

Request for Qualifications

BCS Online Payment Processing

RFQ # 2024-2

Issuance Date: 5/17/2024

Arkansas Secretary of State

State Capitol Building
Business Office
500 Woodlane St., Suite 12
Little Rock, AR 72201



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Confidentiality Statement

This document, including attachments, is intended only for use by the addressee and may contain legally privileged and/or confidential, copyrighted, trademarked, patented, or otherwise restricted information. If you are not the intended recipient of this document (or the person responsible for delivering this document to the intended recipient), you are advised that any dissemination, distribution, printing, or copying of this document, and any attachment thereto, is strictly prohibited and violation of this condition may infringe upon copyright, trademark, patent, or other laws protecting proprietary or intellectual property. If you have received this document in error, please respond to the originator at the address below and permanently delete and/or shred all information.

Vendor Certification (Must be signed and included with response)

Company Name: _____

Company Representative/Title: _____

Address: _____

City: _____ State/ Zip: _____

Contact Phone #: _____

Email: _____

Tax ID # (TIN or SSN): _____ (Include copy of current W-9 Form)

Small Business: Yes ☐ No ☐

Minority Business: Yes ☐ No ☐

Women-Owned Business: Yes ☐ No ☐

Veteran-Owned Business: Yes ☐ No ☐

I certify that this response is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same services and is in all respect fair and without outside control, collusion, fraud, or otherwise illegal action. I understand that collusion in public procurement is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. I agree to abide by all conditions of this request for qualifications and certify that I am authorized to sign this certification.

Authorized Signature

Date

Print or Type Name

Submission Details

Submission Instructions

Vendors are advised to carefully read all instructions, terms, and conditions provided in this request for qualifications prior to submitting a response. Failure to adhere to any instruction, term, or condition may result in rejection of the response. Vendors should pay particular attention to the following:

- The Secretary of State's Office shall not be responsible for any costs incurred by the vendor in the preparation of any response to this request for qualifications or required oral presentation.
- All materials submitted in response to this request for qualifications and subsequent fee agreements, contracts, or both, are subject to the state Freedom of Information Act.
- Secretary of State staff may request any clarifications, additional information, or data during the request for qualifications review and vendor selection process.
- Responses shall be accepted until the deadline specified below and may be withdrawn by the vendor at any time.
- Secretary of State staff may reject any or all responses and may waive technical or immaterial errors therein.
- Incomplete responses are subject to rejection by Secretary of State staff.
- Although as a constitutional office, the Secretary of State's Office is an "exempt agency" under most Arkansas procurement laws, it is the intent of the Secretary of State to adhere to procurement policies, such as those contained within this request for qualifications, which ensure the selection of the most responsive and responsible vendor which will accomplish the requisite scope of work in an efficient and transparent manner. Therefore, all required documentation must be submitted, without exception.

The Secretary of State's Office welcomes responses from small, minority-owned, women-owned, and veteran-owned businesses and does not discriminate against any entity, company, or individual on the basis of race, color, religion, creed, sex, age, disability or medical condition, national origin, or veteran status, or any other category protected by federal, state, and local anti-discrimination laws.

Submission Deadline

All responses to this request for qualifications must be received by the Secretary of State's Office, as stated below, no later than:

May 31, 2024; 4:00 pm CST

Submission Delivery

Please submit one (1) original and one (1) redacted (pdf) copy to:

Arkansas Secretary of State
Attn: Business Office; Hanan Malak
500 Woodlane, Suite 12
Little Rock, AR 72201
Phone: 501-682-8032
Email: Hanan.Malak@sos.arkansas.gov

Envelopes containing responses shall be sealed and prominently marked with the RFQ number (RFQ # 2024-2), submission deadline (May 31, 2024), responder's name, and return address.

Except for the redacted information, the redacted copy shall be identical to the original hard copy. It is the responsibility of the responder to ensure that the redacted copy is technologically unable to be "unredacted".

Submission Questions and Clarifications

Vendors may submit written questions requesting clarification of information contained within this request for qualifications. Please reference the request for qualifications number (RFQ # 2024-2) in the subject line. Written questions shall be addressed only to:

Hanan Malak

Email: Hanan.Malak@sos.arkansas.gov

Opening of Responses

Responses submitted by the deadline shall be opened at the following location at the date and time specified below:

June 3, 2024; 9:00 am CST

Arkansas Secretary of State
500 Woodlane St., Suite 12
Little Rock, AR 72201

All vendors responding to the request for qualifications shall be notified of the final selection.

<h2>Purpose and Statement of Services</h2>
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Purpose

In our quest for a trustworthy and seasoned third-party service provider to manage our payment processing requirements, our organization places a strong emphasis on security, efficiency, and customer satisfaction. We are actively seeking qualifications from experienced providers who can seamlessly integrate with our systems and ensure a seamless payment experience for our valued customers.

The primary goals of this search for a payment processing service provider are to identify a partner capable of ensuring secure and efficient payment transactions, adhering to industry standards and regulations, and enhancing the overall efficiency of our payment processes.

The purpose of this Request for Qualifications (RFQ) is to engage a single third-party service provider with expertise in developing, installing, and operating credit card, debit card, e-check processing services for our Agency. The selected Proposer will be required to possess transaction processing systems and services, accept major credit card brands, such as Visa and MasterCard, and E-checks from all participants after verifying funds before approving transactions. and must have the ability to process ACH Payments for our agency's needs.*

* See Attachment #1

Scope of Services

The selected vendor will be required to engage a full-service provider with expertise in developing, integrating, and operating credit and debit card processing services. The vendor's service should be capable of seamlessly interacting with in-house Internet web applications, utilizing the latest technology and security protocols, and integrating with SOS applications.

SCOPE OF SERVICES:

- Ability to process credit cards, debit cards, and e-checks.
- Electronic bill presentment.
- Customer payment acknowledgment.
- E-check verification services or guarantee of payment for e-checks.
- API Integration capability with SOS applications.
- Monthly billing for fees.
- Compliance with PCI DSS standards.
- Competitive transaction fee percentage.
- Disaster recovery and business continuity capabilities.
- Provision of transaction reports, financial reconciliation, and auditing functionality.
- Daily disbursements.

The Secretary of State is inviting proposals from stable and reputable organizations with a proven track record of delivering exceptional ongoing customer support and satisfaction. Interested parties should identify and provide a summary of their organization's performance in delivering services similar in nature, scope, and size to those requested in this RFQ within the last two years.

This RFQ seeks assurance of the following. Briefly discuss your firm's ability to provide:

1. Experience in offering payment processing services for organizations with similar needs.
2. Compliance with industry standards and regulations, including PCI DSS.
3. Implementation of robust security measures to safeguard against fraud and data breaches.
4. Acceptance of major credit card brands, such as Visa and MasterCard, as well as E-checks from all participants after verifying funds before approving transactions.
5. Seamless integration with existing systems and platforms.
6. Demonstrated track record of reliable and efficient payment processing services.
7. Proven customer support capabilities.
8. Financial stability and scalability to accommodate the organization's growing needs.

Submission Requirements

The official response packet shall contain all of the information below and shall be modified only by any addendum issued by the Secretary of State. Vendors are advised to check the Secretary of State's website for any issued addendum.

1. Letter of Introduction:

Provide a letter of introduction, signed by an officer or principal of the vendor with contracting authority, which illustrates the vendor's unique abilities to meet the specified requirements of this request for qualifications. Include the name of a designated contact person, physical address, email address, and phone number to be used for communication related to interviews and vendor selection.

2. Experience of the Vendor:

Vendors are expected to highlight their expertise in complying with industry standards and regulations, such as PCI DSS, and demonstrate their ability to implement robust security measures to protect against fraud and data breaches. Additionally, vendors should showcase their proficiency in seamlessly integrating with existing systems and platforms, ensuring a smooth and efficient payment processing experience for clients. A key aspect is the vendor's track record of providing reliable and efficient payment processing services. Vendors are encouraged to provide specific examples or case studies that illustrate their successful delivery of payment processing solutions and their ability to meet the needs of organizations similar to ours.

3. Project Team (Key Staff):

Identify the proposed project manager who will be assigned to the contract as the primary contact and key project team members and their responsibilities and workload. Provide an organizational chart, current office size, and brief resumes of key individuals outlining their credentials, honors, and years of experience. Please list any preferred partners (professional service providers, contractors, subcontractors, etc.) with specialized experience who are anticipated to become team members. Include potential specialties, qualifications, and years' experience of any identified partners.

4. References:

Provide the names and contact information for at least three (3) references familiar with the quality of your work of similar nature as that described in the above scope of work.

5. Current Projects:

Provide a summary of current workload, state projects awarded, and recent experience with project costs and schedules.

6. **Required Forms:**

Submit the following forms with your response packet:

- a. Contract and Grant Disclosure and Certification Form
- b. Company's Equal Opportunity Policy
- c. Illegal Immigrant Contractor Disclosure Certification Form
- d. Israel Boycott Restriction Certification Form
- e. Signed Vendor Certification
- f. W-9 Form

7. **Other Factors:**

Any other factors that may be appropriate to the scope of work.

Pricing is not requested nor required for this request for qualifications.

Selection Process

Technical Scoring

Statements of Qualifications shall be evaluated by Secretary of State staff based upon requirements set forth in this request for qualifications and ranked in order of qualification from highest to lowest. Response packets that do not meet submission requirements shall be disqualified and not evaluated.

The maximum point values for each submission requirement to be scored are as follows:

Submission Requirements	Maximum Possible Points
Letter of Introduction	10
Experience of the Vendor	30
Project Team (Key Staff)	15
References	15
Current Projects	20
Other Factors	10
Total Possible Technical Score	100

To derive the average technical score for each vendor, the combined technical scores for each rater will be added and divided by the total number of raters. The vendor with the highest average technical score will be deemed the most responsive vendor and negotiations shall begin. (See Negotiations section below.)

Negotiations

Secretary of State staff shall enter negotiations with the most responsive bidder (identified by the above scoring processes) to negotiate fees and finalize a contract. If Secretary of State Staff is unable to negotiate a satisfactory contract for the services to be provided with the most qualified vendor, negotiations will be formally terminated and negotiations with the next highest scoring vendor will be initiated. The negotiation process will be repeated until a successful vendor has been determined, or until such time as the Secretary of State's Office decides not to move forward with a contract. It is the intent of the Secretary of State's Office to enter into a single contract with one (1) vendor following the selection process.

Selection of the vendor shall be at the sole discretion of the Secretary of State's Office and is final.

Blackout

From the time of receipt of this request for qualifications by the vendor until award of the contract, the vendor or a contract representative – whether paid or voluntary – of the vendor may make no contact with any employee or family member of an employee of the Arkansas Secretary of State, other than the designee as provided for in this request for qualifications.

Contract Terms and Conditions

The selected vendor will be required to enter into a formal written contract with the Secretary of State's Office prior to the commencement of the project. Any contract for services entered into by the Secretary of State's Office as a result of this request for qualification shall include the original request and the selected vendor's submission.

Any contract entered into pursuant to this request for qualifications is not assignable nor are the duties thereunder delegable by either party without the written consent of the other party of the contract.

All payments shall be made in accordance with the terms and conditions of the payment provisions of the contract signed by the successful vendor and the Secretary of State's representative, subject to legislative appropriations. Vendor acknowledges that the Secretary of State's Office is subject to constitutional and statutory limitations on spending. The Secretary of State's Office agrees to exercise its best efforts to obtain funding at the contract rate during each annual session of the Arkansas General Assembly, to which all spending obligations are subject.

Attachment #1

- a) A confirmation number at the end of an approved telephone payment. If the payment is declined, provide a message that indicates the cause for the decline;
- b) A confirmation number for an approved internet payment. If the payment is declined, provide a message that indicates the cause for the decline; if possible
- c) An email that is immediately sent to a Customer for internet payments indicating whether his/her payment has been approved or declined. Cardholder information and date regarding the charge shall be included in the email for receipt purposes;
- d) Notification of any returned E-check for payments;
- e) A receipt for any transaction by email, if elected by the Customer.

CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM

Failure to complete all of the following information may result in a delay in obtaining a contract, lease, purchase agreement, or grant award with any Arkansas State Agency.

SUBCONTRACTOR:

SUBCONTRACTOR NAME:

☐ Yes ☐ No

IS THIS FOR:

TAXPAYER ID NAME:

☐ Goods?

☐ Services? ☐ Bot ?

YOUR LAST NAME:

FIRST NAME:

M.I.:

ADDRESS:

CITY:

STATE:

ZIP CODE:

COUNTRY:

AS A CONDITION OF OBTAINING, EXTENDING, AMENDING, OR RENEWING A CONTRACT, LEASE, PURCHASE AGREEMENT, OR GRANT AWARD WITH ANY ARKANSAS STATE AGENCY, THE FOLLOWING INFORMATION MUST BE DISCLOSED:

F O R I N D I V I D U A L S *

Indicate below if: you, your spouse or the brother, sister, parent, or child of you or your spouse is a current or former: member of the General Assembly, Constitutional Officer, State Board or Commission Member, or State Employee:

Position Held	Mark (√)		Name of Position of Job Held [senator, representative, name of board/ commission, data entry, etc.]	For How Long?		What is the person(s) name and how are they related to you? [i.e., Jane Q. Public, spouse, John Q. Public, Jr., child, etc.]	
	Current	Former		From MM/YY	To MM/YY	Person's Name(s)	Relation
General Assembly							
Constitutional Officer							
State Board or Commission Member							
State Employee							

☐ None of the above applies

F O R A N E N T I T Y (B U S I N E S S) *

Indicate below if any of the following persons, current or former, hold any position of control or hold any ownership interest of 10% or greater in the entity: member of the General Assembly, Constitutional Officer, State Board or Commission Member, State Employee, or the spouse, brother, sister, parent, or child of a member of the General Assembly, Constitutional Officer, State Board or Commission Member, or State Employee. Position of control means the power to direct the purchasing policies or influence the management of the entity.

Position Held	Mark (√)		Name of Position of Job Held [senator, representative, name of board/commission, data entry, etc.]	For How Long?		What is the person(s) name and what is his/her % of ownership interest and/or what is his/her position of control?		
	Current	Former		From MM/YY	To MM/YY	Person's Name(s)	Ownership Interest (%)	Position of Control
General Assembly								
Constitutional Officer								
State Board or Commission Member								
State Employee								

☐ None of the above applies

Contract and Grant Disclosure and Certification Form

Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a material breach of the terms of this contract. Any contractor, whether an individual or entity, who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the agency.

As an additional condition of obtaining, extending, amending, or renewing a contract with a state agency I agree as follows:

1. Prior to entering into any agreement with any subcontractor, prior or subsequent to the contract date, I will require the subcontractor to complete a **CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM**. Subcontractor shall mean any person or entity with whom I enter an agreement whereby I assign or otherwise delegate to the person or entity, for consideration, all, or any part, of the performance required of me under the terms of my contract with the state agency.

2. I will include the following language as a part of any agreement with a subcontractor:

Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a material breach of the terms of this subcontract. The party who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the contractor.

3. No later than ten (10) days after entering into any agreement with a subcontractor, whether prior or subsequent to the contract date, I will mail a copy of the **CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM** completed by the subcontractor and a statement containing the dollar amount of the subcontract to the state agency.

I certify under penalty of perjury, to the best of my knowledge and belief, all of the above information is true and correct and that I agree to the subcontractor disclosure conditions stated herein.

Signature _____ Title _____ Date _____

Vendor Contact Person _____ Title _____ Phone No. _____

Agency use only

Agency _____ Agency _____ Agency _____ Contact _____ Contract
Number _____ Name _____ Contact Person _____ Phone No. _____ or Grant No. _____

Reset Form

Print Form

19-11-104. Equal Opportunity Policy.

(a) The purpose of this section is to require any entity or person bidding on a state contract, responding to a request for proposals regarding a state contract, responding to a request for qualifications regarding a state contract, or negotiating a contract with the state for professional or consulting services to submit to the Office of State Procurement the most current equal opportunity policy of the entity or person.

(b) The office and a state agency shall require a copy of the most current equal opportunity policy of an entity or person to be filed with the office or state agency for public inspection as a condition precedent to:

- (1) Accepting a letter of intent, bid, proposal, or statement of qualification with regard to a state contract from the entity or person; or
- (2) Entering negotiations with the entity or person for a professional or consulting services contract with the state.

History. Acts 2005, No. 2157, § 1.

R1:19-11-104. COLLECTION AND MAINTENANCE OF VENDOR EEO POLICIES.

Equal Opportunity Policies are required from vendors who submit responses to state agencies or the Office of State Procurement for procurements of Professional and Consultant Services where the dollar value is greater than \$25,000.

The Office of State Procurement will maintain a file of vendor Equal Opportunity Policies. State agencies which issue solicitations will be responsible for confirming that vendors have a current E.O. Policy on file with the State either through requesting that it be supplied with the solicitation response; maintaining an agency file of vendor supplied E.O. Policies or by accessing and checking the files maintained by the Office of State Procurement. A contract may not be awarded prior to determining that a copy of the vendor's current E.O. Policy is on file with the State.

Vendors will be responsible for supplying the State with updated versions of their respective E.O. Policies as they are implemented.

19-11-105. Illegal immigrants — Prohibition — Public contracts for services.

(a) As used in this section:

- (1) "Contractor" means a person having a public contract with a state agency for professional services, technical and general services, or any category of construction in which the total dollar value of the contract is twenty-five thousand dollars (\$25,000) or greater;
- (2) "Exempt agency" means the constitutional departments of the state, the elected constitutional offices of the state, the General Assembly, including the Legislative Council and the Legislative Joint Auditing Committee and supporting agencies and bureaus thereof, the Arkansas Supreme Court, the Court of Appeals, circuit courts, prosecuting attorneys, and the Administrative Office of the Courts;
- (3) "Illegal immigrant" means any person not a citizen of the United States who has:
 - (A) Entered the United States in violation of the federal Immigration and Nationality Act of 1952, 8 U.S.C. § 1101 et seq., or regulations issued under the act;
 - (B) Legally entered the United States but without the right to be employed in the United States; or
 - (C) Legally entered the United States subject to a time limit but has remained illegally after expiration of the time limit;

Request for **Qualifications**
Arkansas Secretary of State's Office

Illegal Immigrant Contractor Disclosure Certification Form

Act 157 of 2007 of the Arkansas General Assembly requires that any business or person responding to a Request for Qualifications for professional services, technical and general services, or any category of construction in which the total dollar value is \$25,000 or greater certify, prior to the award of the contract, that they do not employ or contract with any illegal immigrants. Online certification shall be done at the following address:

<https://www.ark.org/dfa/immigrant/index.php/user/login>

Print screen-shot of the certification and attach to this form.

Company Name: _____

Company Representative/Title: _____

Address: _____

City: _____ State/ Zip: _____

Date: _____

ILLEGAL IMMIGRANT CERTIFICATION

Pursuant to Arkansas Code Annotated § 19-11-105, Contractor(s) **shall** certify with OSP that they do not employ or contract with illegal immigrants.

By signing below, the Contractor agrees and certifies that they do not employ illegal immigrants and will not employ illegal immigrants during the remaining aggregate term of the contract.

Contract Number	
AASIS Number	
Description	
Contractor	

Contractor Signature: _____

Date: _____

Israel Boycott Restriction Certification Form

Pursuant to A.C.A. § 25-1-503, a public entity shall not enter into a contract valued at \$1,000 or greater with a company unless the contract includes a written certification that the person or company is not currently engaged in, and agrees for the duration of the contract not to engage in, a boycott of Israel.

By signing below, the contractor agrees and certifies that they do not boycott Israel during the remaining aggregate term of the contract.

Company Name: _____

Company Representative/Title: _____

Address: _____

City: _____ State/ Zip: _____

Date: _____

Request for Qualifications
Arkansas Secretary of State's Office

Vendor Certification Form (Shall be signed and included with response)

Company Name: _____

Company Representative/Title: _____

Address: _____

City: _____ State/ Zip: _____

Contact Phone #: _____

Email: _____

Tax ID # (TIN or SSN): _____ (Include copy of current W-9 Form)

Small Business: Yes ☐ No ☐

Minority Business: Yes ☐ No ☐

Women-Owned Business: Yes ☐ No ☐

Veteran-Owned Business: Yes ☐ No ☐

Do you or anyone at your company have a relative that works at the Arkansas Secretary of State's office?

Yes ☐

No ☐

If yes, please provide the name(s) of such relative(s) and their relationships below:

I certify that this response is accurate and true and made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same services and is in all respect fair and without outside control, collusion, fraud, or otherwise illegal action. I understand that collusion in public procurement is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. I agree to abide by all conditions of this Request for Qualifications and certify that I am authorized to bind the vendor to any resulting contract.

Authorized Signature

Date

Print or Type Name