

**RESOLUTION NO. 2019-121**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, APPROVING A MASTER SERVICES AGREEMENT BETWEEN TEMPUS TECHNOLOGIES, INC. AND THE CITY OF HIALEAH, TO PROVIDE THE CITY WITH PAYMENT TRANSACTION GATEWAY SERVICES AND RELATED TECHNICAL AND CUSTOMER SUPPORT, INCLUDING A NON-EXCLUSIVE LICENSE TO ACCESS AND USE PAYMENTMATE®, A SECURE PAYMENT SOLUTIONS SOFTWARE; AND FURTHER AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY TO EXECUTE THE MASTER SERVICES AGREEMENT BETWEEN TEMPUS TECHNOLOGIES, INC. AND THE CITY OF HIALEAH, FOR A TERM OF THREE YEARS COMMENCING ON THE DATE OF THE FIRST INVOICE, WITH AN OPTION TO RENEW FOR TWO CONSECUTIVE ONE-YEAR TERMS, IN SUBSTANTIAL CONFORMITY WITH THE AGREEMENT ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1"; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, pursuant to Section 2-816 of the City of Hialeah Code of Ordinances, when impractical or not advantageous to the City, competitive bidding may be waived;

**WHEREAS**, Tempus Technologies, Inc. is the leading product choice in the industry for secure, reliable and fast payment processing in the U.S. and Canada;

**WHEREAS**, Tempus Technologies, Inc. has successfully and seamlessly completed work for the City in the past, with ultimate collaboration, productivity and efficiency;

**WHEREAS**, Tempus Technologies, Inc. has made representations to the City, and the City has relied on Tempus Technologies, Inc.'s representations about its experience, manpower, capacity, permits and licenses to perform all services required under the Agreement;

**WHEREAS**, Tempus Technologies, Inc. has agreed to provide the City with payment transaction gateway services and related technical and customer support, including a non-exclusive license to access and use PaymentMate®, a secure payment solutions software, pursuant to the terms and conditions set forth in the Agreement attached hereto in substantial form as Exhibit "1"; and

**WHEREAS**, it is advantageous and in the best interest of the City to enter into a Master Services Agreement with Tempus Technologies, Inc. to acquire the technology necessary to allow the community to pay for City-services online using a secure and reliable system, while introducing a new level of flexibility, modernization, and efficiency to the day-to-day functioning of the City departments.

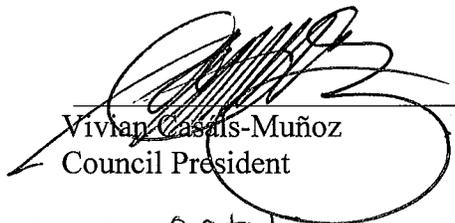
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The foregoing facts and recitations contained in the preamble to this resolution are hereby incorporated and adopted by reference as if fully set forth herein.

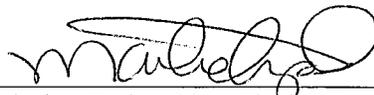
**Section 2:** The City of Hialeah, Florida hereby approves a Master Services Agreement between Tempus Technologies, Inc. and the City of Hialeah, to provide the City with payment transaction gateway services and related technical and customer support, including a non-exclusive license to access and use PaymentMate®, a secure payment solutions software, and further authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute the Master Services Agreement between Tempus Technologies, Inc. and the City of Hialeah, for a term of three years commencing on the date of the first invoice, with an option to renew for two consecutive one-year terms, in substantial conformity with the Agreement attached hereto and made a part hereof as Exhibit “1”. All actions taken to date by officers of the City in furtherance of the performance of this Agreement, is hereby approved, confirmed and ratified.

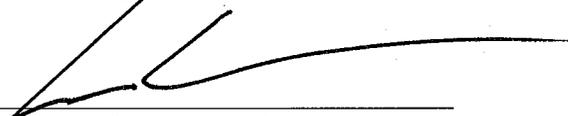
**Section 3:** This resolution shall become effective when approved by majority vote of the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor’s signature is withheld or if the City Council overrides the Mayor’s veto.

PASSED AND ADOPTED this 8 day of October, 2019.

  
\_\_\_\_\_  
Vivian Casals-Muñoz  
Council President

Attest: Approved on this 11 day of October, 2019.

  
\_\_\_\_\_  
Marbelys Fatjo, City Clerk

  
\_\_\_\_\_  
Mayor Carlos Hernandez

Approved as to legal sufficiency and as to form:

  
\_\_\_\_\_  
Lorena E. Bravo, City Attorney

Resolution was adopted by a 5-0-2 vote with Councilmembers, Cue Fuente, Caragol, Hernandez Zogby, Casals-Muñoz voting “Yes” and with Council Vice President Garcia-Martinez and Councilwoman Lozano absent.