

RESOLUTION NO. 22-262

**A RESOLUTION APPROVING THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION ENTERING INTO AN AGREEMENT WITH NEXT MOVE GROUP, LLC FOR EXECUTIVE SEARCH SERVICES TO RECRUIT ITS NEXT EXECUTIVE DIRECTOR IN AN AMOUNT NOT TO EXCEED \$25,110.00; FUNDS AVAILABLE IN EDC ACCOUNT NO. 120-80-625-5494-00-00-000.**

**WHEREAS**, the Port Arthur Section 4A Economic Development Corporation ("PAEDC") Board of Directors at their May 9, 2022 Regular Board Meeting appointed an Executive Director Search Committee to select an executive search firm to recruit the next PAEDC Executive Director; and

**WHEREAS**, the Executive Director Search Committee advertised a Request for Proposals on May 12<sup>th</sup>, 2022 for Executive Search Firms to recruit the next PAEDC Executive Director, attached hereto as **Exhibit "A"**; and

**WHEREAS**, six (6) proposals were received by the Committee in response to the advertisement by the submittal deadline on May 27, 2022; and

**WHEREAS**, the committee conducted interviews of the three firms that scored the highest per the scoring matrix attached hereto as **Exhibit "B"**; and

**WHEREAS**, at their Regular Board Meeting of June 6, 2022, the PAEDC Board of Directors approved entering into an Agreement with Next Move Group, LLC for executive search services as selected by the Executive Director Search Committee, for an amount not to exceed \$25,110.00 as described in the Agreement attached hereto as **Exhibit "C"**.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ARTHUR, TEXAS:**

**Section 1.** That the facts and opinions in the preamble are true and correct.

**Section 2.** That the City Council of the City of Port Arthur approves the Port Arthur Section 4A Economic Development Corporation entering into an Agreement with Next Move Group, LLC for the executive search services to recruit its next Executive Director for an amount not to exceed \$25,110.00.

**Section 3.** That a copy of the caption of this Resolution shall be spread upon the Minutes of the City Council.


**READ, ADOPTED AND APPROVED** on this 7th day of June A.D., 2022, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote: AYES:

Mayor Bartie, Mayor Pro Tem Holmes  
Councilmembers Jones, Kinlaw, and Marks

NOES: None

  
Thurman Bartie, Mayor

ATTEST:

  
Sherri Bellard, City Secretary

APPROVED:

  
Krystle Muller, PAEDC Interim CEO

APPROVED AS TO FORM:

  
Frank Garza, PAEDC Attorney

APPROVED AS TO FORM:

*See Memo*  
Valecia R. Tizeno, City Attorney

APPROVED AS TO AVAILABILITY OF FUNDS:

  
Kandy Daniel, Interim Finance Director

APPROVED:

  
\_\_\_\_\_  
**Krystle Muller, PAEDC Interim CEO**


APPROVED AS TO FORM:

\_\_\_\_\_  
**Frank Garza, PAEDC Attorney**

APPROVED AS TO FORM:

  
\_\_\_\_\_  
**Valecia R. Tizenio, City Attorney**

APPROVED AS TO AVAILABILITY OF FUNDS:

  
\_\_\_\_\_  
**Kandy Daniel, Interim Finance Director**

# MEMORANDUM

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**TO:** Mayor and City Council

**FROM:** Joseph P. Sanders, Asst. City Attorney on behalf  
of Val Tizeno, City Attorney

**RE:** P.R. No. 22611 - A Resolution approving the City of Port  
Arthur Section 4A EDC entering into an Agreement with Next  
Move Group, LLC for Executive Search Services

**DATE:** June 2, 2022

P.R. No. 22611 was submitted to the City Legal Department on Thursday, June 2, 2022 at 2:45 pm. There was insufficient time to review this item. Ordinance No. 22-18, which Mayor and Council passed on March 29, 2022, requires agenda items be submitted to the City Legal Department for review by 4 pm on the Friday before the agenda is posted; therefore, the item was not submitted in a timely manner for legal review.

# **EXHIBIT “A”**



**REQUEST FOR PROPOSALS (RFP)**  
**Executive Search Firm to recruit the next Executive Director**  
**of the Port Arthur Economic Development Corporation**

**May 12, 2022**

**Summary:** The Port Arthur Economic Development Corporation (the "PAEDC") is issuing this Request for Proposals for the services of an Executive Search Firm ("ESF") to assist in the recruitment of an Executive Director ("ED"). The ESF shall assist the PAEDC Executive Search Committee in attracting, interviewing, and hiring an Executive Director. Services include development of a position description and terms of employment, development of a recruitment plan, conducting a nationwide search, vetting of qualified candidates, and decision assistance in final selection. The ESF will coordinate its efforts with the PAEDC Executive Search Committee.

**Background:** The PAEDC is a 4a sales tax corporation created to enhance Port Arthur's business climate and overall economic development. The PAEDC is responsible for encouraging and developing business growth and attracting new business to Port Arthur. The mission of the PAEDC is to implement a proactive, aggressive industrial recruitment process focused upon specific industrial clusters that can achieve world-class competitive stature in Port Arthur. Further information can be found at [www.paedc.org](http://www.paedc.org).

**Executive Director Position:** The PAEDC is seeking an experienced Executive Director that will serve as the Chief Executive Officer of the organization. The ED reports to the Board of Directors and is responsible for effectively leading the PAEDC as well as overseeing all financial and operational aspects of the corporation in accordance with the Bylaws and the Mission of the PAEDC. The PAEDC ED serves as the public face and voice of the corporation and plays a leading role in building and maintaining collaborative relationships with business and community leaders. The current staff of the PAEDC is approximately 7 full time positions and the budget is approximately \$6M. The PAEDC office is located at 501 Procter St. in Port Arthur, Texas. Details on the duties of the ED can be found in Attachment A.

**Services Requested:** The PAEDC Executive Search Committee seeks the following services to identify a new ED.

- In collaboration with the PAEDC Executive Search Committee, develop a job position suitable for a nationwide search that is consistent with the PAEDC Bylaws as well as the needs of the Corporation.
- Coordinate with the Executive Search Committee throughout the process.

- Conduct a nationwide search to identify a diverse pool of highly qualified individuals to serve as the PAEDC ED. This portion of the search is expected to be complete three (3) months after the execution of a contract.
- In coordination with the PAEDC Executive Search Committee, develop evaluation criteria to be used.
- Vetting of qualified candidates to identify those both willing and most worthy of consideration; provide those candidates to the Executive Search Committee.
- Perform all relevant background checks, including social media activity.
- Inform each candidate that makes it to the final selection that their names will be shared with the PAEDC Board of Directors.
- Development of an executive offer for the most qualified candidate to include benefits and terms of employment. The executive offer will be evaluated by the PAEDC Executive Search Committee as part of the final selection process. It is expected that the ED will serve an initial 3-year term with subsequent 5-year terms, based upon performance.

It is desired that the entire search process be concluded in four to six months from execution of the contract.

**RFP Selection Process Timeline:**

Proposals are due May 27, 2022 at 3:00 p.m. Start of work should begin within 30 days.

**Proposal Requirements:**

PAEDC will consider proposals from Executive Search Firms with specific experience and success in recruiting Executive Directors for small to mid-size economic development organizations. The Board reserves the right to make the final hiring decision. Proposals should be no more than 20 pages, not including references, and cover the following:

1. **Organization Description:** Brief history and summary of your firm and expertise.
2. **Recruitment Approach:** Describe the process to be used to find a successful candidate for the PAEDC ED role. Detail how you will accomplish the above scope of work, including a clear delineation of the firm's responsibilities and the expectations of the PAEDC. Include any networks to be used on behalf of this search.
3. **Deliverables:** Delineate how success will be measured throughout the process.
4. **Proposed Timeline:** Estimate the start and end dates for each phase of the search process.
5. **Budget:** Proposed cost along with narrative of what is included in this cost.
6. **References:** Provide two references:
  - a. A successful Executive Director search, where the ED has been with the organization more than three years. Please provide contact information for both the ED, and if possible, the board member contact with whom the firm contracted.



- b. A recent (within the past 12 months) Executive Director placement. Please provide contact information for the ED as well as the board or staff contact with whom the firm worked most closely.

**Proposals to be considered and evaluated, must be sealed and received on or before 3:00 p.m. on May 27, 2022 at 501 Procter St., Ste. 100 Port Arthur, TX 77640. Proposals received after 3:00 p.m. on May 27, 2022 will not be accepted or considered. Faxed or emailed proposals are not acceptable. Each proposal, one (1) original and three (3) copies, must be appropriately signed by an authorized representative of the Offeror, and must be submitted in a sealed envelope or package. By submitting a proposal, the firm authorizes the PAEDC to contact references to evaluate the firm's qualifications for this project.**

**Evaluation Criteria:**

1. The respondent's experience and reputation (Point range: 40)
2. The capabilities and experience of the personnel assigned to the project (Point range: 10)
3. The extent to which the services meets PAEDC's needs (Point range: 10)
4. The pricing and timeline proposed by the firm (Point range: 40)

**Disclaimer:** This RFP does not commit the PAEDC to select any firm, award any work order, pay any costs incurred in preparing a response, or procure or contract for any services or supplies. The PAEDC reserves the right to accept or reject any or all submittals received, cancel or modify the RFP in part or in its entirety, or change the RFP guidelines, when it is in the best interests of the PAEDC to do so.

## **Attachment**

### **PAEDC Executive Director Duties and Responsibilities**

- Develop, plan, and implement, with Board participation, Economic Development Corporation goals and objectives as well as policies and procedures necessary to provide services; approve new or modified programs, systems, policies and procedures.
- Prepare and submit to the Economic Development Corporation Board reports of financial administrative activities; keep the Economic Development Corporation Board advised of financial conditions, program progress, and present and future needs of the Economic Development Corporation.
- Direct the development, presentation, and administration of the Economic Development Corporation budget, oversee the forecast of funding needed for staffing equipment, materials, and supplies; monitor revenues and expenditures, make mid-year corrections.
- Appoint, train, motivate and provide insight/input on staff performance objectives and collaborate in conjunction with Deputy Director in preparing and presenting performance reviews, conducting performance improvement plans (PIP), implementing corrective discipline procedures leading up to recommendation for termination; establish performance objectives, prepare and present employee performance reviews; implement discipline procedures; recommend employee termination;
- Direct and participate in the preparation of long-term, short term plans and plan improvements with recommended financing.
- Confer with the Economic Development Corporation Board and staff concerning administrative and operational problems, make appropriate decisions or recommendations.
- Supervise preparation of the Economic Development Corporation Board agenda.
- Direct the preparation of plans and specifications for work which the Economic Development Corporation Board orders.
- Interpret, analyze, and explain policies, procedures, and programs.
- Confer with residents, taxpayers, businesses, and other individuals, groups, and outside agencies having an interest in affairs of the Board.
- Respond to the most difficult and sensitive complaints and requests for information.
- Represent the Economic Development Corporation in the community and at professional meetings as required.
- Coordinate Economic Development Corporation activities with other governmental agencies and outside organizations.
- Perform all duties as may be prescribed by Economic Development Corporation Board action.
- Perform related duties as assigned.
- Preferred experience in leading organizational change, setting short and long term goals, establishing new Key Performance Indicators (KPI) and objectives, and establishing new organizational cultures.

# **EXHIBIT “B”**

| Evaluation Factor  | Points | Strategic Government Resources |    |    | Johnson & Associates |    |    | Logan Development Group |    |    | Mike Barnes Group |    |    | Next Move Group |    |    | The Pace Group |    |    |
|--|--------|--------------------------------|----|----|----------------------|----|----|-------------------------|----|----|-------------------|----|----|-----------------|----|----|----------------|----|----|
|  |        | Grader                         |    |    | Grader               |    |    | Grader                  |    |    | Grader            |    |    | Grader          |    |    | Grader         |    |    |
|  |        | 1                              | 2  | 3  | 1                    | 2  | 3  | 1                       | 2  | 3  | 1                 | 2  | 3  | 1               | 2  | 3  | 1              | 2  | 3  |
| Experience and reputation  | 40     | 30                             | 40 | 30 | 35                   | 40 | 38 | 30                      | 30 | 25 | 30                | 35 | 30 | 35              | 38 | 35 | 40             | 39 | 35 |
| Capabilities and experience of the personnel assigned to the project | 10     | 5                              | 10 | 7  | 10                   | 10 | 10 | 9                       | 5  | 10 | 9                 | 10 | 9  | 10              | 9  | 10 | 10             | 10 | 8  |
| Extent to which the services meets PAEDC's needs                     | 10     | 8                              | 10 | 9  | 10                   | 10 | 9  | 8                       | 5  | 9  | 5                 | 8  | 6  | 10              | 9  | 10 | 10             | 10 | 9  |
| Pricing and timeline proposed by firm                                | 40     | 28                             | 20 | 25 | 38                   | 30 | 40 | 34                      | 30 | 35 | 38                | 30 | 36 | 35              | 28 | 37 | 15             | 15 | 10 |
| TOTAL  |        | 71                             | 80 | 71 | 93                   | 90 | 97 | 81                      | 70 | 79 | 82                | 83 | 81 | 90              | 84 | 92 | 75             | 74 | 62 |
| Final Average  |        | 74                             |    |    | 93                   |    |    | 77                      |    |    | 82                |    |    | 89              |    |    | 70             |    |    |

# **EXHIBIT “C”**

## **Contract for Services Rendered**

This is a contract entered into by **Next Move Group, LLC**, located at 16685 Perdido Key Drive, Unit 102, Perdido Key, FL 32507 (hereinafter referred to as "the Provider") and **Port Arthur Economic Development Corporation**, located at 501 Proctor Street, Suite 100, Port Arthur, TX 77640, (hereinafter referred to as "the Client") on this date, June \_\_\_\_, 2022.

The Client hereby engages the Provider to provide services described herein under "Scope and Manner of Services." The Provider hereby agrees to provide the Client with such services in exchange for consideration described herein under "Payment for Services Rendered." The Provider is an independent agent and not an employee of the Client.

### **Scope and Manner of Services**

Services To Be Rendered By Provider: Provider will search for qualified candidates to serve as Economic Development Director for Client.

- Provider will build an attractive job advertisement profile of the position which will generate interest from potential candidates which includes quality of life pictures for online promotion.
- Provider will email the attractive job profile a minimum of three (3) times to Provider's email database of 10,000+ economic development professionals and use analytics from the emails to recruit potential candidates.
- Provider will place at least 200 calls to currently employed people well known in the economic development industry ("Super Connectors") seeking names of candidates provider should attempt to recruit.
- Provider will coordinate the advertising of the position on the International Economic Development Council (IEDC) website, Texas Economic Development Council (TEDC) website, LinkedIn, and Twitter.
- Provider will record video interviews of all applicants, so Client can preview candidates before forming a short list of candidates to interview.
- Provider will conduct criminal, driving, credit, and reference background checks on candidates prior to them coming to Client's community to interview.
- Provider will conduct personality trait tests on the candidates prior to them coming to Client's community to interview.
- Provider will coordinate all aspects of interviewing process. However, Client shall have all final decision-making authority on any such aspect.

- Provider will handle offer of employment term sheet negotiations with final candidate prior to acceptance of employment. However, Provider has no authority to bind Client to any and all terms and/or conditions of any and all employment agreement terms negotiated by Provider. Further, no employment agreement shall be binding upon Client unless and until the subject contract is reviewed, approved and signed by Client.

### **Confidentiality of Referrals**

All candidate referrals made by Provider are made on a confidential basis and Client shall hold Provider harmless from any liability resulting from Client's unauthorized disclosure or misuse of information regarding any candidates or their candidacy. Client shall not release any information regarding candidates during the recruiting process without written consent from Provider.

### **Payment for Services Rendered**

The Client shall pay the Provider per the following payment schedule:

\$25,110 upon the signing of this contract kicking off the project.

The only other foreseen costs are Client agrees to reimburse potential candidates for the pre-approved travel costs of them to come to its community to interview for the in-person interview portion of the process. Provider agrees to pay its own travel.

### **Guarantee**

- Replacement Search 100% Free of Charge – If your hire leaves for whatever reason within 12 months
- 70% Off Discount for Replacement Search – If your hire leaves for whatever reason in months 13 – 23
- 50% Off Discount for Replacement Search – If your hire leaves for whatever reason in months 24 – 36
- 30% Off Discount for Replacement Search – If your hire leaves for whatever reason in months 37 – 60
- 20% Off Discount for Replacement Search – If your hire leaves for whatever reason in months 61 – 72

### **Insurance**

Provider carries the following insurance policies:

- \$1 million Errors & Omissions liability policy
- \$1 million cyber liability policy (covers against if somehow a candidate's personal information was stolen off our servers)
- \$500,000 workers comp policy
- \$2 million general liability policy

### **Applicable Law**

This contract shall be governed by the laws of the State of Texas and any applicable Federal law.

### **Signatures**

In witness of their agreement to the terms above, the parties or their authorized agents hereby affix their signatures:



6/2/2022

CHUCK SEXTON, CEO, NEXT MOVE GROUP

\_\_\_\_\_  
(Client Signature)(Date)