



Fulton County Board of Commissioners  
**Agenda Item Summary**

# 18-0982

**BOC Meeting Date**  
 12/19/2019

**Requesting Agency**  
 Personnel

**Commission Districts Affected**  
 All Districts

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

Request approval to renew an existing contract - Department of Human Resources Management, 17RFP215152B-TR - Family and Medical Leave Act (FMLA) Administration Services in the amount of \$80,000.00 with York Risk Services Group, Inc. ("York"), (Dublin, OH) to provide comprehensive FMLA administration for the County workforce. This exercises the second of two renewal options. No renewal options remain. Effective dates: January 1, 2019 through December 31, 2019.

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

In accordance with Purchasing Code Section 102-394(6), the Purchasing Department shall present all renewal requests to the Board of Commissioners at least 90 days prior to the contract renewal date or 60 days if the contract term is six (6) months or less.

**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 renew an existing contract to provide comprehensive FMLA administration for Fulton County, beginning with the request for FMLA leave through the determination and expiration and/or exhaustion of the leave. The vendor will fully assume the responsibilities of FMLA leave administration and management including, but not limited to, issuance of initial FLMA claim package and all other FMLA-related communications to employees; determination of FMLA leave eligibility; approval and denial of FMLA claims; verification of medical certification; and, tracking of FMLA requests, absences and utilization.

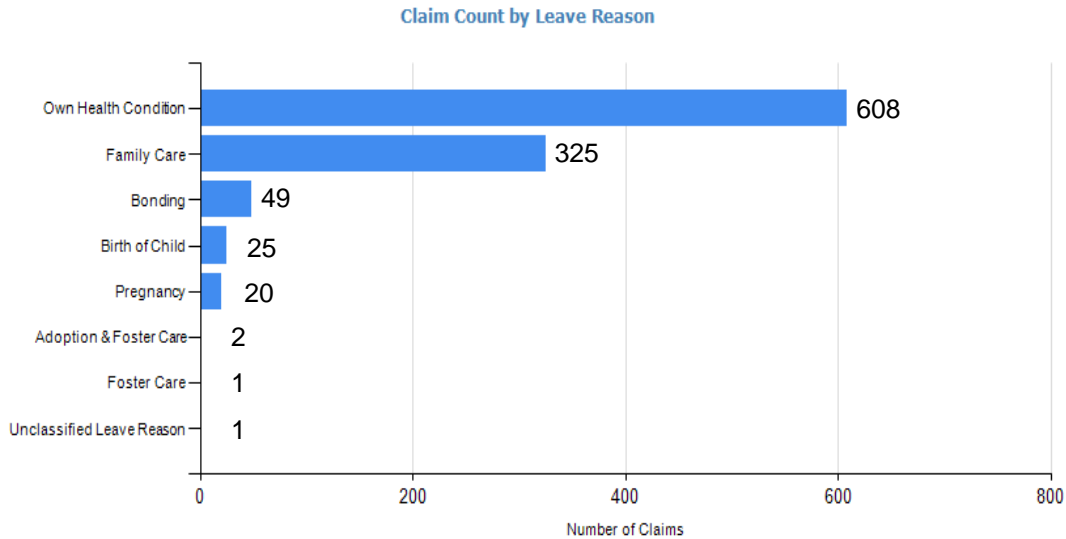
As of November 21, 2018, the Vendor has managed **1,031** FMLA claims. Those claims are broken down as follows:

517	Intermittent Leave Claims
510	Continuous Leave Claims
4	Request for Reduce Claims

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)

The following table illustrate the nature of the claims managed by the vendor:



Handling FMLA leave more consistently and effectively will help reduce the overall expenses of leave, improve employee morale, foster a more productive environment, reduce the risk of litigation or penalties and minimize the administrative time and effort currently expended by Fulton County staff on FMLA absence-related matters.

The overall goals of this project are to:

Improve administration of Fulton County’s FMLA leave program, policy and procedure;

Ensure and enhance Fulton County’s compliance with federal and, as applicable, state law requirements;

Increase employee productivity and morale through fair and consistent application of FMLA procedures;

Reduce absence-related expenses through efficient FMLA administration;

Improve management of intermittent leaves;

Enhance data aggregation and analysis for better decision making; and,

Reduce litigation costs and the risks of liability and/or penalties.

Community Impact: There is no community impact.

Department Recommendation: The Department recommends approval.

Project Implications: There are no project implications.

Community Issues/Concerns: There are no community issues or concerns.

Department Issues/Concerns: There are no departmental issues or concerns.

History of BOC Agenda Item: Yes

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Award Amount	17-0309	May 17, 2017	\$109,840.00
Renewal No. 1	17-1067	January 1, 2018	\$109,840.00
<b>Renewal No. 2</b>			\$80,000.00
<b>Total Revised Amount</b>			<b>\$299,680.00</b>

<b>Contract &amp; Compliance Information</b>	<i>(Provide Contractor and Subcontractor details.)</i>
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[Click here to enter text.](#)

**Contract Value:** \$80,000.00  
**Prime Vendor:** Care Works Absence Management  
(A York Risk Services Group, Inc. Company)  
**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-

# # 18-0982

Solicitation Information	NON-MFBE	MBE	FBE	TOTAL
No. Bid Notices Sent:				
No. Bids Received:				

<b>Total Contract Value</b>	<b>\$80,000.00 or 100.00%</b>
<b>Total M/FBE Values</b>	<b>-0-</b>
<b>Total Prime Value</b>	<b>\$80,000.00 or 100.00%</b>

**Fiscal Impact / Funding Source** *(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*  
 100-215-2157-1160: General, Human Resources, Professional Services - \$80,000.00

**Exhibits Attached** *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*  
 Exhibit 1: Contractor Renewal Agreement  
 Exhibit 2: Contractor Renewal Evaluation Form  
 Exhibit 3: Contractor Performance Report

**Source of Additional Information** *(Type Name, Title, Agency and Phone)*  
 Kenneth L. Hermon, Chief Human Resources Officer, Human Resources Management, 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)

Continued

**Procurement**

<b>Contract Attached:</b> No	<b>Previous Contracts:</b> Yes		
<b>Solicitation Number:</b> 17RFP215152B-TR	<b>Submitting Agency:</b> Human Resources Management	<b>Staff Contact:</b> Kenneth L. Hermon, Jr.	<b>Contact Phone:</b> 404-613-0923

**Description:.** Provide comprehensive FMLA administration for Fulton County, beginning with the request for FMLA leave through the determination and expiration and/or exhaustion of the leave.

**FINANCIAL SUMMARY**

<b>Total Contract Value:</b>		<b>MBE/FBE Participation:</b>	
Original Approved Amount:	\$109,840.00	Amount: .	%: .
Previous Adjustments:	\$109,840.00	Amount: .	%: .
This Request:	\$80,000.00	Amount: . \$0	0%: .
<b>TOTAL:</b>	<b>\$299,680.00</b>	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 \$: .		

<b>Funding Line 1:</b> 100-215-2157-1160 (Pending BOC approval of FY2019 budget)	<b>Funding Line 2:</b> .	<b>Funding Line 3:</b> .	<b>Funding Line 4:</b> .
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**KEY CONTRACT TERMS**

<b>Start Date:</b> 1/1/2019	<b>End Date:</b> 12/31/2019
<b>Cost Adjustment:</b> .	<b>Renewal/Extension Terms:</b> No renewal options remain

**ROUTING & APPROVALS**

(Do not edit below this line)

X	Originating Department:	Hermon, Kenneth	Date: 11/29/2018
X	County Attorney:	Ringer, Cheryl	Date: 12/10/2018
X	Purchasing/Contract Compliance:	Strong-Whitaker, Felicia	Date: 12/10/2018
X	Finance/Budget Analyst/Grants Admin:	Jones, Monica	Date: 12/3/2018
.	Grants Management:	.	Date: .
X	County Manager:	Anderson, Dick	Date: 12/11/2018

## Contract Renewal Evaluation Form

<b>Date:</b>	<b>September 20, 2018</b>
<b>Department:</b>	<b>PERSONNEL</b>
<b>Contract Number:</b>	<b>17RFP215152B-TR</b>
<b>Contract Title:</b>	<b>Family and Medical Leave Act (FMLA) Administrative Services</b>

**Instructions:**

It is extremely important that every contract be rigidly scrutinized to determine if the contract provides the County with value. Each renewal shall be reviewed and answers provided to determine whether services should be maintained, services/scope reduced, services brought in-house or if the contract should be terminated. Please submit a completed copy of this form with all renewal requests.

**1. Describe what efforts were made to reduce the scope and cost of this contract.**

**This multi-year contract originally was approved on May 17, 2017, and this is the second renewal. The Contractor invoices the County at the rate of \$1.45 “per employee per month” for FMLA leave administrative services based on the number of employees included in the County’s eligibility file. The County has not experiences any escalation of costs per employee under the contract.**

**2. Describe the analysis you made to determine if the current prices for this good or service is reflective of the current market. Check all applicable statements and provide documentation:**

**Internet search of pricing for same product or service:**

	Date of search:	Click here to enter a date.
	Price found:	Click here to enter text.
	Different features / Conditions:	Click here to enter text.
	Percent difference between internet price and renewal price:	Click here to enter text.

**Explanation / Notes:**

Click here to enter text.

**Market Survey of other jurisdictions:**

Date contacted:	Click here to enter a date.
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Jurisdiction Name / Contact name:	Click here to enter text.
Date of last purchase:	Click here to enter a date.
Price paid:	Click here to enter text.
Inflation rate:	Click here to enter text.
Adjusted price:	Click here to enter text.
Percent difference between past purchase price and renewal price:	Click here to enter text.
Are they aware of any new vendors?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are they aware of a reduction in pricing in this industry?	<input type="checkbox"/> Yes <input type="checkbox"/> No
How does pricing compare to Fulton County's award contract?	Click here to enter text.

**Explanation / Notes:**

Click here to enter text.

**Other (Describe in detail the analysis conducted and the outcome):**

**CareWorks has billed the County for professional leave administrative services consistent with the terms of the contract, based on the proposal submitted by CareWorks in the open competitive process.**

**3. What was the actual expenditure (from the AMS system) spent for this contract for previous fiscal year?**

**\$35,574.30 has been recorded in AMS as of July 6, 2018. The monthly bills submitted thus far have averaged \$5929.05.**

**4. Does the renewal option include an adjustment for inflation?**  Yes  No  
(Information can be obtained from CPI index)

**Was it part of the initial contract?**  Yes  No

Date of last purchase:	Click here to enter a date.
Price paid:	Click here to enter text.
Inflation rate:	Click here to enter text.
Adjusted price:	Click here to enter text.
Percent difference between past purchase price and renewal price:	Click here to enter text.

**Explanation / Notes:**

Click here to enter text.

5. Is this a seasonal item or service?  Yes  No

6. Has an analysis been conducted to determine if this service can be performed in-house?  Yes  No If yes, attach the analysis.

Prior to CareWorks providing FMLA administration services to Fulton County, the Department of Human Resources Management, through its Data and Analytics Division, was primarily responsible for administering the County’s FMLA policy and procedures on behalf of the departments operating under shared services. Elected officials and constitutional officers were responsible for FMLA policy and program oversight for all employees under their supervision. Although the FMLA Leave Administrators within the HR Department were responsible for receiving and processing required, managing and tracking FMLA leaves, and communicating return to work dates to the employee and department, Fulton County lacked a centralized way for employees to notify the County of their intent to use “intermittent” FMLA. Consequently, tracking of intermittent FMLA leave frequencies and absences was challenging and far from ideal, often resulting in inconsistent timekeeping. Moreover, the need for recertification of intermittent leave was not flagged consistently.

CareWorks provides employees with the ability to file an FMLA claim 24 hours, 7 days per week; provides managers with real-time notifications of FMLA absences and occurrences; reduces the burden on your HR team of managing FMLA, which allows them to focus on other significant initiatives; removes the potential for members of your HR team to be sued in their individual capacities and held personally liable if they make an incorrect determination of FMLA coverage or availability; improves the management and tracking of intermittent FMLA leave; provides access to subject matter experts and medical support; and provides the County with liability coverage of one million dollars per occurrence. In addition, by utilizing the professional services of CareWorks, Fulton County is able to ensure the County’s consistent compliance with federal and, as applicable, state law requirements; increase employee productivity and morale through fair and consistent application of FMLA procedures; reduce absence-related expenses through efficient FMLA administration; and provide enhanced data aggregation and analysis for better decision making and forecasting.

7. What would be the impact on your department if this contract was not approved?

The failure to approve this contract will be detrimental to the department. Current department staff does not have the training, skills or experience to provide the same level of service as CareWorks. Staff members in the HR Department will not be able to focus fully on their core functions. Finally, failure to approve the contract 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.

Lanna R. Hill	September 20, 2018
_____	_____
<b>Prepared by</b>	<b>Date</b>
Kenneth L. Hermon, Jr.	September 20, 2018
_____	_____
<b>Department Head</b>	<b>Date</b>



DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE

CONTRACTORS PERFORMANCE REPORT  
PROFESSIONAL SERVICES

Report Period Start	Report Period End	Contract Period Start	Contract Period End
1/1/2018	12/31/2018	1/1/2018	12/31/2018
PO Number			PO Date
17RFP215152B-TR			
Department	<u>Personnel</u>		
Bid Number	17RFP215152B-TR		
Service Commodity	Family and Medical Leave Act (FMLA) Administrative Services		
Contractor	CareWorks Absence Management		

**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)

**Comments:**

0

1

2

3

4

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)

**Comments:**

0

1

2

3

4

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)

**Comments:**

0

1

# 18-0982

...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)

Comments:

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

- 0
- 1
- 2
- 3
- 4

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

Comments:

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

- 0
- 1
- 2
- 3
- 4

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:

[Empty text box]

Department Head Name	Department Head Signature	Date
		9/21/2018



[Empty text box]



Fulton County, GA

**DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE**

**CONTRACT RENEWAL AGREEMENT**

**DEPARTMENT: Human Resources Management**

**BID/RFP# NUMBER: 17RFP215152B-TR**

**BID/RFP# TITLE: Family and Medical Leave Act (FMLA) Administrative Services**

**ORIGINAL APPROVAL DATE: 05/17/2017**

**RENEWAL PERIOD: FROM: 01/01/2019 THROUGH 12/31/2019**

**RENEWAL OPTION #: 2 OF 2**

**NUMBER OF RENEWAL OPTIONS: Two**

**RENEWAL AMOUNT: \$ 80,000.00**

**COMPANY'S NAME: York Risk Services Group, Inc. ("York")**

**ADDRESS: 5555 Glenson Court**

**CITY: Dublin**

**STATE: OH**

**ZIP: 43016**

**This Renewal Agreement No. 2 was approved by the Fulton County Board of Commissioners on BOC DATE: BOC NUMBER:**

**SIGNATURES: SEE NEXT PAGE**

**SIGNATURES:**

**Vendor agrees to accept the renewal option and abide by the terms and conditions set forth in the contract and specifications for Bid/RFP #17RFP215152B-TR**

(Person signing must have signature authority for the company/corporation)

**NAME:** \_\_\_\_\_ **(Print)**  
**(CEO, President, Vice President)**

**VENDOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**NOTARY PUBLIC:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_ **COUNTY:** \_\_\_\_\_

**SEAL (Affix)** **MY COMMISSION EXPIRES:** \_\_\_\_\_

**FULTON COUNTY, GEORGIA**

\_\_\_\_\_  
**ROBERT L. PITTS**  
**CHAIRMAN** **DATE:** \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**JESSE A. HARRIS**  
**CLERK TO THE COMMISSION** **DATE:** \_\_\_\_\_

**SEAL (Affix)**

**DEPARTMENT AUTHORIZES RENEWAL OPTION ON THE AFOREMENTIONED BID/RFP:**

**DEPARTMENT HEAD:** \_\_\_\_\_ **(Print)**

**DEPARTMENT HEAD SIGNATURE:** \_\_\_\_\_ **DATE** \_\_\_\_\_

**ITEM#:** \_\_\_\_\_ **RCS:** \_\_\_\_\_  
**RECESS MEETING**

**ITEM#:** \_\_\_\_\_ **RM:** \_\_\_\_\_  
**REGULAR MEETING**