



## **Internal Audit Department**

# **Audit Report 2017-7**

**Job Creation Investment Program:**

**Arthrex, Inc., and Arthrex  
Manufacturing, Inc.**

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The files and draft versions of audit reports are confidential and exempt from public records requests during an active audit under *Nicolai v. Baldwin (Aug. 28, 1998 DCA of FL, 5<sup>th</sup> District)* and §119.0713, Florida Statutes. Workpapers supporting the observations noted within this report become public record and will be made available upon request once the final audit report has been issued.

Internal Audit provided a draft of this report to the Office of Business and Economic Development for management response on March 31, 2017. County management provided that response on May 2, 2017.

## Summary

This examination generated the following observation regarding the Job Creation Investment Program:

- Arthrex maintained 400 eligible jobs (Phase 1) initially validated at June 30, 2014.
- Arthrex maintained 100 eligible jobs (Phase 2) initially validated at June 30, 2015.
- Arthrex created an additional 100 eligible jobs (Phase 3) during 2016.

## Objectives

The objective of the audit engagement was to validate the number and wages of eligible ongoing and new jobs that qualified for the Job Creation Investment Program incentive payment during the period from July 1, 2015, through June 30, 2016.

## Scope

The audit engagement consisted of, but was not limited to, the following tasks:

- Reviewing applicable Florida Statutes;
- Reviewing applicable Collier County Ordinances;
- Reviewing applicable Board of County Commissioners (BCC) Agenda Items and Meeting Minutes;
- Reviewing the BCC's Job Creation Investment Program Agreement with Arthrex;
- Examining payroll and personnel records from Arthrex; and
- Tracing payroll data, such as employee numbers, names, job titles, hire and/or promotion dates, wages, work locations, and lawful United States residency, to the personnel records.

The Office of Business and Economic Development and the Clerk's Internal Audit Department verified 100% of applicable payroll, personnel, and I-9 documents for Arthrex' created positions.

## Background

The Clerk's Internal Audit Department assisted the Office of Business and Economic Development in validating jobs created by Arthrex in accordance with the Job Creation Investment Program. This program was a performance-based initiative authorized in Collier County Ordinance 2003-60, as amended. The program provided general revenue funding to businesses for the creation of jobs that met the criteria specified in the Ordinance. Those criteria, which varied by geographic location within Collier County, included minimum numbers of new jobs at or exceeding specific wage levels.

Collier County Ordinance 2003-60 stated that the program's purpose was "to promote and foster economic diversification through the retention and creation of high wage jobs in targeted industry clusters." Ordinance 2006-36 defined jobs as "limited to individual permanent legal residents of the United States who are employed in each new created position of employment at a primary location in Collier County, and as applicable maintained, as a result of the program." Ordinance 2003-60 originally terminated this program on October 1, 2008, but on September 9, 2008, the BCC enacted Ordinance 2008-46, which extended the Job Creation Investment Program through October 1, 2013.

The BCC approved a Job Creation Investment Program agreement with Arthrex on January 24, 2012, that would pay Arthrex \$2,000 over a three-year period for each job created.

In its 2011 application to participate in Collier County's economic incentives, Arthrex proposed creating new jobs with annualized wages averaging \$59,580. The average private sector wage in effect at that time was \$38,719. Based on its expansion locations, the Program required Arthrex to create at least 30 new, eligible jobs. Arthrex intended to create 400 net new jobs by June 30, 2014 (Phase 1), 100 more new jobs by June 30, 2015 (Phase 2), and another 100 new jobs by June 30, 2016 (Phase 3), for a total of 600 net new jobs.

This review validated Arthrex' creation of 600 new jobs in Collier County in the period ending June 30, 2016. By meeting the terms of its Job Creation Investment Program Agreement, Arthrex has earned an economic incentive payment of \$400,000.00.

## Observations

### 1) Arthrex maintained 400 eligible jobs (Phase 1) initially validated at June 30, 2014.

The Office of Business and Economic Development and the Clerk's Internal Audit Department reviewed Arthrex personnel and payroll records for Phase 1 job creation support. This process established that Arthrex maintained 400 Phase 1 jobs initially validated for 2014. Those jobs paid an average wage of \$72,695 as of this review, and continued to qualify for a Job Creation incentive payment. According to Collier County's Job Creation Investment Program Agreement with Arthrex, this final incentive payment for 400 Phase 1 jobs is \$266,666.66.

### 2) Arthrex maintained 100 eligible jobs (Phase 2) initially validated at June 30, 2015.

Business and Economic Development and Internal Audit also examined Arthrex personnel and payroll records for Phase 2 job creation support. This process established that Arthrex maintained 100 Phase 2 jobs initially validated for 2015. Those jobs paid an average wage of \$77,972 as of this review, and continued to qualify for a Job Creation incentive payment. According to Collier County's Job Creation Investment Program Agreement with Arthrex, this second incentive payment for 100 Phase 2 jobs is \$66,666.67.

### 3) Arthrex created an additional 100 eligible jobs (Phase 3) during 2016.

Business and Economic Development and Internal Audit also reviewed Arthrex personnel and payroll records of employees filling positions created between July 1, 2015, and June 30, 2016 (Phase 3 in the Job Creation Agreement). This process established that Arthrex had created 100 additional jobs during that period. Those jobs paid an average wage of \$89,882, and qualified for a Job Creation incentive payment. According to Collier County's Job Creation Investment Program Agreement with Arthrex, this first incentive payment for 100 Phase 3 jobs is \$66,666.67.

## Management Response

*"I have reviewed the submitted Audit Report 2017-7 regarding the compliance of Arthrex Inc. and Arthrex Manufacturing Inc. with incentive criteria established by the Job Creation Investment Program Agreement with Collier County, approved January 24, 2012. I concur with the audit findings and consider Arthrex Manufacturing currently in compliance with the obligations within the Job Creation Agreement up to June 30, 2016, as specified for Phase Three.*

*Staff appreciates the professional and pragmatic approach exhibited by the Internal Audit Department for this performance validation process."*

### Internal Audit Comments:

Internal Audit gratefully acknowledges the cooperation of both Arthrex and Collier County management and staff for their support in the audit process.