



ERIE COUNTY WATER AUTHORITY
INTEROFFICE MEMORANDUM

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

Cc: Joyce A. Tomaka, Chief Financial Officer
Russell J. Stoll, Chief Operating Officer
Mark S. Carney, General Counsel

From: Terrence D. McCracken, Secretary to the Authority

Date: December 7, 2022

Subject: Agreement with Systems Personnel, Inc. relative to Recruiting Services

As you are aware, the Authority recently hired Paul Fanara as a Computer Support Specialist. For the reasons stated in the appointment notice dated November 10, 2022, the interview committee felt Mr. Fanara would be a great asset to the IT department bringing with him considerable knowledge and experience. Prior to Mr. Fanara's interview, he was working with a recruiting service, Systems Personnel, Inc. I was fully aware that if we hire Mr. Fanara, 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.

There is a resolution on today's agenda approving the above. Thank you.

Budget Information:
Unit 7510 General Expenses
Line No. 20 Miscellaneous

TDM:tg

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: 12/08/2022
<input checked="" type="checkbox"/> Legal 	Date: 12/8/2022

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority 	Date: 12/8/2022
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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