December 21, 2010



Roger Wittenberg, Finance Director City of Key West 525 Angela St. Key West, FL 33040

Dear Mr. Wittenberg:

*First State Bank of the Florida Keys* appreciates the opportunity to offer our proposal for RFP # 002-11 for merchant services and certifies that all terms and cost projections will remain in effect for 90 days. We are proud of our 37 year banking partnership with you and wish to continue providing merchant services to the City of Key West.

*First State Bank of the Florida Keys* is the only bank who is headquartered in the City of Key West and exclusively serves the local community in Key West and Monroe County.

We have prepared a comprehensive response to the City of Key West's request that includes supporting documentation on the Bank's many services and benefits to aid the City of Key West in its decision process.

Key proposal highlights include:

- ✓ Local Merchant Service support, assistance and customer focused
- ✓ Quick and efficient response time for any questions or emergencies
- ✓ Long established partnership with the City of Key West
- ✓ Experienced staff with many years in the merchant services industry
- ✓ Processing partner received an A+ from the Better Business Bureau

*First State Bank of the Florida Keys* is set apart from the non-local banks by its 55year history of providing local banking, public funds management, lending, business and merchant card services, a deep understanding of the Keys market and a historic commitment to both civic and community causes.

*First State Bank of the Florida Keys* also provides banking services for 15 of Monroe Counties public funds giving us both vast experience and a deep understanding of the special financial services needs of our local public entities.

We look forward to continuing with our long term merchant services and banking relationship with the City of Key West and are committed to providing the expert banking and old-fashioned customer service that only a true community bank can provide.

Sincerely,

Diane Gibson

Diane Gibson Vice President Corporate Services

# November 24, 2010

# To: All Prospective Proposers

City of Key West RFP #002-11 - Merchant Services contains the following documents:

- a. Cover letter one (1) page in length
- b. Proposal twenty (20) pages in length
- c. Required permit/license one (1) page in length
- d. Anti-Kickback Affidavit one (1) page in length
- e. Local Vendor Certification one (1) page in length
- f. Entity Crimes Statement three (3) pages in length
- g. Call for Proposals one (1) page in length

Please review your proposal package to ensure it contains all of these documents. If not, contact Sue Snider, City of Key West Purchasing Agent at (305) 809-3815, immediately, to obtain copies of any missing document(s).

Proposers submitting proposals should ensure that the following documents are completed, certified, and returned as instructed: Anti-Kickback Affidavit, Public Entity Crimes Certification, Copy of Current Occupational License, and Local Vendor Certification, if applicable.

SUBJECT:

RFP#002-11 MERCHANT SERVICES

**ISSUE DATE:** 

NOVEMBER 24, 2010

MAIL PROPOSALS TO:

CITY CLERK CITY OF KEY WEST 525 ANGELA STREET KEY WEST, FL 33040

DELIVER PROPOSALS TO: SAME AS ABOVE

PROPOSALS MUST BE RECEIVED: DECEMBER 22, 2010

NOT LATER THAN: 3:00 P.M.

SUE SNIDER PURCHASING AGENT CITY OF KEY WEST

ses

Enclosures

# REQUEST FOR PROPOSAL (RFP) #002-11

City of Key West P.O. Box 1409 525 Angela St. Key West, Fl. 33031

# I. INTRODUCTION

The City of Key is requesting proposals from eligible and qualified firms, authorized to do business in the State of Florida to provide Merchant Services to various departments within the City of Key West, Florida (the City.") The services provided will be in accordance with the Request for Proposal (the RFP").

This RFP is intended to serve as the proposal form for the Merchant Services agreement. There are several blanks to fill in and questions to be answered. The evaluation of the proposer's proposal will be based on these responses. The RFP also requests certain information to be attached and specifically labeled. Proposals must be complete, address all aspects of the RFP, and include all requested information to receive full consideration by the City in the selection process.

The City desires to enter into a contract of mutual party benefit and will be happy to answer all questions pertaining to this RFP. All questions regarding this RFP should be directed by e-mail to Roger Wittenberg Finance Director, at <u>rwittenb@keywestcity.com</u>. Questions and answers will be published as an addendum on Demand Star and made available to all proposers of record. Questions will be answered every Monday until the deadline.

# II. TIMELINE

The City anticipates the following calendar of events:

TARGET DATE (2010/2011)	DISCRIPTION OF EVENTS
Wednesday, November 24	Issue RFP post on Demand Star
Friday, December 10	Deadline for written question and clarifications
Wednesday, December 22	Receive proposals
Week of January 3-7	Selection committee meeting
Tuesday, February 15	Commission consideration for award
Tuesday, March 15	Contract Signed Begin implementation
On or before May 1	Implementation

# III. BACKGROUND

The City has provided the option to pay by credit card for some time now, Visa, MasterCard, American Express and Discover, at various locations throughout the City. Over the past few years credit card transactions have averaged 2,000 - 4,000 per month in total from the various locations.

In the past year in an effort to save on personnel costs the city owned parking lots have gone from a manned pay station to an unattended pay and display station. At the same time, the city has been replacing its parking meters with pay stations that service entire blocks.

As a result of these changes the city has begun to incur an additional 17,000 small sale transactions per month.

The city currently has 27 CALE machines and anticipates replacing an AMANO machine currently at the Park-n-Ride with 2-4 CALE's prior to awarding of this RFP. During the next fiscal year the City plans on adding 15 more and periodically thereafter as needed.

# III. CRITERIA FOR EVALUATION AND SELECTION

All complete and responsive proposals will be evaluated by the Selection Committee comprised of the Finance Director, the Deputy Finance Director, the Director of IT, and a representative of Public Financial Management (PFM) at a publicly noticed meeting. The evaluation of the proposals will be made based on the following criteria:

- Ability to perform and provide the required services; 30 pts
- Completeness of proposal and agreement to scope of services outlined in the RFP; 10pts
- Discount rates, service fees, rental fess and any other fees; 35 pts
- Settlement: timeliness of credits issued to depository bank; and, 10 pts
- Equipment: state of the art, ability to integrate with other City software systems. 10 pts
- References 5pts

The City of Key West reserves the right to ask questions, seek clarification of any or all Proposers as part of its evaluation. Only the three (3) highest rated Proposals as determined by the Selection Committee will go forward to the City Commission in ranked order. Final award will be made by the City Commission, based solely on that response which, in their opinion, is in the best interest of the City of Key West, all factors considered, irrespective of the Selection Committee ranking.

#### IV. SCOPE OF SERVICES

**A. Scope:** The successful Proposer will furnish credit card services to the City for a period of three (3) years with an option to renew with two (2) one-year extensions. All terms and conditions shall remain the same during the contract period and any subsequent renewals.

**B. Transaction Fees**: Proposals shall be based on the transaction/convenience fees to be charged to the City/City customer for processing VISA, MasterCard, Discover, and American Express credit cards as well as debit cards. All interchange dues, assessments and any other fees levied by VISA/MC, AMEX & Discover should be considered/treated as direct pass-through to the City, except in the case of convenience fee billing proposals.

**C. Service locations:** Currently the City has two types of service locations. These service locations each comprise a merchant account. The City also wishes to collect charges on-line sometime in the near future.

1) The City currently has the following service locations/accounts for walk-in or phone in point of sale transactions.

- Parking Department has one swipe terminal used for paying parking tickets
- Building Department has one swipe terminal used for paying building permits and occupational licenses
- Revenue Department has one swipe terminal used for paying all types of city charges, the most prevalent being utility payments that account for 95% of all transactions.
- Key West Bight Marina Dock has one swipe terminal at the dock masters office for fuel sales, supplies and rent payments.
- Key West Bight Marina Office has one swipe terminal in the office for rents and misc payments.
- Garrison Bight Marina has one swipe terminal at the office for rent, parking and ramp fee payments
- Transfer Station has one swipe terminal for payment of dumping charges

2) The City has the following service location/accounts for the payment of parking space charges.

- Key West Bight Parking has 3 unattended pay stations for parking spaces.
- Park-N-Ride has 3 (see appendix 4) unattended pay station for parking spaces.
- City Parking has 24 unattended pay stations in parking lots and on city streets throughout the city.

**E. Equipment and Access:** Currently the City leases all of its swipe terminals. The City purchases and maintains all of its unattended parking pay stations. All pay stations are manufactured by CALE. (See Appendix 3 for type of equipment.) At the current time the City does not process payments through the internet however, the Vendor must have capability to integrate with City's software and website. Please propose the equipment that will be necessary to process these transactions and the related costs

F. Credit Card Service: The ability to process VISA, MasterCard, American Express, and Discover credit cards is required.

**G.** Supplies: The Credit Card Services Provider will furnish to the City all necessary supplies to process transactions. One-part and two-part paper for use in terminals and printers are required. Please provide any costs associated with supplies that will be charged to the City.

**H. History and Reports:** The following examples are either provided herein or available from the City regarding transaction history: 1.) Credit Card Usage – A summary of credit card transactions reflecting gross volume and net sales for September, 2009 to March, 2010. 2.) A sample page from a monthly statement may be requested by contacting the Purchasing Division. The sample monthly statement represents the type of reporting the Credit Card Services Provider shall submit to the City. 3.) In addition to the above reports, daily detailed reports may be requested on an as-needed basis.

**i. Implementation:** Credit card services must be installed, training completed, and the system ready to go live in accordance with the proposed timeline.

J. On-Line Transactions: The City uses Sungard (HTE), public sector software to provide all the modules necessary to run the City. Sungard uses a software application called Click to Gov to provide on line payment access. Although the City does not currently use this application it plans on implementing the parking ticket and utility payment portions of this application in the near future. The ability to process online transactions is required.

**K. Settlement:** The City will maintain a bank account in their Depository Bank. Currently, this account is at First State Bank of the Florida Keys, Key West, Florida. The City requires that an Automated Clearing House (ACH) credit or debit be made to the settlement account at the designated depository bank.

L. Credits and Adjustments: Credit to a cardholder will be issued through the point-of sale terminals or third party software vendors.

**M. Fees:** The Merchant Services Provider will invoice the City monthly for fees as established in the Schedule of Charges furnished herein. This invoice statement should reflect daily summary activity, total sales, number of transactions and all transaction costs and fees associated with the credit records processed. The invoice can be mailed and a check processed from the City, or an ACH payment can be initiated to pay the monthly billing.

**N. Reports:** The City requires access to daily activity reports for each merchant ID/ Terminal ID in addition to the monthly summary activity reports and invoices. The City also requires on-line access to all activity through secure internet access.

**O. Charge-Back Procedures:** The City requires notification by email to the City's Finance department designee regarding items to be processed as charge-backs.

**P. Data Security:** Service providers must agree to properly dispose of sensitive cardholder data when no longer needed. The service provider must continue to treat cardholder data confidential upon contract termination and must provide the City with documentation showing PCI Data Security certification has been achieved. All fallures to comply with PCI Data Security requirements must be reported to the City immediately along with a timeline for corrective action.

#### **Q. INSURANCE**

Prior to the execution of any contract, the City of Key West requires that any awarded contractor must provide to the City a certificate of insurance (Accord or other approved format) naming the City of Key West as additional insured, for the following:

- General liability (including completed operations coverage) in the amounts of \$1,000,000 (combined single limit) Bodlly Injury/Property Damage coverage per occurrence, and \$2,000,000 general aggregate coverage.
- Automobile Liability in the amount of \$1,000,000 (combined single limit), Property Damage and Bodily Injury coverage.
- Professional Liability, in an amount not less than \$500,000.00 per occurrence and \$1,000,000.00 aggregate.
- Worker's Compensation as defined in the Florida General Statutes.

Any subcontractor to a contracted firm shall be likewise covered, and shall furnish certificates of coverage acceptable to the City before starting work.

#### **V. PROPOSAL INSTRUCTION AND FORMAT**

The proposal shall include each of the following:

A. A TRANSMITTAL LETTER signed by the appropriate officer of the firm offering the proposal and certifying that the proposal and any cost projections included will remain in effect for 90 days.

**B. APPENDIX 1 Proposers qualifications** - Consists of 6 parts, the response to each part should be Labeled "Attachment (*Question #*) – (*Question descriptions*)" and attached to the transmittal letter

**C. APPENDIX 2 References** – Please provide four (4). Use forms and format provided. If sufficient space does not exist insert blank page and continue

D. APPENDIX 3 Costs – Please fill in cost information as applicable using forms and format provided.

E. APPENDIX 4 EQUIPMENT - For informational purposes.

#### F. CITY'S FORMS

Proposer shall complete and return all City forms and any other forms included in this RFP. Ornission of any of these forms may result in the disqualification of the offer.

#### G. ADDENDA

If it becomes necessary to revise any part of this request or if additional data is necessary to enable interpretation of provisions of these document revisions, answers to questions asked, and/or addenda will be provided to all prospective firms who received this document through Demand Star or by directly contacting the City's project manager

Those plan holders of record in Demand Star will be provided these documents via Demand Star. Those plan holders that obtained this RFP by contacting the City will be notified by email.

#### H. SUBMISSION

An original and four (4) copies of Proposal are required, as well as one copy via compact disk or USB drive in pdf or similar standard readable format.

# APPENDIX 1 PROPOSER'S QUALIFICATION

1. Provide a brief overview of your company including the following:

- The name and location of your company, including the office location that will be serving the City.
- A brief description of your business.
- The number of years your company has been in business
- Is your company a subsidiary of another corporation? If so, what is the name of the parent company?
- The number of staff dedicated to provide requested service. (Label "Attachment 1 – Overview")

2. Merchant proposer must be able to provide beginning to end merchant services, including equipment/software, credit and charge transaction authorization, routing and settlement for all major credit and debit cards. Describe this process and identify any joint venture or affiliated relationships required to complete the processing of the transaction. (Attach to proposal), (Label "Attachment 2 – Process").

3. Describe your customer support function. Including hours of operations, phone numbers, after hours and weekend availability, reaction time, service location, local contact etc. Describe the process and proposed time line if a terminal went down during the weekday and if it went down during a weekend or after hours. (Attach to proposal), (Label "Attachment 3 – Customer Service")

4. Please provide a sample Merchant Statement and explain how the City would resolve any differences between internal deposits records and the Merchant Account Statement i.e. (where and who would the city call, documentation required, etc.). (Attach to Proposal), (Label "Attachment 4 – Merchant Statement").

# **APPENDIX 1**

# **PROPOSER'S QUALIFICATION**

# Attachment 1 – Overview

- 1. Provide a brief overview of your company including the following:
  - The name and location of your company, including the office location that will be serving the City:

First State Bank of the Florida Keys 1201 Simonton St. Key West FL 33040

and the state of the state

- Main Office

First State Bank of the Florida Keys- Merchant Services Dept.3406 N. Roosevelt BlvdKey West FL 33040

• A brief description of your business:

First State Bank of the Florida Keys is a full service local community bank headquartered in Key West.

• The number of years your company has been in business:

First State Bank has been serving the local community since 1955 and remains the only community bank still in existence in the Florida Keys.

• Is your company a subsidiary of another corporation? If so, what is the name of the parent company?

First State Bank of the Florida Keys isn't a subsidiary of another company.

# Attachment 1 – Overview Continued

• The number of staff dedicated to provide requested service:

First State Bank of the Florida Keys has four (4) full time employees in our Merchant Services Department in Key West who are dedicated to providing top notch service to the City of Key West and are available during the City of Key West's normal business hours.

We also have a 24/7 Help Desk for any after hours issues and our Merchant Services staff are also available by cell phone in emergency situations.

We are available immediately to address any questions and handle any issues as needed to assist the City along with our branch staff who are available during normal banking hours.

# Attachment 2 – Process

2. Merchant proposer must be able to provide beginning to end merchant services, including equipment/software, credit and charge transaction authorization, routing and settlement for all major credit and debit cards. Describe this process and identify any joint venture or affiliated relationships required to complete the processing of the transaction:

First State Bank of the Florida Keys has provided the merchant services processing for the City of Key West since 1994 and we have successfully extended our services to other merchant service accounts as they were added through the years.

Equipment is provided by First State Bank on a month-to-month fee basis or can be purchased. Rental equipment is swapped out by local First State Bank staff if needed at no additional cost. If the City owns any equipment that would need repair, First State Bank will provide a temporary replacement until the owned equipment is repaired.

First State Bank of the Florida Keys can provide beginning to end services by the following method:

- After your customer initiates the sale, authorization requests are routed to the card issuing bank, which approves or declines each transaction.
- Approved transactions are batched either by city employees or automatically at a designated time by terminals or software.
- Authorized transactions are routed to First State Bank's processing partner, TransFirst.
- TransFirst sends each transaction to the appropriate card issuer for posting to the cardholder, and posts the deposit for MasterCard, Visa & Discover. Credit for transactions done by those three card types will post as one total deposit to the designated account via ACH on the second business day after batch transmission. American Express will post credits for their cards in accordance with the agreement between American Express and the City of Key West.

# Attachment 3 – Customer Service

3. Describe your customer support function, including hours of operations, phone numbers, after hours and weekend availability, reaction time, service location, local contact etc. Describe the process and proposed time line if a terminal went down during the weekday and if it went down during a weekend or after hours.

First State Bank of the Florida Keys is the only remaining local bank serving the community and is dedicated to providing "old fashioned" customer service that has earned it the designation as *Best Business & Best Bank in Monroe County*.

We are committed to providing the City of Key West with prompt, courteous and professional customer service by our local staff in our Merchant Services Department.

Our Merchant Service team members are:

Diane Gibson, Vice President/Corporate Services Phone: (305) 293-6800 Cell: (305) 923-1689 dgibson@keysbank.com 30 years of banking experience

Anna Baird, Assistance Vice President/Corporate Services Phone: (305) 293-6819 Cell: (305) 923-5240 annab@keysbank.com 30 years of banking experience

Jane Cloutier, Merchant Services Processor Phone: (305) 293-6824 Cell: (413) 896-3262 janec@keysbank.com 29 years of customer service experience

James Todd, Merchant Services Phone: (305) 293-6814 Cell: (305) 393-4154 jamesc@keysbank.com 9 years of banking experience

# Attachment 3 - Oustomer Service Continued Boulevard

# **Corporate Services**



Diane Gibson VP/Corporate Services & Business Development Manager



Anna Baird AVP/Corporate Services Officer



Jane Cloutier Merchant Services Processor



James Todd Merchant Services Representative

# Attachment 3 – Customer Service Continued

# Our hours of operation:

Monday- Friday 8:30 am – 6pm with a 24/7 Help Desk Local staff are also available by cell in any emergency situations after hours

**TransFirst Help Desk Customer Service Support Team:** 

Available 24/7 Toll Free Number: (877) 608-6599

We have been providing the City of Key West merchant services support for many years and have always prided ourselves on being prompt and quick to respond to any needs of the City staff. If a terminal should go down during normal business hours, we would respond quickly to replace the terminal and get you back up and running within 1-2 hours. If a situation occurs after normal business hours, we would normally be able to respond quickly within the same 1-2 hour timeframe. More time may be required for very complex situations especially if there is an issue with the City's third party vendor.

As City staff is aware from past experience, our highly experienced Merchant Service Department has been very instrumental in problem solving and assisting you for many years, especially with resolution of any third party PC vendor issues.

# Attachment 4 – Merchant Statement

4. Please provide a sample Merchant Statement and explain how the City would resolve any differences between internal deposits records and the Merchant Account Statement i.e. (where and who would the city call, documentation required, etc.).

We have attached one of the City of Key West's merchant statements for your review.

If the City of Key West would need assistance or have questions on any differences, City staff would call any of our local merchant service representatives (see attachment 3- Customer Service for names and contact numbers) for assistance and we would resolve the issue promptly.

Normally, bank staff can access documentation here but depending on the situation, City staff might have to provide copies of sales slips or batch reports.

Having both the merchant account and the operating account with First State Bank is an advantage for the City of Key West since we are able to track every transaction from authorization to posting which results in quicker resolution.

# Merchant Statement

CITY OF KEY WEST PO BOX 1409 KEY WEST, FL 33041



CITY OF KEY WEST PO BOX 1409 KEY WEST FL 33041-1409 Page 1 of 2

Attachment 4 - Merchant Stmt

Processing Month:	06-10	3930
Association Number:	105105	
Merchant Number:	3930-0979	-6921-66
Routing Number:	xxxxx0438	
Deposit Account Number:	xxxxx3096	3

Amount Deducted: \$ 2,768.13

				Plan Sun	nmary				
Plan Code	Number of Sales	Amount of Sales	Number of Credits	Amount of Credits	Net Sales	Average Ticket	Disc P/I	Disc %	Discount Due
VS	370	60,063.89	00	.00	60,063.89	162.33	.000	.400	240.21
MC	202	40,604.88	00	.00	40,604.88	201.01	.000	.400	162.44
DS	08	1,412.80	00	.00	1,412.80	176.60	.000	.400	5.65
**	580	102,081.57	00	.00	102,081.57	176.00			408.30

				D	eposits			
-	Reference	Tran	Plan	Number of	Amount of	Amount of	Discount	Net
Day	Number	Code	Code	Sales	Sales	Credits	Paid	Deposit
02	90001809533	D	т	40	4,897.43	.00	.00	4,897.43
03	90001819626	D	т	37	5,310.69	.00	.00	5,310.69
04	90001829707	D	т	28	3,827.02	.00	.00	3,827.02
07	90001839778	D	Т	23	4,045.34	.00	.00	4,045.34
08	90001849904	D	т	75	8,179.59	.00	.00	8,179.59
09	90001850039	D	т	37	6,842.48	.00	.00	6,842.48
10	90001860116	D	т	22	4,181.02	.00	.00	4,181.02
11	90001870176	D	Т	24	2,381.54	.00	.00	2,381.54
14	90001880245	D	Т	33	6,354.30	.00	.00	6,354.30
15	90001890354	D	Т	48	15,339.71	.00	.00	15,339.71
16	90001900452	D	Т	26	4,131.01	.00	.00	4,131.01
17	90001910495	D	Т	10	1,503.80	.00	.00	1,503.80
18	90001920530	D	Т	15	2,549,40	.00	.00	2,549.40
21	90001930581	D	Т	17	2,833.75	.00	.00	2,833.75
22	90001940640	D	т	24	3,817.09	.00	.00	3,817.09
23	90001950705	D	т	29	14,727.01	.00	.00	14,727.01
24	90001960754	D	Т	11	1,685.39	.00	.00	1,685.39
25	90001970800	D	Т	28	3,257.19	.00	.00	3,257.19
28	90001980840	D	т	04	373.37	.00	.00	373.37
29	90001990886	D	Т	28	3,793.76	.00	.00	3,793.76
30	90001000953	D	Т	21	2,050.68	.00	.00	2,050.68
	Deposit Totals			580	102,081.57	.00	.00	102,081.57

		Fees	
Number	Amount	Description	Total
		EQUIPMENT RENTAL FEE	16.12
		TRANSLINK MONTHLY FEE	7.50
		\$100,000 BREACH SECURITY COVERAGE	8.95
381		VISA ASSOC APF FEE	7.43
02		VISA MISUSE OF AUTHORIZATION SYSTEM FEE	.09
		MONTHLY STATEMENT FEE	7.50
02	11,825,19	VISA PUR STD-OTHR @ 2.95% + \$.10	349.04
19	3,292.33	VISA BUS CNP @ 2.25% + \$.10	75.98
01	199.96	VISA PURCH CNP @ 2.55% + \$.10	5.20
03	596.86	VISA BUS RETAIL @ 2.20% + \$.10	13.43
05	1,114,77	VISA SIG PREF CNP @ 2.40% + \$.10	27.25
14	2,326.83	VISA SIG PREF STD OTHR @ 2.95% + \$.10	70.04
07	144.38	VISA CPS/RTL CK DB @ .95% + \$.20	2.77
94	11,179,17	VISA CPS/RTL2 DB @ .80% + \$.25	112.93
13	3,349,40	VISA BUS STD-OTHR @ 2.95% + \$.10	100.11

	TRANSACTION CODES				
VS -VISA VL -VISA LARGE TICKET	MC -MASTERCARD ML -MASTERCARD LARGE TICKET MD -MASTERCARD DEBIT	AN CODES DS -DISCOVER DD -DISCOVER DEBIT DZ -DISCOVER BUSINESS	JC -JCB AM -AMERICAN EXPRESS	T -ALL PLANS 1 -PLAN ONE 2 -PLAN TWO	D-DEPOSIT C-CHARGEBACK A-ADJUSTMENT
	MB -MASTERCARD DEBIT MB -MASTERCARD BUSINESS M\$ -MASTERCARD CASH ADVANCE	DJ -DISCOVER JCB	EC -ELECTRONIC CHECK		B-CHARGEBACK REVERSA

# Merchant Statement

Tot		Description	Amount	Number
6.2		VISA FOREIGN STD @ 1.60%	388.92	04
55.8		VISA CPS-RETAIL 2 @ 1.43% + \$.05	3,793.63	31
170.9		VISA EIRF @ 2.30% + \$.10	7,166.31	61
280.2		VISA EIRF-US DB @ 1.75% + \$.20	14,686.14	116
55.5		VISA ASSESSMENTS	60,063.89	
88.9		MC WRLD PUB SECT @ 1.55% + \$.10	5,455.90	44
131.0		MC ELITEPUBSECT @ 1.55% + \$.10	8,208.14	38
228.6		MC ENH PUB SECT @ 1.55% + \$.10	14,572.60	28
.7		MC COMM DR1 MWB @ 2.82% + \$.10	23.15	01
11.2		MC COMM DR2 MCF @ 2.50% + \$.10	436.26	03
5.2		MC HV PUB SECT @ 1.55% + \$.10	324.42	02
3.7		MC ASSOC NABU FEE	40,604.88	202
51.8		MC BENH DR1 @ 2.77% + \$.10	1,855.16	05
99.5		MC CORP DATA RT 1 @ 2.65% + \$.10	3,669.40	23
19.0		MC PUBLIC SECTOR @ 1.55% + \$.10	1,150.02	12
50.7		MC EMERGING MKDB @ .80% + \$.25	4,909.83	46
44.6		MC ASSESSMENTS	40,604.88	
6.7		DISC PUBLIC SVCS RW @ 1.50% + \$.10	420.07	04
21.6		DISC COMM ELEC @ 2.30% + \$.10	926.37	03
2.0		DISC COMM BASE SUBM @ 2.95% + \$.10	66.36	01
1.3		DISC ASSESSMENTS	1,412.80	
3.3		VISA INTERNATIONAL ASSESSMENT	388.92	04
32.0		V/MC/DS KILOBYTE/BASEII FEES	102,081.57	580
184.2		TRANSACTION/NETWORK ACCESS FEE		737
2,359.8	Total Fees Due			

TRANSACTION/NETWORK ACCESS FEE	Tot
Discount Due	408.30
Fees Due	2,359.83
Amount Deducted	2,768.13

VISA, MASTERCARD, AND DISCOVER ASSOCATIONS PERIODICALLY REVIEW AND MODIFY THEIR INTERCHANGE AND ASSESSMENT RATE STRUCTURES AND BILLING STRATEGIES. SPECIFIC ASSOCIATION MODIFICATIONS ARE BEYOND OUR CONTROL AND WILL AFFECT ALL MERCHANT CARD PROCESSORS AND THEIR CUSTOMERS. EFFECTIVE JULY 1, 2010, VISA USA IS MODIFYING THEIR U.S. ACQUIRER SERVICE FEE (VISA ASSESSMENT FEE) BY .0175%. WE APPRECIATE YOUR BUSINESS AND WILL CONTINUE TO DO OUR BEST TO MINIMIZE THE IMPACT THESE CHANGES HAVE ON YOU AND YOUR BUSINESS.

PLAN CODES DS -DISCOVER TRANSACTION CODES VS -VISA VL -VISA LARGE TICKET JC -JCB T-ALL PLANS D-DEPOSIT MC -MASTERCARD DD -DISCOVER DEBIT AM -AMERICAN EXPRESS 1 -PLAN ONE C-CHARGEBACK DZ -DISCOVER BUSINESS DB -DEBIT 2 -PLAN TWO A-ADJUSTMENT DJ -DISCOVER JCB EC -ELECTRONIC CHECK 3 -PLAN THREE B -CHARGEBACK REVERSAL ML -MASTERCARD LARGE TICKET VD -VISA DEBIT MD -MASTERCARD DEBIT MB -MASTERCARD BUSINESS VB -VISA BUSINESS VS -VISA CASH ADVANCE MS -MASTERCARD CASH ADVANCE DS -DISCOVER CASH ADV EB -EBT

# APPENDIX 1 PROPOSER'S QUALIFICATION

5. Please indicate any exceptions or concerns taken to **IV. SCOPE OF SERVICES** (above). (Label "Attachment 5 – Exception to Scope").

6. Please provide an implementation timeline once a contract has been signed. (Label "Attachment 6 – Implementation Timeline").

.

÷

# Attachment 5 – Exception to Scope

5. Please indicate any exceptions or concerns taken to IV. Scope of Services (above)

First State Bank of the Florida Keys doesn't have any exceptions to scope of services.

First State Bank of the Florida Keys would recommend that the City of Key West review the following Rules and Regulations set by Visa, MasterCard, Discover and American Express regarding convenience fees:

# **Discount for Cash/Checks**

In card present situations, merchants are allowed to give a discount for cash. The law is written in such a manner that ensures the consumer knows the highest possible price before checkout.

# **Convenience Fee Program Overview**

Convenience fees are fees charged for taking a card outside of the normal business channel. Convenience fees allow merchants to offset the cost of accepting transactions when providing a non-traditional acceptance channel for their customers.

Only merchants with certain Merchant Category Codes are allowed to charge convenience fees. The primary target market for convenience fee allowance is municipalities, with a secondary target of educational institutions. Convenience fees are allowed on all card types but only in accordance with the regulations outlined herein.

At this time all transactions will need to be entered through the merchant's website in order to take advantage of the additional fields and to ensure cardholder consent.

# Attachment 5 – Exception to Scope Continued

# Examples of Convenience Fee Allowance

- Allowed: A merchant that accepts the majority of their transactions face-to-face may charge a convenience fee for transactions accepted via telephone or internet.
- Disallowed: A merchant charges a convenience fee for all transactions. Note: Merchants can only charge convenience fees if it provides a nontypical transaction acceptance method for the customer.
- Disallowed: A merchant to charge differing convenience fees by card type. Note: Merchants must charge the same convenience fee regardless of card type.
- Disallowed: A merchant charges a convenience fee for recurring payments Note: Merchants may only charge a convenience fee for the first payment

# **Merchant Participation Restrictions**

The following restrictions apply to all merchants participating in convenience fee acceptance:

- Merchants must be registered with MasterCard to participate in the convenience fee acceptance program.
  - To register merchants for these programs, please contact your Account Manager.
  - Visa, Discover and Amex do not require merchants to be registered at this time.
- Merchants must use a Merchant Category Code that is allowed to charge a convenience fee.
- Merchants must adhere to all requirements for participation in the program.
- Merchants must key sales to Transaction Central, or another internet gateway product approved by our Product Department. Ex: Skipjack and Authorize.net can be set up with convenience fee acceptance.

# Attachment 5 – Exception to Scope Continued

# **Convenience Fee Program Details**

# **Eligible Merchant Category Codes**

- 8211 Elementary Schools
- 8220 Colleges/Universities
- 9211 Courts
- 9222 Fines
- 9399 Miscellaneous Government Services

# **Program Support and Fee Structure**

While MasterCard allows for convenience fees to be charged as either a percent of the transaction or a fixed dollar amount, Visa will only allow fees to be assessed as a fixed dollar amount, regardless of the transaction volume. However, the associations require that convenience fees be consistent across all transactions, regardless of card type, as to not discriminate against any particular card type. Therefore, merchants wishing to assess convenience fees on both cards will need to charge their fees as a fixed dollar amount, regardless of the transaction.

If the merchant chooses to only accept MasterCard for convenience fees, then the merchant has the option of charging the *convenience fee as a percentage of the transaction*. This option means that the merchant cannot accept Visa cards through the same payment channel as the MasterCard convenience fee acceptance channel.

Convenience fees can be charged on Amex and Discover cards, as well, but the rate must be consistent with that charged for Visa and MasterCard acceptance, as to not discriminate against any card type.

- Convenience fees may not be collected for face-to-face transactions.
- Convenience fees may not be collected for recurring transactions.

# **Registration and Reporting Requirements**

Merchants that desire to participate in the convenience fee program must register with MasterCard prior to approval. At this time, only MasterCard requires merchants be registered for program participation. The registration will take approximately 1-3 business days and the bank will submit the required forms.

# **Compliance Requirements**

All merchants participating in the convenience fee program that are accepting transactions via the internet are required to be compliant with the PCI DSS. There are no exceptions to this requirement.

# Attachment 5 – Exception to Scope Continued

# **Merchant and Cardholder Notifications**

- Merchant must notify the cardholder that a convenience fee will be charged and that these two separate fees (original + convenience) will be consolidated into one transaction.
- Cardholders must be given the opportunity to opt out of the sale upon notification of the convenience fee.
- Additionally, the cardholder must consent to the fee prior to the sale

# **Transaction Structure**

Visa transaction structure:

• The convenience fee must be included as a part of the total transaction amount.

MasterCard transaction structure:

- The convenience fee may be charged as part of the total transaction amount or as a separate transaction.
- If the convenience and original amounts are run as two separate transactions, both the payment and convenience fee must be processed under the same Merchant Category Code.

# **Attachment 6 – Implementation Timeline**

6. Please provide an implementation timeline once a contract has been signed.

Implementation is immediate because we are already your current Merchant Services provider. Current operations won't be interrupted and no programming or retraining would be necessary.

The pricing quote offered would be effective the first of the month following execution of the contract.

Any additional merchant accounts added in the future would be handled quickly and efficiently by First State Bank staff as we have proven over the years.

# Please list four management-level contacts from government or large credit card accounts.

Name of Account:         Utility Board of the City of Key West - Keys Energy Services						
Phone number	(305) 295	5-1013	Name of contact	Jack Wetzler		
TitleAsst. General M	lgr & CFO	Email:	Jack.wetzler	@keysnergy.com		
Installation Date	2/24/98	Duratio	n of project	Ongoing relationship		

#### Scope of work completed \_\_\_\_

Keys Energy Services has had a banking relationship with First State Bank of the Florida Keys since 1957. We have been processing their credit card transactions since 1998 when they decided to offer this option to their customers.

Our scope of work involves the support of all terminals, online payment system, recurring billing system, automated phone payment system and we also assist KES with any customer service posting inquiries or other assistance as needed.

First State Bank also stepped in to assist KES customers by offering their Big Pine Key branch office for the acceptance of KES payments when KES closed their Big Pine Key shopping center location. This resulted in a savings to KES by the elimination of staffing needs and facility expenses.

Reference 2 Name of Account_		FI	orida Keys Aqueduct A	uthority
Phone number	(305) 295-2233		Name of contact	Denise Hull
TitleFinance Di	rector	Email:	dhull(	@fkaa.com
Installation Date	8/12/03	Duratior	n of project	Ongoing relationship

#### Scope of work completed \_\_\_\_\_

Florida Keys Aqueduct Authority has had an ongoing banking relationship with First State Bank of the Florida Keys since 1980. We have been processing their credit card transactions since 2003 when they decided to offer this option to their customers.

Our scope of work involves the support of all terminals at their Key West, Marathon and Tavernier locations as well as support for their online bill payment component. We also assist them with any questions, terminal related or online assistance or any other customer service inquiry as needed.

.

# Reference 3

Name of Accou	nt	1	Florida Keys Community College			
Phone number	(305) 80	09-3178	_Name of contact _	David Monroe		
Title Controller		_ Email: _	david.mor	nroe@fkcc.edu		
Installation Date	<b>7</b> /2/90	Duratic	on of project	Ongoing relationship		
Scope of work	completed _					

Florida Keys Community College has had an ongoing relationship with First State Bank of the Florida Keys since 1990 and we have been their merchant services provider since that time.

Florida Keys Community College has numerous terminals at various locations at their Key West, Marathon and Key Largo campus locations, along with their online payment system. Having multiple credit card payment options available to their students is a top priority of the college. First State Bank of the Florida Keys has been assisting Florida Keys Community College with terminal support, handling technical inquiries, customer service and other related assistance since 1990.

Reference Name of A				Spottswood Compa	anies,	Inc.	
Phone number		(305) 294-4840		Name of contact Rober		Robert Spottswood	
Title		ent Email:				spottswood.com	
Installation	Date _	ate Di		Duration of project		Ongoing relationship	

#### Scope of work completed

Spottswood Companies Inc. is one of the leading real estate development, property management and hospitality businesses in the Florida Keys. First State Bank has had an ongoing relationship with them and supports their merchant services needs from their lodging, restaurant, retail and property management holdings. We assist them with their many different and complex pc software systems and terminals that need to be operational 24/7. Due to bank confidentiality on a non-public entity, information on special properties, pc software systems or terminals is available verbally upon request.

#### **One-Time Fees:**

Fee Description	One Time Costs
Software	Set by software company
Software Upgrades	Set by software company
Merchant Application Fee	Waived
Set Up Fee By Processor	Waived
Internal Control & Procedures Review	<ul> <li>\$18.80 Quarterly per account for Control Scan</li> <li>OR No Fee if City provided PCI Compliance</li> <li>Certificate from any approved PCI Audit Co.</li> </ul>
Initial Training - Onsite	\$0.00
Additional Training - telephone or written training	\$0.00 Additional training can also be done on site
Other:	
Transaction Central Plus - Optional Online	\$100 Set up fee for first account
optional with Echeck & credit card processing	\$50 Set up fee for additional accounts
that can be customized to meet your needs & int	

# Product Fees: (See Appendix 3 for type of Equipment.)

Product	Model	Rental per Month	Purchase per Devise
Terminal	Hypercom 4205	\$10.75	\$239.95 + Tax
Printer	Integrated	N/A	·····
Pin Pad:	P 1300 - Optional	*\$5.00	*\$99.00 + Tax
Check Reader-Imager	Various dependant on chec	ck Volume	
Imprinter		N/A	Provided
Electronic Check Svs. Fee			
On-Line Reporting	TransLink	\$7.50	N/A
Monthly Fee/ User ID			
Wireless Equipment	Nurit 8020	N/A	\$595.00 + Tax
Supplies:	Terminal	No fee for terminal supplies	N/A
Other: Optional	**Transaction Central Plus	\$30.00	N/A
	Additional Accounts	\$10.00	N/A

\* Terminal has internal pin pad, but an external pin pad is also an option

Transaction Central Plus is a virtual terminal that lets you process credit cards or <u>checks</u> that are called in by customers. Credit card transaction process at the same rates as other card not present transactions.

Processing fee for electronic checks is .30 cents per check.

Check Imaging information will be provided after bank & city staff analyze needs & cost efficiencies

#### APPENDIX 3 COSTS

Monthly Fees: Required per Merchant Account

Fee Description	Per Item Costs	Monthly Costs	
(fees paid to Merchant)			
Account Fee	\$5.00	\$50.00 for 10 accounts	
Technical Support	\$0.00	N/A	
Monthly Statement	\$0.00	\$0.00	
Security Coverage \$100,000 Breach Insurance	Optional \$8.95 per account	\$89.50 for 10 Accounts	
Minimum Transaction			
Volume	\$10.00		
Transaction/Network Access	0.15	See Pages 17-21	
Direct Pass-through of interchange, dues, assessments, kilobyte, NABU, APF and any other card association fees.		See Pages 17-21	
Discount	0.18%	See Pages 17-21	
Other:			
Annual Administration Fee	\$25 for all city accounts	\$2.08	
Non PCI Compliance Fee	\$10 Quarterly for each account that this not completed the appropriate SAQ		

List all Additional Fees Required to Process Payment Made on-Line through the City Website

Fee Description	Per Item Costs	Monthly Costs
(fees paid to Merchant)		-
Chargebacks	\$10.00	N/A
Other: Retrieval Requests	\$0.00	N/A

#### Settlement:

Provide applicable period for deposits to City's bank accounts, i.e., 24 hours, 36 hours, 48 hours, 72 hours:

<u>Deposits post in two business days. i.e., Deposits transmitted Monday will be available Wednesday</u> <u>morning. Deposits transmitted Friday will be available Tuesday morning. Holidays delay posting one day.</u> <u>American Express discount rate and deposit posting is determined by the time frames and rates</u> <u>designated in the contract between American Express & the City of Key West.</u>

Department / Payment Type/	Monthly	City	City Customer
Equipment in use	Activity	Cost Price/Unit	Cost Price/Unit
Revenue Department / Utility			Unit price for transaction-
Payments / One swipe terminal			Unit price Transactions + monthly fees
Visa			Fee for CNP transactions
Sales # transactions	370	\$4.10	All card types
Sales Amount	\$60,063.89		Flat Rate Per Transaction
MasterCard			\$4.39 - \$4.44
Sales # transactions	202	\$4.21	Excluding Visa
Sales Amount	\$40,604.88		Charge 2.33 - 2.36%
American Express			of the transaction amount
Sales # transactions	119	\$5.55	
Sales Amount	\$29,758.35		Card Present Option
Discover			Raise Fees and
Sales # transactions	8	\$4.90	Give Cash/check
Sales Amount	\$1,412.80		Discount

CNP= Card Not Present

Department / Payment Type/	Monthly	City	City Customer
Equipment in use	Activity	<b>Cost Price/Unit</b>	Cost Price/Unit
Parking Department / Ticket			Unit price for transaction-
Payments/One swipe terminal			Unit price Transactions +
			monthly fees
Visa			Fee for CNP Transactions
Sales # transactions	307	\$1.09	All Card Types
Sales Amount	\$11,625.50		Flat Rate Per Transaction
MasterCard			\$1.33 - \$1.41
Sales # transactions	108	\$1.99	Excluding Visa
Sales Amount	\$5,756.25		Charge 2.68%-2.84%
American Express			of the transaction amount
Sales # transactions	38	\$1.51	
Sales Amount	\$2,282.10		Card Present Option
Discover			Raise Fees and
Sales # transactions	12	\$1.22	Give Cash/check
Sales Amount	\$3,445.00		Discount

Department / Payment Type/	Monthly	City	City Customer
Equipment in use	Activity	<b>Cost Price/Unit</b>	Cost Price/Unit
Building Department / Permit			Unit price for transaction-
Payments / One swipe terminal			Unit price Transactions +
			monthly fees
Visa			Fee for CNP Transactions
Sales # transactions	75	\$2.55	All Card Types
Sales Amount	\$8,621.94		Flat Rate Per Transaction
MasterCard			\$4.49 - \$4.78
Sales # transactions	25	\$10.07	Excluding Visa
Sales Amount	\$11,352.73		2.22%-2.37%
American Express			of the transaction amount
Sales # transactions	38	\$4.66	
Sales Amount	\$7,926.45		Card Present Option
Discover			Raise Fees and
Sales # transactions			Give Cash/check
Sales Amount			Discount

Department / Payment Type/	Monthly	City	City Customer
Equipment in use	Activity	<b>Cost Price/Unit</b>	Cost Price/Unit
Transfer Station/ Dumping Payments		-	Unit price for transaction-
/ One swipe terminal			Unit price Transactions + monthly fees
Visa			Fee for CNP Transactions
Sales # transactions	34	\$1.03	All Card Types
Sales Amount	\$1,230.92		Flat Rate Per Transaction
MasterCard			\$1.14-\$2.04
Sales # transactions	9	\$1.14	Excluding Visa
Sales Amount	\$318.01		2.92%-6.45%
American Express			of the transaction amount
Sales # transactions	6	\$1.77	
Sales Amount	\$369.29		Card Present
Discover	0		Raise Fees and
Sales # transactions			Give Cash/check
Sales Amount			Discount

Department / Payment Type/	Monthly	City	City Customer
Equipment in use	Activity	<b>Cost Price/Unit</b>	Cost Price/Unit
Key West Bight Marina/ Fuel Rents			Unit price for transaction-
Supplies/ Two swipe terminals			Unit price Transactions +
			monthly fees
Visa			Fee for CNP Transactions
Sales # transactions	267	\$11.30	All Card Types
Sales Amount	\$123,249.99		Flat Rate Per Transaction
MasterCard			\$13.53 to \$13.66
Sales # transactions	91	\$5.66	Excluding Visa
Sales Amount	\$21,959.17		4.36% - 4.40%
American Express			of the transaction amount
Sales # transactions	110	\$25.46	
Sales Amount	\$129,954.73		Card Present
Discover			Raise Fees and
Sales # transactions	0		Give Cash/check
Sales Amount	0		Discount

Department / Payment Type/	Monthly	City	City Customer
Equipment in use	Activity	<b>Cost Price/Unit</b>	Cost Price/Unit
Key West Bight Marina Parking/			Unit price for transaction-
Parking Payments/ Three			Unit price Transactions +
Unattended swipe stations			monthly fees
Visa			Fee for CNP Transactions
Sales # transactions	3513	\$0.38	All Card Types
Sales Amount	\$24,816.50		Flat Rate Per Transaction
MasterCard			\$.39 - \$.40
Sales # transactions	1462	\$0.41	Excluding Visa
Sales Amount	\$10,293.25		5.52% - 5.069%
American Express			of the transaction amount
Sales # transactions			
Sales Amount			Card Present
Discover			Raise Fees and
Sales # transactions	67	\$0.49	Give Cash/check
Sales Amount	\$489.50		Discount

Department / Payment Type/ Equipment in use	Monthly Activity	City Cost Price/Unit	City Customer Cost Price/Unit
Park-N-Ride / Parking Payments			Unit price for transaction-
/ One unattended pay station **			Unit price Transactions + monthly fees
Visa		·	Fee for CNP Transactions
Sales # transactions	\$1,132.00	\$0.33	All Card Types
Sales Amount	\$7,560.85		Flat Rate Per Transaction
MasterCard			\$.33- \$.37
Sales # transactions	\$68.00	\$0.34	Excluding Visa
Sales Amount	\$464.88		4.97%-5.46%
American Express			of the transaction amount
Sales # transactions	······································		
Sales Amount			Card Present
Discover			Raise Fees and
Sales # transactions	16	\$0.36	Give Cash/check
Sales Amount	138.27		Discount

Costs in this section would be offset by cost reduction in the Parking/Parking payments 24 unattended pay stations section on page 21

Department / Payment Type/	Monthly	City	City Customer
Equipment in use	Activity	Cost Price/Unit	Cost Price/Unit
Garrison Bight Marina/ Rental Ramp			Unit price for transaction-
Parking Payments / One swipe			Unit price Transactions +
Terminal			monthly fees
Visa			Fee for CNP Transactions
Sales # transactions	179	\$5.01	All Card Types
Sales Amount	\$38,751.58		Flat Rate Per Transaction
MasterCard			\$5.48 - \$5.62
Sales # transactions	62	\$6.06	Excluding Visa
Sales Amount	\$15,974.97		2.71% - 2.85%
American Express			of the transaction amount
Sales # transactions	35	\$7.17	
Sales Amount	\$11,302.70		Card Present
Discover			Raise Fees and
Sales # transactions	6	\$3.59	Give Cash/check
Sales Amount	\$961.95		Discount

Department / Payment Type/	Monthly	City	City Customer
Equipment in use	Activity	Cost Price/Unit	Cost Price/Unit
Parking / Parking Payments / 24			Unit price for transaction-
unattended pay stations			Unit price Transactions +
			monthly fees
Visa			Fee for CNP Transactions
Sales # transactions	17470	\$0.33	All Card Types
Sales Amount	\$116,734.75		Flat Rate Per Transaction
MasterCard			\$.34 - \$.35
Sales # transactions	7152	\$0.34	Excluding Visa
Sales Amount	\$48,735.15		4.97%-4.99%
American Express			of the transaction amount
Sales # transactions			
Sales Amount			Card Present
Discover			Raise Fees and
Sales # transactions	243	\$0.36	Give Cash/check
Sales Amount	\$2,127.25		Discount
Department / Payment Type/	Monthly	City	City Customer
Equipment in use	Activity	Cost Price/Unit	Cost Price/Unit
ON LINE / Parking Ticket Payments			Unit price for transaction-
and Utility payments / City Website			Unit price Transactions + monthly fees
Parking	Monthly Activity	Cost	Convenience
Visa			Fee for CNP Transactions
Sales # transactions	248	\$1.07	All Card Types
Sales Amount	10885		Flat Rate Per Transaction
MasterCard			\$1.27-\$1.32
Sales # transactions	176	\$1.35	Excluding Visa
Sales Amount	6422		
American Express			of the transaction amount
Sales # transactions			3.07% - 3.19%
Sales Amount			Card Present
Discover			Raise Fees and
Sales # transactions	7	\$6.17	Give Cash/check
Sales Amount	532		Discount
		Dealizer Eaferserand A	

Volume estimates were made by using the CNP transactions from the Parking Enforcement Account in this case the costs for this account will be offset by a decrease in transactions and costs in the current Parking Enforcement account.

Once implemented, the convenience of paying online may increase credit card usage and costs.
### APPENDIX 4 CITY OF KEY WEST EQUIPMENT

### EQUIPMENT

### CITY LEASED EQUIPMENT

7 - Hypercom Model T4205 - Swipe Card with key pad and receipt tape with dedicated phone line.

### **CITY-OWNED EQUIPMENT**

27 - CALE MP104

- The City anticipates replacing an AMANO pay station currently being used at the Park-n-Ride with 2 to 4 CALE stations within the next 3 months.
- An additional 15 CALE pay stations will be purchased next year

.

# IF BANK LOCATED WITHIN THE CITY OF KEY WEST LICENSE TAX REQUIRED NOT TO EXCEED 1,102.00

•

.

•

## CITY OF KEY WEST, FLORIDA Business Tax Receipt

This Document is a business tax receipt Holder must meet all City zoning and use provisions. P.O. Box 1409, Key West, Florida 33040 (305) 809-3955

Business Name Location Addr	FIRST STATE BANK OF THE FLACtlNbr:0002943 1201 SIMONTON ST	
Lic NBR/Class	11-00002958 FINANCIAL INSTITUTION	
Issue Date:	August 17, 2010 Expiration Date:September 30, 201	1 월 및 1 44
License Fee	\$1,102.50	
Add. Charges	\$0.00	1 12 12 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Penalty	\$0.00	
Total	\$1,102.50	in the second
Comments:		

This document must be prominently displayed.

PRIVATE CORP. STOCKHOLDER

La statut

FIRST STATE BANK OF THE FLA 1201 SIMONTON ST

KEY WEST FL 33040

### ANTI-KICKBACK AFFIDAVIT

### STATE OF FLORIDA

SS

### COUNTY OF MONROE

I, the undersigned, hereby duly sworn, depose and say that no portion of the sum herein bid will be paid to any employee of the City of Key West as a commission, kickback, reward or gift, directly or indirectly by me or any member of my firm or by an officer of the corporation.

a BY: Doria Goodrich, EVP Corporate Secretary

sworn and prescribed before me this 215T day of December 2010

NØTARY PUBLIC, State of Florida

9/24/2011 My commission expires:



#### LOCAL VENDOR CERTIFICATION PURSUANT TO CKW ORDINANCE 09-22 SECTION 2-798

The undersigned, as a duly authorized representative of the vendor listed herein, certifies to the best of his/her knowledge and belief, that the vendor meets the definition of a "Local Business." For purposes of this section, "local business" shall mean a business which:

- Principle address as registered with the FL Department of State located within 30 miles of the a boundaries of the city, listed with the chief licensing official as having a business tax receipt with its principle address within 30 miles of the boundaries of the city for at least one year immediately prior to the issuance of the solicitation.
- Maintains a workforce of at least 50 percent of its employees from the city or within 30 miles of its b. boundaries.
- Having paid all current license taxes and any other fees due the city at least 24 hours prior to the publication c. of the call for bids or request for proposals.
  - Not a local vendor pursuant to Ordinance 09-22 Section 2-798 Ô.
  - Qualifies as a local vendor pursuant to Ordinance 09-22 Section 2-798 0

If you qualify, please complete the following in support of the self certification & submit copies of your County and City business licenses. Failure to provide the information requested will result in denial of certification as a local business.

Business Name First State Bank of the Rovida Keys Phone: (305)296-8535 Current Local Address: 1201 Simonton St. Key West R (PO Box numbers may not be used to establish status) 33040 Fax: (305) 293-0482 (P.O Box numbers may not be used to establish status)

Length of time at this address 55 years Signature of Authorized Representative

STATE OF Floridg COUNTY OF MANYOE

12/21/2010 Date

The foregoing instrument was acknowledged before me this 21 gT day of December 2010. By Darig Coodrich, EVP/ Corp. Secretary of First State Bank of the Floridg

(Name of officer or agent, title of officer or agent) or has produced Known

dantification) ANNA M. BAIRD ry Public - State of Florida is Sep 24, 2011 # 00 718776 nded Through National Notary As

Return completed form with Supporting documents to: City of Key West Purchasing

Name of corporation acknowledging) KEYS as identification

Signature of Notary NNA Daira

Print, Type or Stamp Name of Notary

Assistant Vice President Title or Rank

### SWORN STATEMENT PURSUANT TO SECTION 287.133(3)(A) FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

## THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS,

1. This sworn statement is submitted to City of Key West by Doria Goodrich, EVP/Corporate Secretary (Print individual's name and title) for First State Bank of the Florida Keys

(print name of entity submitting sworn statement)

whose business address is 1201 Simonton St., Key West FL 33040 - Main Office and (if applicable) its Federal Employer Identification Number (FEIN) is 65-0790413 (If the entity has no FEIN, include the Social security Number of the individual signing this sworn statement:

- 2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), <u>Florida</u> <u>Statutes</u>, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
- 3. I understand that "conviction" as defined in Paragraph 287.133(1)(g), <u>Florida Statutes</u>, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guild, in any federal or state trial court of record relating to charges brought by indictment of information after July 01, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
- 4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), <u>Florida Statutes</u>, means:
  - 1. A predecessor or successor of a person convicted of a public entity crime; or

- 2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. the term "affiliate' includes those officers, directors, executives, partners, shareholders, employees, members and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment of income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.
- 5. I understand that a "person" as defined in Paragraph 287.133(1)(e), <u>Florida Statutes</u>, means any natural person or entity organized under the laws of any state of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
- 6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement (indicate which statement applies).

 $\boxed{\checkmark}$  Neither the entity submitting this sworn statement, or any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July, 1989.

The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 01, 1989.

The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 01, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (attach a copy of the final order).

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH ONE (1) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES, FOR THE CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

(SIGNATURE)

12/21/10

(DATE)

STATE OF\_ Florida

COUNTY OF Monroe

PERSONALLY APPEARED BEFORE ME, the undersigned authority Doria Goodrich who, after first being sworn by me, (name of individual) affixed his/her signature in the space provided above of this day of December\_\_\_\_, 2010 21st

NOTARY PUBLIC

My commission expires: 9/24/2010



### CALL FOR PROPOSALS

NOTICE is hereby given to prospective Proposers that sealed proposals will be received by the CITY OF KEY WEST by the office of the City Clerk, 525Angela Street, Key West, Florida 33040, until 3:00 P.M. December 22, 2010 for RFP# 002-11 - Merchant Services. Proposals will be opened in the office of the City Clerk then and there. Late Proposals will not be considered. SPECIFICATIONS AND DOCUMENTS may be obtained from DemandStar by Onvia at www.demandstar.com/supplier - or by calling 1.800.711.1712. One (1) original and four (4) copies of the proposal and one copy via compact disk or USB drive in PDF format are to be enclosed in two (2) sealed envelopes, one within the other, each clearly marked on the outside:

RFP #002-11 Merchant Services, addressed and delivered to: CITY CLERK CITY OF KEY WEST FLORIDA CITY HALL, 525 ANGELA STREET KEY WEST, FLORIDA 33040

At the time of the award, the successful Proposer must show satisfactory documentation of such State, County and City licenses as would be required. Any permit and/or license requirement and subsequent costs are located within the documents. The successful Proposer must also be able to satisfy the City Attorney as to such insurance coverage, and legal requirements as may be demanded by the proposal in question. The City may reject bids: (1) for budgetary reasons, (2) if the Proposer misstates or conceals a material fact in its proposal, (3) if the Proposer does not strictly conform to the law or is non-responsive to proposal requirements, (4) if the Proposal is conditional, or (5) if a change of circumstances occurs making the purpose of the Proposal unnecessary or (6) if such rejection is in the best interest of the City. The City may also waive any minor informalities or irregularities in any bid.

Published 11/24/10

SUE SNIDER, PURCHASING AGENT

### ADDENDUM NO. 1 RFP 002-11 – Merchant Services

### To All Bidders:

The following questions and answers are hereby made a part of RFP 002-11 as fully as completely as if the same were fully set forth therein:

## 1) Question - Please provide detailed information on the CALE machines, does the city maintain the machines or are they managed by a third party.

1) Answer – The City maintains the pay stations in the field with phone and online technical support from CALE Parking USA. Two of our employees have been trained by CALE as technicians. We have an extended warranty contract with them that covers all parts. We pay for processing and software support. See attached for specifications.

# 2) Question - Regarding your request for convenience fee model is this for all of your transactions for point of sale or in the future for your online transactions. Please provide on what you are assessing the convenience fee for

2) Answer – Currently the City does not assess a convenience fee. The City would like the option to process all of its payments, both present and future, through a convenience fee model and a transaction fee model. The City envisions the use of both models for its credit card processing - a convenience fee model would not be practical for the automated pay stations or in the highly competitive marine fuel environment. However, it may be practical for over the counter payments in the revenue, building and other City departments. Currently the City absorbs all merchant charges. The migration to and implementation of a convenience fee model for certain payments will be at the sole discretion of the City Commission.

## 3) Question - Anti-Kickback Affidavit can this be limited to the person signing this as we need to make alteration to this document?

3) Answer – No, the City forms have been designed for a specific purpose any alteration of this format may result in the proposals being considered non-responsive.

## 4) Question -Sworn Statement on public entity crimes can this be alter to qualified to actual knowledge of the person signing this?

4) Answer - - No, the City forms have been designed for a specific purpose any alteration of this format may result in the proposals being considered non-responsive.

### 5) Question – Who is the current card processor?

5) Answer - First State Bank of the Florida Keys/Transfirst.

15) Question - Are there particular departments the City would like to access a convenience fee?

15) Answer - See answer 2) above.

16) Question - Could you please list which Authorization Networks Sungard (HTE) Software uses to process transactions, if known? (i.e. TSYS/Vital, Buypass, etc).

16) Answer - TSYS VitalNet

17) General – Additional Questions and Answers will be posted on Demand Star and the City's web site only and will not be e-mailed to perspective bidders.

All Proposers shall acknowledge receipt and acceptance of this Addendum No. 1 by acknowledging Addendum in their proposal or by submitting the addendum with the proposal package package. Proposals submitted without acknowledgement or without this Addendum may be considered non-responsive.

ane Gibson

Kirst State Bark of the Fr. Keys Name of Business

### ADDENDUM NO. 2 RFP 002-11 – Merchant Services

### To All Bidders:

The following questions and answers are hereby made a part of RFP 002-11 as fully as completely as if the same were fully set forth therein:

### 1. Please provide the payment application that integrates with the City's CALE Point of Sale equipment?

1.Below is e-mail correspondence received from Cale.

Payment Application:

Tender Retail "Merchant Connect Multi" ver 4.2.8.

There is no separate application on the 104. The 104 communicates the encrypted information via GPRS directly to our main server. Our server handles the interface to the payment platform via MCM. (This application is often referred to as the gateway or middleware.)

Payment Platforms: (Gateways?) These are the processing platforms that are supported by MCM. \*Vital / Tsys \*FDMS / Cardnet FDMS / South-Nashville \*Paymentech \*Elavon / Nova Global East

\*Fifth Third ADS / Heartland

\* NOTE: These platforms are generally very easy to set up. The others seem to take more to get the correct information. In the case of Global, the connections to their platform seem to be problematic at times causing a higher percentage of offline transactions.

### 2. Will the City be charging convenience fees through the Click to Gov application only?

2. No, the City envisions the use of both models for its credit card processing - a convenience fee model would not be practical for the automated pay stations or in the highly competitive marine fuel environment. However, it may be practical for over the counter payments in the revenue, building and other City departments, in addition to an on-line payment processing environment such as Click to Gov. Currently the City absorbs all merchant charges. The migration to and implementation of a convenience fee model for certain payments will be at the sole discretion of the City Commission

3. Are the City's terminals leased through their existing processor or a Third Party? If leased through a third party, what is the City's intent for use of the existing terminals?

3. The City intends to buy, lease or rent terminals from the merchant service provider selected in the RFP process.

#### 4. Can we request the City of Key West RFP#002-11 in Word format?

4. The City's policy is not to provide word copies of its bid documents used in the RFP and BID process. This is done to prevent the manipulation of the contents whether intentional or through oversight.

5. Would it be at all possible to get the RFP document in a word form?

5. See 4 above

6. On page 1, Opt. g. requests to include a 'Call for Proposal' document, could you please list an explanation of where this document is located/what exactly it is?

6. It is page 29 of your RFP package it is the last page. It is simply the advertisement that was published in the local paper. This document is for informational purposes only.

7. I was wondering if I could get a copy of the statements or a summary of usage (statements would be preferred) from September '09 – March '10. I would request a longer time period, but the above dates are all that are referenced in the RFP.

7. See attached merchant statements.

8. Is a word form of the RFP available?

8. See 4 above.

9. Can you provide a list of certified payment gateways that are supported by the Cale parking system?

9. See 1 above

10 Is the provider required to support Cale and Amano parking systems during the transition off of Amano if that is not completed before the May implementation timeline?

10. CALE only

11. Does the City bill for monthly parking or marina slip rental fees? Are these recurring and can the City estimate the average fee for each?

11. Yes. Yes the city bills for slip rentals and certain "upland" leases on a monthly basis. The monthly slip rental charges amount to approximately \$189,000 for a average bill of \$800 and the monthly lease charges amount to \$197,000 for a average bill of \$5,200.

12. Can the City provide a breakdown of the number and volume of monthly residential versus commercial utility payments?

1. 3 1. Cent	Garbage	- 1 .	
	No. of accounts	To	otal charges
Residential	11600	\$	338,670.50
1. J. J. K. 4	Stormwater	,	1
Residential	11503	\$	93,343.62
Commercial	1110	\$	100,245.00
ALL BURN	Sewers		
Residential	10265	\$	410,293.65
Commercial	1411	\$	110,974.71

13. Does the City require notification of a chargeback before being debited by the merchant provider or can this occur in parallel?

13. Preferred method would be before.

14. The City is requesting pricing on check reader-imager equipment in Appendix 3 (Product Fees). Can you provide the transaction number and volume of checks currently accepted by the City (If available, by Department)?

14. The city does not employ this technology at this time. Pricing of this piece of equipment is optional at this time.

15. Would it be possible to receive word/excel versions of this RFP?

15. See 4 above.

16. Who is the City's current payment processing vendor?

16. First State Bank of the Florida Keys/Transfirst

17. What is the Payment Application used for the Amano pay stations currently in use?

17. N/A – Amano will be discontinued by implementation.

18. What is the Payment Application used for the CALE MP104 stations?

18. See number 1 above.

## 19. Would the City consider using a payment application other than Click to Gov for Online Transaction Processing?

19. Yes, the City is currently reviewing other public sector software. There is a distinct possibility that the City will be migrating to a new software vendor in the next 18 months. Therefore the City would consider using a separate payment application at this time, should the application proposed sufficiently serve the City's needs for payment processing.

20. Would the City consider integrating an alternate payment application into the Sungard (HTE) public sector software?

20. Yes based upon 19 response above.

21. May we request a copy of your latest statement?

21. See attached merchant statements.

22. Verify type of connection used for equipment. Dial Up or DSL

22. Dial Up

23. Provide 3 months of Merchant statements for each location.

23. See attached merchant statements.

24. In response to section M regarding your fees: BB&T will not invoice The City of Key West. However, The City of Key West will receive monthly statements with each locations fee. BB&T will debit the fees from their Direct Deposit Account (DDA). Will this accommodate the needs of The City of Key West?

24. Yes.

All Proposers shall acknowledge receipt and acceptance of this Addendum No. 1 by acknowledging Addendum in their proposal or by submitting the addendum with the

proposal package package. Proposals submitted without acknowledgement or without this Addendum may be considered non-responsive.

aibson Signature

First State Burk of the F. Keys Name of Business

# Transaction Central Plus Supplemental Product Information



MAIN TOPICS: About Us | Products & Services | Market Expertise | Partnerships | News | Contact | Financial Institutions | Independent Sales | Referral Partners | Health | e-Commerce | Public Sector | Municipalities | Utilities

QUICK LINKS: TransAction Central | TransLink | Merchant Login



Independent Sales | Referral Partners | Health | e-Commerce | Public Sector | Municipalities | Utilities

QUICK LINKS: TransAction Central | TransLink | Merchant Login

### **TransAction Central Screen Shot**

When convenience fees are enabled, the cardholders will see three additional fields on the transaction entry screen.

Account/Schedule Number:	(ex. 5555, 7777)
Additional Account/Schedule Number:	
Account Number:	(Account Number on the card)
Name on Account:	(Name on Credit Card)
CVV2:	
Card Holder Address:	
Zipcode:	
Phone number:	(ex. 9705551212)
Expires :	Jan (01) 🖌 2006 🗸
Amount: \$	
Convenience Fee: \$	<ul> <li>Contractor (Contractor)</li> </ul>
Total Amount: \$	
	I acknowledge that I have been informed of applicable convenience fees associated with my transaction and agree to this transaction. I understand that this
	convenience fee will be added to my transaction total.

Credit Card Information

1		
		and the second sec
Gradit C	ard Sale	
cieun c	ald Sale	
and the second second second second second		
A CONTRACT OF A CONTRACT OF A CONTRACT		
1		
TRANSAC		Home
TransFirst Agent Ban		Transaction Entry Form
Sale ForceAuth Man	ual Recur Recurring Vold Credit	View Info
Your ACH Proc	essing is set as "HOLD". Please contact PRI (888) 835-1777 ASA	P to switch to "LIVE".
	Credit Card Information _Authorization Agreemen	t
Your Ref ID field can be	Transaction Type: Credt Card  (Select Type)	
	(Credit Card, ACH)	
alpha/numeric. The merchant can decide	Account Number: (Account Number On Th	e Card)
	CVV2: (Your clients Account:	t Nama)
what to put in this field	Address of the Cardholder:	n (rang)
& search by this field in	Zipcode: Expires : Dec (12) - 2007 -	
"Reports".	Amount: \$	
	Process Date: Dec. + 14 + 2007 +	
	Place Secure Transaction	
	Transactions Processed in the Pacific Time Zone	
13		TRANCFIRCT
10	Copyright © 2007 TransFirst Holdings, Inc. All rights reserved.	TRANSFIRST*

)	7	
ACH S	Sale	Johnny User 101
		1212 Bogus Ave. Anytown, CA 9121219 PAY TO THE\$
		First Bank U.S.A.
	NNSACTION ENTRAL"	Bank Routing Number
Sale ForceAuth	gent Bank Test Account MerchantID: 10887 Manual Recur Recurring Vold	Credit
	CH Processing is set as "HOLD". Please contact PRI (88)	
	ACH-Checking/Saving Information	Authorization Agreement
	Transaction Type: ACH-Checking Account (Select (Credit Card, ACH)	Гуре)
	Your Ref ID: Account Number: (Your Clients	Bank Account Number)
	Name on Account: (Your clied	its Account Name)
	Description: A5 Test Desc Date: 121407	
	Bank Routing No:	
	Amount: \$ Process Date: Dec 14 2007 -	
Note: ACH Acc	ount orders can only be accepted for United States banks. Orders di	awn on accounts with non-US banks will be rejected.
	Place Secure Transaction	
	Transactions Processed in the Pacific T	ime Zone
4	Copyright © 2007 TransFirst Holdings, Inc. All r	ights reserved. TRANSFIRST

### **Recurring Payments** TRANSACTION Home ENTRAL Logout TransFirst Agent Bank Test Account MerchantID: 10887 Add Recurring Form Manual Recur Recurring Receipt Text View Info OT INCOM Your ACH Processing is set as "HOLD". Please contact PRI (888) 835-1777 ASAP to switch **Billing Cycle** Transaction Type: Credit Card (Select Type) **Options:** (Credit Card, ACH) Billing Type: Automatic + **Bi-weekly** Account Number: Name on Account: Every 4 weeks Expires : Dec (12) - 2007 -Card Holder Address: Every 8 weeks Zip Code: Billing Cycle: Monthly Monthly -Number of Payments: 0 Use zero (0) for continuous payments. Quarterly Recurring Payment Date: Jan - 14 - 2008 -Amount: Weekly Your RefID: Rong Pmnt (May be changed to your unique RefID ) Yearly Add Recurring Transaction Transactions Processed in the Pacific Time Zone **TRANSFIRST**<sup>®</sup> 15 Copyright © 2007 TransFirst Holdings, Inc. All rights reserved.

# **Manual Recur**

