

4-102 Authority to Contract with Donors, Partners, Tribal Entities and Government Entities

The Board delegates authority to the Chief Executive Officer to enter into contracts with donors, partners, tribal entities and government entities as described below. This authority to contract is in addition to any other authority the Chief Executive Officer has to enter into contracts. The Board also delegates authority to the Chief Executive Officer to renew certain contracts with other government agencies.

Grants, Gifts, and Other Contributions

FTF may accept grants and gifts from private parties and governmental entities. These grants and gifts must be used in accordance with the conditions set by the donor.

The board may accept and spend federal, state and local monies and private grants, gifts, contributions and devises to assist in carrying out the purposes of this chapter.

Federal, state, or local monies received pursuant to this section ... shall be used in accordance with the conditions placed on those monies by the government making the grant of funds.

Private grants, gifts, contributions and devises ... shall be used in accordance with the permissible conditions, if any, placed on the use of those monies by the donor.

A.R.S. § 8-1182.A-C

In some instances, the conditions set by the donor are done so by contract. This is particularly true where FTF is the recipient of a grant. The Board delegates authority to the Chief Executive Officer to enter into contracts necessary to receive grants and gifts, provided the contracts only place conditions on the money received from the donor and not on other FTF funds. The Board, however, must approve any gifts received in response to solicitations by Regional Partnership Councils before a contract is entered into. *See* A.R.S. § 8-1161.H.

When the Chief Executive Officer enters into a contract using this delegated authority, the Chief Executive Officer must report on the money received and the contract to the Board at or before the next regular Board meeting.

Data Sharing Agreements

FTF enters into information and data sharing agreements with various entities. For example, FTF enters into MOUs or research agreements with tribal governments in order to be able to collect data from or about children and families living on tribal lands, especially for the purpose of preparing regional needs and assets reports. The Board delegates authority to the Chief Executive Officer to enter into information and data sharing agreements that do not involve the exchange of funds or otherwise obligate FTF to spend any money that FTF is not already obligated to spend (*e.g.*, FTF staff salaries).

Tribal MOUs to Provide FTF-Funded Programs and Services

Sometimes it is necessary for non-tribal entities to obtain permission from a tribal government to enter tribal lands for the purpose of providing programs or services. Although FTF-funded programs and services are often provided by FTF grantees, tribes sometimes want FTF to be a party to an agreement authorizing a grantee to provide a program or service on tribal lands. The Board delegates authority to the Chief Executive Officer to enter into agreements for the purpose of securing permission to have an FTF-funded program or service provided on tribal lands, provided the agreement does not involve the exchange of funds with FTF or otherwise obligate FTF to spend any money that it is not already obligated to spend.

IGA/ISA Renewals

Some agreements with other government agencies often have a term of one year, yet include a provision that allows the agreement to be renewed for another year on the same terms up to four times. For these agreements with built-in renewal provisions, it is generally expected that the agreement will be renewed as many times as the agreement allows for. For example, an agreement with an initial term of one year and with four renewals built-in is expected to last five years unless something unforeseen happens. The Board delegates authority to the Chief Executive Officer to renew agreements with other government agencies where the Board-approved agreement includes the renewal provision. This delegation of authority does not apply to renewals of grant agreements and does not apply to the approval of amendments to agreements.

NO-COST AGREEMENTS

Occasionally, FTF may enter into no-cost agreements to cooperate with another entity or to support an unfunded strategy. The Board delegates authority to the Chief Executive Officer to enter into these agreements provided the agreement does not involve the exchange of funds with FTF or otherwise obligate FTF to spend any money that it is not already obligated to spend. This delegation of authority does not apply to grant agreements.

Adopted January 16, 2018