

The following instructions are intended for organizations receiving awards through the FY22 Cultural Development Fund (including City Council discretionary awards and renewed multi-year awards) to be administered by the New York City Department of Cultural Affairs (DCLA).

Please follow the instructions below as you prepare the materials necessary for the agency to process your FY22 grant. Compliance with each applicable requirement is mandatory before any payment can be issued to your organization.

1. AWARD AMOUNT

Note the award amount on your award letter and within your Grant Agreement; keep these documents accessible throughout the grant period in your paper or electronic files.

2. SUBMIT YOUR GRANT MATERIALS

All required FY22 Grant Materials must be submitted **as soon as possible**, and **no later than December 1, 2021**. **Hard copy submission of grant materials will not be accepted.** Please upload one copy of all documents as specified by the [FY22 Grant Materials Checklist](#) using the [FY22 Funding Materials Form](#).

The FY22 Grant Materials will be accepted digitally using the Funding Materials Form to upload all materials. DCLA will accept e-signature for signed documents to accommodate varying degrees of access to digital resources throughout the field:

1. The preferred method of e-signing a document is to use a digital reproduction of a physical signature. The digital reproduction could be an image file of a signature written with the signer's own hand that is inserted into the document, or a PDF of the physically signed signature page. The digital reproduction should not be a typed name in italics or a cursive font.
2. Documents with e-signatures submitted using DocuSign (or other secured signature equivalent) may be accepted. DCLA does not provide access to DocuSign or other software and will not reimburse fees incurred by organizations that opt to use this method.

For New Grantees:

If your organization has not received City funding before, information in the City's computerized Financial Management System (FMS) may need to be entered. Complete a [Substitute W-9 Form](#) and return with your FY22 Grant Materials.

For Grantees with New Mailing Addresses:

If your organization has moved since receiving funds previously, information in the City's computerized Financial Management System (FMS) may need to be updated. Please update your address via the City's Payee Information Portal online: <http://www.nyc.gov/pip>. For assistance with the PIP System, please contact the PIP Help Desk at PIP@fisa-opa.nyc.gov. Please note that organizations with an open contract with another City agency may get an alert that they are not permitted to update their information via PIP. If that is the case for your organization, please contact your designated Program Specialist.

For Grant Agreements that Include City Council Discretionary Funding:

All discretionary awards must be cleared by the City Council and Mayor's Office of Contract Services (MOCS) prior to payment. To track the clearance status of your award, use the [Discretionary Award Tracker](#) on the MOCS website.

All organizations receiving a discretionary award must complete and sign a [Lobbying Certification](#), which certifies that your organization is in compliance with City and State Lobbying Law requirements. Should you have any questions, consult the [City Clerk's website](#). Any remaining questions may be addressed to DCLA's Deputy Agency Chief Contracting Officer, Ingrid Salzman-Huie, at Isalzman-huie@culture.nyc.gov.

An organization that receives City Council discretionary funding must itself deliver the services of the funded program. They should not subcontract the primary delivery of service funded by discretionary awards to another organization except in limited circumstances. This does not apply to hiring individuals as independent contractors or contracting with artistic or administrative providers to perform a portion of the funded service, but rather intended to prevent instances where the organization receiving discretionary funding acts as a "pass through" to another entity which has not itself been designated to receive the funds. If you have any questions, please contact your designated Program Specialist.

For Grant Agreements Greater than \$5,000:

Local Law 34 of 2007 amended the City's Campaign Finance Law, and requires the City to establish a computerized database containing the names of any "person" that has "business dealings with the city" as such terms are defined in the law. To be in compliance with Local Law 34, ALL grant recipients with grants greater than \$5,000 are required to submit a [Doing Business Data Form \(DBDF\)](#).

If you have filled out a DBDF in the past, you may check "No Change from previous Data Form dated _____." on page 1 and fill out the Certification at the bottom of page 2.

For All Grantees:

The Appendix to your grant agreements has details about insurance requirements for all organizations receiving funding from DCLA. Your organization is expected to be in compliance with those requirements. Organizations receiving grants of any size must be able to produce proof of required insurance that is compliant with the requirements noted below **if requested**. We will notify your organization prior to payment if this documentation is required.

In addition, organizations receiving a **grant \$100,000 or more must** submit documentation as described below prior to payment.

1. Commercial General Liability (CGL)
 - a. Additional Insured Endorsement - to confirm the City is an additional insured
 - b. Certification by Insurance Broker or Agent - to ensure that the CGL information is accurate (an example of this document is attached as the last two pages of your grant Agreement)
2. Workers' Compensation Insurance and Disability and Paid Family Leave Benefits Insurance

To meet these requirements:

- We recommend you contact your organization's insurance broker or representative and share these requirements with them.
- For organizations using a [fiscal sponsor](#), the certificates provided may list *either* the conduit *or* the applicant organization as the insured entity.
- [Detailed instructions](#) and examples of forms are noted below. Some organizations, insurance companies, or brokers may use different acceptable forms. Regardless of the form used, the specific requirements outlined below must be met.

For ALL certificates:

- Coverage is required for the entirety of the grant period, July 1, 2021 – June 30, 2022.
 - Because your organization's insurance coverage period may differ from the grant period, multiple certificates may need to be submitted (e.g., Sept. 2020-2021 AND Sept. 2021-2022).
 - If insurance for the entire grant period has not yet been acquired, the certificate(s) submitted by your organization must cover, at minimum, July 1, 2021 through the date you submit your grant materials.

1. Commercial General Liability Insurance:

- The [Acord 25 certificate](#) is the most common form used; a sample form is provided here for your reference.
 - Groups are required to have adequate coverage for the entirety of the grant period (July 1, 2021 – June 30, 2022).
 - Commercial General Liability Insurance must:
 - protect the City and Grantee from claims for property damage and/or bodily injury, including death that may arise from any of the operations under the Grant Agreement;
 - be in the amount of at least One Million Dollars (\$1,000,000) per occurrence;
 - be in the amount of at least One Million Dollars (\$1,000,000) for personal and advertising injury (unless waived in writing by the New York City Law Department);
 - be “occurrence” based rather than “claims-made”;
 - be at least as broad as that provided by the most recently issued Insurance Services Office (“ISO”) Form CG 00 01;
 - name the City of New York, including its officials and employees, as an Additional Insured with coverage at least as broad as the most recently issued ISO Form CG 2010 or CG 2026;
 - be maintained with companies that are authorized to issue the policy and have an A.M. Best rating of at least A- / VII, a Standard & Poor’s rating of at least A, a Moody’s Investors Service rating of at least A3, a Fitch Ratings rating of at least A- or a similar rating by any other nationally recognized statistical rating organization acceptable to the New York City Law Department unless prior written approval is obtained from the New York City Law Department; and
 - be primary (and non-contributing) to any insurance or self-insurance maintained by the City.
 - The certificate must indicate that **“The City of New York, including its officials and employees, is an additional insured.”**
 - This exact language must be used. The Department of Cultural Affairs, or any specific city agency, must **NOT** be specified.
 - On an Acord 25 certificate this information should be included in the “Description of Operations” field.
 - The Department of Cultural Affairs must be identified as the “Certificate Holder” using this *specific* address:

City of New York
Department of Cultural Affairs
31 Chambers Street, 2nd Floor
New York, NY 10007
- If your organization does not carry Commercial General Liability insurance for the full grant period, the DCLA Commissioner may, in his or her discretion, allow your organization to instead maintain Special Event Insurance for your specific funded activities. This documentation is expected to meet the same requirements as those outlined above for the limited period, and must cover all DCLA-funded activity.

2. Additional Insured Endorsement

- In tandem with the proof of General Liability Coverage, the insurance broker or agent must provide an “Additional Insured Endorsement” which modifies the policy to include the City as additional insured.

- The form must indicate that **“The City of New York, including its officials and employees, is an additional insured.”**
 - This exact language must be used. The Department of Cultural Affairs, or any specific city agency, must NOT be specified.
 - A funded organization’s CGL policy naming the City, including its officials and employees, as an additional insured must be in effect for the entire grant term, July 1, 2021 to June 30, 2022.
 - ISO Forms [CG-20 26 04](#) or [CG-20 10 04](#) are each commonly used; samples of both forms are provided here for your reference (only one need be submitted).
3. Certification by Insurance Broker or Agent
- In tandem with the proof of General Liability Coverage:
 - The insurance broker or agent must also certify on the provided [Certification by Insurance Broker or Agent](#) form that the information contained on the Acord certificate, or other certificate used to show proof of Commercial General Liability coverage, is accurate.
 - OR--
 - You may provide a copy of the policy, certified by an authorized representative of the issuing insurance carrier. If any policy is not available at the time of submission, certified binders may be submitted until such time as the policy is available, at which time a certified copy of the policy shall be submitted.
4. Workers’ Compensation Insurance and Disability and Paid Family Leave Benefits Insurance
- If your organization has compensated employees (as defined by New York State Workers’ Compensation Law and Disability Benefits Law), you are required to have adequate coverage for the entirety of the grant period (July 1, 2021 – June 30, 2022)
 - *Workers’ Compensation*
 - There are several forms that can be used as documentation.
 - The [C-105.2](#) is commonly used; a sample form is provided here for your reference.
 - OR--
 - If you are insured by the New York State Insurance Fund (NYSIF), you may obtain a U-26.3 at the Fund’s website: www.nysif.com. Click on “Print a Certificate” and follow the prompts.
 - *Disability and Paid Family Leave Benefits*
 - There are several forms that can be used as documentation. The [DB-120.1](#) is commonly used; a sample form is provided here for your reference.
 - OR--
 - If your organization has no employees as defined by New York State law and you are not required to carry workers' compensation and/or disability benefits coverage, you must submit a signed Certificate of Attestation of Exemption ([CE-200](#)). Organizations can use [New York Business Express](#) to file and obtain a Certificate of Attestation online. Additional instructions can be found [here](#).

Also for Grant Agreements of \$100,000 or more:

Agreements with organizations receiving \$100,000 or greater must be filed with the Comptroller’s Office before any payment can be issued. Because of these procedures, awards of this size take longer to process. In addition to the signed Grant Agreements, submit the original, signed copies of the below forms:

1. [Organization Certification](#)
 - If any of the statements are not true, an explanation on a separate sheet must be uploaded digitally using the FY22 Funding Materials Form as a second attachment in the Organization Certification field.
2. TWO [Individual Certifications](#) (one for CEO/Executive Director, one for CFO/Treasurer)
 - If any of the statements are not true, an explanation on a separate sheet must be uploaded digitally using the FY22 Funding Materials Form as a second attachment in the Individual Certification field.

- *NOTE: If your CEO and CFO are the same individual, they must complete two forms, one with each title listed. You must upload both forms separately.*

3. COMPLIANCE WITH NEW YORK STATE CHARITIES BUREAU REQUIREMENTS

Most nonprofit organizations that conduct charitable activities in New York are required by New York State law to be registered with the Charities Bureau of the Office of the Attorney General of New York State, and to file financial reports annually with that office. The Department of Cultural Affairs must confirm compliance with this State requirement before funds can be conveyed to your organization.

- Consult the [Charities Bureau Registry Search](#) to confirm your status. Filings with the Charities Bureau must be current; deadlines vary depending on the end date of your organization's fiscal year and the law under which you are required to file. If you find that your organization's status is not current, contact the Charities Bureau immediately to determine what is needed.
- Some nonprofit entities may qualify for an exemption from filing with the Charities Bureau. If you are not sure whether your organization is exempt, contact the Charities Bureau directly; if you are exempt, return the [Certificate of Exemption](#) with your FY22 Grant Materials.

4. PAYMENT

Once our review of required documents is complete and we confirm compliance with FY21 reporting, an initial payment will be processed by DCLA and sent from the City's Finance Department. DCLA does not process payments.

Organizations receiving more than \$25,000 are required to enroll in Electronic Funds Transfer (direct deposit) via the Payee Information Portal (PIP). We encourage all grantees to sign up for this payment method. For all other organizations, the City has instituted a charge of \$3.50 per paper check, which will be deducted from each payment. Enrollment is quick and easy, using the link below.

- [Enroll Now](#) in Electronic Funds Transfer (direct deposit)

For assistance with the PIP System, please contact the PIP Help Desk at PIP@fisa-opa.nyc.gov.

5. CREDIT REQUIREMENTS

Grantees must comply with the credit stipulations contained in page 7 of the [Cultural Development Fund Guidelines](#) and in your Fiscal 2022 Grant Agreement:

- All printed or digital programs, brochures, flyers, posters, announcements or similar matter relating to services funded by DCLA are required to include, in a legible manner, in appropriate type size and without abbreviation, the following statement: **"This program is supported, in part, by public funds from the New York City Department of Cultural Affairs in partnership with the City Council."**
- The Department of Cultural Affairs logo is also required to appear on these materials. Each organization obtaining a logo will do so subject to a standard logo policy and terms of use. To obtain our logo, visit our website to fill out the [Logo Request Form](#).
NOTE: Our logo changed in July, 2017.
- In addition to the logo and credit line stipulated, any printed list of contributors to a program or service funded by DCLA, either alphabetical or by contribution category, is required to include the "New York City Department of Cultural Affairs."

- Any group receiving City Council discretionary funding should be sure to acknowledge Council support and include the appropriate credit to the Council member/s who provided it on related materials.

6. REPORTING REQUIREMENTS

All organizations funded for Fiscal 2022, including those receiving multi-year support, must submit a final report on the services delivered under the Grant by the stipulated deadline; an approved report is required to receive final payment. Grantees will be notified when the Fiscal 2022 reporting forms are available. Please note that in FY21 Final Reporting was conducted online using digital forms to complete submission of supplemental materials and scope changes. You can expect to complete the same process digitally in FY22.

- Organizations that do not comply with reporting requirements will not receive any additional funds still due and will be required to return all Fiscal 2022 funds previously received within ninety days of the close of the fiscal year.
- Organizations that submit a late report or fail to submit a Fiscal 2022 report will be **ineligible** for consideration in Fiscal 2023 and 2024. Reporting will be required before any organization can be considered for funding in any subsequent year.
- Those organizations that do not report on funding received and do not return funds advanced in Fiscal 2022 will be ineligible for **any** future support from the agency.

The return of signed Grant Agreements will acknowledge that the organization understands the implications of noncompliance, will comply with all reporting requirements, and will be subject to the penalties noted.

7. SITE VISITS AND/OR PROGRAM ATTENDANCE

The Programs Services Unit welcomes the opportunity to better know the work and operations of your organization. Site visits by DCLA staff allow us to evaluate compliance as well as to build a body of information that better informs our panels, our agency, and others about the services you provide. Site visits consist of attendance at performances, presentations, exhibitions, classes or other activities, both online and in person. Be sure to add your designated Program Specialist to your organization's mailing list so we are kept up to date with news about the organization, and be sure to extend personal invitations to the appropriate DCLA staff to attend events and performances. In addition to site visits, we may from time to time request administrative meetings with your organization's key staff and/or Board members.

8. CONTACT INFORMATION

It is essential that you keep your contact information up to date so that you can receive correspondence from DCLA throughout the grant period. You may log on to your [DCLA online account](#) to make adjustments to your Account Profile. Please make sure that the email address for your Primary User is **kept current at all times; only the Primary user may add new users or delete inactive profiles**. Instructions for adding and deleting users can be found in the [Registration Help Guide](#) on our website. Please also inform your Program Specialist of any changes.

In April 2019, the New York City Department of Cultural Affairs (DCLA) updated our online security policies to be in alignment with NYC.ID, New York City's Centralized Public Identity Management System. All new or returning users use NYC.ID to log in to their DCLA CDF account. For more information regarding registration with the NYC.ID, you can refer to [Online Registration for CDF Applicants](#).

Again, your FY22 Grant Materials must be submitted via the [FY22 Funding Materials Form](#) as soon as possible, and no later than **December 1, 2021.**