

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AN AMENDMENT TO THE SUBSTITUTE STAFFING SERVICES AGREEMENT WITH ESS SOUTH CENTRAL, LLC, FOR KINGSPORT CITY SCHOOLS AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

WHEREAS, on January 21, 2020, the board adopted Resolution No. 2020-118, authorizing the mayor to sign a staffing services agreement with ESS South Central, LLC (f/k/a ESS Southeast, LLC) for substitute staffing services for the Kingsport City Schools; and

WHEREAS, over the course of the agreement with ESS South Central LLC there have been numerous amendments to the original agreement which addressed changes to the staffing services provided as well as extensions of the agreement; and

WHEREAS, Kingsport City Schools and ESS desire to amend the agreement once again in order to update the pay scales and extend the agreement through June 30, 2025; and

WHEREAS, the cost for this additional substitute classification will be paid with funds in General Purpose School Fund.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That Addendum 11 to the agreement with ESS South Central, LLC, is approved and all prior addendums are hereby ratified.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an amendment to the agreement with ESS South Central, LLC, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution, said agreement being as follows:

**ADDENDUM ELEVEN**

This is an Addendum to the Agreement between the **Kingsport City Schools** (hereinafter referred to as "LEA" for Local Education Agency) and **ESS South Central, LLC formally known as ESS Southeast, LLC** (the "Company") for the services of Substitute Teachers and Staff:

WHEREAS, the LEA and the Company initially entered into the Agreement whereby Company is to provide substitute staffing to fill positions at the request of the District on January 21, 2020;

WHEREAS, the Agreement provides for automatic renewals on a yearly basis; and

WHEREAS, LEA and Company are desirous of extending the term of the Agreement through June 30, 2025; and

WHEREAS, Section 11.1 of the Agreement provides that the Agreement may be amended as agreed between the parties and in writing and signed by the party against whom the operation of such amendment is sought to be enforced; and

Now, therefore, based upon the exchange of good and valuable consideration between the parties, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree to modify the Agreement as follows:

1. The Term of the Agreement, as reflected in Paragraph 7, is hereby extended from July 1, 2024, through June 30, 2025;
2. Effective July 1, 2024, the following positions and rates are added in Exhibit A:

<b>Position</b>	<b>Pay Rate</b>	<b>Bill Rate</b>	<b>Rule</b>
Full Day Substitute Teachers	\$95.00	\$120.65	
Half Day Substitute Teachers	\$47.50	\$60.33	
Full Day Retiree Substitute Teachers	\$120.00	\$152.40	
Half Day Retiree Substitute Teacher	\$60.00	\$76.20	
Full Day Substitute Long Term Teacher	\$230.00	\$292.10	Day 1
Half Day Substitute Long Term Teacher	\$115.00	\$146.05	Day 1
Full Day Substitute Teacher - Certified	\$95.00	\$120.65	
Half Day Substitute Teacher - Certified	\$47.50	\$60.33	
Full Day Substitute Teacher - Non-Certified	\$95.00	\$120.65	
Half Day Substitute Teacher - Non-Certified	\$47.50	\$60.33	
Full Day Building Based Substitute Teacher Certified	\$95.00	\$120.65	
Half Day Building Based Substitute Teacher - Certified	\$47.50	\$60.33	
Full Day Building Based Substitute Teacher Non-Certified	\$95.00	\$120.65	
Half Day Building Based Substitute Teacher - Non-Certified	\$47.50	\$60.33	
Full Day Building Based Substitute Teacher -Retiree	\$120.00	\$152.40	
Half Day Building Based Substitute Teacher - Retiree	\$60.00	\$76.20	
Full Day Paraprofessional - Certified	\$95.00	\$120.65	
Half Day Paraprofessional - Certified	\$47.50	\$60.33	
Full Day Paraprofessional - Non-Certified	\$95.00	\$120.65	
Half Day Paraprofessional -Non- Certified	\$47.50	\$60.33	
Full Day Paraprofessional - Retiree	\$120.00	\$152.40	
Half Day Paraprofessional - Retiree	\$60.00	\$76.20	
ECLC (Early Childhood) Teacher - Full Day	\$95.00	\$120.65	
ECLC (Early Childhood) Assistant - Full Day	\$95.00	\$120.65	
ECLC (Early Childhood) Teacher - Half Day	\$47.50	\$60.33	
ECLC (Early Childhood) Assistant - Half Day	\$47.50	\$60.33	
ECLC (Early Childhood) Teacher positions 6 hr shift	\$75.00	\$95.25	
ECLC (Early Childhood) Assistant positions 6 hr shift	\$75.00	\$95.25	
Secretary/Admin	\$16.00	\$20.32	per hour
Book Keeper	\$22.00	\$27.94	per hour
Office Assistant/Administrative	\$12.00	\$15.24	per hour

3. All other provisions of the Agreement shall remain in full force and effect during the term of the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth below.

{Acknowledgements deleted for inclusion in this Resolution.}

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the amendment set out herein that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION IV. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION V. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 6th day of August 2024.

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PATRICK W. SHULL, MAYOR

ATTEST:

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ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

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RODNEY B. ROWLETT, III, CITY ATTORNEY