



GOVERNMENT OF PUERTO RICO
Department of Housing

**NOTICE OF FUNDING AVAILABILITY
FOR THE
TECHNICAL ASSISTANCE AND
CAPACITY BUILDING PROVIDERS
UNDER THE
COMMUNITY DEVELOPMENT BLOCK GRANT
DISASTER RECOVERY**

CDBG-DR-NOFA-2020-04

PUERTO RICO DEPARTMENT OF HOUSING

May 4, 2020

July 20, 2020

NOFA Issued

Application Due Date

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Funding Announcement Summary

Agency Name: Puerto Rico Department of Housing (PRDOH)

Funding Opportunity Title: Technical Assistance and Capacity Building (TA) Providers under the Community Development Block Grant-Disaster Recovery (CDBG-DR) – Availability of Funds to address the damage in the disaster impacted areas (DIA) of federally declared disasters under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (Stafford Act), 42 U.S.C § 5121: Puerto Rico Hurricane Irma (FEMA-4336-PR) and Puerto Rico Hurricane María (FEMA-4339-PR).

Announcement Date: May 4, 2020

Announcement Type: Notice of Funding Availability (NOFA) for programs funded through the CDBG-DR from the United States Department of Housing and Urban Development (HUD) allocation under Public Law 115-56, as amended.

Application Submissions: Applicants should submit a completed Application, supplemental documents, if necessary, and all associated Application exhibits, as described in this NOFA, by July 20, 2020.

- This is an electronic Application – Following instructions provided within this document and at <https://cdbg-dr.pr.gov/>. No hard copies will be accepted.

Funding Opportunity Description: The PRDOH is pleased to announce the availability of six million dollars (\$6,000,000) in CDBG-DR funds for TA. CDBG-DR funds availability is subject to HUD's release of such funds. PRDOH reserves the right to award selected Applicants in accordance with funds made available by HUD and based on any applicable statutory constraint at the time of award issuance. It is the intent of PRDOH to award grant funds to eligible Applicants in accordance with the provisions set forth in this document.

This NOFA is the initial process in identifying organizations and entities to support PRDOH in technical assistance and capacity building initiatives. After the NOFA process has closed and projects are reviewed and selected, PRDOH will implement the Program utilizing agreements with notified and eligible Subrecipients.

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Director of Operations

CDBG-DR Program

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Visit us: www.cdbg-dr.pr.gov

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Attachments

1. Form for Submission of Inquiries

Exhibits

- A Non-Conflict of Interests Certification
- B Non-Conflict of Interest on Existing or Pending Contracts Certification
- C Limited Denial of Participation Affidavit
- D Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion

- E Sworn Statement Under Act 2-2018**
- F Anti-Lobbying Certification**
- G Authorization for Background and/or Financial Information**
- H Budget Template**
- J Entity Prior Performance Certification**

1 Definitions/Acronyms

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

- **Action Plan** refers to the Puerto Rico Disaster Recovery Action Plan, as it may be amended, that outlines the uses for the approximately \$9.7 billion CDBG-DR funds allocated to Puerto Rico found at the CDBG-DR Website.
- **Addendum** or **Addenda** refer to a written or graphic document issued by PRDOH before the Application Due Date, which modifies or interprets the NOFA by means of additions, deletions, clarifications, or corrections.
- **Applicant** means a Non-Governmental Organization (NGO) (501(c)(3)) or Not for Profit Entities, that submit a response to this NOFA and who is not currently debarred with the Federal Government.
- **Application** refers to the responses(s) submitted by the Applicant(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 this 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 Puerto Rico CDBG-DR Program website at www.cdbg-dr.pr.gov.
- **Direct Cost** refers to costs directly related to implementing the eligible activity. Typical examples of direct costs may include salaries of staff working directly on the Program, equipment and supplies used directly by the Program, and other expenses that are specific to the Program.
- **Evaluation Committee** refers to a committee designated by 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** or **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 created in the future.

- **HUD** refers to the United States Department of Housing and Urban Development.
- **Indirect Costs** refers to costs incurred for a common or joint purpose benefiting more than one (1) cost objective. Typical examples of indirect costs may include depreciation on buildings and equipment, the costs of operating and maintaining facilities, general administration and general expenses, such as the salaries and expenses of executive officers, personnel administration, and accounting.
- **Local Parties** means local entities 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(s) must meet to pass to the next evaluation stage of the NOFA Application process. Non-compliance with mandatory evaluation requirements will result in the disqualification of the Applicant.
- **NOFA** means Notice of Funding Availability and any addenda issued by PRDOH.
- **PRDOH Headquarters** refers to the PRDOH principal offices located at 606 Barbosa Avenue, Juan César Cordero Dávila Building, Río Piedras, PR 00918.
- **Program Participants** refers to PRDOH CDBG-DR Program Subrecipients.
- **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, therefore, may continue on to the technical requirements evaluation process.
- **Subrecipient Agreement** or **SRA** refers to the agreement(s) to be executed between PRDOH and the qualified Applicant(s) that result(s) awarded after this NOFA process is completed which governs the relationship between both parties as well as Subrecipient funding and activities.

2 Overview, Purpose, and Authority

2.1 Overview

PRDOH announces this NOFA through the CDBG-DR Program to seek Applications from uniquely qualified organizations who can provide TA services and which have experience in disaster recovery grants and/or programmatic areas under Housing,

Infrastructure, Planning or Economic Recovery programs as defined in the current Puerto Rico CDBG-DR Action Plan found at the CDBG-DR Website.

2.2 Purpose

PRDOH is seeking direct TA and capacity building service providers to work onsite and/or remotely with Program Participants to improve the CDBG-DR Program knowledge and staff capacity in the programs and/or cross-cutting requirements.¹ TA may also include the operation of one or more virtual help desks and addresses questions and issues raised by Program Participants.

2.3 Authority

This NOFA is issued by PRDOH for the CDBG-DR Program, which has allocated funds appropriated by the Continuing Appropriations Act, 2018 and Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (Pub. L. 115-56, as amended) to provide assistance in long-term recovery from 2017 natural disasters. PRDOH is publishing this NOFA as part of enhancements to PRDOH's efforts of ensuring compliance with HUD requirements pertaining to the development of policy and procedure for providing TA to Program Participants.

3 Funding Opportunity Description

3.1 Description

PRDOH's NOFA for TA and Capacity Building Providers is seeking Eligible Applicants to assist and complement the compliance efforts of PRDOH in providing TA and capacity building to Program Participants and to improve Program Participant's CDBG-DR Program knowledge as well as program implementation and/or federal cross-cutting requirements. TA also includes the operation of one or more virtual help desks and address questions and issues raised by Program Participants.

Funding awarded to Applicants is to be expended over a period of **twenty-four (24) months**. Additional funds may become available for award as a result of PRDOH's efforts to recapture unused funds, carryover funds, or availability of additional appropriated funds. Use of these funds is subject to statutory constraints. Funding opportunities referenced in this NOFA, and all obligations of the PRDOH herein, are expressly subject to and conditioned upon the ongoing availability of funds, as well as the continued authority of the PRDOH to operate the CDBG-DR Program. In the event that funds are not available to fund any, or all, activities offered herein, or if the PRDOH's authority to operate the CDBG-DR Program or act under this NOFA is eliminated, or in any way restricted, the PRDOH reserves the right, at its sole discretion, to amend, rescind, suspend,

¹ These can include current subrecipients at the time of the TA, or entities that will become subrecipients in the future.

or terminate this NOFA and any associated funding pursuant to the provision set forth immediately above. This NOFA is not a commitment of funds to any activity or Applicant.

3.2 Eligible Applicants

Eligible Applicants for this NOFA are NGOs (501(c)(3)) or Not for Profit Entities.

3.3 Applicants' Experience

Applicants must have at least **five (5) years** of experience in disaster recovery grants and/or programmatic areas under Housing, Infrastructure, Planning or Economic Recovery programs as defined in the current Puerto Rico CDBG-DR Action Plan and/or have at least **four (4) years** of experience in providing TA and/or capacity building services.

3.4 Eligible Use of Funds

Funds will be provided to implement various TA services including, but not limited to, coordination activities related to capacity building. Coordination activities consist of services related to assisting and complementing PRDOH on its technical assistance, training and capacity building efforts to be provided to Program Participants based on current needs. PRDOH is also seeking services for TA engagements, which might include but are not limited to, data gathering, studies, and analysis, and the identification of actions that will expedite and achieve technical assistance to Program Participants. Coordination activities carried out by Selected Applicants may include but are not limited to the following:

- Determine needs and capacity gaps of Program Participants based on their respective program or programs.
- Work with PRDOH to address the capacity gaps across multiple CDBG-DR programs.
- Set long-term goals and short-term objectives for TA plans based on PRDOH priorities.
- Devise products and activities to meet these goals and objectives.
- Evaluate and report the progress of such capacity building related activities.

3.5 Ineligible Use of Funds

Selected Applicants shall **NOT** use CDBG-DR funds awarded under this NOFA for the following:

- Entertainment, including amusement, diversion, and social activities; food and alcohol associated with parties or socials, meals, lodging, transportation, and gratuities associated with entertainment;
- Pre-award costs, including preparation of the grant proposal;
- Donations and contributions, including cash, services or property;

- Fundraising activities;
- Lobbying;
- Stipends for participants;
- Supplanting Federal and State Funds; and
- Any other items unallowable under federal cost principals as stated in 2 C.F.R. part 200.

3.6 Service Delivery

Services may be delivered by various means which will depend on PRDOH's needs and requirements. However, PRDOH is seeking Applicants which will mainly focus on assisting PRDOH in providing consistent and uniform on-site and in-person TA to Program Participants. The objective is two-fold: PRDOH is looking to provide Program Participants in need of specific technical assistance with the necessary tools to comply with CDBG-DR requirements while also complying with HUD imposed training and technical assistance requirements. Even when PRDOH seeks services mainly focused on in-person technical assistance and capacity building, services may also include the development of tools and products to complement PRDOH's efforts and assist Program Participants with understanding existing, revised, or new PRDOH CDBG-DR programs, program statutes and regulations, as well as other federal cross-cutting requirements (e.g., Davis-Bacon wage rates, fair housing, Section 3, civil rights compliance, environmental justice and environmental standards, Limited English Proficiency (LEP) requirements, and accessibility for persons with disabilities) that apply to CDBG-DR funded programs. Where appropriate and based on PRDOH's needs and approval, the selected Applicant may employ virtual training and assistance as a cost-effective way to reach diverse audiences and address the constantly changing needs of Program Participants and program requirements.

Such products might take the form of web-based courses or trainings, videos, interactive tools, and webinars. Tool and product development may also include the creation of templates, desk guides, toolkits, and curricula to improve program management and operations, evaluation, and performance measurements. Selected Applicants will need PRDOH's approval of any materials and/or tools developed for training and TA services with the purpose of achieving uniformity and consistency in the content and quality of materials and technical assistance provided to all Program Participants. Where appropriate, CDBG-DR Program and other federal requirements must be integrated into comprehensive products that will serve the TA needs of a broad range of Program Participants. All products and tools developed must comply with Section 508 of the Rehabilitation Act of 1974 (29 U.S.C. § 794d) accessibility requirements. Maintenance of said tools and products will include translating existing materials into both English and Spanish.

PRDOH seeks Applicants who will focus on technical assistance and capacity building services for applicable CDBG-DR requirements related, but not limited to, the following:

- CDBG-DR fund management
- Procurement
- Finance
- Recordkeeping
- Monitoring and oversight
- Program area specific requirements
- General CDBG-DR requirements

TA and capacity building services would be directed towards CDBG-DR Programs such as Housing, Infrastructure, Planning and Economic Development, among others.

3.7 Number of Awards

PRDOH estimates that at least one (1) or more awards may be issued. Maximum number of awards will be determined by the amount of funds available and the responses received. All awards are subject to the applicable funding restrictions contained in this NOFA.

3.8 Award Adjustments

PRDOH reserves the right to adjust funding levels for each grantee. Once Applicants are selected for award, PRDOH will determine the total amount to be awarded based upon the scope of services to be provided, funds available and other factors that PRDOH may determine. It is possible that not all awardees will receive the maximum amount as funding will be based on Applicant capacity as proposed in the Application.

3.9 Cost Limitations

Selected Applicants will execute a Subrecipient Agreement with PRDOH which provides direct reimbursement of costs associated with eligible activities that meet the criteria defined in this document, that are incurred in the performance of the Program, that are determined by HUD and PRDOH to be allowable, allocable, determined 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 of the scope of the Program.

3.10 Period of Performance

The period of performance will be determined by the Subrecipient Agreement and will not exceed **twenty-four (24) months**.

3.11 CDBG-DR Program Requirements

Because the Subrecipient Agreement is being funded with CDBG-DR funds, the agreement shall be governed by Federal terms and conditions applicable to this grant. Applicant(s) shall provide a description of its experience with such grant requirements and affirmatively represent and certify that it shall adhere to any requirements applicable to the CDBG-DR Program. Any funds disallowed under the CDBG-DR Program because of the Applicant's performance will be disallowed from the award to the selected Applicant.

3.12 Environmental Compliance

Selected Applicants do not need to comply with environmental requirements. Pursuant to a Certification of Exemption for HUD funded projects dated August 8, 2019, technical assistance and training activities have been deemed as exempt from environmental review requirements per 24 C.F.R. § 58.34.

3.13 Local Participation; Minority and Women Owned Business Enterprises; and Section 3

3.13.1 Local Participation

PRDOH encourages all Applicants to engage Local Parties as team members and key individuals to the greatest extent possible. Applicants are strongly encouraged to provide descriptions of their current and/or anticipated business arrangements with Local Parties and, in particular, those who are team members and key individuals for the project, as applicable.

3.13.2 Minority and Women Owned Business Enterprises (MWBE's)

PRDOH recognizes its obligation to promote opportunities for maximum feasible participation of certified minority and women owned business enterprises (MWBEs), and the employment of minority group members and women in the performance of all PRDOH Federal funded contracts². Subcontractors and/or subrecipients of selected Applicants must comply with MWBE requirements, whenever applicable.

In order to ensure compliance with 2 C.F.R. § 200.321, PRDOH has established policy guidelines which set goals of ten percent (10%) WBE and ten percent (10%) MBE of the total contract amount for all contracts over ten thousand dollars (\$10,000) for goods or services and define affirmative steps as part of implementation of contracting opportunities with MWBEs. It is required that an approved Utilization Plans be in place before the project is awarded and approved. Efforts taken to contract or subcontract with MWBEs should be documented. Waiver requests will be considered commensurate with the amount of the contract and the level of efforts taken.

² 2 C.F.R. § 200.321

PRDOH will be collecting quarterly reports on utilization of MWBE for the purpose of completing Yearly Reporting.

For those interested in locating registered Minority Owned Businesses, The Puerto Rican Minority Supplier Development Council also has a digital catalog that can be accessed at: <https://www.prmsdc.org/advertising/html/men124/index.html>.

3.13.3 Section 3

Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. § 1701u) (**Section 3**), and its implementing regulation set forth in 24 C.F.R. § 135, require that recipients, subrecipients, contractors, subcontractors, and/or developers funded in whole or in part by CDBG-DR funding, to the greatest extent feasible, extend hiring opportunities and contracts to Section 3 eligible residents and businesses. Section 3 eligible residents are low and very low-income persons, particularly those who live or reside in public or government assisted housing or who meet the income limits identified by HUD. For each project, there is a goal for thirty percent (30%) of new hires to be individuals who qualify as a Section 3 individual.

Businesses can qualify as Section 3 in any one of three (3) ways: (a) If your business is owned in equal to or in excess of fifty-one percent (51%) by someone who is a Section 3 Individual; or (b) if thirty percent (30%) of your staff meets the definition of a Section 3 individual; or (c) if your business has a firm commitment to provide twenty-five percent (25%) of the total dollar amount of subcontracts to a Section 3 business.

For those entities that receive more than two hundred thousand dollars (\$200,000.00) in CDBG-DR assistance, and contractors that are awarded contracts that exceed one hundred thousand dollars (\$100,000.00), there is a thirty percent (30%) goal for new hires, three percent (3%) goal for non-construction contracts and ten percent (10%) goal for construction contracts.

For professional services contracts, there is a three percent (3%) goal while for construction contracts there is a ten percent (10%) goal.

PRDOH has established policy guidelines to ensure compliance with 24 C.F.R. part 135. It is required that an approved Section 3 plan be in place before the project is awarded and approved. The plan for compliance with Section 3 must be submitted for approval prior to the start of construction or professional services on any contract activity. All documentation for Section 3 efforts should be provided to PRDOH and should include metrics to indicate efforts for new hiring or subcontracting.

PRDOH will be collecting quarterly reports on Section 3 goals for the purpose of completing annually the Section 3 Performance Evaluation in the Reporting System (**SPEARS**).

For those interested in locating Section 3 businesses, HUD has developed a business registry for businesses who have identified themselves as a Section 3 business in order to facilitate the process of engaging in best efforts.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, Applicants are required to go to the CDBG-DR Website and complete the online Application available therein. NOFA documents will be available at the Document Availability Start Date stated in the Schedule Section of this document.

4.2 Addenda

PRDOH reserves the right to amend this NOFA at any time. Any amendments to the NOFA will be issued as written Addenda and will become a part of this NOFA available for all prospective Applicants to obtain by downloading from the CDBG-DR Website included above. All prospective Applicants must monitor the CDBG-DR website to retrieve the Addenda.

4.3 Schedule

A schedule summary of the major activities associated with this NOFA is presented in **Table 1** below. The dates, times, and activities are subject to change. Therefore, Applicants are encouraged to periodically review the CDBG-DR website for regular updates and other important information, which may alter the terms or requirements of this NOFA.

Table 1: NOFA Schedule

Event	Date
Public Notice	05/04/20
NOFA Documents Availability	05/04/20
Questions Due	05/15/20
Questions & Answers Posted	05/25/20
Start Date to Submit Application	06/03/20
Application Due Date	07/20/20
Application Evaluation Period (Expected)	From: 07/21/20
	Up To: 08/14/20
Notice of Award (Expected)	08/25/20

³ <https://portalapps.hud.gov/Sec3BusReg/BRegistry/What>

Event	Date
Execution of the Agreement (Expected)	09/04/20

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 Correspondence, Communications and Conferences

Allowed communications regarding this NOFA must be submitted to OperationsCDBG@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 by PRDOH.

4.5 Submission of Inquiries

Each prospective Applicant may submit questions or ask for clarifications as to the intent of this NOFA, its attachments, and its exhibits. Applicants shall submit all questions in writing on or before the deadline established in the Schedule Section of this NOFA to the email address specified in the Correspondence, Communications and Conferences Section. Inquiries shall be submitted by prospective Applicants using the document titled "Form for Submission of Inquiries" included as Attachment 1.

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

Responses to all Applicants' questions will be distributed as an Addendum to this NOFA on or before the date established in the Schedule Section of this document and will be posted in the CDBG-DR Website.

4.6 Allowed and Prohibited Communications

Only questions and requests for clarifications on this NOFA submitted by prospective Applicants as per the Correspondence, Communications, and Conferences and Submission of Inquiries Sections of this document are allowed. 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 the contents of this NOFA or its qualification and selection process, are prohibited during the submission and selection processes. Failure to adhere to this requirement may result in the disqualification of submitted Applications.

Verbal inquiries or emails sent to addresses not specified in this NOFA will not be addressed or considered by PRDOH.

4.7 Representations for Application Submission

All cost associated with the response to this NOFA are the sole responsibility of the Applicant. Neither PRDOH, the Government of Puerto Rico or any government entities or instrumentalities, HUD nor any entity 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.

No individual or firm is assured of obtaining an award in regards to this NOFA. For Applications to be evaluated by PRDOH, prospective Applicants are required to register for participation in this process.

PRDOH reserves the right, without limitations, to reject partially or completely any/all Applications received in response to this NOFA when, in its opinion, the best interest of the Government of Puerto Rico or PRDOH, or of the impacted communities will be served by such action. 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/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, PRDOH reserves the right, without limitations, to re-solicit Applications.

By submitting an Application, the Applicant shall comply with all applicable federal and local laws and regulations. Failure to disclose accurate and complete information or making false representations as part of the NOFA Application, may affect eligibility and may result in disqualification from the NOFA evaluation process and possibility of award.

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

This NOFA, its award, and any derivative Subrecipient Agreement are subject to the execution of a Grant Agreement between the Government of Puerto Rico or 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 Subrecipient Agreement, upon PRDOH's notice.

4.8 Application Modification or Withdrawal

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

4.9 Ownership of Applications

All materials submitted in response to this NOFA will be the property of 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

Applications shall be completed at the CDBG-DR Website following specific requirements contained therein. Applications will be entered online by filling in forms and information as instructed.

The Application and its Exhibits can be submitted in the English or Spanish language. Certifications and/or documents issued by the Government of Puerto Rico may also be in English or Spanish language.

All attachment documents allowed for upload through the Application portal shall adhere to the following parameters:

- Attachments accepted by the Application portal shall have a maximum file size of 25 MB;
- Attachments to the Application shall be typewritten on standard 8 ½" x 11" paper. Written content of attachments must be set at one and one-half (1.5) line spacing and the font shall be twelve (12) point;
- Attachment pages shall have a one-inch (1") margin;
- Larger paper (up to 11" x 17") and smaller fonts are permissible for charts, diagrams, spreadsheets, etc.;
- The budget template shall be included as an exhibit in .pdf or Excel format;
- The requested resume(s) and organizational chart must be provided as attachments;
- All documents that require an ink signature as part of the Application shall be signed in blue ink. All names must be included in print below each signature. Documents consisting of more than one (1) page, that require signature, shall contain the initials of the Applicant's Authorized Representative at the right-top corner of every page.

5.2 Submission and Submission Due Date

Applications shall be submitted at the CDBG-DR Website. Applicants will have the opportunity to download their final submitted Application in pdf format following a successful submission.

Applications shall be submitted by the Application Due Date stated in Schedule Section of this NOFA. Responses to the NOFA submitted after the prescribed deadline will not be accepted.

6 Application Requirements

Each Application received will be scored as described below and should comply with the requirements set forth in the following sections.

6.1 Application Scoring

Table 2 presents the scoring factors for the mandatory requirements and includes the maximum points for each technical requirement criteria of the Applications. For details regarding the distribution of each technical aspect of the Application, please refer to the corresponding section. Applicants deemed to meet the eligibility requirements will receive further consideration. Applications will be scored based on the below listed criteria and then compared against all others received for the proposed type of TA (e.g. housing construction, rental assistance, relocation assistance, etc.).

Applications will be evaluated according to the following criteria:

Table 2: Technical Aspects of the Application Scoring

Criteria	Scoring Factor
Mandatory Requirements	
Complete Application Received	PASS/FAIL
Technical Requirements	
Disaster Recovery Experience	
Experience in providing services in a disaster response or disaster recovery environment.	25
Subject Matter Experience	
Direct experience in delivering overarching specialized technical assistance and other capacity building initiatives, such as coaching and development of training and training materials, grant administration services or any specialized area of TA aligned with CDBG-DR programs (such as housing	30

Criteria	Scoring Factor
construction, rental assistance, environmental compliance, consulting, etc.)	
Capacity Demonstrate a successful track record in services/projects of similar size, scale, and complexity to the proposed TA area.	25
Proposed Work Plan and Budget How will Applicant provide TA and capacity building, develop and maintain tools and products, among others. Reasonable fees for services provided (staff time and materials used).	20
Bonus Criteria	5
TOTAL	105

All mandatory requirements must be met for an Application to be eligible. Once mandatory requirements are reviewed and deemed sufficient, Applications will be evaluated on technical aspects and a score for each criterion will be assigned based on the maximum allowable points stated in **Table 2**.

Once the mandatory requirements evaluation of the Applications is completed and a Pass is obtained, the Evaluation Committee will go on to evaluate technical requirements (disaster recovery experience, subject matter experience, capacity, proposed work plan and budget, and bonus) submitted by the Qualified Applicants and will combine all aspects of the Applications in order to determine the Applicant(s) whose Application(s) is (are) most advantageous to PRDOH.

The Applicant(s) whose Application(s) is(are) determined to be most advantageous shall become the selected Applicant(s). To be considered for selection for an award, Applicants need to achieve a technical score greater than or equal to **seventy-five (75) points**.

After the proposed work plan has been evaluated and the initial budget proposals are reviewed, PRDOH may request a more detailed budget to clarify or explain portions of the already submitted budget proposal.

6.2 Mandatory Requirements

Applicants shall comply with the following mandatory requirements in order for their Application to be evaluated. Mandatory requirements will be scored as either “Pass” or

“Fail”. If the Application meets all mandatory requirements, the Application will “Pass” this evaluation. On the contrary, if the Application does not meet said requirements, it will “Fail” this evaluation. Failure to comply with each of these requirements will result in the disqualification of the Applicant. However, PRDOH reserves the right to waive minor irregularities and minor instances of non-compliance related to form (no subjective issue shall be waived). Mandatory requirements for this NOFA are as follows:

- **Application Submission:** Applications must be submitted by the closing date as established in the Schedule Section of this NOFA. The submission must contain all components as required in the Application Checklist and include the items as listed below.
- **Organizational Information:** The Applicant, in its Application, must submit organizational documents, such as proof that the organization is tax-exempt under section 501(c)(3) of the Internal Revenue Code as amended, 26 U.S.C. § 501(c)(3), or section 1101.01 of Act No. 1-2011, as amended, known as the “Puerto Rico Internal Revenue Code of 2011”, 13 LPPRA § 30011, a certified copy of the Applicant’s certificate of incorporation or similar document which clearly states nonprofit status, a statement from a state taxing body that the organization is a nonprofit organization operating in good standing within the state, as applicable. These will vary by the Applicant’s type of organization. The following shall also be included, where applicable:
 - Entity Name
 - Employer Identification Number (EIN)
 - Data Universal Numbering System (D.U.N.S Number)
 - Valid and current registration in Federal System of Award Management (SAM)(Applicants may register at <https://www.sam.gov/SAM/>)
 - Physical Address
 - Mailing Address
 - Contact Info: the designated individuals that PRDOH may contact regarding the Application.
 - Organizational Chart with lines of responsibility and authority in the administration of the organization.
- **Financial Requirements:** The Applicant shall provide information regarding how it maintains sufficient financial internal controls.
- **Conflicts of Interest:** Pursuant to Act No. 237-2004, as amended, 3 LPPRA § 8611, et seq., known as the Establishment of Uniform Parameters in the Process of Contracting Professional and Consulting Services for Puerto Rico Government Agencies and Entities Act; Act No. 1-2012, as amended, 3 LPPRA § 1854, et seq., known as the Puerto Rico Government Ethics Code of 2011; and/or Act No. 2-2018, 3 LPPRA § 1881 et seq., known as the Anti-Corruption Code for the New Puerto

Rico (Act 2-2018), Applicants 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 on its own behalf without connection with, or obligation to, any undisclosed person or firm; and that the Applicant has not been convicted or plead guilty in a state of federal court or any other jurisdiction of the United States of America, of the crimes described in Act 2-2018. For compliance with this mandatory requirement, the Applicant shall submit the following forms with the Application:

- **Exhibit A** (Non-Conflict of Interest Certification);
- **Exhibit B** (Non-Conflict of Interest on Existing or Pending Contracts Certification);
- **Exhibit C** (Limited Denial of Participation Affidavit);
- **Exhibit D** (Certification Regarding Debarment Suspension, Ineligibility, and Voluntary Exclusion) duly completed and notarized; and
- **Exhibit E** (Sworn Statement Under Act 2-2018) duly completed and notarized

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.

- **Other Required Documents:** Applicants shall submit the following documents duly completed and notarized, if applicable, as part of their responses to this NOFA:
 - **Exhibit F** (Anti-Lobbying Certification);
 - **Exhibit G** (Authorization for Background and Financial Information); and
 - **Exhibit H** (Budget Template)
 - **Exhibit I** (Entity Prior Performance Certification).

Applicants shall identify and list any entities which they currently work with and that are known to them as subrecipients and/or partners of the PRDOH.

6.3 Qualification Requirements

Applicants shall comply with each of the following requirements. Failure to comply with said requirements may result in the disqualification of the Applicant. However, PRDOH reserves the right to waive minor irregularities and minor instances of non-compliance related to form (no subjective issue shall be waived). All the following requirements must be completed in the Application.

6.3.1 Applicants Disaster Recovery Experience:

This part of the Applicant's qualifications will have a maximum score of **twenty-five (25) points**. Applicant shall indicate and explain its five (5) year experience in providing services in a disaster response or disaster recovery environment, highlight Applicant's experience and major accomplishments in providing disaster recovery services in a disaster response or disaster recovery environment, and indicate the number of years of experience in disaster recovery grants as per the Applicant's Experience Section.

6.3.2 Subject Matter Experience

This part of the Applicant's qualifications will have a maximum score of **thirty (30) points**. Applicant shall describe its subject matter and direct experience in delivering overarching specialized technical assistance and other capacity building initiatives, such as coaching and development of training and training materials, grant administration services or any specialized area of TA aligned with CDBG-DR programs (such as housing construction, planning, rental assistance, environmental compliance, consulting, etc.) as well as the number of years (four (4) years minimum) of experience. Applicant shall also indicate the number of years of experience in grant administration and/or programmatic areas under Housing, Infrastructure, Planning or Economic Recovery programs as defined in the current Puerto Rico CDBG-DR Action Plan.

6.3.3 Organizational Capacity to Provide Services:

Applicants shall establish capability to provide services under the CDBG-DR Program or other federal grants, by providing the following information with its response. This part of the Applicant's qualifications will have a maximum score of **twenty-five (25) points**. Applicant shall provide the information requested herein as part of the Application.

- Provide a description of the Applicant's organization, including its mission, history, and experience in providing technical assistance and capacity building initiatives and/or projects.
- Identify all program staff who will be part of administering the proposed training program. Include:
 1. General Duties
 2. Position title
 3. Individual's Name
 4. Resume and any Certifications held

Note: Resumes for the Executive Manager and Financial Oversight roles are mandatory for the Application.

If needed, identify if the Applicant organization will have any staffing needs to administer the proposed program. If so, outline the plan to hire needed staff to

implement the job training program(s), or identify any work that will be contracted to another service provider.

If needed, provide the names and descriptions of partner agencies or organizations involved in the program and the nature of the partnership. Make sure to include whether the partner entity is a part of state, local, or municipal government, a business, a non-profit, a school, etc.

- Provide organizational chart with lines of responsibility and authority in the administration of its business. If Applicant is not based in Puerto Rico, it must provide the functional full-time equivalents (FTEs) that will be based and staffed in Puerto Rico and a chart demonstrating their immediate availability in a year with percentages of available and committed time to other projects.
- Describe organization's knowledge of technical assistance, capacity building, the CDBG-DR Program and cross-cutting topics.
- Describe Organization's knowledge and experience in development of TA and capacity building tools and products as well as providing TA (on-site, one-on-one and remotely).
- Describe organization's ability to provide Spanish-language on-site technical assistance.
- Describe organization's ability to provide certified English and Spanish translations of all developed tools, products and materials.
- Statement of whether there is any pending or recent, within the past **five (5) years**, litigation, sanction, and/or administrative complaint against the entity or any partner, if applicable. In addition, it must include citation of the litigation and an opinion of a counsel as to the degree of risk presented by said litigation and whether it will impair the Applicant's performance under this NOFA.
- List of projects for which it has received federal funds during Fiscal Years 2014 through 2019.
- Description of how its performance on previous projects and contracts for federal programs qualifies to develop and implement this project.

6.3.4 Proposed Implementation Work Plan and Budget

Each Applicant shall provide the following information as part of the proposed work plan section of the Application. The period of performance for the services implementation schedule, as stated in the Application, shall not exceed **twenty-four (24) months**. This term may be extended with written authorization from PRDOH and an amendment to the SRA.

This part will have a maximum score of **twenty (20) points**. The work plan section of the Application will require Applicant to provide information related to the below included items:

I- Coordination

The Applicant shall describe the manner in which it plans to provide coordination activities that consist of services related to assisting PRDOH in TA efforts through organization of TA with Program Participants and planning TA engagements, including data gathering, studies, and analysis, and the identification of actions that will implement such plans. Coordination activities carried out by Selected Applicants may include but are not limited to the following::

- Determine needs and capacity gaps of Program Participants based on their respective program or programs.
- Work with PRDOH to address the capacity gaps across multiple CDBG-DR programs.
- Set long-term goals and short-term objectives for TA plans based on PRDOH priorities.
- Devise products and activities to meet these goals and objectives.
- Evaluate and report the progress of such capacity building related activities.

II- How to provide TA and Capacity Building

The Applicant shall describe the manner in which it plans to work on-site and/or remotely, as required by PRDOH TA and capacity building requirements, with Program Participants to improve the CDBG-DR Program knowledge and staff capacity in the programs and/or cross-cutting requirements.

PRDOH is seeking uniquely qualified entities with experience in TA and capacity building initiatives, and CDBG-DR grants and/or programmatic areas under Housing, Infrastructure, Planning or Economic Recovery programs as defined in the current Puerto Rico CDBG-DR Action Plan found at the CDBG-DR Website.

III- How to Develop and Maintain Tools and Products

The Applicant shall describe the manner in which it plans to develop tools and products to be used to assist PRDOH in providing Program Participants with understanding of existing, revised, or new CDBG-DR programs, program statutes and regulations, as well as other federal requirements (e.g., Davis-Bacon wage rates, Section 3, civil rights compliance, environmental justice and environmental standards, LEP requirements, and accessibility for persons

with disabilities) that apply to these programs. Where appropriate, the Applicant shall describe how it will employ virtual training and assistance as a cost-effective way to reach diverse audiences and address the constantly changing needs of PRDOH Program Participants and program requirements. Additionally, Applicants shall describe capacity to tailor technical assistance and capacity building to specific needs and requirements identified by PRDOH and/or identified by the Program Participant.

Such products might take the form of web-based courses or trainings, videos, interactive tools, and webinars. Tool and product development may also include the creation of templates, desk guides, toolkits, and curricula that could also be used during in-person trainings to improve program management and operations, evaluation, and performance measurement. Where appropriate, CDBG-DR and other federal requirements, such as fair housing, must be integrated into comprehensive products that will serve the TA and capacity building needs of a broad range of Program Participants. All products and tools developed must comply with Section 508 of the Rehabilitation Act of 1974 (29 U.S.C. § 794d) accessibility requirements. Maintenance of said tools and products will include translating existing materials into both English and Spanish.

IV- Self-Directed and Group Learning

The Applicant shall describe the manner in which it plans to provide self-directed and group learning with the intention of increasing the capacity and close the competency gaps of Program Participants by providing them with the program knowledge and skills needed to administer and manage CDBG-DR programs. Group learning will incorporate learning methods that may include delivery of PRDOH approved training courses remotely or in person; online self-directed courses; problem-solving clinics; policy academies; live or pre-recorded webinars; and peer-to-peer assistance exchanges for customers with similar local market contexts, challenges, opportunities, and community needs. Group learning could include establishing and supporting group learning cohorts and curricula. PRDOH anticipates the need for substantial Spanish-language onsite TA.

V- Knowledge Management

The Applicant shall describe the manner in which it plans to develop and/or increase knowledge management. This includes the development, operation, and/or maintenance, of electronic libraries to support the PRDOH's TA, capacity building, and training needs of a diverse set of PRDOH customers. This

may include the internal electronic library and/or official CDBG-DR Program website. In this same manner, the Applicant shall describe methods of engaging and increasing Program Participant's knowledge and understanding of CDBG-DR requirements through in-person workshops and/or technical assistance sessions.

Knowledge management may include integrated learning or curriculum management systems; databases of resources, tools, and information; development of interactive tools to assist with program design and management and learning cohort formation; collecting and providing information on Program Participants including awards, expenditures, action plans, environmental reviews, and individual projects and activities; tracking TA engagement with particular recipients or cohorts of recipients and their effectiveness; and developing new resources. TA awarded under this scope may include maintenance or development support for any PRDOH-owned databases or systems.

VI- Data analysis, reporting, and performance measurement

The Applicant shall describe the manner in which it plans to provide TA and capacity building that helps Program Participants analyze data and understand data trends; use data to inform and revise plans and strategies; use performance measurement and reporting tools; create data sharing partnerships and agreements; and collect, report, and use accurate and valid data on programs, activities, and beneficiaries.

VII- Budget

Applicant will submit the budget proposal using Exhibit H Budget Template. Applicants must provide a proposed budget identifying the staffing levels and rates and other direct costs associated with delivering the level of service proposed.

VIII- Activity Tracking and Monitoring

Applicants will explain how they will track and monitor (evaluation tools) the progress of the services proposed and/or activities utilizing CDBG-DR funds.

IX- Policy and Procedure

Selected Applicants will be required to carry out all compliance requirements imposed by HUD with respect to the PRDOH's Federal award or CDBG-DR Grant. Thus, Applicants must explain how they will comply with federal policy

and procedural requirements applicable to CDBG-DR funds. Such requirements include but are not limited to:

- Title VI of the Civil Rights Acts of 1964 (Non-discrimination; (42 U.S.C. § 2000d-1 and 24 C.F.R. § 570.602 for CDBG-DR specific requirements)
- Conflict of Interest (24 C.F.R. § 570.611)
- Program Income (24 C.F.R. § 570.504, 24 C.F.R. § 570.489(e), and 2 C.F.R. § 200.307)
- Management of Assets (2 C.F.R. §§ 200.310-200.316)
- Insurance (if applicable) (2 C.F.R. § 200.310)
- Section 3 of the Housing and Urban Development Act (24 C.F.R. part 135)
- Fair Labor Standards Act (29 U.S.C. § 201, *et seq.*)
- Occupational Safety and Health Administration (OSHA) Requirements
- Record-Keeping

6.3.5 Bonus Criteria for Extra Consideration (5 points maximum total)

Applicants who are Puerto Rico based organizations or those who have established organizational relationships with local Puerto Rico based organizations may be eligible for bonus points in their Applications.

7 Evaluation and Selection

The selection of service providers will be conducted through a review of submitted complete Applications.

Applications will be evaluated by PRDOH as described in the following sections:

7.1 Evaluation Committee

An Evaluation Committee will be appointed by PRDOH, who may rely on specialized advisers, consultants, and/or subject-matter experts, which will review and score the different sections of this NOFA.

Upon closure of the Application submission period, the Evaluation Committee will evaluate each Application based on the criteria stated in this NOFA. Initial evaluation will consider the mandatory requirements of the Application stated in the Mandatory Requirements Section. The Evaluation Committee will evaluate those Applicants whose Applications meet the mandatory requirements.

Applications will be scored and ranked in accordance with the points outlined in this NOFA. The Applicant(s) whose Application(s) was determined to be most advantageous shall become the selected Applicant(s).

The Evaluation Committee may request clarifications to Applicants to gain additional understanding of the Applications. A response to this request must be made to clarify or explain portions of the already submitted Applications and may not contain new information (not included in the original Application).

The Evaluation Committee shall recommend the most suitable Applicant(s) for the award process. The number of awards will depend on the number of Qualified Applicants and the amount of funds available and designated by PRDOH and for this purpose. After the final recommendation from the Evaluation Committee, PRDOH will issue the award notice and execute a Subrecipient Agreement.

7.2 Errors and Omissions in Applications

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. PRDOH communications to the Applicant under this section shall not constitute or represent an obligation for an award and do not create rights for the Applicant to receive an award under this NOFA.

7.3 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 Government of Puerto Rico, PRDOH or the impacted communities.

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

7.4 Confidentiality of Responses and Proprietary Information

Upon completion of the NOFA, PRDOH may publish its report regarding the qualification and selection 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 agreement(s) and all prices set forth therein shall not be considered confidential or proprietary and such information may be made publicly available.

PRDOH holds ownership of any and all information, drafts, documents, reports, papers, and other materials developed and prepared by the selected Applicants, its agents, representatives, or subcontractors for purposes of performing the services as contained herein.

All the information (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.

8 Administrative Procedures and Reconsideration Remedies

Applicants may contest any determinations or denials based on Program policy. However, an Applicant may not challenge a Federal statutory requirement. Applicants have the right to request a reconsideration or request an administrative review directly with PRDOH, as stated below.

8.1 Reconsideration Request

Applicants may file a Reconsideration Request when it is believed there is an error with eligibility determinations, award, and/or failure to meet the NOFA standards, among other determinations. An Applicant must submit a written Reconsideration Request directly with the Contact included in the NOFA Announcement Summary, within **twenty (20) calendar days** from the date a copy of the notice was filed in the record of the Agency. Provided that if the date on which the copy of the notice is filed in the records of the Agency differs from the mailing date of said notice, the aforementioned **twenty (20) calendar day-term** shall be calculated from the mailing date. Applicants who file a Reconsideration Request are encouraged to provide individual facts or circumstances, as well as supporting documents to justify their petition.

In the Reconsideration Request process, the Program will only review facts and information already included in an Applicant's file, unless the Applicant submits new documentation. The Program has the discretion to accept or reject new documentation based upon its relevance to the Reconsideration Request.

The Program will review and address the Reconsideration Request within **fifteen (15) days** of its receipt. Applicants will be notified of the reconsideration determination via a Reconsideration Request Approved or a Reconsideration Request Denied Notification. Applicants with an approved Reconsideration Request will be deemed qualified for this NOFA. Applicants with a denied Reconsideration Request will still be deemed unqualified.

Filing a Reconsideration Request does not substitute, negate, or preclude any legal right that an Applicant has to challenge a determination made by the Program. Therefore,

Applicants who believe the initial determination of the Program was erroneous, may submit either a Reconsideration Request or a petition for review of the decision made by the Program by filing an Administrative Review Request at PRDOH in accordance with Regulation No. 4953 of August 19, 1993, which regulates the Formal Adjudication Process for PRDOH and its Adjunct Agencies (Regulation 4953) or the substitute regulation.

8.2 Administrative Review Request

If an Applicant disagrees with a Program determination or with the Reconsideration Request Denial determination, it may file directly to PRDOH, as grantee, an Administrative Review Request. The Applicant must submit such request to the PRDOH electronic mail LEGALCDBG@VIVIENDA.PR.GOV, within **twenty (20) calendar days** from the date a copy of the Program determination or a Reconsideration Request Denial determination notice was filed in the record of the PRDOH. Provided, that if the date on which the copy of the notice is filed in the records of the PRDOH differs from the mailing date of said notice, the aforementioned **twenty (20) calendar day-term** shall be calculated from the mailing date.

Applicants who submit an Administrative Review Request must follow the procedure established in Regulation 4953. After the Administrative Adjudicative Procedure concludes, Applications with approved Administrative Review Requests will be deemed qualified for this NOFA. Applicants with a denied Reconsideration Request will still be deemed unqualified.

If the Applicant disagrees with any final written determination on an Administrative Review Request notified by PRDOH after completing the Administrative Adjudicative Procedure, it may file a Judicial Review petition before the Court of Appeals of Puerto Rico within **thirty (30) days** after a copy of the notice has been filed. See Act No. 201-2003, as amended, known as the Judiciary Act of the Government of Puerto Rico of 2003, 4 LPRA § 24 et seq., and Section 4.2 of Act 38-2017, as amended, known as the Uniform Administrative Procedures Act of the Government of Puerto Rico, 3 LPRA §9672.

If the Applicant fails to file a Reconsideration Request, or to contest a determination under the Administrative Adjudicative Procedure with PRDOH within the time allotted, the inaction will be deemed as an acceptance of the determination.

The mere filing of a petition for reconsideration before PRDOH or filing of a judicial review petition before the Puerto Rico Court of Appeals will not have the effect of halting the contested award.

END OF NOFA.