



Fulton County Board of Commissioners
Agenda Item Summary

19-1011

BOC Meeting Date
12/4/2019

Requesting Agency

Human Resources Management

Commission Districts Affected

All Districts

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to extend existing contract - Department of Human Resources Management, Bid/RFP# 17RFP215152B-TR - Family and Medical Leave Act Administration Services in the amount of \$80,000.00 with York Risk Services Group, Inc., (Dublin, OH), to provide comprehensive FMLA administration for the County workforce for an additional twelve (12) month period. Effective dates: January 1, 2020 through December 31, 2020.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-420, all modifications to existing contracts must be submitted to the Board of Commissioners for approval.

Is this Item related to a Strategic Priority Area? *(If yes, note strategic priority area below)*

Yes All People trust government is efficient, effective, and fiscally sound

Is this a purchasing item?

Yes

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Scope of Work: The Department of Human Resources Management requests approval to extend an existing contract for provision of comprehensive FMLA administration for Fulton County, beginning with the request for FMLA leave through the determination and expiration and/or exhaustion of the leave. If approved, the extension will provide the Department of Human Resources Management the time needed to prepare and issue a new Request for Proposal and review responsive proposals to select the most qualified vendor. This extension will also provide Fulton County with sufficient time, if necessary, to transition to a new vendor. As transitioning to a new vendor would necessitate the transfer of open FMLA claims, including all data and records necessary to administer FMLA to Fulton County. It is anticipated that the transition/implementation process itself would take at least ninety to one-hundred twenty days.

Failure to extend the contract will be detrimental to Fulton County as current Department of Human Resources Management staff does not have the training, skills or experience to provide the same level of service as the current vendor, York. Failure to extend the subject contract also would result in managers within the departments being responsible for managing and tracking FMLA leave, which will in turn lead to their increased risk of personal liability for any errors that may occur and increased legal exposure overall for the County. Handling FMLA leave more consistently and effectively reduces the overall expenses of leave, improve employee morale, fosters a more productive environment, reduces the risk of litigation or penalties and minimizes the administrative

Agency Director Approval

**County Manager's
Approval**

Typed Name and Title

Felicia Strong-Whitaker, Director

Phone

(404) 612-5800

Signature

Date

time and effort currently expended by Fulton County staff on FMLA absence-related matters.

Community Impact: None.

Department Recommendation: Approval.

Project Implications: None.

Community Issues/Concerns: None.

Department Issues/Concerns: None.

History of BOC Agenda Item: Yes.

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Award Amount	17-0309	5/17/2017	\$109,840.00
Renewal No. 1	17-1067	12/20/2017	\$109,840.00
Renewal No. 2	18-0982	12/19/2018	\$80,000.00
Extension No. 1			\$80,000.00
Total Revised Amount			\$299,680.00

Contract & Compliance Information	<i>(Provide Contractor and Subcontractor details.)</i>
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Contract Value: \$80,000.00

Prime Vendor: York Risk Services Group, Inc.

Prime Status: Non-Minority

Location: Dublin, OH

County: Franklin County

Prime Value: \$80,000.00 or 100.00%

Subcontractor: None

Total Contract Value: \$80,000.00 or 100.00%

Total M/FBE Value: 0.00

Solicitation Information	NON-MFBE	MBE	FBE	TOTAL
No. Bid Notices Sent:				
No. Bids Received:				
Total Contract Value	\$80,000.00 or 100.00%			
Total M/FBE Values	\$0.00			
Total Prime Value	\$80,000.00 or 100.00%			
Fiscal Impact / Funding Source <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> 100-215-2157-1160: General, Personnel, Professional Services - \$80,000.00				
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1: Contract Extension Form No. 1 Exhibit 2: Contractor Performance Report				
Source of Additional Information <i>(Type Name, Title, Agency and Phone)</i> Kenneth Hermon, Chief Human Resources Officer, Human Resources Management Department, 404-613-0923				

Agency Director Approval		County Manager's Approval
Typed Name and Title Felicia Strong-Whitaker, Director	Phone (404) 612-5800	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Procurement**Contract Attached:**

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Previous Contracts:

Yes.

Solicitation Number:

17RFP215152B-TR.

Submitting Agency:Human Resources
Management .**Staff Contact:**

.

Contact Phone:

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Description: To provide family and medical leave act administration services for County employees.**FINANCIAL SUMMARY****Total Contract Value:**

Original Approved Amount:	\$109,840.00
Previous Adjustments:	\$189,840.00
This Request:	\$80,000.00
TOTAL:	\$299,680.00

MBE/FBE Participation:

Amount: .	%: .
Amount: .	%: .
Amount: 0.00	%: .
Amount: .	%: .

Grant Information Summary:

Amount Requested: .	<input type="checkbox"/>	Cash
Match Required: .	<input type="checkbox"/>	In-Kind
Start Date: .	<input type="checkbox"/>	Approval to Award
End Date: .	<input type="checkbox"/>	Apply & Accept
Match Account \$: .		

Funding Line 1:

100-215-2150-1160

Funding Line 2:

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Funding Line 3:

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Funding Line 4:

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KEY CONTRACT TERMS**Start Date:**

1/1/2020

End Date:

12/31/2020

Cost Adjustment:

.

Renewal/Extension Terms:

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ROUTING & APPROVALS

(Do not edit below this line)

X	Originating Department:	Hermon, Kenneth	Date: 11/12/2019
X	County Attorney:	Martinez, Dominique	Date: 11/22/2019
X	Purchasing/Contract Compliance:	Strong-Whitaker, Felicia	Date: 11/22/2019
X	Finance/Budget Analyst/Grants Admin:	Walker, Catherine	Date: 11/12/2019
.	Grants Management:	.	Date: .
X	County Manager:	Anderson, Dick	Date: 11/25/2019

EXTENSION NO. 1 TO FORM OF CONTRACT

Contractor: York Risk Services Group, Inc.

Contract No. 17RFP215152B-TR

Address: 5555 Glendon Court
City, State Dublin, OH

Telephone: (614) 763-7884

E-mail: Heather.luiz@sedgwick.com

Contact: Heather Luiz
Senior Vice President

W I T N E S S E T H

WHEREAS, Fulton County ("County") entered into a Contract with York Risk Services Group, Inc. to provide Family and Medical Leave Act (FMLA) Administrative Services, on behalf of the Department of Human Resources Management;

WHEREAS, the County wishes to extend the subject contract, with all terms and conditions unchanged, for an additional twelve (12) month period;

WHEREAS, Fulton County needs time to prepare and issue a new Request for Proposal and review responsive proposals to select the most qualified vendor;

WHEREAS, the failure to extend the subject contract will be detrimental to Fulton County as current Department of Human Resources Management staff does not have the training, skills or experience to provide the same level of service as York; and

WHEREAS, failure to extend the subject contract would result in managers within the departments being responsible for managing and tracking FMLA leave, which will in turn to lead to their increased risk of personal liability for any errors that may occur and increased legal exposure overall for the County.

WHEREAS, the Consultant has performed satisfactorily over the period of the contract; and

WHEREAS, this Extension No. 1 was approved by the Fulton County Board of Commissioners on December 4, 2019 Item #19-XXXX.

NOW, THEREFORE, the County and the Consultant agree as follows:

This Extension No. 1 to Form of Contract is effective as of the 1st day of January, 2020, between the County and York Risk Services Group, Inc., who agree that all Services specified will be performed by in accordance with this Extension No. 1 to Form of Contract and the Contract Documents for an additional twelve month period, with the contract ending as of 31st day of December, 2020.

1. **COMPENSATION:** The services herein shall be performed by Consultant for a total amount of \$80,000.00 (Eighty Thousand Dollars and No Cents).
3. **LIABILITY OF COUNTY:** This Extension No. 1 to Form of Contract shall not become binding on the County and the County shall incur no liability upon same until such agreement has been executed by the Chair to the Commission, attested to by the Clerk to the Commission and delivered to Contractor.
4. **EFFECT OF EXTENSION NO. 1 TO FORM OF CONTRACT:** Except as modified by this Extension No. 1 to Form of Contract, the Contract, and all Contract Documents, remain in full force and effect.

[INTENTIONALLY LEFT BLANK]

IN WITNESS THEREOF, the Parties hereto have caused this Contract to be executed by their duly authorized representatives as attested and witnessed and their corporate seals to be hereunto affixed as of the day and year date first above written.

OWNER:

FULTON COUNTY, GEORGIA

CONSULTANT:

YORK RISK SERVICES GROUP, INC.

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

Heather Luiz
Senior Vice President

ATTEST:

ATTEST:

Tonya R. Grier
Chief Deputy Clerk to the Commission

Secretary/
Assistant Secretary

(Affix County Seal)

(Affix Corporate Seal)

APPROVED AS TO FORM:

ATTEST:

Office of the County Attorney

Notary Public

APPROVED AS TO CONTENT:

County: _____

Kenneth L. Hermon
Chief Human Resources Officer
Human Resources Management Department

Commission Expires: _____

(Affix Notary Seal)

ITEM#: _____ RCS: _____ RECESS MEETING	ITEM#: _____ RM: _____ REGULAR MEETING
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DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE

CONTRACTORS PERFORMANCE REPORT
PROFESSIONAL SERVICES

Report Period Start	Report Period End	Contract Period Start	Contract Period End
January 1, 2019	November 18, 2019	January 1, 2020	December 31, 2020
PO Number			PO Date
17RFP215152B-TR			
Department	Human Resources Management		
Bid Number	17RFP215152B-TR		
Service Commodity	Family and Medical Leave Act (FMLA) Administrative Services		
Contractor	York Risk Services Group, Inc.		

0 = Unsatisfactory

Achieves contract requirements less than 50% of the time, not responsive, effective and/or efficient, unacceptable delay, incompetence, high degree of customer dissatisfaction.

1 = Poor

Achieves contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customers somewhat satisfied.

2 = Satisfactory

Achieves contract requirements 80% of the time; generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.

3 = Good

Achieves contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied.

4 = Excellent

Achieves contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.

1. Quality of Goods/Services (-Specification Compliance - Technical Excellence - Reports/Administration - Personnel Qualification)

- ☐ 0
☐ 1
☒ 2
☐ 3
☐ 4

Comments:

Vendor provides efficient and effective FMLA claims services. Vendor representatives responds to inquiries in a timely manner.

2. Timeliness of Performance (-Were Milestones Met Per Contract- Response Time (per agreement, if applicable) - Responsiveness to Direction/Change - On Time Completion Per Contract)

- ☐ 0
☐ 1
☐ 2
☒ 3
☐ 4

Comments:

Vendor complies with all federal deadlines and claims consistently have been handled in a timely manner.

3. Business Relations (-Responsiveness to Inquiries - Prompt Problem Notifications)

- ☐ 0
☐ 1

Comments:

19-1011

an very responsive to inquiries and generally makes representatives available whenever an issue arises.

- ☒ 3
☐ 4

4. Customer Satisfaction (-Met User Quality Expectations - Met Specification - Within Budget - Proper Invoicing - No Substitutions)

- ☐ 0
☐ 1
☐ 2
☒ 3
☐ 4

Comments:

There have been a few issues raised by user departments but employees generally have been satisfied with the quality of service provided.

5. Contractors Key Personnel (-Credentials/Experience Appropriate - Effective Supervision/Management - Available as Needed)

- ☐ 0
☐ 1
☐ 2
☒ 3
☐ 4

Comments:

Key personnel demonstrate knowledge in the subject matter and are available as needed to address issues and concerns.

Overall Performance Rating:

2.8

Would you select/recommend this vendor again?
(Check box for Yes. Leave Blank for No)

☒ Yes ☐ No

Rating completed by:

Kenneth L. Hermon, Jr.

Department Head Name

Department Head Signature

Date

Kenneth L. Hermon, Jr.

November 18, 2019