

CITY OF ROCHESTER  
REVIEW OF THE ROC CITY SKATE PARK CONSTRUCTION  
AGREEMENT

Distribution: Malik D. Evans, Mayor  
Patrick Cunningham, Deputy Mayor  
Richard Perrin, Commissioner  
Linda Kingsley, Corporation Counsel

Office of Public Integrity  
Date: 9/15/2022  
Contact: Tony Grugnale  
Phone: 428-7246

## I. EXECUTIVE SUMMARY

In this review, the Office of Public Integrity (OPI) examined the ROC City Skatepark construction agreement between the City of Rochester and C.P. Ward Inc. The Roc City Skatepark was created as a space where skateboarders, rollerbladers, BMXers and other sport enthusiasts can gather and practice their sport. In general, the results of the review indicate that City personnel utilized grant funding in compliance with the terms of the agreement.

## II. BACKGROUND, OBJECTIVES, AND SCOPE

### A. Assignment

The Office of Public Integrity routinely conducts reviews of grants that the City receives. As part of our annual work program, we selected the ROC City Skatepark construction agreement administered by the Department of Environmental Services (DES).

### B. Background

The Roc City Skatepark is one of several ROC the Riverway projects to occur along the Genesee River. The Skatepark is located along the Genesee Riverway Trail under the Frederick Douglass-Susan B. Anthony Bridge and utilizes land that would have otherwise been unbuildable. This \$3.1 million project has mini-ramps and ledges, stairs and handrails, competition bowls and a main skate area, along with open space for public art installations and performances. The Roc City Skatepark was made possible by Roc the Riverway funding from New York State, an Upstate Revitalization Grant from the New York State Department of Transportation, Commercial Corridor and Main Street Revitalization economic development grants through RG&E, Built to Play and Environmental Impact Grants from The Skatepark Project (formerly the Tony Hawk Foundation), and contributions from The Sands Family Foundation and the Friends of the ROC City Skatepark.

### C. Objectives and Scope

The purpose of the review was to determine if the City utilized the grant funding in compliance with the terms of the agreement, to determine that all expenses submitted for reimbursement are valid, substantiated by supporting documentation, and eligible for the grant funding. We selected the FY2020 Project 19323 for review.

A summary of expenses funded by the grant follows:

ROC City Skate Park  
FY2020 Project 19323  
Project Summary

Mobilization	\$ 71,426.00
Bonds & Insurance	\$ 12,920.00
Survey & Site Preparation	\$ 62,078.00
Excavation & Disposal of Fill	\$ 212,650.00
Geo Grid Installation/ Sub base	\$186,000.00
Drainage	\$ 108,773.00
Electrical	\$ 213,000.00
Fine Grading, Formwork, Rebar & Concrete	\$ 664,783.00
Gravity Wall, Landscaping, Boulders & Asphalt	\$ 151,235.00
Concrete Outside of Skate Park, Hand Rails, Light Stone Fill, Signage, Top Soil and Seed	\$ 82,785.00
Demobilization	\$ 20,000.00
Change Order #1	
Transportation & Disposal of Class 1 Urban Fill	\$ 38,160.00
Additional Funding for Class 1 Urban Fill Over Runs	\$ 126,840.00
Change Order #2	
Add Skate Plaza Beneath the Bridge	\$297,500.00
Add Sports Lighting	\$ 31,000.00
Change Order #3	
Temporary Fence & Installation	\$ 2,556.70
Additional Concrete & Rock Removal	\$ 24,524.15
Additional Labor & Material for Excavation	\$ 6,850.00
Final Cost for Class 1 Urban Fill based on tonnage	\$ 6,948.90
Additional Steel Plate Coping	\$ 1,836.00
Bike Racks & Installation	\$ 2,809.15
Planting Changes Requested by the City	\$ 25,020.00
Concrete Sealer & Installation	\$ 12,866.40
Light Pole Elimination from River Trail (Deduct)	-\$ 1,477.00

Catch Basin & Piping Elimination (Deduct)	-\$ 1,288.89
Change Order #4	
Equipment, Labor & Materials for Skate Park Changes Requested by the City	\$ 51,754.99
Change Order #5	
Electrical Cabinet & Installation Change Requested by City	\$ 19,503.36
Change Order #6	
Temporary Fence Extension Requested by the City	\$ <u>3,874.50</u>
	<u>\$2,434,928.16</u>

Management is responsible for establishing and maintaining a system of internal accounting and administrative control. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of control procedures. The objectives of a system are to provide management with reasonable, but not absolute, assurance that assets are safeguarded against loss from unauthorized use or disposition, and that transactions are executed in accordance with management's authorization and recorded properly to permit the preparation of accurate, informative reports that are fairly stated.

Because of inherent limitations in any system of internal accounting and administrative control, errors or irregularities may nevertheless occur and not be detected. Also, projection of any system evaluation to future periods is subject to the risk that procedures may become inadequate because of changes in conditions or that the degree of compliance with procedures may deteriorate.

We conducted this audit in accordance with Generally Accepted Government Auditing Standards (GAGAS) and the International Standards for the Professional Practice of Internal Auditing. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

### III. RESULTS OF REVIEW

In general, the results of the review indicate that DES utilized grant funding in compliance with the terms of the agreement. We noted that all expenses examined were proper, allowable under the terms of the agreement, and substantiated by supporting documentation. Change orders were specific in description and were reviewed and approved by the City without exception. Additionally, supporting bids were sought from multiple vendors and the lowest cost provider was selected.

### IV. DEPARTMENTAL RESPONSE

The response of the Department of Environmental Services to this report begins on the next page.




## City of Rochester

Department of Environmental Services  
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Richard Perrin, AICP  
Commissioner

To: Timothy R. Weir, Director Office of Public Integrity

From: Richard J. Perrin, Commissioner of Department of Environmental Services 

Date: September 13, 2022

Subject: Review of ROC City Skate Park Construction Agreement

I have read the Office of Public Integrity's review of the ROC City Skatepark construction agreement between the City of Rochester and C.P. Ward Inc. The results of the review are consistent with the expectations of the Department of Environmental Services' leadership and those of the taxpayer: the utilization of grants from multiple sources were conducted in a manner that resulted in proper expenditures that were allowable under the agreement and substantiated with proper documentation.

Please be assured that the Department of Environmental Services will continue to make adherence to our contractual agreements for both funding provided to the City and for expenditures to vendors a priority. Thank you for your continued work in ensuring that the Department is advancing its contractual work activities consistent with agreements between the City and outside entities.

Cc: Holly Barrett, P.E., City Engineer

