

HOUSTON BARC FOUNDATION

REQUEST FOR PROPOSALS ("RFP") FOR BANKING SERVICES CONTRACT

Houston BARC Foundation (the "Foundation"), a Texas nonprofit corporation, requests proposals from banks with retail operations within the city limits of Houston, Texas, and whose deposits are insured by the Federal Deposit Insurance Corporation ("FDIC"), for a contract (the "Contract") by which banking services will be provided to the Foundation as soon as practicable but beginning not later than January 1, 2016, through December 31, 2021. Subject to the provisions below, the Contract will be awarded not sooner than October 31, 2015 and not later than November 30, 2015. Notwithstanding anything to the contrary in this RFP, the award of the Contract will not be effective unless and until the Foundation complies with Section 105.016(a), Texas Local Government Code.

INFORMATION AND INSTRUCTIONS

1. The Foundation has named Mr. Sten Gustafson whose addresses are set out below, as the "designated officer" within the meaning of Chapter 105, Texas Local Government Code.

2. Proposals must be submitted in a sealed envelope bearing the bank's name and mailing address and must be received no later than 5:00 p.m. CDT on October 30, 2015 (the "Submission Deadline") at either of the following addresses:

Mailing Address

Houston BARC Foundation
Attn: Mr. Sten Gustafson
c/o Lara Cottingham
P.O. Box 368
Houston, Texas 77001-0368

Physical Address

Houston BARC Foundation
Attn: Mr. Sten Gustafson
c/o Lara Cottingham
611 Walker, 13th Floor
Houston, Texas 77002

3. Each proposal must include the bank's name, mailing address, physical address, telephone number, and fax number and must be signed by an officer of the bank authorized to submit the proposal to the Foundation. Proposals that are unsigned, that are received by fax or email, or that are received after the Submission Deadline will not be considered. Proposals may not be altered after submission.

4. The Foundation seeks proposals from eligible banks to be the Foundation's banking depository, providing the basic services of receiving deposits, paying items, wiring funds out, receiving funds wired in, stopping payments, and other customary business banking activities. Award of the Contract will be based on, but not limited to, the following factors, which are not necessarily listed in order of importance:

- a. The perceived ability of the bank to meet all statutory requirements, specifically including sufficient collateral for deposits.
- b. The completeness of the bank's proposal and submission of information.
- c. The perceived safety and creditworthiness of the bank.
- d. The bank's ability to perform electronic cash management and its willingness to pay interest on daily deposits above any minimum requirements.
- e. The perceived quality of services provided by the bank to entities reasonably similar to the Foundation.
- f. The net cost to the Foundation for the services to be provided by the bank.
- g. The bank's policies regarding funds availability.
- h. The bank's interest rates for time deposits.
- i. The overall convenience of the bank's services to the Foundation.

It is the Foundation's intention to enter into a Contract that maximizes the Foundation's financial benefit and convenience but also is viewed by the bank as a beneficial relationship.

5. The Foundation will establish an Operating Account (the "Account") and is likely to establish other depository accounts. The Account will serve as the Foundation's master account into which all deposits and incoming wires will be made and will clear all checks, ACH payments, credit card payments and out-going wires. Proposals should offer the following services:

- a. An on-line reporting system providing the prior business day's ending ledger and collected balances and a detail of the prior day's debits and credits.
- b. Process of all deposited items of checks and cash with encoding services, same-day credit for deposits presented during business hours, and clearing returned items twice.
- c. Notification (via FAX or email to an authorized officer of the Foundation) of any deposit adjustments within one business day after made by the bank.

6. The Foundation was incorporated on October 26, 2010 and currently maintains a checking account for its operations at an FDIC-insured bank. For the past 12 calendar months, the average monthly balance of the Foundation's existing account has been approximately \$178,480.00. Deposits to the Foundation's existing account average approximately \$37,500.00 monthly. Withdrawals and debits from the Foundation's existing account average approximately \$30,800.00 monthly.

7. Each proposal should explain the bank's policy and methodology used in setting rates paid on interest-bearing accounts and state the rates paid on interest-bearing accounts at the close of the most recent quarter. The proposal also should state whether the rates are applied to ledger balances or to collected balances and whether the rates are based on a market rate such as T-bill discount or yield rate.

8. Each proposal should include a copy of the bank's standard transfer procedures and wire transfer agreement. If wire transfer requests to the bank may be made on line, the proposal should provide information detailing the procedures for same. The proposal should state whether the bank will guarantee immediate credit on all incoming wire transfers and on all checks drawn on the United States government or an agency of same.

9. Each proposal should state whether an officer of the bank will be assigned to the Foundation to coordinate the bank's services and to expedite the solution of any problems. If an officer will be assigned to the Foundation for these purposes, the proposal should provide the name and a brief biography of the said officer.

10. Each proposal must include copies of all documents the bank will expect the Foundation to execute, should the Contract be awarded to the bank.

11. If awarded the Contract, the bank must comply with all applicable provisions of Chapter 105, Texas Local Government Code, specifically including Subchapters C and D. Note that, if a bank selected as a depository "does not provide security by the deadline prescribed by [Texas Local Government Code] Section 105.031, the selection of the bank ... as a depository is void, and the governing body may consider the application it deems to be the next most advantageous depository services application." TEX. LOC. GOV'T CODE § 105.016(b).

12. As a corporation organized and operated exclusively for charitable and educational purposes, the Foundation is tax-exempt under section 501(c)(3) of the Internal Revenue Code. As a nonprofit corporation exempt from federal income tax, the Foundation is also exempt from the franchise tax imposed by Chapter 171, Texas Tax Code. TEX. TAX CODE § 171.063.

13. It is the bank's responsibility to seek clarification of any term in this RFP that is ambiguous or otherwise unclear. Questions pertaining to this RFP should be directed to Mr. Sten Gustafson at either of the addresses set out above or faxed to Mr. Gustafson c/o Lara Cottingham at (832) 393-8527. Any attempt prior to award of the

Contract by a bank or a person acting on behalf of a bank to negotiate with the Foundation or any of the Foundation's directors, officers, or representatives (other than Mr. Gustafson) with regard to any matter addressed by this RFP may result in disqualification of the bank's proposal.

14. The Foundation reserves the right to cancel the Contract in the event the bank to whom the Contract is awarded fails, closes, or is forced into reorganization.

15. The Foundation may reject all proposals submitted and issue a revised RFP for a banking services contract.

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