershed CIP to ensure alignment with the Water and Sewer Master Plans and priorities as approved by the Board of Commissioners. The Selected Firm is not responsible for undertaking the performance of any capital or operational work, as those functions remain the responsibility of the DeKalb County CEO and Watershed Management Department, and its consultants and contractors. The Selected Firm is engaged as an independent vendor to monitor program performance and compliance; it is not authorized to perform financial or performance audits under Generally Accepted Government Auditing Standards (GAGAS).

Key activities needed to achieve these objectives are outlined below.

- **MONITOR CIP PROGRAM AND INDIVIDUAL PROJECT SCHEDULE MANAGEMENT AGAINST ESTABLISHED CONSENT DECREE MILESTONE DATES AND OTHER PROJECT MILESTONE DATES AS APPROVED IN THE CIP.** The Selected Firm will review Watershed schedule management to determine if projects and the Program are progressing as planned, predicted, or promised in contracts, Consent Decree documents, or other plans and documents. The Selected Firm will focus not only on delay avoidance, but also on early issue identification, evaluation of schedule float management within projects and "bundles" of multiple projects, and evaluation of schedule modifications and delays.

- **MONITOR PROGRAM COSTS AGAINST ESTABLISHED BUDGETS, ESTIMATES AND CASH FLOW PROJECTIONS.** The Selected Firm will review Watershed Department's overall Program and individual project cost management, by obtaining and reviewing Department cost expenditure information and reports for capital project delivery. The Selected Firm will advise the Board of Commissioners on whether the reports and documentation provided each month by the Administration, Watershed Department, Purchasing Department, Finance Department are complete, timely and accurate in providing the necessary information to the Board of Commissioners for their independent monitoring services.
- **MONITOR PROJECT CHANGES AGAINST APPROVED CONSENT DECREE AND CONTRACT PERFORMANCE REQUIREMENTS.** The Selected Firm will obtain and review information on specific capital programs and projects in order to report to the Board on the County's planning, design and construction activity, including potential or proposed changes to program or project schedules, scopes of work, or budgets. Changes will be evaluated to assess compatibility with Water and Sewer Master Plan, CIP and Wastewater Consent Decree performance requirements.
- **MONITOR STRATEGIC CIP PROGRAM DELIVERY and EXECUTION IN TERMS OF POTENTIAL RISKS OR FINANCIAL LIABILITIES.** The Selected Firm will review Watershed CIP project delivery and report whether identified risks and their severity change over time, and whether consultants or contractors with allocated risk management responsibilities are maintaining sufficient resources to fulfill their obligations, and whether changes to risk management plans and approaches are made when necessary, to avoid change orders, claims, damages or other related project performance or project financial exposure.

SCOPE OF SERVICES

The Scope of Services lists the specific services to be provided by the Selected Firm to accomplish the Board's objectives outlined above.

Monitor Program and Project Schedules – Monitor program and project schedules to verify conformance to CIP, Consent Decree and contract milestones. Conduct timely schedule reviews after receipt of contractor updates, and evaluate Watershed Management's scheduling tools and their use and accuracy. Compare schedule information to understand trends or potential impacts among various projects or the larger Program. Selected Firm will report on milestone achievement, projects ahead or behind schedules, project changes and trends that may indicate future impacts to Program and project schedule compliance based on information provided by project planners, designers, contractors, and other sources. Evaluate and report on how schedule changes impact individual project and Program schedules, costs, attainment of performance requirements, and contract requirements.

Monitor Program and Projects Costs - Monitor program and projects costs for compliance with budgets as presented by the Administration and approved by the Board, and report on conformance

of these costs with the budgets. The Selected Firm will report on Watershed Management Department strategies to remedy potential cost overruns.

The Selected Firm will track and promptly update the Program Budget on a quarterly basis based on information provided by project planners, designers and contractors, and other sources. As part of this updating process, the Selected Firm will report on changes and trends that may indicate future cost overruns and other impacts to budget compliance.

Program Cash Flow Updates – The Selected Firm will review and evaluate the cash flow projections prepared by County Finance Department and Watershed Management Department, and their accountants, financial advisors and consultants. and the Selected Firm will assess expenditures against the planned flow, to advise the Board of Commissioners on whether the mix of Revenue Bond, WIFIA, Pay as you Go, Grant-funded or other Sources and Uses of Funds are minimizing additional financial burdens on the County.

Monitor Contract Change Orders– Monitor change order activities, utilizing information provided by Watershed Management, County Purchasing Department to evaluate consistency with sound management practices, and change order impacts on Program and project budgets contract prices, and schedules.

Monitor Invoice Verification and Contract Compliance Processes - Monitor the County's three-way matching process among the Watershed Department, Purchasing, and Finance Departments, as needed, to confirm to the Board of Commissioners that invoices are in compliance with approved contract terms. The Monitor shall identify material variances and make advisory recommendations to reduce opportunities for waste, fraud, or abuse.

In no event shall the Monitor or the Monitor's firm bid on or otherwise seek to perform any work related to the CIP other than such work identified in this Water/Sewer CIP independent Program Monitoring Services Attachment, or modifications made to the Monitor's Scope of Work as authorized by the DeKalb County Board of Commissioners.

Nothing in this Scope of Services shall be construed to diminish, replace, or duplicate the statutory audit authority of the Office of Independent Internal Audit as set forth in DeKalb County Code §10A.