

RESOLUTION NO. 2021 – 3951

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, APPROVING AN AMENDMENT TO THE BANKING SERVICES AGREEMENT WITH TRUIST (FORMERLY KNOWN AS BB&T BANK); PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Miami Springs (the “City”) entered into a banking services agreement (the “Agreement”) with BB&T Bank (now known as Truist) (the “Bank”) pursuant to RFP No. 05-15/16 for banking services; and

WHEREAS, on August 12, 2021, the City issued and advertised RFP No. 03-20/21 (the “RFP”) to obtain new proposals for banking services; and

WHEREAS, in response to the RFP, the City received one proposal that was deemed unresponsive because the proposer’s bank was located over three miles outside the City’s territorial boundaries, and as a result, the City cancelled the RFP; and

WHEREAS, the City and the Bank have proposed to extend the Agreement for an additional one year term beginning retroactively on October 1, 2021, and concluding September 30, 2022, and amend certain terms of the Agreement as set forth in the amendment dated October 7, 2021, attached hereto as Exhibit “A” (the “Amendment”); and

WHEREAS, the City Manager recommends approval of the Amendment and recommends that the City Council waive the competitive procurement requirements of the City Code pursuant to Section 31-11(E)(6)(g) of the City Code for the Consultant to perform the Services as being in the best interest of the City as utilizing a competitive sealed bidding process is not practicable; and

WHEREAS, pursuant to the recommendation of the City Manager, the City Council wishes to approve the Amendment with the Bank and waive the competitive procurement requirements of the City Code pursuant to Section 31-11(E)(6)(g) of the City Code; and

WHEREAS, the City Council wishes to approve the Amendment and authorize the City Manager to execute the Amendment in substantially the form attached hereto as

Exhibit "A"; and

WHEREAS, the City Council finds that this Resolution is in the best interest and welfare of the residents of the City.

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

Section 1. Recitals. That the above recitals are confirmed, adopted, and incorporated herein and made a part hereof by reference.

Section 2. Approval. That the City Council hereby approves the Amendment with the Bank.

Section 3. Waiver. That the City Council hereby waives the competitive procurement requirements of the City Code pursuant to Section 31-11(E)(6)(g) of the City Code as being in the best interest of the City.

Section 4. Authorization. That the City Council hereby authorizes the City Manager to execute the Amendment in substantially the form attached hereto as Exhibit "A," subject to the City Attorney's approval as to form, content, and legal sufficiency.

Section 5. Effective Date. That this Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by Councilman Best who moved its adoption. The motion was seconded by Councilman Vazquez and upon being put to a vote, the vote was as follows:

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|-------------------------------|------------|
| Vice Mayor Jacky Bravo | <u>YES</u> |
| Councilman Bob Best | <u>YES</u> |
| Councilman Dr. Walter Fajet | <u>YES</u> |
| Councilman Dr. Victor Vazquez | <u>YES</u> |
| Mayor Maria Puente Mitchell | <u>YES</u> |

PASSED AND ADOPTED this 25th day of October, 2021.

Maria Puente Mitchell

MARIA PUENTE MITCHELL
MAYOR

ATTEST:

Erika Gonzalez

ERIKA GONZALEZ, MMC
CITY CLERK



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

James R. Serota

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
CITY ATTORNEY