

# City of Philadelphia



(Bill No. 100129)

## AN ORDINANCE

Authorizing the City Treasurer, on behalf of the City, to enter into an agreement with Wachovia Bank, N.A. for provision of payroll banking services to the City, under certain terms and conditions.

### *THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. The Office of the City Treasurer, on behalf of the City, is hereby authorized to enter into an amendment agreement (the "Amendment Agreement") with Wachovia Bank, N.A. ("Wachovia"), substantially in the form set forth in Exhibit A, pursuant to which Wachovia shall continue to provide payroll banking services to the City, under certain terms and conditions.

SECTION 2. The City Solicitor shall include in said Amendment Agreement such terms and conditions as she may deem necessary to protect the interests of the City.

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EXHIBIT A

# City of Philadelphia

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Contract Number 1020403-01  
Original Contract Number 1020403

Wachovia Bank (bd)  
F. Dutchie, March 2010  
City of Philadelphia  
City Treasurer's Office

## STANDARD AMENDMENT AGREEMENT

THIS STANDARD AMENDMENT AGREEMENT (“Amendment Agreement”) is made as of this \_\_\_\_ day of \_\_\_\_\_, 2010, and effective the 1st day of July, 2010 (the “Effective Date”) by and between the City of Philadelphia (the “City”), by and the City Treasurer’s Office (“Department”), and Wachovia Bank (“Provider”), a national banking association, with its principal place of business at 123 South Broad Street, Philadelphia, Pennsylvania 19109.

## BACKGROUND

The City and Provider entered into a certain Contract, Contract Number 1020403, dated May 5, 2009, which includes the General Provisions, the Provider Agreement and any and all exhibits and attachments thereto (collectively, the “Base Contract”), wherein Provider agreed to render various Services to the City in accordance therewith for the Initial Term of July 1, 2009 to June 30, 2010; and

The City and Provider have agreed to amend certain terms and conditions of the Base Contract as set forth herein.

In consideration of the mutual obligations set forth herein, and each intending to be legally bound, the City and Provider covenant and agree as of the Effective Date as follows:

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## ARTICLE I: AMENDMENTS TO THE CONTRACT

With the exception of the following amendments set forth in this Amendment Agreement, and subject to councilmanic appropriation of funds, the terms and conditions of the Base Contract shall be and remain in full force and effect:

### 1.1 Definitions.

Capitalized terms not otherwise defined herein shall have the meanings set forth in the Base Contract.

### 1.2 Term.

The Base Contract is amended to add an Additional Term, commencing July 1, 2010 and expiring June 30, 2011.

IN WITNESS WHEREOF, the Parties, intending to be legally bound by all of the Contract Documents, have caused this Amendment Agreement to be executed by their respective duly authorized officers as of the date in the heading of this Amendment Agreement.

THE CITY OF PHILADELPHIA

Through: Office of the Director of Finance

APPROVED AS TO FORM  
SHELLEY R. SMITH, CITY SOLICITOR

By: \_\_\_\_\_

Per \_\_\_\_\_

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

Francois Dutchie  
Divisional Deputy City Solicitor

WACHOVIA BANK

CORPORATE SEAL:

By: \_\_\_\_\_

Title: \_\_\_\_\_  
President or Vice-President

Attest: \_\_\_\_\_

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Title: \_\_\_\_\_  
(Ass't) Secretary or (Ass't) Treasurer

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 17, 2010. The Bill was Signed by the Mayor on June 23, 2010.



Michael A. Decker  
Chief Clerk of the City Council