RESOLUTION NO. 2014-486

SPONSOR Mr. Pry

DATE November 10, 2014 COMMITTEE Human Services

A Resolution confirming the award by the Board of Control of the second amendment to a purchase contract with Callos Resource LLC and/or its subsidiary American Payroll Service LLC, both affiliates of Nesco Design Corp., a Delaware corporation doing business in Ohio as Nesco Resource, to act as the employer of record and provide payroll services for the 2014 Summer Youth Employment Program, for pass through wages, FICA, Workers Compensation and administrative fees, for the period 5/15/14 through 9/30/14, to increase the amount of the contract by an additional $30,000.00 (an increase of 2.10% and a cumulative increase of 24.87%) to be paid from Temporary Assistance for Needy Families funds, for a total amount not to exceed $1,782,584.13, for the Executive’s Department of Job and Family Services, and declaring an emergency.

WHEREAS, this Council previously adopted Resolution No. 2014-169, which authorized the County Executive to advertise for bids for a vendor to act as the employer of record and provide payroll services for the 2014 Summer Youth Employment Program, for the period 5/15/14 through 9/30/14, for an estimated total cost not to exceed $1,363,345.00, for FICA Workers Compensation, administrative fees and youth wages;

WHEREAS, this Council previously adopted Resolution No. 2014-218, which authorized the Executive to execute a purchase contract with The Callos Companies, subject to the approval of the Board of Control, to act as the employer of record and provide payroll services for the 2014 Summer Youth Employment Program, for pass through wages, FICA, Workers Compensation and administrative fees, for the period 5/15/14 through 9/30/14, in an amount not to exceed $1,362,584.13; and

WHEREAS, the amount of $1,362,584.13 approved by Resolution No. 2014-218 did not include unemployment tax fees; and

WHEREAS, this Council subsequently adopted Resolution No. 2014-285, which amended Resolution No. 2014-218 to revise the amount of a purchase contract with The Callos Companies, which had been previously approved by the Board of Control, to include the addition of unemployment tax fees, to act as the employer of record and provide payroll services for the 2014 Summer Youth Employment Program, for pass through wages, FICA, Workers Compensation and administrative fees, for the period 5/15/14 through 9/30/14, in a revised amount not to exceed $1,427,584.13; and

WHEREAS, the County and The Callos Companies executed the purchase contract on June 23, 2014, in an amount not to exceed $1,427,584.13; and

WHEREAS, when Callos Management Co., Inc. and its subsidiaries and affiliates entered into an asset purchase agreement with newly formed companies named Callos Resource LLC and/or its subsidiary American Payroll Service LLC, both affiliates of Nesco Design Corp., a Delaware corporation doing business in Ohio as Nesco Resource, an assignment of the purchase contract with The Callos Companies became necessary; and
WHEREAS, this Council subsequently adopted Resolution No. 2014-328 to authorize the Executive to execute said assignment of the purchase contract; and

WHEREAS, on August 6, 2014, the Executive executed an assignment of the purchase contract with The Callos Companies to Callos Resource LLC and/or its subsidiary American Payroll Service LLC, both affiliates of Nesco Design Corp., a Delaware corporation doing business in Ohio as Nesco Resource; and

WHEREAS, due to a higher than expected usage of the Summer Youth Employment Program in 2014, this Council previously adopted Resolution No. 2014-431, which authorized the Executive to execute Change Order No. 1 to a purchase contract with Callos Resource LLC and/or its subsidiary American Payroll Service LLC, both affiliates of Nesco Design Corp., a Delaware corporation doing business in Ohio as Nesco Resource, subject to the approval of the Board of Control, to act as the employer of record and provide payroll services for the 2014 Summer Youth Employment Program, for pass through wages, FICA, Workers Compensation and administrative fees, for the period 5/15/14 through 9/30/14, in an amount not to exceed $325,000.00 (an increase of 22.77%), to be paid from Temporary Assistance for Needy Families ("TANF") funds, for a total amount not to exceed $1,752,584.13; and

WHEREAS, the amount of $325,000.00 approved in Change Order No. 1 did not include an additional $30,000.00 in services provided by Callos Resource LLC and/or its subsidiary American Payroll Service LLC, both affiliates of Nesco Design Corp., a Delaware corporation doing business in Ohio as Nesco Resource during the purchase contract period; and

WHEREAS, because the purchase contract expired on 9/30/14, it is necessary to execute the second amendment to the purchase contract to increase the amount of the contract by an additional $30,000.00 (an increase of 2.10% and a cumulative increase of 24.87%) to be paid from TANF funds, for a total amount not to exceed $1,782,584.13; and

WHEREAS, the Board of Control, at its October 22, 2014 meeting, awarded the second amendment to the purchase contract with Callos Resource LLC and/or its subsidiary American Payroll Service LLC, both affiliates of Nesco Design Corp., a Delaware corporation doing business in Ohio as Nesco Resource to increase the amount of the contract by an additional $30,000.00 (an increase of 2.10% and a cumulative increase of 24.87%) to be paid from TANF funds, for a total amount not to exceed $1,782,584.13; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County of Summit to confirm the award by the Board of Control of the second amendment to the aforementioned purchase contract with Callos Resource LLC and/or its subsidiary American Payroll Service LLC, both affiliates of Nesco Design Corp., a Delaware corporation doing business in Ohio as Nesco Resource, to increase the amount of the contract by an additional $30,000.00 (an increase of 2.10% and a cumulative increase of 24.87%) to be paid from TANF funds, for a total amount not to exceed $1,782,584.13, and to authorize the Executive to execute said second amendment, for the aforementioned reason;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit, that:
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SECTION 1

The award by the Board of Control of the second amendment to a purchase contract with Callos Resource LLC and/or its subsidiary American Payroll Service LLC, both affiliates of Nesco Design Corp., a Delaware corporation doing business in Ohio as Nesco Resource to act as the employer of record and provide payroll services for the 2014 Summer Youth Employment Program, for pass through wages, FICA, Workers Compensation and administrative fees, for the period 5/15/14 through 9/30/14, to increase the amount of the contract by an additional $30,000.00 (an increase of 2.10% and a cumulative increase of 24.87%) to be paid from Temporary Assistance for Needy Families ("TANF") funds, for a total amount not to exceed $1,782,584.13, is hereby confirmed and the County Executive is hereby authorized to execute said second amendment.

SECTION 2

This Resolution is hereby declared to be an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit and for the further reason that it is necessary to immediately confirm the award by the Board of Control of the second amendment to a purchase contract with Callos Resource LLC and/or its subsidiary American Payroll Service LLC, both affiliates of Nesco Design Corp., a Delaware corporation doing business in Ohio as Nesco Resource for the 2014 Summer Youth Employment Program, to increase the amount of said purchase contract by $30,000.00, to be paid from TANF funds, to pay for previously performed services.

SECTION 3

Provided this Resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise it shall take effect and be in force at the earliest time provided by law.

SECTION 4

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with legal requirements, including Section 121.22 of the Ohio Revised Code.

INTRODUCED October 27, 2014
ADOPTED November 10, 2014

CLERK OF COUNCIL

APPROVED November 12, 2014
EXECUTIVE

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro

PRESIDENT OF COUNCIL

ENACTED EFFECTIVE November 12, 2014