



TEXAS ASSOCIATION *of* COUNTIES COUNTY INFORMATION RESOURCES AGENCY

AGREEMENT TO PARTICIPATE IN THE CIRA ELECTRONIC PAYMENTS PROGRAM

1. CIRA'S Role.

CIRA Members expressed an interest in implementing an Electronic Purchasing Program in order to help Member counties accept credit card and electronic check payment for fees, fines, taxes and other amounts due county offices. As part of its mission to assist its Members in all areas of technology, CIRA is authorized to facilitate cooperative purchasing of technology items and services. In furtherance of this mission, CIRA issued a Request for Proposal consistent with the requirements of Local Government Code Section 262.030. After preparing the request for proposal and analyzing the responses, CIRA identified two electronic payment (e-pay) vendors and negotiated terms for CIRA Members.

2. Available Electronic Payment Services.

CIRA Members, by contracting directly with the e-pay vendors, now have the ability to accept credit card payments and electronic checks for any amount due to any county office – at no charge to the county. The e-pay vendors offer additional for-pay services, but the Member has no obligation to use any for-pay services. Once the Commissioners Court approves this contract and a contract with an e-pay vendor through CIRA's Electronic Purchasing Program, any county office that chooses to do so may accept electronic payments.

3. Convenience Fees.

As provided in the agreement with the e-pay vendors, individuals making electronic payments to the Member will pay a convenience fee.

4. Compensation of e-pay vendors and CIRA.

Member approves and authorizes the e-pay vendor to collect convenience fees from individuals making electronic payments and share a portion of its convenience fee with CIRA. This portion of the fee will compensate CIRA for the services it provided to its Members in conducting the RFP process, negotiating terms with each vendor and establishing the CIRA Electronic Payments Program. The County has no further obligation to CIRA.

5. Compliance with Payment Card Industry (PCI) Standards.

By accepting credit cards for payment, Member will be subject to applicable PCI rules and standards, including security standards designed to prevent fraud. Member understands that it may be subject to fines or penalties for failure to comply with those standards. Under no circumstances and under no legal or equitable theory, whether in tort, contract, negligence, strict liability or otherwise, shall CIRA or any of its affiliated companies, employees, directors, officers, agents, vendors or suppliers be liable to a member or to any other person for any indirect, special, incidental or consequential losses or damages of any nature arising out of or in connection with the use of or inability to use electronic payment services.

6. Member’s Relations with Selected Vendor.

The Member’s obligation to the e-pay vendor and e-pay vendor’s obligations to the Member will be set forth in the Agreement between the Member and e-pay vendor. CIRA is not a party to and cannot and will not enforce the contract between the Member and vendor.

7. CIRA’s Additional Obligations.

Revenue received from the Electronic Payments Program will be used to continue to assist CIRA Members in all matters related to technology.

AGREED to and ADOPTED by the Commissioners Court of _____ County on the _____ day of _____ 201_ and executed by the undersigned authorized member of its governing body.

Upon signing agreement, send to TAC CIRA via one of the methods listed below.

By email: support@cira.state.tx.us

By fax: Attn: TAC CIRA Manager
(512) 479-1807

By mail: Attn: TAC CIRA Manager
1210 San Antonio Street,
Austin, TX 78701

AGREED TO BY CIRA on the _____ day of _____