

RULE 9.1 – AWARDS, APPLICATIONS, AND GRANT PROPOSALS

Adopted Date: 10/03/2011

Revised Date: 06/27/2023

PURPOSE

The purpose of this fiscal accountability rule is to ensure that every award application submitted by City and County of Denver (city) departments and agencies for federal, state, local government, or private grant funding is consistent with and adheres to city priorities, and to ensure that all award funding, whether competitive or formula, is recorded in the city's system of record (refer to [Grants Resources Center](#)).

This fiscal accountability rule and the associated [Intent to Fund Guide](#) shall be read in conjunction with, and users shall comply with all applicable provisions of, the Denver Revised Municipal Code, Fiscal Accountability Rules, and Executive Orders noted to ensure compliance and understanding:

- [City Charter, Title I – Revised Municipal Code – Chapter 20 – Finance, Article IV – Division. – Generally, Sec. 20-52. – Approval of grants-in-aid](#)
- [Fiscal Accountability Rule 1.2 – System of Record](#)
- [Fiscal Accountability Rule 9.2 – Award Management](#)
- [Fiscal Accountability Rule 9.3 – Subawards](#)
- [Fiscal Accountability Rule 9.4 – Award Closure](#)
- [Executive Order 8 – Contracts and Other Written Instruments of and for the City and County of Denver](#)
- [Executive Order 18 – Technology Services Agency: Definition of its Mission, Role and Authority](#)
- [Executive Order 143 – Information Governance Policy](#)
- [Executive Order 150 – Citywide Language Access Program](#)

In addition, all users shall refer to the Code of Federal Regulations (CFR) for federally funded awards.

Unless otherwise specified at the beginning of the document, printed copies are UNCONTROLLED. Always refer to the online Fiscal Accountability Rules on City and County of Denver website prior to use to ensure you are using the most current copy.

Together, these rules establish a citywide foundation for grant activities, ranging from the identification of applicable matching requirements to the determination of the financial impact to the city beyond the life of the grant.

This fiscal accountability rule does not apply to donations.

DEFINITIONS

Application – The specific set of forms, documents, and attachments that comprise an applicant’s submission to a federal grant opportunity.

Award – Financial assistance that provides support or stimulation to accomplish a public purpose.

Cooperative Agreement – A legal instrument that is similar to a grant agreement but is distinguished in that it provides for substantial involvement between the sponsor and the recipient.

Data – As defined within [Executive Order 143 – Information Governance Policy](#).

Donation – A gift given to the city that generally does not require a written document or contract and has minimal, if any, requirements or restrictions other than potentially a designated purpose for the donation.

Grant Agreement – A legal instrument that documents the financial assistance in the form of money or property to an eligible recipient. This may also be referred to as a grant or award.

- **Competitive** – Award of funding is based upon specific criteria and the scoring of a proposal.
- **Formula** – Non-competitive allocation of funding determined by distribution formulas or legislative mandate. This may also be referred to as an allocation or Intergovernmental Agreement (IGA).

Grant Policy Advisory Committee (GPAC) – A monthly forum for Grant Liaisons from all agencies to implement a strategic grants framework and processes that establish and leverage agency collaboration, innovation, and resources around grant acquisition and management.

In-Kind Contribution – The value of non-cash contributions provided by sponsors or required of grant recipients (supplies, equipment, land, employee/volunteer time, etc.).

Intent to Fund – Written communication expressing a sponsor’s intent to fund an award. Examples include letters of intent, purchase orders, holdover provision, grant funding change letter, contract amendment (extension), continuation of funding (application or form), option letter, email, or electronic grant agreement form.

Match Requirement – Required cash contributions or value of in-kind contributions required of the grant recipient as a condition of receiving the grant.

Proposal – A document or set of documents that is submitted to a sponsor with the explicit intent of applying for or securing funding.

Recipient – The department or agency to which a grant or cooperative agreement is awarded, and which is accountable for the use of the funds provided.

Sponsor (also known as **Grantor**) – The external entity awarding a grant or cooperative agreement.

System of Record – The authoritative data source for a data element or piece of information.

Technology – As defined within [Executive Order 18 – Technology Services Agency: Definition of its Mission, Role and Authority](#).

Unique Entity ID (UEI) – A 12-character alphanumeric ID assigned to an entity by the *System for Award Management* (SAM.gov), which is an official website of the U.S. federal government. The UEI is required to apply for, receive, and report on a federal award.

RULES

1. Executive directors and agency heads shall designate liaisons to attend Grant Policy Advisory Committee (GPAC) meetings and to serve as the primary contact for awards with the Department of Finance, Mayor’s Office, and other GPAC Liaisons.
2. Every department or agency shall develop, implement, and maintain policies and procedures to ensure that every award application has the signature of the executive director or agency head, or has received approval, prior to submitting the application.
3. Every department or agency shall consult with the [Citywide Language Access Program](#) when a grant proposal is for public facing programs, activities, or services.
4. Every department or agency shall create entries in the designated system of record to notify the Budget and Management Office of its intent to:
 - A. Apply for competitive funding at least ten (10) business days before the application is submitted; and
 - B. Accept formula funding within ten (10) business days of receiving funds.

5. The Department of Finance shall review all [Grant Proposal](#) requests to:
 - A. Determine whether proposals are consistent with city priorities;
 - B. Screen for duplication and facilitate coordination with existing city programs where appropriate;
 - C. Evaluate the immediate and long-term financial consequences of accepting funding for match requirements and in-kind contributions;
 - D. Determine if Executive Development Council approval is required for capital grant applications.

The Department of Finance may request additional proposal information or presentations from the department or agency and may stop the application process based upon its review.

6. The Technology Services Department shall review all grant proposal requests to:
 - A. Determine the scope and extent of which **Technology** and/or **Data** is utilized;
 - B. Perform due diligence to ensure that the use of the proposed **Technology** and/or **Data** does not cause or create an undue or material technical, cybersecurity, regulatory, or privacy risk;
 - C. Evaluate whether the use of the proposed **Technology** and/or **Data** is appropriately funded to ensure continuous and non-lapsing support and maintenance throughout its lifecycle, and evaluate whether there is an immediate or long-term licensing or subscription liability, operational or capital budget consequence, support staffing consequence, or other **Technology** related financial consequence; and
 - D. Evaluate that the use of the proposed **Technology** and/or **Data** does not have an adverse impact upon the continuity of government, continuity of operations, and/or critical infrastructure programs; and evaluate that the use of the proposed **Technology** and/or **Data** would not be incompatible or inharmonious with existing or planned **Technology**.
7. The Technology Services Department may require a department or agency to identify additional funds to cover necessary expenditures throughout the **Technology** and **Data's** lifecycle and may also deny the purchase of **Technology** and/or the use of **Data** as proposed if the risk, liability, or compatibility materially changes during the life span of the award.
8. Every department or agency shall coordinate with the Department of Finance when using **Unique Entity IDs** to apply for federal funding.
9. Every department or agency shall update the designated system of record within ten (10) business days whenever an application is submitted, withdrawn, not funded, or written notification of funding is received.

- 10.** The Budget and Management Director may recommend to City Council appropriation of an award budget based on the **intent to fund**. If budget is recommended to be established, the recipient shall identify a budget to cover expenditures in the event that the application is not funded.
- 11.** The recipient shall initiate a request for an ordinance or if applicable, a resolution when City Council approval is required. In the following situations, City Council approval is required before acceptance of an award:
 - A.** The award is more than five hundred thousand dollars (\$500,000);
 - B.** The award, in combination with other awards received from the same source for the same project or program in the preceding year, will cause the total combined amount received, over two consecutive years, to exceed five hundred thousand dollars (\$500,000);
 - C.** The award has a specified match requirement by the city for which a budget and appropriation has not previously been approved by City Council, regardless of the amount of the matching contribution;
 - D.** The award amendment is adding additional funding resulting in the contract exceeding five hundred thousand dollars (\$500,000) for the first time;
 - E.** The award amendment significantly changes the purpose or scope of work of an award already approved by City Council;
 - F.** The award is based on a letter of intent, regardless of whether the contract (once the award is received) would require an ordinance based on the above criteria, the Department of Finance requires all requests to appropriate funds based on a letter of intent to be approved by City Council; and
 - G.** A City Council member has made a request regarding a specific award from the monthly report provided by the Budget and Management Office.

AUTHORITY AND ACCOUNTABILITY

The **Office of the Chief Financial Officer** and the **Controller's Office** are responsible for this fiscal accountability rule and any procedures, guides, job aids, forms, and one-page summaries associated with this rule.