

AN ORDINANCE 2020-05-21-0343

APPROVING A CONTRACT AMENDMENT REGARDING THE MERCHANT PAYMENT INSTRUMENT PROCESSING AGREEMENT WITH PAYMENTECH LLC AND JPMORGAN CHASE BANK, N.A. TO EXTEND THE TERM OF THE CONTRACT FOR AN ADDITIONAL YEAR, COMMENCING ON JULY 1, 2020, AND ENDING ON JUNE 30, 2021, UNDER THE SAME TERMS AND CONDITIONS.

* * * *

WHEREAS, pursuant to Ordinance No. 2012-06-21-0520, passed and approved on June 21, 2012, the *Merchant Payment Instrument Processing Agreement* (“Agreement”) with JPMORGAN CHASE BANK, N.A. and PAYMENTECH, LLC (“Chase Paymentech”) was approved, under which Chase Paymentech has provided merchant banking services for an initial three (3) year term commencing July 1, 2012, with the option in the City to renew for one (1) additional two (2) year term under the same terms and conditions, subject to approval of the City Council; and

WHEREAS, pursuant to Ordinance No. 2015-06-04-0492, passed and approved June 4, 2015, the Agreement was extended for its two (2) year renewal term beginning July 1, 2015 and ending June 30, 2017; and

WHEREAS, pursuant to Ordinance No. 2017-06-15-0452, passed and approved June 15, 2017, the Agreement was amended and extended for an additional two (1) year renewal term beginning July 1, 2017 and ending June 30, 2019; and

WHEREAS, pursuant to Ordinance No. 2019-06-13-0513, passed and approved June 13, 2019, the Agreement was amended and extended for an additional one (1) year renewal term beginning July 1, 2019 and ending June 30, 2020; and

WHEREAS, City Staff has recommended that the Agreement be amended to provide for one (1) additional one (1) year renewal term that will begin July 1, 2020 and end June 30, 2021, under the same terms and conditions; and

WHEREAS, upon consideration and deliberation of the matter, the City Council has determined that it is in the best interest of the City to accept and follow the City Staff recommendations set out above; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

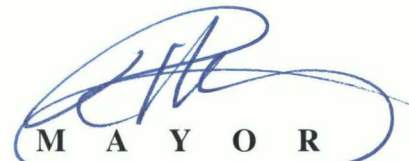
SECTION 1. The *May 2020 Amendment to Merchant Payment Instrument Processing Agreement* (“Fourth Extension”) between the City and Paymentech, LLC for itself and on behalf of JPMorgan Chase Bank, N.A., is hereby approved in all things. A copy of the Fourth Extension is attached hereto as **Attachment I**. The Deputy Chief Financial Officer or his designee is hereby authorized to execute the Third Extension on behalf of the City of San Antonio.

SECTION 2. Funding for this Ordinance is available in the Fiscal Year 2020 Adopted Budget for each City department utilizing credit card services.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager’s designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately if passed by eight (8) affirmative votes; otherwise this Ordinance shall take effect ten (10) days from the date of passage hereof.


PASSED and APPROVED this 21st day of May, 2020.



M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:



Tina Flores, Acting City Clerk



Andrew Segovia, City Attorney



City of San Antonio

City Council

May 21, 2020

Item: 19

File Number: 20-3120

Enactment Number:

2020-05-21-0343

Ordinance approving a contract amendment with JPMorgan Chase Bank, N.A. and Paymentech, LLC to extend the term of the merchant banking (credit card) services contract for an additional two-year term, commencing on July 1, 2020, and ending on June 30, 2022 under the same terms and conditions. Funding for credit card transactions under this contract is available and included in each department's FY 2020 Adopted Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

Councilmember Manny Pelaez made a motion to approve. Councilmember Rebecca Viagran seconded the motion. The motion passed by the following vote:

Aye: 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry

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A T T A C H M E N T I



MAY 2020 AMENDMENT TO
MERCHANT PAYMENT INSTRUMENT PROCESSING AGREEMENT

MERCHANT NAME: The City of San Antonio

This May 2020 Amendment (this "Amendment") is entered into by and between Paymentech, LLC, also known as Chase Merchant Services ("CMS"), for itself and on behalf of JPMorgan Chase Bank, N.A. a national banking association ("Chase"), and each of the merchant(s) whose signature(s) appear below (collectively, the "Merchant").

This Amendment amends and modifies that certain Merchant Payment Instrument Processing Agreement, dated on or about July 31, 2012, as may have been amended through the date hereof (the "Agreement), between CMS, Chase and Merchant. This Amendment is effective as of the date last signed below. Capitalized terms used but not defined herein shall have the meaning assigned to them in the Agreement. All references to section numbers herein shall refer to the corresponding section of the Agreement. To the extent of any conflict or inconsistency between the terms of this Amendment and the Agreement, this Amendment will control.

The Agreement is hereby amended and modified as follows:

1. **EXTENSION OF TERM.**

Section 10.1 of the Agreement is hereby amended to provide that the term of the Agreement is extended to run through June 30, 2022 under the same terms and conditions. If Merchant intends not to renew this Agreement after June 30, 2022 then Merchant agrees to provide Paymentech notice of such intent no less than ninety (90) days prior to June 30, 2022. In the event Merchant fails to provide such notice of intent to renew then the Agreement shall be deemed to have renewed for an additional one (1) year term under the same terms and conditions.

2. **CONTINUED EFFECT.**

Except to the extent amended hereby, all terms, provisions and conditions of the Agreement are hereby ratified and shall continue in full force and effect and the Agreement shall remain enforceable and binding in accordance with its terms.

This Amendment shall be effective on the date on which it is fully executed (i.e. the last signature date below).

Agreed and Accepted by:

The City of San Antonio
MERCHANT LEGAL NAME (Print or Type)

111 Soledad St., San Antonio, TX 78205
Address (Print or Type)

By (authorized signature)

By, Name, Title (Print or Type)

Date

Agreed and Accepted by:

PAYMENTECH, LLC for itself and on behalf of
JPMORGAN CHASE BANK, N.A.

By: _____

Print Name: _____

Title: _____

Date: _____

Address: 8181 Communications Pkwy, Plano, TX 75024

K.Frillici/N.Stassi/5/18/20