



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
**AGENDA REPORT**  
2015 JUN 10 PM 4:01

**TO:** John A. Flores  
INTERIM CITY ADMINISTRATOR

**FROM:** Anil Comelo

**SUBJECT:** Employee Assistance Program Services  
Contract Amendment

**DATE:** April 20, 2015

City Administrator  
Approval

Date

6/5/15

**COUNCIL DISTRICT:** City-Wide

**RECOMMENDATION**

Staff recommends that the City Council approve:

A Resolution Authorizing The City Administrator to Amend An Existing Resolution Authorizing An Agreement With Claremont Behavioral Services, Inc. ("Claremont") Extending The Provision Of Employee Assistance Program (EAP) Services To Sworn Employees Of The Oakland Fire Department And Their Respective Dependents In An Amount Not To Exceed \$30,000 Per Year For Fiscal Years 2015-16 Through 2019-20, Under The Same Terms And Conditions As Agreed Under The Citywide Employee Assistance Program Services Agreement With Exception To The Service Model Terms.

**OUTCOME**

As a result of the City Council approval of this resolution, the City Administrator will amend the existing agreement with Claremont to extend EAP services for sworn employees of the Oakland Fire Department and their dependents for an additional amount not to exceed \$30,000 per year through Fiscal Year 2019-20. The previously approved contract amount will increase by \$150,000 over the life of the contract through Fiscal Year 2019-20.

**BACKGROUND/LEGISLATIVE HISTORY**

Resolution No. 83956 C.M.S. was adopted on July 3, 2012, authorizing an agreement with Claremont Behavioral Sciences Inc. The agreement included the provision of EAP services to both non-sworn employees, citywide and to sworn OFD employees.

Item: \_\_\_\_\_  
Finance and Management Committee  
June 23, 2015

EAP Services are a City-paid benefit that provides confidential services to eligible employees and their dependents. Services include:

- Personal Issues (such as substance abuse, stress, job pressures, and marital conflicts)
- Work-Life Referrals and Resources (such as finding child or elder care, planning for college, or home repair)
- Legal Information, Resources and Consultation (family law, debt obligations, bankruptcy, contracts, criminal actions, or civil lawsuits)
- Financial Information and Tools (retirement planning, credit problems, tax questions, and estate planning)
- Multiple other work-life assistance services

The MOU between the International Association of Fire Fighters, Local 55, Section 5.2.1 Counseling states *"City agrees to pay the annual cost of providing counseling services to bargaining unit members and/or dependents in a program approved by the City"*. As a result of this negotiated benefit, the Oakland Fire Department solicited and secured the services of Claremont EAP separate from the City during a period when the City continued to provide EAP services in-house.

Subsequent to outsourcing the EAP services on a City-wide basis, the City separately selected Claremont, through a competitive bid process, to provide EAP services to all non-sworn City employees. At the inception of the EAP services for non-sworn employees, OFD requested and was granted authority to join the original agreement with terms limited to the duration of the existing MOU for IAFF, Local 55. At the conclusion of negotiations with IAFF in 2014, no modification to EAP services were requested or negotiated, including no change of provider or service model.

OFD negotiated its contract terms with Claremont separately, and, like the non-sworn EAP model, its fee structure is performance-based. Pricing for the Fire Sworn scope is substantially different from the pricing for the scope for non-sworn employees due to Memorandum of Understanding (MOU) negotiated requirements and the risk exposure type for sworn personnel. OFD has determined that it desires to continue providing EAP services to its sworn personnel through Claremont. The OFD portion of the existing agreement ends on June 30, 2015.

**ANALYSIS**

OFD has asked that the agreement with Claremont be amended to permit these services to continue under the full term of the existing city-wide contract. The service model and price structure will remain unchanged for the duration of the agreement. The ongoing services will continue to be subject to a biennial renewal, scheduled for consideration on July 1, 2016. Renewal will be based on acceptable performance as reflected reported in quarterly performance reports provided by the vendor.

The price structure of the agreement with the proposed amendment is listed in **Table 1** below.

**Table 1: Contract Fees Total by Fiscal Year**

<b>CONTRACT TERM</b>	<b>NON-SWORN FEE <sup>(1)</sup></b>	<b>SWORN OFD FEE <sup>(2)</sup></b>	<b>TOTAL</b>
FY 2012-13	\$112,997	\$30,000	\$142,997
FY 2013-14	\$118,647	\$30,000	\$148,647
FY 2014-15	\$123,393	\$30,000	\$153,393
FY 2015-16	\$128,329	<b>\$30,000</b>	<b>\$158,329</b>
FY 2016-17	\$133,462	<b>\$30,000</b>	<b>\$163,462</b>
FY 2017-18	\$138,800	<b>\$30,000</b>	<b>\$168,800</b>
FY 2018-19	\$144,353	<b>\$30,000</b>	<b>\$174,353</b>
FY 2019-20	\$150,127	<b>\$30,000</b>	<b>\$180,127</b>

<sup>(1)</sup> Based on 4,288 Employees at \$1.83 Per Employee Per Month plus Optional Additional EAP Services with an agreed annual escalation based on performance.

<sup>(2)</sup> Based on 486 Employees at \$2.15 Per Employee Per Month, plus Optional Additional EAP Services

**PUBLIC OUTREACH/INTEREST**

No public outreach opportunity was necessary for this proposal further than the posting on the City's Internet.

**COORDINATION**

Staff coordinated with representatives from Oakland Fire Department to secure updated scope of work and pricing from vendor.

**COST SUMMARY/IMPLICATIONS**

**FISCAL IMPACT**

The amendment to the existing agreement would increase the total value of the agreement by an amount not to exceed \$150,000 over the next five fiscal years. The total value of the agreement would increase from \$1,140,108 to \$1,290,108. The annual amounts under the proposed agreement amendment are listed in **Table 2** below.

**Table 2: Contract Fees Total by Fiscal Year**

<b>CONTRACT TERM</b>	<b>NON-SWORN FEE <sup>(1)</sup></b>	<b>SWORN OFD FEE <sup>(2)</sup></b>	<b>TOTAL</b>
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<sup>(2)</sup> Based on 486 Employees at \$2.15 Per Employee Per Month, plus Optional Additional EAP Services

**SOURCE OF FUNDING**

Funding for the amended agreement will be partially borne by the Fringe Benefits Fund (1300), Accrued Health/FICA/Medicare Account (21516), which was already approved under the prior resolution. The amended portion, to fund the services for sworn Fire employees will be borne by General Fund (1010), Fire Human Resources Organization (20811), Personnel Resource Management Program (PS16).

**SUSTAINABLE OPPORTUNITIES**

**Economic:** No economic opportunities are identified in this report.

**Environmental:** No environmental opportunities are identified in this report.

**Social Equity:** No social equity opportunities are identified in this report.

CEQA

This report is not a project under CEQA.

Respectfully submitted,



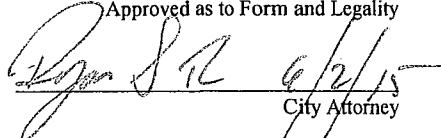
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Anil Comelo  
Director, Human Resource Management

Reviewed by:  
Deborah Grant, Risk Manager  
HRM/Risk & Benefits Division

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2015 JUN 10 PM 4:01

Approved as to Form and Legality  
  
City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AMEND EXISTING RESOLUTION 83596 AUTHORIZING AN AGREEMENT WITH CLAREMONT BEHAVIORAL SERVICES, INC. ("CLAREMONT") ADDING THE PROVISION OF EMPLOYEE ASSISTANCE PROGRAM (EAP) SERVICES TO SWORN EMPLOYEES OF THE OAKLAND FIRE DEPARTMENT AND THEIR RESPECTIVE DEPENDENTS IN AN AMOUNT NOT TO EXCEED \$30,000 PER YEAR FOR FISCAL YEARS 2015-16 THROUGH 2019-20, UNDER THE SAME TERMS AND CONDITIONS AS AGREED UNDER THE CITYWIDE EMPLOYEE ASSISTANCE PROGRAM SERVICES AGREEMENT WITH EXCEPTION TO THE SERVICE MODEL TERMS**

**WHEREAS**, the City Council desires employee assistance program services; and

**WHEREAS**, the City Council authorized an agreement with Claremont Behavioral Services, Inc. (Claremont) to provide Employee Assistance Program (EAP) services to miscellaneous employees and to Sworn employees of the Oakland Fire Department, under separate service models and terms; and

**WHEREAS**, the City Council approved that, upon acceptable performance, the City Administrator was authorized to extend the term of the contract for services to non-sworn employees for six years in two-year increments in an amount not to exceed \$123,393 for 2014-15 and adjusted by 4% for each subsequent contract year to 2020; and

**WHEREAS**, the City Council approved that, upon acceptable performance, the City Administrator was authorized to extend the term of the contract for services to Fire Sworn employees for one additional one-year term with no increase in the contract amount with an expiration of June 30, 2015; and

**WHEREAS**, heretofore, Claremont as performed acceptably under the terms of the agreement; and

**WHEREAS**, the Fire Sworn employees portion of the agreement is set to expire on June 30, 2015; and

**WHEREAS**, the Memorandum of Understanding with the International Association of Fire Fighters (IAFF), Local 55, Section 5.2.1 requires that the City provide Employee Assistance Program services to unit members and their families; and

WHEREAS, Claremont has offered to continue EAP services for Fire Sworn employees under the expiring terms and conditions through June 30, 2020; now, therefore, be it

**RESOLVED:** That the City Administrator is authorized to amend the existing agreement with Claremont to add EAP services for Sworn Fire employees and their families in an amount not to exceed \$30,000 per year for Contract Year 2015-16; and be it

**FURTHER RESOLVED:** That upon acceptable performance as determined by the submission of monthly Utilization Reports and Clinical Case Outcomes reports showing stable usage, and monthly client satisfaction ratings of at least 85 percent, the City Administrator is authorized to extend the term of the contract for services to Sworn employees for 4 years in two-year increments in an additional amount not to exceed \$30,000 per year for Fiscal Years 2016-2018 and in an amount not to exceed \$30,000 per year for Fiscal Years 2018-2020; and be it

**FURTHER RESOLVED:** That this amendment to the agreement does not impact, change or modify the terms and conditions originally authorized in Resolution 83596 as it relates to EAP services for miscellaneous, non-sworn employees; and be it

**FURTHER RESOLVED:** That funding for contract services to sworn Fire Department employees is contained the Fiscal Year 2011-13 Adopted Policy Budget within the General Purpose (1010), Fire Human Resources Organization (20811), Miscellaneous Contract Services Account (54919), Undetermined Project (0000000), Personnel Resource Management Program (PS16); and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to complete all contract negotiations and execute all necessary amendments, modifications and extensions; and be it

**FURTHER RESOLVED:** That the contract shall be approved as to form and legality by the City Attorney and a copy of contract will be filed in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID  
and  
PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California