



Commission for Arts and Culture

INSTRUCTIONS

How to Complete a Contract Kit

For Nonprofit Organizations Awarded Arts and Culture Funding in Fiscal Year 2017

These instructions are for each nonprofit organization that has been approved for an award of funding in FY17 after submitting an application through The City of San Diego Commission for Arts and Culture's Organizational Support Program (OSP) or Creative Communities San Diego (CCSD).

QUICK START SUMMARY:

1. Read everything in the contract kit.
2. Sign the contract signature page, sign the duplicate signature page, review Exhibit A, sign Exhibit B, sign any applicable "Declaration in Lieu", and, if preferred, complete the optional Electronic Funds Transfer enrollment form.
3. Compile the necessary insurance documents. (See Article VII of the contract.)
4. Verify that your organization's status with state and federal agencies is "active"/"current." (See Section 5.5 in the contract.)
5. Deliver all these materials to Commission staff by **12:00 p.m./Noon on Friday, September 23, 2016.**
6. If you have read everything in the contract kit and followed the detailed instructions, but want more information, contact Whitney Roux, Arts and Culture Funding Programs Coordinator, at wroux@sanidiego.gov or (619) 236-6798.

Need the visuals shown at the Contract Technical Assistance Workshop?

Need a key for the abbreviations in this document?

Need a glossary?

Find it here: www.sandiego.gov/arts-culture/funding

DETAILED INSTRUCTIONS:

Why does my organization have to complete a contract kit?

Each nonprofit organization must possess two things before requesting reimbursement from the City:

1. A contract, signed by all the necessary parties and recorded by the City Clerk; and
2. A purchase order number issued by the City.

Completing and submitting a contract kit is each nonprofit organization's first step towards getting these two things.

What is included in the contract kit?

Each nonprofit organization is given a unique kit prepared and delivered by Commission staff. Each unique contract kit includes:

- ☐ One complete contract, unsigned
- ☐ One duplicate of the contract signature page, unsigned
- ☐ One Exhibit A: Scope of Services
- ☐ One Exhibit B: Public Records Act Acknowledgement, unsigned
- ☐ One "Declaration in Lieu" of Required Auto Insurance, unsigned
- ☐ One "Declaration in Lieu" of Required Workers' Compensation Insurance, unsigned
- ☐ One Electronic Funds Transfer (EFT) enrollment form, blank
- ☐ One set of instructions for completing a contract kit
- ☐ One contract kit completion checklist
- ☐ One cover letter from Commissioners

What should my organization do when it gets the contract kit?

1. Read everything in the contract kit.
2. Confirm that these unique details in the contract are accurate:
 - ☐ Section 1.1.1 Contractor's Mission
 - ☐ Section 2.2 Contract Information
 - ☐ Section 3.1 Total Contract Amount
 - ☐ Section 3.1.2 Matching Requirement Amount (A 2:1 match is required for CCSD contractors with awards of less than \$30,000 and a 3:1 match is required for CCSD contractors with awards of greater than \$30,000; a 3:1 match is required for all OSP contractors.)
 - ☐ Exhibit A: Scope of Services
3. If your organization agrees to the terms and conditions of the contract, then sign the contract signature page, sign the duplicate signature page, sign Exhibit B, sign any applicable "Declaration in Lieu", and, if preferred, complete the optional Electronic Funds Transfer enrollment form.
4. Compile the necessary insurance documents. (See Article VII of the contract.)
5. Verify that your organization's status with state and federal agencies is – and stays –

"active"/"current." (See Section 5.5 in the contract.)

6. Deliver all these materials to Commission staff by **12:00 p.m./Noon on Friday, September 23, 2016.**

When is the contract kit due back to the Commission?

Completed contract kits are due back to the Commission by **12:00 p.m./Noon on Friday, September 23, 2016.**

Need a 1-page Contract Kit Completion Checklist?
Find it at the end of these instructions or
Find it here: www.sandiego.gov/arts-culture/funding

Where to deliver a complete and accurate contract kit:

Commission for Arts and Culture
Attn: Whitney Roux
1200 Third Avenue, Suite 924
San Diego, CA 92101
wroux@sandiego.gov

What happens after my nonprofit organization returns the contract kit?

After each nonprofit organization returns its contract kit to Commission staff, the following process starts:

1. Commission staff reviews each contract kit to verify that all the components are accurate and complete.
2. When inaccurate and/or incomplete components are found, Commission staff requests corrected materials from the nonprofit organization.
3. When a contract kit is deemed accurate and complete, Commission staff sends the contract kit to the City's Purchasing and Contracting Department for review and approval, then to the City Attorney for review and approval, and then to the City Clerk for official recording.
4. After a contract kit is approved by the City's Purchasing and Contracting Department, approved by the City Attorney, and recorded by the City Clerk, Commission staff sends a paper copy of the contract kit to the nonprofit organization and concurrently submits a purchase request to the City's Purchasing and Contracting Department for review and approval.
5. The City's Purchasing and Contracting Department approves the purchase request and issues a purchase order number, which Commission staff then gives to each

nonprofit organization.

6. A nonprofit organization that possesses both a contract that has been signed by all the parties and recorded by the City Clerk, and a purchase order number issued by the City can begin submitting invoices to Commission staff for reimbursement.

How long does it take for the City to send back a signed contract and a purchase order number?

It typically takes 90 days from the date that a nonprofit organization submits a complete and accurate contract kit to Commission staff for the City to send back a signed contract and a purchase order number. **Turnaround times are largely dependent on the accuracy and completeness of each nonprofit organization's submission and each organization's response time for follow-up requests from Commission staff.**

Top 3 Things Your Organization Can Do to Expedite Processing

1. **Send complete and accurate insurance documents and keep the documents fresh throughout the year.** Expired insurance policies are a common factor in longer processing times for organizations' contracts and reimbursement payments. If your organization's insurance policies are scheduled to expire in the next 90 days, obtain current policies as soon as possible. Set reminders on your calendar.
2. **Verify that your organization's status with state and federal agencies is – and stays – “active”/“current”.** Delinquent registrations are a common factor in longer processing times for organizations' contracts and reimbursement payments. Your organization's registrations must be refreshed each year. Set reminders on your calendar.
3. **Designate one person in your organization to be the point of contact for Commission staff.** Communications from Commission staff that are lost in an organization or directed to the wrong person in an organization are a common factor in longer processing times for organizations' contracts and reimbursement payments.

Tips for Getting the Insurance Right

- ☐ Carefully read Article VII of the contract.
- ☐ Review the visuals from the Contract Technical Assistance Workshop.
- ☐ Share the insurance requirements found in Article VII of the contract and the visuals from the Contract Technical Assistance Workshop with your organization's insurance broker.
- ☐ Verify that your organization's insurance policies will not expire in the next 90 days.
- ☐ If your organization's insurance policies are scheduled to expire in the next 90 days,

obtain current policies as soon as possible. Set reminders on your calendar.

- ☐ If your organization meets both of the following two conditions, then sign and return a “Declaration in Lieu” of Commercial Automobile Liability insurance:
 - Your organization does not currently own any vehicles, and
 - Your organization carries Commercial General Liability insurance for “hired” and “non-owned” autos.
- ☐ If your organization meets both of the following two conditions, then sign and return a “Declaration in Lieu” of Workers’ Compensation insurance:
 - Your organization has no paid employees, and
 - All work to be performed under the contract will be done by solely by volunteers.

Tips for Getting the State and Federal Registrations Right

- ☐ Ensure your organization’s status is “Active” or “Results Not Found” on **System for Awards Management**: www.sam.gov
- ☐ Ensure your organization’s status is “Active” on **California Secretary of State - Business Listing**: <http://kepler.sos.ca.gov/>
- ☐ Ensure your organization’s status is “Current” on **California Department of Justice - Charity Registration**: <http://rct.doj.ca.gov>
- ☐ Confirm that your organization is not included on the **Federal Department of Industrial Relations- Federal Debarment List**: www.dir.ca.gov/dlse/debar.html
- ☐ Keep these registrations fresh by updating them each annually. Set reminders on your calendar.

Tips for Getting Questions Answered Quickly

- ☐ **Questions about what the “legalese” in the contract means?** Consult your organization’s attorney. Commission staff is prohibited from interpreting the meaning of the contract contents.
- ☐ **Questions about the insurance requirements?** Consult your organization’s insurance broker. Insurance brokers are experts on insurance.
- ☐ **Questions about invoicing and payments?** First, check whether your organization is in possession of both a contract, signed by all the necessary parties and recorded by the City Clerk, and a purchase order number issued by the City. Second, check your bank account to see whether an electronic payment has been deposited. After doing these two checks, then contact Commission staff with questions.

FY17 ARTS AND CULTURE CONTRACT KIT COMPLETION CHECKLIST

REQUIRED CONTRACT MATERIALS

- ☐ One complete contract, **signed**
- ☐ One duplicate of the contract's signature page isolated, **signed**
- ☐ Exhibit A: Scope of Services
- ☐ Exhibit B: Public Records Act Acknowledgement, **signed**

REQUIRED INSURANCE INFORMATION

- ☐ Certificate of Insurance:
 - ☐ Commercial General Liability (CGL) insurance
 - ☐ Commercial Automobile Liability (AUTO) insurance
 - ☐ Workers' Compensation insurance, if applicable
- ☐ Additionally Insured Endorsements, with correct language:
 - ☐ CGL insurance
 - ☐ AUTO Insurance
- ☐ Proof of Primary/Non-Contributory Coverage:
 - ☐ CGL insurance
 - ☐ AUTO insurance
- ☐ Proof of Severability Coverage:
 - ☐ CGL insurance
 - ☐ AUTO insurance
- ☐ Proof of 30-Day Notice of Cancellation
- ☐ Waiver of Subrogation for Workers' Compensation, with correct language, if applicable

IF APPLICABLE

- ☐ "Declaration in Lieu" of required Commercial Automobile Liability insurance, **signed**
- ☐ "Declaration in Lieu" of required Workers' Compensation insurance, **signed**

OPTIONAL, IF PREFERRED

- ☐ Electronic Funds Transfer (EFT) enrollment form, **completed** (If your organization already uses EFT for payments from the City, there is no need to complete the form again.)