



## Board Report

**File #:** 2021-0503, **File Type:** Contract

**Agenda Number:** 33.

### EXECUTIVE MANAGEMENT COMMITTEE SEPTEMBER 16, 2021

**SUBJECT: METRO EMPLOYEE ASSISTANCE PROGRAM**

**ACTION: APPROVE CONTRACT AWARD**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award a five-year, firm fixed unit rate Contract No. PS186372000 to ComPsych Corporation to provide a comprehensive Employee Assistance Program in an amount not-to-exceed \$531,103 for the three-year base term, plus \$187,761 for the first option year, and \$193,394 for the second option year, for a combined not-to-exceed amount of \$912,258, inclusive of two, one-year options effective November 1, 2021 subject to resolution of protest(s), if any.

#### **ISSUE**

The existing contract for Employee Assistance Program will expire on October 31, 2021. To ensure continuity of service, particularly during the Covid-19 pandemic, a new contract award is required effective November 1, 2021.

#### **BACKGROUND**

The Metro Employee Assistance Program (EAP) is a service that provides personal counseling benefits to Metro employees, including part-time, and temporary employees and their immediate family members. The program aims to promote job effectiveness and productivity by helping employees and their immediate family members cope with challenges on the job and in the home.

Services provided include crisis management counseling for traumatic events, including immediate intervention following serious bus and rail accidents, and other tragic events, confidential counseling, child, and elder care referrals, as well as legal and financial guidance.

Metro and its predecessor agencies have continuously provided EAP since 1981. The EAP contract is currently managed by the Helping Employee Access Resources (H.E.A.R.) Office under the Human Capital & Development department.

## **DISCUSSION**

In accordance with HR 40, the Employee Assistance Program policy, Metro is committed to maintain a safe and healthy work environment for its employees and provide support to employees who experience personal or work-related challenges, particularly during the Covid-19 pandemic. The EAP is designed to identify and assist employees in recognizing and resolving personal challenges that may be adversely affecting their performance at work, such as marital, financial, emotional problems, family issues, or substance or alcohol abuse. The program offers a friendly, accessible, and confidential platform wherein licensed professionals identify stressors, explore behavioral changes, and provide support and resources that enable the employee to solve personal problems.

EAP also serves as a resource to managers in dealing with employees experiencing personal problems affecting job performance, conduct and reliability. EAP interventions act to reduce distress and provide the skills necessary to handle personal and work-related problems more effectively.

Finally, EAP is a vital component of Metro's overall effort to comply with federal regulations governing the prevention of drug abuse and alcohol misuse in transit operations. The EAP contractor also provides mandated services of a Substance Abuse Professional (SAP), as required whenever an employee tests positive for drugs or alcohol. The primary role of the SAP is to evaluate the employee and coordinate rehabilitation to ensure the safety of all employees and the traveling public.

## **DETERMINATION OF SAFETY IMPACT**

The Metro Employee Assistance Program (EAP) will provide the capability to support employees through challenges in multiple areas of their lives, ensuring job effectiveness and improved safety for employees and patrons.

## **FINANCIAL IMPACT**

The funding for EAP services is included in cost center 2465, EO, HC&D under project 100001, General Overhead. Since this is a multi-year contract, the Cost Center Manager and Chief, Human Capital and Development Officer will be responsible for budgeting the cost in future years, including any options exercised.

### **Impact to Budget**

The source of funds for this contract is General Overhead funds, comprised of Federal, State, and local funds. These funds are eligible for bus and rail operating costs.

## **EQUITY PLATFORM**

All employees and their household members are eligible for services and resources offered under the EAP. Based on approximately 11,000 employees, the EAP utilization rate is between 15-20% on the average. The program is promoted throughout Metro in announcements via the Daily Brief, posters and flyers distributed at Metro facilities, periodic home mailers, on Metro's intranet as well as phone, online website, and mobile app. Services are available 24/7 to accommodate employees'

communication preferences and busy schedules.

Metro reached out to a total of 304 DBE certified firms to notify them of this procurement opportunity. Further, advertisements were placed with the Los Angeles Daily News. The awarded contractor has met the 8% DBE commitment goal for the contract.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The recommendation supports Strategic Plan Goal #5: To provide responsive, accountable, and trustworthy guidance within the Metro Organization; Initiative 5.6: As Metro will foster and maintain a strong safety culture for all. By approving this recommendation Metro will be able to ensure the safety for Metro's patrons and employees.

### **ALTERNATIVES CONSIDERED**

Perform the services in-house. This option is not a viable alternative because Metro does not have sufficient internal resources or subject matter experts available to perform the work. Contracted services of professionally certified counselors with diverse backgrounds and specializations would still need to be obtained by Metro if the subject services were brought in-house. Difficulties would also be encountered in serving the multiple locations and large number of family members throughout the local geographic area, as well as overcoming employee concerns about confidentiality issues. Metro has no history or experience with an internal EAP. Metro would not only need to undertake costly recruitment and training of Metro staff to perform these services, but Metro would also assume direct liability for any potential claims of malpractice. This is not a feasible alternative and therefore, is not recommended.

### **NEXT STEPS**

Upon Board approval, staff will execute Contract No. PS186372000 with ComPsych Corporation, effective November 1, 2021 and continue to provide EAP services.

### **ATTACHMENTS**

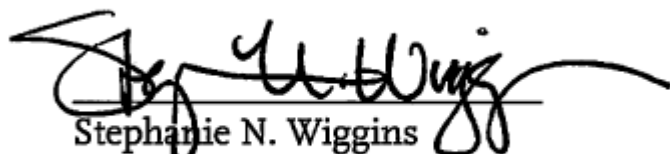
Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by: Dawn Jackson-Perkins, Director, Human Resources  
(213) 418-3166

Reviewed by: Patrice McElroy, Interim Chief Human Capital & Development Officer (213) 418-3171

Debra Avila, Chief Vendor/Contract Management Officer  
(213) 418-3051



Stephanie N. Wiggins  
Chief Executive Officer

## PROCUREMENT SUMMARY

## METRO EMPLOYEE ASSISTANCE PROGRAM / PS186372000

1.	<b>Contract Number:</b> PS186372000	
2.	<b>Recommended Vendor:</b> ComPsych Corporation	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> May 10, 2021	
	<b>B. Advertised/Publicized:</b> May 11, 2021	
	<b>C. Pre-Proposal Conference:</b> N/A	
	<b>D. Proposals Due:</b> June 9, 2021	
	<b>E. Pre-Qualification Completed:</b> August 10, 2021	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> July 28, 2021	
	<b>G. Protest Period End Date:</b> September 20, 2021	
5.	<b>Solicitations Picked up/Downloaded:</b> 11	<b>Bids/Proposals Received:</b> 1
6.	<b>Contract Administrator:</b> Marc Margoni	<b>Telephone Number:</b> (213) 922-1304
7.	<b>Project Manager:</b> Gabriela Hernandez	<b>Telephone Number:</b> (213) 922-4867

**A. Procurement Background**

This Board Action is to approve the award of Contract No. PS186372000 to ComPsych Corporation, to provide Employee Assistance Program (EAP) services to employees and immediate family members to cope with challenges on the job and in their homes on an “as-needed” basis.

Request for Proposals (RFP) No. PS73629-2 was issued as a competitive negotiated procurement in accordance with Metro’s Acquisition Policy and the contract type is a firm fixed unit rate. The RFP was issued with a Race Conscious DBE contract goal of 8%.

One amendment was issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on May 20, 2021, updated the minimum qualification requirements and changed the DEOD Instructions and the Contract Compliance Manual to align with the funding source and the DBE contract goal.

The solicitation was available for download from Metro’s website. Advertisements were placed with the Los Angeles Daily News to notify potential proposers of this solicitation. Metro also notified proposers from Metro’s vendor database based on applicable North American Industry Classification System (NAICS) codes.

There was no pre-proposal conference held for this solicitation.

A total of 11 firms downloaded the RFP and were included on the plan holders list.

Only one proposal was received on June 9, 2021.

Metro staff canvassed firms on the plan holders list to determine why no other proposals were received. No response was received. The plan holders list consisted of the incumbent contractor, one company that provides integrative therapy interventions, five management consulting firms, one business computer consulting firm, one company that provides access to bid plan rooms and upcoming bid opportunities, an insurance company, and an HR consulting firm.

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Human Resources, Talent Development, and Transit Security were convened and conducted a comprehensive technical evaluation of the proposal received from the incumbent, ComPsych Corporation.

On June 15, 2021, the PET met to review the evaluation criteria package, process confidentiality and conflict of interest forms and take receipt of proposals to initiate the evaluation phase.

Proposals were evaluated based on the following evaluation criteria stated in the RFP:

- |   |            |
|---|------------|
| • Prime Contractor/Team Qualifications  | 20 percent |
| • Program Management & Administration   | 15 percent |
| • Service Delivery Plan – EAP Intake, Assessment & Referral                             | 15 percent |
| • Service Delivery Plan – Substance Abuse Professional (SAP) Services                   | 10 percent |
| • Service Delivery Plan – Crisis Intervention and Traumatic Incident Counseling Program | 10 percent |
| • Service Delivery Plan – Management Support Consultation and Work/Life Services        | 10 percent |
| • Cost Proposal   | 20 percent |

Several factors were considered in developing these weights, giving the greatest importance to prime contractor/team qualifications and cost proposal.

Evaluations were conducted from June 25, 2021 through July 9, 2021. After evaluation of the proposal, the PET determined ComPsych Corporation to be technically qualified to perform the services as outlined in the Scope of Services.

The following is a summary of the PET scores:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	<b>Compsych Corporation</b>				<b>1</b>
3	Prime Contractor/Team Qualifications	96.65	20.00%	19.33	
4	Program Management and Administration	100.00	15.00%	15.00	
5	Service Delivery Plan – EAP Intake, Assessment & Referral	100.00	15.00%	15.00	
6	Service Delivery Plan – Substance Abuse Professional (SAP) Services	100.00	10.00%	10.00	
7	Service Delivery Plan – Crisis Intervention and Traumatic Incident Counseling Program	100.00	10.00%	10.00	
8	Service Delivery Plan – Management Support Consultation and Work/Life Services	93.30	10.00%	9.33	
9	Cost Proposal	100.00	20.00%	20.00	
10	<b>Total</b>		<b>100.00%</b>	<b>98.66</b>	

### **C. Cost/Price Analysis**

The recommended fully burdened rate per employee per month has been determined to be fair and reasonable based on historical costs, technical evaluation, price analysis and independent cost estimate.

This is a unit rate contract that is based on actual number of employees every month, which can vary. The price evaluation was based on monthly rates for the 5 year term (including options). A cost/price analysis was based on the fairness and reasonableness of the rates.

### **D. Background on Recommended Contractor**

The recommended firm, ComPsych Corporation (ComPsych), located in Chicago, Illinois, was founded in 1984. It is a worldwide provider of fully integrated employee assistance programs, behavioral health, wellness, work-life, HR, US Family and Medical Leave Act (FMLA) and absence management services.

ComPsych provides services to more than 56,000 organizations, covering more than 127 million individuals throughout the United States and 190 countries. Its clientele range from Fortune 100 companies to smaller public and private organizations, as well as government entities.

ComPsych Corporation has been providing EAP services to Metro since 2016 and performance has been satisfactory.

**DEOD SUMMARY****EMPLOYEE ASSISTANCE PROGRAM SERVICES / PS186372000****A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established an 8% Disadvantaged Business Enterprise (DBE) goal for this solicitation. ComPsych Corporation met the goal by making an 8% DBE commitment.

<b>Small Business Goal</b>	<b>8% DBE</b>	<b>Small Business Commitment</b>	<b>8% DBE</b>
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	<b>DBE Subcontractor</b>	<b>Ethnicity</b>	<b>% Committed</b>
1.	Paper Jungle	Asian Pacific	8%
<b>Total Commitment</b>			<b>8%</b>

**B. Living Wage and Service Contract Worker Retention Policy Applicability**

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.

**C. Prevailing Wage Applicability**

Prevailing wage is not applicable to this contract.

**D. Project Labor Agreement/Construction Careers Policy**

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.

# **Metro Employee Assistance Program**

## **Agenda Item #33**

Executive Management Committee  
September 16, 2021

# Employee Assistance Program (EAP)

- The Metro Employee Assistance Program (EAP) is a service that provides personal counseling benefits to Metro employees and their families.
- Award a five-year firm fixed rate unit rate contract to ComPsych Corporation to provide a comprehensive EAP.
- The contract amount is for an amount not-to-exceed \$531,103 for the three-year base term, plus \$187,761 for the first option year, and \$193,394 for the second option year.
- The cost of the current contract is \$1.25 per employee per month (pepm).
- There is no cost increase for new contract. The price will remain the same throughout the life of the new five-year contract.
- DEOD recommends an 8% DBE goal for this procurement. This goal remained the same from current contract and ComPsych Corporation proposes to meet that goal.
- New contract will take effect **November 1, 2021**.