

RESOLUTION NO. 60-12-16

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF LAKE PARK AND WORLDPAY TO PROVIDE NECESSARY SERVICES TO COLLECT CREDIT CARD PAYMENTS AT THE LAKE PARK HARBOR MARINA; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Town has all of the powers and authority conferred upon it pursuant to the Florida constitution and Chapter 166, Florida Statutes; and

WHEREAS, pursuant to its proprietary functions and authority, the Town owns and operates a marina known as the Lake Park Harbor Marina (the Marina) which conducts various financial transactions relating to the full operation of the Marina; and

WHEREAS, the Lake Park Harbor Marina currently uses a credit card processor known as Payware and a financial management software program known as Dockmaster; and

WHEREAS, the Dockmaster upgrade requires the Town to upgrade the credit card processor to WorldPay; and

WHEREAS, WorldPay is a sole source provider; and

WHEREAS, the Town Manager recommends the Town enter into an agreement with WorldPay for credit card processing at the Marina; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The foregoing recitals are incorporated herein.

Section 2. The Mayor is hereby authorized and directed to execute the attached Agreement with WorldPay which is attached hereto and incorporated herein as, **Exhibit "A"**.

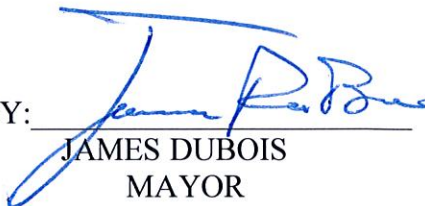
Section 3. This Resolution shall be effective upon execution.

The foregoing Resolution was offered by Commissioner O'Rourke who moved its adoption. The motion was seconded by Commissioner Flaherty and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	___
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	___
COMMISSIONER ERIN FLAHERTY	<u>/</u>	___
COMMISSIONER ANNE LYNCH	<u>/</u>	___
COMMISSIONER MICHAEL O'ROURKE	<u>/</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 00-12-16 duly passed and adopted this 7 day of December, 2016.

TOWN OF LAKE PARK, FLORIDA

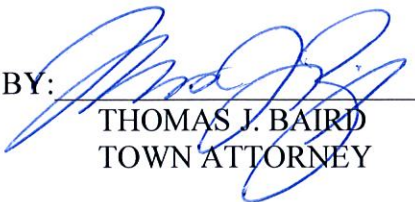
BY: 
JAMES DUBOIS
MAYOR

ATTEST:


VIVIAN MENDEZ
TOWN CLERK



Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIRD
TOWN ATTORNEY



Worldpay US, Inc. 201 17th Street, NW, Suite 1000, Atlanta, GA 30363

Customer Processing Agreement Century MSP CPA - 42086v6 (01/16)

Table with columns: Form Type, Disregard Sections, Add Loc, Add Equip. Values: Customer Processing Agreement, N/A, 3, 7, 2-3, 5-7, 13

Customer Number 36177 Sales Agent ID

Citizens Bank Citizens Bank N.A., One Citizens Plaza, Providence, Rhode Island 02903 877.550.5933

1. Legal/ DBA Info. Salvatore Schiafone, Town of Lake Park, Lake Park Harbor Marina. Contact Name, Legal Business Address, Store/DBA Address, Fax Number, Email, Number of Locations, Federal Tax ID, Check if: EIN, SSN.

2. Business Info. OWNERSHIP TYPE: Sole Proprietor, Partnership, Non-Public Corporation, Non-Profit, LLC, Government Entity, Public Corporation. Business Open Date: 01/01/00. Avg. Monthly Volume, High Monthly Volume, Average Ticket, High Ticket. Describe Business Products or Services in Detail: Marina slip rentals, ship store & fuel. SWIPED/NON-SWIPED PERCENTAGES: 80% Face-to-Face, 20% MO/TO, 0% Internet. TRANSACTION CONDUCTED AT: 100.00% Store. Does Customer Accept Advance Payments? No. SEASONAL MERCHANT: Months Open, Months Closed. THIRD PARTY INFORMATION: Does Merchant use third party to store, process or transmit cardholder data? No. MAIL, TELEPHONE OR INTERNET SERVICES: Who performs product/service fulfillment? Merchant.

3. Visa Disclosure. Visa Member Bank Information: Citizens Bank, N.A. 1 Citizens Plaza, Providence, Rhode Island, 20903 (877) 550-5933. Important Bank responsibilities: 1. A Visa member is the only entity approved to extend acceptance of Visa products directly to a merchant. Important Merchant Responsibilities: 1. Ensure compliance with cardholder data security and storage requirements. Authorized Principal Signature: [Signature], Print Name: James DuBois, Title: Mayor, Date: 12/11/10.

4. Principal Info 1. Principal Info must be obtained for principals which, in the aggregate, hold at least 51% ownership. James Dubois, 11/08/90, 51, 112233445. Full Name, DOB, Percent Owned, Drivers License #/State, Social Security Number/ ITIN, Home Address, City, State, ZIP, Home/ Mobile Phone.



Worldpay US, Inc.
201 17th Street, NW, Suite 1000, Atlanta, GA 30363

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Customer Number



Citizens Bank N.A., One Citizens Plaza,
Providence, Rhode Island 02903
877.550.5933

4. Principal Info 2

Full Name (Full legal name required) _____ DOB (MM/DD/YY) _____ Percent Owned _____ Drivers License #/State _____ Social Security Number/ ITIN _____

Home Address _____ City _____ State _____ ZIP _____ Home/ Mobile Phone _____

5. Bank Info

Name on Account Lake Park Marina Bank Name PNC Bank Phone _____

Bank City North Palm Beach State FL Bank Routing/Transit 267084199 Account Number 1201634645

6. Processing Rates/Fees

AMERICAN EXPRESS® If you are eligible for Worldpay's direct settlement program for American Express (Worldpay settles your Amex transactions), the fees in this section (determined by industry) are charged by Worldpay, in addition to the fees within the Per Transaction Fees table below. Merchants who accept American Express must follow American Express Merchant Regulations. Please read these regulations at www.worldpay.us/AmericanExpress/MerchantRequirements. Opt out of Amex Marketing Communications*

Industry	Discount**	Prepaid Discount**
B2B	2.87% plus \$0.15 transaction fee	1.93% plus \$0.15 transaction fee
Fast Food Restaurant	3.48%	1.93% plus \$0.05 transaction fee
Independent Gas Stations	3.23%	1.28% plus \$0.12 transaction fee
Lodging	3.48%	1.93% plus \$0.05 transaction fee
Mail Order & Internet	3.48%	2.23% plus \$0.20 transaction fee
Office-based Healthcare	2.53%***	1.93% plus \$0.30 transaction fee
Other Transportation	3.48%	1.93% plus \$0.20 transaction fee
Restaurant	3.48% plus \$0.05 transaction fee	1.93% plus \$0.05 transaction fee
Retail	2.87% plus \$0.10 transaction fee	1.93% plus \$0.20 transaction fee
Services, Wholesale & All Other	2.87% plus \$0.15 transaction fee	1.93% plus \$0.15 transaction fee
Supermarkets	2.28%	0.43% plus \$0.20 transaction fee
Telecommunications	3.48%	1.93% plus \$0.20 transaction fee
Telecommunications - Cable/Computer Network	3.88%	1.93% plus \$0.20 transaction fee
Travel Agencies/Tour Operators	2.87% plus \$0.15 transaction fee	1.93%

*If you opt out of Amex marketing communications you may still receive messages regarding services and programs designed to enhance the value of the Amex network.
 **30 additional basis points (.30%) will be charged for digital wallet transactions. 30 additional basis points (.30%) will be charged for card not present transaction. 40 additional basis points (.40%) will be charged for a transaction initiated with an Amex Transaction Card issued outside of the U.S.
 ***Only for MCC 8011, 8021; for all other Healthcare see Services, Wholesale & All Other

7. Amex

If you are not eligible for Worldpay's direct settlement program for American Express, you must enter into a card acceptance agreement directly with American Express and Amex will settle your Amex transactions and separately charge applicable fees as set forth in the card acceptance agreement. Applicable Worldpay fees for Amex transaction are within the Per Transaction Fees table above.

American Express Est. Yearly Volume \$ 200000.00 American Express Est. Average Ticket \$ 400.00 Currently accepts Amex Existing American Express Merchant # _____ CAP # _____

8. Rates/Fees

	Discount		Surcharges	
	1-TIER	2-TIER	3-TIER	4-TIER
% Rate	1.50 %	0.50 %	1.50 %	2.35 %
*Per Item Fee	\$ 0.250	\$ 0.000	\$ 0.000	\$ 0.000

*Per item fees apply to all transactions including sales, returns, denials, etc.

VISA, MASTERCARD, DISCOVER & PAYPAL		PIN DEBIT/EBT	
% Rate	%	% Rate	%
*Per Item Fee	\$	*Per Item Fee	\$
Dial Incremental Per Item	\$	Dial Per Item	\$

COST PLUS PRICING All standard Payment Network fees and charges will be added to fees below.

9. Recurring Rates/Fees

MONTHLY RECURRING FEES Per location*	MONTHLY RECURRING FEES Per terminal	PER OCCURENCE FEES	PER TRANSACTION FEES
PCI Program \$12.95	<input type="checkbox"/> Terminal Replacement & Supplies \$	**Voice Authorization \$ 0.95	American Express \$ 0.050
Administrative \$ 9.95	<input type="checkbox"/> Supplies Service Only \$	**Voice Authorization Referral \$ 3.00	Debit/Credit ACH \$
Minimum Processing \$ 25.00	<input type="checkbox"/> Terminal Replacement Only \$	**Voice AVS Request \$ 2.00	Merchant Link Access \$
PIN Debit Access \$	<input type="checkbox"/> Shopping Cart Maintenance \$	ACH Reject, NSF, Returned Check \$ 25.00	TSYS Access \$
	<input type="checkbox"/> Virtual Terminal \$	Chargeback Handling \$ 20.00	
	<input type="checkbox"/> Recurring Payments Service \$	Credit Batch Header \$ 0.00	
		Debit Batch Header \$	
		Direct Draft ACH Reject \$	
		ACH Prenote \$	

*FANF fees charged by the Payment Networks will be passed through to Customer.

***Per location

**Not applicable to ARU transactions



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Customer Number



Citizens Bank N.A., One Citizens Plaza, Providence, Rhode Island 02903 877.550.5933

14. Site Info
By signing below, the undersigned sales representative attests that a site inspection of the above named applicant's premises was conducted and that the applicant has the proper facilities, equipment, inventory and licenses required to conduct the business.
Worldpay Authorized Sales Representative Verification Signature Print Name Date Ship Welcome Kit

15. Notes
Term of Agreement
*Three Years
*Subject to automatic renewal per Terms and Conditions.
In addition to the CPA terms, I have received and agreed to the following additional addenda
DataCap
Other List other

Customer Acceptance and Guaranty

Applicable to a Customer Processing Agreement

BY SIGNING BELOW, I (1) AGREE TO THE TERMS AND CONDITIONS OF CUSTOMER PROCESSING AGREEMENT (THE "CPA TERMS"), AND ALL ADDENDA ATTACHED TO THE CPA TERMS, INCLUDING WITHOUT LIMITATION ALL AMERICAN EXPRESS MERCHANT REQUIREMENTS (www.worldpay.us/AmericanExpress/MerchantRequirements) AND (2) ACKNOWLEDGE THAT WORLDPAY'S SALES REPRESENTATIVE HAS DELIVERED A COPY OF THE CPA TERMS TO ME. I represent that the information provided by me on this Customer Processing Agreement and during the application process, whether in written, electronic or verbal form, is complete and accurate. I further acknowledge that no oral or written modifications of the CPA Terms have been made or promised. I confirm that the Federal Tax Identification Number (EIN or SSN) and Tax Filing Name I have provided are true and accurate. Worldpay US, Inc. ("Worldpay") reserves the right to validate this information with the IRS on occasion as warranted.

Applicable to an Add Location or Add Equipment Agreement

By signing below, (1) I acknowledge that I previously entered into a Customer Processing Agreement with Worldpay US, Inc. and Citizens Bank, N.A., (2) I agree that this Add Location or Add Equipment Agreement, as applicable, shall be deemed to be incorporated into my existing Customer Processing Agreement, (3) I agree that the terms and conditions of my existing Customer Processing Agreement shall apply to this Add Location or Add Equipment Agreement, as applicable, provided to the extent that the pricing set forth on this Add Location or Add Equipment Agreement is different than the pricing set forth on my Customer Processing Agreement, the pricing set forth on this Add Location or Add Equipment Agreement shall apply with respect to the location or equipment that is the subject matter hereof, and (4) I represent that the information provided by me on this Add Location or Add Equipment form is complete and accurate.

Applicable to Customer Processing Agreement, Add Location, and Add Equipment Agreement

USA PATRIOT ACT - Federal laws and regulations require us (Worldpay) to request information from you prior to opening an account or adding an additional signatory to an account. The information we request may vary depending on the circumstances, but at a minimum, will include your name, address, an identification number such as your social security or taxpayer identification number, and for individuals, your date of birth. We are also required to verify the information you provide to us. This verification process may require you to provide us with supporting documentation that we deem appropriate. We may also seek to verify the information by other means. We reserve the right to request additional information and/or signatures from you from time to time.

FEDERAL AUTOMATED CLEARING HOUSE (ACH) - The undersigned hereby authorizes Worldpay to electronically debit and credit via the Automated Clearing House amounts due to or from Worldpay under the Customer Processing Agreement, including the CPA Terms and all Addenda, and including installment payments, to or from any of the bank accounts identified on page 2. With respect to equipment, the undersigned hereby authorizes Worldpay to have the fees described herein debited from the bank account listed for settlement on page 2.

FCRA NOTICE - A consumer report of each of the officers, partners, or owners of applicant may be requested from a consumer and/or credit reporting agency at the inception of this Agreement and from time to time thereafter. Acknowledgement and consent are hereby given.

1 [Signature] James DuBois Mayor 12/7/16
Authorized Principal Signature Print Name Title Date

2
Authorized Principal Signature Print Name Title Date

The undersigned further hereby unconditionally guarantees to Citizens Bank, N.A. and Worldpay US, Inc. the full payment of all obligations arising out of or in furtherance of the Agreement and to pay Citizens Bank, N.A. or Worldpay US, Inc. all expenses incurred in collecting such obligation.

1 Authorized Principal Signature Date 2 Authorized Principal Signature Date

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