#### All Inclusive Compliance Training Agreement Cultural Diversity/Customer Service/Prevention of Workplace Violence and Prevention of Sexual Harassment

1. This Agreement is made on February 16, 2023 between RCultures, Inc (hereafter called Consultant). P.O. Box 297974 Miramar, FL 33029, and the City of Doral (hereafter called Client). This Agreement shall be in force from the date signed through the training dates specified in Attachment A.

2. Relationship of Parties. The Client agrees that the Consultant is an Independent Contractor within the meaning of Internal Revenue Code Section 1706, not an employee of the Client, and as such the following shall apply: In rendering Services hereunder, Consultant shall be acting as an independent contractor and not as an employee or agent of client. Consultant shall be responsible for the payment of all federal, state or local taxes payable with respect to all amounts paid to Consultant under this Agreement.

### 3. Services to be performed: Consultant agrees to provide **Cultural Diversity/Customer Service/Prevention of Workplace Violence and Prevention of Sexual Harassment.**

4. Consideration. In consideration for the services to be performed by the Consultant, the Client agrees to pay the Consultant the fees specified in Attachment A. All services rendered shall be invoiced and paid on the final day of training.

- 5. Client's Duties. The Client shall arrange for the training facilities.
- 6. General provisions

6.1 Liability Limitation. The liability of the Consultant with respect to this Agreement shall in any event be limited to the total compensation for the services provided under this Agreement and shall not include any contingent liability.

6.2 Ownership of property. All reports, plans, specifications, computer files, field data, notes and other documents and instruments prepared by the Consultant as instruments of service shall remain the property of the Consultant. However, records created or used to provide services under this agreement are public records and subject to disclosure under Florida law unless otherwise exempt or confidential.

6.3 Governing Law. This Agreement will be governed by and construed in accordance with the laws of the State of Florida.

6.4 Entire Agreement. This Agreement constitutes the entire Agreement between the parties and may not be changed unless mutually agreed upon in writing by both parties.

6.5 Amendments to Agreement. This agreement may not be changed unless mutually agreed upon in writing by both parties.

6.6 Force Majeure. Consultant is not responsible for damages or delay in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the control of Consultant.

6.7. Public Records. Any record created or used by either party in accordance with this contract shall be retained and maintained in accordance with Chapter 119, Florida Statutes. Contractor/Consultant:

- a. Keep and maintain public records required by the City to perform the service.
- b. Upon request from the City's custodian of public records, provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- c. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the Contractor does not transfer the records to the City.
- d. Upon completion of the contract, transfer, at no cost, to the City all public records in possession of the Contractor or keep and maintain public records required by the City to perform the service. If the Contractor transfers all public records to the City upon completion of the contract, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of the contract, the Contractor shall meet all applicable requirements for retaining the public records. All records stored electronically must be provided to the City, upon the request from the City's custodian of public records, in a format that is compatible with the information technology systems of the City.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT,

## CONTACT THE CITY CLERK AT 8401 NW 53 TERRACE, DORAL, FL 33166, PHONE: (305) 593-6730 cityclerk@cityofdoral.com

7. Termination of Contract. This Agreement shall terminate automatically on the occurrence of any of the following events: Completion by Consultant of the services required by this Agreement or default in the performance of the Agreement by either party. This agreement may be terminated in whole or in part at any time by either party by giving 30 days written notice to the other, or as mutually agreed.

8. In Witness Whereof, Consultant and Client have caused this Agreement to be signed by their respective duly authorized officers as of the day and year written below.

1 Laldel

<u>February 16, 2023</u> Date

Rick Caldwell Consultant President RCultures, Inc.

Attest:

CITY OF DORAL By:

Courtin

Clerk

Barbara Hernandez, City Manager Date: <sup>2/22/2023</sup>

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

Valerie Vicente

VALERIE VICENTE, ESQ. for NABORS, GIBLIN & NICKERSON, P.A. INTERIM CITY ATTORNEY

#### APPENDIX A

#### **Training Fees**

#### Description of Services to the City of Doral

RCultures, Inc. will provide the following training workshops: Cultural Competency/Diversity, Customer Service, Prevention of Violence in the Workplace and Prevention of Sexual Harassment in the Workplace

- Approximately 18 workshops for all city employees
  - No more than 25 personnel per workshop
  - 6 Hours All Inclusive Training

18 workshops @\$1500 per workshop Total \$27,000.00

All training will be conducted at the City of Doral. Each training session will be facilitated by, RCultures, Inc.

The training sessions will begin promptly at 9:00 a.m. and terminate at 3:00 p.m. Training sessions will consist of no more than twenty-five (25) personnel per session.



**RCultures**, Inc.

#### RCultures List of Workshops For the City of Doral

#### **RCultures Concept**

Even in the most high-pace of industries, complacency is not only the enemy, but a constant reminder that motivation levels are running low. Getting along with your team is only step one in creating a fun, productive work atmosphere – step two is properly communicating goals and getting everyone aligned and focused on those goals to accomplish the mission. That's where RCultures comes in. We provide solutions that help organizations accomplish their mission with the ultimate solution to corporate trainings. We accomplish this by aligning three key drivers of success – approach, process and strategy.

#### 1. <u>Cultural Competency/Diversity Training</u> (<u>CCDT 101</u>) (2 hours) \$600

The case for improving cultural competency is clear in "*Problems in Paradise, The People of Palm Beach and Martin Counties Speak up,*" the comprehensive public opinion survey conducted in 2005 by The Community Foundation for Palm Beach and Martin Counties. The report states, "In diverse communities, the benefits of cultural exchange are often overshadowed by the fact that relations between racial and ethnic groups can be fraught with tension, emotion and some lack of understanding about other groups' points of view. While 30 percent of residents describe race relations in South Florida Counties as excellent or good, 63 percent say they are fair or poor."

On a universal scale, the National Center for Cultural Competence at Georgetown University has identified the following indicators:

- long-standing disparities in the status of people of diverse racial and cultural backgrounds
- need for higher quality of services
- regulatory and accreditation mandates
- the changing workplace environment
- increasing liability and/or malpractice claims

In response to these needs and the changing demographics of the United States and the need for residents to embrace its evolving cultures, RCultures, Inc. established a *Cultural Competency/Diversity Training (CCDT)*. Through CCDT, participants learn to view everyone as having a unique culture and gain tools to develop more culturally proficient personal and

professional behaviors. The training addresses knowledge, attitudes, and skills by building on the RCultures steps to cultural competency.

#### (CCDT 102)

Rather than singling out specific groups or ethnicities by developing "lists" of values and beliefs, the approach focuses on communicating, building trust, being sensitive, recognizing and learning about the unique and special qualities of various cultures. This workshops digs deeper into race and culture and how to function effectively in the workplace.

- Explain the definition, terms and history of diversity
- Describe the meaning of stereotypes and biases, how they develop, and the reasons for your own perspectives
- List strategies for removing barriers to encouraging diversity for yourself, in the workplace, and in the social community

#### (CCDT 103)

- Use active listening skills to receive messages in a diverse population, employ effective questioning techniques, and communicate with strength
- Understand the importance of body language, both your own, and that of others, and recognize its importance in interpersonal communications
- Identify ways to encourage diversity in the workplace, and prevent and discourage discrimination
- Understand and respond to personal complaints, and develop a support system to manage the resolution process
- List the steps a manager should take to record a complaint, analyze the situation, and take appropriate resolution action
- Identify the process an organization must follow to receive and respond to a complaint, and then creating mechanisms to prevent or reduce repeat situations.

#### 2. <u>Leading Across Generations: Lead Today Prepare for Tomorrow</u> (2 Hours) \$600.00

In response to these needs and the changing generations in the United States and the need for residents to embrace its evolving cultures, RCultures, Inc. established a *Leading Across Generations: Lead Today and Prepare for Tomorrow*. (Generational Diversity) Participants will get a deeper understanding of why people of different age groups tend to think, feel, and act as

they do. You'll learn a variety of strategies and techniques for finding "common ground" for working more effectively, collaboratively, and productively with everyone on your team.

#### Objectives:

- Identify characteristics and gain a better understanding of the four generations
- Improve communications and teamwork
- Accept personal responsibility in working together
- Provide tips and suggestions for overcoming generational differences

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The purpose of this training is to educate employees in the recognition and prevention of illegal workplace sexual harassment and to provide effective means of eliminating such harassment from the workplace. This interactive workshop provides employees the proactive approach on why this should be considered a priority for effective employee relations. This workshop covers important issues related to sexual harassment and other forms of prohibited harassment like race, color, religion, national origin, disability and age. The workshop present learners with realistic workplace scenarios that help them truly understand inappropriate conduct in the workplace.

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Topics include:

- Customer Service is an Attitude not a Department
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This comprehensive ethics course covers a variety of topics (many listed below), and we can incorporate additional topics required to ensure your training covers the information you need and want.

- Confidential Information Security
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- Travel: Transportation & Lodging
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- Attract the best team players for your business
- Ensure that all team members operate at peak performance
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- Resolving conflict and promoting interdependence within teams
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- Define Acceptable Behavior in the workplace
- Learn how to hit Conflict Head-on
- Understanding the WIIFM Factor
- How to demonstrate The Importance Factor for mission accomplishment
- Learn to View Conflict as Opportunity

#### What participants will walk away with:

- Clearly and publicly make it known what will and won't be tolerated.
- How important time spent identifying and understanding natural tensions will help to avoid unnecessary conflict
- Finding few obstacles will stand in your way with regard to resolving conflict.

RCultures, Inc. continues to adapt the curriculum for a variety of private businesses and public entities that may also benefit from improved cultural competence in dealing with their own employees, customers, and communities. Examples of those organizations are the Broward Sheriffs Office, Boynton Beach, Sarasota, Miramar, Miami Beach and Delray Beach Police Departments, the Cities of Boynton Beach, Lauderdale Lakes, Doral, Delray Beach, Opa-Locka, Ft Lauderdale, Tallahassee, Desoto and Austin, Texas. The list also includes, Towns of Cutler Bay and Surfside, the Villages of Pinecrest and Key Biscayne, Palm Beach Fire Rescue, and Palm Beach Health Department. In addition RCultures has provided training to the National Forum for Black Public Administrators, NY Teachers Retirement System, MEC Ministries, and UCB Pharmaceuticals in Atlanta Georgia.

#### **RCultures, Inc. Qualifications and Experience**

RCultures, Inc. has extensive experience reaching, engaging, and providing cultural competency training. Response to both the concepts of cultural competency and the trainers who present the workshops has been exceptional. While evaluation data show gains in knowledge and high-

perceived value of the program, results may perhaps best be demonstrated by participants' comments. Several quotations that follow from post-training evaluations are representative:

"(I came expecting...) to be trained on culture and how to not stereotype and be more culturally diverse. (I got...) so much more! The training has opened my eyes to many aspects in life and will definitely reflect future actions and relations I have with people or situations in my life. Thank you for teaching me so much these past few days – loved it!"

"(I came expecting...) tools that I can use in my everyday life. (I got...) the knowledge that every encounter is cross-cultural and I should be aware of my values and biases & be more open & respectful. This was very informative and life changing for me. I was challenged but feel that it was needed – I can only hope that I keep this with me for years to come."

"(I came expecting...) to have a lot of knowledge but soon found out that I have a lot to learn. (I got...) a greater understanding of knowing about the value of others and that I have to know self-first. I could not wait to get here each day."

#### Key Program Staff

Rick Caldwell, the President of RCultures, Inc. has extensive expertise in curriculum design with focus on diversity and multi-cultural experiences, and is exceptionally well qualified to implement and facilitate the trainings. He possesses the qualifications and is effective in establishing a supportive learning environment and an atmosphere of mutual respect and trust, both among participants, and between the participants and trainer. In addition, the facilitator understands that the course is designed to help participants heighten their awareness, improve their knowledge, and increase their skills to work effectively in a diverse work environment, and have demonstrated their abilities to help participants accomplish those objectives.

#### RESOLUTION No. 23-02

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE **EXECUTION OF A CONTRACT WITH RCULTURES INC. FOR** CUSTOMER SERVICE AND SEXUAL HARASSMENT TRAINING FOR ALL CITY EMPLOYEES IN AN AMOUNT NOT TO EXCEED BUDGETED FUNDS FOR THESE SERVICES; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT AND TO EXPEND BUDGETED FUNDS IN HEREOF: FURTHERANCE PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral (the "City") requires employees to complete customer

service and sexual harassment trainings; and

WHEREAS, the priority is to deliver high quality service in a timely, feasible and effective manner, to exceed our customers' expectations through well-defined standards and training that support the City of Doral's values; and

WHEREAS, Staff has recommended approval of the proposal from RCultures, Inc, as provided in the January 11, 2023, Memorandum from the Human Resources Department, which is attached hereto as Exhibit "A" and incorporated herein and made a part hereof by this reference; and

WHEREAS, staff has recommended for the City Council to approve the proposal, attached hereto as Exhibit "B", which is incorporated herein and made a part hereof by this reference, that takes into account the development of in-person customer service and sexual harassment training for all employees, not to exceed budgeted funds.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

<u>Section 1.</u> <u>Recitals.</u> The above recitals are confirmed, adopted,

and incorporated herein and made a part hereof by this reference.

**Section 2. Approval.** The City Manager is hereby authorized to execute a contract with RCultures, Inc., not to exceed budgeted funds and to expend budgeted funds in furtherance hereof, upon approval from the City Attorney as to form and legal sufficiency, in an amount not to exceed budgeted funds.

**Section 3.** <u>Authorization.</u> The City Manager is authorized to execute a contract with RCultures, Inc. for and expend budgeted funds on behalf of the City.

**Section 4. Implementation.** The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution.

**Section 5. Effective Date.** This Resolution shall take effect immediately upon adoption.

Res. No. 23-02 Page **3** of **3** 

The foregoing Resolution was offered by Vice Mayor Pineyro who moved its adoption.

The motion was seconded by Councilmember Puig-Corve and upon being put to a vote,

the vote was as follows:

Mayor Christi Fraga	Yes		
Vice Mayor Rafael Pineyro	Yes		
Councilwoman Digna Cabral	Yes		
Councilwoman Maureen Porras	Yes		
Councilman Oscar Puig-Corve	Yes		

PASSED AND ADOPTED this 11 day of January, 2023.

CHRISTI FRAGA, MAYOR

ATTEST:

CONNIE DIAZ, MMC CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

LUIS FIGUEREDO, ESQ.

CITY ATTORNEY

## EXHIBIT "A"



### Memorandum

Subject:	Agreement with RCultures, Inc. for Customer Service and Sexual Harassment Training to all City Employees
From:	Maria T. Jose Human Resources Director
Via:	Barbara Hernandez City Manager
То:	Honorable Mayor and Councilmembers
Date:	January 11, 2023

#### **Introduction**

In accordance with Section 3.04 (9) of the City of Doral Charter – execution of contracts, deeds and other documents by the City Manager on behalf of the City must be approved by the Mayor and City Council. The Human Resources Department is seeking to continue the partnership with RCultures, Inc. to develop and administer in-person customer service and sexual harassment training for all City employees. The Human Resources has funding available in account 001.20005.500540.

#### **Background**

During the Strategic Planning stages, the Mayor and City Council provided guidance to the Human Resources Department to continue providing Customer Service and Sexual Harassment Training to all employees. The priority is to deliver high quality service in a timely, feasible and effective manner, to exceed our customers' expectations through well-defined standards and training that support the City of Doral's values.

Furthermore, the Human Resources Department provides harassment prevention training that involves educating employees on acceptable and unacceptable behavior within the workplace and provides the tools and knowledge needed to recognize and correct behavior that may be perceived as inappropriate. RCultures, Inc. provided the enclosed proposal listing individual prices Agreement with RCultures for Customer Service and Sexual Harassment Training to all City Employees Page 2 of 2

by curriculum. The Human Resources Department would be offering multiple classes per fiscal year not to exceed the approved budgeted amount of \$27,000.00. For the past thirteen years, the Human Resources has contracted RCultures, Inc. to develop and administer in-person customer service and sexual harassment training for all City employees.

#### Fiscal Impact:

The Fiscal Impact for the Customer Service and Sexual Harassment Training is included and approved in the FY 22-23. The Human Resources has available funding in account #001.20005.500540.

#### **Recommendation**

The City Manager's Office respectfully requests that the Mayor and City Councilmembers authorize the City Manager to negotiate and enter into an agreement with RCultures, Inc. for the development and administering of the Customer Service and Sexual Harassment Training not to exceed \$27,000.00 for FY 22-23, and further requests that the Mayor and City Council authorize the City Manager to expend budgeted funds on behalf of the City.

# EXHIBIT "B"



**RCultures**, Inc.

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perceived value of the program, results may perhaps best be demonstrated by participants' comments. Several quotations that follow from post-training evaluations are representative:

"(I came expecting...) to be trained on culture and how to not stereotype and be more culturally diverse. (I got...) so much more! The training has opened my eyes to many aspects in life and will definitely reflect future actions and relations I have with people or situations in my life. Thank you for teaching me so much these past few days – loved it!"

"(I came expecting...) tools that I can use in my everyday life. (I got...) the knowledge that every encounter is cross-cultural and I should be aware of my values and biases & be more open & respectful. This was very informative and life changing for me. I was challenged but feel that it was needed – I can only hope that I keep this with me for years to come."

"(I came expecting...) to have a lot of knowledge but soon found out that I have a lot to learn. (I got...) a greater understanding of knowing about the value of others and that I have to know self-first. I could not wait to get here each day."

#### Key Program Staff

Rick Caldwell, the President of RCultures, Inc. has extensive expertise in curriculum design with focus on diversity and multi-cultural experiences, and is exceptionally well qualified to implement and facilitate the trainings. He possesses the qualifications and is effective in establishing a supportive learning environment and an atmosphere of mutual respect and trust, both among participants, and between the participants and trainer. In addition, the facilitator understands that the course is designed to help participants heighten their awareness, improve their knowledge, and increase their skills to work effectively in a diverse work environment, and have demonstrated their abilities to help participants accomplish those objectives.



THE HARTFORD BUSINESS SERVICE CENTER 3600 WISEMAN BLVD SAN ANTONIO TX 78251

City of Doral 8401 NW 53RD TER DORAL FL 33166

#### Account Information:

Policy Holder Details :	RCULTURES, INC

February 14, 2023

Contact Us

Need Help? Chat online or call us at (866) 467-8730. We're here Monday - Friday.

Enclosed please find a Certificate Of Insurance for the above referenced Policyholder. Please contact us if you have any questions or concerns.

Sincerely,

Your Hartford Service Team

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AUTHORIZED REPRESENTATIVE

Susan J. Castaneda

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