




PROCEDURE NUMBER 15-006

<b>Subject:</b>  Memorandum of Understanding Approval Process	<b>Applicable To:</b>  All government and non-governmental organizations requesting MOU's	<b>Effective Date:</b>  April 14, 2015
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<b>Administered By:</b>  Executive Office Legal Affairs	<b>Approved By:</b>  Gilbert Taylor, Commissioner
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## PURPOSE

To establish a standard process for receiving, reviewing, and executing all Memorandums of Understanding (MOU's) with All DHS directly Funded and/or Contracted Facilities and/or Programs Serving Homeless Families and Individuals; external organizations including Federal, State and Local Governmental and Non-governmental Agencies.

Upon execution of the MOU, both the NYC Department of Homeless Services Executive Office and Legal Affairs will retain the final copies of all agency MOU's.

## INTRODUCTION

The NYC Department of Homeless Services (DHS) receives requests for Memorandums of Understanding from various government and non-governmental agencies. These requests are reviewed to determine if they align with DHS' mission, vision and operational goals, as well as for fiscal and programmatic implications. They are also reviewed in terms of the impact and implications of the requesting government and non-governmental organizations.

## PROCESS

To request sign-off of an MOU, all DHS Staff must adhere to the following process:

1. Each Division including the Deputy Commissioner of the Division should review the MOU to determine if it is in line with DHS' mission, vision and operational goals, as well as the programmatic and fiscal implication of DHS entering into such an agreement.
2. The Lead Division should prepare a one-page cover sheet that lays out the following:
  - a. Overview of project that includes background of the requesting agency/organization, contact person / phone number/ email address.
  - b. A brief background on the MOU clearly outlining DHS' role, program and fiscal implications; target population / numbers served (if applicable); commencement and termination date.
  - c. Notes highlighting if the Lead Division has any concerns with the MOU.
  - d. Timeline of when the MOU needs to be returned to the requesting agency for final signature.
3. The one-page cover sheet and the associated attachments must be provided to the Legal Affairs Office and all DHS staff responsible for review. Upon review, The Legal Affairs Office will ensure that the MOU contains all necessary provisions including those governing confidentiality, data privacy and security, and all other requirements to protect the legal interests of the agency.
4. The MOU and cover sheet should be reviewed and executed by the following DHS staff members prior to sending it to the Commissioner for final signature. Each recipient will have no more than one (1) day to review and sign-off on the MOU prior to sending it to the next recipient on the list, except when there are deadline constraints.
  - a. Deputy Commissioner for division with MOU
  - b. Legal Affairs
  - c. Deputy Commissioner of Policy and Planning
  - d. Deputy Commissioner of Fiscal and Procurement, if needed
  - e. First Deputy Commissioner
  - f. Agency Chief of Staff
  - g. Commissioner
5. Once it is final the Agency Chief of Staff will provide it to the Commissioner for final sign off and will then return it to the Legal Affairs Office.
6. The Legal Affairs Office will then make arrangements for final signature of the MOU, if needed, and log it in their internal system. The MOU should be sent via courier, if final execution is needed from the requesting agency.
7. The Legal Affairs Office will ensure all final copies of the fully executed MOU are returned to the Commissioner's Office for filing in the chronological file.

8. A final executed copy of the MOU should be provided to the Division Head and the third party that will be responsible for the execution of the collaborative work anticipated by the MOU.

**MISCELLANEOUS**

Questions concerning this Procedure should be directed to the Agency's Chief of Staff and Legal Counsel.