

RESOLUTION NO. ____

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING TD BANK, N.A. FOR BANKING SERVICES; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Cutler Bay (the “Town”) Department of Finance (“Department”) is responsible for managing the Town’s financial resources; and

WHEREAS, TD Bank, N.A. (the "Bank"), a national banking association with offices located in the State of Florida, entered into an agreement(s) dated July 14th, 2014, with the City of Sunny Isles Beach, a municipal corporation of the State of Florida, for certain banking and cash management services procured pursuant to F.S. §287.057; and

WHEREAS, the Department has reviewed all of the awarded terms and conditions outlined in the City of Sunny Isles Beach Request for Proposal (the “RFP”) No. 14-04-02 and considers the pricing and fee offered by the Bank to be financially advantageous to Town; and

WHEREAS, Town Ordinance 06-22 provides that purchases made under state purchasing contracts or contracts of other municipal or governmental entities that were awarded pursuant to competitive bids based on clearly defined specifications shall not require separate bidding by the Town; and

WHEREAS, in accordance with Town Ordinance 06-22, the Town will be accessing the City of Sunny Isles Beach, Florida (RFP No. 14-04-02), for banking services from the Bank; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, THAT:

Section 1. Recitals. The above Recitals are true and correct and are incorporated herein by this reference.

Section 2. Selection and Authorization. The Town Council hereby selects TD Bank, N.A. for banking services. The Town Manager is hereby authorized to negotiate and execute an agreement with TD Bank, N.A., to provide banking services to the Town, consisting of holding on deposit the primary operating accounts of the Town, with the

same terms, conditions and warranties as defined in the City of Sunny Isles Beach, Florida RFP #14-04-02, attached hereto as Exhibit "A" subject to the Town Attorney's approval as to form, content and legal sufficiency.

Section 3. Waiver of Competitive Bidding. The Town Council hereby waives competitive bidding in accordance with Section IV of Town Ordinance No. 06-22 based upon the City of Sunny Isles Beach, Florida competitive bidding process, as a result of the issuance and award of the Sunny Isles Beach, Florida RFP #14-04-02 and Contract.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this ____ day of May, 2015.

PEGGY R. BELL
Mayor

Attest:

JACQUELINE N. WILSON
Interim Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

Moved By: _____
Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____
Vice Mayor Ernest N. Sochin _____
Council Member Roger Coriat _____
Council Member Sue Ellen Loyzelle _____
Council Member Mary Ann Mixon _____