

MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT is made and entered into 15th day of July 2009, by and between Pat Frank, Clerk of the Circuit Court Hillsborough County, Florida (herein "Clerk") and the Hillsborough County Board of County Commissioners (herein "Board").

WHEREAS, at the June 3, 2009, Regular Board meeting, the Clerk and the Board agreed to enter into an agreement for the Clerk's County Audit Department (CAD) to conduct performance audits as outlined herein with an estimate that there would be a reduction of three (3) current Clerk's CAD audit reports per fiscal year; and

WHEREAS, this Memorandum of Understanding (MOU) is authorized by the provisions of Section 163.01, Florida Statutes.

NOW THEREFORE, in consideration of the premises, the Clerk and the Board agree as follows:

1. All activities related to the Clerk's CAD conducting performance audits, as outlined within this MOU, shall be approved and fully funded by the Board, including items such as, but not limited to, the hiring and retaining of Subject Matter Experts, any expenses, change orders, or other unforeseen costs.
2. The Clerk's CAD, acting as Project Manager, would use the Board's Performance Audit Policy 02.11.00.00 (see attached policy) as a general guide (i.e., act as a Project Manager, obtain Board approvals, meet "Yellow Book," use Procurement Services) in conducting the performance audit process.
3. Listed below is an overview of the Clerk's proposed performance audit process:
 - a. Conduct audits in accordance with U.S. GAO ("Yellow Book").
 - b. Audits will be identified by a formalized assessment process and authorized by the Board. The Board will approve, in advance, each individual performance audit's scope of services.
 - c. The contracting of performance audits will be in accordance with the Department of Procurement Services' (DPS) Requests for Proposal (RFP) methodology.
 - d. The Board will approve the vendor recommended to perform each performance audit.

THE DURATION of this agreement shall be effective from the date of execution and remain in effect until terminated by mutual consideration of the Clerk and the Board.

IN WITNESS WHEREOF, the parties to this Agreement have caused their names to be affixed hereto.

Clerk of the Circuit Court,
Hillsborough County

Chairman,
Hillsborough County Board

Pat Frank
Pat Frank, Clerk
Attachment: (1)

Ken Hagan
Ken Hagan, Chairman

BOARD OF COUNTY COMMISSIONERS Document No. 09-0757
HILLSBOROUGH COUNTY FLORIDA

Kevin Francis Lee
County Attorney Legal

**BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY
TAMPA, FLORIDA 33601**

BOARD POLICY - SECTION NUMBER: 02.11.00.00

SUBJECT: PERFORMANCE AUDIT POLICY

EFFECTIVE DATE: September 15, 2004

SUPERSEDES: March 17, 1999

Purpose:

To provide policy guidance from the Board of County Commissioners (BOCC) for Performance Audits of organizations and programs whose performance audit funding is provided (appropriated) by the BOCC.

Policy:

All performance audits funded by the Board of County Commissioners will be conducted in accordance with the most recent revision of the U.S. General Accounting Office (GAO), Government Auditing Standards, commonly known as the "yellow book".

Performance Audits will be identified through a risk assessment process during the budget development process, and authorized by the Board through the adoption of an annual audit work plan, prepared by the Office of the Internal Performance Auditor. The Board may authorize other performance audits outside the adopted work plan when necessary.

All performance audit requests must be routed through the Office of the Internal Performance Auditor to provide for audit coordination purposes.

The BOCC will approve the individual scope of services for each performance audit. Contracting performance audits will be conducted in accordance with the Requests for Proposals (RFP) method of procurement. The BOCC will also approve the vendor recommended to perform each individual performance audit.

The Office of the Internal Performance Auditor shall act as the Project Manager for all performance audits conducted. The Office of the Internal Performance Auditor will verify the contractor's compliance with U.S. General Accounting Office (GAO), Government Auditing Standards.

For each authorized performance audit to be contracted, a Request for Proposal (RFP) process is used. Developing an RFP requires the following actions. The RFP will include standardized minimum qualifications criteria. These minimum criteria are consistent with all "yellow book" standards. The RFP will include a customized scope of service which is developed by the Office

of the Internal Performance Auditor, following input from interviews with BOCC members, professional/technical information from the program or organization to be reviewed and others who may add value to the development of the focus of the scope of service. The scope of service will not be less than that required by the "Yellow Book". It will include financial and cost review elements, and may include an examination of some or all of the following:

1. Economy, efficiency, and/or effectiveness of the program (entity).
2. Structure and/or design of the program (entity) to accomplish its goals and objectives.
3. Adequacy of the program (entity) to meet the needs identified by the Legislature or governing body.
4. Alternative methods of providing programs (entity services) and/or products.
5. Goals, objectives, and performance measures used by the agency to monitor and report program (entity) accomplishments.
6. The accuracy and/or adequacy of public documents, reports, or requests prepared under the program (or by the entity).
7. Compliance of the program (entity) with appropriate policies, rules, or laws.
8. The adequacy of operating controls and operating procedures.
9. An assessment of relations with employees and the public generally.
10. Any other issues related to government programs (entities) as directed by the Board of County Commissioners.

The Purchasing Department will be the lead agency in executing and guiding the Request for Proposals. This procurement method is the preferred method for selecting performance audit firms. Upon BOCC approval of the scope of service for a performance audit, the complete RFP package is compiled by the Purchasing Department. Advertisement for the RFP is sent by the Purchasing Department to the newspaper on the Wednesday closest to the completion of the RFP document. Other arrangements can be made if a critical deadline requires. Post cards announcing the RFP are also sent to potential proposers.

Programs or organizations that have undergone a performance audit will have thirty days from the issuance of the final draft performance audit report in which to complete a written response to the findings and recommendations.

Final performance audit reports may be presented to the Board by the auditor in a workshop setting when requested by the BOCC. Otherwise, the performance audit will be discussed at a regular Board meeting. If a workshop is held, the management response to the performance audit will also be presented.

Approved By: Board of County Commissioners

Approval Date: September 14, 2004