

BEE COUNTY, TEXAS  
APPLICATIONS FOR BEE COUNTY DEPOSITORY  
AND COUNTY DEPOSITORY FOR TRUST FUNDS

BID NO: 20/21-007

DUE DATE: May 7, 2021  
DUE TIME: 2:00 p.m.

OPENING DATE: May 10, 2021  
OPENING TIME: 2:00 p.m.

PLACE: Bee County Justice Center  
111 S. St. Mary's St. Suite 101  
Beeville, Texas 78102

CONTACT: April A. Cantu, County Auditor  
111 S. St. Mary's St. Suite 101  
Beeville, Texas 78102  
(361) 621-1551

In accordance with provisions of Chapter 116 of the Local Government Code, sealed applications from any banking corporation, association or individual banker in Bee County to enter into a contract as Depository for the public funds of Bee County will be received in the office of the Bee County Auditor, 111 S. St. Mary's St. Suite 101, Beeville, Texas 78102 until 2:00 p.m., Friday, May 7, 2021. Any application received after 2:00 p.m. will not be considered.

The Commissioners Court of Bee County reserves the right to reject any or all bids, in whole or part, to waive any informality in any bid, and to accept the bid which in the County's sole discretion, is in the best interest of the county.

Applications should be accompanied by a statement of the paid-up capital stock and permanent surplus of the bank in addition to a statement showing the financial condition of the bank on the last day of December 2020. A CERTIFIED CASHIER'S CHECK payable to Bee County in the amount of \$46,000 shall also accompany applications as a guarantee of good faith on the part of the applicant. The check will be held by the County until a depository bank is selected and the bond and/or security have been filed.

Sealed applications must carry the following notation "**Depository Bid – Bid No. 20/21-007.**" Any additional information should be obtained from April A. Cantu, Bee County Auditor, 361-621-1551.

## **GENERAL CONDITIONS AND INFORMATION**

It is the intent of Bee County to execute a contract with a bank desiring to be designated as the county depository. This depository contract will include a pledge of securities as collateral for county funds deposited with the financial institution designated. The contract will apply to the following funds as further described:

- (1) All funds held by Bee County, which include the officials/officers accounts.
- (2) Bond or certified of obligation proceeds may be included depending upon the legal requirements of the debt issue and/or at the discretion of the Commissioners Court.
- (3) Trust Funds in possession of County and District Clerks unless there exists legal authority to deposit elsewhere.

In order to simplify the selection process, applicant banks are requested to complete the schedule in Appendix A to the extent applicable. Attachments may be included for additional information or clarification. Attachment I & II contain schedules on the county's historic bank balances and other information.

### **COLLATERAL REQUIRED:**

In accordance with state law (local government code chapter 116.051.(2)), the County's deposits must be fully collateralized with and secured by "investment securities or interests in them" pledged by the depository and shall be submitted through a detailed monthly report. Such investment securities or parts thereof, shall be owned by the depository bank. Whenever for any reason the county funds deposited shall increase beyond the amount of securities so pledged, the depository shall increase the securities to cover the increased deposits so that the securities pledged shall at no time be less than the total amount of County funds on deposit in said depository bank. Correspondingly, when County funds are reduced to below the amount of securities or bond pledged, the depository, upon approval of commissioners' court may withdraw securities in the amount of such excess. The right of substitution of securities shall be granted to depositories, provided the securities substituted meet with the requirements of the law and are approved by the Commissioners' Court.

### **SERVICES REQUIRED:**

Demand deposit account services for all accounts listed in Attachments I and II will be required. These accounts should pay interest if applicable in the amounts bid. This is to include monthly account statements with all corresponding cancelled checks, deposit slips and all other relevant information.

The bank will agree not to honor stale dated checks on Bee County accounts which are not endorsed by the County as acceptable after 180-day limit

Wire transfer services, stop payments, direct deposit/withdrawal will also be used. In addition, photocopies of items deposited into accounts may be required for audit purposes.

### **PAYMENT FOR SERVICES:**

The County and the depository bank will determine whether a direct payment will be made for services provided or whether payment will be satisfied by compensating balances.

### **MISCELLANEOUS PROVISIONS:**

In accordance with the Financial Institution Reform, Recovery and Enforcement Act of 1989 and the Governmental Accounting Standards Board Statement 3, Bee County requires the contract with the successful applicant to be approved by the banks board of directors and that the approval be entered into its minutes. Evidence of compliance with this requirement must be submitted to the County with copies to the County Auditor.

The County reserves the right to invest reserve funds independently and/or with the Texas Local Government Investment Pool (Texpool) managed by the Comptroller of the State of Texas. While not required, the applicant bank may offer in its application investment opportunities in accordance with law to the County such as money market accounts, time certificates of deposit and offer to assist in other purchases of securities in the primary or secondary markets.

To qualify as the County depository, the successful applicant must within fifteen (15) days after being selected pledge securities as provided by the statutes for the purpose of securing county funds in an amount equal to the amount of such county funds on deposit and present them to the Commissioners' Court for approval.

Securities held as collateral shall be subject to examination at the bank at any time during banking hours by the county auditor.

In considering the applications, the county reserves the right to accept the applicants considered most advantageous to Bee County in terms, conditions and convenience for the handling of county funds and to reject any or all applications if considered unsatisfactory by the Commissioners' Court of Bee County, Texas.

### **EFFECTIVE DATE:**

In accordance with 116.021 of the Local Government Code, the depository contract period will commence July 1, 2021 for a four (4) year contract period. The contract shall allow the bank to negotiate with the county, new interest rates and financial terms of the contract for the final two (2) years of the four (4) year contract if:

- 1) The new financial terms do not increase the prices to the county by more than 10%; and
- 2) The County has the option to use the initial variable interest rate option or to change to the new fixed or variable interest rate options proposed by the bank.

On July 1, 2021 demand funds will be transferred to the successful applicant after being qualified.

Please complete the following to the extent applicable in your bid application.

**INTEREST RATE INFORMATION:**

1.	Interest bearing checking accounts:	Variable Rate _____	Fixed Rate _____
2.	Money Market Accounts:	Variable Rate _____	Fixed Rate _____
3.	Certificates of Deposit:	Variable Rate _____	Fixed Rate _____

**Less than \$100,000**

Maturity 7-29 Days:	_____	_____
Maturity 30-59 Days:	_____	_____
Maturity 60-89 Days:	_____	_____
Maturity 90-179 Days:	_____	_____
Maturity 180 Days to < one yr	_____	_____
Maturity one year or more:	_____	_____

**More than \$100,000**

Maturity 7-29 Days:	_____	_____
Maturity 30-59 Days:	_____	_____
Maturity 60-89 Days:	_____	_____
Maturity 90-179 Days:	_____	_____
Maturity 180 Days to < one yr	_____	_____
Maturity one year or more:	_____	_____

**SERVICE CHARGES:**

- |     |  |          |    |
|-----|--|----------|----|
| 4.  | Account Analysis Charges? (Circle One)<br>If yes, attach schedule of charges.                        | yes      | no |
| 5.  | Charge for printing checks?  | Yes      | no |
| 6.  | Charge for account maintenance?  | \$ _____ |    |
| 7.  | Charge for incoming wire transfers?  | \$ _____ |    |
|     | Charge for outgoing wire transfers?  | \$ _____ |    |
| 8.  | Charge for direct deposit/withdrawal services?   | \$ _____ |    |
| 9.  | Charge for stop payment orders?  | \$ _____ |    |
| 10. | Charge for insufficient funds?   | \$ _____ |    |
| 11. | Charge for account transfers?  | \$ _____ |    |
| 12. | Charge to furnish deposit slips?   | \$ _____ |    |
| 13. | Charge for photocopies of items deposited for<br>audit purposes?                                     | \$ _____ |    |
| 14. | Charge for purchase of securities allowed by law for<br>investment purposes?                         | \$ _____ |    |
| 15. | Ability to invoice County for service charges monthly<br>rather than charging accounts? (Circle One) | yes      | no |

If any items in numbers 1-15 are subject to account analysis, please indicate so by placing an asterisk next to the question.

Appendix B:

Applicant Bank must complete the information below to validate the bid for Depository Bank.

The undersigned affirms that they are fully authorized to execute this contract by providing the county with a resolution from the Board of Directors of the submitting bank authorizing or empowering the undersigned to execute this contract; that this Bank has not prepared this bid in collusion with any other bidder; and that the contents of this bid as to fees, interest rates, terms or conditions of said bid have not been communicated by the undersigned, nor by any employee or agent, to any other bidder or to any other person(s) engaged in this bid.

Unsigned bids will be disqualified.

Name and address or bidder:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone No: \_\_\_\_\_

(attach resolution)