Commonwealth of Massachusetts
OFFICE OF THE COMPTROLLER
One Ashburton Place, 9th Floor
Boston, Massachusetts 02108
(617) 727-5000
macomptroller.org

William McNamara
Comptroller

Using Docusign for Forms W-9 and Electronic Funds Transfer (EFT) Authorization Forms

Effective: 9/21/2020

Executive Summary

This document is a resource for both Commonwealth Departments and Vendors doing business with the Commonwealth, offering guidance on the use of Docusign for Forms W-9 and Electronic Funds Transfer (EFT) Authorization Forms for electronic signature and submission.

Considerations

The Office of the Comptroller (CTR) is the tax clearinghouse for the Commonwealth and is responsible for accurate state and federal tax reporting for all reportable expenditures made by the Commonwealth. Departments must implement sufficient internal controls to verify that all vendor information submitted to CTR is accurate and complete. The use of electronic signatures is meant to improve the customer experience when filling out and submitting CTR forms, to cut down on the cycle turn-around time, and provide data integrity thus creating efficiencies.

Policy

Departments must obtain a completed Form MA W-9 to register a vendor and whenever there is a change to the vendor's legal name, legal address or federal Tax Identification Number (TIN). Electronic Fund Transfer (EFT) is the method that the Commonwealth uses to issue payment to vendors. Please refer to the CTR Vendor / Customer File and Form W-9 Policy for more detailed information.

Pursuant to M.G.L. c. 110G, electronic signatures have the same legal effect as pen-and-ink signatures, as long as they're executed through a process, like Docusign's, that clearly establishes the intent to sign and ensures all legal elements of proof. Docusign represents that its comprehensive electronic signing product is fully compliant with all relevant legislation and guidelines including the federal ESIGN act, state laws modeled after UETA, FFIEC guidelines for financial institutions, and Gramm-Leach-Bliley.

Docusign Procedures

Only a web browser and email address are needed to use Docusign; no account is needed. The forms are accessible and can be completed using either a PC or mobile device. CTR has elected to use the PowerForm method for completing these forms. Below are some key terms to familiarize yourself with when using DocuSign.

- **Envelope**: a container or "package" that is used to send documents to recipients and manage transactions.

- **Template**: a pre-set envelope with official CTR forms, set recipient roles, tabs, and other business logic. Templates are reusable blueprints for any DocuSign workflow you do repeatedly.
- **PowerForm**: a template that is accessed from a unique, secure URL.

Verification

EFT or banking information should be personally validated with an authorized signatory of the vendor. Authorized signatories should be on file with the contract as part of the Contractor Authorized Signatory Listing (CASL) Form. Please see the verification steps below:

- Departments must ensure that they speak with an authorized signatory with the authority to make changes.
- Use the contact number that you have on file, not the contact information provided as part of a change request.
- Call and speak with the person that is on file as an authorized signatory.

After the Department has verified that the request to submit a Form W-9 or EFT Authorization Form is coming from an authorized source, the Department kicks off the process using Docusign to submit a Form W-9 or EFT.

Workflow

Workflow has been created to ensure that the process flows smoothly. The requirements for workflow are the name and email address for each of the three roles outlined below. The names need to include both the person's first and last name. The email addresses should be the work email addresses that the person can access.

1. **Commonwealth Department Sender**: This is the first role in the process and is the person who is initiating the DocuSign process.
2. **Vendor**: This is the person that the Department has verified, who will be filling out the W-9 and EFT. If this person is an authorized signatory, they will be signing the forms as well. If not, please see Assign to Someone Else section below for further instruction.
3. **Commonwealth Department Reviewer**: This is the person at the Department who is responsible for reviewing the W-9 and EFT form and then submitting the Vendor/Customer Entry (VCC) or Vendor Customer Modification (VCM) into the accounting system. This person does not have to be the same as the first role, but can be.

After each person completes their role, the form will automatically be sent to the next person to complete their tasks. After the Commonwealth Department Reviewer has completed their part, the Form W-9 or EFT Authorization Form will be sent electronically to the Office of the Comptroller for review and processing by the Vendor Customer Team.

When using DocuSign, it is imperative that the user pay attention to detail because if information is entered incorrectly, the process will need to be restarted. Misdirected forms may also result in improper disclosure of PII (Personally Identifiable Information).

Electronic Signatures

The Office of the Comptroller has elected to accept two types of electronic signature via DocuSign. A signer can either draw their signature using a mouse or finger if working from a touch screen device; or

can upload a picture of their wet signature. The typed text of a signature is not an acceptable form of electronic signature.

Signers for the Vendor must be listed as an authorized legal representative for the Vendor as indicated on the Contractor Authorized Signatory Listing (CASL). Departments are responsible for reviewing the CASL to ensure the signer is an authorized signatory.

Notifications

Notifications will be sent via email throughout the process. Both the Department and the Vendor will receive an email notification once the form has been completed and been routed to the Office of the Comptroller for review. However, if the user has their own account with DocuSign and has changed their notification settings, this may result in no notification being sent and the user will need to login to their DocuSign account in order to view the envelopes. Please do not reply to the system generated emails.

Envelope Expiration

Once the DocuSign process is initiated, an envelope is created and will remain active for 21 calendar days before it expires. This means that the envelope needs to be completed with all required signatures and sent to the Office of the Comptroller within 21 calendar days. If the process is not completed, the envelope will expire and the process will need to start over.

Assign to Someone Else

If the contact person for the Vendor is not an authorized signatory, then the person in the second role, Vendor, has the ability to assign the envelope to someone else. When in the form, select other actions and then choose "Assign to Someone Else" and fill in the required information. This feature can also be used by the Commonwealth Department Reviewer.

Decline to Sign

If the W-9/EFT process has been initiated in error, has the wrong contact information for the workflow, or no longer needs to be completed, then whomever is the current signer in the process (either the Vendor or Commonwealth Department Reviewer) can select other actions and choose "Decline to Sign." This will void the envelope and stop it from advancing. Alternatively, the envelope can be left to expire (after 21 days), which will also void the envelope and stop it from advancing.

Record Management

Departments are responsible for managing their own records in accordance with 815 CMR 10.00 Records Management of Bills, Vouchers and Contracts and appropriate records retention schedules. Departments can obtain the most current records retention schedules, guidelines for documenting record keeping systems, procedures, and relevant forms from Records Conservation Board Schedules and Requirements. While an electronic copy of the completed form is shared with the Comptroller's Office, Departments are responsible for storing electronic forms, including W-9s and EFTs, completed via DocuSign in a secure environment.

Internal Controls

The Docusign forms can only be accessed via the CTR Intranet. In order to access the PowerForm (secure link), users must be behind the MAGNet firewall. Departments are responsible for ensuring they are following proper internal controls including the verification of an authorized signatory. If

Departments and or Vendors fail to comply with the guidelines contained in this document, the Office of the Comptroller, reserves the right to reject documents that have been submitted.

Per Docusign materials, the Docusign process is maintained in secure facilities, a SAS 70 type II data center. All agreements are encrypted, and each signer is assigned a unique Globally Unique Identifier (GUID) – a 128-bit number in hexadecimal form. AES 256-bit encryption at the application level for customer documents to ensure confidentiality. To read more about Docusign's security for electronic signature please visit this page: https://www.docusign.com/trust/security/esignature.

Information Sources

Please see the Docusign W-9 and DocuSign EFT Job Aids for more detailed information and step-by-step instructions regarding this process.

If you have questions about using DocuSign, please reach out to the CTR Solution Desk (comptroller.info@mass.gov) for assistance.

- Legal Authority – M.G.L. c. 110G, M.G.L c. 7A, s. 7 and M.G.L. c. 7A, s. 8.
- Links
    - CTR Electronic Signatures
    - CTR Resources for Vendors
    - Vendor / Customer File and Forms W-9 Policy
- Contacts – CTR Solution Desk
- MAComptroller.org