

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

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**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2011-170  
October 5, 2011

**SUBJECT:** Establishment - Office of Partnerships and Grant Services

**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), 422(11), and 445b of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code §§ 1-204.22(2), 1-204.22(6), 1-204.22(11), and 1-204.66b (2006 Repl.) ("Home Rule Act"), and (2011 Supp.), section 115 of the District of Columbia Appropriations Act, 2003 ("FY 2003 Appropriations Act"), approved February 20, 2003, Pub. L. 108-7, as amended, D.C. Official Code § 1-329.01 (2011 Supp.) ("Donations Act"), and relevant provisions of the federal Anti-Deficiency Act, 31 U.S.C. §§ 1349 and 1351, it is hereby **ORDERED** that:

**I. Rationale**

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 private donations 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. For the purposes of this Order:

1. The term "grant" 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.
2. The term "sub-grant" means an award of competitive funds of financial assistance made under a grant by a grantee to an eligible sub-grantee.
3. The term "donations" means donations of funds, services, and property solicited and received pursuant to the Donations Act, to accept private donations for an authorized governmental function or duty.

## **II. Scope**

(a) This Order applies to:

1. The application for, acceptance, and use of grants on behalf of the District government as authorized under section 446b of the Home Rule Act.
2. The solicitation, receipt, and use of private donations of funds, services, and property by agencies of the District government as authorized under the Donations Act;

(b) This Order does not apply to:

1. The recruitment of volunteers for appropriate government activities as authorized by the Volunteer Services Act of 1977 (D.C. Law 2-12; D.C. Official Code § 1-319.01 *et seq.*) (2006 Repl.);
2. The Council of the District of Columbia, which may accept and use gifts without prior approval of the Mayor pursuant to the Donations Act;
3. The donation of legal services, pursuant to Mayor's Order 2000-62 (April 13, 2000); and
4. The District of Columbia Public Library, which may accept and use gifts without prior approval of the Mayor pursuant to the Donations Act.

## **III. Establishment**

There is hereby established, within the Executive Office of the Mayor, the Office of Partnerships and Grant Services ("OPGS"). Except as provided in section II(b) of this Order, OPGS is the only entity that has authority to solicit, review, receive, and approve donations to the District government. Furthermore, OPGS is hereby established to serve as the District government's grants clearinghouse in order to effectively administer mandatory policies and procedures that govern the solicitation of competitive grant funds among District agency grant seekers and their prospective grantees and/or sub-grantees.

## **IV. Appointment of Director; Delegation of Authority; Resources; Disclosure Statements**

- (a) The OPGS shall be supervised by a Director to be appointed by the Mayor. The Director shall report to the Mayor and/or the Mayor's designee. The Director is hereby delegated the Mayor's authority:

1. To apply for and to accept grant funding under section 446b of the Home Rule Act;
  2. To permit solicitation, receipt, and use of donations of funds, services, and property by agencies of the District government under the Donations Act. The Director may subdelegate the authority to solicit, review, receive, and approve donations to the government, to the employees within the Office, to agency directors, and to officials within the Office of the City Administrator;
- (b) The Director shall coordinate the exercise of the functions of the OPGS 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) Each employee of the OPGS shall complete a Confidential Statement of Employment and Financial Interest (DPM Form 35) to be reviewed and maintained by the General Counsel to the Mayor. 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.
- (d) Beginning Fiscal Year 2012, the resources allocated to OPGS are separately reflected in the District's budget. Pursuant to 45 CFR 95.1 Subgrant A-Time Limits for States to File Claims, and OMB Circular A-87 or ASMB C-10, OPGS is authorized to use the District of Columbia Statewide Central Services Cost Allocation and Federal Indirect Cost Reimbursement (IDCR) funds to support its centralized grant services.

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;
- (b) 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;
- (c) Implement and enforce mandatory policies and procedures pursuant to the Rules of Conduct Governing Donations Made to the District Government (Mayor's Memorandum 2010-2, dated October 15, 2010), and any successor Mayor's

Memorandum on the same subject, including the solicitation, acceptance, and use of private donations; and

- (d) Facilitate the establishment of collaborative philanthropic relationships or partnerships with private, public, nonprofit, and individual donors to advance the Mayor's public policy priorities.

## 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. Coordinate the design and execution of resource development strategies that enhance the programs of District agencies directly related to the Mayor's public policy priorities and the government's strategic plan;
3. Identify potential and available financial, human, and in-kind support and disseminate that information to appropriate District agencies.
4. Provide training and technical assistance to District agencies and non-profits engaged in accessing and managing existing as well as potential competitive grant funds;
5. Exercise leadership in supporting the action plans of District agencies relating to the successful cultivation, solicitation, and stewardship of grants from federal and other sources;
6. Adopt policies and procedures, consistent with nationally recognized "best practices," in consultation with appropriate District agencies, to ensure the highest level of integrity in establishing and expanding public-private partnerships and administering the grants development, award, and management process;
7. Coordinate and establish mandatory policies and procedures to enforce effective policies and procedures related to both the solicitation of competitive grant funds and private donations among District agencies for government programs;

8. Facilitate the establishment of collaborative philanthropic relationships with private, public, and nonprofit organizations, as well as individual donors to advance the Mayor's public policy priorities;
9. Solicit and accept the donation of funds, property, and services as authorized by the Donations Act;
10. 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, in accordance with the Rules of Conduct Governing Donations, as published in Mayor's Memorandum 2010-2, dated October 15, 2010, or any successor Mayor's Memorandum on the same subject;
11. Prepare, implement, enforce, and revise procedures to be followed in the solicitation of private donations for the District government;
12. 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;
13. 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;
14. Coordinate the design and execution of donation development strategies that enhance the programs of District agencies directly related to the District-wide strategic plan;
15. Establish practices, policies, and procedures in consultation with the Chief Financial Officer to ensure the highest level of integrity in establishing and expanding collaborative arrangements and administering the donation process;
16. 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 the protocol and procedures developed pursuant to this Order, for all District agencies covered by this Order, as set out in section V(d) of this Order;
17. Provide a quarterly report on solicitation and receipt of donations for review by the General Counsel of the Office of the Mayor and the Ethics Counselor of the District of Columbia;
18. 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 grantees or sub-grantees; and

- (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).

## **VII. Implementation**

- (a) All District personnel subject to this Order are required to follow the Rules Conduct Governing Donations, comply with the District's State Single Point of Conduct (SPOC) reporting requirements pursuant to E.O. 12372, submit their agencies competitive grant announcement information in the District's Grants Clearinghouse for publication in the Funding Alert, and participate in all mandatory grant and related resource development capacity building training and technical assistance initiatives. Furthermore, all District agencies and designated personnel who apply and receive new competitive grant awards are required to submit their respective grant application and award data to OPGS' electronic grants information data system 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.
- (c) Within 30 days of the effective date of this order, each agency shall provide OPGS with an inventory of all agency activities that may be subject to this order.
- (d) Within 45 days of the effective date of this Order, agencies with statutory authority to solicit and receive donations (e.g., the Department of Park and Recreation pursuant to the Recreation Act of 1994 (D.C. Law 10-246; D.C. Official Code § 10-302) (2001), and the Commission on the Arts and Humanities (D.C. Law 1-22; D.C. Official Code § 39-204) (2001)) shall confer with the Director of OPGS and the District of Columbia Ethics Counselor to develop implementing procedures that are consistent with this Order and recognize the separate statutory authority of each agency.
- (e) This Order supersedes in part, Mayor's Order 2010-168, dated October 15, 2010, and any provision of any additional Mayor's Orders to the extent that such provision is inconsistent with the provisions of this Order.

**VIII. Effective Date**

This Order shall be effective *nunc pro tunc* to October 1, 2011.

  
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VINCENT C. GRAY  
MAYOR

ATTEST:   
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CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA