

Memorandum



Date: December 12, 2023

Agenda Item No. 8(P)(14)

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Request for Additional Expenditure Authority for Third Party Administrator for Flexible Spending Accounts

Summary

This item is for additional expenditure authority under a contract for a third-party administrator for flexible spending accounts for the Human Resources Department (HR). The contract provides for implementation, administration, and management of the Flexible Spending Account (FSA) Plans, which consists of the pre-tax Health Care Flexible Spending Account (HCFSA) and the Dependent Care Flexible Spending Account (DCFSA) in accordance with Section 125 of the Internal Revenue Service (IRS) Code of 1986 and the regulations promulgated thereunder. The approval of Supplemental Agreement No. 3 will provide for Retiree Administration and Billing Services that were included in the contract as an optional service, which the County is now exercising. The additional expenditure authority is needed to cover the cost of incorporating the aforementioned services into the contract, effective January 1, 2024.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve Supplemental Agreement No. 3 and authorize additional expenditure authority to Contract No. *BW9990-0/22, Third Party Administrator for Flexible Spending Accounts* for HR in the amount of \$297,000 for retiree administration and billing services. The County awarded this bid waiver contract under the Mayor's delegated authority on December 2, 2022 to AxisPlus Benefits Corporation for a four-year term. On October 18, 2022, the Board approved a two-year extension via Resolution No. R-990-22.

Retiree administration and billing services are currently administered in the legacy AS400 System. The module for these services was expected to be migrated and integrated with the implementation of the INFORMS Human Capital Management System, but the capability to support HR's functional needs for processing these specialty services with unique and competing payroll complexities does not exist yet. Furthermore, the AS400 System is anticipated to be retired. Hence, the services need to be contracted with the third-party administrator. We will continue to seek a solution to integrate this functionality into INFORMS. The contract included these retiree services for \$4.95 per month per participant, and staff was able to negotiate the rate to \$2.75 per month per participant.

Scope

The scope of this item is countywide in nature.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to execute Supplemental Agreement No. 3 and exercise all provisions contained therein.

Fiscal Impact/Funding Source

The contract term expires on December 31, 2024. The contract has a current cumulative allocation of \$344,028. If this request is approved, the contract will have a modified cumulative allocation of \$641,028. The requested increase in expenditure authority is based on an estimated 10,000 participants. The County negotiated the rate included in the contract for additional services for retiree billing from \$4.95 to \$2.75 per participant per month.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
HR	\$344,028	\$297,000	\$641,028	Employee Funded	Helena Denham-Carter

Track Record/Monitor

Pearl Bethel of the Strategic Procurement Department (SPD) is the Procurement Contracting Manager.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
AxisPlus Benefits Corporation	860 E 9085 South Sandy, UT	None	Richard Stowell

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with SPD's Procurement Guidelines to determine contractor responsibility, including verifying corporate status and review of performance and compliance issues through various vendor responsibility lists and a keyword internet search. The lists referenced include convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to contractor responsibility.

Applicability of Ordinances and Contract Measures

- The two percent User Access Program does not apply.
- The Small Business Enterprise measures and Local Preference do not apply.
- The Living Wage Ordinance does not apply.



Carladenise Edwards
 Chief Administrative Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 12, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(P)(14)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(P)(14)
12-12-23

RESOLUTION NO. _____

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$297,000.00 FOR A TOTAL MODIFIED CONTRACT AMOUNT OF \$641,028.00 FOR CONTRACT NO. BW9990-0/22 FOR THE PURCHASE OF THIRD PARTY ADMINISTRATOR FOR FLEXIBLE SPENDING ACCOUNTS FOR THE HUMAN RESOURCES DEPARTMENT; APPROVING SUPPLEMENTAL AGREEMENT NO. 3 TO ADD RETIREE ADMINISTRATION AND BILLING SERVICES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 3 AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board authorizes additional expenditure authority in an amount up to \$297,000.00 for a total modified contract amount of \$641,028.00 under Contract No. BW9990-0/22 for the purchase of third party administrator services for flexible spending accounts for the Human Resources Department, and approve Supplemental Agreement No. 3 in substantially the form attached hereto and made a part hereof, to add retiree administration and billing services.

Section 2. The Board authorizes the County Mayor or County Mayor's designee to execute Supplemental Agreement No. 3 and exercise all provisions contained therein. A copy of the contract is on file with and available upon request from the Strategic Procurement Department.

The foregoing resolution was offered by Commissioner ,
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	
Anthony Rodríguez, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Kevin Marino Cabrera	Sen. René García
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Eileen Higgins
Kionne L. McGhee	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared the resolution duly passed and adopted this 12th day of December, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Michael B. Valdes

SUPPLEMENTAL AGREEMENT NO. 3

Contract Number: **BW9990-0/22**

Contract Title: **Third Party Administrator for Flexible Spending Accounts**

Contractor: **AxisPlus Benefits**
860 E 9085 S
Sandy, Utah 84094

In accordance with the above referenced Contract, this Supplemental Agreement, when properly executed, becomes part of the Contract, and shall incorporate the following:

1. Pursuant to Appendix A, Scope of Services, Section 7, Additional Services, the administration of Retiree Billing Services shall be added as Section 8 as follows:

8. **Retiree Administration and Billing Services**

a. Billing:

- Manage billing types per participant type.
- Configure benefit plan rates by participant, tier, age, or other indicators.
- Manage one or multiple subsidies per plan by %, or \$ for designated time.
- Employer-initiated participant entry and report generation.

b. Payments

- Accept checks and include check number and other codes.
- Offer automatic monthly payments, one-time e-check or credit card payments.
- Batch payment processing or import payments.
- Handle advanced payments and flexibility in handling deficient payments.

c. Disbursements

- Send disbursements to the employer, carrier, or designated recipient.
- Set disbursement recipient per benefit plan.
- Disburse by check or ACH.

d. Reporting

- Create custom reports or modify existing reports.
- Predefined reports include filter options for easy on-demand reporting.
- Report export capabilities to Excel, PDF, CSV and more
- User-audit tracking for all user-types tracking logins, actions, participant history, and option changes.
- Participant reports including Address Change, Payment Reports, Dependent Age, Status Reports, and other ad-hoc reports.
- Premium Reports: Premium Receipt, Disbursement Reports, Electronic Payments, Balance Reports, and more
- Multiple Benefit reports including Benefit Plan Listing, Plan Sponsor Rates, ACA and W-2 Benefit Summary Reports.
- Certificate of Mailing Report.

- Eligibility report to identify Enrollments, Terminations, Reinstatements, and changes over a specified period.
2. Effective January 1, 2024, the current Revised Appendix B, Payment Schedule shall be revised with the attached Revised Appendix B, Payment Schedule to incorporate the negotiated Retiree Billing pricing.

All terms, covenants and conditions of the original Contract and any Supplemental Agreements issued thereto shall remain in full force and effect, except to the extent herein amended.

IN WITNESS WHEREOF, County and Contractor have caused this Supplemental Agreement No. 3 to County Contract No. BW9990-0/22 to be executed by their respective parties and duly authorized officers.

Contractor

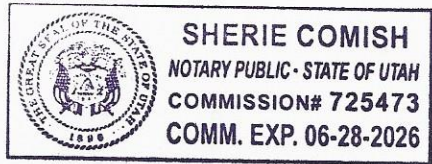
Miami-Dade County

By: *Richard Stowell*
 Name: Richard Stowell
 Title: Ex. Director / CEO
 Date: 8/24/23
 Attest: *Sherie Comish*
 Corporate Secretary/Notary Public

By: _____
 Name: Daniella Levine Cava
 Title: Mayor
 Date: _____
 Attest: _____
Juan Fernandez-Barquin
 Clerk of the Court and Comptroller

Corporate Seal/Notary Seal

Approved as to form and legal sufficiency



Michael Valdes
 Assistant County Attorney

**Revised Appendix B
Price Schedule
(Effective 01/01/24)**

A. Administration Fees for Health Care and/or Dependent Care Participants:

Plan Year	Per Participant Per Month
2023 Administration Fees	\$2.40
2024 Administration Fees	\$2.40

B. Non-Discriminating Testing Services

Plan Year	Estimated Participants	Per Participant Per Month
2023 Administration Fees	27,000	\$0
2024 Administration Fees	27,000	\$0

C. Additional Services

Administration Fees below shall be applicable only if the associated services are adopted by the County; and the Scope of Services is incorporated into the Contract.

1. Health Savings Accounts (HSA)

Plan Year	Per Participant Per Month
2023 Administration Fees	\$2.40
2024 Administration Fees	\$2.40

D. Retiree Billing

Plan Year	Estimated Participants	Per Participant Per Month
2024 Administration Fees	10,000	\$2.75

Notes:

- (1) All administration fees are firm and fixed as indicated on this Price Schedule, including extension period. The fees are not contingent on any assumptions, minimum participation requirements, or proposed restrictions. Any extensions pursuant to Article 5 of the Agreement will be at the then current rates.
- (2) Administration fees are all-inclusive. No "add-on" charges for services shall be accepted.
- (3) Non-discriminating testing services fees are included at no additional cost. The "Estimated Participants" indicated are based on census data as of May 2022 and may change without affecting the Price Schedule.
- (4) There shall be no additional costs to the County for:
 - a. Updates prepared and submitted for inclusion in benefits booklet
 - b. All reports as stated in Appendix A, Scope of Services
 - c. Contract Cancellation or termination (whether on or off the anniversary date)
 - d. Claim adjudication
 - e. Interface with other vendors
 - f. Routine printing and mailing