



State of Oregon
Office of the State Treasurer
Prequalification for 3rd Party
Service Providers

As documented in Oregon State Treasury's Cash Management [Policy 02 18 14.PO](#), the Office of the State Treasurer (OST) maintains a prequalification process for ***Service Providers*** who wish to provide credit/debit card and Automated Clearing House (ACH) transaction storage, processing, and/or transmission services to state agencies and organizations. Current and prospective 3rd Party Vendors providing these services are directed to complete this form.

The purpose of this prequalification process for vendors providing financial transaction processing services to State of Oregon Agencies is to understand a vendor's conformance with State of Oregon laws, the Payment Card Industry Data Security Standards (PCI DSS), and the National Automated Clearing House Association (NACHA) Operating Rules.

Section A. 3rd Party Vendor Information

Company Name _____

Company Address _____

Company Website _____
(Note: if a detailed description of your company is not available on-line, please attach marketing materials)

Contact Name _____
(Note: Contact should be person in your organization who can answer questions about your organizations responses to this application.)

Contact Title _____

Contact Phone _____

Contact E-mail _____

Customer Base _____
(i.e. government, retail, etc)

Years in Operation _____

Company Size _____
(Approx annual revenue _____
and # of employees) _____

A.1. Description of 3rd Party Vendor Services

Check the box next to the description that best illustrates your organization’s service and then provide information about the flow of financial data and the hardware and software used to process it.

- Service Provider provides fully hosted financial transaction processing services. Financial transaction data is stored, processed and/or transmitted by the Service Provider’s network, and no data is stored, processed and/or transmitted on any part of a state organization’s network.

- Service Provider provides financial transaction processing services in which the customer data is stored, processed and/or transmitted by the Service Provider’s network, **AND** may also be stored, processed and/or transmitted through a state agency’s network.

- Other – Please Describe _____

A.2. Payment Options and Channels

Provide a list of the payment types, e.g, Credit Cards and E-check, available through your solution. Indicate the payment channel(s) through which each payment type is processed, e.g. POS, Website, IVR, Mail Order, Telephone Order.

A.3. Software/Hardware Information

Provide the name of all of the software (include version #) and hardware through which financial transaction data is entered, transmitted, processed and/or stored.

A.4. Transaction Flow

Please **attach an outline or a flowchart** of the transaction flow for each payment type, e.g., describe the flow of credit card and/or echeck transaction data through all software from the time it is key entered to the time it is settled and deposited to a state organization's account.

Section B. Protection of Customer Information

B.1. Payment Card Industry (PCI) Data Security Standards

To pre-qualify as a Service Provider for the State of Oregon for processing financial transactions, the organization must be listed on Visa’s website as a compliant service provider in good standing.

If your solution is **not** PCI DSS compliant, and the only payment option available through your service is Electronic Checks, you must comply with NACHA Operating Rules Security Requirements and Oregon Consumer Identity Theft Protection Law. Please contact OST’s E-commerce Program Manager so that OST can evaluate and make a determination about your compliance with these requirements.

Please complete the following:

Company is a Level ____ Service Provider (Service Provider levels are defined on Visa’s website – see usa.visa.com)

Annual Number of Debit/Credit Card Transactions Processed _____

Company is listed as a “CISP/PCI Compliant Service Provider” on Visa’s website under the following name: _____

Certification Date: _____

OR

Company has completed a PCI Data Security Assessment validating compliance with PCI Data Security Standards, which is currently under review by Visa. For verification purposes, please provide the following:

Qualified Data Security Company _____

Primary Contact Name _____

Primary Contact Number/e-mail _____

Date Assessment was Completed _____

Section C. State of Oregon Requirements

C.1. 3rd Party Vendor Fees

OST does not allow any organization to debit State bank accounts by ACH for fees; therefore, to pre-qualify as a 3rd Party Vendor, you or another organization working on your behalf (e.g. resellers) must agree to invoice the state organization for fees associated with services you are providing. State organizations have the ability to make payments to your organization electronically by ACH or by check, and/or warrant.

- Checking this box indicates that you or another organization working on your behalf will invoice state organizations for fees associated with the services you provide.

List all the parties involved in the fee process and describe how the fees will be collected: _____

C.2. Relationship between Vendor and State Organization

If your company is working on behalf of a state organization (collects moneys on behalf of the State organization via an agreement with a State agency), then the funds received by your company are considered public funds as soon as they are received by your company. Processing of public funds must conform with ORS 293.265 and ORS 295, and deposits must be made directly into a State Treasury account.

ORS293.265(1) states in part:

It shall be the duty of the officer or other person or agent collecting, receiving, in possession of, or having the control of any state money or other funds, contributions or donations collected or received by, and to be expended by or on behalf of the state under the approval or supervision of any state officer, board, commission, corporation, institution, department or other state organization, recognized by the laws of this state and having the power to collect and disburse state funds, to turn over all such moneys mentioned in this section collected or received by or on account of such sate officer, board, commission, corporation, institution, department or other state organization, to the State Treasurer not later than one business day after collection or receipt thereof.

ORS 295.002 provides:

that each public official shall deposit public funds in the custody or control of the public official in one or more depositories currently qualified pursuant to ORS 295.001 to 295.108. Department of Justice has advised agencies that moneys over which a state agency has contractual control, even though it does not have custody of the moneys, are public funds. For example, if an agency contracts with a third party to hold, manage or collect moneys on behalf of the agency or an agency directs through its contract how moneys may be used in order to fulfill an obligation of the agency, such moneys are probably public funds. Contracts with third party administrators, grant recipients, escrow agents or persons collecting moneys for a state agency frequently involve public funds issues. If a contract involves public funds that are held and deposited by a third party, the contract should include language that requires the contractor to deposit the moneys in a

qualified bank depository as defined in ORS 295.001. The contract should also require the contractor to indentify the funds on the records of the bank as held for the benefit of, or on behalf of, the agency so that the moneys may be collateralized as public funds under ORS 295.015. The purpose of ORS chapter 295 is to provide collateral for public funds deposits in the event of a bank's insolvency.

Related Links:

<http://www.leg.state.or.us/ors/293.html>

<http://www.leg.state.or.us/ors/295.html>

<http://www.ost.state.or.us/divisions/finance/cashmanagement/Policy/2-18-14.3rd.Party.Vendor.pdf>

<http://usa.visa.com/download/merchants/cisp-list-of-pcidss-compliant-service-providers.pdf>

http://usa.visa.com/download/merchants/validated_payment_applications.pdf

https://www.pcisecuritystandards.org/security_standards/vpa/

Please complete the following:

Will your organization be providing services on behalf of a state organization?

- Yes
- No

If you checked “No”, go to Section D.

- Checking this box indicates that services provided by your company will conform with the provisions of Oregon Revised Statute 293.265 and 295 regarding Oregon depository requirements.

All credit/debit card transactions must process through Elavon or TSYS. Please complete the following section indicating if you process directly with or use a gateway to process through Elavon or TSYS.

Your company is certified and processes directly with:

- Elavon (formerly Nova) and/or
- TSYS (formerly Vital)

OR

Your company uses a PCI-compliant payment application/gateway to process through:

- Elavon (formerly Nova) and/or
- TSYS (formerly Vital)

Please provide a list of the payment applications your service uses to process through Elavon and/or TSYS. Note: the application under consideration for use by the State Agency must be included in the payment flow information requested in Section A.4.

D. Certification

By signing this document you certify that your answers are complete and correct to the best of your knowledge, you have not deceived or attempted to deceive the examiners of this questionnaire, and are confident the answers you provided accurately reflect your corporation's or organization's actual practices, policies, and procedures.

X _____

Name: _____

Title: _____

Date: _____

E. Submission and Processing of Prequalification Form

1. If you have any questions regarding this form, please contact the Office of the State Treasurer's E-Commerce Program Manager at (503) 373-7312.
2. Print this form and **complete all sections**. If a section does not apply to the service you are providing, mark the section N/A. If required, attach documentation.
3. Mail the completed form and any required documentation to:

Office of the State Treasurer
Attn: State E-Commerce Program Manager
350 Winter Street NE, Suite 100
Salem, OR 97301-3896
4. Please allow 2-4 weeks for processing.

Exhibit A
Merchant Identification Requirements

Office of the State Treasurer

Credit/Debit Card Acceptance

Merchant Identification Number Requirements

Purpose of Merchant Identification Number (MID)

This number is generated by a processor/acquirer and is specific to each individual merchant location. The way a processor/acquirer uses the number includes the following: merchant identification during processing of daily transactions, troubleshooting, rejects, adjustments, chargebacks, and end-of-month processing fees.

How many MIDs is an agency required to have to process credit/debit card transactions? The Office of the State Treasurer (OST) will work with your organization to help you determine this, and a decision will be based on the following OST, Visa, MasterCard, and U.S. Bank requirements.

OST Requirements

- Agencies have multiple bank accounts, e.g., to separate dedicated funds established by statute, at OST and are required to have, at a minimum, one MID for each account. The MID is used by OST to automatically post credit card deposits to the appropriate agency bank account after they have been settled and processed through the state's processor, Elavon.
- Agency may decide to have multiple MID#s for each OST account
 - See Visa/MC/U.S. Bank requirements below; or,
 - Agency business decision to segregate programs/locations
 - E.g. for reconciliation purposes, separation of accounting funds by different programs

Visa/MC/U.S. Bank Requirements

- A unique MID is required for transactions that process through the Internet.
- A unique MID is required for transactions that process via POS.
- A unique MID is required for MO/TO if they account for at least 20% of all POS transactions.
 - Note: If a merchant is unable to identify the difference between MO/TO and POS transactions, then a separate MID is required.
- Merchants with Multiple Physical Locations must have a unique MID for each location.
 - Merchants must have a unique MID for multiple locations if each location meets the following criteria:
 - Each location has a different physical address; e.g., more than one property in a city, a unique store number, street number or other such unique identifier. These must appear following the Merchant name, a.k.a. Doing Business As (DBA).
 - The location operates under a unique DBA
 - The location has a unique business type – MCC code
 - Merchants can be considered as having the same location if:
 - They have the same physical address. Note: they can have different suite numbers or be on different floors of the same physical address
 - The location conducts business with the exact same DBA
 - The location has the same business type – MCC code.