

WAYNE COUNTY TREASURER
428 WEST LIBERTY STREET
WOOSTER OH 44691

REQUEST FOR PROPOSAL (RFP)

ACCEPTANCE OF PAYMENTS
BY
FINANCIAL TRANSACTION DEVICES

WAYNE COUNTY COMMISSIONERS
JIM CARMICHAEL
ANN M. OBRECHT
SCOTT S. WIGGAM

CAROL L. ZEMROCK, FISCAL OFFICER

Submitted By BEVERLY SHAW
Address 428 WEST LIBERTY STREET
City WOOSTER State OHIO Zip 44691
Telephone (330)287-5450 Fax (330)287-5454
Federal Tax I.D. Number 34-600-3005

2009

LEGAL NOTICE

ACCEPTANCE OF PAYMENTS BY FINANCIAL TRANSACTION DEVICES

The Wayne County Treasurer intends to solicit proposals from qualified financial institutions, issuers of financial transaction devices, and processors of financial transaction devices for the acceptance of payments by financial transaction devices for various county offices.

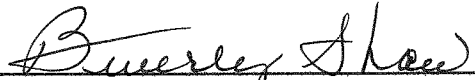
According to Ohio Revised Code §301.28, any financial institution, issuer, or processor interested in receiving the request for proposals must submit written notice of this interest not later than **12:00 p.m. on** OCTOBER 5, _____, 2009, the day on which the request for proposals will be released. The request must contain complete and accurate contact information. The proposal packets will be delivered by US mail.

The Wayne County Treasurer is the administrative agent for this proposal. All requests must be addressed and delivered to:

**OFFICE OF THE WAYNE COUNTY TREASURER
428 WEST LIBERTY STREET
WOOSTER, OHIO 44691**

A written request not received by **12:00 p.m. on** OCTOBER 5, _____, 2009 will not be considered and will disqualify the bidder from responding to the proposal.

By order of the Wayne County Board of County Commissioners, Resolution 2009-417.



Beverly Shaw, Wayne County Treasurer

Advertise: SEPTEMBER 17, 2009, 2009 and

SEPTEMBER 24, 2009, 2009

INFORMATION TO BIDDERS

Sealed proposals are hereby requested and will be received by the Wayne County Treasurer, herein called "Treasurer," in her office at 428 West Liberty Street, Wooster, Ohio 4469,1 for the acceptance of payments by financial transaction devices until 12:00 p.m. on WEDNESDAY (day), OCTOBER 21, 2009 (date), 2009. The envelope containing the proposal must be sealed, addressed to the Wayne County Treasurer at 428 West Liberty Street, Wooster, Ohio 44691, and clearly marked as "**Proposal for Acceptance of Payments by Financial Transaction Devices.**"

The Commissioners and/or Treasurer may consider informal any proposal not prepared and submitted in accordance with the provisions hereof. Proposals may be submitted on the forms provided, or on the bidder's own form, as long as the information requested is clearly responsive to Wayne County's specific requirements. Any bid may be withdrawn prior to the scheduled time for the opening of bids. No bid may be withdrawn for a period of sixty (60) days following the actual date of the bid opening.

Any bidder may take exception to specifications. If such exception is taken, the bidder must clearly state the original specification, the suggested exception, and explain the reason for the exception or substitution. The Wayne County Commissioners and/or Treasurer reserve the right to determine if the exception is acceptable.

The Wayne County Commissioners reserve the right to waive any informalities in the bidding, to reject any and all proposals and to accept the proposal which serves the best interest of the County as determined by the Wayne County Commissioners and/or the Treasurer.

All respondents to this request for proposal are hereby advised that the determination of the best bid may be based on factors other than price. The Treasurer will take into consideration the response that best suits the needs of the County. The Treasurer will review all proposals submitted and then may choose to contract with any or all of the entities submitting proposals, as appropriate.

No contract may be assigned without the written approval of the Wayne County Commissioners.

The Bidder shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, or physical disability.

Wayne County is tax exempt from all federal and state taxes.

Proposal Response

The Bidder must detail the response to a government entity and the type of county expenses that will be paid through the use of a financial transaction device: court costs, fines, real estate taxes, personal property taxes, recording fees, auto title fees, vehicle registration fees, and any other fee, cost, assessment, fine, penalty or any other expense owed to a county office under the authority of a county elected official.

Preparation of the Proposal

The Bidder may use the proposal form provided or may send the Bidder's own form as long as the information requested is clearly answered to Wayne County's specific requirements.

Whether using the included proposal form or the vendor's own form, the proposal signature sheet must be signed with an original signature of the Treasurer of a company or authorized officer of a corporation. Failure

to submit a signed proposal with all information requested may be cause to reject the proposal. In addition to the Proposal, the Contractor must also submit:

- A signed Non-Collusion Affidavit;
- A statement of corporate resolution;
- A signed statement that there are no current Findings for Recovery;
- A signed affidavit showing that Contractor is not delinquent in the payment of any Ohio Personal Property Taxes;
- A signed Affidavit in Compliance with Ohio Revised Code §3517.13 regarding prohibited campaign contributions;
- A signed Declaration Regarding Material Assistance/Non-Assistance to a Terrorist Organization;
- A certificate evidencing Workers' Compensation; and
- IRS Form W-9.

Certifications must be completed and fully executed when submitted with the proposal. In addition, one complete additional copy of the Proposal and all forms must be submitted along with the original.

Contract

If the Bidder has a required agreement in order to enter into a contract with the County, please submit the agreement along with the proposal. All agreements are subject to the review of the Wayne County Prosecutor's office.

The successful bidder(s) will be required to sign a contract within ten (10) days of receiving notice of the award of a contract by the Wayne County Commissioners.

SPECIFICATIONS

As stated in Resolution 2009-417:

Pursuant to R.C. §301.28, the following county office(s) are authorized to accept payments by financial transaction devices: auditor, treasurer, engineer, recorder, prosecuting attorney, sheriff, coroner, park district, board of health, board of county commissioners, the clerk of the probate court, the clerk of the juvenile court, the clerk of the court of common pleas, and the clerk of a county-operated municipal court.

The following expenses may be paid through the use of a financial transaction device: court costs, fines, real estate taxes, personal property taxes, recording fees, auto title fees, vehicle registration fees, and any other fee, cost, assessment, fine, penalty or any other expense owed to a county office under the authority of a county elected official. Under R.C. §955.013, the Auditor is authorized to establish procedures and take actions that are necessary to allow for either the registration of dogs and kennels via the internet, and/or the payment of dog and kennel registration fees by financial transaction devices, including payment by financial transaction devices via the internet.

The specific financial transaction devices that are an acceptable means of payment for county expenses include: credit cards; debit cards; charge cards; pre-paid or stored value cards; or automated clearinghouse network credit, debit, or e-check entry that includes, but is not limited to, accounts receivable and internet-initiated, point of purchase, and telephone-initiated applications, or any other device or method for making an electronic payment or transfer of funds.

The amount authorized as the surcharge or convenience fee for persons using a financial transaction device shall be no more than three percent (3%) of the transaction total.

If a payment made by means of a financial transaction device is returned or dishonored for any reason, the payor shall be charged Twenty Dollars (\$20) for each returned or dishonored item.

The Wayne County Treasurer is designated as administrative agent to solicit proposals in accordance with the resolution and R.C. §301.28, subject to the right of the Treasurer to decline within thirty (30) days of the date of this Resolution.

PROPOSAL

Project: ACCEPTANCE OF PAYMENTS BY FINANCIAL TRANSACTION DEVICES

To: The Wayne County Treasurer
 428 West Liberty Street
 Wooster, Ohio 44691

Date: _____ Bidder: _____

The undersigned Contractor, hereinafter called "Bidder," being fully informed concerning the local conditions, nature and extent of work; and having examined the Bid and Specification Documents, proposes to furnish all labor, materials, supplies, and equipment necessary to complete in a workmanlike manner the work bid upon, at the prices stipulated hereinafter, all in accordance with the above mentioned Documents.

Attached to this signature page are the required descriptions, samples, pricing structure, and required affidavits as outlined in the Proposal Requirements.

Bidder acknowledges receipt of the following addendum: _____

Bidder acknowledges and accepts all requirements of the Specifications.

PROPOSAL REQUIREMENTS

Bidder must detail the response to a government entity and the type of county expenses that will be paid through the use of a financial transaction device: court costs, fines, real estate taxes, personal property taxes, recording fees, auto title fees, vehicle registration fees, and any other fee, cost, assessment, fine, penalty or any other expense owed to a county office under the authority of a county elected official.

Wayne County has not yet identified the number of locations that will accept payments. The proposal must identify whether the cost is per location (define location: is a building with more than one office receiving payments considered one location?) or for the entire account.

The Bidder may use the following form or send the Bidder's own form as long as the information requested is clearly answers Wayne County's specific requirements. Attach any pages necessary to complete all questions.

Submitted by:

Firm: _____

By: _____
(Original Signature)

Printed Name and Title: _____

Address: _____

Federal ID#: _____

Telephone: (____) _____ Fax: (____) _____

2a. Identify all account fees for the following:

2b. Identify any additional account fees not listed in

Type of Fee	Amount	Type of Fee	Amount
Annual Fees for the account			
Monthly Fees (total for account)			
Monthly Fees (per location*)			
Miscellaneous Fees (explain)			
Per Transaction Fee			
Chargeback Fee for Disputed Items			
Discount Rate for Credit Cards			
Discount Rate for Debit Cards			
Non Bankcard Authorization Fee			
Depository Account Fees			
Set-up Fees/Application Fees			
Cancellation Fees			
Statement Fees			
Batch Header Fees			
Interchange Rates			
Assessment Fees on top of Interchange Rates			

*Define location: _____

3. Identify the equipment needed and the cost per location:

Equipment	Type	Model #	Quantity	Cost to Lease	Cost to Own
Terminal					
Receipt printer					
Supplies					
Maintenance Cost (explain)					
Other					

4. Customer Service / Account Handling

Identify the branch and the manager who will be handling this account.

What are your Customer Service policies?

What are your Customer Service hours?

5. Other

6. Reference: list references of government entities or businesses, comparable in size and nature to Wayne County; detail any pertinent information that would demonstrate the Bidder's ability to effectively handle Wayne County's financial transactions. (Attach any pages needed.)

7. Financial Report: disclose current financial statement, as it relates to the ability to effectively handle Wayne County's financial transactions. (Attach any pages needed.)

CERTIFIED COPY OF CORPORATE RESOLUTION

I hereby certify that I am the duly elected and acting Secretary of _____
_____, a Corporation duly organized and existing under the laws of the State of _____,
that on the _____ day of _____ 20____, the Board of
Directors of said Corporation authorized and approved a certain Proposal to the Wayne County Treasurer TO
ACCEPT PAYMENTS BY FINANCIAL TRANSACTION DEVICES submitted by said Corporation and any Contract
resulting therefrom, and empowered the _____ (Insert Title of Officer) of
said Corporation to execute said Proposal and Contract for and in behalf of said Corporation; that said
authority is not contrary to any provisions in the Articles of Incorporation or Code of Regulations or Code of
Bylaws of said Corporation; that said authority has not been rescinded or modified; and that _____
_____ is the duly elected _____ (Insert title of Officer) of said
Corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name on _____, 20____.

Signature of Secretary

Printed Name of Secretary

NON-COLLUSION AFFIDAVIT

State of Ohio

County of _____

Bid Identification: **PROPOSAL TO ACCEPT PAYMENTS BY FINANCIAL TRANSACTION DEVICES**

Bidder: _____

_____, * being first duly sworn, deposes and says as follows:

That the Affiant is the _____ ** of

the Bidder who made the foregoing proposal or bid; that the bid or proposal was genuine and not collusive; that said bidder did not collude, conspire, connive, or agree, directly or indirectly, with any bidder or other person, that such other bidder or person should refrain from bidding or submit a sham bid; further, such bidder did not in any manner, directly or indirectly, seek by any agreement, or collusion, or communication, or conference with any person, to fix the bid price of either this bidder or any other bidder or to fix overhead, profit or cost element of the bid price; that said bidder did not collude, conspire or agree to secure any advantage against the County of Wayne, or any person interested in the proposed contract. Affiant further says that all statements contained in this bid or proposal are true to the best of Affiant's knowledge and belief. Affiant further says that this bidder did not, directly or indirectly, submit this bid or the contents thereof, or divulge information or data thereto, to any other bidder or association, or to any agent or member thereof.

Affiant's Signature

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary's Signature

(SEAL OF NOTARY)

My commission expires _____

*Type or Print Name of Person Signing the Affidavit

**Type or Print Position of Person Signing the Affidavit

***Type or Print Name of Corporation or Company submitting this bid

CONTRACTOR'S VERIFICATION REGARDING FINDINGS FOR RECOVERY
OHIO REVISED CODE, 9.24 (effective January 1, 2004)

State of _____
County of _____

I, _____, hereby make oath and say that:
(printed name)

(1) That I am the _____ *(position)* of _____
_____ *(name of company)*, a firm proposing to enter into a contract with
the Wayne County Commissioners, Wayne County, Ohio.

(2) That, as of the date of this Affidavit, the firm named above _____ been issued a
(has, has not)
finding for recovery by the Auditor of State of Ohio as defined by ORC 117.28 which is
unresolved.

(Signed)

(Company)

(Date)

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary's Signature

(SEAL OF NOTARY)

My commission expires _____

**CONTRACTOR'S AFFIDAVIT OF COMPLIANCE WITH
OHIO REVISED CODE, CHAPTER 5719.042***

To: WAYNE COUNTY COMMISSIONERS
(Project: ACCEPTANCE OF PAYMENTS BY FINANCIAL TRANSACTION DEVICES)
428 West Liberty Street
Wooster, OH 44691

_____, 20

State of OHIO
County of _____

I, _____, hereby make oath and say that:

- (3) She/he is the _____ of _____
the firm that submitted the attached bid.
- (4) At the time the bid was submitted, the firm named above _____ charged with
(was, was not)
delinquent personal property taxes on the general tax list of personal property in Wayne County, Ohio.
- (5) (If applicable) The amount due and unpaid delinquent personal property taxes are \$ _____
and penalties and interest on the same are \$ _____.

(Contractor's Printed Name)

By: _____
(Signature of Contractor's Authorized Agent)

(Title)

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary's Signature

(SEAL OF NOTARY)

My commission expires _____

*Sworn statement required by Ohio Revised Code as to the status of Bidder's (company's) personal property taxes. THIS AFFIDAVIT MUST BE SIGNED BEFORE THE CONTRACT CAN BE ENTERED INTO

AFFIDAVIT IN COMPLIANCE WITH SECTION 3517.13 OF THE OHIO REVISED CODE

STATE OF OHIO

COUNTY OF _____ SS:

Personally appeared before me the undersigned, a bidder, a representative of a bidder, or a vendor on behalf of

_____, for a contract for ACCEPTANCE OF PAYMENTS BY FINANCIAL TRANSACTION DEVICES

to be let by the County of Wayne, and who, being duly cautioned and sworn, makes the following statement with respect to prohibited activities constituting a conflict of interest or other violations under Section 3517.13 O.R.C., and further states that the undersigned has the authority to make the following representation on behalf of the entity if the undersigned as an individual is not the bidder himself or herself:

1. On behalf of the individual, partnership, other unincorporated business association, professional association organized under Chapter 1785 O.R.C. or estate or trust that all of the following persons, where applicable, are in compliance with 3517.13 (I)(1):
 - a. the individual;
 - b. each partner or Treasurer of the partnership or other unincorporated business;
 - c. each shareholder of the association;
 - d. each administrator and each executor of the estate;
 - e. each trustee of the trust;
 - f. each spouse of any person identified in (a) through (f) of this section;
 - g. each child seven years of age to seventeen years of age of any person identified in divisions (a) through (f) of this section;
 - h. any combination of persons identified above.

2. The undersigned further certifies that if awarded the contract as a result of the bid process the said partnership, other incorporated business, association, professional association organized under Chapter 1785 O.R.C., estate, trust, and political action committee that is affiliated with any of the aforesaid, shall not once the contract is awarded and extending until one year following the conclusion of the contract, make as an individual, one or more campaign contributions totaling in excess of \$1,000 or collectively, contributions totaling in excess of \$2,000, to the holder of the public office having ultimate responsibility for the award of the contract or to the public officer's campaign committee, including those individuals or groups of individuals specified in paragraph 1 above.

Signature _____ Title: _____

Sworn to before me and subscribed in my presence this _____ day of _____, 20_____.

Notary Public _____ My Commission Expires: _____

CONTRACTOR'S CERTIFICATION OF WORKERS' COMPENSATION COVERAGE

Wayne County Commissioners
428 West Liberty Street
Wayne County Administration Building
Wooster, Ohio 44691

Subject: Ohio Workers' Compensation Coverage
Wayne County Treasurers' Project:

ACCEPTANCE OF PAYMENTS BY FINANCIAL TRANSACTION DEVICES

To the Board of Commissioners, Wayne County, Ohio:

It is hereby certified that _____ (my/our) State of Ohio Workers' Compensation Risk No. is _____, which expires on _____, _____(I/We) and _____ hereby agree that such Workers' Compensation coverage shall be continued, without lapse, until the subject Wayne County project has been accepted by the Wayne County Commissioners.

Contractor Name: _____

By (Signature)

Printed Name and Title

Date: _____