



CADENCE
Bank

Proposal for
Primary Depository Bank Services

23-4090-02



February 28, 2023

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101 E Polk St, Burnet, TX 78611

Telephone 512-756-6166

February 28, 2023

Burnet County

133 E Jackson St

Burnet, TX 78611

Depository Application

June 1, 2023 – May 31, 2025

Cadence Bank and staff are committed to a successful depository relationship with Burnet County, Texas. We can provide the personal and professional customer service to meet all the financial needs for the county. Conveniently located to your office allows for faster, friendly service. Cadence Bank understands the needs and requirements for the County of Burnet and the importance of delivery and responding in a timely manner.

Cadence Bank is a \$48 Billion in assets financial institution and operates approximately 400 full-service branch across the South, Midwest, and Texas. Our employees number just over 4,500 across all of our locations. Cadence Bank is experienced in the handling of public fund / government entity relationships.

Our Vision:

Helping people, companies and communities prosper.

Our Mission:

We meet customers where they are in their financial journey, providing expert advice and a broad array of products and services to help them reach their goals. While delivering value to our shareholders, we foster a workplace where teammates thrive and communities prosper.

Our Values:

- *Value Relationships*
- *Put customers at the center of our business*
- *Do the right thing*
- *Embrace inclusivity*
- *Create a great place to work*

Cadence Bank is confident that we will meet all the requirements for Burnet County Texas. All items listed in the Depository Application have been acknowledged.

Cadence Bank proposes the following interest rates to be paid on all said interest bearing accounts:

- Variable Rate Sweep product based on Fed Funds Target Rate minus 0.50% with floor of 0.05% (Current Fed Funds Rate at 4.75%)
- Rates for Certificate of deposits will be the branch posted rates plus 0.50%
- All fees waived

Cadence Bank looks forward to the opportunity to serve Burnet County, Texas and staff.

Respectfully,



Richard Procter

Division President



**REQUEST FOR PROPOSALS
COUNTY DEPOSITORY BANK (RFP 23-4090-02)**

SCOPE: It is the intent of this Request for Proposals to establish quotations for the Burnet County Depository Contract. By returning the Bid Worksheet, the Bank acknowledges that it understands the Revised Civil Statutes of Texas (Article 2544 et. Seq. of the Revised Civil statutes of Texas, as revised by Local government Code, Chapter 116.000 through 116.155 passed by the 70th leg. 1987; Article 2547 a,b,c; and Article 2558a et. Seq.) that pertain to the managing and safekeeping of County funds and acknowledges that Bank will comply with those statutes. Proposals will be submitted all in accordance with Proposal Conditions, Specifications, and/or Special Provisions attached hereto.

OPENING DATE: February 28, 2023, 2:00 PM, Burnet County Annex Conference Room, 133 E. Jackson Street, Burnet, Texas.

INSTRUCTIONS:

Proposals must be received in the office of the County Auditor/ Purchasing Agent on or before the time and date specified. Proposals received after time and date specified, whether delivered or mailed, will not be considered and will be returned unopened. In order to assure your proposal is fairly considered, it must be submitted in a properly sealed envelope, clearly marked on the outside lower left hand corner surface with the numbers "23-4090-02." This includes overnight envelopes. Proposals marked otherwise may be opened prematurely.

PLEASE MAIL or HAND DELIVER TO:

**BURNET COUNTY AUDITOR/PURCHASING AGENT
133 E. Jackson St., Ste. 101
Burnet, Texas 78611**

OR

EMAIL: bids@burnetcountytexas.org

No proposals will be considered in which the proposal, specifications, or any provisions have been modified. The Request for Proposal number, "23-4090-02", shall appear on any technical data or information furnished by your firm with this proposal.

A proposal that is in the possession of the County Auditor/Purchasing Agent may be withdrawn by the firm's representative, in person (with proper identification) or by written request up to the time of the proposal opening. Proposals may not be withdrawn after the

proposal opening. Proposals may be altered by email, letter or fax transmission bearing the signature or name of the person authorized for submitting the proposal, provided it is received prior to the time and date of opening. Any alteration should not reveal the proposal price but should indicate the addition, subtraction, or other change in the proposal.

The County of Burnet is a political subdivision of the State of Texas and, as such, is exempt from usual sales taxes.

The Commissioners' Court of Burnet County reserves the right to reject any and all proposals, to accept in whole or part, to waive any informalities in the proposals received, to accept proposals separately or combine proposals as it shall deem to be in the best interest of Burnet County.

Proposals are solicited for furnishing merchandise, supplies, services, and/or equipment and imply no obligation on the part of Burnet County.

The failure to comply with the terms of this proposal will subject any contract to revocation.

Questions concerning the proposal process, specifications, acceptance, and approval of proposals, should be directed to:

KARIN SMITH
BURNET COUNTY AUDITOR/PURCHASING AGENT
133 E. Jackson St., Ste. 101
Burnet, Texas 78611
(512) 756-5495
ksmith@burnetcountytexas.org

**Specifications and Bid Sheet
For Depository Contract
Burnet County, Texas**

PLEASE NOTE: Any change (addition, deletion, or alteration) to these specifications will automatically disqualify the bid.

These depository contract specifications provide for three types of financial relationships: Managing Bank, Participating Bank, and Investment Broker. The Managing Bank will be designated to handle banking services including, but not limited to, the establishment of demand checking accounts. Participating Banks will be authorized to hold secured time deposits in accordance with the provisions of law. Investment Brokers will be authorized to sell to the County government securities that are in accordance with the laws of the State of Texas.

AWARDING OF CONTRACT: Burnet County will award the Bank Contract based on the following criteria:

- Reputation of bidder and quality of services
- Ability to perform and provide the required and requested services
- Cost of banking services
- Completeness of bid and agreements to points outlined in the Depository Bid Sheet
- Funds availability to secure balances
- Interest rates paid on interest bearing accounts, time deposits, and investments
- Earnings credit on average available account balances
- Financial strength and stability
- Convenience of location
- No fee for early withdrawal

THE MANAGING BANK

In reply to the published notice of the Commissioners' Court of Burnet County (hereinafter referred to as "County"), the undersigned bank (hereinafter referred to as "Bidder") submits the following bid for the Managing Bank depository contract for the County of Burnet for a term of two years, beginning June 1, 2023, and ending May 31, 2025, or until a successor is qualified. The contract may be renewed for two additional years upon successful negotiations between County and Bank for new interest rates and financial terms.

The depository thus selected will be the depository for county funds, selected trust funds of the County and District Clerks of Burnet County, money collected and held by the Tax Assessor/Collector pending distribution, and all general and special funds of every nature which the County may tender for deposit during the two-year term.

Bank Information:

Amount of paid-up Capital Stock \$ 456,093,000

Permanent Surplus

Total Stockholders Equity as of 2/27/2023 \$ 2,709,391,00
(date)

Bidder will comply with all the provisions of Chapter 116, "Depositories for County Public Funds", Local Government Code, Vernon's Texas Codes Annotated.

A certified check for one-half percent of the County's revenue for the preceding year must accompany this bid. The amount is \$227,332.47. If this bid to be the county depository is accepted, said check is to secure the performance of said bid, and if the bidder fails to enter into a contract with County as provided in this bid, then said check shall be cashed by County as liquidated damages. If the Bidder enters into a contract with the County, the County shall return the check to the Bidder. In the event this bid is not accepted, the check is to be returned to the Bidder immediately after the contract award is made.

Within 15 days after the date a bank is selected as the county depository, the bank must qualify by providing security for the funds to be deposited by the County. The security shall be in the form of approved securities pledged to the County of Burnet in an amount sufficient to cover the total amount of funds on deposit by the County. The bank shall deliver to the County either the securities pledged or safekeeping (trust) receipts for them, properly marked to show the pledge. Securities shall be held in correspondent or third-party banks not branch banks.

Pledged collateral, under provision public funds collateral act (Sec 2257, Govt code) must be sufficient at all times during the contract period to cover total county deposits (including both demand and time). The County will require a routine monthly report showing all pledged securities and their current market value. The depository bank is responsible for notifying the County of any deficiency in pledged collateral on a daily basis. County reserves the right to alter from time to time the required amount of securities to be sufficiently so pledged. Bidder shall have the right and privilege of substituting securities upon giving the County 21 days prior notice and obtaining the approval of the Commissioners' Court, provided the total amount of securities deposited is adequate as provided herein. When the county funds shall be reduced below the amount of securities pledged, the Commissioners' Court shall permit the release of such excess.

The amount of funds for which the selected depository shall furnish securities at June 1, 2023 is approximately \$15,500,000.00.

Bidder agrees to pay county as follows for demand deposits during the life of the two-year contract:

- 1) Interest-bearing accounts with unlimited checks, \$0.00 minimum balance required, interest based on 26-week U.S. Treasury Bill discount auction rate quoted in most recent Wall Street Journal, compounded daily and paid monthly. Account to earn interest from date of deposit. Number of accounts as determined by County.

See Attachment A for full disclosure of interest paid offering (Fixed Rate)

 basis points over/under, or %

Minimum guaranteed interest rate .05 %

See Attachment A for full disclosure of interest paid offering

- 2) Interest-bearing accounts with limited checks, \$0.00 minimum balance required, (any number of transfers from account to account allowed), interest based on 26-week U.S. Treasury Bill discount auction rate quoted in most recent Wall Street Journal, compounded daily and paid monthly. Account to earn interest from date of deposit. Number of accounts as determined by County.

(Fixed Rate)

_____ basis points over/under or _____ %

Minimum guaranteed interest rate _____ %

See Attachment A for full disclosure of interest paid offering

- 3) Savings accounts; _____ % fixed rate interest, compounded daily and paid monthly. Savings accounts will earn interest from the date of deposit to the date of withdrawal. Number of accounts as determined by County.

Bidder agrees to pay County as follows for time deposits which are not submitted to other Participating Banks or Investment Brokers for competitive quotes:

- 1) For time deposits in amounts less than \$100,000, interest based on 26-week U.S. Treasury Bill discount auction rate quoted in most recent Wall Street Journal, compounded monthly:

See Attachment A for full disclosure of interest paid offering

Fixed Rate

7 - 30 days @ _____	basis points over / under or _____	%
30 - 59 days @ _____	basis points over / under or _____	%
60 - 89 days @ _____	basis points over / under or _____	%
90 - 179 days @ _____	basis points over / under or _____	%
180 - 359 days @ _____	basis points over / under or _____	%

- 2) For time deposits in amounts \$100,000 or more, interest based on 26-week U.S. Treasury Bill discount auction rate quoted in most recent Wall Street Journal, compounded monthly:

See Attachment A for full disclosure of interest paid offering

7 - 30 days @ _____	basis points over / under or _____	%
30 - 59 days @ _____	basis points over / under or _____	%
60 - 89 days @ _____	basis points over / under or _____	%
90 - 179 days @ _____	basis points over / under or _____	%
180 - 359 days @ _____	basis points over / under or _____	%

Minimum guaranteed interest rate _____ %

NOTE: The maximum maturity date of any time deposit or other interest-bearing instrument under the terms of this contract shall be May 31, 2025.

County reserves the right to invest any and all of its funds through the Managing Bank, through Participating Banks, or through Investment Brokers in investments authorized in Section 116.112 of the Local Government Code, Art. 842a-2 of Vernon's Annotated Civil Statutes and the investment policy of Burnet County.

Bidder's charges for services and supplies required by County are as follows. If service is unavailable, please mark "N/A" in blank. If there is no charge for the service, please mark "N/C" in blank.

- 1) (a) Prepare monthly statements showing debits, credits, number of checks, drafts, deposits and deposit items posted, daily balances, average daily balance for month, and any items on which charges are based. Statements are to be provided within ten days after end of month via online banking. (b) Provide a web-based communication link to the County for daily reporting of fund balances, collateral and ledger balances and detail debits and credits.

(For account listing, see Attachment #1)

\$ 0.00

- 2) Furnish quantity, quality and type of checks necessary for County's use during contract period. (For list of approximate number of checks needed per account, see Attachment #1)

\$ 0.00

- 3) Service charges on following account types:

Interest-bearing accounts (unlimited checks)
\$0.00 minimum balance required

\$ 0.00

Interest-bearing accounts (limited checks)
\$0.00 minimum balance required

\$ 0.00

Non-interest-bearing accounts

\$ 0.00

Savings accounts/Money market accounts/
Zero balance accounts

\$ 0.00

- 4) Furnish deposit books or deposit slips
(See Attachment #1)

\$ 0.00

- 5) Prepare other reports, accounts and records which may, from time to time, be required by County

\$ 0.00

- 6) Furnish copies of records as may be required, from time to time, by County

\$ 0.00

- 7) Provide stop-payment service on checks

\$ 0.00

- 8) Provide wire transfer of funds (in or out)

\$ 0.00

- 9) Provide automatic clearing house ACH & wire transfers

\$ 0.00

- 10) Process checks returned to County for any reason

\$ 0.00

- 11) Charge for overdrafts. (Overdraft as used in this paragraph shall mean that County does not have a compensating balance in other funds or accounts in

Bidder's bank equaling or exceeding overdraft in a County fund or account.)	\$ 0.00
12) Furnish safe deposit box as required	\$ 0.00
13) Furnish lock bags for transporting deposits	\$ 0.00
14) Furnish envelopes and postage for bank-by-mail	\$ 0.00
15) Furnish coin counting and wrapping of change	\$ 0.00
16) Furnish cashier's checks as needed	\$ 0.00
17) Furnish monthly report of all Certificates of Deposit purchased by County	\$ 0.00
18) Put checks in numerical sequence for all monthly account statements	\$ 0.00
19) Furnish endorsement stamps as needed	\$ 0.00
20) Furnish account analysis on all accounts, as needed	\$ 0.00
21) Cash payroll checks for Burnet County Employees	\$ 0.00
22) Fee for Investment transaction	\$ 0.00
23) Fee for ACH & wire origination	\$ 0.00
24) Direct payroll deposit	\$ 0.00
25) Payroll employee pay card	\$ Separate RFP
26) "On-line" banking services	\$ 0.00
27) Stale dated checks -- not accepted after 180 days	\$ 0.00
28) Availability schedule	\$ 0.00
29) Automated daily balance reporting	\$ 0.00
30) Daylight OD provisions	\$ 0.00
31) Employee checking account costs	\$ NA
32) Remote Capture Deposit	\$ 0.00
33) Positive Pay Services	\$ 0.00

This bid, and subsequent contract, is subject to all banking regulations including early withdrawal penalties.

This bid was requested by County and is made by Bidder with the agreement and understanding that County reserves the right to reject any and all bids and to accept the bid that is most advantageous to County. Further, it is understood in these bid specifications that if any portion or provision of this bid and/or any contract between Bidder and County entered into by virtue thereof is invalid, the remainder of this bid and/or resulting contract at the option of the County shall remain in full force and effect and not be affected by said invalid portion or provision. Further, this bid, and subsequent contract, is subject to re-negotiation by both the Bidder and County if any part of the bid or contract is found to be in violation of any banking laws or laws governing County.

Pertaining to Article 115.001 of the Local Government Code, The County Auditor shall have continual access to examine and investigate the correctness of the books, accounts, and records of all Officers of the County, including all bank accounts containing County funds.

This application must be accompanied by a statement showing the financial condition of the bank on the date of the application as required by Section 116.023, "Applications," Local Government Code, Vernon's Texas Codes Annotated.

DATE: 2-28-23

BIDDER: Cadence Bank
(Name of Institution)

SIGNED BY: Richard Procter

PRINTED NAME: RICHARD PROCTER

TITLE: DIVISION PRESIDENT

PHONE: 572-756-6166

E-MAIL: richard.procter@cadencebank.com

MAIL ADDRESS: 101 E. POLK BURNET, TX 78611

CITY, STATE, ZIP: BURNET TX 78611

PARTICIPATING BANKS

County funds may be invested in time deposits (non-negotiable certificates of deposit) issued by commercial banks in the State of Texas for which the banks have pledged collateral in accordance with Chapter 116, "Depositories for County Public Funds," Local Government Code, Vernon's Texas Codes Annotated, and Art. 842a-2, "Public Funds Investment Act," Vernon's Annotated Civil Statutes.

After determining its investment requirements, the County may solicit time deposit rates from Participating Banks (plus Managing Bank). Time deposits will be placed with the Participating Bank (or Managing Bank) offering the highest rate. Funds in the amount of the deposit, plus the interest earned, will be wired back to the Managing Bank on the maturity date of the time deposit.

Collateral in the form of approved pledged securities equal to the amount of County time deposits must be provided by Participating Banks. Securities shall be held in correspondent or third-party banks not in branch banks.

If a bank wishes to become a Participating Bank, a Letter of Intent must be submitted and approved. (Letter of Intent is provided as Attachment #2)

INVESTMENT BROKERS

County funds may be invested in numerous instruments as authorized in Chapter 116, "Depositories for County Public Funds," Local Government Code, Vernon's Texas Codes Annotated, and Art. 842a-2, "Public Funds Investments Act," Vernon's Annotated Civil Statutes.

After determining its investment requirements, the County may solicit investment rates from Investment Brokers (plus the Managing Bank). These investments will be placed with the firm offering the highest rate. Funds in the amount of the purchase, plus the interest earned, will be wired back to the Managing Bank on the maturity date of the investment instrument.

If an investment firm wishes to be a broker for the County, a Letter of Intent must be submitted and approved. (Letter of Intent is provided as Attachment #2)

ATTACHMENT #1**1) Interest-bearing demand deposit accounts with unlimited checks currently utilized by Burnet County:**

(Approximate/checks per year)

- General	1,200 **
- Accounts Payable Clearing	14,000 **
- Community Supervision & Corrections	700 **
- CSCD – Blanco	700 **
- CSCD – Llano	700 **
- CSCD – San Saba	700 **
- Intermediate Sanctions Facility	800 **
- Juvenile Probation	600 **

2) Interest-bearing accounts with limited checks currently being utilized by Burnet County:

- Tax Assessor/Collector	350 *
- Justice of the Peace Clearing Account	—
- District Attorney Seizure	—

3) Non-interest-bearing accounts currently being utilized by Burnet County:

- County Treasurer Cash Bond	350 **
- County Clerk Registry	120 **
- District Clerk Registry	210 **
- Sheriff's Inmate Trust	5,200 **
- Copy / Search Fee Account	—

Total Checks 26,110**Minimum requirements:***** 1-part multi-use business check or wallet-style****** 3-part, 1-per-page, laser multi-use checks****4) Electronic Funds Transfers – Approximately 275 per year.****5) Wire Transfers – Approximately 2 to 4 monthly.****6) Deposits made by:**

(Approximate/deposits per year)

- County Attorney	50
- County Treasurer	550
- County Clerk	300
- District Clerk	500
- Tax Assessor/Collector	550
- Sheriff	200
- Community Supervision & Corrections	60
- Intermediate Sanctions Facility	40
- Juvenile Probation	60

Total Deposits 2,310

ATTACHMENT #2**LETTER OF INTENT TO PROVIDE INVESTMENT SERVICES
AS MANAGING BANK OR PARTICIPATING BANK**

It is hereby agreed that the undersigned bank will provide investment services to Burnet County if chosen by the Commissioners' Court of Burnet County either as the Managing Bank or a Participating Bank for the period beginning June 1, 2023, and ending May 31, 2025, based upon our understanding of the following:

- 1) As either the Managing Bank or a Participating Bank, we are authorized to hold secured time deposits (non-negotiable certificates of deposit) of County funds. The amount of time deposits to be held at the Managing Bank or Participating Banks is to be determined by the County based upon the highest interest rate solicited from the respective banks by competitive quotes at the time of deposit.
- 2) In accordance with Chapter 116, "Depositories for County Public Funds," 1988 Local Government Code, Vernon's Texas Codes Annotated, collateral equal to the amount of all County time deposits will be pledged to Burnet County. Collateral shall be in the form of approved security instruments. County shall retain the right to disapprove of any pledged security.

Securities shall be held in correspondent or third-party banks not in branch banks.
- 3) Bank will provide a routine monthly report showing current market values of all pledged securities and total monthly deposits.
- 4) The maximum maturity date of any time deposits or other interest-bearing instrument under the terms of this contract shall be May 31, 2025.

DATE: 2-28-23

INSTITUTION: Cadence Bank

SIGNED BY: [Signature]

TITLE: PLASID PRESIDENT

Attachment A

Cadence Bank offers Burnet County a variable interest rate option. Interest will be paid at a rate of .50% below the Fed Funds Target Rate via a variable rate sweep account.

For the purpose of this bid, the Fed Funds Target rate on 2/27/23 was 4.75%. The rate that would have been paid to Burnet County for checking and savings would have been 4.25%.

All CD quotes will be at the time of inquiry. The rates being offered will be based on the current branch rate plus 0.50%.