



**Office of Cultural Affairs**  
C I T Y O F D A L L A S

**2017-18**

**CULTURAL ORGANIZATION PROGRAM  
(COP)**

**GUIDELINES**

**City of Dallas/Office of Cultural Affairs  
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# Cultural Organization Program (COP)

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# **Cultural Organization Program**

## **INTRODUCTION**

The City of Dallas has established a cultural system that ensures that all Dallas citizens and visitors have an opportunity to experience the finest in arts and culture. One of the City's primary roles within this system is to contract for cultural services through partnerships with nonprofit cultural organizations to leverage private support for an array of cultural programs.

This document contains guidelines, deadlines and application instructions for the Cultural Organizations Program (COP) managed by the Office of Cultural Affairs (OCA) for fiscal year 2017-18. Please refer to the appropriate sections of this guide for more detailed information about the program.

All applicants are required to read the guidelines and application instructions for details of program eligibility and requirements prior to beginning the application process. Guidelines are updated every grant cycle.

You are responsible for the quality, completeness and timely submission of your proposal. Application steps and deadlines are included in this document and online at [www.dallasculture.org](http://www.dallasculture.org). Staff are available to answer additional questions you may have.

## **Cultural Services Funding Programs**

The City's goal is that all residents and visitors have the opportunity to enjoy high quality arts and cultural offerings.

All organizations performing cultural services for the City must develop, implement, and maintain affirmative operating policies that include measurable goals for the ethnic diversification of staff, board, contractors, services and programs. The achievements and goals of the organization will be evaluated by review teams and taken into consideration in the funding process.

COP is the program used to contract for cultural services with established non-profit organizations to support an array of cultural programs that include concerts, plays, exhibitions, performances, workshops and other programming. The contracts are awarded annually using the best practices review panel approach to evaluate applications. Program eligibility and review criteria are published annually. An organization receiving a COP contract cannot receive a Cultural Programs Project (CPP) contract or CPP-Special Support contract but is eligible to apply for the Cultural Vitality Program (CVP).

The maximum amount any organization can receive through COP is 25% of their prior year's audited revenue. Organizations that do not meet the baseline panel score of 70%, will not be considered for funding.

**Source of Cultural Program Funds**

The City of Dallas invests in the arts by allocating a portion of the City’s general fund and a portion of the Hotel Occupancy Tax (HOT) to eligible applicants who meet the established program criteria and are recommended for funding as a result of an application and peer review panel process. Per state law, revenue from the municipal Hotel Occupancy Tax may be used only to promote tourism and the convention and hotel industry (Texas Tax Code, Chapter 351.101. Use of Tax Revenue)

<b><u>COP FUNDING TIME LINE</u></b>	
	<b>Cultural Organizations Program (COP)</b>
<b>March 20, 2017</b>	<b>FY17-18 COP Applications open online</b>
<b>May 26, 2017</b>	<b>FY17-18 COP Applications Due by midnight</b> <b>Panel Presentation for any first time applicants</b>
<b>June/July/August, 2017</b>	COP Application Review – Cultural Affairs Commission
<b>September, 2017</b>	COP funding recommendations are completed by the Cultural Affairs Commission and approved
	City Council approves the FY18 City Budget
	COP funded organizations are notified if funding levels
<b>October, 2017</b>	City Council approves the FY17-18 COP Contracts
	COP funded organizations sign contracts
<b>January, 2018</b>	COP organizations receive first payment (subject to change provided compliance and insurance requirements are met) (Additional payments are made according to contract terms)
<b>October 15, 2018</b>	<b>COP Final Reports due for FY17-18</b>
	<b>COP Final Monthly Report due for FY17-18</b>

**The funding period for FY17-18 is October 1, 2017 – September 30, 2018**

**NEED ASSISTANCE?**

For general inquiries or assistance, please contact the Office of Cultural Affairs cultural contract program staff:

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 Cultural Programs Manager  
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[Rhonda.ivery@dallascityhall.com](mailto:Rhonda.ivery@dallascityhall.com)

214-671-8573

## ***ELIGIBLE ORGANIZATIONS***

### **Organizations must meet the following criteria to qualify for COP funding:**

- Must be a non-profit 501(c)(3) corporation for at least 3 years.
- Must be an established City of Dallas arts organization with an operation history of at least three years and administrative offices in the City of Dallas.
- Must have an annual operating budget of at least \$100,000, based on prior year's actual expenses. If not available at the time of application, an audited financial statement must be provided to the City before the organization may enter into a contract for organizational support.
- Obtain and maintain during the contract term all necessary licenses, permits, insurance and other approvals required by law for the provision of services.
- An audit that has been conducted by an outside certified accountant for the most recently completed fiscal year must be submitted by all COP funded organizations.
- Must have at least one paid part-time Director/Manager staff person hired upon award of City contract and employed throughout the 12-month contract period.
- Must produce a season of programs, exhibitions, and/or performances for the public.
- Must work to have a diverse community representation on the Board of Directors.
- Must be in compliance with local, state, and federal laws prohibiting discrimination.
- Must demonstrate community outreach programs.
- Must work to demonstrate commitment to cultural diversity in all aspects of the organization's operations and programming.
- The primary focus of the organization's operation is to provide services to the residents in the city limits of Dallas and activities take place within the city limits of Dallas.
- The organization's administrative offices must be located permanently within the City of Dallas.
- **The total City support amount shall not exceed 25% of the applicant's audited operating revenue for its most recently completed fiscal year.**
- Comply with regulations pertaining to federal grant recipients including Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Education Amendments of 1972, the Americans with Disabilities Act of 1990, and the Drug Free Workplace Act of 1988

## **INELIGIBLE ORGANIZATIONS AND ACTIVITIES**

**City funds allocated cannot be used to pay direct costs for:**

- Activities which do not have a cultural or artistic focus or whose primary focus is religious in nature
- Projects planned primarily for fundraising purposes
- Activities restricted to members or which do not benefit the general public
- Tuition expenses
- College/university or school projects that are part of a course or curriculum or which do not benefit the general public
- Fellowships/grants to individuals
- Scholarships, cash prizes or awards
- Out-of-city travel
- Underwriting of capital expenditures (buildings, land, permanent equipment or artwork)
- Purchase of artwork
- Activities that have occurred prior to the execution of the cultural service contract
- Underwriting of past deficits
- Endowments
- Non-contract related services, lobbying, attorney's fees, fees for penalties, and fees for incorporation or obtaining tax-exempt status
- Activities of Dallas based organizations that occur outside of the City limits are ineligible.
- Public Art that is located on City property

## **FIRST TIME APPLICANTS**

**First time applicants must contact OCA staff before the application deadline.** This is to ensure that the applicant is aware of the COP requirements and additional information that is needed.

**Note:** *The term first-time applicant refers to applicants submitting proposals to the program for the first time, as well as to applicants that have applied in the past but are not currently funded through the program.*

In addition to the funding requirements, first-time COP applicants should submit one copy of the following:

- Charter and by-laws.
- Status as a non-profit 501(c)(3) corporation. A copy of the organization's Internal Revenue Service letter of determination must be submitted with the completed proposal form. Failure to submit this IRS letter will result in disqualification of the proposal.
- Prior Year Audited Financials or IRS 990's if audit is not completed.
- If applying in a non-panel year where there is no scheduled presentations then a panel will be convened for the organization in order to receive a panel score for funding.

**Exception:** A new organization after its first three years of existence may apply by the proposal deadline without providing the required IRS letter of determination as long as: (a) the organization provides a completed copy of IRS **Form 1023** and attachments as evidence that it has applied to the IRS for its 501(c)(3) status, and (b) if recommended for funding, provides the actual IRS letter of determination before the contract can be presented to the City Council.

## **TWO-YEAR COP APPLICATION CYCLE**

COP provides awards to established non-profit cultural/arts organizations for operational costs for the full range of an organization's services to the public. The COP funding process is a **two-year Application Cycle** to streamline the application and review process for COP applicants.

- **First Year:** Interested and eligible applicants have already submitted a full application for peer panel review for the FY16-17 fiscal year. The Cultural Affairs Commission convened a peer review panel in May 2016 to review the applications. All eligible organizations currently funded and any eligible organization were considered for the COP program and applied through the Peer Panel Review process before they were eligible for the complete two year process. The Cultural Affairs Commission made funding recommendations for the first year based on the panel rankings, program criteria and funding availability. Based on the Commission's recommendation, a one-year contract for FY16-17 was presented to City Council for approval.
- **(CURRENT) Second Year (FY17-18; application deadline May 26, 2017):** Organizations recommended for funding in FY16-17 that are interested in and remain eligible to receive funding in FY17-18 are required submit a second-year application and will not go through a peer panel review for that year unless they are a new applicant. Applications will be reviewed by the Cultural Affairs Commission, Allocations Committee. Failure to submit the application by the deadline will automatically eliminate the organization from consideration for FY17-18 funding. The Cultural Affairs Commission will make funding recommendations for the second year based on the panel rankings acquired through the first year peer review panels, program criteria and funding availability. Based on the Commission's recommendation, a one-year contract for FY17-18 will be presented to City Council for approval. If an organization is applying for the first time in the second year they will need to go through a panel presentation to receive a panel score.

**NOTE: Please be aware that there will be revisions made to the COP guidelines for FY18-19.**

**This is a two-year application process, not a commitment to two-years of flat funding.** The Cultural Affairs Commission cannot guarantee funding levels, as the Office of Cultural Affairs budget is approved on an annual basis and cannot be committed to flat multi-year funding.

Each year that an organization is funded a new contract will be written with the City of Dallas.

## **First and Second Year Application Deadlines**

All COP organizations are required to fill out an application which will be available online at [dallas.culturegrants.org](http://dallas.culturegrants.org).

**Second Year** applications must be submitted via the online grant system by midnight- May 26, 2017. Hard copies of grant applications will not be accepted.

Applicants will receive a confirmation email indicating that the application has been received and is being processed. If the confirmation email is not received within 24 hours after submitting the application, contact the OCA staff immediately.

**NOTE: An organization that submits a substantially incomplete application at the time of the deadline, as deemed by the Office of Cultural Affairs, will receive notification via e-mail as to the incomplete status of the application from OCA staff. This could result in the application being rejected.**

## **Second Year Review Applications**

Applications for the Cultural Organization Program for the second year will be evaluated by the Allocations Committee a committee of the Cultural Affairs Commission. The committee will use the base score from the previous Peer Panel Review as the base point for all COP applicants. The second year funding amount will be calculated using the prior year's score, the most current contract compliance score, and the amount of funds available to award. Funding levels are not guaranteed from year to year as these variables and available funding changes each City fiscal year.

The committee's funding recommendations will then be forwarded to the Cultural Affairs Commission for final funding recommendation. Once City Council has approved the budget, a funding letter will be emailed to all organizations. Final approval of each award is made by the City Council.

## **Contract Compliance for the Second Year Process**

All second year organizations will be required to comply with all terms outlined in their funding contract with the City of Dallas. During the second year funding process compliance scores will be recalculated and combined with the peer panel score from the previous year. This has the potential to change the overall score and either increase or decrease the funding level of an organization depending on the amount of funds available for the second year.

Organizations in this program are required to produce an audit that has been conducted by an outside certified accountant for the recently completed fiscal year for each year that they are in this program. The second year process does not release any organization from submitting their yearly audit. Organizations that fail to produce any of the required documentation will be considered out of compliance for that year's funding, which may result in the loss or partial loss of the funding award.

Any major contract compliance issues such as current audits not being received or other similar items will be presented to the Allocations Committee to recommend what course



of action to be taken. This will then be presented to the full Cultural Affairs Commission for final recommendation of funding continuation.

## **GENERAL APPLICATIONS GUIDELINES**

Before you begin your application or second year application, carefully read all applicable COP program guidelines.

- Develop your application so that it addresses applicable program goals and evaluation criteria.
- Complete every required section and upload any additional required documents.
- Check your work and make sure that your financial data is accurate and complete.

All supplementary materials submitted should reflect the quality of your artistic product. Poorly produced supplementary materials, including audio or visual materials may do more harm than good.

### **Please limit your online supplemental material to the following:**

- No more than 1 catalog
- No more than 1 brochure
- No more than 1 critical reviews or newspaper clipping
- No more than 1 program or playbill
- Photos and video clips

Contact the Cultural Contracts Staff for clarification. The OCA staff can review your application with you prior to the submission date.

### **Helpful Tips for Preparing Your Application**

- Read the guidelines, grant application instructions and criteria before beginning the application process.
- Plan your narrative following the questions and funding criteria. Plan your answers carefully to avoid repetition.
- Write to the funding criteria. Remember all applications are reviewed based on how well the applicant meets the funding criteria.
- Don't assume. Those who review your proposal may have no knowledge of your organization or its programming. Make sure you describe existing and proposed programs in detail. The application should stand on its own merits.
- Avoid generalizations. Rather than stating, "We have operated a successful series of concerts for the last four years," use numbers to prove your case. For example, "We have produced six plays with 10-performance runs for the last four years to audiences ranging from 75 to 100 per each performance."

- Proofread. Before submitting your application, have at least one person proofread it. If the reader has questions, it is likely, the reviewers will as well. Applications that contain frequent typographical errors, poor grammar or misspelled words do not give a positive impression of the organization.

## **SELECTION PROCESS AND CONTRACT AWARD**

### **Peer Review Panel**

Applications for the Cultural Organization Program for the first year of the two year program are evaluated by a Peer Review Panel whose membership is taken from a list of qualified candidates nominated by from the field and approved by the Cultural Affairs Commission. The next Peer Review Panel will be in May 2018 for the FY18-19 fiscal year.

Organizations are encouraged to submit nominations for the Peer Review Panel. A Panel Nomination Form can be downloaded from the OCA website: [www.dallasculture.org](http://www.dallasculture.org) by clicking on “Programs” and then “Cultural Services Contracts.” You will find the link on the right hand side of this page.

### **Tier Structure**

All COP grant applicants will be reviewed in tier levels based on their adjusted revenue budget from the previous year’s official audit records. There will be one review panel for each tier level. Each panel will consist of a diverse group of people knowledgeable in the arts and other fields as pertains to the organizations in that tier. The tier levels are as follows;

**Tier I - \$500,000 and Under**

**Tier II - \$500,001 - \$999,999**

**Tier III - \$1,000,000 – and up**

**Tier IV – City Owned Facilities**

### **Peer Review Panel Meeting**

Applying cultural organizations will be notified by email of their scheduled time and date for the Panel Review in a panel year.

### **Peer Review Panel Process –**

**(Please note that this section is subject to change for FY18-19)**

#### **The review process is as follows:**

Proposals will be reviewed by the OCA staff for eligibility, completeness and accuracy.

After initial review by OCA staff, the proposals are evaluated by a Review Panel taken from the Cultural Affairs Commission. Applicants may receive up to 100 points between the review panel and the Commission.

**The total of 100 points is broken into the following:**

- **75 points** - Peer Review Panel
- **25 points** – Commission / Administrative Staff

**Applicants are evaluated by the Peer Review Panel according to the following criteria for a total possible of 75 points:**

- **Quality of Services (25 points)** – The organization exhibits a commitment to high quality standards in its artistic and cultural services.
- **Impact (15 points)** – Provides a direct impact of cultural services to the Dallas community.
- **Management (15 points)** – The organization has the fiscal stability to perform the proposed services in a reliable manner, as evidenced in its financial history, budgets and management.
- **Cultural Diversity (10 Points)** - Organization has demonstrated a commitment to cultural diversity in all aspects of its operations such as programs, audiences and outreach.
- **Overall (10 points)** – The overall evaluation of the organization’s performance and benefit to the citizens of Dallas

**Applicants are also assessed an administrative score of up to 25 points by OCA staff:**

- **Contract Compliance (5 points)** - Organization has shown the capacity to comply with COP contract requirements that are measured from the last complete fiscal year.

**2 Points:** Monthly Reports (submitted by the 15<sup>th</sup> of each month)

**2** = 75%-100%

**1** = 51% - 74%

**0** = 50% or below

**3 Points:** Audit submitted by deadline (6 months after the close of the organization’s fiscal year)

**3** = 100% Audit submitted on time

**0** = Audit submitted after deadline

- **Organization Management (10 points) - NEW** – Organization has performed in a reliable manner in the past in terms of contract sustainability.

**5 Points: Attendance** (proposed numbers in the FY15-16 COP contract Scope of Services vs Actual reported FY15-16 numbers by the organization through the monthly reports.)

**5** = 80% - 110% (percentage between proposed and actuals)  
**3** = 70% - 79% **Or** 111% - 125%  
**0** = 69% or below **Or** greater than 125%

**5 Points: Services** (proposed numbers in the FY15-16 COP contract Scope of Services vs Actual reported FY15-16 numbers by the organization through the monthly reports. This includes the number of services proposed by program type)

**5** = 80% - 110% (percentage between proposed and actuals)  
**3** = 70% - 79% **Or** 111% - 125%  
**0** = 69% or below **Or** greater than 125%

- **Board and Staff Diversity (10 points)** – It is the City of Dallas’ cultural policy to contract with cultural organizations that demonstrate a commitment to diverse community representation on their boards and staffs.

**0-5 Points:** (Staff diversity numbers taken from the FY17-18 COP Application are entered into an excel formula to determine points)

**0–5 Points:** (Board diversity numbers taken from the FY17-18 COP Application are entered into an excel formula to determine points)

**Bonus Points: 5 Points - NEW**

**Organization Budget and Board Participation**

What percentage of your Board is participating in a get or give policy?

**5** = 80%-100% (of total Board participation)  
**3** = 70%-79%  
**0** = 69% or below

The panel and staff ratings and recommendations are forwarded to the Cultural Affairs Commission for review. The Commission recommends a level of funding for each organization taking into consideration the panel rating, funding projections, contract compliance and fiscal management of organizations currently funded. **It is the policy of the Cultural Affairs Commission to recommend funding organizations who have demonstrated excellence. Organizations whose panel score is below 70% will not be considered for funding.**

The Commission’s recommendation is then forwarded to the City Council through the City Manager's Office as part of the OCA annual budget request. The recommended allocation, and individual contracts will receive approval or modification by the City Council in October of each year.

**Presentations to the Panel**

Every organization that applies for funding must make a biannual presentation to the Peer Review Panel. Applicant organizations must be represented at the Review Panel meeting by principal representatives, e.g. the Executive Director, Artistic Director, Board President and/or a Financial Officer or other staff as determined by the organization.

The presentation times will be allotted in the following manner:

**2 minutes** – Organization will be introduced to the panel members by a Commission member

**5 minutes** – Presentation time for the organization to the Panel

**10 minutes** - Q and A time for panel members with the organization

A notice about what type of audio-visual equipment will be available for the presentation will be sent to groups prior to the panel dates.

## **CONTRACTUAL REQUIREMENTS**

### **Cultural Services Contract Compliance**

Upon City Council approval of the program budget and contracts, a cultural services contract will be signed by the organization's Director and Board Chair. The contract includes the following requirements:

#### **Scope of Services**

Services that are to be provided to the City (including community outreach) will be specific in number and type to be provided. Should it become necessary to alter the contracted services during the contract term, a written request must be submitted and approved by the OCA Director before the changes are implemented.

#### **Signed Contract Time Frame**

It is required that all awarded organizations provide three copies of the signature page of their COP contract with the wet/original signature of the responsible official for the organization and the Board Chair. The following lists the COP contract process before payment can be made:

- The Scope of Services for the contract is approved by the organization.
- Organizations receive the Insurance Requirements from Risk Management per their contract.
- Contracts are sent to the organization for signatures. Signed contracts must be returned to OCA no later than two weeks after they are received.
- COP Contracts go to City Council to be approved.
- Form 1295 is required for all organizations receiving funding over \$50,000. (See section below) This form must be completed and sent to OCA prior to contract execution.
- When signed COP contracts have obtained a memorandum of compliance from the Office of Risk Management stating insurance requirements have been met and if required the Form 1295, the COP contracts go to City Hall for the signatures of the City Manager and the City Attorney. (Contracts take 3-4 weeks to be processed at City Hall)
- Only after final execution of the contract has been made by the City may an organization submit an invoice for payment. Payment can take up to 30 days.

## **Schedule of Payments**

Organizations that **manage City-owned facilities** will receive payments through monthly reimbursements per their master agreement with the City upon receipt of invoices and compliance with contract terms and City policies. **However, the first payment should not be expected before January 1, 2018.** A percentage of the allocation will be withheld pending the City's receipt and approval of the final narrative and financial reports.

Upon receipt of the executed contract, organizations that **do not manage City-owned facilities** and that are in full compliance with prior year's contract requirements are required to submit an invoice for up to 50% of the contract amount. An additional payment of 40% happens later in the fiscal year and is tied to contracted cultural services. The final 10% is paid at the completion of the contract and after a Final Report has been filed and approved. Invoices can take up to 30 days to pay.

**Payments may be delayed or withheld at the discretion of the City if determined that the organization is not in full compliance with the terms of the contract.** All financial obligations of the City shall be subject to appropriation of funds by the City Council. Contractors agree and understand that the full scope of services and/or amounts payable under the contract is subject to amendment and revision. Any such revision shall be accomplished pursuant to the pertinent sections of the Dallas City Code.

## **Proof of Insurance**

Insurance requirements are included in the contract and are determined by the Office of Risk Management. A Certificate of Insurance (COI) must be submitted to the City whenever a policy expires and is renewed. Funds cannot be released without a memorandum of compliance from the Office of Risk Management stating insurance requirements have been met. Proof of insurance must meet the specific terms of the contract. Applicants are required to obtain and maintain during the contract term all necessary licenses, permits, insurance and other approvals required by law for the provision of services.

Failure to meet insurance requirements will be reported to the Cultural Affairs Commission and could result in contract termination. (For more information on insurance coverage please contact Charla Sanderson at 214-670-4065 or email to [charla.sanderson@dallascityhall.com](mailto:charla.sanderson@dallascityhall.com).)

Organizations are required to carry insurance in one or more of the following categories in amounts as designated by the Office of Risk Management Department of the City of Dallas:

- Commercial General Liability Insurance
- Business Automobile Liability Insurance
- Workers Compensation and Employers Liability Insurance
- Abuse and Molestation Insurance
- Fire Legal Liability limits of \$1,000,000 if the organization occupies a City-owned facility.

## **Certificates of Insurance**

Certificates of Insurance must be written by a company licensed to do business in the State of Texas at the time the policy is issued and be acceptable by the City.

All insurance contracts and certificate(s) of insurance will contain and state, in writing, the following required provisions:

- a. Name the City of Dallas and its officers, employees and elected representatives as additional insureds to all applicable coverages.
- b. State that coverage shall not be canceled except after thirty (30) days written notice to:
  - (i) Office of Cultural Affairs, Attention: Charla Sanderson, Project Manager, 1925 Elm #500, Dallas, Texas 75201 and
  - (ii) Director, Office of Risk Management, 1500 Marilla, 6A-South, Dallas, Texas 75201.
- c. Waive subrogation against the City of Dallas, its officers and employees, for bodily injury (including death), property damage or any other loss.
- d. Provide that the organizations insurance is primary insurance as respects the CITY, its officers, employees and elected representatives.
- e. Ensure that all certificates of insurance identify the service or product being provided and name the Office of Cultural Affairs as the Certificate Holder.
- f. 30 day cancellation clause obligating the insurance company to notify the Office of Cultural Affairs of cancellations or material changes.

## **FORM 1295 – Certificate of Interested Parties**

The Texas Legislature enacted House Bill in 2015, which amended the Texas Government Code to prohibit a governmental entity or state agency, from entering into certain contracts with a business entity unless the business entity files a disclosure of interested parties form with the Texas Ethics Commission. Form 1295 entitled a “Certificate of Interested Parties” which is to be filled out online by an authorized agent of the business entity doing business with the governmental entity. Form 1295 can’t be filed with the City until **after** the contract has been approved by City Council.

### **OVERVIEW: FILING FORM 1295**

A completed Form 1295, as required by the Texas Ethics Commission (TEC) must be generated and submitted electronically through the TEC’s website\*:

[https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm)

#### **Step 1: Obtain the identification number for your contract**

Section 3 of Form 1295 requires you to provide the identification number used by the City to track your contract (vendor number). This number will be generated by the City. You may obtain the identification number from OCA.

#### **Step 2: Create a user profile on the Texas Ethics Commission’s website**

Create your user profile on the TEC website. You can find a four-minute instructional video here:

<https://www.ethics.state.tx.us/filinginfo/videos/Form1295/FirstLogin-Business/Form1295Login-Business.html>

**Step 3: Log in to your account to electronically file the form (aka “Create a Certificate”)**

File your Form 1295 on the TEC website (see image below of completed form). You can find a three-minute instructional video here:

<https://www.ethics.state.tx.us/filinginfo/videos/Form1295/CreateCertificate/CreateCertificate.html>

**Step 4: Print the completed form and have it notarized**

Print the completed Form 1295, have it signed by an authorized official and have it notarized.

**Step 5: Submit Form 1295 to the appropriate OCA contact**

Submit your completed form to your OCA contact. Upon receipt of your Form 1295, the City will electronically file an acknowledgment with the TEC that we have received your form.

**\*Please note that City employees may not give a business entity advice on how to fill out the Form 1295**

## **CONTRACT COMPLIANCE**

### **Audited Financial Reports**

An annual audit that has been conducted by an outside certified accountant for the most recently completed fiscal year must be submitted by all COP funded organizations to the OCA. Audits should be available, and sent no later than six months after the completion of the organization’s fiscal year. Failure to meet audit deadlines may result in the withholding of contract payments. *First time applicants must submit an audit prior to contract execution.*

Any major contract compliance issues such as current audits not being received or other similar items will be presented to the Allocations Committee to recommend a course of action to be taken. This will then be presented to the full Cultural Affairs Commission for recommendation of funding continuation.

### **Monthly COP Report**

A monthly report listing Dallas activities and programs presented by the organization, the total attendance at each activity and supporting information must be submitted by the 15th day of each month (reporting the prior month’s activities) to OCA.

### **Final Report**

A final evaluation report summarizing activities for the contract period must be submitted to OCA by October 15, 2018. Failure to submit the report in a timely manner or submission of an incomplete report may result in delayed payment or non-payment of the final contract installment as well as payment on future contracts. **This form is online at [dallas.culturegrants.org](http://dallas.culturegrants.org).** All supplemental material should be submitted online as well.



## **Business Inclusion and Development Administration Guide**

### **Policy Statement**

It is the policy of the City of Dallas to use qualified Minority and Women-Owned Business Enterprises (M/WBEs) to the greatest extent feasible on the City's construction, procurement and professional services contracts. The City and its contractors shall not discriminate on the basis of race, color, religion, national origin, age or sex in the award and performance of contracts. In consideration of this policy, the City of Dallas has adopted the Business Inclusion and Development Plan (BID Plan) for all City of Dallas contracts. The purpose of the Business Inclusion and Development Plan is to increase participation of M/WBEs in City procurement and contracting opportunities. And to develop the local business base through the award of contracts and purchases to locally owned businesses. Under the BID Plan, bidders/proposers are required to sign an affidavit agreeing to comply with the City's BID Plan.

### **Scope of BID Plan**

The BID Plan shall apply to all City contracts for the procurement of construction, architectural and engineering, goods, other services and professional services, with emphasis on first tier subcontracts on City contracts over \$50,000. As a prerequisite for City Council award, the prime contractor must make a good faith effort to meet established M/WBE subcontracting goals and if goals are not met, must demonstrate and document its good faith effort to meet the established goals.

In addition to the goal-based policy, it is the preference of the City of Dallas for the workforce of contract awardees to be reflective of the diversity of the citizens of the City of Dallas.

The City reserves the right to request a company's affirmative action plan or equal opportunity plan from potential contract awardees. In addition, if the potential awardee plans to hire additional staff to complete the contract, the City reserves the right to request a local hiring plan.

### **Complimentary Tickets**

Cultural organizations may make available up to four (4) complimentary tickets per event, program, production, exhibition or other activity sponsored by the organization to the Office of Cultural Affairs for the purpose of allowing City staff or City board and commission members to assess the management and operation of City-owned facilities within their jurisdiction and to oversee City sponsored events associated with and related to their respective board and commission duties and functions. This requirement applies to organization's regular programming only and not to special fundraising events. Additionally, the organization may provide free tickets to promotional activities to the Director for distribution to the general public at various OCA facilities. This section is subject to the "Gift Policy for Board and Commission Members," approved by City Council on September 17, 2008, per Resolution Number 08-2506, as amended on April 7, 2010, by Resolution No. 10-0847.

## **Credit Line**

**Organizations awarded City of Dallas contracts for cultural services must acknowledge the OCA support in publications, programs, press, press releases, season brochures, lobby displays, advertising and every other mode of public communications. (See Logo and Credit Line)**

## **Social Media Recognition for your Funded Project with OCA**

In social media promotions related to any project being funded you can tag City of Dallas Office of Cultural Affairs and utilize preferred hashtags when appropriate. See Dallas Culture handles, preferred hashtags and recommendations for social media engagement below.

### **Twitter**

- Through professional and/or personal accounts follow Dallas OCA Twitter account <https://twitter.com/dallasculture>
- When making posts about your project tag us in your tweet by using our handle @dallasculture
- Include the hashtags: #dallasculture #liveart #oca

### **Facebook**

- Through professional and/or personal pages, “like” the City of Dallas Office of Cultural Affairs Facebook page <https://www.facebook.com/dallasculture>
- When making posts about your project, tag in them @City of DallasOffice of Cultural Affairs
- Tag @City of DallasOffice of Cultural Affairs in any photos/videos you post related to your project. Be sure to share photos on the Dallas Culture page as well
- Utilize the #dallas culture #liveart #oca hashtags on Facebook posts of your projects

## **Logo and Credit Line**

**Arts organizations and artists awarded City of Dallas contracts for cultural services must include the following credit line and logo in publications, programs, press releases, season brochures, lobby displays, advertising and every other mode of public communication:**

***“(Name of your organization/program) is supported in part by the City of Dallas Office of Cultural Affairs.”***



**Office of Cultural Affairs**  
CITY OF DALLAS

It is imperative that the residents of Dallas know that their local tax dollars make it possible for them to enjoy the caliber of arts produced in this City. All contractors must recognize

the OCA in the same manner in which it recognizes other contributors in terms of benefits, type size on publications, and frequency of acknowledgment.

### **OCA Logo Access**

The OCA logo can be downloaded from our website: [www.dallasculture.org](http://www.dallasculture.org), click on “Programs” and then “Cultural Services Contracts” scroll down to the bottom of that page to the OCA logo. You will find several versions there to download.

### **Funding Limits**

#### **Organizations managing or occupying City-owned cultural facilities through long-term management contracts or long-term use agreements:**

- Direct (cash) payment for services is provided through an annual supplemental agreement to the long-term management contract or use agreement. Contract amounts may be tied to administrative, programmatic, or facility-related costs.
- Additional facility-related indirect support may be provided on behalf of the organization by the Office of Cultural Affairs or other City departments per the terms of the long-term contract.
- Total City direct payment through the COP, combined with indirect support of an organization through the OCA and Equipment and Building Services Department (EBS), is considered part of the organization's annual operating budget. **The total City support amount should not exceed 25% of the applicant's audited operating revenue for its most recently completed fiscal year.**
- For purposes of calculating the 25% figure, the EBS contribution is based upon amounts actually expended by that department during the previous fiscal year for ongoing structural maintenance of a facility. It should not reflect amounts expended for one-time major repair projects. Increases in operating expenses resulting from the opening of a new or renovated city-owned facility managed by a cultural organization for the City shall be considered, in addition to the organization's actual prior year operating revenue, when determining the organization's contract award through COP. In such instances, the contract award may equal up to 25% of the managing organization's anticipated operating revenue for the year in which the new or renovated city-owned facility becomes operational. **\*By limiting the City allocation to no more than 25% of an organization's prior fiscal year audited revenue, the City will also be providing no more than 25% of the funded organization's operating budget during the year for which support is awarded.**

#### **Organizations that do not manage city-owned facilities:**

- Direct (cash) payment of services is provided through an annual cultural service contract between the City and the organization, which may be used, for administrative, programmatic, or facility-related costs. **The total City support amount should not exceed an amount greater than 25% of the applicant's audited operating revenue for its most recently completed fiscal year.** (Organizations participating in Community Arts Program (CAP) in addition to COP may receive up to an additional 25% through the CAP programs.) This percent represents the contractor's audited operating revenue for its

most recently completed fiscal year at the time the COP proposal is submitted to the City.

### **Cultural Diversity**

It is the intent of the City's cultural policy to contract with cultural organizations that demonstrate a commitment to diverse community representation on their boards and staffs. In addition, the organizations are expected to demonstrate a commitment to cultural diversity and equity in all aspects of their operations and programming.

The City's Cultural Policy states that "the cultural diversity of the City's population should be reflected in the boards, staffs, and programs of all cultural organizations receiving City support." In compliance with *City Council Resolution #89-1167*, all organizations benefiting from public funds should develop, implement, and maintain Affirmative Operational Policies that provide equitable access to all residents of Dallas. Policies should include ethnic diversification of the organization's board, personnel, contracts, services, and programming.

### **Cultural Affairs Commission Liaison**

Funded COP organizations will be assigned a liaison from the Cultural Affairs Commission whose duties will be outlined per organization needs. The liaison assignment will depend on the availability of the Commissioners.

### **Probation**

Organizations that fail to provide contractual services or meet program eligibility and reporting requirements may be in default of contract, and maybe placed on probation. Failure of an organization to satisfactorily address the City's concerns within a period of the probation may result in a recommendation of "no funding" for the next fiscal year.

### **Revisions**

Once the contract has been signed, any changes in the project (either programmatic or financial) must be approved in advance by the Director of the Office of Cultural Affairs, and may require a formal amendment. The contractor must submit a written request for approval of any changes.

## **COP DEFINITIONS**

### **OPERATING REVENUE**

**Admissions:** Funds earned from subscription, group and single ticket sales

**Tuition/Workshop Fees:** Funds earned from adult/student attendance

**Contracted Services Revenue:** Funds earned from sponsors for performances, exhibitions, residencies, optional services and consultations

**Auxiliary Activities:** Funds earned from concessions, gift shop sales, parking, publications, rentals and advertising

**Memberships:** Funds earned from services provided to members

**Government Grants:**

**Federal** (i.e. NEA, NEH, IMS, CDBG)

**State** (i.e. TCA and TCH)

**Local** (funds from other municipalities, NOT City of Dallas)

**Endowments:** Funds distributed from the organization's own endowment fund if used in the operating budget

**Interest:** Revenue from interest-earning accounts or investments

**Other Income:** Grants from TACA, The 500, Inc., revenue from galas and sources other than those listed above

**OPERATING EXPENSES**

**Personnel Salaries/Benefits:** The total amount of wages and benefits for full or part-time employees of your organization (not consultants, see below). Include FICA, health insurance costs, pension and other employee-related benefit costs

**Administrative/General:** Wages/Benefits paid to employees involved in administrative and general support of the organizations, such as executive director, financial officer, development staff, clerical staff and other administrative support personnel. NOTE: If an employee's time is split between Administrative, Artistic, Technical and or Program Services, be sure to allocate the wages/benefits to the proper categories

**Artistic:** Wages/Benefits paid to employees as curators, artistic directors, conductors, choreographers, composers, graphic artists, actors, dancers, singers, musicians, instructors, designers, video artists, film makers and photographers

**Technical/Production:** Wages/Benefits paid to technical management staff and such employees as technical directors; stage, lighting and sound crews; wardrobe; preparators; video and film technicians

**Program Services:** Wages/Benefits paid to program services staff and such employees as program coordinators and outreach staff

**Outside Professional Services:** Honoraria, stipends, commissions or fees to any person not on the organization's salaried staff. These services may be in any of the four areas of administrative, artistic, technical/production or program services described above

**Travel:** All costs directly related to organization's personnel travel, guest artists, consultants, etc. Include fares, lodging expenses, food, taxis, gratuities, per diem, tolls, parking, mileage, personal vehicle allowances, and car rentals

**Shipping:** Freight charges for visual art exhibitions, and performance materials/items

**Telephone/Internet:** Fees for local and long distance calls, installation, and repairs

**Equipment Rental:** Costs for rented office equipment and production equipment (cameras and lighting)

**Space Rental:** Include offices, rehearsal, theater, gallery, hall, warehouse or other fees paid for use of buildings

**Utilities:** Electricity, gas, water

**Other Rentals:** Rental fees for visual arts exhibitions and films, other performance/exhibition materials

**Marketing/Promotions/Printing:** Fees for printing and mailing (including postage and mailing service costs) of announcements, mailers, brochures, catalogs, tickets, programs, and/or costs for newspaper and broadcast advertising used to encourage attendance at events and to encourage earned or unearned income

Do Not include payments to individuals or firms that belong under Personnel Salaries/Benefits or Outside Professional Services

**Supplies/Materials:** Cost of office supplies, scripts, scores, photographic supplies, materials for sets/props/costumes, food and maintenance supplies

**Insurance:** Property, casualty, liability insurance. Call Charla Sanderson at (214) 670-4065 if you have any insurance questions

**Other:** Any operational expenses not covered above. For groups using cash based accounting, non-capital debt reduction should be reported here

**Strategic Plan:** A Strategic Plan is an organization's process of defining its strategy or direction, and making decisions on allocating its resources to pursue this strategy, including its capital and people. Strategic planning is the formal consideration of an organization's future course.

In many organizations, this is viewed as a process for determining where an organization is going over the next year or more, typically 3-5 years, although some extend their vision to 20 years.

In order to determine where it is going, the organization needs to know exactly where it stands, then determine where it wants to go and how it will get there. The resulting document is called the "strategic plan."

**Please make sure to print a copy of the application and all attachments for your records!**

