

ATTESTATION ENGAGEMENT

Township of South Union

Fayette County, Pennsylvania

26-218

Liquid Fuels Tax Fund

For the Period

January 1, 2018 to December 31, 2019

August 2021



Commonwealth of Pennsylvania
Department of the Auditor General

Timothy L. DeFoor • Auditor General



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TIMOTHY L. DEFOOR
AUDITOR GENERAL

Independent Auditor's Report

The Honorable Yassmin Gramian, P.E.
Secretary
Department of Transportation
Harrisburg, PA 17120

We examined the accompanying Forms MS-965 With Adjustments for the Liquid Fuels Tax Fund of the Township of South Union, Fayette County, for the period January 1, 2018 to December 31, 2019. The municipality's management is responsible for presenting the Forms MS-965 in accordance with the criteria described in the Background section of this report and the Department of Transportation's *Publication 9*. Our responsibility is to express an opinion on the Forms MS-965 With Adjustments based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Forms MS-965 are presented in accordance with the criteria described above, in all material respects. An examination involves performing procedures to obtain evidence about the Forms MS-965. The nature, timing and extent of the procedures selected depend on our judgement, including an assessment of the risks of material misstatement of the Forms MS-965, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

We are mandated by Section 403 of *The Fiscal Code*, 72 P.S. § 403, to audit each municipality's Liquid Fuels Tax Fund to ensure that funds received are expended in accordance with applicable laws and regulations. *Government Auditing Standards* issued by the Comptroller General of the United States include attestation engagements as a separate type of audit. An attestation engagement performed pursuant to *Government Auditing Standards* involves additional standards that exceed the standards provided by the American Institute of Certified Public Accountants. Accordingly, this attestation engagement complies with both *Government Auditing Standards* and Section 403 of *The Fiscal Code*.

Independent Auditor's Report (Continued)

As described in the Auditor Description of Select Transactions section of this report, the adjustments included on the Form MS-965 With Adjustments are made by the Department of the Auditor General.

As discussed in Finding No. 2, during 2018 the township expended a total of \$25,950.71 from its Liquid Fuels Tax Fund for anti-skid. However, the bid and the award of the contract was not documented in the board of supervisors meeting minutes. Additionally, as discussed in Finding No. 3, during 2019 the township expended \$13,652.87 for the purchase of anti-skid without maintaining documentation for price quotations.

In our opinion, except for the matters discussed in the preceding paragraph, the Forms MS-965 With Adjustments present, in all material respects, the information required by the Pennsylvania Department of Transportation for the Liquid Fuels Tax Fund of the Township of South Union, Fayette County, for the period January 1, 2018 to December 31, 2019, in accordance with the criteria described in the Background section of this report and the Department of Transportation's *Publication 9*.

In accordance with *Government Auditing Standards*, we are required to report all deficiencies that are considered to be significant deficiencies or material weaknesses in internal control; fraud and noncompliance with provisions of laws or regulations that have a material effect on the Forms MS-965; and any other instances that warrant the attention of those charged with governance; noncompliance with provisions of contracts or grant agreements, and abuse that has a material effect on the Forms MS-965. We are also required to obtain and report the views of responsible officials concerning the findings, conclusions, and recommendations, as well as any planned corrective actions. We performed our examination to express an opinion on whether the Forms MS-965 are presented in accordance with the criteria described above and not for the purpose of expressing an opinion on the internal control over reporting on the Forms MS-965 or on compliance and other matters; accordingly, we express no such opinions.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the Forms MS-965 will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Independent Auditor's Report (Continued)

Our consideration of internal control was for the limited purpose of expressing an opinion on whether the Forms MS-965 are presented in accordance with the criteria described above and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our engagement we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified. We did identify certain deficiencies in internal control, described in the finding listed below, that we consider to be a significant deficiency in internal control:

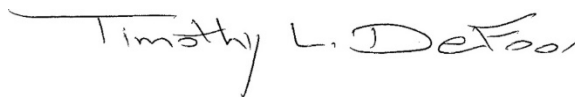
- Vendor Overcharges.

As part of obtaining reasonable assurance about whether the Forms MS-965 are free from material misstatement, we performed tests of the Township of South Union, Fayette County's compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of amounts on the Forms MS-965. However, providing an opinion on compliance with those provisions was not an objective of our engagement, and accordingly, we do not express such an opinion. The results of our tests disclosed the following instances of noncompliance that are required to be reported under *Government Auditing Standards*:

- Bids Awarded Were Not Documented In Board Of Supervisors' Meeting Minutes.
- Documentation For Price Quotations Was Not Available For Examination.

The purpose of this report is to determine whether the municipality's Liquid Fuels Tax Fund money is spent in accordance with the laws and regulations identified in the Background section of this report and the Department of Transportation's *Publication 9*. This report is not suitable for any other purpose.

We appreciate the courtesy extended by the Township of South Union, Fayette County, to us during the course of our examination. If you have any questions, please feel free to contact the Bureau of County Audits at 717-787-1363.



Timothy L. DeFoor
Auditor General

July 15, 2021

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TOWNSHIP OF SOUTH UNION
FAYETTE COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

Background

The Liquid Fuels Tax Municipal Allocation Law, Act 655 of 1956, as amended, (72 P.S. § 2615.5 et seq.), provides municipalities other than counties (townships, boroughs, cities, towns, home rule, and optional plan governments) with an annual allocation of liquid fuels taxes from the state's Motor License Fund to be used for the maintenance and repair of streets, roads, and bridges for which the municipality is responsible. The allocation of these funds to municipalities is based: (1) 50 percent on the municipality's proportion of local road mileage to the total local road mileage in the state, and (2) 50 percent on the proportion of a municipality's population to the total population in the state.

The Vehicle Code, Title 75 P.S. § 9511, provides municipalities with annual maintenance payments to be received from the Motor License Fund for functionally local highways that were transferred to a municipality from the Commonwealth of Pennsylvania.

Each municipality must deposit the allocation of Liquid Fuels Tax funds and annual maintenance payments that it receives into a special fund called either the Municipal Liquid Fuels Tax Fund or State Fund. A municipality may not deposit any other monies into this fund except when the municipality does not have enough money in the special fund to meet the payments called for by its current annual budget for road and bridge purposes. In such a case, the municipality may borrow money or transfer money from its General Fund to its Liquid Fuels Tax Fund.

The Department of Transportation has been given the regulatory authority for the administration of these funds. Department of Transportation's *Publication 9* includes the policies and procedures for the administration of Act 655, as amended, and the Liquid Fuels Tax Fund money. However, if there is a difference between *Publication 9* and any legislation, the legislation shall govern.

To qualify for the annual allocation of Liquid Fuels Tax funds, *Publication 9* indicates that each municipality shall:

1. Submit annual reports (MS-965, Actual Use Report, MS-965P, Project and Miscellaneous Receipts, and MS-965S, Record of Checks).
2. Make deposits and payments or expenditures in compliance with Act 655 of 1956, as amended. Failure to do so may result in not receiving allocations from PennDOT until all discrepancies are resolved. *Publication 9*, Section 2.6, includes information about investing Liquid Fuels Tax monies, using loan or bond proceeds, and types of receipts into the Liquid Fuels Tax Fund.

TOWNSHIP OF SOUTH UNION
 FAYETTE COUNTY
 LIQUID FUELS TAX FUND
 BACKGROUND
 FOR THE PERIOD
 JANUARY 1, 2018 TO DECEMBER 31, 2019

Background (Continued)

3. Submit the Pennsylvania Department of Community and Economic Development’s (DCED) Report of Elected and Appointed Officials by January 31st and the Survey of Financial Condition By March 15th.
4. Ensure resolution of all Contractor Responsibility Program (CRP) holds and blocks imposed by the Department of Revenue and the Department of Labor and Industry.
5. Ensure resolution of all reimbursements required as a result of audits performed by the Department of the Auditor General or monitoring reviews performed by the Department of Transportation’s Financial Consultants.

Criteria

The criteria for the Form MS-965 With Adjustment are described below.

Section 1 of Form MS-965 With Adjustments provides a summary of Liquid Fuels Tax Fund expenditures by category. Categories requiring explanation include:

- Major equipment purchases are purchases of road machinery and road equipment with varying yearly costs in excess of the amounts indicated below:

2017	2018	2019	2020
\$10,700.00	\$10,900.00	\$11,100.00	\$11,300.00

- Minor equipment purchases are purchases of road machinery and road equipment with varying yearly costs that are less than or equal to the amounts indicated below:

2017	2018	2019	2020
\$10,700.00	\$10,900.00	\$11,100.00	\$11,300.00

- Agility projects are exchanges of services with the Department of Transportation.

TOWNSHIP OF SOUTH UNION
FAYETTE COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

Background (Continued)

Section 2 of Form MS-965 With Adjustments provides information on the fund balance. Categories requiring explanation include:

- The state allocation is available from the Department of Transportation in March of each year. The amount the municipality receives is based half on its population and half on its road mileage.
- Municipalities that transferred roads from the Commonwealth of Pennsylvania to the municipality through the Highway Transfer Program receive annual turnback allocations in March of each year from the Department of Transportation. Turnback allocations are based on the mileage of the roads transferred.
- Expenditures include the total transferred from Section 1.

Section 3 of Form MS-965 With Adjustments determines if the municipality expended Liquid Fuels Tax Fund money in excess of the permissible amount for equipment and the balance that the municipality may carry forward for the purchase of equipment to the subsequent year.

Department of Transportation *Publication 9* requires that the amount expended for equipment purchases in a given year not exceed the sum of the equipment balance carried forward from the previous year and 20 percent of the current year's Liquid Fuels Tax Fund allocation and, if applicable, 20 percent of the turnback allocation plus other Department of Transportation approved adjustments.

If the municipality spent in excess of the amount listed on Line 4, the excess must be reimbursed to the Liquid Fuels Tax Fund.

The equipment balance to be carried forward for the subsequent year is the lesser of the amount on Line 6 or the ending fund balance on Line 6 of Section 2, but not less than zero.

TOWNSHIP OF SOUTH UNION
FAYETTE COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

Background (Continued)

Basis of Presentation

The financial activities of the municipality are accounted for in separate funds. The Liquid Fuels Tax Fund is used to account for state aid revenues from the Pennsylvania Department of Transportation used primarily for building and improving local roads and bridges. The Form MS-965 has been prepared in accordance with reporting requirements prescribed by the Pennsylvania Department of Transportation as a result of the Fuels Tax Act 655, dated 1956 and as amended, which does not constitute a complete presentation of the entity's assets, liabilities, expenses, and fund balance. Accordingly, the presentation of Form MS-965 With Adjustments is restricted to the Liquid Fuels Tax Fund, which represents a segment of the entity.

Basis Of Accounting

The accompanying Form MS-965 With Adjustments is prepared in accordance with reporting requirements prescribed by the Pennsylvania Department of Transportation. Under this method, revenues are recognized when received and expenditures are recorded when paid.

General Fixed Assets

General fixed assets are recognized as expenditures at the time of purchase. No depreciation has been provided on the heavy equipment used to maintain and repair roads and bridges.

TOWNSHIP OF SOUTH UNION
 FAYETTE COUNTY
 LIQUID FUELS TAX FUND
 2018 FORM MS-965 – SECTION 1
 WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
Minor equipment purchases	\$ -	\$ -	\$ -
Computer/Computer related training	-	-	-
Major equipment purchases	152,098.20	-	152,098.20
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	140,600.39	-	140,600.39
Traffic control devices	19,637.42	-	19,637.42
Street lighting	147,495.90	-	147,495.90
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	-	-	-
Highway construction and rebuilding projects	128,350.90	-	128,350.90
Miscellaneous	-	-	-
 Total (To Section 2, Line 5)	 <u>\$ 588,182.81</u>	 <u>\$ -</u>	 <u>\$ 588,182.81</u>

TOWNSHIP OF SOUTH UNION
 FAYETTE COUNTY
 LIQUID FUELS TAX FUND
 2018 FORM MS-965 – SECTION 2
 WITH ADJUSTMENTS

<u>Fund Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Balance, January 1, 2018	\$ 321,814.09	\$ -	\$ 321,814.09
Receipts:			
2. State allocation	399,312.55	-	399,312.55
2a. Turnback allocation	7,560.00	-	7,560.00
2b. Interest on investments	5,248.16	-	5,248.16
2c. Miscellaneous	1,881.58	-	1,881.58
3. Total receipts	<u>414,002.29</u>	<u>-</u>	<u>414,002.29</u>
4. Total funds available	<u>735,816.38</u>	<u>-</u>	<u>735,816.38</u>
5. Expenditures (Section 1)	<u>588,182.81</u>	<u>-</u>	<u>588,182.81</u>
6. Balance, December 31, 2018	<u><u>\$ 147,633.57</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 147,633.57</u></u>

TOWNSHIP OF SOUTH UNION
 FAYETTE COUNTY
 LIQUID FUELS TAX FUND
 2018 FORM MS-965 – SECTION 3
 WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 190,285.01	\$ -	\$ 190,285.01
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	81,374.51	-	81,374.51
3. PENNDOT approved adjustments	<u>468.00</u>	<u>-</u>	<u>468.00</u>
4. Total funds available for equipment acquisition	272,127.52	-	272,127.52
5. Less: Major equipment expenditures	<u>152,098.20</u>	<u>-</u>	<u>152,098.20</u>
6. Remainder	<u>120,029.32</u>	<u>-</u>	<u>120,029.32</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 120,029.32</u>	<u>\$ -</u>	<u>\$ 120,029.32</u>

TOWNSHIP OF SOUTH UNION
 FAYETTE COUNTY
 LIQUID FUELS TAX FUND
 2019 FORM MS-965 – SECTION 1
 WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
Minor equipment purchases	\$ -	\$ -	\$ -
Computer/Computer related training	-	-	-
Major equipment purchases	18,911.31	-	18,911.31
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	87,590.08	-	87,590.08
Traffic control devices	35,742.51	-	35,742.51
Street lighting	107,484.06	(4,518.00)	102,966.06
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	-	-	-
Highway construction and rebuilding projects	-	-	-
Miscellaneous	-	4,518.00	4,518.00
 Total (To Section 2, Line 5)	 <u>\$ 249,727.96</u>	 <u>\$ -</u>	 <u>\$ 249,727.96</u>

TOWNSHIP OF SOUTH UNION
 FAYETTE COUNTY
 LIQUID FUELS TAX FUND
 2019 FORM MS-965 – SECTION 2
 WITH ADJUSTMENTS

<u>Fund Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Balance, January 1, 2019	\$ 147,633.57	\$ -	\$ 147,633.57
Receipts:			
2. State allocation	407,477.98	-	407,477.98
2a. Turnback allocation	7,560.00	-	7,560.00
2b. Interest on investments	6,524.86	-	6,524.86
2c. Miscellaneous	8,901.64	-	8,901.64
3. Total receipts	<u>430,464.48</u>	<u>-</u>	<u>430,464.48</u>
4. Total funds available	<u>578,098.05</u>	<u>-</u>	<u>578,098.05</u>
5. Expenditures (Section 1)	<u>249,727.96</u>	<u>-</u>	<u>249,727.96</u>
6. Balance, December 31, 2019	<u><u>\$ 328,370.09</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 328,370.09</u></u>

TOWNSHIP OF SOUTH UNION
 FAYETTE COUNTY
 LIQUID FUELS TAX FUND
 2019 FORM MS-965 – SECTION 3
 WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 120,029.32	\$ -	\$ 120,029.32
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	83,007.60	-	83,007.60
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	203,036.92	-	203,036.92
5. Less: Major equipment expenditures	18,911.31	-	18,911.31
6. Remainder	<u>184,125.61</u>	<u>-</u>	<u>184,125.61</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 184,125.61</u>	<u>\$ -</u>	<u>\$ 184,125.61</u>

TOWNSHIP OF SOUTH UNION
 FAYETTE COUNTY
 LIQUID FUELS TAX FUND
 AUDITOR DESCRIPTION OF SELECT TRANSACTIONS
 FOR THE PERIOD
 JANUARY 1, 2018 TO DECEMBER 31, 2019

The following information relates to certain types of transactions for which the Pennsylvania Department of Transportation requested that we provide additional detail.

Adjustments

2019 - Section 1

Adjustments were made to “Street lighting” and “Miscellaneous” because expenditures of \$4,518.00 were misclassified.

Miscellaneous Receipts

The following miscellaneous receipts were deposited into the Liquid Fuels Tax Fund during the examination period:

<u>Source</u>	<u>Description</u>	<u>2018</u>	<u>2019</u>
Commonwealth of Pennsylvania	Reimbursement for share of traffic signals	\$1,413.58	\$4,383.64
North Union Township	Deposit in error	-	4,518.00
Vendor	Refund for overpayment	468.00	-
	Totals	<u>\$1,881.58</u>	<u>\$8,901.64</u>

Deposit In Error

On January 17, 2019, the municipality deposited \$4,518.00 into its Liquid Fuels Tax Fund from North Union Township in error. On February 7, 2019, the municipality transferred this amount from its Liquid Fuels Tax Fund to its General Fund to correct the deposit in error.

Overpayment Of Invoice

On January 17, 2018, the municipality expended \$76,049.00 from the Liquid Fuels Tax Fund to purchase a 2017 Ford F550 4x4. However, the municipality overpaid the invoice by \$468.00. On February 8, 2018, the municipality deposited \$468.00 into its Liquid Fuels Tax Fund that was received from the vendor to correct the overpayment of the invoice.

TOWNSHIP OF SOUTH UNION
 FAYETTE COUNTY
 LIQUID FUELS TAX FUND
 FINDINGS AND RECOMMENDATIONS
 FOR THE PERIOD
 JANUARY 1, 2018 TO DECEMBER 31, 2019

Finding No. 1 - Vendor Overcharges

Our examination disclosed that the municipality was overcharged a total of \$245.27 during 2019 for the purchase of anti-skid as follows:

<u>Product</u>	<u>Invoice Number</u>	<u>Quantity Purchased</u>	<u>Contract Price</u>	<u>Invoice Price</u>	<u>Unit Price Difference</u>	<u>Price Difference</u>
Anti-skid	012133	178.58	\$30.00	\$31.00	\$1.00	\$178.58
Anti-skid	1270605	21.80	\$30.00	\$31.00	\$1.00	21.80
Anti-skid	1297021	44.89	\$30.00	\$31.00	\$1.00	44.89
Total						<u>\$245.27</u>

Good internal controls ensure that invoice prices are compared to contract prices before payments are made on vendor invoices.

The failure to follow this procedure increases the possibility that overpayments can be made on vendor invoices and go undetected for long periods of time. The \$245.27 is also included in Finding No. 3.

It is not known why this occurred as it was done by the previous secretary and she is no longer employed with the township.

Recommendations

We recommend that the municipal officials contact the vendor as soon as possible to obtain reimbursement.

We further recommend that the municipality compare invoice prices to contract prices prior to making payments on vendor invoices.

TOWNSHIP OF SOUTH UNION
FAYETTE COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

Finding No. 1 - Vendor Overcharges (Continued)

Management's Response

The township officials stated:

Moving forward, the township will ensure that invoice prices are compared to contract prices before payments to vendors.

Auditor's Conclusion

During our next examination, we will determine if the municipality complied with our recommendations.

TOWNSHIP OF SOUTH UNION
 FAYETTE COUNTY
 LIQUID FUELS TAX FUND
 FINDINGS AND RECOMMENDATIONS
 FOR THE PERIOD
 JANUARY 1, 2018 TO DECEMBER 31, 2019

Finding No. 2 - Bids Awarded Were Not Documented In Board Of Supervisors' Meeting Minutes

Our examination disclosed that the township expended \$25,950.71 during 2018 from the Liquid Fuels Tax Fund for purchases of anti-skid that were made from a contract. However, the bid and the award of the contract was not documented in the board of supervisors meeting minutes, which is in noncompliance with *The Second Class Township Code*. These expenditures were as follow:

<u>Check Number</u>	<u>Check Date</u>	<u>Amount</u>
1468	01-11-18	\$1,345.50
1472	01-25-18	8,430.25
1476	02-08-18	4,528.85
1480	02-22-18	1,989.49
1482	03-08-18	5,121.82
1521	12-13-18	3,278.70
1523	12-27-18	1,256.10
Total		<u>\$25,950.71</u>

The Second Class Township Code, Section 3102(e) states, “. . . The award of contracts shall only be made by public announcement at the meeting at which bids are opened by the board of supervisors, or received from the individual or committee appointed by the board of supervisors to open and read bids, or at a subsequent meeting of the board of supervisors, the time and place of which shall be publicly announced when bids are received. If for any reason one or both of the meetings are not held, the same business may be transacted at a subsequent meeting if at least five days' notice of the meeting is published in the same newspaper as the notice of bids. Bidders shall be notified and other interested parties, upon request, shall be notified of the date, time and location of the opening of bids and may be present when the bids are opened.

The failure to comply with *The Second Class Township Code* could result in the township having to reimburse \$25,950.71 to its Liquid Fuels Tax Fund.

It is not known why this occurred as the minutes and bid detail were done by the previous secretary and she is no longer employed with the township.

TOWNSHIP OF SOUTH UNION
FAYETTE COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

Finding No. 2 - Bids Awarded Were Not Documented In Board Of Supervisors' Meeting Minutes (Continued)

Recommendations

We recommend that the township reimburse \$25,950.71 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

We further recommend that, in the future, the Board of Supervisors ensure that bids awarded during public meetings and are documented in the minute book.

Management's Response

The township officials stated:

Moving forward, the township will confirm all bids are properly documented in the township meeting minutes.

Auditor's Conclusion

During our next examination, we will determine if the municipality complied with our recommendations.

TOWNSHIP OF SOUTH UNION
 FAYETTE COUNTY
 LIQUID FUELS TAX FUND
 FINDINGS AND RECOMMENDATIONS
 FOR THE PERIOD
 JANUARY 1, 2018 TO DECEMBER 31, 2019

Finding No. 3 - Documentation For Price Quotations Was Not Available For Examination

Our examination disclosed that the township expended \$13,652.87 during 2019 from the Liquid Fuels Tax Fund for the purchase of anti-skid. The township was required to obtain three written or telephonic price quotations for these expenditures. However, documentation for price quotations was not available for examination. The anti-skid purchases were as follows:

<u>Invoice Number</u>	<u>Invoice Date</u>	<u>Check Number</u>	<u>Check Date</u>	<u>Amount</u>
071177411	01-17-19	1528	01-24-19	\$ 1,347.60
012121	02-05-19	1534	02-21-19	1,335.60
012133 *	02-14-19	1534	02-21-19	5,535.98
1270605 *	02-20-19	1536	03-07-19	675.80
011822	01-25-19	1543	05-16-19	2,693.40
011933	01-30-19	1543	05-16-19	672.90
1297021 *	11-01-19	1570	11-14-19	1,391.59
Total				<u>\$13,652.87</u>

*These invoices are also included in Finding No. 1

The above expenditures were not made in compliance with the contract requirements of *The Second Class Township Code*, 53 P.S. § 68102(b), (also found at § 3102(b) of *The Second Class Township Code* as published by the Local Government Commission), which states, in part:

Written or telephonic price quotations from at least three qualified and responsible contractors shall be requested for all contracts [during 2012] that exceed ten thousand dollars (\$10,000.00) but are less than the amount [in excess of \$18,500.00] requiring advertisement and competitive bidding or, in lieu of price quotations, a memorandum shall be kept on file showing that fewer than three qualified contractors exist in the market area within which it is practicable to obtain quotations. A written record of telephonic price quotations shall be made and shall contain at least the date of the quotation, the name of the contractor and the contractor's representative, the construction, reconstruction, repair, maintenance or work which was the subject of the quotation and the price. Written price quotations, written records of telephonic price quotations and memoranda shall be retained for a period of three years.

TOWNSHIP OF SOUTH UNION
FAYETTE COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

Finding No. 3 - Documentation For Price Quotations Was Not Available For Examination
(Continued)

The thresholds for obtaining price quotations increased to purchases between \$10,900.00 and \$20,100.00 for 2018, \$11,100.00 and \$20,600.00 for 2019, \$11,300.00 and \$21,000.00 for 2020, and \$11,500.00 and \$21,300.00 for 2021.

It is not known why this occurred as the quote detail was done by the previous secretary and she is no longer employed with the township

The failure to comply with *The Second Class Township Code* could result in the township having to reimburse \$13,652.87 to its Liquid Fuels Tax Fund.

Recommendations

We recommend that the township reimburse \$13,652.87 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

We further recommend that, in the future, the township complies with *The Second Class Township Code* as noted in this finding.

Management's Response

The township officials stated:

Moving forward, the township will retain a written record of telephone price quotes for a period of three years.

Auditor's Conclusion

It is recommended that records be maintained until all audits have been completed. During our next examination, we will determine if the municipality complied with our recommendations.

TOWNSHIP OF SOUTH UNION
FAYETTE COUNTY
LIQUID FUELS TAX FUND
SUMMARY OF EXIT CONFERENCE
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

An exit conference was held April 13, 2021. Those participating were:

TOWNSHIP OF SOUTH UNION

The Honorable Rick Vernon, Secretary

The Honorable Jason Scott, Treasurer

Ms. Maxine Legros, Assistant Secretary

DEPARTMENT OF THE AUDITOR GENERAL

Mrs. Michele Simpson, Auditor

The results of the examination were presented and discussed in their entirety.

TOWNSHIP OF SOUTH UNION
FAYETTE COUNTY
LIQUID FUELS TAX FUND
REPORT DISTRIBUTION
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

This report was initially distributed to:

The Honorable Yassmin Gramian, P.E.
Secretary
Department of Transportation

Township of South Union
Fayette County
151 Township Drive
Uniontown, PA 15401

The Honorable Robert Schiffbauer
Chairman of the Board of Supervisors

The Honorable Jason Scott
Treasurer

The Honorable Rick Vernon
Secretary

Ms. Maxine Legros
Assistant Secretary

This report is a matter of public record and is available online at www.PaAuditor.gov. Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 229 Finance Building, Harrisburg, PA 17120; via email to: news@PaAuditor.gov.