



## Legislation Text

File #: 20-856, Version: 1

**STRATEGIC PRIORITY:** Government Performance and Financial Management

**AGENDA DATE:** May 27, 2020

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Elizabeth Reich

### SUBJECT

Authorize a three-year service contract, with two one-year renewal options, to provide Family Medical Leave Act services for the Department of Human Resources - FMLASource, Inc., most advantageous proposer of three - Not to exceed \$571,500 - Financing: General Fund

### BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

The Family and Medical Leave Act (FMLA) is a federal entitlement that provides eligible employees of covered employers the ability to take unpaid, job-protected leave for specified family and medical reasons. Covered employees are eligible and entitled to take FMLA leave under the governance of the Federal Act.

This service contract allows for the administration of the City's FMLA for civilian and uniformed employees. The administration services shall be compliant with all federal and state regulations as well as with the City's relevant policies and procedures.

A five-member committee from the following departments reviewed and evaluated the qualifications:

- City Controller's Office (1)
- Department of Human Resources (2)
- Office of Budget (1)
- Office of Procurement Services (1)\*

\*The Office of Procurement Services only evaluated the cost.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Cost efficiency 30 points
- Capability and expertise 25 points
- Overall approach and methodology 25 points
- Functional match 20 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors. Additionally, in an effort to secure more competition, the Office of Business Diversity sent notifications to chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is \$11.71; the selected vendor meets this requirement.

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Information about this item was provided to the Government Performance and Finance Management Committee on May 20, 2019.

On May 22, 2019, City Council authorized a three-year service contract, with two one-year renewal options, to provide Family Medical Leave Act services with Total Administrative Services Corporation by Resolution No. 19-0783.

#### **FISCAL INFORMATION**

| Fund         | FY 2020    | FY 2021    | Future Years |
|--------------|------------|------------|--------------|
| General Fund | 190,500.00 | 190,500.00 | 190,500.00   |

#### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

| Contract Amount   | Category       | M/WBE Goal | M/WBE % | M/WBE \$ |
|---|----------------|------------|---------|----------|
| \$571,500.00  | Other Services | 23.80%     | 0.00%   | \$0.00   |
| <ul style="list-style-type: none"> <li>• This contract does not meet the M/WBE goal, but complies with good faith efforts.</li> <li>• FMLASource, Inc. – Non-Local</li> </ul> |                |            |         |          |

## **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

|  |   |
|--|---|
| Request for<br>Competitive<br>Sealed<br>Proposal | <ul style="list-style-type: none"> <li>• Utilized for high technology procurements, insurance procurements, and other goods and services</li> <li>• Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications</li> <li>• Always involves a team evaluation</li> <li>• Allows for negotiation on contract terms, including price</li> </ul> |
|--|---|

The Office of Procurement Services received the following proposals from solicitation number BKZ1814. We opened them on September 21, 2018. This service contract is being awarded in its entirety to the most advantageous proposer.

\*Denotes successful proposer

| <b><u>Proposers</u></b>                       | <b><u>Address</u></b>  | <b><u>Score</u></b> |
|---|--|---------------------|
| *FMLASource, Inc.                             | 455 North Cityfront Plaza Dr.<br>13th Floor<br>Chicago, IL 60611 | 77.99               |
| Colonial Life & Accident<br>Insurance Company | 1200 Colonial Life Blvd.<br>Columbia, SC 29210                   | 73.90               |
| Total Administrative<br>Services Corporation  | 2302 International Ln.<br>Madison, WI 53704                      | Non-responsive      |

## **OWNER**

**FMLASource, Inc.**

Dr. Richard Chaifetz, President  
Dale Grenolds, Executive Vice President