



**PUERTO RICO DEPARTMENT OF HOUSING**

**NOTICE OF FUNDING AVAILABILITY**

FOR THE

**MUNICIPAL RECOVERY PLANNING PROGRAM**

UNDER THE

**COMMUNITY DEVELOPMENT BLOCK GRANT**

**DISASTER RECOVERY**

**CDBG-DR-NOFA-2019-01**

**09/16/2019**

NOFA Issued

**11/30/2019**

Application Due Date

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## Funding Announcement Summary

**Agency Name:** Department of Housing, Government of Puerto Rico (**PRDOH**)

**Funding Opportunity Title:** Municipal Recovery Planning (**MRP**) Program under the Community Development Block Grant – Disaster Recovery – Availability of funds to address the damage in the Disaster Impact Areas (**DIA**) of federally declared disasters: Puerto Rico Hurricane Irma (FEMA-4336-PR) and Puerto Rico Hurricane María (FEMA-4339-PR), under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (**Stafford Act**), 42 U.S.C § 5121.

**Announcement Date:** September 16, 2019

**Announcement Type:** Notice of Funding Availability (**NOFA**) for programs funded through the Community Development Block Grant, Disaster Recovery Program (**CDBG-DR**) from the United States Department of Housing and Urban Development (**HUD**) allocation under Public Law 115-56.

**Program Effective Date:** September 16, 2019

**Application Submissions:** Applications are submitted over a **sixty (60) day** period of rolling admission (9/30/2019 – 11/30/2019).

- Electronic Application – Following instructions provided within this document and at <https://cdbg-dr.pr.gov/>. No hard copies are accepted.

**Funding Opportunity Description:** Pursuant to the declared disasters FEMA-4336-PR and FEMA-4339-PR and subsequent allocation of CDBG-DR funds under the Stafford Act, PRDOH announces these general policies and application guidelines for grants under the MRP Program.

PRDOH has established the MRP Program for municipalities to receive funding to undertake recovery planning activities. The Program provides funding to municipalities to hire staff and collaborate with program planning vendors to carry out eligible planning activities, as defined by HUD Code of Federal Regulations (24 C.F.R. §570.205), to address conditions created or exacerbated by Hurricanes Irma and María. Planning activities will produce Recovery Plans to complement other programs highlighted in the CDBG-DR Action Plan, as amended, by identifying projects, programs and policies necessary for recovery and increasing communities' funding and capacity to forecast and assign applicable needs within city revitalization, critical infrastructure, economic development, and workforce training.

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## **Attachments**

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### **CDBG-DR Municipal Recovery Program Guidelines**

#### **Exhibits**

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- C Non-Conflict of Interest Certification**
- D Non-Conflict of Interest on Existing or Pending Contract Certification**
- E Limited Denial of Participation Affidavit**
- G Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion**
- I Anti-Lobbying Certification**
- J Authorization for Background and Financial Information**
- K Entity Prior Performance Certification**

## 1 Definitions/Acronyms

The following terms shall have the meanings indicated below, which shall be applicable to both their singular and plural forms:

**“Action Plan”** refers to the CDBG-DR Action Plan, as it may be amended, that outlines the uses for the approximately \$1.5 billion CDBG-DR funds allocated to Puerto Rico.

**“Addendum”** or **“Addenda”** refers to a written or graphic document issued by the PRDOH before the Application Due Date which modifies or interprets the NOFA by means of additions, deletions, clarifications, or corrections.

**“Applicant”** means any Municipality of Puerto Rico.

**“Application”** refers to the responses(s) submitted by the Applicants(s) to this NOFA. Only Electronic Applications will be accepted. **No hard copies are accepted.**

**“Authorized Representative”** refers to the person authorized to bind the Applicant and appear on its behalf in matters related to the NOFA.

**“CDBG-DR”** refers to the Community Development Block Grant - Disaster Recovery which is additional funding appropriated by the United States Congress to rebuild affected areas and provide crucial seed money to start the recovery process.

**“CDBG-DR Website”** refers to the CDBG-DR Program website at [www.cdbg-dr.pr.gov](http://www.cdbg-dr.pr.gov).

**“Evaluation Panel”** refers to a committee designated by the PRDOH which will evaluate all the applications pursuant to the criteria listed in this NOFA.

**“Federal Government”** means any of the departments of the Executive Branch of the Government of the United States of America, or any department, corporation, agency, or instrumentality created, or which may be created, designated, or established by the United States of America.

**“Government Entity”**, **“Government Entities”** refer to any department, agency, board, commission, body, bureau, office, public corporation, or instrumentality of the Government of Puerto Rico's Executive Branch, whether existing or to be created in the future.

**“HUD”** refers to the United States Department of Housing and Urban Development.

**“Local Parties”** means local subcontractors or professionals and relevant service providers who are based in or have a significant on-going business presence in Puerto Rico.

**“Mandatory Requirements”** refers to those requirements that Applicant must meet to pass to the next stage of the NOFA application process. Non-compliance with Mandatory Requirements will result in the disqualification of the Applicant.

**“NOFA”** means Notice of Funding Availability and any addenda issued by the PRDOH.

**“PRDOH”** refers to the Puerto Rico Department of Housing.

**“PRDOH Headquarters”** refers to the PRDOH principal offices located at 606 Barbosa Avenue, Juan César Cordero Dávila Building, Río Piedras, PR 00918.

**“Public Interest”** means any government action directed to protecting and benefiting citizens at large, whereby essential goods and services are provided for the welfare of the population

**“Qualified Applicant”** means a responsible and responsive Applicant whose application meets the Mandatory Requirements and qualifications of this NOFA.

**“Subrecipient Agreement”** refers to the agreement(s) to be executed between the PRDOH, and the Qualified Applicant(s) that result(s) awarded after this NOFA process is completed.

**“Vendor”** refers to professional planning service provider under contract to PRDOH to support municipal planning activities.

## **2 Overview, Purpose and Intent**

### **2.1. Intent**

The Puerto Rico Department of Housing (**PRDOH**) announces this Notice of Funding Availability (**NOFA**) through the Community Development Block Grant - Disaster Recovery (CDBG-DR) Municipal Recovery Planning (**MRP**) Program to seek Applications from Puerto Rico's **seventy-eight (78)** municipalities.

Under the conditions of this NOFA, it is the intent of PRDOH to allocate non-discretionary funds to each Municipality for the augmentation of staff and equipment, as necessary, to support management and leadership of the Individual and Regional Municipal Recovery Planning processes, as described in the CDBG-DR MRP Program guidelines and the Program Description section of this NOFA. Additionally, PRDOH will either supply those subrecipients with pre-approved professional planning firms (vendor), or support the option to independently procure a firm, to undertake planning activities as described in the CDBG-DR MRP Program guidelines and in the Action Plan. These firms, at the behest of Municipal leadership, will administer participatory recovery planning activities with residents of each Municipality to identify potential projects, programs and policies necessary for holistic recovery from Hurricanes Irma and María.

Planning activities will provide the Municipality with new data, studies, and strategies that will result in a holistic approach to recovery for the entirety of the Municipality, or a Municipal Recovery Plan. This Municipal Recovery Plan will include the identification of projects, programs, and policies intended to outline a robust recovery strategy and create a framework to support the successful development and implementation of other CDBG-DR programs.

### **2.2. Purpose**

The MRP Program defines “planning” as a process by which local administrations collaborate with community residents, businesses, neighboring municipalities, and central government agencies to identify projects and actions necessary for holistic recovery from Hurricanes Irma and María.

This will occur as two (2) consecutive components: Individual Municipal Planning and Regional Municipal Planning.

During the **Individual Municipal Planning** process, Municipalities will each envision a potential future and develop a plan for recovery and resilience for all populations within their Municipality.

Throughout this process communities will be asked to consider future stressors (hurricanes, earthquakes, landslides, economic downturns, other social or geophysical shocks, etc.), environmental integrity, economic diversity and viability, hazard mitigation opportunities, historic preservation, equity and vulnerability, and infrastructure redevelopment or augmentation, as well as other issues they deem important. This process will conclude in a public document which presents the Municipality with findings and visions for future success, as well as specific identified issues, solutions, and implementation and funding strategies.

During the **Regional Municipal Planning** process, Municipalities will work with neighboring Municipalities to understand complex issues that extend beyond civic boundaries and identify solutions that are regional in nature. These issues and solutions may include regional transportation planning, supply chain support, watershed planning and flood mitigation, or environmental and resource conservation planning, among others. During this process, Municipalities will be asked to consider inter-governmental coordination of resources to provide actionable solutions, especially projects, to these large area considerations. The intent of the Regional Municipal Planning process is to prepare all levels of government for immediate and wise use of future mitigation funding that could become available under CDBG-DR or other recovery programs. In some cases, Regional Planning activities may commence prior to the completion of the Individual Municipal Planning effort if deemed appropriate by the PRDOH and fits within the context of the ongoing planning activities. This process will conclude in a public document which presents regional findings and visions for future success, as well as specific identified issues, solutions, as well as implementation and funding strategies

Individual and Regional Municipal planning are necessary processes that will allow current or future recovery and mitigation funding sources to prioritize the projects and recovery needs as identified by citizens and Municipalities. The two (2) components of the MRP Program, Individual and Regional Municipal Recovery Planning, will allow communities, aided by increased municipal staff capacity funded under this Program and by planning firms provided by the PRDOH, to determine the strategies necessary for local, regional, and island-wide recovery. This program builds resilience by:

- Assembling a portfolio of realistic projects that address critical recovery needs for each Municipality, to be implemented under further identified CDBG-DR programs;
- Recommending sustainable and adaptable recovery policies;
- Utilizing data-driven methods for identifying existing municipal issues to be addressed prior to future natural disasters;
- Documenting program outcomes and making them available to communities involved in long-term recovery processes;
- Establishing clear communication pathways and feedback between municipal leadership, the residents they serve, and the central government; and
- Building understanding in the recovery processes.

### **2.3. Authority**

This NOFA is issued by the PRDOH for the CDBG-DR Program, which has allocated funds appropriated by the Supplemental Appropriations for Disaster Relief Requirements, 2017 (Pub. L. 115-56 and Pub. L. 115-72, to provide assistance in long-term recovery from 2017 natural disasters.



### **3 Funding Opportunity Description**

#### **3.1. Program Description**

PRDOH's MRP Program allocates funding for planning services by a vendor, as well as the staff and equipment necessary for the management and leadership of both Individual and Regional Municipal recovery planning processes in all **seventy-eight (78)** municipalities of Puerto Rico.

Funding provided under this NOFA is intended to support HUD-approved planning activities. The allocation will provide reimbursement funding for Municipal Recovery staff and equipment. For those Municipalities that apply and receive funding under this NOFA, it is also the intent of PRDOH to supply or support them with provided or procured vendors to undertake planning activities as described in the MRP Program guidelines and in the Action Plan. These firms, at the behest of municipal leadership, will administer participatory recovery planning activities with residents of each Municipality to identify potential projects, programs and policies necessary for holistic recovery from Hurricanes Irma and María.

#### **3.2. Individual Municipal Planning (required completion timeframe: six (6) months)**

Municipalities (subrecipients) which are allocated funding through MRP Program will be partnered with planning vendors. The vendor will lead a collaborative process with community residents, businesses, neighboring municipalities, and central government agencies to identify actions and projects necessary for holistic local and regional recovery from Hurricanes Irma and María. Vendors will work closely with municipal staff to build key skill sets required to manage long-term recovery activities associated with CDBG-DR grant funds. Within **six (6) months**, this process will conclude in Individual Municipal Recovery Plans, which are public documents identifying individual municipal findings and visions for future success, as well as specific solutions, implementation, and funding strategies.

#### **3.3. Regional Municipal Planning (required completion timeframe: twelve (12) months)**

Regional Municipal Planning processes will use the data, information, and engagement done with the Individual Municipal Plans to identify solutions to issues that extend beyond individual municipal jurisdictions. Municipalities (subrecipients) which are allocated funding through MRP Program will work with professional firms related to planning (vendors) to understand complex issues that extend beyond civic boundaries and identify solutions that are regional in nature. These issues may be associated with any number of needs, including but not limited to: waste management, transportation plans, natural resource management, environmental protection, and other needs that are inherently regional in nature. Within **twelve (12) months**, this process will conclude in Regional Municipal Recovery Plans, which are public documents identifying individual municipal findings and visions for future success, as well as specific solutions, implementation and funding strategies.

#### **3.4. Affiliated Program(s)**

The MRP Program is designed to complement activities and funding set aside by other CDBG-DR and recovery programs.

Upon completion of Individual Municipal Plans, participating municipalities (subrecipients) will become eligible for future funding rounds under other CDBG-DR Programs such as the City Revitalization Program, Critical Infrastructure Resilience Program, and Community Resilience Center Program, among others. For more details on coordinating the additional funding streams, Applicants are advised to review the Program Guidelines specific to each Program.

### 3.5. Eligible Applicants

Eligible Applicants include:

Grant recipients must be **one (1)** or more of Puerto Rico's **seventy-eight (78)** designated Municipalities.

### 3.6. Eligible Use of Funds

The funding will be provided to implement various service activities, which may include:

Reasonable costs associated with specific planning activities. Specifically, staff time will be reimbursed for the following activities:

- 1) Activities necessary to develop a recovery plan. These activities could include:
  - Data gathering and analysis, participating, and contributing to necessary studies or mapping efforts
  - Outreach and coordination with citizens and stakeholders
  - Communications and messaging
  - Participation in development of vision, goals, objectives, and activities
  - Participation in development of implementation strategy
  - Participation in plan development and review of the findings
- 2) Activities necessary for the monitoring, evaluation, and oversight of vendor activities and deliverables. These activities could include:
  - Monitoring, reporting, and evaluation
  - Invoicing and documentation
  - Coordination, oversight and management of planning vendors
  - Coordination with PRDOH and MRP Project Manager
  - QA/QC and review of deliverables
- 3) Equipment and software necessary to conduct the activity

Vendor Activities: Municipalities (subrecipients) which are allocated funding through MRP Program will work with professional planning firms (vendors). Vendors will undertake planning services and activities necessary to develop Individual or Regional Municipal Recovery Plans. Vendors will also work with municipal staff who are supporting MRP Program activities to build key skill sets associated with coordination, oversight, and management of planning efforts.

Vendor responsibilities include, but are not limited to:

- Activities necessary to develop a recovery plan
- Data, analysis, studies, and maps
- Coordination, compilation, development, or analysis of new or existing data and studies
- Outreach and coordination with citizens and stakeholders
- Coordination with PRDOH and overall project manager

### 3.7. Ineligible Activities

The following costs are considered **NOT** eligible for funding or reimbursement:

- Engineering, architectural, and design costs related to a specific project such as detailed engineering specifications and working drawings
- Construction or any costs of implementation of projects or plans
- Costs not associated with the development of plans or other planning activities, as described in 24 C.F.R §570.205

### 3.8. Service Delivery Area

Services may be delivered in any of the Puerto Rico disaster-declared municipalities for Hurricanes Irma and/or María. PRDOH may make geographic assignments and prioritization based on damages received, project objectives, state or federal agencies project development, and other criteria.

### 3.9. Description of Funding

Funding of up to **thirty-nine million dollars (\$39,000,000.00)** is available under the MRP Program and will be allocated to the Municipalities as described in the Minimum/Maximum Award Information section of this NOFA.

Additional funds may become available for award under this NOFA as a result of PRDOH's efforts to recapture unused funds, use carryover funds, or because of the availability of additional appropriated funds. Use of these funds is subject to statutory constraints. All awards are subject to the applicable funding restrictions contained in this NOFA.

Additional funding for Regional Municipal Planning of this Program may become available at a later date.

### 3.10. Number of Awards

PRDOH estimates that **seventy-eight (78)** awards may be issued. To be considered for an award, Municipalities must submit an application in response to this NOFA. All **seventy-eight (78)** Municipalities are strongly encouraged to participate.

### 3.11. Award Information

1. **Funding Levels and Award Information.** PRDOH has allocated funding for staff time and equipment or software to support planning activities. This funding is based on an award formula, which will consider factors such as population, geographic land and water area, and assessed damages data.
2. **Allocation Formula.** The funding levels for staff, equipment, and software support to each Municipality was allocated based on the following scoring formula:
  - a. **Municipal Population.** Forty-five percent (45%) of formula score is based on 2017 population data. Nearly all Municipalities lost population after the 2017 hurricane season and PRDOH determined that 2017 data was more reflective of the planning goal of reversing emigration. Population was the highest weighted of the factors because the goal of the planning process is to create resilient communities for all Puerto Ricans.

- b. **Municipal Land Area.** Twenty percent (20%) of the formula score is based on the geographic land area of each Municipality. Land area was significantly weighted to reflect the planning challenges of lower density, rural areas on the island. These areas may have a lower population than denser, urbanized areas, but also have additional challenges in outreach, transportation, and infrastructure.
        - c. **Real Property Damage Assessment.** Twenty percent (20%) of the formula score is based on the value of damages to real property from Hurricanes Irma and María. This factor reflects the level of damage to homes and other buildings in each Municipality.
        - d. **Municipal Coastline Length.** Five percent (5%) of the formula score is based on the overall length of coastline of all Islands of Puerto Rico. This total coastline length is further defined by the percentage of total coastline managed by individual coastal Municipalities. While all Municipalities have planning needs related to water, those in coastal areas have additional requirements. Due to these requirements and municipalities' proximity to coastal waters, they are responsible for managing associated threats and development. As such, this criterion only applies to Municipalities with ocean coastline. The inclusion of this factor reflects the importance of the coastal zone to all of Puerto Rico, while the weighting reflects the fact that it only applies to forty-two (42) of the seventy-eight (78) Municipalities.
        - e. **Municipal Area Covered by Water.** Ten percent (10%) of the formula score is based on the geographic area of each Municipality that is defined as a waterbody. Water area was included in the formula score to recognize the need for planning related to natural water resources and water-dependent uses. Some Municipalities may have smaller populations and land area but are still responsible for critical water resources of the Island. These waterbodies are valuable ecological and recreational resources to all Puerto Ricans. All Municipalities have some portion of coastal or inland waterbodies.
        - f. **Base Allocation.** Each Municipality was allocated a base funding level of two hundred and fifty thousand dollars (\$250,000.00) to ensure an adequate funding base for the performance of planning activities and support during all phases of the program. The base allocation was added to the formula allocation to create the total funding allocation.
3. **Award Timing.** PRDOH intends to award funding to the successful Applicants for planning activities as described in the Program Description section of this NOFA. Funding will begin following the execution of the subrecipient agreement and will be used to fund planning activities by a professional vendor, as well as staff support, equipment, and software in support of the planning effort. Following completion of the initial planning efforts, PRDOH intends to award additional funding to support regional planning efforts and additional municipal planning efforts as developed in the initial municipal plans.
4. **Award Adjustments.** PRDOH reserves the right to adjust funding levels for each grantee and the allocation of the funding amounts for each planning component. Once Applicants are selected for award, PRDOH will determine the total amount to be awarded to any subrecipient, based upon the scope of services to be provided, funds available, and other factors that PRDOH may determine.
5. **Award Amounts:** The allocations listed here illustrate the gross allocation of MRP Program funds to municipalities.

<b>MUNICIPALITY</b>	<b>ALLOCATION</b>
Adjuntas	\$ 416,720.78
Aguada	\$ 439,467.60
Aguadilla	\$ 477,260.14
Aguas Buenas	\$ 387,122.98
Aibonito	\$ 394,902.32
Añasco	\$ 413,345.88
Arecibo	\$ 777,256.75
Arroyo	\$ 355,383.85
Barceloneta	\$ 371,753.80
Barranquitas	\$ 414,360.69
Bayamón	\$ 887,435.38
Cabo Rojo	\$ 662,680.00
Caguas	\$ 1,006,948.67
Camuy	\$ 415,164.83
Canóvanas	\$ 548,198.09
Carolina	\$ 872,992.75
Cataño	\$ 368,524.51
Cayey	\$ 779,087.19
Ceiba	\$ 452,212.13
Ciales	\$ 413,262.85
Cidra	\$ 458,110.42
Coamo	\$ 482,752.01
Comerío	\$ 385,930.73
Corozal	\$ 459,950.51
Culebra	\$ 359,126.51
Dorado	\$ 458,288.99
Fajardo	\$ 472,111.20
Florida	\$ 309,211.23
Guánica	\$ 385,100.42
Guayama	\$ 619,050.02
Guayanilla	\$ 404,347.95
Guaynabo	\$ 566,908.99
Gurabo	\$ 449,268.08
Hatillo	\$ 445,995.31
Hormigueros	\$ 308,988.20
Humacao	\$ 561,755.83
Isabela	\$ 474,670.25
Jayuya	\$ 365,105.13
Juana Díaz	\$ 535,893.70
Juncos	\$ 424,019.18
Lajas	\$ 447,500.62
Lares	\$ 408,237.44

Las Marías	\$ 334,864.48
Las Piedras	\$ 426,448.41
Loíza	\$ 635,076.64
Luquillo	\$ 344,481.46
Manati	\$ 491,186.40
Maricao	\$ 314,093.34
Maunabo	\$ 340,309.20
Mayagüez	\$ 631,938.59
Moca	\$ 433,521.21
Morovis	\$ 436,743.29
Naguabo	\$ 488,687.02
Naranjito	\$ 437,222.90
Orocovis	\$ 437,990.12
Patillas	\$ 417,218.16
Peñuelas	\$ 411,837.72
Ponce	\$ 1,015,425.28
Quebradillas	\$ 368,511.51
Rincón	\$ 327,454.64
Río Grande	\$ 674,807.30
Sabana Grande	\$ 355,002.93
Salinas	\$ 624,852.08
San Germán	\$ 403,837.41
San Juan	\$ 1,373,818.42
San Lorenzo	\$ 446,725.38
San Sebastián	\$ 474,669.28
Santa Isabel	\$ 442,467.08
Toa Alta	\$ 593,415.92
Toa Baja	\$ 675,309.12
Trujillo Alta	\$ 501,202.17
Utuado	\$ 539,856.93
Vega Alta	\$ 453,468.54
Vega Baja	\$ 612,008.39
Vieques	\$ 540,585.17
Villalba	\$ 416,930.29
Yabucoa	\$ 487,369.00
Yauco	\$ 454,260.31
<b>TOTAL:</b>	<b>\$ 39,000,000.00</b>

### 3.12. Cost Limitations

Successful Applicants under this NOFA will execute a subrecipient agreement with PRDOH which provides direct reimbursement of allowable costs associated with eligible activities defined in this document and that meet eligibility criteria. Allowable costs are costs incurred in the performance of the Program that are determined by HUD and PRDOH to be allowable, allocable, and

reasonable in accordance to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. part 200, and the grant agreement. PRDOH reserves the right to reject funding requests for any cost that are outside the scope of the Program.

### **3.13. Period of Performance**

The initial term of the Agreement will be **twenty-four (24)** months for Individual and Regional Municipal Planning activities.

### **3.14. CDBG-DR Grant Requirements**

Because the subrecipient agreement is being funded with CDBG-DR federal funds, the agreement shall be governed by federal terms and conditions applicable to this federal grant. Applicant shall provide a description of experience with such grant requirements and affirmatively represent and certify that the Applicant shall adhere to any requirements applicable to the CDBG-DR grant. Any funds disallowed under the CDBG-DR grant or program because of the Applicant's performance will be disallowed from the award to the Applicant.

### **3.15. Environmental Compliance**

Environmental review is the process of reviewing a project and its potential environmental impacts to determine whether it meets federal, state, and local environmental standards. Typically, every project undertaken with Federal funds, and all activities associated with such project, are subject to the provisions of the National Environmental Policy Act of 1969 (**NEPA**), as well as to the HUD environmental review regulations at 24 C.F.R. § 58 on Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities

Planning activities, by their nature, are highly unlikely to have any direct impact on the environment. Accordingly, these activities are not subject to most of the procedural requirements of environmental review. If a project is determined to be exempt, PRDOH must document in writing that the project is exempt and meets the conditions for exemption spelled in 24 C.F.R. § 58.34. In addition to making the written determination of exemption, PRDOH must also determine whether any of the requirements of 24 C.F.R. § 58.6 are applicable and address as appropriate.

With the intent to produce such plans and strategies, planning activities referenced in this NOFA are categorized as exempt and PRDOH will work with Applicants to document environmental review compliance.

Applicant's performance will be disallowed from the award to the Applicant.

### **3.16. Planning Vendor Services**

As described in the MRP Program Guidelines, a pool of PRDOH pre-qualified vendors has been procured through an open and transparent process. Applicants will partner with pre-qualified planning vendors to undergo the planning process. Applicants are encouraged through the funding available in this Program to increase staffing capacities and work closely with planning vendors to undertake planning activities jointly.

Alternately, Applicants may request to undergo an independent procurement process to work with a different vendor. Due to the standard procurement timeline, planning activities may be delayed for those Applicants undertaking independent procurement.

The total funding allocation provided to each Municipal entity will be used to provide planning vendor services, additional staffing capacity, and equipment and supplies. Applicants must follow the requirements outlined in the Program Guidelines as it relates to Procurement, MBE/WBE and Section 3.

## 4 NOFA Procedures

### 4.1. NOFA Documents Acquisition

Copies of this NOFA are available for download by prospective Applicants at the CDBG-DR Website. To submit an Application in response to this NOFA, Applicants are required to go to the CDBG-DR Website and complete the online application available therein. Alternatively, upon request, prospective Applicants can also pick up copies of this NOFA at PRDOH's Headquarters; attention Mr. Carlos R. Olmedo. NOFA Documents will be available starting at the Document Availability Start Date stated in the Schedule section of this NOFA.

### 4.2. Addenda

The PRDOH reserves the right to amend this NOFA at any time. Any amendments to the NOFA will be issued as written Addenda. **Addenda will become a part of this NOFA. All prospective Applicants must monitor the CDBG-DR Website to retrieve Addenda. All existing program participants will be automatically updated of any program changes.**

### 4.3. Schedule

A summary schedule of major activities as associated with this NOFA is presented in **Table 1** below. The dates, times, and activities are subject to change.

**Table 1: NOFA Schedule**

Event	Date
Mayors Meeting	09/26/2019 and 09/27/2019 10/01/2019 and 10/03/2019* *If necessary.
Public Notice of Funding Availability Publication	09/30/2019
Application Document Availability	09/30/2019
Informative Workshops	New program-specific topics given twice a week, every Tuesday and Thursday, in the month of October*: 10/08, 10/10; 10/15, 10/17; 10/22, 10/24.  <ul style="list-style-type: none"> <li>• Week of October 7: Topic A</li> <li>• Week of October 14: Topic B</li> <li>• Week of October 21: Topic C</li> </ul> *Each week gets two (2) workshops; the workshops are the same for both days



Application Due	11/30/2019 Applications will be processed in the order in which they are received.
Notice of Approval	Municipalities will be notified in the order in which applications are received. Funding amount will be based on the formula provided in the Minimum/Maximum Award Information section of this NOFA.

Please note that the NOFA timeline target dates may change. **It is the responsibility of the Applicant to periodically review the PRDOH CDBG-DR Website for regular updates and other important information**, which may alter the terms or requirements of this NOFA.

#### 4.4. Mayors Meeting

All Mayors interested in participating in this NOFA need to partake in one compulsory informative meeting to be held at PRDOH Headquarters. The meeting will be held on September 26<sup>th</sup> and 27<sup>th</sup>, 2019. If necessary, PRDOH will accommodate Mayors on October 1<sup>st</sup> and 3<sup>rd</sup>, 2019.

#### 4.5. Informative Workshops

All prospective Proposers are required to participate in informative workshops to be held at PRDOH Headquarters. These workshops will be held during the application period and its presentation will be posted online for future reference. Nothing said at the workshops will change any of the terms of this NOFA; only written Addenda issued by the PRDOH may change the terms if this NOFA.

#### 4.6. Correspondence, Communications, and Conferences

Allowed communications regarding the NOFA must be submitted to the PRDOH electronic mail to [recoveryCDBG@vivienda.pr.gov](mailto:recoveryCDBG@vivienda.pr.gov) and shall reference this specific NOFA in the subject line of the email. **Any correspondence sent to any other email address regarding this NOFA will not be addressed or considered sent to PRDOH.**

#### 4.7. Submission of Inquiries

Each prospective Applicant may submit questions as to the intent of clarity of this NOFA, its attachments, and its Exhibits. Applicant shall submit all questions in writing to the electronic mailing address specified in the Correspondence, Communications and Conferences section of this NOFA.

Questions shall be clearly labeled and shall cite the section(s) and page number in this NOFA or other document that forms the basis of the question.

#### 4.8. Allowed and Prohibited Communications

Only questions and requests for clarifications on this NOFA submitted by prospective Applicants of this NOFA are allowed. Such inquiries must utilize methods established in the Correspondence, Communications and Conferences and the Submission of Inquiries sections of this NOFA. Other than these communications for clarifications purposes, communications by prospective Applicants with officials and/or representatives of PRDOH, other Government Entities, the

Government of Puerto Rico, and any of its instrumentalities, HUD, or other relevant entities of the Federal Government, and/or others associated with the CDBG-DR program, regarding any matter related to the contents of this NOFA or this qualification and selection process, are prohibited during the submission and selection processes. Failure to adhere to this requirement may result in the rejection of submitted applications. **Verbal inquiries or emails sent to addresses not specified in this NOFA will not be addressed by the PRDOH.**

#### **4.9. Representations for Application Submission**

All costs associated with the response to this NOFA are the sole responsibility of Applicant. Neither the PRDOH, the Government of Puerto Rico, nor any of its Government Entities or its instrumentalities, nor HUD, or other relevant entities of the Federal Government, will be responsible for any expenses in the preparation and/or presentation of the Applications, oral presentations, or for the disclosure of any information or material received in connection with this NOFA.

The release of this NOFA does not guarantee an award to any of the **seventy-eight (78)** eligible Municipalities.

The PRDOH reserves the right, without limitations, to reject partially or completely any and all Applications received in response to this NOFA when, in its opinion, the Public Interest, the best interest of the Government of Puerto Rico or the PRDOH, or of the impacted communities will be served by such action. The PRDOH further reserves the right, without limitations, to make such investigations as it deems necessary as to the qualifications or perceived conflicts of interest of any and all entities submitting Applications in response to this NOFA. The mere appearance of a conflict of interest shall constitute sufficient cause for the outright rejection of an Application. In the event that any or all Applications are rejected, the PRDOH reserves the right, without limitations, to re-solicit Applications. **By submitting an Application, the Applicant shall adhere to complying with all applicable Federal and state laws and regulations.**

The PRDOH reserves the right, without limitations, to: (i) grant more than one (1) agreement and/or select more than one (1) qualified Applicant; (ii) amend the Agreement(s) of the Selected Applicant(s) to, among others, extend its original duration, as further explained in this NOFA, or to extend its scope and funding to include work under subsequent CDBG-DR Action Plan amendments.

This NOFA, its award, and any derivative agreement are subject to the execution of a grant agreement between the Government of Puerto Rico or the PRDOH, and HUD; and the availability of the allocated CDBG-DR funds. Applicant acknowledges and agrees that any suspension, cancellation, or termination of the CDBG-DR allocation(s) will result in the immediate suspension, cancellation, or termination of this NOFA, award, or executed agreement, upon PRDOH's notice.

#### **4.10. Application Modification or Withdrawal**

An Applicant may modify or withdraw an Application at any time before the Application Due Date.

#### **4.11. Ownership of Applications**

All materials submitted in response to this NOFA shall become the property of the PRDOH and will not be returned. Selection or rejection of an Application does not affect this provision.

## 5 General Application Requirements

All Applications shall comply with the general requirements stated in the following sections.

### 5.1. Application Format

To ensure uniformity to specific requirements and prompt reference among all Applications, the format of the Applications shall adhere to the following parameters:

1. Applications shall be provided using the CDBG-DR MRP Program Application portal found at the CDBG-DR Website and will comply with the following. Applications will be composed of three (3) sections:
  - Mandatory Requirements
  - Qualifications
  - Existing Plans Upload

All Applications shall comply with the formatting and submission requirements stated in the following sections.

1. Mandatory Requirements
  - a. This information will be submitted through the MRP Program Application Portal as fillable fields and dropdown menus during the application process.
2. Additional Qualifications (optional)
  - a. This information will be submitted through the MRP Program Application Portal as fillable fields and drop-down menus during the application process.
  - b. Additional required documentation can be submitted as a pdf upload through the MRP Program Application portal.
3. Proposed Work Plan (optional)
  - a. This information will be submitted through the MRP Program Application Portal as fillable fields and drop-down menus during the application process.
4. Existing Plans Upload (if available)
  - a. This information will be submitted as pdf uploads through the MRP Program Application portal.
  - b. Plans must be legible, to scale, and clearly labeled and identified with a corresponding document description.
  - c. Municipalities are asked to identify all existing plans, studies, or data that may be relevant to a recovery planning process. These may include, but are not limited to, the following examples:
    - i. Local Zoning Plans
    - ii. Local Future Land Use Map
    - iii. Small Area Plan
    - iv. Neighborhood Plan
    - v. Environmental Plan
    - vi. Coastal Plan
    - vii. Transportation Plan
    - viii. Economic Development Plan
    - ix. Studies and Data Gathering Endeavors Existing data, demographics, studies, etc.

## 5.2. Submission Due Date

Applications are to be submitted on the Application Due Date stated in the Schedule section of this NOFA and will be processed and awarded in the order in which they are received. Submissions will be performed through the MRP Program Application Portal at the CDBG-DR Website.

## 5.3. Submission

Applications shall be submitted digitally using the CDBG-DR MRP Program Application portal at the CDBG-DR Website. Applicants will have the opportunity to download their final, submitted application in .pdf format following a successful digital submission.

## 6 Application Requirements

The purpose of this process is to solicit Applications from the recognized **seventy-eight (78)** Municipalities comprising Puerto Rico. Applicants may submit applications for funding to develop Municipal Recovery Plans.

Each Application received should comply with the requirements set forth in the following sections.

### 6.1. Mandatory Requirements

Applicants shall comply with the following Mandatory Requirements in order for their Application to be deemed complete. Mandatory Requirements for this NOFA are as follows:

1. **Application Submission:** Application must be submitted within the closing date and time for Applications as established in the Schedule section of this NOFA.
2. **Conflicts of Interest:** Pursuant to Act 237 of August 31, 2004, Act 1 of January 3, 2012, and/or Act 2 of January 4, 2018, Applicant will be required to certify that no officer, agent or employee of the Government of Puerto Rico, or its Government Entities and instrumentalities, has a monetary interest in the Application or has participated in contract negotiations on behalf of the Government of Puerto Rico; that the Application is made in good faith without fraud, collusion, or connection of any kind with any other Applicants; that the Applicant is competing solely in its own behalf without connection with, or obligation to, any undisclosed person or firm; and that the Applicant has not been convicted or has plead guilty in a state of federal court or any other jurisdiction of the United States of America, of the crimes described in Act 2 of January 4, 2018. For compliance with this Mandatory Requirement the Applicant shall submit with their response to this NOFA:
  - (a) **Exhibit C** (Non-Conflict of Interest Certification);
  - (b) **Exhibit D** (Non-Conflict of Interest on Existing or Pending Contract Certification);
  - (c) **Exhibit E** (Limited Denial of Participation Affidavit); and
  - (d) **Exhibit G** (Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion) duly completed and notarized.
3. **Other Required Documents:** Applicants shall submit the following documents duly completed as part of their responses to this NOFA:

- (a) **Exhibit I** (Anti-Lobbying Certification);
- (b) **Exhibit J** (Authorization for Background and Financial Information); and
- (c) **Exhibit K** (Entity Prior Performance Certification).

All documents authorized by a Notary Public outside of Puerto Rico jurisdiction shall be authenticated and include an official certificate or apostille from the Secretary of State, County Clerk or corresponding entity of the State government.

## 6.2. Capacity to Provide Services

Applicants shall establish capability to provide services under the CDBG-DR grant, or Federal Grants, by providing the following information with its response. Applicant shall provide the information requested herein as part of the application.

- Applicant's Tax-ID and the year it was established.
- Applicants must have a valid, active registration in the System for Award Management (**SAM**) and not be disbarred.
- Applicant must have an Official Resolution from the Municipal entity.
- Applicants must have a Data Universal Numbering System (**DUNS**) identifier.
- Applicant to provide information on the required Municipal need regarding types of requested support.
- Provide an Organizational Chart of Municipality with lines of responsibility and authority in the administration of the Award.
- Provide a statement of whether there is any pending or recent (within the past **five (5) years**) litigation, sanctions and/or administrative complaints against the Applicant. Include citation of the litigation and opinion of counsel as to the degree of risk presented by any pending litigation and whether such pending or recent litigation will impair the Applicant's performance in an Agreement under this NOFA.
- Provide a list of projects for which the Applicant has received federal funds during Fiscal Years 2015 thru 2018.
- Describe how performance on previous projects and contracts for federal programs qualifies Applicant to develop and implement this project.

## 7 Budget Proposal Requirements

No budget proposal is required for the MRP Program application.

## 8 Threshold Requirements

For the purpose of this NOFA, Applicants must be a Puerto Rico Municipality and meet the following threshold requirements:

1. **The Applicant has** provided evidence of officially representing a Municipality of Puerto Rico.
2. **The Applicant has** provided a description of experience with grant requirements and affirmatively represent and certify that the Applicant will adhere to any requirements applicable to the CDBG-DR grant.
3. **The Applicant has** indicated the existence of sufficient financial internal controls. This may include financial statements as income statements and balance sheets.
4. **The Applicant has** completed and submitted the electronic application.

## **9 Evaluation, Selection and Award**

### **9.1. Errors and Omissions in Application**

PRDOH reserves the right, without limitations, to reject an Application that contains an error or omission. PRDOH also reserves the right, without limitations, to request correction of any errors or omissions and/or to request any clarification or additional information from any Applicant, without opening clarifications for all Applicants. No communication between PRDOH and the Municipality shall mean that PRDOH is in any way obligated to make an award and does not create rights for the Municipality to receive an award under this NOFA.

### **9.2. Selection and Award**

The Qualified Applicant(s) shall have their completed Application(s) reviewed by PRDOH to assure compliance with this NOFA. Applicants will be awarded following the receipt of required documentation, a complete application, and executed subrecipient agreement.

### **9.3. Rejection of Application and Cancellation of NOFA**

Issuance of this NOFA does not constitute a commitment by the Government of Puerto Rico and/or PRDOH to award a subrecipient agreement. PRDOH reserves the right, without limitations, to accept or reject, in whole or part, and without further explanation, any or all Applications submitted and/or to cancel this notice and reissue this NOFA or another version of it, if it deems that doing so is in the best interest of the Public Interest, the Government of Puerto Rico, PRDOH or the impacted communities.

PRDOH reserves the right, without limitations, to disregard or waive any noncompliance, informalities and/or irregularities in the Applications received in response to this NOFA, not otherwise identified in the Mandatory Requirements and Qualifications 1 of this NOFA, when, in its opinion, the Public Interest, the best interest of the Government of Puerto Rico, PRDOH or of the impacted communities will be served by such action.

### **9.4. Confidentiality of Responses and Proprietary Information**

Upon completion of the NOFA process, PRDOH will make public its report regarding the qualification and selection process, which shall contain certain information related to this NOFA process. Due to the nature of this NOFA, some confidentiality or proprietary claims cannot be assured. Provision of any information marked as confidential or proprietary shall not prevent PRDOH from disclosing such information if required by law. The ultimately awarded Contract(s) and all prices set forth therein shall not be considered confidential or proprietary and such information may be made publicly available.

Any and all information, be it trade secrets, proprietary or confidential information submitted as part of this NOFA will be made available to HUD, the U.S. Office of Inspector General, or any other federal or state agency that requires said information for program evaluation and compliance purposes.

**END OF NOFA.**