

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.38
(ID # 19836)**

MEETING DATE:
Tuesday, August 30, 2022

FROM : HUMAN RESOURCES:

SUBJECT: HUMAN RESOURCES: Ratify and Approve Amendment No. 8 to the Professional Service Agreement with SHL US LLC for Web-based Pre-Employment Assessment Services; All Districts. [Total Cost \$669,963, 100% Core HR Services GSS Rate]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify and Approve Amendment No. 8 to the Professional Service Agreement with SHL US LLC for Web-based Pre-Employment Assessment Services to increase the annual Agreement amount by \$25,769 from \$322,097 to \$347,866, and extend the period of performance for one additional year through June 30, 2023; and
2. Authorize the Chair of the Board to sign three (3) copies of the Amendment, and the Clerk to retain one and return two to Human Resources for distribution

ACTION:

Michael Bowers


Michael Bowers, Assistant HR Director

8/12/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: August 30, 2022
xc: HR

Kecia R. Harper
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 347,866	\$ 0	\$ 669,963	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: 100% Core HR Services GSS Rate			Budget Adjustment: No	
			For Fiscal Year: 22/23	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Prev. Agn. Ref.: 07/13/2010 3.57; 06/25/2013 3.18; 07/01/2014 3.22; 05/23/2017 3.32;
06/18/2019 3.15; 06/23/2020 3.17

Summary

Web-based pre-employment and promotional testing is a key component of the County of Riverside's selection process for many positions. Human Resources ensures testing processes are conducted according to job-related processes and merit-based hiring practices. Each year, nearly 40,000 testing sessions are completed by applicants. To manage the volume, the Human Resources Department uses computerized, online pre-employment assessments to efficiently administer the testing program.

The County has utilized SHL (formerly PreVisor) for computerized, web-based testing since 2002. An advantage of SHL as the selected vendor for the County is that SHL offers exams administered in an unproctored (non-staff-observed) environment (e.g., in a home environment on an applicant's personal computer or mobile device), in addition to traditional proctored (staff observed) environments. Administration of unproctored exams is a business necessity for reasons of both efficiency for the Human Resources Department and for the efficient up-to-date applicant experience it offers candidates applying for jobs within the County of Riverside.

The current agreement approved by the Board of Supervisors in 2010 has been amended and extended through June 30, 2022. The Human Resources Department is seeking approval of the attached Amendment No. 8 for a one-year period effective July 1, 2022, through June 30, 2023. The agreement includes usage of examinations, consultant services, reporting, training, and user applicant telephone support.

Approval of the Amendment is necessary to continue web-based administration of examinations utilized in hiring processes throughout the County over the next year while the Human Resources Department finishes evaluating and awards a new multi-year contract based on the results of the current Request for Proposal (RFP) #HRARC-084 and may potentially have to transition to and validate new assessments in another system.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

Impact on Residents and Businesses

There is no expected impact on residents or businesses.

Additional Fiscal Information

The cost for Pre-Employment Assessments is recovered through the Human Resources (HR) Core Services General Support Services (GSS) rate charged to County Departments based on number of recruitments and/or actual level of services used annually. The following table shows the full costs of the current item before the Board:

Fiscal Year (FY)	Period	Previously Approved Subscription Fees	Included Professional Services Credits	Previously Approved Totals	Contract Extension Costs	Percent Increase
10/11	Jul 2010-Jun 2011	\$ 166,667	\$ -	\$ 166,667		
11/12	Jul 2011-Jun 2012	\$ 180,000	\$ -	\$ 180,000		8.0%
12/13	Jul 2012-Jun 2013	\$ 198,000	\$ -	\$ 198,000		10.0%
13/14	Jul 2013-Jun 2014	\$ 217,800	\$ -	\$ 217,800		10.0%
14/15	Jul 2014-Jun 2015	\$ 210,000	\$ 10,000	\$ 220,000		1.0%
15/16	Jul 2015-Jun 2016	\$ 215,000	\$ 10,000	\$ 225,000		2.3%
16/17	Jul 2016-Jun 2017	\$ 220,000	\$ 10,000	\$ 230,000		2.2%
17/18	Jul 2017-Jun 2018	\$ 223,960	\$ 20,000	\$ 243,960		6.1%
18/19	Jul 2018-Jun 2019	\$ 227,991	\$ 20,000	\$ 247,991		1.7%
19/20	Jul 2019-Jun 2020	\$ 236,310	\$ 32,100	\$ 268,410		8.2%
20/21	Jul 2020-Jun 2021	\$ 228,126	\$ 47,600	\$ 275,726		2.7%
21/22	Jul 2021-Jun 2022	\$ 276,497	\$ 45,600		\$ 322,097	14.4%
22/23	Jul 2022-Jun 2023	\$ 347,866	\$ -		\$ 347,866	25.8%*
				\$ 2,473,554	\$ 669,963	

* Percent Increase for FY22/23 is based on cost difference from FY21/22 Subscription Fees only—since FY22/23 price includes no professional services.

Contract History and Price Reasonableness

In 2010, County Purchasing, on behalf of Human Resources, released RFP #HRARC-034, mailing solicitations to six companies and advertising on the County's internet site. Two responses were received/submitted by PreVisor (SHL's predecessor) and NEOGOV.

The proposals were reviewed by an evaluation team who reviewed and scored each proposal based on the bidder's overall responsiveness to the requirements of the scope of service, capability, references, and overall cost. Product demonstrations were held and PreVisor was selected as the most responsive bidder that could provide all the required scope. NEOGOV was

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

deemed nonresponsive because they proposed a system that was not web-based and would require a person to proctor each assessment.

The Board approved a 3-year agreement with PreVisor (Minute Order 3.57, dated July 13, 2010), which has since been amended and extended through June 30, 2022.

In September 2021, a new RFP (#HRARC-084) was issued. The Department expected to award a new contract shortly thereafter, but in order to continue without a lapse in services the department had to agree to a temporary extension cancellable and billed quarterly.

Approval of the action before you would ratify that extension and further extend the period of performance through June 30, 2023.

Best and final negotiations are being conducted now with the current open RFP, and the new tentative timeline is October 1, 2022, for notifying bidders of an intent to award, and January 1, 2023, as a tentative start date to have a new contract in place and any transition/validation processes started, which could take up to another six months.

The renewal cost of \$347,866 is considered reasonable compared to not renewing and incurring the standard non-discounted per-use/assessment fee of \$1.25, which have already amounted to \$126,481.25 for the month of July alone.

Review/Approval

RCIT and TSOC approved the use of this software on April 2, 2020, H-11 Review Process No. PR2020-10104, and because this is not new software and was previously approved by the Board it does not require further technology approval. County Purchasing concurs with this request, and because this is software license and maintenance support for an existing County system that was initially awarded through an RFP process and approved by the Board—a sole source justification is not required. County Counsel approved the Amendment as to legal form.

ATTACHMENT A. SHL Amendment No. 8

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA


Suzanna Hackley, Assistant Director of Purchasing and Fleet Service 8/16/2022


Meghan Hahn, Senior Management Analyst 8/18/2022


Cynthia M. Guzzel, Chief Deputy County Counsel 8/16/2022

COUNTY OF RIVERSIDE
AMENDMENT NO. 8 TO THE PROFESSIONAL SERVICE AGREEMENT
WITH
SHL US LLC (formerly PreVisor, Inc. and SHL US Inc)

Original Contract Term:	July 1, 2010 through June 30, 2011
Contract Term Extended To:	June 30, 2023
Effective Date of Amendment:	July 1, 2022
Original Annual Maximum Contract Amount:	\$166,667
Amended Annual Maximum Contract Amount:	\$347,866
Original Contract ID:	HRARC-90783-001-06/11
Amended Contract ID:	HRARC-90783-003-06/20

This Amendment No. 8 to the Professional Service Agreement for Personal Computer (PC) and Web-Based Pre-Employment and Developmental Tests/Assessments Services is entered into by and between the County of Riverside, a political subdivision of the State of California, on behalf of its Human Resources Department (“COUNTY”), and SHL US LLC, a Delaware limited liability company (“CONTRACTOR”). COUNTY and CONTRACTOR are collectively referred to herein as the “Parties”, and individually as the “Party”.

RECITALS

WHEREAS, COUNTY and CONTRACTOR entered into that certain Professional Service Agreement (Contract ID HRARC-90783-001-06/11) for Personal Computer (PC) and Web-Based Pre-Employment and Developmental Tests/Assessments Services (the “Agreement”) for a contract term of July 1, 2010 through June 30, 2011, with the option to renew for two (2) additional years, renewable in one year increments by written amendment, unless terminated earlier; and

WHEREAS, the Parties have since amended the Agreement seven (7) times as follows:

- a. **Amendment No. 1** effective July 1, 2011, extended the period of performance through June 30, 2012 and adjusted the compensation provision not to exceed \$180,000; and
- b. **Amendment No. 2** effective July 1, 2012, extended the period of performance through June 30, 2013 and adjusted the compensation provision not to exceed \$198,000; and
- c. **Amendment No. 3** effective July 1, 2013, extended the period of performance through June 30, 2014 and adjusted the compensation provision not to exceed \$217,800; and
- d. **Amendment No. 4** effective July 1, 2014, extended the period of performance through June 30, 2017, adjusted the compensation provision not to exceed \$220,000 for year 1 of the extension, \$225,000 for year 2, and \$230,000 for year 3, and acknowledged the contracting party change to SHL US Inc due to merger with PreVisor in 2011; and
- e. **Amendment No. 5** effective July 1, 2017, extended the period of performance through June 30, 2019, adjusted the compensation provision to non-cancellable annual subscription fees due in full in July each year not to exceed \$243,960 for year 1 of the extension, and \$247,991 for year 2, acknowledged upgrade to new TalentCentral Platform and the contracting party change to SHL US LLC; and
- f. **Amendment No. 6** effective July 1, 2019, extended the period of performance through June 30, 2020 and adjusted the compensation provision not to exceed \$268,410; and
- g. **Amendment No. 7** effective July 1, 2020, extended the period of performance through June 30, 2021 and adjusted the compensation provision not to exceed \$275,726.

COUNTY OF RIVERSIDE
AMENDMENT NO. 8 TO THE PROFESSIONAL SERVICE AGREEMENT
WITH
SHL US LLC (formerly PreVisor, Inc. and SHL US Inc)

WHEREAS, effective July 1, 2021 by means of order form and purchase order the Parties agreed to continue services, extending the period of performance through June 30, 2022, adjusting the compensation not to exceed \$322,097 billed quarterly and cancellable with no less than 90 days prior written notice.

WHEREAS, the Parties now desire to amend the Agreement for the eighth time to correctly reflect the Agreement has been extended and has remained in full force and effect and binding upon the Parties in accordance with its terms as amended, and shall be renewed effective July 1, 2022 through June 30, 2023, unless terminated earlier as set forth in the Agreement.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Parties agree as follows:

1. The above recitals are true and correct and are incorporated herein by reference.
2. Contract Identification (ID) number (#) HRARC-90783-001-06/11 and any mention thereof is hereby amended to HRARC-90783-003-06/20.
3. By their performance and means of order form and purchase order the Parties extended the term of the Agreement between July 1, 2021 and June 30, 2022, adjusting the compensation provisions for that period not to exceed \$322,097 billed quarterly and cancellable with no less than 90 days prior written notice.
4. Section 2 (Period of Performance) of the Agreement is hereby amended to reflect a period of performance through June 30, 2023.
5. Section 3.1 (Compensation) of the Agreement is hereby amended to reflect maximum payments shall not exceed \$347,866.
6. Exhibit B-4 (Payment Provisions) is hereby amended to reflect a subscription fee for July 1, 2022 through June 30, 2023 of \$347,866, a Professional Services Credit of \$0, and an Invoicing Schedule as follows:

\$126,481.25	invoiced August 1, 2022 for July usage
\$73,794.92	invoiced October 1, 2022
\$73,794.92	invoiced January 1, 2023
\$73,794.91	invoiced April 1, 2023
7. All other terms and conditions of the Agreement not modified herein shall remain unchanged.
8. The "Effective Date" of this Amendment No. 8 shall be July 1, 2022.
9. This Amendment No. 8, Amendment Nos. 1 through 7 together with the July 1, 2021 order form, and the Agreement taken together with the amendments contain the entire understanding of the Parties. There are no other oral or written representations,

COUNTY OF RIVERSIDE
AMENDMENT NO. 8 TO THE PROFESSIONAL SERVICE AGREEMENT
WITH
SHL US LLC (formerly PreVisor, Inc. and SHL US Inc)

understandings, ancillary covenants, undertakings, or agreements that are not contained or expressly referred to within this Amendment No. 8.

10. The Parties agree to execute such other documents and to take such other actions as may be necessary to further the purpose of this Amendment No. 8 and the Agreement.

11. USE OF ELECTRONIC SIGNATURES: This Amendment may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument. Each party of this Amendment agrees to the use of electronic or digital signatures that meet the requirements of the California Uniform Electronic Transactions Act ("the Act") Cal. Civ. Code §§ 1633.1-1633.17), for executing this Amendment. The parties further agree that the electronic or digital signatures of the parties included in this Amendment are intended to authenticate this writing and to have the same force and effect as manual signatures. The Act authorizes use of an electronic signature for transactions and contracts among parties in California, including governmental agencies. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment.

COUNTY OF RIVERSIDE, a political subdivision of the State of California

By: 
Jeff Hewitt, Chair
Board of Supervisors

Dated: AUG 30 2022

SHL US LLC, a Delaware limited liability company

By: Arthur Rassias
Arthur Rassias
Chief Operating Officer

Dated: Aug 16, 2022

ATTEST:

Kecia R. Harper
Clerk of the Board

By: 
Deputy

APPROVED AS TO FORM:

County Counsel

By: Synthia M. Gunzel
Synthia M. Gunzel,
Chief Deputy County Counsel