

CPS HR CONSULTING

STATEMENT OF WORK NO. 6

Written Examination Consulting

This Statement of Work ("SOW"), effective May 26, 2014 ("Effective Date") is issued under and subject to all of the terms and conditions of the Master Consulting Services Agreement, (the "Agreement"), dated as of June 23, 2008 by and between Cooperative Personnel Services, dba **CPS HR Consulting**, a California Joint Powers Authority ("CPS HR") with offices at 241 Lathrop Way, Sacramento, CA 95815 and **Lexington-Fayette Urban County Government** ("Client") with offices at 200 East Main Street, Lexington, KY 40507.

Any modifications specified in this SOW shall be applicable only to the parties hereto and shall not affect the Agreement or any other agreement. All changes to this SOW must be mutually agreed to and executed in writing by duly authorized representatives of both parties as an amendment to this SOW.

Capitalized terms used herein shall have the meanings ascribed to them in the Agreement.


1. **SERVICES:** The services to be provided are identified in Attachment "A."
2. **CLIENT RESPONSIBILITIES:**
 - a. Client must timely perform all those Client roles and responsibilities set forth in this SOW. Successful completion of this project within the time specified depends largely upon an effective working relationship between Client and CPS HR project staff. For this reason, CPS HR requests that Client designate an individual to coordinate communication, meetings, schedules, and all other activities on behalf of the client's agency as outlined in CPS HR' cost proposal.
 - b. Any work products developed during the activities described above will be submitted to Client's Project Representative for review, comment and/or approval. This is a critical step to ensure accurate, reliable, and valid products.
3. **START DATE:** May 26, 2014
4. **COMPLETION DATE:** January 31, 2015
5. **CPS HR PROJECT MANAGER:** Niki Polk Phone Number: (916) 263-3600
6. **CLIENT PROEJCT REPRESENTATIVE:** Paula Williams Phone Number: (859) 258-3055
7. **SERVICE FEES:** \$12,939.00
 - a. All Services provided to Client by CPS HR hereunder are priced on a FIXED PRICE basis. All amounts are based upon the following assumptions. Any deviations from the following assumptions may result in an increase in the Fees: (i) Client will timely perform its responsibilities as set forth in this SOW; and (ii) Services will normally be performed during normal business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding CPS HR holidays ("Normal Business Hours").
 - b. CPS HR will invoice Client at the fixed fee rate of \$8,000.00 as detailed in Attachment A. Client may request that CPS HR puts the examinations together, prints and ships them for an additional fee as detailed in Attachment A.
 - c. Invoices will be submitted for payment upon completion of each deliverable Client will pay CPS HR within thirty (30) days following receipt of consultant invoice.


- 8. In the event the project is terminated early, CPS HR will be paid such amount as is due for professional services performed and out-of-pocket expenses incurred up to and including the effective date of termination.
- 9. This SOW covers work requested and performed prior to the commencement of this SOW.

EACH PARTY ACKNOWLEDGES THAT IT HAS READ THIS SOW, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

**Cooperative Personnel Services dba
CPS HR Consulting**

Lexington-Fayette Urban County Government

By: 
Authorized Signature
Name: Gerald Greenwell
Title: Chief Executive Officer
Date: 7-9-14

By: 
Authorized Signature
Name: JIM GRAY
Title: MAYOR
Date: 7.14.14

Attachment A

Scope of Services

Create an Examination Plan for Each Rank

An SME panel of Division representatives will be convened to assist in the examination development process for each target rank. This group(s) of SMEs will be selected by the Division.

The first step will be a review of the job task analysis results for the target rank. Specifically, those critically important and/or frequently occurring job behaviors, tasks, and KSAOs that are amenable to the testing process will be identified. The initial criteria utilized in reviewing the job behaviors, tasks, and KSAOs will include the following:

Measurability

- Only those job behaviors/tasks/KSAOs that can be adequately (and reasonably) measured in the testing process will be considered.

Training Considerations

- Job Behaviors/Tasks/KSAOs that require specific skill training after hire or promotion in order to be successfully performed will be avoided.

- Those job behaviors/tasks/KSAOs that are deemed to be difficult or impossible to standardize, or to otherwise administer in a consistent manner, will be avoided.

Financial Considerations

- Job Behaviors/Tasks/KSAOs that would entail a prohibitively high financial outlay to simulate will be avoided.

Based on these considerations, CPS HR staff will work with the SME panel to select the job behaviors, tasks, and KSAOs to incorporate into a series of performance exercises appropriate to each target rank. The knowledge areas associated with the job task analysis will be utilized for the written examinations, and appropriate weights will be given to each section.

Select Examination Materials

There will be a timed (no more than two hours), written, multiple-choice examination consisting of 100 questions created as part of this project for the ranks of Sergeant and Lieutenant within the Division. CPS HR staff will consult with a panel of subject matter experts (SMEs) within LFUCG and the Division to finalize a reading list to be used by candidates for preparation for each written test and to be used as the basis for the development of each written test (in accordance with the applicable exam plan based on job analysis data). CPS HR will work with the SMEs to identify acceptable source materials (including those sources that are internal to the Division) from which the test items will be developed. We will review previously used bibliographies and recommend changes, if necessary. Due to our nationwide presence, CPS HR staff is very familiar with the vast array of law enforcement reading materials available in the market today and will make every effort to recommend source materials that facilitate the learning of meaningful knowledge and skills by each candidate group. This will, in

turn, better prepare candidates for promotion and better differentiate the best-qualified candidates from less-qualified candidates, rather than merely identifying superficial reading materials that lead to an exercise in the memorization of trivial facts and figures.

Review and Link Written Examination Items

It is our understanding that the Division will write their own examination items. CPS HR will meet with the SMEs to link each examination item to its appropriate knowledge area(s) within the examination plan to ensure that the appropriate number of items is included within each section (in accordance with the job task analysis). CPS HR will also review the examination items to ensure they are worded correctly, have only one correct answer and three incorrect answers, etc. If CPS HR makes edits to any items, SMEs within the Division will have the opportunity to review the suggested edits before the items are finalized.

Finalize the Written Examination

Once the final version of each written examination is developed and no later than one week prior to the administration of the application examination, CPS HR will deliver to LFUCG a sufficient number of individually numbered examination booklets for the candidates, along with a scoring key. CPS HR has extensive experience in the administration of written tests and will provide all materials necessary for the administration of the examination, including proctor's instructions, in order to maintain the security and integrity of each testing process. Furthermore, as previously mentioned, CPS HR will ensure that all examination booklets are shrink-wrapped, inventoried, and sealed within a package to maintain confidentiality. During the administration by LFUCG, a CPS HR consultant can be on-call or on-site to answer any questions or concerns that may arise.

Assist with Appeals

CPS HR will provide defense of examination items throughout the Division's required appeals process. CPS HR staff and SMEs will review all applicable item appeals and provide an initial decision as to each outcome on a case-by-case basis. CPS HR will also evaluate the item and test statistics (i.e., reliability estimates, standard error of measurement, mean, standard deviation, etc.). Additionally, item difficulty statistics and discrimination indices will be used to identify questionable items and to evaluate internal consistency reliability. CPS HR will then review all appeals from candidates regarding the applicable testing process against the resulting test statistics. Based on the outcome of the appeals process and item statistics evaluation process, CPS HR will either rekey (i.e., allow for more than one correct answer) or eliminate (i.e., give all candidates one point) items as needed. CPS HR will provide LFUCG with briefing materials that include copies of all appealed questions and the outcome and rationale of each.

Provide Technical and Litigation Assistance and Expert Testimony, As Needed

CPS HR's approach is designed to comply with all aforementioned prevailing technical standards and legal guidelines. We utilize these standards and guidelines to ensure best-practice in all of our assessment and selection engagements.

CPS HR consultants will be available on brief notice to provide technical and professional assistance to LFUCG/Division representatives and expert testimony throughout the life of the agreement. Furthermore, besides assisting LFUCG/the Division in responding to questions and inquiries regarding the promotional processes, we will provide, without charge, four hours of consulting time in defense of the examinations if they are legally challenged and/or litigated within six months of administration. Additional hours will be at the rate of \$300/hour, plus expenses. CPS HR will provide litigation support as requested by LFUCG/the Division.

We will provide, without charge, four hours of consulting time in defense of the examinations if they are legally challenged and/or litigated within six months of administration.

In addition, CPS HR has a professional relationship with Dr. David Friedland, who is available to provide expert testimony if his services are desired by the Fire District. Dr. Friedland is an expert in job analysis, test

development and validation, statistics, and equal employment opportunity issues. He is recognized by the Court as an expert in employment discrimination litigation and government compliance reviews. Dr. Friedland has served as a litigation consultant in more than 30 cases, including several landmark employment discrimination cases. He has been retained by defense counsel in approximately 60 percent of cases and plaintiff counsel in 40 percent, including counsel for government compliance agencies. Litigation cases have included individual and class action cases involving charges of discrimination based on race, sex, national origin, age, and disability. Litigation issues have included hiring, promotions, layoffs, wrongful termination, compensation discrimination, and improper application of personnel policies. Dr. Friedland has testified in both state and federal courts as well as in arbitrations and labor-management and civil service hearings.

Fees

Examination Consisting of 100% Division-Developed

Sergeant: \$4,000.00
Lieutenant: \$4,000.00

Assumptions:

- CPS HR will utilize the job analysis data to create an examination plan for each rank.
- CPS HR will work with Division SMEs to link written examination items to the examination plan.
- CPS HR will review and edit all examination items.
- CPS HR will research appeals.
- CPS HR will provide brief item writing/review training for SMEs.
- If CPS HR needs to write any examination items, the cost will be \$35/item.

Additional Cost: CPS HR Puts Together the Examinations and Prints and Ships Them

Sergeant: \$2,568.50
Lieutenant: \$2,370.50

Assumptions:

- Shipping and handling will be billed at cost in addition to the above fees.
- Scoring can be conducted at no additional cost if CPS HR answer sheets are used.
- Item analyses can be done at no additional cost (assuming the data can be electronically transmitted from the County to CPS HR in a predetermined format or if CPS HR answer sheets are used).