



# Broward County

## Legislation Details (With Text)

<b>File #:</b>	23-963	<b>Version:</b>	1
		<b>Status:</b>	Agenda Ready
		<b>In control:</b>	Finance - Accounting Division
<b>On agenda:</b>	6/6/2023	<b>Final action:</b>	6/6/2023
<b>Title:</b>	MOTION TO AUTHORIZE Director of Purchasing to negotiate and execute an amendment to extend the Participation Agreement between Bank of America National Association, Bank of America Merchant Services, LLC and Broward County, Contract Number W2115694G1, not to exceed an additional six months.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>			

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** George Tablack

**Department:** Finance and Administrative Services **Division:** Accounting

### Information

#### Requested Action

MOTION TO AUTHORIZE Director of Purchasing to negotiate and execute an amendment to extend the Participation Agreement between Bank of America National Association, Bank of America Merchant Services, LLC and Broward County, Contract Number W2115694G1, not to exceed an additional six months.

#### Why Action is Necessary

In accordance with Broward County Procurement Code Section 21.53.(a), Duration of Contracts, Board approval is required for contract durations greater than five years, inclusive of all terms provided for in the contract.

#### What Action Accomplishes

Provides County agencies the ability to continue accepting credit and debit cards in their payment operations.

#### Is this Action Goal Related

No

#### Previous Action Taken

None.

#### Summary Explanation/Background

THE FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT AND THE ACCOUNTING DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

Broward County is a participant on the State of Florida Master Services Contract No. TR175 with Bank of America for the acceptance of credit cards, charge of debit cards, and electronic payments (merchant services). The participation is facilitated through an execution of a Participation Agreement between Bank of America and Broward County based on the State of Florida contract. The Participation Agreement was executed by the Director of Purchasing on June 6, 2018; no contract may be renewed or extended beyond five years (inclusive of all terms) without Board approval.

The County's Participation Agreement for merchant services agreement with Bank of America currently expires on June 11, 2023. It is expected that the underlying State of Florida contract will be extended before that expiration date. This item would authorize an extension of the County's Participation Agreement for up to six months if the State of Florida contract is extended.

On January 24, 2023 (Item No. 35), the Board approved a First Amendment to Agreement with Wells Fargo Bank, N.A., for Master Banking Services, RFP No. GEN2118504P1, for the addition of merchant services and Wells Fargo Merchant Services, L.L.C. and related terms and conditions. The migration to the new merchant services will not be completed prior to the current June 11, 2023 expiration of the agreement with Bank of America. The migration is expected to be completed in less than six months.

There are approximately 20 card-accepting agencies across the County. The amendment allows the County to continue to provide the needed services under the existing pricing, terms and conditions.

**Source of Additional Information**

William O'Reilly, Director, Accounting Division, (954) 357-7212

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

Merchant service fees are paid from the appropriate charge points in the agency operating budget upon monthly credit card transaction reconciliation.