



POLICY TITLE: Memorandum of Understanding (MOU) and Memorandum of Agreement (MOA)		PAGE 1 OF 2
 	CHILD AND FAMILY SERVICES AGENCY Approved by: <u>Brenda Donald</u> Agency Director Date: <u>May 30, 2012</u>	REVISION HISTORY: May 15, 2009
LATEST REVISION: May 30, 2012	EFFECTIVE DATE: May 30, 2012	

I. AUTHORITY	Consistent with DC Code § 1-301.01(j) and (k), the Director of the Child and Family Services Agency (CFSA) adopts this policy. The Director of the Office of Contracting and Procurement must approve District of Columbia MOUs that order goods or services related to federal agencies. (DC Official Code § 1-301.01(j)). MOUs and MOAs between District agencies only require approval from the agencies' Director, and do not require the additional approval of the Office of Contracting and Procurement. (DC Official Code § 1-301.01(k)).
II. APPLICABILITY	This policy is applicable to all CFSA employees.
III. RATIONALE	<p>The Child and Family Services Agency (CFSA) enters agreements, known as Memoranda of Understanding and Memoranda of Agreement, with other agencies, both public and private, to fulfill its mission to promote child safety, permanency, and well-being.</p> <p>A Memorandum of Understanding (MOU) is an agreement between CFSA and at least one other District or federal agency, primarily for the convenience of each agency to carry out its individual responsibilities. An MOU may allow CFSA to receive or deliver goods or services, and involve the transfer of funds between agencies. An MOU may not be used to transfer funds from the District of Columbia to a private entity.</p> <p>A Memorandum of Agreement (MOA) is a non-monetary transaction or agreement between CFSA and one or more agencies, public or private for the convenience of each agency to carry out its responsibilities.</p>
IV. POLICY	It is the policy of CFSA to enter into an MOU or a MOA in furtherance of CFSA's mission and in accordance with the federal and local law.
V. CONTENTS	Execution of an MOU or an MOA
VI. ATTACHMENTS	Memorandum of Understanding or Agreement Checklist

<p>VII. PROCEDURES</p>	<p>Execution of an MOU or MOA</p> <p>The following steps must be taken for the execution for an MOU or MOA:</p> <ol style="list-style-type: none"> 1. The CFSA staff making the request for an MOU or MOA (requestor) must contact the Office of the General Counsel (OGC), either by electronic mail or by telephone, to discuss the need and purposes of the agreement. The OGC's MOU coordinator (or an assigned attorney) shall assist in the development of the MOU or MOA. 2. The requestor must complete the MOU or MOA checklist (see <i>Attachment Memorandum of Understanding or Agreement Checklist</i>) and forward it to the OGC. 3. An OGC staff member shall work with the requestor to develop a draft MOU or MOA, based on the checklist and discussions. 4. Once the OGC staff member and requestor have a final draft, the OGC shall forward it to CFSA's director for review. 5. Any additional edits required based on the Agency director's review must be completed by the OGC in consultation with the requestor. 6. The OGC shall complete a legal sufficiency review of the final draft and forward the final agreement to the director for signature. 7. The OGC shall forward the executed agreement to the Agency's Fiscal Office for review and approval. 8. Once CFSA has fully approved the MOU or MOA, the OGC shall transmit the agreement to the agency(ies) that are parties to it and shall ensure that the agreement is sent to the Office of Contracts and Procurement for approval, where applicable (see <i>Authority Section</i>). 9. The OGC staff member shall track the MOU or MOA and notify the requestor when the MOU or MOA has been fully executed (i.e., signed by all parties). 10. The OGC staff member shall provide a copy of the fully executed MOU or MOA to the requestor, as well as maintain a copy of the fully executed agreement. 11. All staff must take prompt actions to complete the MOU and MOA process as specified above. 12. To initiate a modification for an existing MOU or MOA, refer to steps # 1-11 above.
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Memorandum of Understanding or Agreement Checklist

Provide the following information.

- 1 Name of Buyer Agency and Seller Agency and brief description of goods (MOU only) and/or services to be provided
[REDACTED]
- 2 Program Goals and objectives (Provide overview of program goals; define all acronyms.)
[REDACTED]
- 3 Specify scope of services – responsibilities of Seller and Buyer (MOU only) or Agency (MOA only).
[REDACTED]
- 4 Duration of MOU (Exercising option years may be included in this section.)
[REDACTED]
- 5 Funding Provisions – includes cost of services; payment; and, anti-deficiency considerations (MOU only)
[REDACTED]
- 6 Notice – Include point of contact information for each Party under the MOU.
[REDACTED]
- 7 Modifications – statement regarding modifying MOU
[REDACTED]
- 8 Miscellaneous – statement regarding requirement for the Parties to comply with all applicable laws, rules and regulations
[REDACTED]