

SWNI Fiscal Agent Policy and Instructions

Subject: Southwest Neighborhoods, Inc. (SWNI) Fiscal Agent Policy	Effective Date: October 26, 2011
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SWNI Fiscal Agent Policy. Also see:

- Appendix A, SWNI Fiscal Agent Instructions
- Appendix B, Application Form
- Fiscal Sponsorship Policy and Instructions

DEFINITIONS

SWNI: Southwest Neighborhoods, Inc. (SWNI), an Oregon nonprofit public benefit corporation organized under Articles of Incorporation adopted by the residents of Southwest Portland, and qualified as a tax exempt entity pursuant to § 501(c)(3) of the Internal Revenue Code.

Fiscal Agent: An organization, such as SWNI, which takes responsibility for the fiscal duties of an unrelated party that is incorporated within the State of Oregon and does business within the boundaries of SWNI. Example: accounts held for Neighborhood Associations at their request.

Fiscal Sponsor: A nonprofit, tax-exempt organization, such as SWNI, which acts as a sponsor for a project for a *de facto* or *de jure* group which does not have its own tax-exempt status (see Fiscal Sponsorship Policy). Grants or contributions are made to the fiscal sponsor who manages the funds. In the case of a grant, the fiscal sponsor may be responsible for reporting back to the grantor on the progress of the project. Example: City of Portland Neighborhood Small Grants, grants awarded to SWNI on behalf of other organizations such as Spring Garden Park.

POLICY

1. The SWNI Board of Directors is the governing body that is ultimately responsible for the policies and practices that assure compliance with federal, state, and local laws/rules/code and SWNI grants and contracts, and safeguards its assets. The Board may delegate administration of the policies and procedures to the Executive Director. The Board must periodically review financial statements as well as operations and activities to ensure SWNI is serving its mission and complying with applicable state and federal laws.
2. SWNI offers Fiscal Agent services to Neighborhood Associations, Business Associations, and other entities for projects to be performed within the SWNI boundary. Organizations must first request that SWNI provide fiscal agent services, and the SWNI Board must approve the anticipated level of effort described in the application. The Fiscal Agent Services offered by SWNI are assistance in:

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- a. Writing or assisting with writing of grant proposals (Neighborhood Associations and Business Associations only);
 - b. Drafting, negotiating and reviewing contracts with funding source entities, subcontractors and the Neighborhood Association, Business Association, or other performing entity involved;
 - c. Communicating with vendors and others (e.g. City of Portland, Multnomah County and State of Oregon staff) regarding permits, supplies, outside services, etc. for project implementation;
 - d. Receiving and expending funds – making deposits, writing checks, producing financial statements and verifying accounting records;
 - e. Producing progress reports (narrative and/or fiscal - financial) for funding source entities.
3. Entities eligible to utilize SWNI Fiscal Agent services are Neighborhood Associations within the SWNI boundary which are themselves incorporated as Oregon nonprofit corporations and which have boards of directors separate from SWNI's Board; Business Associations within the SWNI boundary which are themselves incorporated as Oregon nonprofit corporations and which have boards of directors separate from SWNI's Board, and other organizations incorporated as Oregon nonprofit corporations, which have boards of directors separate from SWNI's Board, and which will conduct, carry out, implement or install a project, or physical improvement for public use within the SWNI boundary area. Any proposed project must fit within the mission of SWNI and not jeopardize SWNI's status under local, state, or federal law.
 4. SWNI may recover its costs by charging administrative fees for Fiscal Agent services. Fiscal Agent fee rates will be reviewed annually by SWNI's Finance Committee and approved by the SWNI Board of Directors.
 5. Neighborhood Associations, Business Associations, or other Oregon nonprofit corporations may not utilize SWNI's tax-exempt status pursuant to § 501(c)(3) of the Internal Revenue Code in soliciting funds for any project. Any Neighborhood Association, Business Association, or Other Oregon Nonprofit corporation which itself has tax exempt status pursuant to § 501(c)(3) of the Internal Revenue Code may utilize that status in soliciting funds for any project.
 6. The SWNI Board of Directors shall determine whether SWNI will supply Fiscal Agent services for any proposed project.

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APPENDIX A

SWNI Fiscal Agent Application Instructions

1. Each Neighborhood Association, Business Association, or other Oregon Nonprofit corporation (hereafter, collectively (“Applicant”) seeking Fiscal Agent services from SWNI shall apply for same on a form provided by SWNI (Appendix B, to be developed), which will include the following:
 - a. Applicant’s name, Oregon corporate registration number, mailing address and physical location, if any, phone number and email contact data, if any, and names of Applicant’s Officers and Board of Directors.
 - b. A complete description of the proposed project, including but not limited to what services are requested from SWNI; limitation on expenditures, if any; proposed project start and completion dates; and due dates for written progress reports, by Project Managers to Applicant’s Board and SWNI.
 - c. A written designation of one or two “Project Managers” who shall have authority on behalf of Applicant to approve payment of invoices. If the Applicant changes the Project Manager(s), the Applicant must provide the new names to the SWNI Finance Committee prior to any requests for payment of invoices.
 - d. All funds from any grant making or funding entity, including grants, contributions and proceeds from fund raising activities, shall be delivered directly to SWNI to be deposited into the SWNI trust account established for the Applicant.
 - e. Applications shall be signed by Applicant’s authorized representative identified in (1)(a) above.
2. If approved, SWNI shall:
 - a. Keep all funds received for an Applicant’s project in a dedicated, federally insured, account labeled as “SWNI Restricted Funds” over which only persons designated in SWNI’s Financial Policy shall have signing authority. Project Managers and Applicant’s Officers and Board members shall have no signing authority over such funds.
 - b. As requested, provide to the Applicant a complete listing of the beginning balance; funds received; funds disbursed; and ending balance.
 - c. SWNI shall not disburse any funds without written authorization from the Project Manager(s). In the event that there is a disagreement between Project Managers or between a Project Manager and the Applicant’s Board or chief Officer regarding the appropriate disbursement of funds, SWNI shall disburse no funds until the Applicant’s Board provides written instruction to SWNI. SWNI will defer to the Applicant’s Board as the final authority.

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Appendix B

Application Form

(See Appendix A for Instructions)

Applicant name: _____

Oregon Corporate Registration #: _____

Mailing Address: _____

Contact Name: _____

Contact Phone Number: _____ Contact Email: _____

List of your Officers and Board of Directors:

_____	_____
_____	_____
_____	_____

Project Description: (Optional) (Attach separate sheet if more room is needed)

Proposed Project Start Date: _____ Approximate Completion Date: _____

Designated Project Managers: 1) _____ 2) _____

Project Manager Reports Due by: _____

Applicant's Signature

Date

Approved by SWNI Board on: _____