

City of Las Cruces®

PEOPLE HELPING PEOPLE

Item # 15

Council Action and Executive Summary

Ordinance/Resolution# 09-10-604 Council District: All

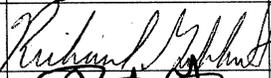
For Meeting of June 21, 2010
(Adoption Date)

TITLE:

A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND SER (SERVICE, EMPLOYMENT, AND REDEVELOPMENT) DE NEW MEXICO, JOBS FOR PROGRESS, INC., TO CONTINUE PLACEMENT SERVICES, COUNSELING OF YOUTH, AND ADMINISTRATION OF THE "AT-RISK" EMPLOYMENT PROGRAM FOR HIGH SCHOOL YOUTH IN THE PARKS AND RECREATION SECTION WITH TOTAL REIMBURSEMENT TO SER FOR THE PROGRAM NOT TO EXCEED \$42,876.

PURPOSE(S) OF ACTION:

To continue placement of high school level youth for the purpose of providing employment opportunities for "at-risk" youth to work within the City's Recreation Section. City staff utilizes youth employees to assist with summer recreation programs at various sites throughout the summer.

Name of Drafter: Mark Johnston, Parks and Recreation Administrator		Department: Facilities / Parks and Recreation		Phone: 541-2550/541-2553	
Department	Signature	Phone	Department	Signature	Phone
Facilities		541-2651	Budget		2300
			Assistant City Manager		2271
Legal		541-2128	City Manager		2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The Parks and Recreation Section is seeking to renew the agreement between SER (Service, Employment, and Redevelopment) de New Mexico, Jobs for Progress, Inc., and the City of Las Cruces. SER would provide placement services, counsel youths, and administer the Year-Round Youth Employment Program for "at-risk" high school youths, ages 16 to 19, with a "C" or better grade point average. This will be the sixteenth year for this successful program. SER has administered the year-round program for the City during this time.

Program participants gain real world experience and develop job skills while performing and providing recreational services; which include assistance with front office phones, assisting at teen dances by manning the snack bar and taking entry fees at the door, cleaning up before and after events, assisting customers with rental forms, and working special events and summer programs. On the job training is provided along with emphasis on team work, following work rules, and completing the associated paperwork. Total reimbursement to SER from the Parks and Recreation Section for this program is not to exceed \$42,876.

The amount of \$42,876 has been included in the Fiscal Year 2010/2011 budget under line item 10123340-722190.

The City will reimburse SER for salaries paid to youth participants, the program coordinator, and all costs for FICA and Workman's Compensation. The City will provide a work site supervisor, office space for program administration, transportation to and from work sites, working supplies, and tools for the youth.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
General Fund– Purchased Services 10123340 722190	\$42,876	\$64,500

1. Resolution
2. Exhibit "A" - Agreement between SER de New Mexico, Jobs for Progress, Inc., and the City of Las Cruces
3. Attachment "B" – Previous Agreement between SER de New Mexico, Jobs for Progress, Inc. and the City of Las Cruces
4. Exhibit "C" – Purchasing Manager's Request to Contract (PMRC)

OPTIONS / ALTERNATIVES:

1. Vote "YES" and approve the Resolution and the Agreement between the City of Las Cruces and SER de New Mexico, Jobs for Progress, Inc., to continue placement services, counseling of youth, and administration of the "at-risk" employment program for high school youth in the Parks and Recreation Section (\$42,876). Total Reimbursement to SER will not exceed \$42,876.
2. Vote "NO" and not approve the Resolution. Denial of the Resolution will result in not entering into a contract with SER and would limit youth employment opportunities within the City this summer.
3. Modify the Resolution and provide staff with further direction. This may include bidding out youth employment services to allow other agencies to provide these services.

RESOLUTION NO. 09-10-604

A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND SER (SERVICE, EMPLOYMENT, AND REDEVELOPMENT) DE NEW MEXICO, JOBS FOR PROGRESS, INC., TO CONTINUE PLACEMENT SERVICES, COUNSELING OF YOUTH, AND ADMINISTRATION OF THE "AT-RISK" EMPLOYMENT PROGRAM FOR HIGH SCHOOL YOUTH IN THE PARKS AND RECREATION SECTION WITH TOTAL REIMBURSEMENT TO SER FOR THE PROGRAM NOT TO EXCEED \$42,876.

The City Council is informed that:

WHEREAS, the City desires to offer continued employment opportunities to high school level, in-school youth, with a grade point average of "C" or better; and

WHEREAS, SER de New Mexico, Jobs for Progress, Inc., a placement services agency funded by the New Mexico Department of Labor, desires to continue administering the City's Year-Round "At-Risk" Youth Employment Program with funding provided by the City; and

WHEREAS, a present contract exists with SER for placement of such high school level youth allowing the City to provide employment opportunities and direct supervision without incurring administrative responsibilities attached as Exhibit "A"; and

WHEREAS, the City has \$64,500 in the budget for Fiscal Year 2010/2011 to provide funding for 52 weeks (year-round) youth employment; and

WHEREAS, City reimbursement for the "at-risk" employment program will not exceed \$42,878; and

WHEREAS, it is in the best interest of the City of Las Cruces to continue the contract with SER, to provide program administration and placement services.

NOW, THEREFORE, be it resolved by the governing body of the City of Las Cruces:

(I)

THAT the Agreement with SER, attached as Exhibit "A" hereto and made a part of this Resolution, for continued placement and administration of the program under General Fund Account No. 10123340-722190, not to exceed \$42,876, is hereby approved.

(II)

THAT the Mayor is authorized to execute the Agreement on behalf of the City.

(III)

THE City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____, 2010.

APPROVED:

Mayor

ATTEST:

City Clerk

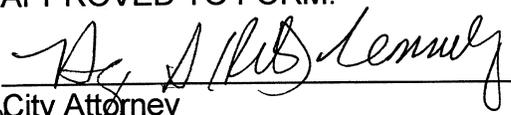
VOTE:

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Connor:	_____
Councillor Pedroza:	_____
Councillor Small:	_____
Councillor Sorg:	_____
Councillor Thomas:	_____

Moved by: _____

Seconded by: _____

APPROVED TO FORM:

Antony 

City Attorney

AGREEMENT
CITY OF LAS CRUCES AND SER de New Mexico
YEAR-ROUND YOUTH "AT - RISK", EMPLOYMENT PROGRAM

THIS Agreement entered into between the City of Las Cruces, New Mexico, hereinafter referred to as "City" and SER de New Mexico, hereinafter referred to as "SER".

WHEREAS, SER is operated for the purpose of providing employment opportunities for "at-risk" youths;

WHEREAS, the City is desirous of using the services of "at-risk" youths who are clients of SER for work programs;

NOW, THEREFORE, in consideration of the mutual agreements herein contained, the parties hereby agree as follows:

1. SER shall:

- A. Employ one full-time employee to coordinate the program and approximately three (3) youth ages 16-19 to work at the City Parks and Recreation Section for 52 weeks to be hired after program approval and as soon as possible after July 1, 2010.
- B. Pay the program coordinator's salary of \$4,478.00 plus payroll taxes, Workman's compensation Insurance, Liability Insurance, mileage, supplies, SER program administration fee, and pay each youth at the rate of \$7.50 (or the current minimum wage) per hour for all hours actually worked.

SER shall charge the City an administrative fee of nine percent (9.00%) of total salaries and benefits. Total reimbursement to SER shall not exceed \$41,974.72.

- C. Provide quarterly status reports on expenditures to the Parks and Recreation Administrator. Keep data on employment training and employment related counseling, turnover, and progress. Fiscal close-out report will be provided 45 days after year end.
- D. Provide the City with current biographical and emergency notification information on each youth SER employee.
- E. Develop and maintain job descriptions for each youth employed through SER to be reviewed and approved by the City.
- F. Procure and maintain a policy of Workman's Compensation Insurance covering any claims arising from program coordination and any such youths for any work undertaking pursuant to this Agreement.
- G. Indemnify, defend and hold harmless the City and its public employees as Defined in the New Mexico Tort Claims Act (as amended) from and against any and all liability or alleged liability, judgment, demands, claims or costs (including reasonable attorney's fees and costs for investigation and defense) arising out of or allegedly arising out of the performance of this agreement or any activities undertaking pursuant to the Agreement; other negligence of the City or its public employees in performing the specific obligations undertaking by the City hereunder.

2. The City Shall:

- A. Provide a harassment and discrimination free work environment and City-employed supervision of each "at risk" youth. The youths shall not be employees of the City.
- B. Provide the work site facilities.
- C. Provide youth with supplies that shall not exceed \$461.36.
- D. Provide and complete to SER, on a bi-weekly basis, time sheets and evaluation reports for all youths employed through the program.

Reimburse SER for any salaries/wages paid by SER to the Coordinator and the youths who perform work pursuant to this Agreement, for the cost of Workman's Insurance, required by Section 1.D hereof, Liability insurance, Coordinator's mileage, and supplies. Pay SER's administrative fee.

Total reimbursement and administrative fee shall not exceed \$41,974.72 in City funds for total program cost.

3. General:

- A. Each "at-risk" youth shall work no more than a total of 25 hours per week, Sunday through Monday; schedules may be anytime between the hours of 8:00am to 12:00 a.m. During special events, hours may be extended to 1:00 a.m. Each youth shall be scheduled on an alternating basis by a City Recreation Supervisor. These hours can be shifted depending on unforeseen circumstances.

- B. Any "at-risk" youth who performs work pursuant to this Agreement shall not be entitled to any City benefits, unemployment benefits or any other benefits.
- C. This Agreement may be terminated by either party by giving the other party thirty (30) days written notice of intent to terminated this Agreement.

4. Cost Breakdown to Renew the Year-round Program 2010-2011.

3 youth @ 7.50/hour 25 hours/week x 52 weeks	\$29,250.00	
FICA 6.20%	1,813.50	
Medicare 1.45%	424.13	
SUTA 1.0%	292.50	
Workers Compensation (\$4.27 per \$100 of payroll)	1,248.97	
Total Youth Salary & Benefits		\$33,029.10
SER Coordinator salary 52 weeks	\$ 4,478.00	
FICA 6.20%	277.64	
Medicare 1.45%	64.93	
SUTA 1.0%	44.78	
Workers Compensation	191.21	
Total Coordinator's Salary & Benefits		\$ 5,056.56
Supplies and Mileage	\$ 214.00	
Liability Insurance	\$ 25.00	
SER Administrative Fees 9% Of Total Salaries and Benefits	<u>\$ 3,482.34</u>	
Total Other Expenses		<u>\$ 3,427.70</u>
TOTAL REIMBURSEMENT TO SER:		\$41,513.36

SER DE NEW MEXICO

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YOUTH SUPPLIES PROVIDED BY
CLUB FUSION

\$ 461.36

TOTAL PROGRAM COST:

\$41,974.72

DONE AND APPROVED THIS _____ day of _____, 2010.

CITY OF LAS CRUCES, NEW MEXICO

SER, DE NEW MEXICO

By: _____

By: _____

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. 10-038

A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND SER DE NEW MEXICO, JOBS FOR PROGRESS, INC., TO CONTINUE PLACEMENT SERVICES, COUNSELING OF YOUTH, AND ADMINISTRATION OF THE "AT-RISK" EMPLOYMENT PROGRAM FOR HIGH SCHOOL YOUTH IN THE PARKS AND RECREATION SECTION. TOTAL REIMBURSEMENT TO SER FOR THE PROGRAM WILL NOT EXCEED \$42,876.

The City Council is informed that:

WHEREAS, the City desires to offer continued employment opportunities to high school level, in-school youth, with a grade point average of "C" or better; and,

WHEREAS, SER de New Mexico, Jobs for Progress, Inc., a placement services agency funded by the New Mexico Department of Labor, desires to continue administering the City's Year-Round "At-Risk" Youth Employment Program with funding provided by the City; and,

WHEREAS, a present contract exists with SER for placement of such high school level youth allowing the City to provide employment opportunities and direct supervision without incurring administrative responsibilities; and,

WHEREAS, this program has budget approval of \$42,876 for Fiscal Year 09-10 to provide funding for 52 weeks (year-round) youth employment; and,

WHEREAS, it is in the best interest of the City of Las Cruces, New Mexico, to continue the contract with SER to provide program administration and placement services.

NOW, THEREFORE, be it resolved by the governing body of the City of Las Cruces:

(1)

THAT the agreement with SER, attached hereto and made a part of this

Res No. 10-038 (Cont)
Page 2

Resolution, for continued placement and administration of the Year-Round Youth Employment Program for Parks and Recreation under General Fund Account No. 10205330-722190, not-to-exceed \$42,876, is hereby approved.

(II)

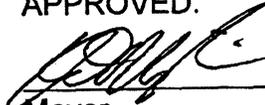
THAT the Mayor is authorized to execute the agreements on behalf of the City.

(III)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this 20th day of July, 2009.

APPROVED:



Mayor

ATTEST:



City Clerk

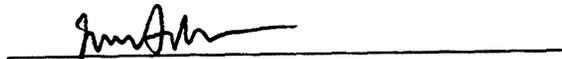
VOTE:

Mayor Miyagishima:	<u>Aye</u>
Councillor Silva:	<u>Aye</u>
Councillor Connor:	<u>Aye</u>
Councillor Archuleta:	<u>Aye</u>
Councillor Small:	<u>Aye</u>
Councillor Jones:	<u>Aye</u>
Councillor Thomas:	<u>Aye</u>

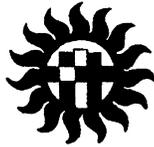
Moved by: Connor

Seconded by: Silva

APPROVED TO FORM:



City Attorney



City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 16

Ordinance/Resolution# 10-038

Council District:

For July 20, 2009
(Adoption Date)

TITLE:

A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND SER DE NEW MEXICO, JOBS FOR PROGRESS, INC., TO CONTINUE PLACEMENT SERVICES, COUNSELING OF YOUTH, AND ADMINISTRATION OF THE "AT-RISK" EMPLOYMENT PROGRAM FOR HIGH SCHOOL YOUTH IN THE PARKS AND RECREATION SECTION. TOTAL REIMBURSEMENT TO SER FOR THE PROGRAM WILL NOT EXCEED \$42,876.

PURPOSE(S) OF ACTION:

To continue placement of high school level youth allowing the City to provide employment opportunities and direct supervision without incurring administrative responsibilities.

Name of Drafter: Mark Johnston, <i>[Signature]</i> Parks Administrator		Department: Facilities / Parks		Phone: 541-2550	
Department	Signature	Phone	Department	Signature	Phone
Facilities	<i>[Signature]</i>	541-2651	Budget	<i>[Signature]</i>	541-2104
			Assistant City Manager	<i>[Signature]</i>	2271
Legal	<i>[Signature]</i>	2128	City Manager	<i>[Signature]</i>	2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Parks and Recreation Section is seeking to renew the agreement between SER (Service, Employment, and Redevelopment) de New Mexico, Jobs for Progress, Inc., and the City of Las Cruces. SER would provide placement services, counsel youths, and administer the Year-Round Youth Employment Program for "at-risk" high school youths, ages 16 to 19, with a "C" or better grade point average. This will be the sixteenth year for this successful program. SER has administered the year round program for the City during this time.

Program participants gain real world experience and develop job skills while performing park maintenance tasks and providing recreational services. On the job training is provided along with emphasis on team work, following work rules, and completing the associated paperwork. Total reimbursement to SER from Parks and Recreation Section for this program will not exceed \$42,876.

The amount of \$42,876 has been included in the Fiscal Year 09-10 Budget line item 10123340-722190.

The City will reimburse SER for salaries paid to youth participants, the program coordinator, and all costs for FICA and Workman's Compensation. The City will provide a work site supervisor, transportation to and from work sites, working supplies, and tools for the youth.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
1000 General Fund 10123340-722190	\$42,876	\$64,500

1. Resolution
2. Exhibit "A" SER de New Mexico, Jobs for Progress, Inc., Agreement for Parks and Recreation Section

OPTIONS / ALTERNATIVES:

1. Vote "YES" and approve the Resolution for the agreement between the City of Las Cruces and SER de New Mexico, Jobs for Progress, Inc., to continue placement services, counseling of youth, and administration of the "At-Risk" employment program for high school youth in Parks and Recreation Section (\$42,876). Total Reimbursement to SER will not exceed \$42,876.
2. Vote "NO" and not approve the Resolution.
3. Amend the resolution to reduce the program service level and utilize current funding levels (eliminate three/four program participants)
4. Modify the Resolution and/or direct staff to find other options.

Exhibit "A"

AGREEMENT

**CITY OF LAS CRUCES AND SER DE NEW MEXICO
YEAR-ROUND YOUTH "AT - RISK", EMPLOYMENT PROGRAM**

THIS Agreement entered into between the City of Las Cruces, New Mexico, hereinafter referred to as "City" and SER de New Mexico, hereinafter referred to as "SER".

WHEREAS, SER is operated for the purpose of providing employment opportunities for "at-risk" youths;

WHEREAS, the City is desirous of using the services of "at-risk" youths who are clients of SER for work programs;

NOW, THEREFORE, in consideration of the mutual agreements herein contained, the parties hereby agree as follows:

1. SER shall:

- A. Employ one full-time employee to coordinate the program and approximately three (3) youth ages 16-19 to work at the City's Parks and Recreation Section for 52 weeks to be hired after program approval and as soon as possible after July 1, 2009.
- B. Pay the program coordinator's salary of \$4,478.00 plus payroll taxes, Workman's Compensation Insurance, Liability Insurance, mileage, supplies, SER program administration fee, and pay each youth at the rate of \$7.50 (or the current minimum wage) per hour for all hours actually worked.

SER shall charge the City an administrative fee of nine percent (9.00%) of total salaries and benefits. Total reimbursement to SER shall not exceed \$42,875.46.

- C. Provide quarterly status reports on expenditures to the Parks and Recreation Administrator. Keep data on employment training and employment related counseling, turnover, and progress. Fiscal close-out report will be provided 45 days after year end.
- D. Provide the City with current biographical and emergency notification information on each SER youth employee.
- E. Develop and maintain job descriptions for each youth employed through SER to be reviewed and approved by the City.
- F. Procure and maintain a policy of Workman's Compensation Insurance covering any claims arising from program coordination and any such youths for any work undertaking pursuant to this Agreement.
- G. Indemnify, defend and hold harmless the City and its public employees as Defined in the New Mexico Tort Claims Act (as amended) from and against any and all liability or alleged liability, judgment, demands, claims or costs (including reasonable attorney's fees and costs for investigation and defense) arising out of or allegedly arising out of the performance of this agreement or any activities undertaking pursuant to the Agreement; other negligence of the City or its public employees in performing the specific obligations undertaking by the City hereunder.

2. The City Shall:

- A. Provide a harassment and discrimination free work environment and City-employed supervision of each "at risk" youth. The youths shall not be employees of the City.
- B. Provide the work site facilities.
- C. Provide youth with supplies that shall not exceed \$461.36.
- D. Provide and complete to SER, on a bi-weekly basis, time sheets and evaluation reports for all youths employed through the program.

Reimburse SER for any salaries/wages paid by SER to the Coordinator and the youths who perform work pursuant to this Agreement, for the cost of Workman's Insurance, required by Section 1.D hereof, Liability Insurance, Coordinator's mileage, and supplies. Pay SER's administrative fee. Total reimbursement and administrative fee shall not exceed \$42,875.46 in City funds for total program cost.

3. General:

- A. Each "at-risk" youth shall work no more than a total of 25 hours per week, Sunday through Monday; schedules may be anytime between the hours of 8:00 a.m. to 12:00 a.m. During special events, hours may be extended to 1:00 a.m. Each youth shall be scheduled on an alternating basis by a City Parks and Recreation Supervisor. These hours can be shifted depending on unforeseen circumstances.
- B. Any "at-risk" youth who performs work pursuant to this Agreement shall

not be entitled to any City benefits, unemployment benefits or any other benefits.

- C. This Agreement may be terminated by either party by giving the other party thirty (30) days written notice of intent to terminated this Agreement.

4. Cost Breakdown to Renew the Year-round Program 2009-2010.

3 youth @ 7.50/hour	\$29,250.00	
25 hours/week x 52 weeks		
FICA 6.20%	1,813.50	
Medicare 1.45%	424.13	
SUTA 1.8%	526.50	
Workers Compensation (\$5.27 per \$100 of payroll)	1,541.47	
Total Youth Salary & Benefits		\$33,555.60
SER Coordinator salary 52 weeks	\$ 4,478.00	
FICA 6.20%	277.64	
Medicare 1.45%	64.93	
SUTA 1.8%	80.60	
Workers Compensation	<u>235.99</u>	
Total Coordinator's Salary & Benefits		\$ 5,137.16
Supplies and Mileage	\$ 214.00	
Liability Insurance	\$ 25.00	
SER Administrative Fees 9% Of Total Salaries and Benefits	<u>\$ 3,482.34</u>	
Total Other Expenses		<u>\$ 3,721.34</u>
TOTAL REIMBURSEMENT TO SER:		\$42,414.10
Youth supplies provide by Club Fusion		<u>\$ 461.36</u>
TOTAL PROGRAM COST:		\$42,875.46

SER DE NEW MEXICO

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DONE AND APPROVED THIS 20th day of July, 2009.

CITY OF LAS CRUCES, NEW MEXICO

SER. DE NEW MEXICO

By: 

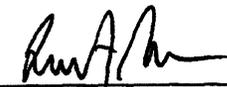
By: 

ATTEST:


City Clerk

(SEAL)

APPROVED AS TO FORM:


City Attorney

CITY OF LAS CRUCES

PURCHASING MANAGER'S REQUEST TO CONTRACT

For Meeting of: June 21, 2010

Resolution No.: 09-10-604

**Contract Purchase For
Job Placement and Counseling Services for "At-Risk" Youth**

The Las Cruces City Council is provided the following information concerning this request:

BID SOLICITATION INFORMATION:

- 1. Bid Data: **Exempt from Bid Requirements**
- 2. Description: **Job Placement and Counseling Services**
- 3. Using Department: **Facilities/Parks and Recreation**
- 4. Number of Responses Accepted: **Exempt from Bid Requirements**
- 5. Recommended Award(s) To: **SER De New Mexico**
- 6. Total Award Amount (includes any tax and contingency): **\$41,974.72**
- 7. Contract Duration: **52 weeks commencing July 1, 2010**

LOCAL PREFERENCE FACTOR

Local Preference Factor Applied Per LCMC §24-100	No	<input checked="" type="checkbox"/>	LCMC §24-100 not applicable to this solicitation
	Yes	<input type="checkbox"/>	Made A Difference To Bid Awards(s) Made No Difference To Bid Award(s)

PROCUREMENT CODE COMPLIANCE:

The City of Las Cruces Procurement Code was administered in the conduct of this procurement and approval to purchase is hereby requested pursuant to **Section 24-4 (7)**.


Purchasing Manager

1 6/4/10
Date

CONFIRMATION OF FUND ENCUMBRANCE:

REQUISITION or PURCHASE ORDER NUMBER:	Pending Available FY2011 Budget
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