

AGENCY PARTICIPATION AGREEMENT  
FOR ELECTRONIC FUNDS TRANSFER SERVICES

This Agency Participation Agreement (APA) for Electronic Funds Transfer Services ("Agreement") is entered into between \_\_\_\_\_ ("Participating Entity"), the Office of the State Controller, ("OSC"), the Department of State Treasurer (DST) and Bank of America ("Bank") as of June 24, 2013.

WHEREAS, on 06-24-2013 selected vendor entered into a Master Services Agreement (Contract No. ITS-007062) with the State to provide a variety of electronic funds transfer services to eligible participating entities (hereinafter referred to as "Participants;" and

WHEREAS, the above referenced Participant desires to subscribe to certain services ("Subscribed Services") available under the Master Services Agreement (MSA);

NOW THEREFORE, The parties to this Agreement hereby agree as follows:

1. Bank hereby agrees to provide Subscribed Services to the Participant pursuant to the terms and conditions of the Master Services Agreement, which are incorporated herein by reference.
2. Participant acknowledges receipt of a copy of the Master Services Agreement and agrees to be bound by the terms and conditions therein.
3. Participant represents that it has obtained approval from the Office of the State Controller (OSC) to enter into this Agreement, as evidenced by the signature of the State Controller or his designee in this Agreement.
4. Participant agrees to abide by all policies promulgated by the Office of the State Controller pertaining to Electronic Commerce, specifically for electronic funds transfer.
5. Participant agrees to abide by all applicable Operating Rules of the National Automated Clearing House Association (NACHA).
6. Participant and Bank each agrees to the method of payment for all Subscribed Services provided in accordance with the Master Services Agreement, as designated below:  
  
    \_\_\_\_ Participant will pay for Subscribed Services billed by Bank; or  
    \_\_\_\_ Participant will make arrangements for the Department of State Treasurer to pay for the Subscribed Services. (Must be approved by Department of State Treasurer.)
8. Either party may terminate this Agreement at any time before the expiration of the Master Services Agreement by giving the other parties one hundred twenty

(120) days prior written notice. This agreement shall automatically terminate upon termination of the Master Services Agreement.

\_\_\_\_\_  
(Name of participant)

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Note: Execution by DST not required for Non-State Agency Participants**

**Department of the State Treasurer, State of North Carolina**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Office of the State Controller, State of North Carolina**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Bank of America**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_