

#21

SEP 27 2012



MEMORANDUM

DATE: September 24, 2012

TO: Mayor and Council

THRU: Rich Dlugas, City Manager *RD*
Debra Stapleton, Director of Human Resources Division *DS*

FROM: Valerie F. Hernandez *VFH*, Benefit Programs Supervisor

SUBJECT: Recommendation for Approval of APS Healthcare Bethesda, Inc. Agreement

RECOMMENDATION: Approve and authorize the Mayor and Council to approve the one year extension to the agreement between the City of Chandler and APS Healthcare Bethesda, Inc. for benefit plan year 2013, effective January 1, 2013.

BACKGROUND: City staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. APS Healthcare Bethesda, Inc. provides confidential and professional employee counseling assistance dealing with issues ranging from grief to managing stress. Each of the counselors holds either a master or doctoral degrees and are certified or licensed by the appropriate state agency. The City of Chandler's employee utilization rate continues to be strong and is above the company's average book of business thus they have has requested a \$0.04 cent increase in rates going from \$3.29 to \$3.33 per employee per month, effective January 1, 2013. This benefit is paid by the City.

PROPOSED MOTION: Move to approve and authorize the Mayor and Council to approve the one year extension to the agreement between the City of Chandler and APS Healthcare Bethesda, Inc. for benefit plan year 2013, effective January 1, 2013.

**AMENDMENT FOR
CALENDAR YEAR 2013
TO THE AGREEMENT BETWEEN
THE CITY OF CHANDLER AND
APS HEALTHCARE BETHESDA, INC.
AS SUCCESSOR TO APS HEALTHCARE
SOUTHWEST, INC., A PROGRAM OF
EMPLOYEE SERVICES**

This Amendment For Calendar Year 2013 is made and entered into this _____ day of _____, 2012 to the *Agreement Between the City of Chandler and APS Healthcare Southwest, Inc., a Program of Employee Services* dated October 1, 2003 ("Agreement").

WHEREAS, the City of Chandler and APS Healthcare Southwest, Inc., entered into an Agreement for a Program of Employee Services dated October 1, 2003, with a term ending December 31, 2004; and subsequently the Agreement was automatically renewed for the terms of January 1, 2005 through December 31, 2005 and January 1, 2006 through December 31, 2006 subject to the same terms and conditions except to amend the "per employee per month" charge; the Agreement was amended to extend the term from January 1, 2007 through December 31, 2009 and to amend the rate for the per employee per month fee; and the Agreement was amended to extend the term from January 1, 2010 through January 31, 2010 and to amend the rate for the per employee per month charge; and the Agreement was amended to extend the term from January 1 to December 31, 2011 and for certain other changes, and the agreement was amended to extend the term from January 1, 2012 through December 31, 2012 through the *Amendment for Calendar Year 2012 to the Agreement Between the City of Chandler and APS Healthcare Bethesda, Inc. as Successor to APS Healthcare Southwest, Inc., a Program of Employee Services*; and

WHEREAS, on or before October 9, 2009, APS Healthcare Bethesda, Inc., the parent company of APS Healthcare Southwest, Inc. agreed to be bound by the duties and obligations set forth in the Agreement between the City of Chandler and APS Healthcare Southwest, Inc.; and

WHEREAS, the City and APS Healthcare Bethesda, Inc. want to extend this Agreement for the term January 1, 2013 through December 31, 2013, and to again amend the rate for the per employee per month fee charged pursuant to this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and provisions contained herein and other good and valuable consideration, the parties do agree as follows:

1. The term of the Agreement is extended for the period January 1, 2013 through December 31, 2013.

2. Exhibit D, Special Provisions, to the Agreement is amended by adding the following: "01/01/13 – 12/31/13 at \$3.33 pepm."

3. Except for the provisions amended by Items 1 and 2 above, the Agreement as amended by the *Amendment for Calendar Year 2012 to the Agreement Between the City of Chandler and APS Healthcare Bethesda, Inc. As Successor to APS Healthcare Southwest, Inc., a Program of Employee Services* shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this *Amendment For Calendar Year 2013 to the Agreement Between the City of Chandler and APS Healthcare Bethesda, Inc. As Successor to APS Healthcare Southwest, Inc., a Program of Employee Services* to be duly executed this ____ day of _____, 2012.

CITY OF CHANDLER,
an Arizona municipal corporation

APS HEALTHCARE BETHESDA,
INC.

By: _____
Mayor

By: Susan Baker
Title: Executive Director

APPROVED AS TO FORM:

ATTEST: (If corporation)

City Attorney *Ch for*

Secretary

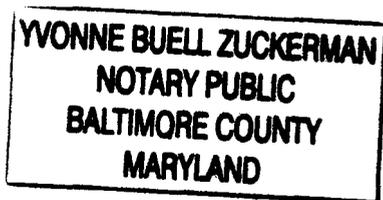
ATTEST:

City Clerk

State of Maryland
County of Howard

On this 13th day of August, 2012, before me the undersigned officer, personally appeared APSH Healthcare, a corporation, and that he/she/they, as such Executive Director, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself/themselves as Susan Baker.

In witness whereof I hereunto set my hand and official seal.



Yvonne Buell Zuckerman

Notary Public
My commission expires Jun 10, 2015