### **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.

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The foregoing Resolution was offered by Commissioner Okonske						
who moved its adoption. The motion was seconded by Commissioned Flaherty						
and upon being put to a roll call vote, the vote	was as follows:		O			
		AYE	NAY			
MAYOR JAMES DUBOIS		ATE				
VICE-MAYOR KIMBERLY GLAS-CASTRO	)		-			
COMMISSIONER ERIN FLAHERTY						
COMMISSIONER ANNE LYNCH						
COMMISSIONER MICHAEL O'ROURKE		_				
The Town Commission thereupon declared the foregoing Resolution NO. <u>(00-13-16</u> duly passed and adopted this <u>1</u> day of <u>December</u> , 2016.						
ATTEST:  VIVIAN MENDEZ	BY:	AKE PARK, F MES DUBOIS MAYOR	LORIDA			
TOWEVELERK  OF THE SEAL)  FLORE  FLORE  TOWEVELERK  A  A  A  A  A  A	BY: THOM	ind H				

**Customer Number** 

36177 Sales Agent ID

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

Customer Processing Agr	reement Centur	v MSP CPA - 42086v	6 (01/16)

Form Type	Customer Processing Agreement	Add Loc	Add Equip
Dicrogard	N/A		2-3, 5-7, 13

XX Citizens Bank

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

	Salvatore	Schiafone	Town of Lake Park		Lake Park	Harbor Marina
A Info	Contact Name 535 Park Avenue		Full Legal (Tax Filing) Business Name Lake Park	FL	Store Name (DBA) 33403	(561) 881-3353
Legal/ DBA Info	105 Lake		West Palm Beach	State FL	33403	Legal Phone Number (561) 881-3353
1. Lega	Fax Number	Email	City  Dlakeparkflorida.gov  orldpay's Merchant Portal. If you would like	State to receive paper:	ZIP  Number of Locations statements log into the Mer	Store/DBA Phone Number  5 9 − 6 0 0 0 3 5 5  Federal Tax ID Check if:  EIN SSN  chant Portal (https://portal.worldpay.us).
Г	OWNERSHIP TYPE	Sole Proprietor Partnership	Non-Public Corporation Non-Pro	fit ( LLC ( C	Government Entity Pub	lic Corporation Business 01/01/00
	Avg. Monthly \$ 7	0000.00 High Monthly \$ 100000 Volume	00 Average \$400.00 High Ticket	\$ 20000.00	Marina slip rentals  Describe Business Produc	Open Date  s, ship store & fuel 4468  sts or Services in Detail SIC/MCC Code
	Currently Processing Credit Cards	$\frac{80}{\substack{\text{Face-to-Face} \\ \text{(Swiped)}}}  \frac{20}{\substack{\text{MO/TO} \\ \text{(Non-Swiped)}}}  \frac{0}{\substack{\text{Internet} \\ \text{(Non-Swiped)}}}$	% Website Address		ACTION CONDUCTED AT  0.00 % Residence	% Whse/Office Mobile
Business Info	Does Customer Acc Average % of depo paid in advance	osits 06 # of days depos		PAYMENT TYPES Average days to co ervice after purch	emplete % o	Full Payment Membership/Insurance/ Subscriptions, etc. f annual bank card volume ed on Advance Payment terms 96
2. Busine	MERCHANI Months Open Months Closed					
	THIRD PARTY INFORMATION  Does Merchant use third party to store, process or transmit cardholder data?  Yes No Third Party Name					
	MAIL, TELEPHONE OR INTERNET SERVICES  If Vendor/Fulfillment House, please check the Vendor/Fulfillment House button and enter the name of the fulfillment house in Fulfillment House Name field  Who performs product/service fulfillment?   Wendor/Fulfillment House*  Vendor/Fulfillment House Name					
	*A fulfillment house is a company which specializes in product fulfillment services, on behalf of the product owner.					
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.  2. A Visa member must be a principal to the Customer Processing Agreement.  3. The Visa member is responsible for and must provide settlement funds to the merchant.  4. The Visa member is responsible for all funds held in reserve that are derived from settlement.  5. The Visa member is responsible for education of merchants on pertinent Visa International Operating Regulations with which merchants must comply.  Important Merchant Responsibilities:  1. Ensure compliance with cardholder data security and storage requirements.  2. Maintain fraud and chargebacks below thresholds.  3. Review and understand the terms of the Customer Processing Agreement.  4. Comply with Visa International Operating Regulations. From Visa's website at: http://usa.visa.com/merchants					
Info 1	Principal Info mu  James Du		gregate, hold at least 51% ownership. First p	rincipal listed must	also sign as first principal in Co	ustomer Acceptance and Guaranty section.

11/08/90

Lake Park

City

DOB (MM/DD/YY)

51

Percent Owned Drivers License #/State

33403

ZIP

FL

State

Home Address

James Dubois

Full Name (Full legal name required)

535 Park Avenue

Social Security Number/ ITIN

(561) 881-3351 Home/ Mobile Phone

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



# X Citizens Bank®

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 Ow			ocial Security Number/ ITIN		
4.	Home Address Ci	ty	State ZIP	·	Iome/ Mobile Phone		
5. Bank Info	Lake Park Marina   PNC						
	below. Merchants who accept American Expres regulations at <u>www.worldpay.us/AmericanExpr</u>		ant Regulations. Please rea	ad tnese	Communications*		
	Industry	Discount**			Prepaid Discount**		
	B2B	2.87% plus \$0.15 transa	action fee	1.93%	plus \$0.15 transaction fee		
	Fast Food Restaurant	3.48%		1.93%	plus \$0.05 transaction fee		
es	Independent Gas Stations	3.23%		1.28%	plus \$0.12 transaction fee		
Processing Rates/Fees	Lodging	3.48%		1.93%	plus \$0.05 transaction fee		
tes	Mail Order & Internet	3.48%		2.23%	plus \$0.20 transaction fee		
S Ra	Office-based Healthcare	2.53%***		1.93% plus \$0.30 transaction fee 1.93% plus \$0.20 transaction fee			
Sin	Other Transportation	3.48%					
oces	Restaurant	3.48% plus \$0.05 transa		1.93% plus \$0.05 transaction fee			
Pro	Retail	2.87% plus \$0.10 transaction fee		1.93% plus \$0.20 transaction fee			
6.	Services, Wholesale & All Other	2.87% plus \$0.15 transaction fee		1.93% plus \$0.15 transaction fee			
	Supermarkets  Telecommunications	2.28% 3.48% 3.88% 2.87% plus \$0.15 transaction fee		0.43% plus \$0.20 transaction fee  1.93% plus \$0.20 transaction fee			
	Telecommunications - Cable/Computer Network			1.93% plus \$0.20 transaction fee  1.93% plus \$0.20 transaction fee  1.93%			
	Travel Agencies/Tour Operators						
*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 St. Yearly Volume \$ 200000.00   American Express St. Average Ticket   \$ 400.00   Currently accepts Amex   Existing American Express Merchant # CAP #						
	TIERED PRICING Visa®, MasterCard®, Discover® & Pa	yPal™ COST PLUS PRICIN	<b>G</b> All standard Payment	Network fees and ch	arges will be added to fees below.		
Rates/Fees	Discount Surcharges	VISA, MASTERCARD, I	DISCOVER & PAYPAL		PIN DEBIT/EBT		
ss/F	1-TIER 2-TIER 3-TIER 4-TI	ER % Rate %		% Rate 0.000 %			
Rate	% Rate 1.50 % 0.50 % 1.50 % 2.35	5 % *Per Item Fe	*Per Item Fee \$		*Per Item Fee \$		
8	*Per Item Fee \$ 0.250 \$ 0.000 \$ 0.000 \$ 0.00 \$ 0.00 * Per Item fees apply to all transactions including sales, returns, denials, e			Per Item \$			
	MONTHLY RECURRING FEES Per location* MONTHLY	Y RECURRING FEES Per terminal	PER OCCURRE	NCE FEES	PER TRANSACTION FEES		
	PCI Program \$12.95 Terminal	Replacement & Supplies \$	**Voice Authori	ization \$ 0.95	American Express \$ 0.050		
ses	Administrative \$ 9.95	Supplies Service Only \$			Debit/Credit ACH \$		
S/Fe		rminal Replacement Only \$	**Voice AVS Request \$ 2.00		Merchant Link Access \$		
ate					TSYS Access \$		
80	JIN DEDICACESS Y			Returned Check \$ 25.00			
1	*FANF fees charged by the Payment Networks	-	Chargeback Handling \$ 20.00		MONTHLY MOBILE FEES		
Recurring Rates/Fees	will be passed through to Customer.	curring Payments Service \$	Credit Batch F	leader \$ 0.00	PAYware Mobile*** \$		
6			Debit Batch F		***Per location		
Ų1			Direct Draft ACH				
**Not applicable to ARU transactions ACH Prenote \$				renote \$			



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



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

201	17th Street, NW, Suite 1000, Atlanta, GA 30363		Customer No	umber 877.55	0.5933	
d Fees	*Monthly Telecommunications Fee					
elate	□ INSTANTACCEPT™ \$ Per Month					
Equip/Service Related Fees	CHECK SERVICES Requires a separate agreement.  Apply for CrossCheck Currently Accepts Ch	heck Services If cur	rently accepts, list processor	Current pro	ovider number	
10. Equip/S	THIRD PARTY PRODUCTS/ SERVICES Other** DataCap** Payflow Link** Access Payflow Pro** \$  **Customer understands it may be required to have an agreement directly with the provider of a gate	Per Transaction \$	rminal Fee Service Fee Per Month \$  and additional fees may be charged	Per Transaction	One-Time Set-up Fee Per Terminal	
11. Equipment Information	Model/ Application  Merchant Partners P2PE - Ingenico iSC250 EMV Serie  Model/ Application  We Model/ Application  We Model/ Application  *Rental of equipment requires the execution of a separate agreement.  If VAR Enter Dealer Name  VAR Dealer Phone  Auto-Close Daily  Yes  No  Store Return Policy on Terminal Receipt  Yes  No  Time Zone  AVS  Yes  No  Store Return Policy on Terminal Receipt  Terminal Dial Type	1.0 ersion#	1 650.00 (To Price Per Unit To Oty. Prompt for Server/Cashier # Purch Yes No	otal Price 050.00  otal Price  otal Price	TOTAL PRICE 650.00  Equipment Price 0.00  Application Fee Non-Refundable  Gift Card Plastics  Other 650.00  SUBTOTAL  Estimated Sales Tax 0.00  TOTAL DUE 0.00  Less Down Payment 0.00  BALANCE DUE**	
	Receipt footer - 32 characters max (if applicable)				**Shipping & Handling Billed separately	
12. Funding	The balance due will be debited from the account listed on page 2. Paid in Full (Installments (Down payment due upon execution)  ACH Installments: Balance due of \$ 0.00 will be paid in 3 equal monthly installments of \$ 0.00 via ACH 30, 60 & 90 days from execution of CPA.					
	PETRO SERVICES				***************************************	
Services	WRIGHT EXPRESS® (WEX)  *Apply for Wright Express (WEX)  Current Wright Express (WEX) Customer  VOYAGER® 3.50% discount rate and the properties of the proper	Current Fuel	Current Fuelman (FleetCor) Customer Cur		oly for Fleet One rent Fleet One Customer	
Card Services/ACH Services	Worldpay Item Fee 3.50% + \$0.00 Per Transaction Item Fee \$0.00					
ervi	GIFT CARDS Accept Gift Cards Order Gift Cards*		LOYALTY CARDS	Accept Lo	yalty Cards*	
	Gift Card Item Fee Per Transaction Gift Card Sports Dormancy Fee	Service Fee Assessed Per Ca	4	Pe	r Transaction	
13.	**Program Fee \$ Per submit the Card Order Form. Reload Fee Reload Amount **Program Fee \$ Per to complete and Sift Card Activation/ Reload Fee to complete and submit the Card Order Form.					

\*\* The Loyalty Card Program Fee is reduced to \$10.00 for Customers processing both Gift Cards and Loyalty Cards.



Worldpay US, Inc.

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

Customer Number

XX Citizens Bank<sup>\*</sup>

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

201 17th Street, NW, Suite 1000, Atlanta, GA 30363 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 Info the proper facilities, equipment, inventory and licenses required to conduct the business. Ship Welcome Kit Print Name Worldpay Authorized Sales Representative Verification Signature In addition to the CPA terms, I have received and Term of Agreement agreed to the following additional addenda \*Three Years DataCap \*Subject to automatic renewal per List other

Site 14. Notes Terms and Conditions. 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. Authorized Principal Signature **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. Authorized Principal Signature Authorized Principal Signature Date Date © Worldpay 2016. All rights reserved. Worldpay, the logo and any associated brand names are trademarks of the Worldpay group of companies. Citizens Bank is a

registered trademark of Citizens Financial Group, Inc.