

Approved

AI-17330

23.B.3.

**Engagement of Professional Consulting Services-Human Resources
CC REGULAR**

Date: 09/08/2009
Submitted By: Marty Salazar, PURCHASING DEPT.
Submitted For: Marty Salazar
Department: PURCHASING DEPT.
Agenda Category: Purchasing Department

Purchasing only: Prct. 1

Information

CAPTION

- a. Requesting exemption from competitive bidding requirements under Texas Local Government Code, Chapter 262.024, Section .024 (a)(4), a professional service in connection with completion of the HR related initiative commenced by Pct. 1 last year;
- b. Requesting engagement and approval of a professional consulting services contract with Dr. Lori Ochoa, PhD., PHR for the provision of professional consulting services in connection with the implementation of a Human Resources Department for Precinct #1.

BACKGROUND

Fiscal Impact

FISCAL YEAR: 2009

ACCT. #: 9-1201-431-00-121-004-0-339

FUNDS AVAILABLE Y/N?: Y

MATCHING FUNDS Y/N?: n

BUDGETARY IMPACT:

Funds pending line item transfer Agenda Item 17346 in the amount of \$25,000.00 CC 9/8/09.

Attachments

Link: [Draft Agreement Document](#)

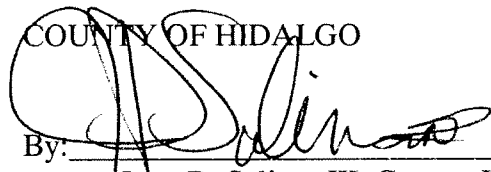
Form Routing/Status

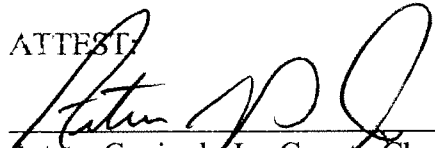
| Route Seq | Inbox | Approved By | Date | Status |
|-----------|------------------------------------|---------------|---------------------------------|--------|
| 1 | Purchasing Department (Originator) | Marty Salazar | 09/04/2009 04:42 PM | APRV |
| | Budget & Management | Erika Zamora | 09/04/2009 05:03 PM | APRV |
| | Erika Zamora | Erika Zamora | 09/04/2009 05:09 PM | APRV |
| | Ivan Cantu | Ivan Cantu | 09/04/2009 05:15 PM | APRV |
| | Director's Office | | 09/04/2009 05:31 PM | NEW |
| | Marty Salazar | | Started On: 09/04/2009 10:30 AM | |
| | 9/04/2009 | | | |

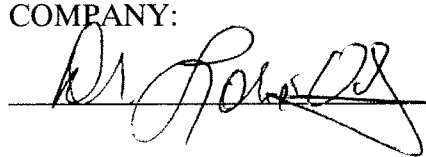
15. In the event that, during any term hereof, the Commissioners Court does not appropriate sufficient funds to meet the obligations of Buyer under this Agreement, Buyer may terminate this Agreement upon ninety (90) days written notice to Seller. Buyer agrees, however, to use reasonable efforts to secure funds necessary for the continued performance of this Agreement. The parties intend this provision to be a continuing right to terminate this Agreement at the expiration of each budget period of Buyer pursuant to the provisions of Tex. Loc. Govt. Code Ann. § 271.903 (Vernon Supp. 1996).

16. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and shall be performable in Hidalgo County.

WITNESS our hands in duplicate originals this _____ day of 2009.

COUNTY OF HIDALGO
By: 
Juan D. Salinas III, County Judge

ATTEST:

Arturo Guajardo Jr., County Clerk

COMPANY:


Approved on Commissioners' Court: September 8, 2009

APPROVED AS TO FORM:
Atlas & Hall, L.L.P.


By: 
Stephen L. Crain

EXHIBIT “A”
SCOPE OF SERVICES

Proposal for Precinct One-Hidalgo County

Scope of Service

1. Develop an approved HR Departmental Vision and Mission Statement.

2. Develop an approved HR Departmental Action Plan with Short-term Goals and Long-Term Goals.

3. Develop an approved individualized Professional Development Plan for HR Manager and others who have HR responsibilities.

4. Create personnel files for each employee to reflect updated information such as:
 - a) Completed employment application with documentation of education, reference checks and required signatures.

 - b) Signed Employee Forms such as:
 - i) Employee Handbook Acknowledgment, Confidentiality Forms, Code of Ethics, HIPPA forms for all supervisors, individual development plans (IDP) ,OSHA/Disaster and Safety Plans, Appraisal forms reflecting next appraisal dates, job title with job description, salary history, background release, random drug testing release, emergency contact information etc.

5. Provide Training to HR Manager and supervisors on protocols.

6. Develop HR Departmental Protocols in the following areas:
 - a) Recruitment (i.e. requirements for advertising print media or electronic

 - b) Selection of staff (i.e. criteria for each position and interview evaluation form

 - c) Requirement for Promotions

- d) Due Process (i.e. verbal, written, suspension, termination forms)
- e) Exit Interview protocol and form
- f) Protocol for absenteeism (Employee responsibilities and supervisor responsibilities)
- g) Protocol for communication with Commissioner, Chief of Staff, employees, media, and County HR Manager

7. Develop/Order list of required federal and state posters that must be displayed throughout Precinct One.

8. Develop protocol to collect EEO data and other federally-required data (i.e. OSHA) for Precinct One.

9. Develop training program for all employees to communicate updated federal and state laws as well as County and Precinct One protocols (i.e. FMLA, Harassment, Employee Handbook etc)

10. Develop HR Budget and incorporate plan to purchase or develop HRIS (Human Resource Information System) for appraisals and collection of employee data.

11. Develop Affirmative Action Plan

12. Compile quantitative data to determine turnover rate and ROI on HR Department efficacy.

13. Analyze employee pay structure within Precinct One, as well as job descriptions to determine equity and potential redundancy.

14. Design and Distribute Quarterly Precinct Newsletter (hard-copy and electronic copy) to employees to reflect Precinct One goals, activities, and organizational and individual accomplishments.

15. Communicate, Coordinate and Collaborate with County-wide Department Heads to ensure a proper and seamless infusion of protocols that can serve as a model infrastructure for Human Capital success.

APPENDIX “A”
PROPOSED TIMELINE AND FEE SCHEDULE

Proposed Timeline and Fee Schedule (Appendix A)

- Weekly Fee: \$1,500.00
- Time Frame: 8 – 10 weeks
Beginning September 2009
- Methods of Evaluation: Weekly Reports submitted to
Commissioner Sylvia Handy and
Chief Administrator, Joseph
Palacios
- Methods for Documenting Time Worked: Dr. Ochoa will
utilize the required time and effort
method used by the County.
Electronic/Actual Time cards will be
submitted in the required manner.

**EXHIBIT “B”
FEE SCHEDULE**

Proposed Timeline and Fee Schedule (Appendix A)

| | |
|--------------------------------------|---|
| Weekly Fee: | \$1,500.00 |
| Time Frame: | 8 – 10 weeks Beginning September 2009 |
| Methods of Evaluation: | Weekly Reports submitted to Commissioner Sylvia Handy and Chief Administrator, Joseph Palacios |
| Methods for Documenting Time Worked: | Dr. Ochoa will utilize the required time and effort method used by the County. Electronic/Actual Time cards will be submitted in the required manner. |

September 2, 2009

The Honorable Sylvia Handy
Precinct One
Hidalgo County

Dear Commissioner Handy:

The purpose of this proposal is to offer my professional services in the design, upgrade, and implementation of a quality Human Resource Department that will be held accountable and serve as a critical partner in ensuring that Precinct One provides the highest level of service while meeting the needs of its employees.

The proposed activities are divided into steps and are numbered for ease in communicating the individual activities. Each step is critical in operating a functional and productive Human Resource Department that is in compliance with federal and state regulations. However, together we can determine which activity should receive priority over the other activities.

My consulting fees are \$1,500 a week to reflect a minimum 40 hour-pay period. Also included in the fee is any time worked after the 40-hour week, as well as evenings and weekends. Appendix A reflects the Time and Fee Schedule. Should you have any questions, please contact me at 956.655.0547. Thank you for your consideration.

Sincerely,

Lorie Ochoa, Ed. D., PHR

EXHIBIT “C”

CERTIFICATE OF INSURANCE

NOTE: General Liability Insurance Certificate still has not been provided by Dr. Maria Lorie Ochoa. Full execution of contract and services cannot not be rendered until such document is submitted for proper execution.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
9/16/2009

| | | | |
|---|--|---|--------------|
| PRODUCER THUMANN AGENCY 12770 Coit Rd #110 Dallas, TX 75251 (972) 991-9100 | | THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. | |
| INSURED Maria L. Trevino Ochoa 2204 N. H Street McAllen, TX 78501 | | INSURERS AFFORDING COVERAGE INSURER A: Burlington Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: | NAIC# |

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | ADDL INSRD | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YYYY) | POLICY EXPIRATION DATE (MM/DD/YYYY) | LIMITS | |
|----------|------------|---|---------------|------------------------------------|-------------------------------------|---|--|
| A | | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMSMADE <input type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | 295B005034 | 09/15/09 | 09/15/10 | EACH OCCURRENCE \$ 500,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 500,000 GENERAL AGGREGATE \$ 500,000 PRODUCTS - COMP/OP AGG \$ INCL | |
| | | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS | | | | COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ | |
| | | GARAGE LIABILITY <input type="checkbox"/> ANY AUTO | | | | AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$ | |
| | | EXCESS / UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMSMADE DEDUCTIBLE RETENTION \$ | | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ | |
| | | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under SPECIAL PROVISIONS below | | | | WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ | |
| | | OTHER | | | | | |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Certificate holder is listed as an Additional Insured on the General Liability Policy listed above.

| | |
|--|--|
| CERTIFICATE HOLDER Hidalgo County Attn: Purchasing Department 2812 S. Highway Bus. 281 Edinburg, TX 78539 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE |
|--|--|

TEXAS LIABILITY INSURANCE CARD



FARMERS



LORIE OCHOA
2204 N H ST
MCALLEN, TX 78501-5683

Policy Number: 41871715
Effective Date: 09/04/2009
Expiration Date: 04/07/2010
NAIC Number: 24392

| Year | Make | Model | VIN |
|------|-----------|-----------------|-------------------|
| **** | ***** | ***** | ***** |
| 2009 | CHEVROLET | C1500 SILVERADO | 1GCEC19089Z145608 |
| **** | ***** | ***** | ***** |

1-800-225-0011

This policy provides at least the minimum amounts of liability insurance required by the Texas Motor Vehicle Safety Responsibility Act for the specified vehicle and named insureds and may provide coverage for other persons and other vehicles as provided by the insurance policy.

Agent Name: Bernardo Ramirez III
Phone No: (956)783-5000

2-09 A1662301

Texas Liability Insurance Card

Keep This Card

IMPORTANT: This card or a copy of your insurance policy must be shown when you apply for or renew your:

- motor vehicle registration
- driver's license
- motor vehicle safety inspection sticker.

You also may be asked to show this card or your policy if you have an accident or if a peace officer asks to see it.

All drivers in Texas must carry liability insurance on their vehicles or otherwise meet legal requirements for financial responsibility. Failure to do so could result in fines up to \$1,000, suspension of your driver's license and motor vehicle registration, and impoundment of your vehicle for up to 180 days (at a cost of \$15 per day).

Tarjeta de Seguro de Responsabilidad de Texas

Guarde esta tarjeta.

IMPORTANTE: Esta tarjeta o una copia de su póliza de seguro debe ser mostrada cuando usted solicite o renueve su:

- registro de vehículo de motor
- licencia para conducir
- etiqueta de inspección de seguridad para su vehículo.

Puede que usted tenga también que mostrar esta tarjeta o su póliza de seguro si tiene un accidente o si un oficial de la paz se la pide.

Todos los conductores en Texas deben de tener seguro de responsabilidad para sus vehículos, o de otra manera llenar los requisitos legales de responsabilidad civil. Falto en llenar este requisito pudiera resultar en multas de hasta \$1,000, suspensión de su licencia para conducir y su registro de vehículo de motor, y la retención de su vehículo por un periodo de hasta 180 días (a un costo de \$15 por día).

A1662302

QUALIFICATIONS AND CREDENTIALS

Lorie Ochoa, Ed. D., PHR

Lorie_Ochoa@Yahoo.Com

956.655.0547

Professional Qualifications in Human Resources

- Certified Mediator
- Experience in EEOC Investigations
- Experience in Screening, Interviewing, Recruiting, Hiring
- Experience in Negotiating Salary/Compensation
- Experience with Designing HR Metrics
- Experience with Federal Employment Law
- Experience with Texas Employment Law
- Experienced with Exempt/Non-Exempt practices
- Experience in Health and Safety Issues
- Experience in Design, Development and Enhancement of Employee Policies and Procedures
- Versed in FMLA, Worker's Compensation, USERRA, FLSA, and HIPPA Regulations
- Experience in Strategic Planning and Developing HR Scorecards
- Experience in Quantitative and Qualitative Evaluation

Professional Qualifications in Training and Development

- Experience in Instructional Design, Research, and Implementation
- Experience in Corporate Training
- Experience in Designing and Teaching On-line Classes
- Experience in designing schedules for comprehensive training calendars

Experience in Talent Acquisition

- Designed and Developed recruiting strategies to fill current and prospective vacancies
- Designed and Developed retention strategies to retain quality employees
- Excellent communication skills with prospective employees regarding the Company's culture, benefits

Design and Development of Protocols, Policies and Best Practices

- Experience in updating Employee Handbook to reflect current laws and best practices
- Experience in developing electronic forms and processes to address employee needs i.e. employees request for vacation, exceptions to company policy, questions on insurance benefits, payroll, appraisals, etc.
- Experience in develop HR Budget, Yearly Action Plan, Appraisal protocol
- Design, Develop, and Implement training for new and experienced supervisors

Maintain HR Knowledge Base

- Maintain knowledge of the broad range of relationships that may impact an employee, employer, or applicant
- Maintain knowledge of federal and state laws, company policies, practices and ethical obligations to investigate, evaluate, and recommend an appropriate resolution to an employee regarding a labor relations' complaint
- Maintain knowledge on performance management principles, including tools, methods and practices used to link the relationship between business goals and individual performance objectives, competencies, skills and knowledge
- Employment Law: Knowledge of regulatory laws that affect employment. This includes an understanding of ADA, FMLA, and Title VII/Civil Rights Act

Communication with Current Employees

- Update and maintain Company policies and procedures
- Counsel and advise managers of appropriate interventions to address employee relation issues (e.g., performance improvement process)
- Educate managers and employees on HR policies, plans, programs, practices, processes, and tools to enhance organizational capability related to the management and development of people and consistent delivery (e.g., compensation, benefits, development projects, EEO)
- Plan and implement HR processes, plans, programs, and tools with business leader(s) to build and enhance organizational capability
- Manage employee relations, benefits and record-keeping programs
- Coach managers and employees on planning, tracking, reviewing and enhancing performance as well as career planning and development

Academic Qualifications:

Post Doctorate - Harvard School of Education, Cambridge, Massachusetts 1997

Doctorate in Educational Leadership/Curriculum - Texas A&M University-College Station, Texas 1993

Master of Science in Educational Administration-Texas A&M University Kingsville, Texas 1988

Bachelor of Science - Speech Communication with a Minor in English-Texas State University 1986

Executive Trainings:

- Leadership America, Washington D.C.
- Leadership Texas, Austin, Texas
- Dupont Leadership Training, Austin, Texas
- Governor's Management Program, Austin, Texas
- Stephen Covey's Leadership Training-Seven Habits of Highly Effective People, Texas Education Agency, Austin, Texas
- Mediation Certification, Austin, Texas

Employment

HR Consultant –
2008 -Present

Contracts with Energy Companies, Corporations and, Municipalities. Assist with recruitment (screening and interviewing), compliance audits, overall HR protocol audits. Provide training on Sexual Harassment, Basic, and Advance Supervision, Conflict Resolution, Mediation, Drug Testing in the Workplace, Telephone Etiquette, Design Organizational and Individual Development Plans, Design Curriculum, Provide Training in areas specific to company needs and Conduct surveys to assess employee/employer relationship, strengths, and challenges.

South Texas College

June 2008-August 2009

Department Chair/Professor-Human Resource Management Program Design the curriculum and course outcomes to address the standards and practices of the Human Resource industry; Incorporate international and national metrics into the HR program to ensure a global and comprehensive HR program; Recruit students into the program; Serve as the Program Liaison to various private and public entities

Lone Star National Bank

2006-2008

Senior Vice President for Human Resources and Training and Development-Provided leadership to a staff of twelve in administering the HR and Training and Development Departments; Design course of instruction to complement the Individual Development Plans and Succession Plans; Align training metrics to ensure fundamental and advanced benchmarks are incorporated into daily deliverables.

Hidalgo County

2003-2006

Chief of Staff- (3,000 FTE's)- Provided the leadership and management for the Office of the County Judge; Responsible for overseeing the administration of sixty-two departments, a county budget of \$105 Million and a departmental budget of \$125,000; Serve as Liaison to the SEIU, employee Union, facilitate Commissioner Court agendas to reflect items of discussion with the Union and Management; Responsible for the screening, recruitment, interviewing, and hiring of 12 department staff members; Communicated with federal, state, and local elected officials and addressed constituent and management concerns on a daily basis.

City of San Antonio

2000-2002

Social Services Manager-Responsible for the executive management of the Department of Labor's Youth Opportunity Program; Responsible for meeting the program measures of recruiting and serving young adults who were categorized as At-Risk; Collaborated with St. Phillip's Community College to offer instructional and technical programs; Developed the screening, recruitment, and interviewing protocols of approximately 600 applicants for the ultimate hiring of approximately 200 staff members;

Negotiated salaries and contracts; negotiated leases, purchased capital outlay and supplies for two facilities; Responsible for the negotiation with vendors and ensured the program delivered the Department of Labor's expected outcomes to meet the \$12 million annual budget.

The University of Texas-Austin
1998- 2000

State Director - Center for Reading and Language Arts– Provided the leadership and management for the recruitment, interviewing, negotiating and staffing of 20 employees within the Center; Responsible for the development and implementation of the Center's professional development modules statewide initiatives; Collaborated with the Governor's Office and the White House on educational initiatives; Designed curriculum to address the state's literacy needs; and provided professional development to professors and teachers throughout the state on current initiatives.

The University of Texas Pan American
1996-1998

Assistant Professor - - Responsible for teaching graduate courses in the Department of Educational Leadership. Designed curriculum based on research and best practice on Supervision, Management, Personnel Recruitment, Retention and Evaluation, Leadership, Administration, and Curriculum and Instruction.

Texas Education Agency
1993-1996

State Director-Centers for Professional Development and Technology - Provided the leadership and management for the State's \$32 million dollar budget to restructure university preparation programs which emphasized the use of technology; Designed an evaluation instrument to audit the state's ROI for this initiative; Responsible for the screening, interviewing and hiring of regional directors throughout the state; Organized regional and statewide conferences to discuss collaborative ideas and research on the development, hiring and retaining of highly qualified educators; Presented at various state-wide conferences on integrating technology and research into curriculum; Collaborated with 75% of Texas universities on the conversion of the newly-designed performance-based system.

Texas Education Agency
1991-1993

Education Specialist-Department of Accreditation; Conducted state-wide audits of Texas independent school districts; reviewed curriculum and programmatic initiatives; analyzed budgetary expenses; reviewed student assessment data.

Human Resource Professional Development Opportunities

| | |
|----------------|---|
| September 2008 | Professional Mediator Training |
| February 2008 | Developing Drug Testing/Whistle Blower Policies |
| March 2008 | HR Policies and Procedures |
| April 2008 | Preparing for the Avian Flu and Staph Pandemic: What HR Must Do Now. |
| April 2008 | First 90 Days-Keeping Your New Hires Effective |
| January 2007 | Common Workplace Policies-Why they are Illegal |
| May 2007 | How to Classify Properly (Exempt/Non-Exempt, Labor Contract) |
| July 2007 | Affirmative Action-Managing the Process |
| July 2007 | Dealing with Workplace Romance |
| August 2007 | 10 Things to Do Before you Discipline/Discharge Employees |
| August 2007 | 75 th National Annual Operations and Human Resource Conference |
| August 2007 | Top 20 Security Mistakes that A Smart Institution Never Makes |
| September 2007 | Cutting Worker's Compensation Costs: How to Avoid Premium Traps |
| September 2007 | Getting Along in the Workplace-Intergenerational |
| October 2007 | Building a Recognition Culture |
| December 2007 | Successfully Returning Telephone Calls |
| January 2006 | Email and IM Rules-How to Avoid Legal Trouble |
| September 2006 | Appraiser Training |
| October 2006 | Fraud Prevention and Frontline Personnel |
| December 2006 | Security Training |

Professional Development Opportunities

| | |
|------|---|
| 2009 | Society of Human Resource Management-Global Conference |
| 2007 | Society of Human Resource Management Executive Course: Analyzing Financial Metrics within the HR Department |
| 2007 | Human Resources-Employee or Independent Contractor-How to classify properly and stay out of legal trouble-Davis Wright Tremaine LLP |
| 2007 | Human Resources-Federal requirements regarding Background Checks-Smith Publishers |
| 2007 | Human Resources-Legal Overview-Cox, Smith, and Mathews Law Firm |
| 2006 | Banking Operations-Texas Bankers Association |
| 2004 | Leadership Conference, Washington D.C.,-Senator Ruben Hinojosa-Sponsor |