



DEPARTMENT OF
HOUSING



CDBG-MIT

PROGRAM GUIDELINES

RISK AND ASSET DATA COLLECTION PROGRAM

(RAD Program)

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PUERTO RICO DEPARTMENT OF HOUSING
CDBG-MIT PROGRAM GUIDELINES
RISK AND ASSET DATA COLLECTION PROGRAM
VERSION CONTROL

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1 Overview

Through Federal Register Vol. 84, No. 169 (August 30, 2019), 84 FR 45838, and the Federal Register Vol. 85, No. 17 (January 27, 2020), 85 FR 4676, the U.S. Department of Housing and Urban Development (**HUD**) allocated Community Development Block Grant – Mitigation (**CDBG-MIT**) funds to support activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage or loss of property, suffering, and hardship, by lessening the impact of future disasters. HUD encourages grantees to use CDBG-MIT funds to upgrade mapping, data, and other capabilities to better understand evolving potential disaster risks.¹

Through mitigation planning, it is possible to support the identification, assessment, and reduction of long-term risk to life and repetitive property loss due to hazardous events. With this objective in mind, the Puerto Rico Department of Housing (**PRDOH**) has established the Risk and Asset Data Collection Program (**RAD Program**).

With an allocated budget of \$130,000,000, RAD Program will provide for extensive risk and asset data aggregation, production, and analysis, development and maintenance of critical data tools, and meaningful stakeholder outreach and engagement. It is intended to enhance the ability of citizens, private sector business and industry, mayors, governors, and other leaders to make data-driven decisions that are rooted in an up-to-date comprehensive understanding of hazards, risks, and assets of Puerto Rico. RAD Program also encourages a collective understanding of how mitigation investments reduce risks to people, homes, neighborhoods, cultural and historic resources, ecosystems, and Community Lifelines.

The Program will be overseen and implemented by the PRDOH, as grantee of the CDBG-MIT funds allocated by HUD for long-term planning and risk mitigation activities.²In an effort to improve the understanding of risk, PRDOH also recognizes the Sendai Framework for Disaster Risk Reduction 2015-2030. This framework is part of the Sustainable Development Goals promulgated by the United Nations Organization (**UN**). It also identifies the need for improving the understanding of disaster risk as one of the priorities for the development of policies and practices for disaster risk management. The incorporation of international models and standards contributes to increased integration and benefit from the worldwide community practices.

¹ U.S. Department of Housing and Urban Development, Allocations, Common Application, Waivers, and Alternative Requirements for Community Development Block Grant Awards - Mitigation. Federal Register Vol. 84, No. 169 (August 30, 2019), 84 FR 45838.

² The rules for administering these funds are outlined in 84 FR 45838 and Federal Register Vol. 85, No. 17 (January 27, 2020), 85 FR 4676.

1.1 Objectives

The RAD Program will support the ability to make decisions informed by a geospatial understanding of hazard, risks, and assets. The CDBG-MIT Action Plan defines assets as the critical social, ecological, and technological resources that support a thriving community. Assets may be those resources that can mitigate risks, but also those that need mitigation measures to function properly.

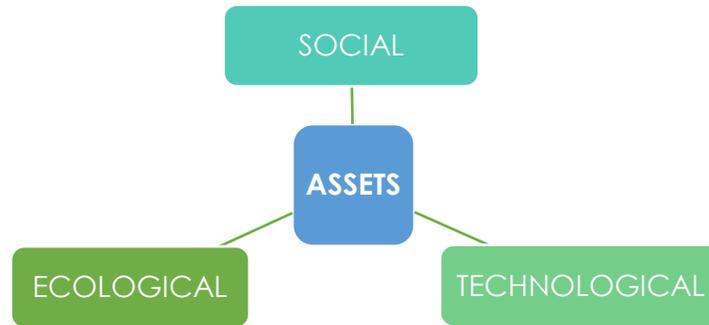


Figure 1: Assets

RAD Program aims to synergize with and expand on standards and data collection, sharing, and mapping protocols development under the CDBG-DR Puerto Rico Geospatial Framework (**GeoFrame**) Program to include standards and protocols relevant to hazard, risk, and asset layers. GeoFrame was developed to increase access and transparency of cadastral and land use data to facilitate the understanding of the spatial component of land administration and the location of property, as well as governance of land and water.³

RAD Program will fund the collection of existing and new data related to past, present, and future hazards and risks, and the location and status of social, ecological, and technological (built environment) assets. This data will be compiled into a system that merges with, or complements, the Spatial Data Infrastructure (**SDI**) developed under GeoFrame.

In addition, it will fund the development of a Puerto Rico Digital Twin⁴ providing a virtual representation of the physical, social, ecological, and environmental assets, the hazards, and their associated risk. The Digital Twin will provide for the modeling of numerous

³ The GeoFrame Program Guidelines are available in English and Spanish in the PRDOH CDBG-DR website at <https://cdbq-dr.pr.gov/en/download/puerto-rico-geospatial-framework-program-geoframe-program/> and <https://cdbq-dr.pr.gov/download/programa-de-infraestructura-geoespacial-de-puerto-rico-programa-geoframe/>.

⁴ Language related to Puerto Rico Digital Twin is being considered in Action Plan Amendment 2 (Substantial) which is in process of public comments and is dependent of HUD's approval.

scenarios allowing for better planning and predictive measures related to the cause and effect of hazards and risk towards key assets in Puerto Rico. This Digital Twin will take the Risk Assessment tools developed as part of the CDBG-MIT Action Plan and replace them with powerful real time and predictive models available to the public. RAD Program will expand on the Puerto Rico Spatial Data Infrastructure Strategic Plan, initiated by the GeoFrame Program, incorporating standards and components necessary for the creation of the Puerto Rico Digital Twin.

2 Definitions and Acronyms

- **Asset:** The Department of Homeland Security (**DHS**) defines an asset as a person, structure, facility, information, material, or process that has value.⁵ For mitigation, PRDOH considers assets the critical social, ecological, and technological resources that support a thriving community.
 - **Social assets** – May include social services that assist individuals who have experienced disaster conditions, or cultural and heritage resources that must be located and inventoried in order to be considered within a mitigation program. Social assets include, but are not limited to, the population by sex, age, and disability. For the GeoFrame and RAD Programs, the social assets will be integrated considering the clientele that will access the services which include the Puerto Rico's Department of Health, Health Insurance Service Administration, Department of Housing, Department of Family, Department of Public Safety, and Department of Education.
 - **Ecological assets** – May include agricultural land, forest areas, soils, aquifers, rivers, lagoons, lakes, springs and wetlands, and the habitats dependent on them. For RAD Program purpose, environmental assets and ecological assets are the same.
 - **Technological asset** – May include lifeline systems, structures, and infrastructure, such as transportation, communication, water and wastewater control structures, health and medical, food, shelter, hazardous materials, safety and security, and power resources in the human-built environment. For RAD Program purpose, the technological assets and Physical Assets are the same.
- **Artificial Intelligence (AI):** Refers to the capability of a machine to imitate intelligent human behavior, including cognitive functions such as automatically learning from and adapting to new data and problem-solving. AI machines can analyze images,

⁵ U.S. Department of Homeland Security, DHS Risk Lexicon (September 2008). Available at https://www.dhs.gov/xlibrary/assets/dhs_risk_lexicon.pdf.

categorize land use, identify building structures and building material, analyze and categorize road conditions, comprehend speech, interact in natural ways, and make predictions using data such as sea level rise impacts to population and infrastructure areas.⁶

- **Building Information Modeling (BIM):** Refers to the use of a shared digital representation of a built asset to facilitate design, construction, and operation processes to form a reliable basis for decisions.⁷ BIM integrates structured, multi-disciplinary data to produce a digital representation of an asset across its lifecycle, from planning and design to construction and operations.
- **Big Data:** Refers to extensive datasets, primarily in the data characteristics of volume, variety, velocity and/or variability that require a scalable technology for efficient storage, manipulation, management, and analysis.⁸
- **Cadaster:** An inventory that contains a graphic, alphanumeric, and statistical description of property within a territory; it operates in the public interest and serves legal, economic, fiscal, and administrative purposes, and all those who determine the laws and regulations of a country.⁹
- **Community Based Development Organization (CBDO):** To be designated as a CBDO or a Section 105(a)(15)¹⁰ organization to implement PRDOH's CDBG-DR/MIT programs, the following criteria must be met:
 - The organization is assembled under state or local law to carry out community development activities which address the development needs of the community in question;
 - An integral part of the organization's mission is the improvement of the economic environment of its community by performing activities that increase economic opportunity, primarily for low- and moderate-income persons or that are expected to create or retain businesses or permanent jobs within the community;
 - Any of the organization's monetary profits must be only incidental to its operations;
 - The organization is not an agency or instrumentality of the Government of Puerto Rico and operates with autonomy and is separate from administrative

⁶ Artificial Intelligence definition has been developed according to the Program objectives.

⁷ See <https://www.iso.org/obp/ui/#iso:std:iso:19650:-1:eDd-1:v1:en>

⁸ See <https://www.iso.org/obp/ui/#iso:std:iso-iec:20546:ed-1:v1:en>

⁹ See <https://www.fao.org/in-action/herramienta-administracion-tierras/glossary/c/en/>.

¹⁰ Section 105(a)(5) of the Housing and Community Development Act of 1974 (HCDA).

- functions of the Government of Puerto Rico, and that the Government of Puerto Rico itself does not play a controlling role in the organization;
- The organization does not permit more than one-third of the membership of its governing body to be appointed by, or to consist of, elected or other public officials or employees; and
 - All entities interested in being designated as a CBDO should submit a Written Request to PRDOH, along with the supporting documents to justify that they meet the criteria stated above.

For purposes of the RAD Program, the CBDO is included as an eligible entity that could potentially participate during program implementation, as deemed necessary by PRDOH and program implementation partners and providers.

- **Community Development Block Grant (CDBG):** A federal grant program administered by HUD which provides grant funds to local and state governments. The CDBG Program works to ensure decent, affordable housing, to provide services to the most vulnerable in communities, and to create jobs through the expansion and retention of businesses.
- **Community Lifelines:** Community Lifelines are defined by the Federal Emergency Management Agency (FEMA) as functions that enable the continuous operation of critical government and business activities and are essential to human health and safety or economic security. Lifelines are the integrated network of assets, sectors, services, and capabilities that are used on a daily basis to support the recurring community needs. Lifelines also represent an organizing principle for resource allocation and prioritization during and after a disaster.
- **Data:** Reinterpretable representation of information in a formalized manner suitable for communication, interpretation, or processing.¹¹
- **Data Management:** A complex and broad domain covering data storage, index and query, data processing, and analysis.
- **Data Standards:** A technical specification that describes how data should be stored or exchanged for the consistent collection and interoperability of that data across different systems, sources, and users.¹²
- **Datasets:** Identifiable collection of data available for access or download in one or more formats.¹³

¹¹ See <https://www.iso.org/obp/ui/#iso:std:iso-iec:20546:ed-1:v1:en>.

¹² See <https://resources.data.gov/standards/concepts/#data-standard>

¹³ See <https://www.iso.org/obp/ui/#iso:std:iso-iec:20546:ed-1:v1:en>

- **Data Storage:** Refers to the information technology (IT) infrastructure, organization methods of large vector data, and file storage that serves as a basis for data query, analysis, and application.
- **Department of Housing and Urban Development (HUD):** Federal department through which CDBG, CDBG-DR, and CDBG-MIT programs funds are distributed to recipients.
- **Digital Twin:** For Planning purposes a Digital Twin can be defined as a living digital replica of the built-environment that is continuously updated with real-time data and analysis on interaction between humans, infrastructure, and technology¹⁴.

The digital representation of Puerto Rico will include the physical, social, ecological, and environmental assets, the hazards, and associated risks. This representation will be used to provide information that promotes the enhancement of planning measures and decision-making.

- **Federal Geographic Data Committee (FGDC):** Organized structure of Federal geospatial professionals and constituents that provide executive, managerial, and advisory direction and oversight for geospatial decisions and initiatives across the Federal government. In accordance with Office of Management and Budget (OMB) Circular A-16, the FGDC is chaired by the Secretary of the Interior with the Deputy Director for Management, OMB as Vice-Chair.¹⁵
- **Geographic Information System (GIS):** An organized, spatially referenced information tool. It incorporates a set of techniques and methods relating to data acquisition, such as: a) obtaining and coding; b) organization: data processing and database; and c) analysis: rationale and models.¹⁶
- **Global Navigation Satellite System (GNSS):** Refers to a constellation of satellites providing signals from space that transmit positioning and timing data to GNSS receivers. The receivers then use this data to determine location. GNSS provides global coverage. Examples of GNSS include Europe's Galileo, the USA's NAVSTAR Global Positioning System (GPS), Russia's Global'naya Navigatsionnaya Sputnikovaya Sistema (GLONASS) and China's BeiDou Navigation Satellite System.¹⁷
- **Hazard:** DHS defines a hazard as a "natural or man-made source or cause of harm or difficulty"¹⁸, FEMA defines hazard as "an event or physical condition that has the potential to cause fatalities, injuries, property damage, infrastructure damage,

¹⁴ Adapted from <https://www.planning.org/publications/document/9209455/>.

¹⁵ See <https://www.fgdc.gov/organization>.

¹⁶ See <https://www.fao.org/in-action/herramienta-administracion-tierras/glossary/g/zh/>.

¹⁷ See <https://www.gsa.europa.eu/european-gnss/what-gnss>.

¹⁸ See https://www.dhs.gov/xlibrary/assets/dhs_risk_lexicon.pdf.

agricultural loss, damage to the environment, interruption of business, or other types of harm or loss".¹⁹

- **International Organization for Standardization (ISO):** an independent, non-governmental international standard-setting organization composed of representatives from various national standards bodies. Through its members, it brings together experts to share knowledge and develop voluntary, consensus-based, market relevant, International Standards that support innovation and provide solutions to global challenges.²⁰
- **Interoperability:** Refers to the common ingredient in fulfilling fundamental SDI capabilities is interoperability. Interoperability facilitates information sharing and allows users to find information, services, and applications when needed, independent of physical location. It allows users to understand and employ the discovered information and tools, regardless of platform (local or remote). Through interoperability, users can also evolve a processing environment without being constrained to a single vendor's offerings.
- **Internet of Things (IoT):** Equipment, machines, products, and devices that are connected to the cloud and outfitted to collect and securely transmit data.
- **Land Use:** Term used to describe the human use of land. It represents the economic and cultural activities (e.g., agricultural, residential, industrial, mining, and recreational uses) that are practiced at a given place.
- **Metadata:** A set of data that describes and gives information about other data.²¹
- **Mitigation:** In 84 FR 45838, 45840, HUD defines mitigation "as those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters."
- **National Spatial Data Infrastructure (NSDI):** Refers to the technology, policies, criteria, standards, and employees necessary to promote geospatial data sharing throughout government and non-government entities at national and local level. A NSDI enhances the accessibility, communication, and use of geospatial data to support a wide variety of decisions at all levels of society. The goals of the NSDI are to reduce redundancy in geospatial data creation and maintenance, reduce the costs of

¹⁹ See [https://training.fema.gov/hiedu/docs/ushazards101/survey%20of%20hazards%20and%20disasters%20-%20session%202_hazards%20survey%20course%20treatment_2_3_10%20\(2\).doc#:~:text=Hazard%3A%20%E2%80%9CHazard%20means%20an%20event,\(FEMA%201997%2C%20xxi\).](https://training.fema.gov/hiedu/docs/ushazards101/survey%20of%20hazards%20and%20disasters%20-%20session%202_hazards%20survey%20course%20treatment_2_3_10%20(2).doc#:~:text=Hazard%3A%20%E2%80%9CHazard%20means%20an%20event,(FEMA%201997%2C%20xxi).)

²⁰ See <https://www.iso.org/about-us.html>.

²¹ For additional information, see <https://www.fgdc.gov/metadata>.

geospatial data creation and maintenance, improve access to geospatial data, and improve the accuracy of geospatial data used by the broader community.

- **Non-Federal Entity:** A state, local government, Indian tribe, institution of higher education, or non-profit organization that carries out an award or sub-award as a recipient or subrecipient.²²
- **Recipient:** An entity, usually but not limited to non-federal legal entity that receives a federal award directly from a federal awarding agency which is accountable for the use of funds to carry out an activity under a federal program. The term recipient does not include subrecipients.²³
- **Risk:** PRDOH utilizes DHS extended risk definition²⁴ to determine measurable risk in a universal language, making the results accessible for planning across federal funding sources beyond those addressed in the Action Plan. For the purpose of this Program, risk is the potential for an adverse outcome assessed as a function of threats, vulnerabilities, and consequences associated with an incident, event, or occurrence. The equation shown below illustrates this concept showing that Vulnerability times Hazard times Consequence equals Risk.

$$RISK_{HAZ_n} = (VUL)(HAZ_n)(CON_{HAZ_n})$$

- **Spatial Computing:** Refers to human interaction with a machine in which the machine retains and manipulates referents to real objects and spaces. A system that allows users to place objects from their environments into a machine for digitization is spatial computing.²⁵
- **Spatial Data Infrastructure (SDI):** Is a framework of technology, policies, human resources, and institutional arrangements that together facilitate the creation, exchange, and use of geospatial data and related information resources.²⁶
- **Sub-award:** Means an award provided by a pass-through entity to a subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program. A sub-award may be provided through any form of legal agreement, including an agreement the pass-through entity considers a contract.²⁷
- **Subrecipient:** Means an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award;

²² 2 C.F.R. §200.1

²³ *Id.*

²⁴ See https://www.dhs.gov/xlibrary/assets/dhs_risk_lexicon.pdf.

²⁵ See <https://acg.media.mit.edu/people/simong/thesis/SpatialComputing.pdf>

²⁶ See <https://www.esri.com/-/media/Files/Pdfs/library/brochures/pdfs/spatial-data-infrastructure.pdf>

²⁷ 2 C.F.R. § 200.1

but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.²⁸

3 National Objective

CDBG-MIT funds expended for planning are considered to address the national objectives for the grant as a whole; therefore, no documentation of compliance is required.²⁹

4 Program Description

RAD Program will fund the systematic creation of a virtual Puerto Rico. This shall include developing, expanding, and maintaining tools necessary for stakeholders to understand and use the data to make informed decisions through a geospatial understanding of hazards, risks, and assets. Protection and mitigation of risk to communities require that existing assets be mapped and continuously updated with respect to the location, frequency, and magnitude of hazards and risks.

RAD Program is intended to inform current and future state and local hazard mitigation planning efforts, and support critical investments by the Government of Puerto Rico, local municipalities, businesses, and individuals. Outcomes produced by the Program, partners, and vendors will collectively formulate a system. The maintenance and management of the system, beyond the scope and schedule of the RAD Program, will require dedicated coordinating agency(ies) and/or stakeholder(s).

The following outcomes are expected:

- **Puerto Rico Spatial Data Infrastructure Strategic Plan:** The Puerto Rico Spatial Data Infrastructure Strategic Plan (**PRSDISP**) will consider all the related government geographic areas of interaction. The PRSDISP will evaluate, analyze, and propose the SDI's components of Technologies, Data and Metadata, Standards, Human and Technical Resources, Policies, Legal Framework, Institutional Arrangement, and Channels of Communications and Education. The PRSDISP should result in the blueprint for the construction of the GeoFrame and RAD Programs stakeholders' individual SDI. It will consider and comply when applicable with the FGDC developments and progress related to the NSDI Strategic Plan.³⁰
- **Digital Twin Architecture, Design & Implementation Plan:** The Program seeks to develop a plan with recommendations, implementation schedules, and cost,

²⁸ Id.

²⁹ HUD. Chapter 11: Financial Management. Available at: https://www.hud.gov/sites/documents/DOC_16480.PDF. See also 24 C.F.R. § 570.483.

³⁰ National Spatial Data Infrastructure Strategic Plan. Accessed at: <https://www.fgdc.gov/nsdi-plan>.

associated with the execution of an innovative and cutting-edge technologies on the development of Digital Twin Model. The Plan will consider the physical, environmental, and social aspects of emergency response scenarios and risk mitigation process. It will consist of a Digital Twin for Puerto Rico integrating available geospatial data inventoried during stakeholder engagement that mirror, monitor, and influence or make changes to the physical infrastructure in the following areas: transportation, communications, water/wastewater, power and energy consumption, and other key facilities. The Digital Twin will also incorporate existing and newly developed real time and predictive models for the hazard risks in Puerto Rico.

- **Surface Data Acquisition:** The Program seeks to incorporate the use of mapping activities, such as innovative technologies as Light Detection and Ranging (LiDAR),³¹ photogrammetry, ground penetrating radar, 3- and 4-D imaging, or data collection using drones and mobile sensor devices. Also, it aims to deliver 360-degree images, and LiDAR and feature identification and extraction to include all road systems and other relevant elements with emphasis on areas with a high concentration of informal building areas and structures. The principal Surface Data Acquisition are:
 - **Mobile Mapping** - Creation of LiDAR dataset and 360-degree images of approximately 21,400 miles of roads acquired from mobile mapping technology recording horizontal LiDAR data of geographic elements.
 - **Aerial Imagery and LiDAR** – Acquisition of aerial LiDAR and spatial high-resolution imagery data from oblique and vertical perspective of the geographic elements, from unmanned aerial vehicles (**UAV**), satellite, or aerial flights. Includes the collection of high resolution (sub meter) aerial images that provide for the identification, classification, and measurement of geographic objects.
 - **Building Information Modeling (BIM)** - Development of BIM data model for the critical infrastructure. Also, indoor mobile mapping systems, laser scanner technologies, LiDAR, or UAV are expected to be used to provide innovative solutions on the BIM data creation and collection.
- **Puerto Rico Geodatabase 1.0 and Web-based geoportal with data Access and analysis and visualization tools:** A dynamic, interactive mapping portal, powered by the Puerto Rico Geodatabase 1.0 that should be available to users in both interactive map and download form. It is the creation of a relational database

³¹ According to the National Oceanic and Atmospheric Administration (NOAA), LiDAR systems "allow scientists and mapping professionals to examine both natural and manmade environments with accuracy, precision, and flexibility." See <https://oceanservice.noaa.gov/facts/lidar.html>

that will be evaluated in terms of the standards requirements for spatial analysis and Digital Twin Modeling tools using the best practices and available technology such as Portal to Portal collaboration. In addition, it will include the tools allowing for data access, query, analysis, and visualization.

- **Development of Business Plan:** Develop a Business Plan to identify potential system administrators or partnerships as well as available funding streams to ensure the long-term operation and maintenance of the Digital Twin and the associated infrastructure.
- **Puerto Rico Geodatabase 2.0:** The Geodatabase 2.0 will provide the standards, security, access, data, and metadata necessary to satisfy the requirements of spatial analysis and the modeling process of a Digital Twin. The Puerto Rico Geodatabase will be a model of all assets described the CDBG-MIT Action Plan and these Program Guidelines, including, but not limited to, the data that related to the planning process, informal building, real estate permit and inspection process, real estate insured population, real estate market value, and ad valorem taxation value. It can be fed or integrated by structured and nonstructured data repository. In addition, it will provide for the capture, management, query, retrieve, and visualization of data acquired from different sources such as IoT, BIM, LiDAR, Aerial, or Satellite Images among other spatial and non-spatial data. Real Estate attributes related to their appraisal process (market value or ad valorem) are important for mitigation planning and response. Data related to buildings and infrastructure, such as location, date of construction, and materials, among others, are used for appraisal processes and, in the same way, used for mitigation modeling to understand the impact of future disaster events. For example, those attributes are part of the predictive economic loss estimation models developed by Federal Government entities (e.g. FEMA's HAZUS-MH).

Final geodatabase that supports the Digital Twin models will comply with the requirements and standards for the visualization, analysis, and digital twin city modeling tools. Applicable ISO standards for geographic data, metadata, data collection, data accuracy and error measurement will be considered.

- **Digital Twin & IoT Deployment:** The Digital Twin for Puerto Rico will integrate available geospatial data inventoried during stakeholder engagement that mirrors, monitors, and can influence or make changes remotely to the physical infrastructure. It will incorporate existing and newly developed real time and predictive models.

Digital Twin modeling tools will provide advance analysis capability combining BIM, deep learning, artificial intelligence, spatial computing, big data and IoT among others emerging technologies.

The IoT will allow and maintain a real time living stream of data to update, feed, and support the modeling and decision-making tools of the system. The IoT implementation process will be link and execute in alignment with the ministerial duties of the entities that provide the expertise along the different assets (physical/technological, environmental/ecological, economic, and social) and the risk, and its participation in the mitigation and emergency respond process.

- **Real-time and Predictive Risk Models:** The Puerto Rico Geodatabase 2.0 and the Puerto Rico Digital Twin environments will use the most advance risk models around the world applicable to Puerto Rico, in the context of a Caribbean archipelago. These models will allow predictive and real-time modeling of the hazards and risks that affect the virtual social and economic systems of Puerto Rico. Additional models will be developed to enhance planning related to emergency response, transportation, communications, power, water and wastewater, economic impact and resilience, and other critical and non-critical lifelines.

Through this Program and important planning investment, PRDOH intends to systematize the development of risk and asset data layers to include planning guides and standards into hazard mitigation process. PRDOH will identify the most appropriate subrecipient(s) for ensuring the success and maintenance of this system in perpetuity, to support risk identification and mitigation in the future, and ensure federal investments are preserved. The RAD Program contemplates the creation of an Institutional Framework that will provide transparency, tools, and access to data. Also, will support PRDOH's capacity building with stakeholders in the production and use of risk and asset data, and the use of tools that support the decision-making process.

5 Eligible Entities

The RAD Program will be administered directly by PRDOH. Program administration will rely on stakeholder engagements and Data Sharing Agreements. PRDOH may also select Subrecipients to execute defined portions of the Program. Subrecipients must be one (1) of the following types of entities:

- Units of general local government/municipalities (including departments and divisions);
- Government of Puerto Rico Agencies, Authorities, Trusts, and Boards,
- Community-Based Development Organizations and private non-profits, or
- Non-governmental organization (Section 501 (c)(3))³² or Not-for-Profit Entities.

³² 26 U.S.C. § 501. Exemption from tax on corporations, certain trusts, etc.

PRDOH will identify the most appropriate subrecipient(s) for ensuring the success and maintenance of this system in perpetuity and to support risk identification and mitigation in the future, and ensure federal investments are preserved. Subrecipient/Partner selection will be based on their authority over the specific data being collected, demonstrated strength in data management, and subject matter experience.

The RAD Program will provide for the identification and prioritization of the stakeholders that can support and leverage Program activities, assigning the necessary resources to accomplish the goal and objectives. Resources and level of participation will depend on the stakeholder needs and Program activities such as the needs assessment, gap analysis, and the Digital Twin Implementation Plan.

5.1 Program Vendor to PRDOH

Vendors will be selected by PRDOH for services necessary to implement the RAD Program. A Request for Proposals (**RFP**) will be issued by PRDOH to procure one (1) or more planning vendors to provide services for the development of methodologies, technologies, and infrastructure for RAD Program. Planning vendor(s) may be responsible for providing additional geospatial infrastructure design expertise and guiding any future program approach, data collection and production standards, including the consolidation of data, building databases, development of a Digital Twin and analyzing results. The vendor(s) may support or perform necessary data collection and production activities associated with the development of the datasets and data infrastructure.

5.2 Program Subrecipients/Partners

Program Subrecipients/Partners will be selected directly by PRDOH to implement specific tasks within the Program. Depending upon each entity's scope of work, a Subrecipient Agreement or Interagency Data Sharing Agreement may be used to elaborate on working relationships with PRDOH, enabling the compensation for program-allocated staff time and equipment, as applicable. Additional types of legal instruments may be used to address other program-related needs, for example, Memorandums of Understanding.

PRDOH and Program Subrecipients/Partners roles are outlined as follows:

| Entity/Program Subrecipient/Partner | Legal Relationship to RAD Program | Role in Program |
|---|---|---|
| PRDOH | Grantee | Program Administrators |
| Government of Puerto Rico entities. | Subrecipient or Interagency Agreements | Support PRDOH and Vendor Team in executing outcomes. Support PRDOH in QA/QC of deliverable. |
| Governmental agencies, Municipalities, Authorities, Trusts, and Boards. | Data Sharing Agreements or Memorandums of Understanding | Provide information regarding data needs. Provide data to RAD Program. |

| | | |
|--|---|--|
| Community-Based development Organizations and Private non-profits. | Data Sharing Agreements or Memorandums of Understanding | Provide information regarding data needs. Provide data to RAD Program. |
| Non-governmental organization (501(c)(3)) and Not for Profit Entities. | Data Sharing Agreements or Memorandums of Understanding | Provide information regarding data needs. Provide data to RAD Program. |

5.3 RAD Program System Maintenance

PRDOH will work with the appropriate subrecipients/partners or entities to identify what state and local resources are available for long-term operations and maintenance and will address whether any proposed changes to existing budget appropriations, taxation policies, or tax collection practices will be needed to support the operations and maintenance costs, upon the completion of system design.

6 Eligible Use of Funds

All program-funded activities must meet the definition of mitigation and eligibility requirements included in these Guidelines.

6.1 Eligible Activities

All activities and projects receiving CDBG-MIT funds need to meet a HUD eligible activity, as defined by Section 105(a) of the HCDA, 42 U.S.C. § 5305 (1974), as amended. The following activities are eligible for funding under the RAD Program:

- Section 105(a)(12) – Planning and Capacity Building.
- Section 105(a)(14) – Activities Carried Out through Non-profit Development Organizations.
- Section 105 (a)(15) – Assistance to Eligible Entities for Neighborhood Revitalization, Community Economic Development, and Energy Conservation.
- Section 105(a)(21) – Assistance to Institutions of Higher Education.

6.2 Ineligible Activities

The use of CDBG-MIT funds for operations and maintenance cost is prohibited unless otherwise permitted by a waiver from HUD.

6.3 Planning Activities

The Program is intended to provide funding for planning activities, including funding for Subrecipients/Partners, or procured vendors to:

- Commission or perform studies;
- Conduct analysis and data gathering;
- Prepare plans, policy toolboxes, and other planning products;
- Identify actions that will implement plans;

- Conduct outreach and coordination with citizens and stakeholders;
- Amend or develop new regulations, ordinances, or codes, and build capacity;
- Purchase tools and software necessary to conduct the planning activities;
- Conduct vendor activities necessary to develop the program outcomes;
- Conduct activities for the monitoring, evaluation, and oversight of vendor activities and deliverables, such as:
 - Monitoring reports and evaluations,
 - Invoicing and documentation,
 - Coordination, oversight, and management of vendors,
 - Coordination with PRDOH and RAD project manager,
- QA/QC and review of deliverables;
- Planning activities;
- Conduct analysis and data gathering;
- Develop geospatial data;
- Prepare plans, policy toolboxes, and other planning products;
- Develop a publicly available data warehouse;
- Conduct outreach and stakeholder engagement activities;
- Purchase tools and software necessary to implement the program;
- Procure vendors;
- Monitoring, evaluation, and oversight of vendor and subrecipient activities and deliverables;
- Develop reports for program stakeholders;
- Develop novel technology solutions to implement the program;
- Purchase data, plans, and/or execute data sharing agreements; and

7 Duplication of Benefits (DOB)

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (**Stafford Act**), as amended, 42 U.S.C. § 5121 *et seq.*, prohibits any person, business concern, or other entity from receiving Federal funds for any part of such loss as to which he/she has received financial assistance under any other program, from private insurance, charitable assistance, or any other source. To comply with Duplication of Benefits (**DOB**) provisions and the requirement that all costs are necessary and reasonable, PRDOH will ensure that each activity provides assistance to a person or entity only to the extent that the person or entity has a mitigation need that has not been fully met.³³

Any funding assistance provided for a specific project, determined to be duplicative, must be deducted from the funding assignment to that project prior to awarding assistance. PRDOH will require certification from each Subrecipient that assures it does

³³ 84 FR 45838, 45861.

not have funds set aside for the project in any capital improvement plan (or similar document showing planned use of funds). The DOB guidance included in Federal Register Vol. 84, No. 119 (June 20, 2019), 84 FR 28836, updates the duplication of benefits guidance for CDBG-DR grants received in response to disasters declared between January 1, 2015, and December 31, 2021. Requirements of the 2019 DOB Notice apply equally to CDBG-MIT funds and CDBG-MIT grants.

For more information, refer to the CDBG-DR/MIT Duplication of Benefits Policy available in English and Spanish on the PRDOH website at <https://cdbg-dr.pr.gov/en/download/duplication-of-benefits-policy/> and <https://cdbg-dr.pr.gov/download/politica-sobre-la-duplicacion-de-beneficios/>.

8 Environmental Review

In general, RAD Program data collection activities under 24 C.F.R. Part 58 are exempt. See full description of 24 C.F.R. § 58.34 Exempt activities: “(a) Except for the applicable requirements of § 58.6, the responsible entity does not have to comply with the requirements of this part or undertake any environmental review, consultation, or other action under the National Environmental Policy Act of 1969 (**NEPA**), as amended, 42 U.S.C. § 4321 *et seq.*, and the other provisions of law or authorities cited in § 58.5 for the activities exempt by this section or projects consisting solely of the following exempt activities:

- Environmental and other studies, resource identification and the development of plans and strategies;
- Information and financial services;
- Administrative and management activities;
- Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, childcare, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
- Inspections and testing of properties for hazards or defects;
- Purchase of insurance;
- Purchase of tools;
- Engineering or design costs;
- Technical assistance and training;
- Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration;
- Payment of principal and interest on loans made or obligations guaranteed by HUD;

- Any of the categorical exclusions listed in § 58.35(a) provided that there are no circumstances which require compliance with any other Federal laws and authorities cited in § 58.5."

Any activities necessary to implement the RAD Program that are not exempt under 24 C.F.R. Part 58 will be subject to the appropriate level of environmental review prior to the commitment of federal funds. These activities could include construction activities or acquisition of real property required for the long-term efficacy of the program.

To conduct the appropriate level of environmental review, the responsible entity will need to determine the environmental classification of the project. The term "project" may be defined as an activity or group of activities geographically, functionally, or integrally related, regardless of funding source, to be undertaken in whole or in part to accomplish a specific objective. The four (4) major environmental classifications for projects and their descriptions are as follows:

8.1 Exempt Activities

These are activities which, 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, the Program 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, the Program must also determine whether any of the requirements of 24 C.F.R. § 58.6 are applicable and address them as appropriate.

8.2 Categorically Excluded Activities

These are activities for which no Environmental Impact Statement or Environmental Assessment and Finding of No Significant Impact (**FONSI**) under NEPA are required. There are two (2) types of Categorically Excluded Activities, as follows:

- **Categorically excluded activities not subject to 24 C.F.R. § 58.5:** refers those activities included under 24 C.F.R. § 58.35(b). Examples of such activities include tenant based rental assistance; supportive services; operating costs; economic development activities; activities to assist homebuyers to purchase existing dwelling units or units under construction; and affordable housing predevelopment costs with no physical impact. To complete environmental requirements for categorically excluded activities not subject to 24 C.F.R. § 58.5, the Program must make a finding of categorical exclusion and include such finding in the Environmental Review Record. When these kinds of activities are undertaken, it is not required to issue a public notice or to submit a Request for Release of Funds (**RROF**). In any case, environmental compliance is required for the items listed in 24 C.F.R. § 58.6.

- **Categorically excluded activities subject to 24 C.F.R. § 58.5:** Refers to those activities included under 24 C.F.R. § 58.35(a). Examples of such activities include acquisition, repair, improvement, reconstruction, or repair of public facilities; special projects directed toward the removal of material and architectural barriers; and repair of buildings and improvements for residential units and non-residential buildings. The Environmental Review Record for these activities must contain a written determination of the finding of a categorically excluded activity subject to 24 C.F.R. §58.5, including a description of the project, a citation of the application subsection of 24 C.F.R. § 58.35(a), and written documentation as to whether there were any circumstances which required compliance with 24 C.F.R. § 58.5 and § 58.6.

The documentation must support its determinations related to compliance including correspondence with applicable agencies having jurisdiction. Upon completion, there should be one (1) of three (3) environmental findings: (1) the project converts to Exempt (i.e., 24 C.F.R. § 58.34(a) (12)); (2) the project invokes compliance with one or more of the laws and/or authorities and, therefore, requires public notification and approval from HUD; or (3) the unusual circumstances of the project result in a significant environmental impact and, therefore, compliance with NEPA is required. If upon completion it is determined that compliance is required for one or more of the Federal laws and authorities listed in 24 C.F.R. § 58.5, then a public notification known as Notice of Intent to Request Release of Funds must be posted. After a **seven (7) days** comment period, a RROF and Environmental Certification must be prepared. The Environmental Certification certifies the compliance with all environmental review requirements.

8.3 Activities Requiring an Environmental Assessment

These are activities which are neither exempt nor categorically excluded and, therefore, will require an Environmental Assessment documenting compliance with NEPA, HUD, and with the environmental requirements of other applicable federal laws. Once the Environmental Review has been completed and any comments addressed appropriately, the project may be found to not constitute an action that significantly affects the quality of the human environment and, therefore, does not require the preparation of an Environmental Impact Statement; or the project constitutes an action that significantly affects the quality of the human environment and, therefore, requires the preparation of an Environmental Impact Statement.

If it is determined that the action does not significantly affect the quality of the environment, then the Program will post a public notice called a Combined/Concurrent Notice of Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (**NOI/RROF**). The NOI/RROF Environmental Certification must be

submitted to HUD no sooner than **fifteen (15) days** after publishing the combined/concurrent notice (NOI/RROF) and FONSI and HUD will hold the Release of Funds for a **fifteen (15) day period** to allow for public comment on the RROF. If no comments are received during this time, HUD will send a signed Authorization to Use Grant Funds and the project may proceed.

As established on 24 C.F.R. §58.46, the responsible entity must make the FONSI available for public comments for **thirty (30) days** before the recipient files the RROF when:

- a. There is a considerable interest or controversy concerning the project;
- b. The proposed project is similar to other projects that normally require the preparation of an EIS; or
- c. The project is unique and without precedent.

8.4 Activities Requiring an Environmental Impact Statement

These are activities that require a detailed written statement by Section 102(2)(C) of NEPA for a proposed major Federal Action significantly affecting the quality of the human environment. These statements are normally used for major housing (2,500 units or more) or infrastructure projects.

9 Procurement

PRDOH recognizes that procurement processes for the utilization of CDBG-MIT funds must be managed in strict accordance with federal guidelines. PRDOH's procurement processes are in full compliance with federal laws, rules, and regulations, including but not limited to, 2 C.F.R. Part 200, in particular, 2 C.F.R. § 200.317, the Appropriations Act, the Federal Register Notices, and applicable Federal, State and local laws, rules and regulations.

PRDOH, as grantee of the CDBG-MIT funds, has determined procurement processes and policies of the CDBG-MIT programs will be governed by the provisions of federal statute 2 C.F.R. § 200.317. It allows PRDOH to follow its procurement policies and procedures³⁴ as established in 2 C.F.R. § 200.317 and, in turn, allows Subrecipients to be subject to the provisions of 2 C.F.R. § 200.318 to 2 C.F.R. § 200.327.³⁵

Accordingly, PRDOH requires that the subrecipients complies with policies and procedures as required for the responsible expenditure of CDBG-MIT funds. Specifically, the subrecipients must maintain records of its acquisition processes that allows PRDOH to effectively carry out monitoring processes when required. PRDOH and all subrecipients

³⁴ See Procurement Manual for the CDBG-DR Program in English and Spanish at: <https://cdbg-dr.pr.gov/en/download/procurement-manual-cdbg-dr-program/> and <https://cdbg-dr.pr.gov/download/manual-de-adquisiciones-programa-cdbg-dr/>.

³⁵ OA 21-27 - To enable all subrecipient entities of CDBG-DR funds to use the provisions of 2 C.F.R. §200.318 through 2 C.F.R. §200.327 in their procurement processes.

must follow these standards to ensure goods and services are procured efficiently, at a fair price, and in compliance with all applicable Federal and local laws and executive orders. Further guidance on specifics related to procurement will be included in the executed Subrecipient Agreements with program participants.

10 Minority Woman-Owned Business Enterprise (M/WBE)

Provisions at 2 C.F.R. § 200.321 requires the non-Federal entity to take necessary steps to ensure that all recipients, subrecipients, contractors, subcontractors, and/or developers funded in whole or in part with CDBG-MIT financial assistance ensure that, when possible, contracts and other economic opportunities are directed to minority business enterprises (**MBE**), women-owned business enterprises (**WBE**), together (**M/WBE**) small business enterprises, and labor surplus area firms.

Compliance is ensured by requiring, as applicable, subrecipients, program partners and contractors to make best efforts to achieve an overall M/WBE participation goal of twenty percent (20%) of the entire contract value consisting of ten percent (10%) percent for MBE and ten percent (10%) for WBE.

The M/WBE Policy is available in English and Spanish at: <https://cdbg-dr.pr.gov/en/download/mwbe-policy/> and <https://cdbg-dr.pr.gov/download/politica-mwbe/>.

11 Program Closeout

Upon completion of all planning activities, Program Closeout phase shall commence. The first step in this process will begin by ensuring that all work performed has been accepted by relevant parties, including Subrecipients, communities, and PRDOH, all milestones met, deliverables completed, and program activities performed in compliance with Program requirements. Acceptance of the work shall be established at each milestone, upon submission of each deliverable, and during the final inspection of work performed. PRDOH will perform a complete review of the project file to ensure all necessary documentation is present and to ensure that the grant is ready for Program Closeout.

General requirements for Program Closeout are as follows:

- All milestones have been met and deliverables submitted, and each in accordance with all requirements of this Program.
- All eligibility and DOB documentation are found to be in accordance with all requirements of this Program.
- All Program forms required throughout the entirety of the Program have been duly completed and executed by the appropriate parties, which may include program staff, the vendor, and the Subrecipient.

- All funds used for the Program, whether CDBG-MIT or received using a subrogation of funds, have been properly accounted for and reconciled with payments made to the corresponding parties, such as Subrecipient and procurement vendors.
- All payments have been issued to the Vendor, including applicable retainages.
- Other requirements for closeout as established in the Subrecipient Agreement.

Outreach will be made to the Subrecipient, the Vendor, or any other party involved if any additional information is necessary for Program Closeout. Once all levels of quality control review are passed, the Subrecipient/Partner will receive a Program Final Notice, and their individual file will be placed in a closeout complete status.

For more information about Closeout, refer to the PRDOH Closeout Policy available at <https://cdbg-dr.pr.gov/en/download/closeout-policy/> and <https://cdbg-dr.pr.gov/download/politica-de-cierre/>.

12 General Provisions

12.1 Program Guidelines Scope

This document sets forth the policy governing the Program. These program guidelines are intended to aid and provide program activity guidance in Program implementation and closeout and should not be construed as exhaustive instructions. All Program activities must comply with the policies hereby stated. In addition, all program staff must adhere to these Guidelines, the procedures established by the Program and all federal and state laws and regulations in effect, as applicable, in the execution of program activities.

However, PRDOH reserves the faculty to authorize, in its sole discretion, the granting of Program benefits to any subrecipient or any other party involved, only when exceptional circumstances, not contemplated in these, justify it. Such faculty will be exercised on a case-by-case basis in compliance with local, state, and federal requirements. PRDOH is in no way obligated to grant the Program benefits in said cases.

12.2 Program Guidelines Amendments

PRDOH reserves the right to modify the policies established in these guidelines if the program guidelines, as written, do not reflect the intended policy or cause procedures to be impracticable, among any other circumstances. If an amended version of these guidelines is approved, the amended version fully supersedes all other previous versions and should be used as the basis for the evaluation of all situations encountered in the implementation and/or continuance of the Program from the date of its issuance, that is, the date that appears on the cover of these guidelines. Each version of the program guidelines will contain a detailed version control log that outlines any substantive amendment, inclusions and/or changes.

12.3 Extension of Deadlines

The Program could extend deadlines on a case-by-case basis. The Program may decline to extend a deadline if such extension will jeopardize the Program's completion schedule or the schedule of an individual construction project. The aforementioned strictly applies to program deadlines or established program terms. Under no circumstance(s) does the faculty to extend deadlines apply to the established terms of time in these guidelines or in any applicable federal or state law or regulation.

12.4 Established Periods of Time

Unless otherwise specified, all established periods of time addressed in this, and all CDBG-DR/MIT Program Guidelines will be considered calendar days. On this matter, PRDOH, as grantee, will follow Rule 68.1 of the Rules of Civil Procedure of Puerto Rico, 32 LPRA Ap. V, R. 68.1.

12.5 Conflict of Interest

As stated in Federal Register Notice, 84 FR 45838, 45854, Federal regulations require that State grantees, in the direct Grant administration and means of carrying out eligible activities, be responsible with program administrative requirements, including those established in 24 C.F.R. §570.489(h) related to conflicts of interest.

Several federal and state conflict of interest laws can govern CDBG-DR/MIT assisted activities. Therefore, PRDOH has enacted the Conflict of Interest and Standards of Conduct Policy (**COI Policy**) in conformity with the following applicable federal and state regulations:

1. HUD conflict of interest regulations, 24 C.F.R. §570.611;
2. The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200 at § 200.112 and §200.318 (c)(1);
3. Puerto Rico Department of Housing Organic Act, Act No. 97 of June 10, 1972, as amended, 3 LPRA § 441 *et seq.*;
4. The Anti-Corruption Code for the New Puerto Rico, Act No. 2-2018, as amended, 3 LPRA § 1881 *et seq.*; and
5. The Puerto Rico Government Ethics Act of 2011, Act No. 1-2012, as amended, 3 LPRA § 1854 *et seq.*

The COI Policy outlines PRDOH's responsibility, in its role as grantee, to identify, evaluate, disclose, and manage apparent, potential, or actual conflicts of interest related to CDBG-DR/MIT funded projects, activities and/or operations. Said Policy is intended to serve as guidance for the identification of apparent, potential, or actual conflicts of interest in all CDBG-DR/MIT assisted activities and/or operations. In accordance with 24 C.F.R. § 570.489, the COI Policy also includes standards of conduct governing employees engaged in the award or administration of contracts.

As defined in the COI Policy, a conflict of interest is a situation in which any person who is a public servant, employee, agent, consultant, officer, or elected official or appointed official of the PRDOH, or of any designated public agencies, or of subrecipients that are receiving funds under the CDBG-DR/MIT Program, may obtain a financial or personal interest or benefit that is or could be reasonably incompatible with the public interest, either for themselves, or with those whom they have business, or an organization which employs or is about to employ any of the parties indicated herein, or a member of their family unit during their tenure or for **two (2) years** after.

Such conflicts of interests will not be tolerated by PRDOH. Program officials, their employees, agents and/or designees are subject to state ethic laws and regulations, including, but not limited to Puerto Rico Government Ethics Act of 2011, Act 1-2012, as amended, regarding their conduct in the administration, granting of awards and program activities.

According to the aforementioned Act, no public servant shall intervene, either directly or indirectly, in any matter in which they have a conflict of interests that may result in their benefit. No public servant shall intervene, directly or indirectly, in any matter in which any member of their family unit, relative, partner or housemate has a conflict of interest that may result in benefit for any of the abovementioned. In the case that any of the abovementioned relationships have ended during the **two (2) years** preceding the appointment of the public servant, they shall not intervene, either directly or indirectly, in any matter related to them until **two (2) years** have elapsed after their appointment. This prohibition shall remain in effect insofar as the beneficial ties with the public servant exist. Once the beneficial ties end, the public servant shall not intervene, either directly or indirectly, in such matter until **two (2) years** have elapsed.

The above conflict of interest statement does not necessarily preclude PRDOH Program officials, their employees, agents and/or designees from receiving assistance from the Program. On a case-by-case basis, PRDOH Program officials, their employees, agents and/or designees may still be eligible to apply and to receive assistance from the Program if the applicant meets all Program eligibility criteria as stated in these guidelines. PRDOH Program officials, their employees, agents and/or designees should disclose their relationship with PRDOH at the time of their application.

The COI Policy and all CDBG-DR/MIT Program policies are available in English and Spanish on the PRDOH website at <https://www.cdbg-dr.pr.gov/en/resources/policies/> and <https://www.cdbg-dr.pr.gov/recursos/politicas/>.

12.6 Citizen Participation

Throughout the duration of the grant, all citizen comments on PRDOH's published Action Plan, any substantial amendments to the Action Plan, performance reports and/or other

issues related to the general administration of CDBG-MIT funds, including all programs funded by this grant, are welcomed.

Citizen comments may be submitted through any of the following means:

- **Via phone:** 1-833-234-CDBG or 1-833-234-2324 (TTY: 787-522-5950)
Attention hours Monday through Friday from 8:00am-5:00pm
- **Via email at:** infoCDBG@vivienda.pr.gov
- **Online at:** <https://www.cdbg-dr.pr.gov/en/contact/> (English)
<https://www.cdbg-dr.pr.gov/contact/> (Spanish)
- **In writing at:** Puerto Rico CDBG-DR/MIT Program
P.O. Box 21365
San Juan, PR 00928-1365

The Citizen Participation Plan and all CDBG-MIT Program policies, are available in English and Spanish on the PRDOH website at <https://cdbg-dr.pr.gov/en/citizen-participation/> and <https://cdbg-dr.pr.gov/participacion-ciudadana/>. For more information on how to contact PRDOH, please refer to <https://cdbg-dr.pr.gov/en/cdbg-mit/>.

12.7 Citizen Complaints

As part of addressing Puerto Rico's long-term recovery needs, citizen complaints on any issues related to the general administration of CDBG-DR/MIT funds are welcome throughout the duration of the grant. It is PRDOH's responsibility, as grantee, to ensure that all complaints are dealt with promptly and consistently and at a minimum, to provide a timely, substantive written response to every **written** complaint within **fifteen (15) business days**, where practicable, as a CDBG grant recipient. See 24 C.F.R. § 570.486(a)(7) and 24 C.F.R. § 91.115(h).

Citizens who wish to submit formal complaints related to CDBG-DR/MIT funded activities may do so through any of the following means:

- **Via email at:** LegalCDBG@vivienda.pr.gov
- **Online at:** <https://cdbg-dr.pr.gov/en/complaints/> (English)
<https://cdbg-dr.pr.gov/quejas/> (Spanish)
- **In writing at:** Puerto Rico CDBG-DR/MIT Program
Attn: CDBG-DR/MIT Legal Division-Complaints
P.O. Box 21365

San Juan, PR 00928-1365

Although formal complaints are required to be submitted in writing, complaints may also be received verbally and by other means necessary, as applicable, when PRDOH determines that the citizen's particular circumstances do not allow the complainant to submit a written complaint. However, in these instances, PRDOH shall convert these complaints into written form. These alternate methods include, but are not limited to:

- Via telephone*: 1-833-234-CDBG or 1-833-234-2324 (TTY: 787-522-5950)
- In-person at*: PRDOH Headquarters Office or Program-Specific Intake Centers

*Attention hours: Monday – Friday from 8:00 a.m. to 5:00 p.m.

The Citizen Complaints Policy and all CDBG-DR/MIT Program policies are available in English and Spanish on the PRDOH website at <https://www.cdbg-dr.pr.gov/en/resources/policies/general-policies/> and <https://www.cdbg-dr.pr.gov/recursos/politicas/politicas-generales/>.

12.8 Anti-Fraud, Waste, Abuse or Mismanagement

PRDOH, as grantee, is committed to the responsible management of CDBG-DR/MIT funds by being a good advocate of the resources while maintaining a comprehensive policy for preventing, detecting, reporting, and rectifying fraud, waste, abuse, or mismanagement.

Pursuant to 83 FR 45838, PRDOH implements adequate measures to detect and prevent fraud, waste, abuse, or mismanagement in all programs administered with CDBG-DR/MIT funds as well as encourages any individual who is aware or suspects any kind of conduct or activity that may be considered an act of fraud, waste, abuse, or mismanagement, regarding the CDBG-DR/MIT Program, to report such acts to the CDBG-DR/MIT Internal Audit Office, directly to the Office of Inspector General (**OIG**) at HUD, or any local or federal law enforcement agency.

The Anti-Fraud, Waste, Abuse, or Mismanagement Policy (**AFWAM Policy**) is established to prevent, detect, and report any acts, or suspected acts, of fraud, waste, abuse, or mismanagement of CDBG-MIT funds. This Policy applies to any allegations or irregularities, either known or suspected, that could be considered acts of fraud, waste, abuse, or mismanagement, involving any citizen, previous, current, or potential applicant, beneficiary, consultant, contractor, employee, partner, provider, subrecipient, supplier, and/or vendor under the CDBG-DR/MIT Program.

| REPORT FRAUD, WASTE, ABUSE, OR MISMANAGEMENT TO PRDOH CDBG-DR/MIT | |
|--|--|
| CDBG-DR/MIT Hotline | 787-274-2135 (English/Spanish/TTY) |
| Postal Mail | Puerto Rico Department of Housing CDBG-DR/MIT Internal Audit Office P.O. BOX 21355 San Juan, PR 00928-1355 |
| Email | hotlineCDBG@vivienda.pr.gov |
| Online | Filling out the AFWAM Submission Form available in English and Spanish at www.cdbg-dr.pr.gov or https://cdbg-dr.pr.gov/app/cdbgdpublic/Fraud |
| In person | Request a meeting with the Deputy Audit Director of the CDBG-DR/MIT Internal Audit Office located at PRDOH's Headquarters at 606 Barbosa Avenue, Building Juan C. Cordero Davila, Río Piedras, PR 00918. |

| REPORT FRAUD, WASTE, ABUSE, OR MISMANAGEMENT DIRECTLY TO HUD OIG | |
|---|--|
| HUD OIG Hotline | 1-800-347-3735 (Toll-Free) 787-766-5868 (Spanish) |
| Postal Mail | HUD Office of Inspector General (OIG) Hotline 451 7th Street SW Washington, D.C. 20410 |
| Email | HOTLINE@hudoig.gov |
| Online | https://www.hudoig.gov/hotline |

The AFWAM Policy and all CDBG-DR/MIT Program policies are available in English and Spanish on the PRDOH website at <https://www.cdbg-dr.pr.gov/en/resources/policies/> and <https://www.cdbg-dr.pr.gov/recursos/politicas/>.

12.9 Related Laws and Regulations

These guidelines refer as to how the provisions of certain laws apply to the Program. However, other related laws may exist which are not included in these Guidelines. This does not negate or preclude the Program from applying the provisions of those laws, nor an applicant from receiving services, when applicable. Moreover, PRDOH can enact, or may have enacted, regulations that address how the laws mentioned in these guidelines are managed. If there are any discrepancies between these guidelines and the laws and/or regulations mentioned in them, then the latter will prevail over the guidelines. If at any time the laws and/or the applicable regulations mentioned in these guidelines are amended, the new provisions will apply to the Program without the need to amend these guidelines.

12.10 Cross-Cutting Guidelines

Some federal and local requirements apply to all programs funded by CDBG-DR/MIT. These Cross-Cutting Guidelines cover topics such as: financial management; environmental review; labor standards; acquisition; relocation; civil rights; fair housing; among others. The requirements described in the above referenced Cross-Cutting Guidelines apply to all programs described in PRDOH's CDBG-DR/MIT Initial Action Plan and its amendments.

The Cross-Cutting Guidelines and all CDBG-DR/MIT Program policies are available in English and Spanish on the PRDOH website at <https://cdbg-dr.pr.gov/en/resources/policies/> and <https://www.cdbg-dr.pr.gov/recursos/politicas/>.

13 Program Oversight

Nothing contained within these guidelines is intended to limit the role of PRDOH, HUD, and/or corresponding authorities from exercising oversight and monitoring activities of the Program.

14 Severability Clause

If any provision of these Guidelines, or the application thereof to any person, partnership, or corporation, or circumstance, is deemed invalid, illegal, or incapable of being enforced to any extent by a competent court, the remainder of these guidelines, and the application of such provisions, will not be affected. All valid applications of these guidelines shall be severed from any applications deemed invalid, leaving the valid applications in full force.

END OF GUIDELINES.