

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2009-228
December 30, 2009

SUBJECT: Delegation of Additional Functions to the Office of Partnerships and Grant Services; Grantmaking Made Subject to Policies and Procedures Contained in City-Wide Grants Manual and Sourcebook; Establishment of Grantmaking Procedure Waiver Committee

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to sections 422(2), 422(6), and 422(11) of the District of Columbia Home Rule Act of 1973, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code §§ 1-204.22(2), 1-204.22(6), and 1-204.22(11) (2006 Repl.), section 115 of the District of Columbia Appropriations Act, 2003, approved February 20, 2003, Pub. L. 108-7, D.C. Official Code §§ 1-329.01 (2009 Supp.), section 811 of the District of Columbia Appropriations Act, 2008, approved December 26, 2007, Pub. L. 110-161, D.C. Official Code § 1-204.46b, (2009 Supp.) and any substantially identical successor law, relevant provisions of the federal Anti-Deficiency Act, 31 U.S.C. §§ 1349 and 1351, and section VI, paragraph (8) of Mayor's Order 2008-33, dated February 26, 2008, it is hereby **ORDERED** that all competitive grantmaking subject to the Mayor's authority shall comply with the policies and procedures as established in the City-Wide Grants Manual and Sourcebook as prepared by the Office of Partnerships and Grant Services (OPGS), and that all agencies, boards and commissions, government offices, and departments subject to the Mayor's authority shall comply with all other provisions of this Order as follows:

I. Background and Purpose:

The District government depends on grant funds to provide support for a wide range of programs and services for its citizens. Indeed, federal grants-in-aid and other grant funds comprise approximately one-fourth of the District's annual budget and, as such, contribute significantly to government's ability to meet the needs of its most vulnerable citizens. While such funds offer tremendous opportunity, they also represent potential pitfalls. For example, federal grants are awarded in a variety of forms including block grants, formula grants and competitive grants, among others. The District government also receives a significant number of private grants such as corporation and foundation grants. Most grant funds, no matter the source, are made available to assist the District in meeting specific public goals and objectives within predetermined time periods. In order to maximize the amount of grant funds available to promote public

objectives, it is essential that agencies pursue all relevant funding opportunities and assure that all grant funds are utilized according to the applicable law, rules and regulations. Failure to adhere to the pertinent guidelines could result in adverse consequences, such as loss of future funding or an obligation to repay grant dollars already expended. Adherence to the terms of this Order and the policies and procedures established by the City-Wide Grants Manual and Sourcebook will promote effective, efficient, and consistent use of and accounting for available grant funds.

II. Delegation of Additional Functions to the Office of Partnership and Grant Services to Oversee Compliance with Grantmaking Policies and Procedures.

- (a) In addition to the functions assigned to the OPGS pursuant to Mayor's Order 2008-33, OPGS is hereby delegated the following additional functions:
- (1) Overseeing compliance with the policies and procedures established by the City-Wide Grants Manual and Sourcebook by all covered agencies of the District government engaged in grantmaking activities as they apply for, receive, and administer any competitive grant or sub-grant funded by federal, local, or private funds. Covered agencies are all of those government offices, departments, agencies, boards and commissions that are subordinate to the Mayor of the District of Columbia;
 - (2) Providing technical assistance to all covered agencies to assure compliance with the policies and procedures established by the City-Wide Grants Manual and Sourcebook;
 - (3) Modifying and updating the policies and procedures of the City-Wide Grants Manual and Sourcebook to keep it consistent with nationally-recognized best practices and the experiences of the covered agencies;
 - (4) Creating and maintaining a system to collect grant information from the covered agencies;
 - (5) Publishing relevant, collected grant information;
 - (6) Preparing and filing annual compliance reports with the Office of the City Administrator and the Office of the Attorney General;
 - (7) Providing training to covered agency personnel on the best practices contained in the City-Wide Grants Manual and Sourcebook;

- (8) Maintaining a list of all agencies and grants that have been afforded a waiver from any of the policies and procedures of the City-Wide Grants Manual and Sourcebook; and
- (9) Providing, upon request of the Office of the Chief Financial Officer, any compliance or waiver reports required for compliance with any District or federal law.

III. Responsibilities of Covered Agencies

All covered agencies shall:

- (1) Absent a waiver, assure compliance with all policies and procedures of the City-Wide Grants Manual and Sourcebook for any applicable grant or sub-grant awarded after forty-five (45) business days of the effective date of this Order. Any grant or sub-grant in the pre-award process six (6) months prior to the effective date of this Order may complete the award process under the existing terms and conditions of the planned award, provided that funds are initially disbursed not later than six (6) months after the effective date of this Order. In that event, the covered agency is advised to use the policies and procedures of the City-Wide Grants Manual and Sourcebook as guidance for best practices.
- (2) Absent a waiver, continuously monitor the agency's grantmaking actions for compliance with all policies and procedures of the City-Wide Grants Manual and Sourcebook;
- (3) Promptly seek and obtain a waiver of any grantmaking policy or procedure from the Grantmaking Procedure Waiver Committee when good cause arises; and
- (4) Annually report their grantmaking authorities to OPGS in the form and manner determined by OPGS.

IV. Grantmaking Procedure Waiver Committee Established

There is established a Grantmaking Procedure Waiver Committee (Committee) comprised of three (3) members, with the Director of OPGS, the City Administrator, and the Office of the Attorney General each appointing one member. The City Administrator, or his or her designated representative, shall act as the chair of the Committee. All actions shall be taken pursuant to a vote of a majority of the Committee. The purpose of the Committee is to approve or deny an agency's application for a waiver of any policy or procedure applicable to a grantmaking function. The Committee shall review such applications consistent

with the guidelines for waivers set forth in the City-Wide Grants Manual and Source Book and rule on any application in an expeditious manner.

V. Personnel Sanctions

Agency personnel that are engaged in grantmaking activities, absent a waiver or conflict with other District or Federal law, are required to comply with all policies and procedures of the City-Wide Grants Manual and Sourcebook. Failure to comply may, in addition to any other sanction provided by law or regulation, subject such agency personnel to an adverse personnel action.

VI. Effect on Prior Orders

This Order shall supersede any other previous Mayor’s Order to the extent of any inconsistency.

VII. Effective Date: This Order shall become effective immediately.


ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2009-229
December 30, 2009

SUBJECT: Appointment – Office of Administrative Hearings

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(2) (2009 Supp.), it is hereby **ORDERED** that:

1. **MARY OATES WALKER** is appointed as Acting Chief Administrative Law Judge of the Office of Administrative Hearings and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes previous Mayor's Orders to the extent of any inconsistency.
3. **EFFECTIVE DATE:** This Order shall become effective January 1, 2010.



ADRIAN M. FENTY
MAYOR

ATTEST: Stephanie D Scott
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA