



ERIE COUNTY WATER AUTHORITY INTEROFFICE MEMORANDUM

TO: Jerome D. Schad, Chair
Peggy A. LaGree, Vice Chair
Michele M. Iannello, Treasurer

FROM: Terrence D. McCracken, Secretary to the Authority

DATE: Tuesday, July 16, 2024

SUBJECT: Professional Services Contract with Systems Personnel, Inc.

The Office of the Secretary, serving the Authority as the Personnel Department, is tasked with the duties of recruitment and hiring of new employees. Pursuant to Public Authorities Law §1053(3), all appointments made by the Authority are subject to the civil service laws of the State of New York and such rules as may be adopted and made applicable to the Authority by the Erie County Personnel Department. However, when a competitive position is vacant, but no civil service list is in existence, the Secretary and the Division Head shall devise a Recruitment Plan to fill the vacant position on a provisional basis, pending a competitive examination. It has become increasingly difficult to recruit qualified individuals for both competitive and non-competitive positions. Certain positions require a specific level of qualifications and skills that are difficult to find.

In an effort to recruit highly qualified candidates, I recommend utilizing the services of Systems Personnel, Inc. on a contingency basis. Systems Personnel, Inc. is a recruiting agency which has previously provided similar services to the Authority. Their experience in this field would greatly increase the likelihood of attracting candidates with the qualifications and expertise necessary at the Authority. Immediate needs exist in the Information Technology Department. Taking that into consideration, I would like to utilize Systems Personnel, Inc. to assist in that matter.

Systems Personnel presented a candidate, Mr. Brandon Anderson, who possesses the skills and knowledge that would be a great asset to the Information Technology Department. Mr. Anderson would bring considerable expertise and experience to the Authority. If the Authority hires Mr. Anderson, Systems Personnel, Inc. should be entitled to the fee associated with his placement. Systems Personnel, Inc. has submitted a one-time agreement outlining the fees.

A resolution approving the above has been included for your consideration at the meeting of July 18, 2024. Thank you.

TDM/alh

ERIE COUNTY WATER AUTHORITY
AUTHORIZATION FORM
For Approval/Execution of Documents
(check which apply)

Contract:	Project No.:
Project Description: <u>Agreement with Systems Personnel, Inc. for Recruiting Services</u>	

Item Description:


<input checked="" type="checkbox"/> Agreement	<input type="checkbox"/> Professional Service Contract	<input type="checkbox"/> Amendment	<input type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<input type="checkbox"/> Addendum
<input type="checkbox"/> Recommendation for Award of Contract	<input type="checkbox"/> Recommendation to Reject Bids		
<input type="checkbox"/> Request for Proposals			
<input type="checkbox"/> Other _____			

Action Requested:


<input type="checkbox"/> Board Authorization to Execute	<input type="checkbox"/> Legal Approval
<input type="checkbox"/> Board Authorization to Award	<input checked="" type="checkbox"/> Execution by the Chairman
<input type="checkbox"/> Board Authorization to Advertise for Bids	<input type="checkbox"/> Execution by the Secretary to the Authority
<input type="checkbox"/> Board Authorization to Solicit Request for Proposals	
<input type="checkbox"/> Other _____	

Approvals Needed:

APPROVED AS TO CONTENT:

<input type="checkbox"/> Other	_____	Date: _____
<input type="checkbox"/> Chief Operating Officer	_____	Date: _____
<input type="checkbox"/> Executive Engineer	_____	Date: _____
<input type="checkbox"/> Director of Administration	_____	Date: _____
<input type="checkbox"/> Comptroller	_____	Date: _____
<input checked="" type="checkbox"/> Chief Financial Officer		Date: <u>7/16/24</u>
<input checked="" type="checkbox"/> Legal	<u>Kathrine A. Gillette for MSC</u>	Date: <u>7/16/2024</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority		Date: <u>07/16/24</u>
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Remarks: _____

Resolution Date: _____	Item No: _____
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This contract is for recruiting services performed by “Agency” (Systems Personnel, Inc.) for “Client” (Erie County Water Authority). Agency recruiting services will be performed on a contingency basis, meaning Agency is due and owed the placement fee outlined below if and when the Client hires one or more of the candidates the Agency presents to a client hiring authority via email. Hiring is determined and fees invoiced on the first day of employment. The fee is due if a candidate is engaged to perform services in any capacity for the Client as a result of the Agency referral. This fee is payable within the outlined terms. Any guarantee is voided if payment terms are not met. Fee is payable if Client engages the candidate as a full-time employee, part-time employee, consultant, temporary contractor through a third party, or as an independent contractor. The fee is payable should Client, Client Subsidiary, Client Department, or Client Affiliate engage the services of an Agency referred candidate.

Hourly Employment for Contractors:

- Hourly rates based on skill level and requirements of client and candidate.

Direct Placement Fee:

- 20% of first year’s base salary

Payment Terms:

- Net 15

Contract to Direct Placement Conversion Table:

- **Hourly Fee**
Candidate is hired at an hourly rate as a Systems Personnel, Inc. employee or contractor. If employment runs for a period of 6 months full time or 1,000 hours (whichever is less), Client has the option to convert the contractor to a direct employee of Client with **NO** buyout. This fee can be pro-rated for employee conversion at any time during the 6-month period.
- **Pro-Rated Conversion Fee:**
After:

<u>Month 1</u>	<u>Month 2</u>	<u>Month 3</u>	<u>Month 4</u>	<u>Month 5</u>	<u>Month 6</u>
83.33%	66.66%	50%	33.33%	16.66%	0%

DIRECT PLACEMENT GUARANTEE

If the employee leaves or is released for just cause, the following guarantee will be invoked:
A qualified replacement, at no cost to the client, will be found, if separation occurs between 1 and 30 days, in a mutually agreed upon reasonable period of time. If the attempt to find a suitable replacement is unsuccessful, then Systems Personnel, Inc. will refund the client fee as outlined in the following schedule:

- **SEPARATION OCCURS BETWEEN:**
1-30 days ----- 100% refund
31-60 days ----- 50% refund
61-90 days ----- 25% refund
- **PROVIDED:**
A. Our service fee has been received in full within invoice terms.
B. Dismissal has not occurred as a result of a material change in the qualifications required to fulfill the position.
C. Dismissal has not occurred due to reduction in the work force or job discontinuance by employer.

Systems Personnel, Inc
Jon Poliseno
4154 Seneca St
West Seneca, NY 14224

Erie County Water Authority
Jerome Schad - Commissioner
295 Main St
Buffalo NY 14203

_____/_____/_____
Date

_____/_____/_____
Date