


<b>POLICY TITLE: Grantmaking</b>		<b>PAGE 1 OF 9</b>
	<b>CHILD AND FAMILY SERVICES AGENCY</b> <b>Approved by: <u>Rogue Gerald</u></b> Agency Director  <b>Date: <u>March 5, 2010</u></b>	<b>REVISION HISTORY:</b>
	<b>LATEST REVISION:</b> March 4, 2010	

<b>I. AUTHORITY</b>	<p>The Director of the Child and Family Services Agency (CFSA) adopts this policy to be consistent with the Agency's mission and applicable Federal and District of Columbia laws and regulations, including: the Child and Family Services Establishment Act February 2007, D.C. Official Code § 4-1303.03; 1 DCMR sec. 5000 et. seq.; 29 DCMR sec. 8200 et. seq.; Office of Management and Budget (OMB) Circular A-102 and A-133; City-wide Grants Manual and Sourcebook, Office of Partnerships and Grants, Executive Office of the Mayor; Mayor's Order 2009-228; and the LaShawn A. v. Fenty Amended Implementation Plan (February 2007).</p>
<b>II. APPLICABILITY</b>	All CFSA employees with grant-related functions
<b>III. RATIONALE</b>	<p>The Director of the Child and Family Services Agency, or his or her designee pursuant to D.C. Official Code sec. 4-1303.03(a-1)(3A), is authorized to issue grants to community and neighborhood-based groups for programs that deliver prevention and intervention services.</p> <p>The Agency shall not be substantially involved in the activity so supported or stimulated; and the Agency is not acquiring any property or service of direct use to the District government.</p> <p>As an Agency of the District of Columbia government, CFSA is required to adhere to the District's guidelines, policies and procedures issued to its grantmaking entities for the purpose of promoting effective, efficient, and consistent use of and accounting for available grant funds. These guidelines are issued in the City-wide Grants Manual and Sourcebook (December 2009) and grants issued by CFSA (except block grants, formula grants or sub-grants) shall comply with the City-wide Grants Manual and Sourcebook. While compliance is not required, block grants, formula grants or sub-grants should comply with the City-wide Grants Manual.</p>
<b>IV. POLICY</b>	<p>It is the policy of the Child and Family Services Agency to establish guidelines and procedures that advise its staff with grant-related functions. CFSA assures that these guidelines are in compliance with all policies and procedures of the City-wide Grants Manual and Sourcebook.</p> <p>These policies cover activities from the availability of the grant up to and including the monitoring and auditing of grant activities.</p> <p>CFSA ensures, by issuance and implementation of this grants policy, fiscal accountability and the prevention of waste, fraud, and abuse in programs administered pursuant to the Executive Order.</p>

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<b>VI. ATTACHMENTS</b>	<b>A.</b> Definitions
<b>VII. PROCEDURES</b>	<b>Procedure A: CFSA Grantmaking</b>  1. Grant Coordinator  The Director of CFSA shall appoint a Grant Coordinator, who will serve as the agency's point of contact for the agency's grant-making activities. The Grant Coordinator shall be conversant with (1) the uniform administrative requirements for grants; and, (2) the local provisions governing subgrants and the subrecipient monitoring manual.  2. Appearance of Conflict of Interest  CFSA shall ensure that no individual in a decision-making capacity shall engage in any activity, including participation in the selection of a grantee, the administration of an award, or an activity supported by award funds, if the <b>appearance of a conflict of interest</b> would be involved.  An appearance of a conflict of interest would arise when the individual, any member of the individual's immediate family, the individual's partner; or an organization that employs, or is about to employ, any of the aforementioned, has a financial or personal interest in the firm or organization selected for grants or subgrants. The officers, employees, or agents of CFSA and Review Panel members making the awards will neither solicit on behalf of themselves, their immediate family members, their partners, or any organization that employs or is about to employ any of these people, nor accept gratuities, favors, employment, or anything of monetary value from grantees, potential grantees or applicants.  The Grant Coordinator shall analyze each planned grant or subgrant process in order to identify and evaluate potential conflicts of interest as early in the grantmaking process as possible, and shall seek counsel from the District's Ethics Officer, when appropriate.

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	<p>3. Records and Disputes</p> <p>CFSA shall maintain records sufficient to detail the significant history of each award. Where applicable, these records shall include, but are not limited to, the following: solicitations, evaluation criteria and materials, rationale for the method of the award, selection of agreement type, grantee selection or rejection, and the basis for the award amount. CFSA shall keep such records for a period that is the greater of; 1) three (3) years, or 2) the time required by the applicable law, regulation or agreement governing the funding of such grant.</p> <p>Where applicable, CFSA shall refer to 29 DCMR 8215 (Informal Dispute Resolution) to receive, administer and resolve disputes relating to their award(s). All applicants and potential recipients shall be made aware of these procedures in the Request for Applications (RFA).</p>
	<p><b>Procedure B: Pre-Award Process</b></p> <p>1. Prior to the award of any grant or subgrant, CFSA's Contracting and Procurement Administration (CPA) shall assure that every grantee:</p> <ul style="list-style-type: none"> <li>a. Submits an affidavit indicating whether the entity has complied with the filing requirements of District of Columbia tax laws, and whether the entity has paid taxes due to the District of Columbia, or is in compliance with any payment agreement with the Office of Tax and Revenue (OTR). The affidavit shall be in a form approved by the Director of the OTR and shall acknowledge the penalty provided by law for making false statements;</li> <li>b. Obtains certification from OTR that the entity has complied with the filing requirements of District of Columbia tax laws, and that the entity has paid taxes due to the District of Columbia, or is in compliance with any payment agreement with OTR;</li> <li>c. Submits an affidavit indicating that they are current on all taxes, including Unemployment Insurance and Workers' Compensation premiums and;</li> <li>d. Not be debarred from procurements by the federal government, the Government of the District of Columbia or any governmental entity.</li> </ul> <p>2. All local or federal grants and subgrants to grantees shall be made on a competitive basis. The exceptions to making competitive awards are as follows:</p> <ul style="list-style-type: none"> <li>a. Sole Source: CFSA may make an award on a sole source basis in appropriate circumstances. These circumstances include, but are not limited to, situations where: (1) the authorization for the award designates the grantee, (2) the applicable law defines eligibility in such a way that there is only one eligible applicant, (3) there is a recognized coalition of service providers through which the broadest community participation may be obtained in serving the targeted clientele, or (4) when the services required by CFSA are available from only one source and no other type of services will satisfy CFSA requirements.</li> </ul>

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	<p>b. Earmark: An earmark is a sole-source award intended by the law that created it to go to a particular entity. CFSA may make an award as an earmark if the same is clearly contemplated by the legislation or Agreement that provides the grant funds.</p> <p>c. Unsolicited Proposal: CFSA may make an award in response to an unsolicited proposal if: (1) CFSA has unobligated funds remaining from the grant due to unusual and unanticipated factors, (2) the applicant has a program or project that clearly furthers the purpose of the grant, (3) the proposal reflects proprietary skills or technology that are limited in availability, and (4) the applicant brings to the total grant program matching resources (cash or in-kind) equivalent to the match assistance required, if any.</p> <p>3. If CFSA awards an earmark, sole source or unsolicited proposal, it is not necessary to use a review panel. CFSA shall internally evaluate and score any sole source or unsolicited proposal using the same criteria that would have been applied to a competitive solicitation. CFSA shall prepare a written “sole source justification” memorandum signed by the Director of CFSA explaining the circumstances that justified the absence of competition.</p> <p>4. With the exception of earmarks and grants exempted by a decision of the waiver committee, the Agency shall establish standards for grantees in making determinations of demonstrated performance prior to the award of all grants and subgrants. The standards shall require that determinations of demonstrated ability to perform be in writing and completed prior to the award of a grant or subgrant. Awards are to be made to organizations or individuals possessing the demonstrated ability to perform successfully under the terms and conditions of a proposed grant or subgrant. Determinations of demonstrated performance shall be in writing and take into consideration items contained in Section 8.3 of the City-wide Grants Manual and Sourcebook (December 2009).</p>
	<p><b>Procedure C: Notice of Funding Availability (NOFA)</b></p> <p>1. The Grant Coordinator shall prepare a Notice of Funding Availability (NOFA) and forward to CFSA’s Contracting and Procurement Administration (CPA). The NOFA shall include a brief description of the purpose for which funds are available, criteria for eligible applicants, and the time and location at which the Request for Application (RFA) may be obtained and submitted.</p> <p>2. CFSA’s CPA shall forward the NOFA to the District’s Office of the Secretary (Office of Documents and Administrative Issuance) for publication in the D.C. Register no later than 14 days prior to the release of the RFA, and also to the Office of Partnerships and Grant Services.</p>

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**Procedure D: Request for Application (RFA) process**

**Preparation of RFA**

1. The Grant Coordinator shall prepare the RFA and it shall include:
  - a. A description of the purpose of the program, including a definition of the type and range of services or activities that a grantee or subgrantee shall carry out under a grant or subgrant, and shall specify the time period for which all services will be funded and any special requirements emanating from the authorizing statute, federal grant agreement or regulations.
  - b. Where applicable, the criteria for scoring applications including, but not necessarily limited to: justification of the need for grant funds, if desirable; soundness of proposed service delivery plan; adequacy and reasonableness of proposed resources; and, required and demonstrated capability for managing the proposed project.
  - c. A thirty (30) day deadline for submitting applications, unless circumstances warrant a different timeframe. The CFSA Director may shorten or extend the time in the RFA within which applicants may submit a response to the RFA.
  - d. Additional terms and conditions contained in Section 7.2 of the City-Wide Grants Manual and Sourcebook (December 2009) shall be included in the RFA,
2. The Grant Coordinator shall submit the RFA to the Office of the General Counsel (OGC) for review for legal sufficiency prior to the finalization of the RFA.
3. Following approval by the OGC, the Grant Coordinator shall submit the RFA to the CPA.

**Notification**

1. Upon receipt of the completed RFA, the CPA shall forward the document to the following for posting on their respective websites:
  - a. District of Columbia Office of Partnerships and Grant Services (OPGS);
  - b. District of Columbia Office of Documents and Administrative Issuances (ODAI); and
  - c. CFSA Public Affairs Specialist.
2. The CPA shall send notification to bidders from the "Bidders List" who render services similar to those being requested in the RFA, and to secure any relevant provider email addresses that may benefit from the notification.

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	<p><b>Receipt of Applications</b></p> <ol style="list-style-type: none"> <li>1. Completed applications are returned to the CPA (an original and three (3) copies). All RFAs are reviewed by the CPA for compliance according to the RFA Checklist.</li> <li>2. The CPA forwards the original application and three (3) copies and completed checklist(s) to the Grant Coordinator.</li> <li>3. Prior to the application receipt deadline, the Grant Coordinator shall prepare the following RFA evaluation documents: <ol style="list-style-type: none"> <li>a. Composite Narrative Evaluation template;</li> <li>b. Evaluation Report template;</li> <li>c. Instructions;</li> <li>d. Name of Technical Evaluation Chairperson and Panel Members; and</li> <li>e. Technical Evaluation Rating Summary template.</li> </ol> </li> <li>4. The Grant Coordinator maintains the original applications throughout the review period (Procedure E).</li> </ol>
	<p><b>Procedure E: Review Panels</b></p> <ol style="list-style-type: none"> <li>1. After the NOFA has been published and the RFA released, the Grant Coordinator shall select a review panel to review each application to determine if it meets the requirements that apply to the particular grant. The panel shall be comprised of a minimum of three individuals, but no more than five, with knowledge and expertise of the objectives of the grant and RFA, as well as in the administrative requirements mandated by the source of funds.</li> <li>2. The recommendations of the review panel are advisory only, and are not binding on the Director of the CFSA. The final decision on awards is vested solely with the Director of CFSA or his/her designee. The Director's decision is final and shall not be appealed.</li> <li>3. All materials received by CFSA or a panel member from any applicant shall be protected, treated as confidential, and used only for purposes of evaluating the applicant's proposal.</li> <li>4. Additional terms and conditions contained in Section 8.1 of the City-Wide Grants Manual and Sourcebook (December 2009) shall be followed concerning review panels and panelists.</li> </ol>
	<p><b>Procedure F: Certification and Documentation</b></p> <p>Before an award can be given final approval and deemed formally awarded, a Certification must be obtained for all proposed awards within a fiscal year. This Certification will be issued by the Grant Coordinator, indicating that grant amount has been appropriated and budgeted for the fiscal year, and shall be approved by the Office of the Chief Financial Officer. This process is set forth in Section 8.7 of the City-wide Grants Manual and Sourcebook (December 2009).</p>

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**Procedure G: Notice of Intent to Award and the Grant Agreement**

1. The CPA shall notify in writing each applicant whose application was not selected for award prior to the notification to the successful applicants.
2. The CPA shall prepare the award documents to the successful applicants (the grantee or subgrantee). The documents shall include: a transmittal letter and a Notice of Intent to Award that contains the terms and conditions that must be met prior to the award and execution of a grant agreement.
3. The CPA shall forward the Notice of Intent to Award document to the grantee or subgrantee.
4. Upon acknowledgement by the CPA of the Notice of Intent to Award letter, the Grant Coordinator shall prepare the grant agreement. The grant agreement shall include: the terms and conditions that apply to the award, any special conditions and performance standards that may apply, any available forms for reporting programmatic and financial activities and to request funds and any conditions for amendment and/or termination of the grant or subgrant; and other information listed in Section 10.1 of the City-wide Grants Manual and Sourcebook (December 2009).
5. The terms and conditions stated in the grant agreement shall specify the administrative requirements to which the grantee must adhere.
6. The Grant Coordinator shall forward the grant agreement documents to the OGC for legal sufficiency determination prior to dissemination.
7. Upon OGC approval, the Grant Coordinator shall forward the grant agreement documents to the respective Grant Monitor (an individual identified by the Program Administrator under which the grant-funded program operates), who will forward to the grantee or subgrantee. The Grant Monitor shall be responsible for obtaining grantee/subgrantee signature(s) on the grant agreement.
8. Upon receipt of the signatures of the grantee/subgrantee, the Grant Monitor shall forward the signed copies to the CPA for the signature of CFSA's Chief Contracting Officer.
9. The CPA shall forward an executed copy to the Grant Coordinator, the Grant Monitor, and the grantee/subgrantee.

**Procedure H: Management**

1. CFSA shall conduct and document oversight to ensure compliance with the District's or the original Grantor's award requirements.
2. It shall maintain an administrative and monitoring system that ensures that all grantees perform in accordance with the terms, conditions, and specifications of their grants or subgrants. The system shall include monitoring activities to check for fiscal and programmatic compliance, as may be required by the terms of the grant or set forth by the Agency Director.

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	<p>3. CFSA shall establish the official records of awarded grants or subgrants. CFSA shall incorporate into the award files and retain the records of all awarded applications and subsequent reports for a period that is the greater of: three (3) years, or the time required by the applicable law, regulation or agreement governing the funding for such grant. The active retention period for funds awarded under federal grants is governed by applicable federal regulations.</p>
	<p><b>Procedure I: Monitoring</b></p> <ol style="list-style-type: none"> <li>1. CFSA’s monitoring system is designed to determine the level of compliance with Federal, District, and/or Agency requirements by each grantee/subgrantee and identify specifically whether the grantee/subgrantee’s operational, financial and management systems and practices are adequate to account for program funds in accordance with Federal, District, and/or Agency requirements.</li> <li>2. Monitoring staff shall have duties that are separate from program and fiscal management, technical assistance or any other function related directly to grant administration. This separation of duties allows for the independence and objectivity of the monitoring staff. Monitoring duties will be the responsibility, separately, of the respective Grant Monitor and the Contracts Specialist.</li> <li>3. Every grant must have appropriate monitoring mechanisms to comply, at minimum, with the requirements outlined in the District’s Subrecipient Monitoring Manual.</li> </ol>
	<p><b>Procedure J: Reports</b></p> <ol style="list-style-type: none"> <li>1. CFSA shall require, at minimum, that each grantee submit an annual performance report unless the grant agreement requires more frequent reports.</li> <li>2. The grantee's final performance report shall be due ninety (90) days after the expiration or termination of grant support.</li> <li>3. The Grant Monitor may waive the requirement for any performance report which is not needed, except the final report.</li> <li>4. The monitoring staff shall prepare written reports to communicate its findings and concerns to their direct supervisor and the Grant Coordinator regarding the grant awards that it reviews. The monitoring reports must document observations in the areas of internal controls and financial reporting. The Grant Coordinator shall be responsible for elevating any findings and concerns to senior leadership, if applicable. Such reports shall be maintained in the files and made available for audit purposes, upon request. Completed monitoring reports shall include the requirements set forth in Section 11.4 of the City-wide Grants Manual and Sourcebook (December 2009).</li> <li>5. CFSA shall annually report all grantmaking activities to the Office of Partnerships and Grant Services, as requested.</li> </ol>

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**Procedure K: Auditing**

1. All entities that receive a grant or subgrant from CFSA should expect to be audited in connection with the close-out of that grant. CFSA’s monitoring report, which contains its risk assessment of that entity, will determine what kind of financial statement will be required of that grantee or sub-grantee.
2. Each grantee shall have an annual audit performed by an auditor who is independent from the staff person who authorizes expenditure of project funds.
3. Whenever an audit shows that an expenditure not allowable under the grant has been charged to the grant or that the grantee has otherwise failed to discharge its obligation to account for the expenditure of grant funds, the Grant Monitor shall disallow the expenditure of the funds.

**Close-out**

1. The Grant Monitor shall close-out the grant when he or she determines that all applicable administrative actions and all required work of the grant have been completed.
2. Upon termination or close-out of the grant, the Grant Monitor shall promptly provide an accounting of the funds expended, obligated, and remaining under the grant to the Child and Family Services Agency Chief Financial Officer. Within ninety (90) days after expiration or termination of the grant, the grantee shall submit all financial, performance, and other reports required as a condition of the grant. The Grant Monitor may extend this deadline upon request of the grantee; a request does not obligate the Grant Monitor to approve the extension.

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## APPENDIX A: DEFINITIONS

(Taken from City-wide Grants Manual and Sourcebook , December 2009  
Office of Partnerships and Grant Services)

<b>Award</b>	Financial assistance that provides support or stimulation to accomplish a public purpose. Awards include grants and other agreements in the form of money or property in lieu of money, by District agency to an eligible recipient. The term does not include: technical assistance, which provides services instead of money; other assistance in the form of loans, loan guarantees, interest subsidies, or insurance; direct payments of any kind to individuals; and contracts which are required to be entered into and administered under the OCP procurement regulations.
<b>Closeout</b>	Process by which the awarding agency determines that all applicable administrative actions and all required work of the award have been completed by the recipient and the awarding agency.
<b>Contract</b>	Agreement entered into by the awarding agency, recipients or sub-recipients, and commercial (profit-making) and nonprofit organizations. With the exceptions of a few sole-source situations, contracts are awarded via competitive processes to procure a good or service.
<b>Earmark Grants</b>	Earmark grants are grants that are appropriated by Congress prior to a peer review. The term "earmark" is a reference to the Congressional Record where the awards are written into the legislation specifically with the grant applicant's name, activity and dollar amounts.
<b>Grant</b>	Those funds obtained by the District of Columbia, by and through any Agency, office or instrumentality of the District of Columbia, for the funding a public purpose, which funds are obtained pursuant to (i) any federal program administered by a federal agency pursuant to an authorizing statute and implementing regulations, or (ii) a grant agreement duly executed by any private entity or person and the District of Columbia.
<b>Grant Agreement</b>	A legal binding document between the Child and Family Services Agency and the grantee, contains or references all terms and conditions of the award, and documents the obligation of funds.
<b>Grant Monitor</b>	An individual identified by the Program Administrator under which the grant-funded program operates. This individual is responsible for ensuring compliance with the grant monitoring functions as defined in the City-Wide Grants Manual and Sourcebook and the individual grant agreement.

**Notice of Funding Availability (NOFA)**

A publicly available document by which a District agency makes known its intentions to award discretionary grants or cooperative agreements, usually as a result of competition for funds. Notices of funding availability or solicitations can be found in the District of Columbia Register, OPGS' Website: <http://opgs.dc.gov>, and on the funding agency's or program's website.

**Notice of Intent to Award**

A legal binding document that notifies the grantee and others that an award has been made, contains or references all terms and conditions that must be met prior to execution of the grant agreement.

**Request for Applications (RFA) Review Panel**

The document that describes the requirements for subgrant applications.

A team of qualified individuals responsible for reviewing, scoring and recommending applicants for grant or subgrant awards.

**Subgrant**

The award of federal or private grant funds by a District Agency to a private (nonprofit or for-profit) subrecipient organization to accomplish the same public purpose as defined by the law or grant specifications that authorize the original grant.

**Subrecipient or Subgrantee**

The legal entity to which a subaward is made and which is accountable to the recipient for the use of the funds provided.