



RESOLUTION NO. 20150922-17

AUTHORIZING EXECUTION OF A CONSULTING AND MARKETING SERVICES AGREEMENT WITH POINT TRADE SERVICES, INC.

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, Businesses that engage in international business tend to have a more sustainable business model; and


WHEREAS, TexAmericas Center has an interest in creating and retaining quality jobs throughout the Texarkana metropolitan statistical area; and

WHEREAS, Point Trade Services, Inc. has proposed a Consulting Services Agreement to provide consulting activities with regards to Foreign Trade Zone #258 upon the terms as set forth in that certain agreement attached hereto; and

WHEREAS, the Board of Directors of TexAmericas Center has determined that it is in the best interest of TexAmericas Center and the citizens of Bowie County, Texas to enter into such agreement to retain and attract additional businesses to the TexAmericas Center properties;

NOW, THEREFORE, BE IT RESOLVED, that Scott Norton, Executive Director/CEO of TexAmericas Center shall be and he is hereby authorized to enter into an agreement with Point Trade Services, Inc. upon the terms substantially as set forth in the attached Consulting & Marketing Services proposal.

PASSED and APPROVED this 22nd day of September, 2015.



Denis Washington, Chairman of the Board

ATTEST:



Boyd Sartin, Secretary/Treasurer

ATTACHMENT: Contract For Service FY16

September 4, 2015

Eric Voyles
EVP/CEDO TAC
TexAmericas Center
107 Chapel Lane
New Boston, TX 75570

RE: Foreign-Trade Zone & Strategic Marketing Plan Consulting Services

Dear Mr. Voyles,

PointTrade Services, Inc. (“PTSI”) is pleased to submit this letter to provide the TexAmericas Center (“TexAmericas”) with FTZ consulting services for the period of October 1, 2015 through September 30th, 2016.. The purpose of this letter is to describe our relevant service offerings and to define the scope of services to address TexAmericas’ FTZ needs.

COMPANY OVERVIEW

PTSI was established to share knowledge and experience with companies conducting international trade. Our mission is to assist companies in achieving cost efficiencies and savings, global supply chain enhancements, advanced systems automation, and increased compliance with U.S. Customs and Border Protection and Foreign-Trade Zone laws and regulations, trade agreements and other governmental agency requirements.

The combined experience of PTSI’s team totals more than 100 years in FTZ work and international trade, with 28 years combined experience in public FTZ grantee and operator positions, 24 years in executive management of the industry (National Association of Foreign-Trade Zones) and over 100 years of experience in day-to-day manufacturing zone operations. PTSI Managed Services currently provides FTZ administrator services for FTZ manufacturing, warehousing and distribution operations in multiple states. The primary FTZ team has been together over 24 years.

PointTrade Services Inc. consists of two divisions – Consulting and PTSI Managed Services.

Consulting

Our consulting group provides innovative solutions for trade and customs matters with a special emphasis on FTZs, trade compliance and risk management, global supply chain strategies, process implementation, and seminars.

Another solution that PTSI has added to its service offerings is *FTZSchool.com*.

FTZSchool.com offers interactive online courses tailored for the FTZ community. This innovative web-based solution allows clients to receive on-site training from the industry's leading experts without sacrificing valuable time and expenses associated with travel.

PTSI Managed Services

PTSI Managed Services provides FTZ administrative services for the day-to-day operations of a foreign-trade zone. PTSI Managed Services can act as the FTZ Administrator for an FTZ Operator through its centralized FTZ operation concept. PTSI is one of the leaders in FTZ Administration for zone operators of simple and complex manufacturing operations as well as warehousing and distribution operations.

For additional information regarding PointTrade Services and our service offerings please visit our website – www.pointtradeservices.com.

OUR UNDERSTANDING

We understand the TexAmericas Center is interested in PTSI providing FTZ consulting services related to evaluating potential Foreign-Trade Zone opportunities in the area, strategic marketing and economic development planning, application services to assist in reorganizing FTZ # 258 under the Alternative Site Framework (ASF) as well as other related services as agreed upon by the TexAmericas Center and PTSI.

SCOPE OF SERVICES

PTSI consulting services may include, but are not limited to:

- Grantee Business Model Review and Recommendations:
 - Working with TexAmericas, review current FTZ #258 FTZ Grantee business practices as well as assist in developing a FTZ Grantee business model which may include recommended strategies in areas such as: Recommended best practices for FTZ grantee administration, recordkeeping, FTZ Grantee/Operator policies, FTZ marketing and outreach strategies, suggested fee structures, FTZ Grantee fee pricing support, budget planning, compliance with FTZ Board regulations concerning grantees, FTZ Board reporting requirements for grantees, and other recommendations based on PTSI's experience regarding FTZ Grantee best practices.
- Grantee Documentation Review and Development:

- Review and update FTZ Grantee documentation and records. Areas of review may include: Compliance with FTZ Board regulations, compliance with U.S. Customs and Border Protection regulations, review documentation for missing, superfluous, incomplete, or outdated content, review and recommendations related to PTSI's experience with the FTZ program and FTZ Grantee best practices. Documents to be reviewed may include: FTZ Grantee zone schedule/tariff, FTZ Grantee Procedures Manual (if applicable), Grantee/Operator/User agreement(s), FTZ site records and site record maintenance procedures, and grantee site maps.
- General FTZ Grantee Consulting Services :
 - General FTZ Grantee Consulting Services as agreed upon by PTSI and TexAmericas, including but not necessarily limited to: Assistance with economic development marketing and business development strategies; Assistance with identifying targeted industries for the local area; Evaluation of FTZ feasibility for existing structures on vacant zone sites
- On-Site Meetings:
 - On-site meetings at the Grantee's request: Meetings with companies and developers at the grantee's request; Educational presentations on FTZs as coordinated by Grantee and PTSI

OUR PROFESSIONAL FEES

The fees for the following FTZ consulting services will be billed at a blended hourly rate of \$200.00 per hour (or daily rate of \$2,400) with an applicable not to exceed amount as listed in each category below:

1. Grantee Business Model Review and Recommendations as described in the Scope of Services
2. Grantee Documentation Review And Development as described in the Scope of Services
3. General FTZ Grantee Consulting Services as described in the Scope of Services
 - Items 1, 2, & 3 will be billed hourly, as described above, not to exceed \$25,000 (plus out of pocket expenses)
4. On-Site Meetings as described in the Scope of Services
 - \$2,400.00 daily rate (plus out of pocket expenses) invoiced upon completion of the on-site visit.

The scope and services of the above items have been quoted on a project-by-project basis. The date of commencement for the services listed above will be at a mutually

acceptable time during the term of this agreement. Before commencement of a project, TexAmericas will notify PTSI in writing identifying the services desired and authorizing the commencement of the project.

PTSI Hourly Fees:

Blended Hourly Rate	\$200.00/Hour
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Billing of Fees and Out-of-pocket Expenses:

Fees will be billed on a monthly basis. Out-of-pocket expenses are in addition to the fees. Reasonable out-of-pocket expenses include, but are not limited to, those expenses incurred for travel, (including transportation, hotel, meals, etc.), private courier services, binding, web and teleconference meetings, and certain duplication charges. Reasonable expenses are defined as coach class airfare, mid-grade hotel, etc. Before incurring any unusual expenses, PTSI will seek approval from the appropriate personnel of client.

PTSI's preferred method of receiving payment is via electronic transfer. Routing information for electronic payment will be provided by PTSI.

If client has any specialized instructions for billing, these instructions must be provided at the time of engagement.

Bills are payable upon receipt and due within 30 days. Finance charges will apply for invoices outstanding 60 days or more.

Any fees or other charges by third parties are not covered by this agreement.

Expiration of Offer:

The fees quoted in this proposal will expire 60 days from the date of this proposal, unless a signed engagement is issued, and are subject to change based on revisions to the Foreign-Trade Zones Board Regulations.

Lapse Clause – Should client terminate work during the project or lapse activity for a period of sixty (60) days, the project may be terminated and the balance due for all work previously performed and reasonable expenses incurred shall become payable within thirty (30) days.

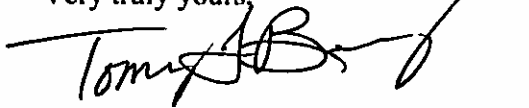
ENGAGEMENT ACCEPTANCE

The attached Standard Terms and Conditions and Mutual Non-Disclosure Agreement are incorporated by this reference into the agreement.

To confirm acceptance of this agreement, please sign and return this letter via email at cberry@pointtradeservices.com or via fax to 850-747-1552.


If you have any questions or wish to discuss any aspect of this agreement, please call me at 850-522-4101.

Very truly yours,



Tommy L. Berry
President & CEO

Accepted by and on behalf of
TexAmericas Center

By: 
Signature
Name: Scott Norton
Title: Executive Director / CEO
Date: 9/22/15

The effective date of this agreement will be October 1, 2015 through September 30, 2016.

September 8, 2015

TO: Devon McCloskey
Administrative Assistant
TexAmericas Center
107 Chapel Lane
New Boston, Texas 75570

FROM: Becky Berry
Administrative Coordinator
PointTrade Services, Inc.
1518 Jenks Ave.
Panama City, FL 32405

Subject: Original Updated Service Agreement for FY '16

Find enclosed the two original updated service agreements you requested. Please return one signed copy once approval is reached.

Thank you

RECEIVED

SEP 14 2015

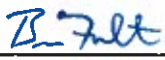
Per 

**FY 2016 Marketing Communications Plan
October 2015 – September 2016**

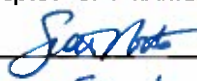
Tactics	Description	Budget
Account Management Fee <i>Daily activities/functions necessary to support all client-approved communications tactics (does not include travel)</i>	<ul style="list-style-type: none"> ➤ Billed \$1,000 per month to be applied to agency hourly time expended by account service, advertising and interactive staff on behalf of TexAmericas Center for ongoing communications activities requested by client, including general updates to TexAmericas Center websites, client calls and agency consultation. Client to pay actual time accrued should time exceed \$1,000 in a given month. DVLS and client agree to evaluate Account Management Fee in March 2016 and adjust as needed. 	\$12,000
Advertising Media Placements	<ul style="list-style-type: none"> ➤ Local print, national print and online advertising media placements ➤ Will be quoted as needed 	As Needed
Advertising Creative Services	<ul style="list-style-type: none"> ➤ Create or resize print and online ads as needed ➤ Will be quoted as needed 	As Needed
Additional Projects	<ul style="list-style-type: none"> ➤ Estimates will be generated and presented to TexAmericas Center for approval prior to work commencing 	As Needed
Estimated Travel Expenses	<ul style="list-style-type: none"> ➤ To cover a visit to TexAmericas Center property during this fiscal year, if needed (two or three DVLS individuals per trip) 	As Needed
Total		\$12,000

This agreement covers the time period from October 1, 2015 through September 30, 2016. Billing will be directed to Eric Voyles, Executive Vice President/Chief Development Officer of TexAmericas Center, at the end of each monthly period.

Accepted for DVL Seingenthaler:


 Title: Senior VP
 Date: 9/16/15

Accepted for TexAmericas Center:


 Title: Executive Director/CEO
 Date: 9/22/15

DVL Seingenthaler
700 12th Avenue South, Suite 400
Nashville, TN 37203

TexAmericas Center
107 Chapel Lane
New Boston, TX 75570