



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** September 2, 2021
Staff Contact: Carol Akers, Purchasing & Contracts Administrator and Andrew Rasor, Treasurer

Agenda Title: For Possible Action: Discussion and possible action regarding Amendment No. 2 to Contract No. 1415-047 with Bank of America, N.A. ("B of A") for Purchasing Card Services ("P-Card") to extend the term through September 16, 2026. (Carol Akers, cakers@carson.org and Andrew Rasor, arasor@carson.org)

Staff Summary: Carson City has a contract with Bank of America, N.A. to provide Procurement Card Services for the City. The contract was for an initial term of three years beginning September 18, 2014, with additional terms that the agreement could be extended by mutual consent of the parties. Amendment No. 1 extended the contract through September 17, 2021. Both the City and B of A would like to extend the contract for an additional five-year period beginning September 18, 2021.

Agenda Action: Formal Action / Motion **Time Requested:** Consent

Proposed Motion

I move to approve the amendment as presented.

Board's Strategic Goal

Efficient Government

Previous Action

On September 7, 2017 the Board of Supervisor's approved Amendment No. 1 to extend the term by mutual consent of the parties through September 17, 2021, and clarification was provided that the agreement could be extended by mutual consent of the parties as set forth in the original contract.

On September 18, 2014 the Board of Supervisor's approved the no fee contract with B of A for P-Card Services for an initial three-year term with the option to renew for two additional two-year terms.

Background/Issues & Analysis

Due to the nature of banking contracts in day-to-day financial transactions of City business, it is not uncommon to see longer term contracts of 10 years or more to ensure continuity of service.

Carson City is also the lead for the Nevada Public Sector Consortium for the purpose of helping state and local government agencies, public schools and municipalities - listed below - to grow their card programs and earn additional rebate basis points on their individual annual transaction volume.

- City of Reno
- State of Nevada
- Nv County of Nye

- Nv County of Lyon
- Regional Transportation Commission of Southern Nevada
- Truckee River Flood Management Authority
- East Fork Fire Protection District
- Las Vegas Metropolitan Police Department
- Douglas Co & Unincorporated Towns
- Nv City of Sparks
- Lander County School District
- Carson City School District
- Clark County School District
- Las Vegas Convention and Visitors Authority
- Reno Sparks Convention and Visitors Authority
- NV County of Washoe

Applicable Statute, Code, Policy, Rule or Regulation

NRS 332.115

Financial Information

Is there a fiscal impact? Yes

If yes, account name/number: General Fund Refunds & Reimbursement Revenue 1011080-466050

Is it currently budgeted? Yes

Explanation of Fiscal Impact: Revenue-Approximately \$100,000.00 in revenue for the General Fund.

- FY17 rebate received \$101,328.55
- FY18 rebate received \$110,853.64
- FY19 rebate received \$102,564.43
- FY20 rebate received \$101,423.82
- FY21 rebate received \$101,844.19

Alternatives

Do not approve the amendment and provide alternative direction to staff.

Attachments:

[Carson City Contract Extension 2021.docx](#)

[1415-047 Executed Contract.pdf](#)

[1415-047 Executed Amendment 1.pdf](#)

Board Action Taken:

Motion: _____	1) _____	Aye/Nay
	2) _____	_____

(Vote Recorded By)

**AMENDMENT TO BANK OF AMERICA
CORPORATE CARD SERVICE AGREEMENT**

THIS AMENDMENT (this "Amendment") is entered into as of August 24, 2021 (the "Effective Date") by and between The City of Carson City, Nevada ("Company") and Bank of America, N.A. (successor to FIA Card Services, N.A.), a Bank of America company ("Bank"). This document amends the Bank of America Corporate Card Service Agreement entered into by and between FIA Card Services, N.A. and The City of Carson City, Nevada dated September 18, 2014 (as amended, supplemented, or otherwise modified from time to time) (the "Agreement"). Capitalized terms used herein but not defined in this Amendment shall have the same meanings given to them as set forth in the Agreement unless the context requires otherwise.

WHEREAS, the parties desire to amend the Agreement to extend its term for Five (5) years; and

WHEREAS, the parties previously amended the Agreement, to extend its term so that it is currently scheduled to expire on September 17, 2021.

NOW, THEREFORE, for valuable consideration, the parties hereby agree as follows:

1. DEFINITIONS

Terms capitalized herein and not otherwise defined shall be given the meaning ascribed to them in the Agreement.

2. AMENDMENT(S)

The term of the Agreement, currently scheduled to expire on September 17, 2021, is hereby extended for five (5) years, from September 17, 2021 to September 16, 2026.

3. RATIFICATION

All of the terms of the Agreement not expressly modified herein shall continue in full force and effect and are hereby ratified by the parties hereto.

Execution and/or transmission of an executed counterpart of this Amendment by fax, e-mail or other electronic format (including PDF, JPEG, DocuSign® or other agreed format) shall take effect as delivery of an executed counterpart of this Amendment. You consent to the use of electronic communications, electronic records and electronic signatures for all purposes under or in connection with this Amendment. Both parties are conscious of the risks that the use of electronic communications, electronic records and electronic signatures may entail and, nonetheless, have agreed to their use for the mutual benefit of both parties and have agreed that this Amendment so executed and delivered must be recognized and have the same legal effect as if it were a paper-based document with wet-ink signatures to the fullest extent permitted by applicable law.

IN WITNESS WHEREOF, each of the parties has caused this Amendment to be executed as of the Effective Date, by its duly authorized officer(s).

The City of Carson City, Nevada
(Company)

Bank of America, N.A.
(Bank)

By: _____

By:  _____

Print name: _____

Print name: Jeffrey B. Moore

Title: _____

Title: SVP Senior Client Manager

Date: _____

Date: August 24th, 2021

Umbrella Agreement for Government Banking Services

This Agreement for Government Banking Services (the "Agreement") is made as of this 13th day of September, 2014, between The City of Carson City, Nevada (the "Client") and Bank of America, N.A., a national banking association.

WHEREAS, Client issued a Request for Proposal ("RFP") more fully identified below, for providing banking services identified in the RFP (the "Services"):

**The City of Carson City, Nevada – Request for Proposals for Purchasing Card Services
ADVERTISED RFP # 1415-047**

WHEREAS, the Bank was the successful bidder under the RFP, having submitted its bid response dated September 2, 2014 (the "Bid Response"); and

WHEREAS, the parties wish to enter into this Agreement for the purpose of specifying the term and constituent documents of the agreement between Client and Bank regarding the Services;

NOW, THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the parties hereby agree as follows:

1. Integrated Agreement. The entire and integrated agreement between Client and Bank related to the Services shall consist of this Agreement, Corporate Card Services Agreement, Pricing Schedules I, II and III, Bank's Bid Response and Client's RFP as modified by the Bid Response. In the event of conflict among any of the preceding documents, such documents shall govern in the following order of precedence: (1) this Agreement, (2) Corporate Card Agreement; (3) Pricing Schedules I, II, and III (4) the Bid Response and (5) the RFP. The integrated agreement supersedes all prior negotiations, representations, statements and agreements, whether written or oral, regarding the Services.
2. Commencement of Performance. Except as otherwise agreed by the parties, Bank shall begin performing each Service upon execution and delivery of this Agreement, the pertinent service-level agreement and the related set-up forms. Bank shall continue to perform such Services during the term of this Agreement.
3. Term. This Agreement is for an initial term of three (3) years. The Agreement may be extended by mutual consent of the parties as set forth in the RFP.

Changes in the respective address set forth above may be made from time to time by any party upon written notice to the other party.

In witness whereof, the parties have executed this Agreement as of the date first written above.

The City of Carson City, Nevada
(CLIENT'S LEGAL NAME)

By: Alvin P. Kramer
(Signature)

Name: ALVIN P. KRAMER
(Print or Type)

Title: CARSON CITY TREASURER
(Print or Type)

By: _____
(Signature)

Name: _____
(Print or Type)

Title: _____
(Print or Type)

Bank of America, N.A.
(BANK NAME)

By: Greg Titus
(Signature)

Name: Greg Titus
(Print or Type)

Title: Senior Vice President
(Print or Type)

By: _____
(Signature)

Name: _____
(Print or Type)

Title: _____
(Print or Type)

IN WITNESS WHEREOF, each of the parties has caused this Agreement to be executed as of the Effective Date, by its duly authorized officer(s).

COMPANY

FIA CARD SERVICES, N.A., a Bank of America Company

The City of Carson City, Nevada
(COMPANY'S LEGAL NAME)
By: Alvin P. Kramer
(Signature)
Name: ALVIN P. KRAMER
(Print or Type)
Title: CARSON CITY TREASURER
(Print or Type)

By: [Signature]
(Signature)
Name: Greg Titus
(Print or Type)
Title: Senior Vice President
(Print or Type)

Address for Notices:

201 N. Carson St., Ste. 5
CARSON CITY, NV 89701

Address for Notices:

14(c)



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: September 7, 2017

Staff Contact: Laura Rader and Gayle Robertson

Agenda Title: For Possible Action: To approve Amendment No. 1 to Contract 1415-047 with Bank of America, N. A. for Purchasing Card Services to extend the terms through September 17, 2021. (Laura Rader; LRader@carson.org and Gayle Robertson; GRobertson@carson.org)

Staff Summary: Carson City has a contract with Bank of America, N.A. to provide Procurement Card Services for the City. The contract as signed was for an initial term of three (3) years beginning September 18, 2014 with additional terms that the agreement could be extended by mutual consent of the parties. Both the City and Bank of America, N.A. would like to extend the contract for a four (4) year period beginning September 18, 2017.

Agenda Action: Formal Action/Motion

Time Requested: 5 minutes

Proposed Motion

I move to approve Amendment No. 1 to Contract 1415-047 with Bank of America, N.A. for Purchasing Card Services to extend the terms through September 17, 2021.

Board's Strategic Goal

Efficient Government

Previous Action

Contract 1415-047 was approved at the September 18, 2014 Board of Supervisor's meeting for three (3) years with the option to renew for two (2) additional two (2) year terms.

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number: Miscellaneous/Refunds/Reimbursements #101-0000-366.05-00

Is it currently budgeted? Yes No

Explanation of Fiscal Impact: The City receives approximately \$101,000 in revenue annually in the form of a rebate from Bank of America.

Alternatives

Not approve and provide other direction.

Board Action Taken:

Motion: APP

- 1) KA
- 2) BB

Aye/Nay

S/O

SM

(Vote Recorded By)

**AMENDMENT TO TREASURY SERVICES RFP #1415-047-REQUEST FOR PROPOSALS FOR
CARSON CITY PURCHASING CARD SERVICES TERMS AND CONDITIONS**

THIS AMENDMENT ("Amendment") is effective as of September 18, 2017, by and between **City of Carson City, Nevada ("Company")** and **Bank of America, N.A. ("Bank of America" or "Bank")**, and amends the Bank of America Procurement Card Services dated on or about September 18, 2014 and amended from time to time and the accompanying Schedules (collectively the "Agreement").

WHEREAS, the parties desire to add to and modify certain terms of the Agreement;

NOW, THEREFORE, for valuable consideration, the parties hereby agree as follows:

1. DEFINITIONS

Terms capitalized herein and not otherwise defined shall be given the meaning ascribed to them in the Agreement.

2. AMENDMENTS

The present agreement has a contractual termination date of September 17, 2017. The parties wish to amend the Agreement term an additional four (4) years to September 17, 2021. The contract term is September 18, 2017 – September 17, 2021.

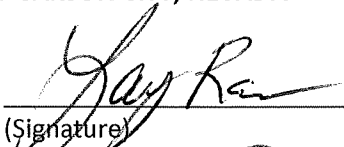
3. RATIFICATION

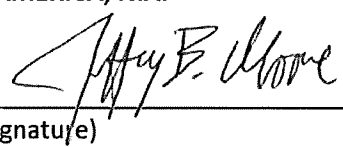
All of the terms of the Agreement not expressly modified herein shall continue in full force and effect and are hereby ratified by the parties hereto.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT as of the date shown above.

CITY OF CARSON CITY, NEVADA

BANK OF AMERICA, N.A.

By: 
(Signature)

By: 
(Signature)

Name: Laura Rader
(Print or Type)

Name: Jeffrey B. Moore
(Print or Type)

Title: Purchasing + Contracts Administrator
(Print or Type)

Title: Director, Client Manager
(Print or Type)

Date: 9/14/17

Date: 11 September 2017