

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2010-60
April 6, 2010

SUBJECT: Establishment -- Office of Partnership and Grant Services -- Revised

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) (2009 Supp.), section 115 of the District of Columbia Appropriations Act, 2003, approved February 20, 2003, Pub. L. 108-7, codified at D.C. Official Code § 1-329.01 (2009 Supp.), section 811 of the District of Columbia Appropriations Act, 2008, approved Dec. 26, 2007, Pub. L. 110-161 ("FY 2008 Appropriations Act") and any substantially identical successor law, relevant provisions of the Federal Anti-Deficiency Act, 31 U.S.C. §§ 1349 and 1351, Mayor's Order 2008-33, dated February 26, 2008, and Mayor's Order 2009-228, dated December 30, 2009, it is hereby **ORDERED**:

I. RATIONALE

- (a) The District of Columbia government is responsible for providing essential services to District residents. In addition to public funds, public and private grants, public and private partnerships, and donations to the District of Columbia are relied upon to support government functions and programs. The application for public and private grants is often a formal, competitive process, and the use of such grants is generally subject to rigorous auditing. (The term "grant" as used herein means an award of competitive funds of financial assistance under contractual terms between a grantor, either public or private, to assist the grantee, either government or nonprofit, in the achievement or continuation of a "public purpose" to benefit the general public or a segment of the general public). These grants may not be used to circumvent the government's competitive procurement policies and procedures. The term "sub-grant" as used herein means an award of competitive funds of financial assistance made under a grant by a grantee to an eligible sub-grantee.
- (b) The District of Columbia government is also authorized by section 115 of the FY 2003 Appropriations Act to accept donations for an authorized governmental function or duty. (The term "donations" as used herein means donations of funds, services, and property solicited and received

pursuant to that authority.) Unlike grants as described above, the solicitation, acceptance, and use of donations has not been similarly regularized. The procedures listed in this Order are designed to ensure that solicitation, acceptance, and use of donations to the District of Columbia are governed by the highest standards of ethics and accountability.

- (c) This Order supersedes and makes technical revisions to Mayor's Order 2008-33, dated February 26, 2008, which established the Office of Partnership and Grant Services ("OPGS") and authorized the OPGS to adopt and administer mandatory procedures to ensure full compliance with the District's Sub-Granting Rules as set forth in DCMR, Title I Chapter 50. It also updates the functions of OPGS to include those additional responsibilities assigned to OPGS in Mayor's Order 2009-228, dated December 30, 2009.

II. SCOPE

- (a) This Order applies to the application for, acceptance, and use of grants on behalf of the District government as authorized under section 811 of the FY 2008 Appropriations Act (and any substantially identical successor law).
- (b) This Order also applies to all solicitation, receipt, and use of donations of funds, services, and property by agencies of the District government as authorized under section 115 of the FY 2003 Appropriations Act (codified at and hereafter referred to as D.C. Official Code §1-329.01 (2009 Supp.)), except that:
 - 1. This Order does not apply to the recruitment of volunteers for appropriate government activities as authorized by the Volunteer Services Act, effective June 28, 1977 (D.C. Law 2-12; D.C. Official Code § 1-319.01 *et seq.*)(2006 Repl.); and
 - 2. The Mayor's authority exercised by this Order does not apply to the Council of the District of Columbia, which may accept and use gifts without prior approval of the Mayor pursuant to D.C. Official Code §1-329.01 (2009 Supp.).
- (c) This Order also applies to the administration and enforcement of mandatory procedures to ensure full compliance with DCMR, Title 1 Chapter 50 among District grant-making agencies and offices. Accordingly, OPGS will institute a government-wide process that assists District grant-makers in preparing Notices of Funding Availability (NOFAs), as well as awarding, monitoring, and reporting on the District's grants and sub-grants.

III. ESTABLISHMENT

OPGS is established within the Office of the City Administrator. OP GS shall be the only entity that has authority to solicit, review, accept, and approve donations to the District government, with two exceptions as set out in Section II (b) of this Order. OP GS shall have the authority to administer and enforce mandatory procedures to ensure full compliance with DCMR, Title 1 Chapter 50 and to implement best practices with respect to District grant making, and to oversee the planning and execution of competitive grant funding requests from District agencies to federal, foundation, and private sector grant-makers. Furthermore, OP GS shall serve as the District government's grants clearinghouse in order to effectively administer mandatory policies and procedures that govern the solicitation of competitive grants funds among District agency grant seekers and their prospective awards to grantees and/or sub-grantees.

IV. APPOINTMENT OF DIRECTOR; DELEGATION OF AUTHORITY; RESOURCES; DISCLOSURE STATEMENTS

- (a) The OP GS shall be supervised by a Director appointed by the Mayor. The Director shall report to the City Administrator and/or the City Administrator's designee in the Office of the City Administrator. The Director is delegated exercise of the Mayor's authority to apply for and to accept grant funding under section 811 of the FY 2008 Appropriations Act (and any substantially identical successor law). The Director is also delegated exercise of the Mayor's authority to permit solicitation, acceptance, and use of donations of funds, services, and property by agencies of the District government under D.C. Official Code §1-329.01 (2009 Supp.). The Director may sub-delegate the authority to solicit, review, accept, and approve donations to the government to the employees within the OP GS, to agency directors, and to officials within the Office of the City Administrator. Furthermore, the Director is delegated exercise of the Mayor's authority to administer and establish mandatory procedures to ensure full compliance with DCMR, Title 1 Chapter 50 and to require the implementation of best practices with respect to grant making among District agencies.
- (b) The Director shall coordinate the exercise of the functions of the OP GS with the Executive Office of the Mayor, the Office of the City Administrator, the Office of Policy and Legislative Affairs, the Office of the Chief Financial Officer, the Office of the Attorney General, the Office of the Secretary, the Office of Contracting and Procurement, the Department of Human Resources, the Office of Budget and Planning, and District operating agencies which have major grant responsibilities.
- (c) Beginning with Fiscal Year 2009, the resources allocated to OP GS shall be separately reflected in the District's budget.

- (d) Each employee working with OPGS' donation process shall complete a Confidential Statement of Employment and Financial Interest (DPM Form 35) to be reviewed and maintained by the Director or her/his designee. These statements shall be used to address issues concerning actual or potential conflicts of interest related to the solicitation, receipt, or use of donations from private donors.

V. MISSION AND OBJECTIVES

The mission and objectives of the OPGS are to:

- (a) Oversee the planning and execution of competitive grant funding requests from District agencies to federal, foundation, and private sector grantors and/or donors;
- (b) Administer and enforce mandatory rules and procedures to ensure full compliance with DCMR, Title 1 Chapter 50 and the implementation of best practices with respect to District grant making;
- (c) Provide capacity building training and technical assistance to District agencies and nonprofits in identifying, applying, and managing potential and existing competitive grant funds and related in-kind resources;
- (d) Implement and enforce mandatory policies and procedures pursuant to the Rules of Conduct Governing Donations and Honorary Gifts to the District Government (Mayor's Memorandum 2010-1, dated April 6, 2010) including the solicitation, acceptance, and use of donations and honorary gifts to the District of Columbia.

VI. FUNCTIONS

- (a) The OPGS shall:
 - (1) Apply for and accept competitive grants from public and private grant-making organizations or agencies as authorized by section 811 of the FY 2008 Appropriations Act (and any substantially identical successor law) as well as applicable federal appropriations laws and also grants policies and procedures;
 - (2) Exercise leadership in supporting agency action plans relating to the successful cultivation, solicitation, and stewardship of grants from federal and other sources;
 - (3) Serve as the District's grants clearinghouse to administer effective clearance policies and procedures related to the solicitation of competitive grant funds among District agencies and their prospective awards to grantees or sub-grantees;

- (4) Institute the required internal controls to effectively monitor, evaluate, and report on District agencies' compliance with DCMR, Title 1 Chapter 50 on an annual basis;
- (5) Adopt policies and procedures, consistent with nationally recognized best practices, in consultation with appropriate District agencies, to ensure the highest level of integrity in administering the grants development, award, and management process;
- (6) Solicit and accept the donation of funds, property, and services as authorized by D.C. Official Code §1-329.01 (2009 Supp.);
- (7) Review requests by employees or agencies to solicit such donations and, in consultation with the District's Ethics Counselor, approve or disapprove such requests as appropriate;
- (8) Enforce the Rules of Conduct Governing Donations and Honorary Gifts through the implementation of procedures, including reporting and accounting procedures, to be used by agencies of the District government that are within the purview of this Order;
- (9) Subject to approval by the Mayor, revise and update, as appropriate, the Rules of Conduct Governing Donations and Honorary Gifts, and the related protocol and procedures;
- (10) Enter into a Memorandum of Understanding with the Chief Financial Officer establishing deposit and disbursement procedures for donated funds and procedures for issuance of donor acknowledgment letters;
- (11) Prepare and implement, in coordination with the Chief Financial Officer, procedures for the creation of auditable records, subject to public inspection, that account for the use of all donated funds;
- (12) Assist in developing and implementing strategies for shifting the local government funding for current services, where applicable, from local tax revenues to other appropriated federal, foundation, and private sources;
- (13) Facilitate the establishment of collaborative philanthropic relationships with private, public, and nonprofit organizations, and individual donors;
- (14) Provide training and technical assistance to District agencies and nonprofits engaged in accessing and managing existing as well as potential competitive grant funds;

- (15) Coordinate with the Office of the Attorney General and other appropriate agencies to provide a training program on the Rules of Conduct Governing Donations and Honorary Gifts, and the protocol and procedures developed pursuant to this Order, for all District agencies covered by this Order;
 - (16) Establish mandatory policies and procedures related to the solicitation and management of competitive grant funds and donations;
 - (17) Establish policies and procedures, in consultation with the Chief Financial Officer, to ensure the highest level of integrity in administering the donation and grant process;
 - (18) Publish an annual report identifying each donor, the funding source, the type, value, and purpose for which each donation, grant, and sub-grant was used (such report may incorporate by reference any similar report required by law to be made by an individual agency); and
 - (19) Provide a quarterly report on the solicitation and receipt of donations for review by the General Counsel of the Office of the Mayor and the Ethics Counselor of the Office of the Attorney General.
- (b) The OPGS is designated as the District of Columbia's state liaison with federal executive agencies and with states on all matters related to state plans, applications for federal, foundation, and private donor grants and other assistance, and proposals for projects of an interstate nature. The OPGS shall serve as the State Single Point of Contact ("SPOC") for the District of Columbia under Executive Order No.12372, 47 Fed. Reg. 30,959 (1982).
- (c) The OPGS shall perform the functions delegated to it pursuant to Mayor's Order 2009-228, dated December 30, 2009, including:
- (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 grant making 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;
- (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; and
- (10) Appoint a member of the Grantmaking Procedure Waiver Committee.

VII. IMPLEMENTATION

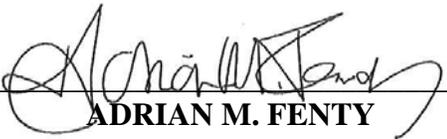
- (a) All District personnel subject to this Order are required to follow the Rules Conduct Governing Donations and Honorary Gifts, DCMR, Title 1 Chapter 50, the City-Wide Grants Manual and Sourcebook as provided in Mayor's Order 2009-228, dated December 30, 2009, and OPGS' policies and procedures to oversee the planning and execution of competitive grant funding requests including applications from District agencies to federal, foundation, and private sector grant makers. Furthermore, all District agencies that apply for and receive new competitive grant awards are required to submit their respective grant application and award data to OPGS' electronic Grants Information Data System (GIDS) on a semi-annual basis. Failure to follow the above policies and procedures may result in disciplinary action.
- (b) Each agency requesting authority to solicit, accept and use donations shall designate an employee to be the point of contact with OPGS for the purpose of providing information about agency activities. Within 45 days

of the effective date of this order, agencies with statutory authority to solicit and receive donations (e.g., the Department of Parks and Recreation and the Commission on the Arts and Humanities) shall confer with the Director of OPGS and the Ethics Counselor to develop implementing procedures that are consistent with this Order and recognize the separate statutory authority of each agency.

VIII. EFFECT ON PRIOR ORDERS

This Order supersedes Mayor's Order 2008-33 to the extent of any inconsistency.

IX. 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

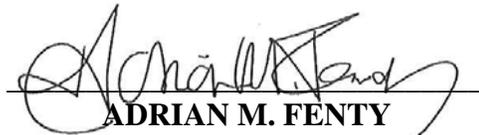
Mayor's Order 2010-61
April 6, 2010

SUBJECT: Delegation of Authority Pursuant to D.C. Law 18-10, the NOMA Residential Development Tax Abatement Act of 2009

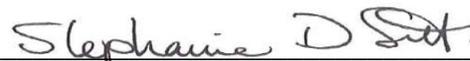
ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) and 423(a) 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 (6) and 1-204.23 (a) (2006 Repl. and 2009 Supp.), respectively, and pursuant to section 2(b) of the NoMa Residential Development Tax Abatement Act of 2009 ("Act"), effective July 07, 2009 (D.C. Law 18-10; D.C. Official Code § 47-859.05), it is hereby **ORDERED** that:

1. The Deputy Mayor for Planning and Economic Development is delegated the authority vested in the Mayor to promulgate regulations under the Act.
2. The Deputy Mayor is hereby authorized to make further delegation, in writing, to specific subordinates under the Deputy Mayor's jurisdiction.
3. **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 2010-62
April 12, 2010

SUBJECT: Transfer of the Hine Junior High School located at 302 8th Street, SE, Washington, D.C. from District of Columbia Public Schools to the Office of the Deputy Mayor for Planning and Economic Development.

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by 422(2) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2007 Supp.) and § 103(a) of the Public Education Reform Amendment Act of 2007, June 12, 2007, D.C. Law 17-9, D.C. Official Code § 38-172(a) (2007 Supp.), it is hereby **ORDERED** that:

1. The following directive applies to the Hine Junior High School:
 - a. By rightsizing the school system, District of Columbia Public Schools can begin building capacity by consolidating and more efficiently using resources in order to offer students rich, quality educational opportunities across the city, provide new school alternatives and more choices for parents and students, and ensure that the available resources are invested in order to have the greatest impact on increasing student achievement.
 - b. To achieve these goals, the Hine Junior High School located at 302 8th Street, SE, Washington, DC 20003 is hereby removed from the District of Columbia Public Schools' inventory.
2. The Hine Junior High School (the "Property") is hereby transferred to the inventory of the Office of the Deputy Mayor for Planning and Economic Development (DMPED), subject to the requirements of D.C Official Code § 38-1802.09, for use for such purposes as are determined to be in the best interest of the District. DMPED will assume responsibility for the Property, and will budget sufficient funds and assume financial responsibility for the maintenance, leasing and future development of the Property.

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 2010-63
April 15, 2010

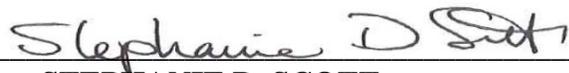
SUBJECT: Delegation of Rulemaking Authority under the Commercial Curbside Loading Zone Implementation Act of 2009

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) and (11) 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(6) and (11) (2009 Supp.), and section 3(a) of the Commercial Curbside Loading Zone Implementation Act of 2009 ("Act"), effective October 22, 2009, D.C. Law 18-66, D.C. Official Code § 50-2652(a) (56 DCR 6608), it is hereby **ORDERED** that:

1. The Director of the District Department of Transportation is delegated the rulemaking authority vested in the Mayor under the Act.
2. **EFFECTIVE DATE:** This Order shall take effect immediately.


ADRIAN M. FENTY
MAYOR

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