

# Maher & Associates, LLC. CONSULTING AGREEMENT

Turning Point Plans would like to contract with Maher & Associates, LLC to Manage or Provide Services agreed to and documented in the attached General Scope of Services and as indicated below:

- H.R. Consulting – Scope of Services Attached
- H.R. Risk Assessment
- Human Resources Project(s) \_\_\_\_\_
- Hiring

1. We have chosen to pay for our services to Maher & Associates, LLC \_\_\_\_\_ by credit card or \_\_\_\_\_ by invoice backed up by credit card. Prior to beginning the assignment, we will pay the fees stated below or an agreed upon amount until the end of the project or assignment. I understand we will be charged according to the attached scope of services and CREDIT CARD AUTHORIZATION FORM. This is an annual contract which may be revoked by Turning Point Plans with 90 day notice or \_\_\_\_\_ dollars. Maher & Associates, LLC. may terminate with 30 days notice. \_\_\_\_\_ Initial
2. All payments and notices are to be made directly to Maher & Associates, LLC, 11 Parklands Court, Mount Sinai, NY 11766 or through the use of online payment through your invoice. **Payments are due 10 days from the invoice date. If invoices are not paid by the 10th day, Turning Point Plans authorizes Maher & Associates, LLC to charge their credit card or process the EFT for the amount of the invoice.** Refund of fees for any reason is only considered by Maher & Associates, LLC within 30 days of any sent invoice.
3. **Maher & Associates, LLC and their Consultants agree to keep confidential and not to divulge** any confidential matters discussed or obtained from Turning Point Plans.
4. Turning Point Plans agrees to indemnify, defend and hold harmless Maher & Associates, LLC from and against any and all claims, actions, losses, or liabilities (including attorneys' fees and fees for defense) arising out of, relating to, or resulting from the performance of consulting services by either Maher & Associates, LLC or their Consultants' pursuant to this agreement, (except to the extent that such claim, action, loss, or liability was due to the sole negligence's or misconduct of Maher & Associates, LLC or such Consultants) or Turning Point Plans breach or failure to perform any agreement, condition or provisions contained herein.
5. **Direct Hiring of Consultant: Turning Point Plans** understands the cost Maher & Associates, LLC incurs to select and train Maher & Associates, LLC Consultants. Turning Point Plans agrees if they or any of their affiliates hire any Maher & Associates, LLC Consultant directly as either an employee or an independent consultant within one year of Maher & Associates, LLC providing any services to Turning Point Plans, Turning Point Plans will pay a recruiting fee of \$25,000 to Maher & Associates, LLC immediately via check or credit card.

Turning Point Plans signature and information below, agrees to the terms of this consulting agreement.

**Name:** Rick Maher  
**Title:** CEO  
**Client:** Turning Point Plans  
**Mobile Number:** 631 365 9186  
**Phone:** 631 630 2230  
**Email:** Rick@Turningpointplans.com  
**Address:** 150 Motor Parkway, Hauppauge, NY 11788  
**Number of Employees:** 22

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Authorized Signature

Date

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Maher & Associates LLC Signature

Date

Maher & Associates, LLC. CONSULTING AGREEMENT

CREDIT CARD AUTHORIZATION FORM

Maher & Associates, LLC Processes EFT or Credit Cards on or about the first of the month for the following month.

PAYMENT METHOD:

I choose to make payments by:

Please complete the below information.

CARDHOLDER NAME (BUSINESS OR INDIVIDUAL): Rick Maher

CREDIT CARD ACCOUNT NUMBER:

CREDIT CARD BILLING ADDRESS: 150 Motor Parkway Hauppauge NY 11788

EXPIRATION DATE (MM/YY):

VALIDATION CODE:

CARD TYPE: VISA/MC AMEX

BILLING CONTACT: Turning Point Plans

BILLING EMAIL: Rick@Turningpointplans.com

I authorize Maher & Associates, LLC to charge my credit card or process my Electronic Funds Transfer as indicated above for services and products. I also authorize Maher & Associates, LLC to charge my credit card or EFT account if I have chosen to pay by invoice and my invoice is overdue by 10 days or more. Should my credit card expire or EFT account be declined I will promptly provide Maher & Associates, LLC with new information. By signing below, I authorize Maher & Associates, LLC to update the expiration date or to change the credit card or EFT account information by my verbal authorization. My signature below authorizes all charges and changes. This authorization also allows Maher & Associates, LLC to charge my credit card or EFT account, for any future services authorized verbally or in writing including such things as additional recruiting jobs, projects, extra hours, increase in pricing, assessments, ad placements, background checks, training, or software.

Check all that apply:

X According to Scope of Services and Pricing Attached. I may revoke this authorization with 90 days written notice to Maher & Associates, LLC

Cardholder Signature

Date

Maher & Associates, LLC will safeguard the above confidential information and use it only for the above noted purpose; it will not be released to any unauthorized parties.

## Scope of Services for HR Risk Assessment

**THE Maher & Associates, LLC Risk Assessment** is a tool to assess your entire Human Capital Management (HCM) strategy. HCM includes Organizational Development of your employees and the HR Compliance. A customized report and a detailed plan of action for your business is generated from the assessment with an executive summary detailing your risk/s, and includes the following:

Compliance Risk Assessment, Management Interviews, and Employee Confidential Survey

### HR Risk Assessment Pricing

The HR Risk Assessment is based on the number of employees.

<u>Employee Range</u>	<u>Risk Assessment Pricing</u>
Less than 25	\$1,350
26 to 50	\$1,850
50 to 100	\$2,350
Greater than 100	\$3,500

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### Employer Survey

Who will manage sending out and ensuring completion?

Name: \_\_\_\_\_ Email \_\_\_\_\_ Phone: \_\_\_\_\_

## **Risk Assessment Client Checklist**

In preparation for our Risk Assessment we ask that you please gather and send us the following documents, if available:

- Employee Handbook
- Sample of a Job Description
- Sample of an Ad
- Offer Letter
- New Hire & Termination Packet
- Performance Review/Evaluation template
- Sample of documents in a Personnel Record

These documents will be used to aid in our assessment as we begin the development of your HR security.

Should you have these available before the Risk Assessment Date please forward them to Nicole Gallicchio at: [Nicole@TurningPointPlans.com](mailto:Nicole@TurningPointPlans.com).

## Scope of Services for On-Site Human Resource Consulting

Provide an HR Consultant to support existing team.

- **For every 4 days on-site, in a month, is \$3,250. We would like:**

- 4 days on-site in a month
- 8 days on-site in a month
- 12 days on-site in a month
- 16 days on-site in a month

- Additional days including any month with 5 weeks will be charged at \$825/day.
- Additional hours approved, worked on or off-site will be billed at the rate of \$150/hour in 15 minute increments beginning after the first 15 minutes.
- Each day consists of 7 hours if outside NYC and its boroughs; and 6 hours if within NYC.

### **DISCOUNTS:**

- 10% discount off the On-site pricing if Turning Point Plans enters into an agreement to implement our Payroll and Tax Management Service. This agreement must be signed and agreed to within 30 days of effective date of this agreement. If Turning Point Plans agrees, a specific proposal will be generated in 3 business days.

- 15% discount off the On-site pricing if Turning Point Plans enters into an agreement to implement our Payroll and Tax Management Service and one other service (Workforce Management/Time & Attendance, Talent Management or Benefits Administration). This agreement must be signed and agreed to within 30 days of effective date of this agreement. If Turning Point Plans agrees, a specific proposal will be generated in 3 business days.

- 20% discount off the On-site pricing if Turning Point Plans enters into an agreement to implement our Payroll and Tax Management Service, Workforce Management/Time & Attendance, Talent Management and Benefits Administration . This agreement must be signed and agreed to within 30 days of effective date of this agreement. If Turning Point Plans agrees, a specific proposal will be generated in 3 business days.

**\*Recruiting is not included in this pricing**

## Scope of Services for Hiring

Turning Point Plans will get these services with each recruited position:

- Customized behavioral interview questions
- Match the top 3 candidates
- Telephone interviews
- In person interview for Candidates
- Assessment testing available for an additional fee
- Background checks available for an additional fee
- Review of offer letter

## PAYMENT OPTIONS

\_\_\_ Option 1: Temporary Basis of 16 Weeks- You get to see what you like with no risk!

- Pricing based on hourly rate
- Hourly Rate plus 75% for 16 weeks
- After 16 weeks, if you convert to full-time there is no other fee
- You may convert to full-time prior to 16 weeks, however there may be a conversion fee based on 25% of the annual salary. This is prorated based on the number of weeks worked
- This is paid on a weekly basis and requires an active Credit Card on file

\_\_\_ Option 2: Permanent Placement/Direct Hire

- Once you hire a candidate, there will be a 25% placement fee of the persons annual salary/compensation package
- 60 Day Guarantee- In the event you terminate the employee as a result of "reasonable work related issues", we will replace that employee at no additional charge.

## Scope of Services for Harassment Training

1. Provide Interactive, Video, Instructor led Sexual Harassment Training
2. Customized courses for each: Supervisors/Leaders/Executives
3. Record each session, if the client chooses, for future use and new employees
4. Create Sign-in sheet for Supervisor acknowledgement of participation
5. Review of existing Employee Handbook so company specific protocols, policies and procedures are incorporated into the training courses

## Course Content and Overview

### **Session Objectives- Supervisors/Leaders/Executives**

- a. Understand legal and policy requirements
- b. Recognize what constitutes harassment
- c. Handle complaints effectively
- d. Participate in investigations
- e. Take appropriate corrective action
- f. Maintain a productive work environment
- a. Identify how we are diverse
- b. Understand the challenges and opportunities of workplace diversity
- c. Help avoid discrimination
- g. Follow workplace policy

### **Session Outline- Supervisors/Leaders/Executives**

- a. Compliance with the law and our policy
- b. What constitutes sexual harassment
- c. Who's affected by harassment
- d. Handling employee complaints
- e. Conducting investigations
- f. Taking corrective action

## Price

1. \$2,750 for 1/2 day (up to 3 sessions) Interactive and or video, Instructor led Sexual Harassment Training
2. Additional session are \$850. This would be at the client's request
3. Recording of content is available, it is \$9.99 per month to maintain the live link
4. Printing of Materials is not included in the price- The training material will be delivered to the client electronically

## Scope of Services for Truly Safer

### *Truly Safer from Workplace Harassment*

“Pro-Active Prevention of Workplace Conflicts”, Truly Safer™/WH presents a model that identifies the progression of behaviors common in workplace settings potentially leading to harassment issues, provides a platform of response designed to reduce unacceptable behavior, and should it occur, to provide personnel with the tools to effectively manage it.

Truly Safer seminars take about 2 hours to complete.

Truly Safer seminars provide each participant with a certificate of participation.

The Truly Safer website provides free videos for reference.

The cost is \$2,750 per seminar (up to 30 people) in the greater NY area that covers our presentation, participation and certificates. (additional \$500 when travelling outside the greater NY region is required).

\*This skill is perishable over time and under stress so we recommend companies host seminars every six months to offer an opportunity for rehearsal and to introduce the tactics to new hires.

- **There is no physical contact in this training**

## Our Trainer- Tom Sotis

One of the first Americans to travel deep inside Russia, in 1994 Tom was the first American private contractor to train the famed Spetsnaz Counter-Terrorism teams, including personnel from the Ministry of Internal Affairs, Russian Criminal Investigation Division Homicide and Major Crimes, and numerous other units. For his outstanding contribution to security, Tom was recognized as an honorary member of the famed Red Berets, appointed Special Advisor to the Ministry, and honorary Chief Instructor of the CID/Homicide division.

For over 20 years, Tom has worked with numerous US government agencies, specialist military teams, and various levels of law enforcement agencies. This list includes US Intelligence Agencies, US Special Forces, US Secret Service, Federal Bureau of Investigation, Massachusetts State Police, numerous Municipal police departments, Corrections Officers and Special Response Teams.

As a personal protection specialist, Tom studied the behavior of stalkers and potential threats. As a bounty hunter tracking fugitives, Tom learned to collect information on the habits and behaviors of his charges and was introduced to criminal profiling. Tactically, Tom has been teaching pre-incident indicators, reading behavioral cues to impending attacks, and reading behavior cues during violent physical engagements for over 20 years.

During his lifetime studies on psychology and human performance, Tom became a certified Motivation Analyst licensed to administer and interpret the Reiss Motivation Profile®, the world's first scientifically-validated and most accurate method of personality profiling and predicting behavior.



## Scope of Services for Termination

1. Prepare all of the materials needed for the termination including:
  - a. Termination Letter
  - b. Preparation of a non-solicitation agreement for attorney review
  - c. Determine the separation payment for signing the non-solicitation
  - d. Write up the recent reasons the termination will take place
  - e. Prepare COBRA notifications
  - f. Determine benefits beyond the termination by reviewing the HR Manual
  - g. Determine a plan to minimize post termination damage
  - h. Other preparation as determined by the HR Consultant
2. Firing the employee and escorting him/her out of the building
3. Working with the CEO on how to communicate with the staff post termination

Price- \$1,250

## **Scope of Services for Employee Handbook Creation/Updates**

### 1. Create and Distribute Employee Handbook

- a. Use Maher & Associates/TurningPoint HCM proprietary Handbook Tool
- b. Provide and HR Consultant to write, edit and explain new policies to employees
- c. The documents will be delivered electronically for future use
- d. Printing is not included in the cost

**Price:** \$3,500

## Scope of Services for HR Shared Services Hourly Support

Flexibility in Pricing - because you may need an hour of help once in a while or you may need on-going support.

**1. HR Phone/Email Support will be charged at:**

- \$150 per hour when purchased in a 2 hour block**
- \$125 per hour when purchased in a 5 hour block**
- \$100 per hour when purchased in a 10 hour block**

**2. Time will be tracked in 30 minute increments.**

**3. Utilization will be reported on a Monthly basis.**

**4. Time blocks will be purchased in advance.**

**5. Unused time will be good for 1 year from the date of purchase.**

Any work on our HR Shared Services requires a signed agreement, prior to any work starting.

## Scope of Services for ACA Compliance Reporting

**Option 1: ACA Complete**

Monthly Fee (under 500 employees): \$1,000 (\$12,000/yr)

One Time Implementation Fee Structure:

\$6,000 with one-year agreement

\$3,500 if two-year agreement with auto renewal

Waived with three-year agreement

Services Included:

- Employee Tracking
- Annual Plan Review & ACA Tracking
- Monthly Data Consolidation & Validation
- Monthly ACA IRS Audit Readiness Monitoring
- Monthly GIGO Score Monitoring
- Monthly Health Insurance Overspend Monitoring
- Unlimited Customer Service & Technical Support
- Annual IRS Furnishing & Filing
- 1094/1095-C Forms Preparation
- IRS Audit Defense & Exchange Notice Defense
- IRS Audit Defense/Letter 226J Response Services

Additional cost:

- 1094/1095-C Forms Furnishing (USPS mailing): \$4.00 per form\*
- 1094/1095-C Forms Filing: \$750
- 1094-C/1095-C: IRS E-Filing Corrections No Cost\*\*
- Exchange Notice Appeals \$750 (per bundle of 25 appeals)
- \*No cost if employers distributing themselves
- \*\*No cost for corrections identified via AIRS Reconciliation Report

**Option 2: ACA Basic Plus**

Annual IRS Furnishing & Filing: \$5,500 (up to 350 schedules)

Includes:

- 1094/1095-C Forms Preparation **with Code Analysis**
- 1094/1095-C Forms Filing\*
- \*No cost for corrections identified via AIRS Reconciliation Report

Additional Cost:

- Distribution of 1095-C Schedules (USPS mailing): \$6.00/form\*
- \*No cost if employers distributing themselves

**Option 3: ACA Basic**

Forms preparation (no codes analysis) and filing for \$3,000 (up to 375 schedules)

## Scope of Services for Background Checks

There are no sign off forms. We have oversimplified the process of a background check. You simply supply the email address of the candidate and we handle the rest!

### Options to choose from:

**Employment Background Check Level 1 - \$79 per person** \_\_\_\_\_ **Screens**

- Social Security Verification with Address History
- Nationwide Criminal Database Search (includes):
  - Sex Offender Registry in all 50 States
  - Office of Foreign Assets Control
  - Global Security Watch List
  - Most Wanted List

**Employment Background Check Level 2 - \$109 per person** \_\_\_\_\_ **Screens**

- Social Security Verification with Address History
- Nationwide Criminal Database Search (includes):
  - Sex Offender Registry in all 50 States
  - Office of Foreign Assets Control
  - Global Security Watch List
  - Most Wanted List
- County Criminal Records Search (includes up to 2 counties) \*

**Employment Background Check Level 3 - \$139 per person** \_\_\_\_\_ **Screens**

- Social Security Verification with Address History
- Nationwide Criminal Database Search (includes):
  - Sex Offender Registry in all 50 States
  - Office of Foreign Assets Control
  - Global Security Watch List
  - Most Wanted List
- County Criminal Records Search (includes up to 3 counties) \*
- Federal Criminal Records
- Education Verification