

**FIRST AMENDMENT TO AGREEMENT NO. 12029
FOR ANNUAL TEMPORARY PERSONNEL SERVICES RFP-22-21**

THIS FIRST AMENDMENT TO AGREEMENT (NO. 12029) is by and between Alachua County, a charter county and political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as "County", and CAREER CENTER, INC. f/k/a TEMPFORCE now d/b/a SPHERION, a Franchise Affiliate of RANDSTAD NORTH AMERICA, INC., hereinafter referred to as "Contractor". Collectively, the County and the Contractor are hereinafter referred to as the "Parties".

WITNESSETH:

WHEREAS, on August 4, 2021 the Alachua County and Career Center, Inc. entered into the *Agreement No. 12029 between Alachua County and Career Center, Inc. d/b/a TempForce for Annual Temporary Personnel Services RFP-22-21* (the "Agreement"); and

WHEREAS, effective January 31, 2022, Career Center, Inc. d/b/a TempForce ("TempForce") was re-designated as Career Center, Inc. d/b/a Spherion ("Spherion"), a Franchise Affiliate of Randstad North America, Inc.; and

WHEREAS, the Parties wish to amend the Agreement for the County to recognize and accept the re-designation of TempForce to Spherion ; and

WHEREAS, the Parties wish to furthermore amend the Agreement to update and clarify certain provisions.

NOW, THEREFORE, the Parties hereby agree to amend the Agreement as follows:

- A. The County recognizes and accepts the re-designation, re-naming or assignment of TempForce to Spherion. The Agreement is hereby amended so as to include as a Party and so as to assign the Agreement to "Career Center, Inc. d/b/a Spherion".
- B. Sub-Paragraph 5.2 of Paragraph 5 of the Agreement, **Method of Payment**, is amended in its entirety to read as follows. All other portions of paragraph 5 remain unchanged by this Amendment.

5.2 Payment shall be paid based on the following bill rate and markup:

5.2.1 Bill rate by the Contractor shall consist of the County's minimum salary for the position plus the position percentage mark-up below.

5.2.2 As the County provides benefits in addition to the minimum salary for the position, and the Contractor does not provide benefits, the Contractor shall increase the minimum salary in an amount to meet the established Alachua County Minimum Wage (GMW), in accordance with paragraph 6, plus the percentage mark-up below.

Mark-up Percentage		
Clerical	Light Industrial	Medium Industrial
Sample job types: Staff Assistant, Fiscal Assistant, paraprofessionals, Accountants	Sample Job Types: Custodial, Lab Techs, Warehouse Clerks, positions lifting 30-50 Lbs. occasionally	Sample Job Types: General Labor, Grounds, Building Maintenance, positions lifting 30-50 lbs. regularly
Mark-up 29.75%	Mark-up 40%	Mark-up 43%

5.2.3 The County shall notify the Contractor of the established GMW on an annual basis.

C. Paragraph 11 of the Agreement, **Laws and Regulations**, is hereby amended in its entirety to read as follows:

11.1 The Contractor will comply with all laws, ordinances, regulations, and building code requirements applicable to the Services provided under and required by this Agreement. The Contractor is presumed to be familiar with all state and local laws, ordinances, code rules and regulations that may in any way affect the Services outlined in this Agreement. If the Contractor is not familiar with state and local laws, ordinances, code rules and regulations, the Contractor remains liable for any violation and all subsequent damages or fines.

11.2 Alachua County has established safety protocols to protect the spread of COVID-19 in the workplace and among the workforce. The Contractor agrees to comply with adopted Alachua County COVID-19 Procedure, as amended, concerning masking and social distancing as applicable to employees while working or providing services inside a Covered Alachua County Facility.

11.3 The Contractor shall abide by and conduct its programs and the Services to the County in compliance with the provisions of the Civil Rights Act of 1866, Civil Rights of Act of 1971, Equal Pay Act of 1963, Civil Rights Act of 1964, Age Discrimination and Employment Acts of 1967, Rehabilitation Act of 1973, 1990 Americans with Disabilities Act, 1991 Federal Civil Rights Act, 1992 Florida Civil Rights Act, and all other applicable ordinances, statutes, laws and amendments thereto.

{Remainder of page intentionally left blank}

WITNESS WHEREOF, the parties have caused this First Amendment to be executed for the uses and purposes therein expressed on the day and year below written.

ALACHUA COUNTY, FLORIDA

By: Marihelen Wheeler

Marihelen Wheeler, Chair

Board of County Commissioners

Date: 3/22/2022

ATTEST:

J.K. Irby

J.K. "Jess" Irby, Esq., Clerk

(Seal)

APPROVED AS TO FORM

DocuSigned by:
Diana Johnson
9E797AC46776481

Alachua County Attorney's Office

CAREER CENTER, INC.

d/b/a SPHERION

By: Carolynn Buchanan
Carolynn Buchanan (Mar 11, 2022 16:35 EST)

Print: Carolynn Buchanan

Title: Owner/Manager

Date: Mar 11, 2022

RANDSTAD NORTH AMERICA, INC.

By: Jane Brown
Jane Brown (Mar 11, 2022 16:27 EST)

Print: Jane Brown

Title: Associate General Counsel

Date: Mar 11, 2022

IF THE CONTRACTOR IS INCORPORATED OR IS OTHERWISE NOT A NATURAL PERSON, PLEASE PROVIDE A CERTIFICATE OF INCUMBANCY AND AUTHORITY, OR A CORPORATE RESOLUTION, LISTING THOSE AUTHORIZED TO EXECUTE CONTRACTS ON BEHALF OF THE CONTRACTOR. IF A NATURAL PERSON, THEN YOUR SIGNATURE SHOULD BE NOTARIZED.

