



CDBG-DR PROGRAM GUIDELINES

TOURISM & BUSINESS MARKETING PROGRAM

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PUERTO RICO DEPARTMENT OF HOUSING
CDBG-DR PROGRAM GUIDELINES
TOURISM & BUSINESS MARKETING PROGRAM
VERSION CONTROL

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Table of Contents

1	Overview	5
1.1	Roles	5
1.2	Tourism Marketing Role	6
1.3	Business Marketing Role	6
2	National Objectives	6
2.1	Tie Back to the Storm	7
3	Program Description	7
3.1	Tourism Marketing	7
3.2	Business Marketing	8
3.3	Key Performance Indicators	9
4	Eligible Use of Funds	10
5	Program Method of Distribution	11
5.1	Method of Distribution	11
6	Procurement	11
7	Program Closeout	12
8	Reporting	13
9	Monitoring	13
10	Environmental Review	13
10.1	Exempt Activities	14
11	Duplication of Benefits (DOB)	14
12	General Provisions	15
12.1	Program Guidelines Scope	15
12.2	Program Guidelines Amendments	15
12.3	Disaster Impacted Areas	15
12.4	Extension of Deadlines	15
12.5	Established Periods of Time	16
12.6	Conflict of Interest	16
12.7	Citizen Participation	16
12.8	Related Laws and Regulations	16
12.9	Cross-Cutting Guidelines	17
13	Program Oversight	17
14	Severability Clause	17

1 Overview

Tourism is a core economic driver for Puerto Rico's economy and provides a valuable source of business revenue, tax revenue and employment. The devastating effects of Hurricanes Irma & María (**Hurricanes**) in 2017 exacerbated the decline of leisure and business travel and domestic travel spending. The Hurricanes brought devastating effects to this industry that have yet to be fully quantified. Businesses supported by tourism are still experiencing weakened sales revenue, plus many of these jobs have been lost as a result of the hurricanes. Because communities are diverting disposable revenue to physical recovery projects, funding for tourism marketing is scarce and communities face a worsening economic cycle from which the areas cannot recover without the injection of supplemental assistance.

In the Federal Register Vol. 83, No. 28 (August 14, 2018), 83 FR 40314, the United States Department of Housing and Urban Development (**HUD**) granted the Government of Puerto Rico a waiver permitting the use of \$15,000,000 in Community Development Block Grant- Disaster Recovery (**CDBG-DR**) funds for tourism marketing activities to promote travel and to attract new businesses to disaster-impacted areas. This amount was later increased to the current value of \$25,000,000 in the Federal Register Vol. 84, No. 33 (February 19, 2019), 84 FR 4836. This necessary infusion of CDBG-DR resources is to sustain the following unmet tourism marketing and business promotion needs identified in Puerto Rico's prior waiver request: (1) advertising and publicity to correct and update public perception of Puerto Rico as a tourism destination and location for new business investment; and (2) sales promotion and publicity to update professional planners' perceptions of the destination and its ability to host business events (e.g., conventions, quarterly sales conferences, corporate meetings, association conferences) and new businesses.

1.1 Roles

The Puerto Rico Department of Housing (**PRDOH**), as grantee of the CDBG-DR funds, may engage with partners through subrecipient agreements (**SRA**s) to administer the two core areas of the Tourism & Business Marketing Program (**TBM Program** or **Program**). As Partners of the Program, the subrecipient organizations must comply with federal grant procurement standards as defined in 2 C.F.R. part 200 and with PRDOH's Procurement Manual and Contractual Requirements (**Procurement Manual**) to subcontract any portion of their services in fulfillment of their Subrecipient Agreement.

- PRDOH may partner with tourism marketing entities such as The Corporation for the Promotion of Puerto Rico as a Destination, Inc., a Puerto Rico corporation doing business as Discover Puerto Rico (**DPR**).¹ This nonprofit corporation created by law (Act 17-2017) will oversee and manage the tourism marketing activities. This

¹ This entity is also locally recognized as the official Puerto Rico Destination Marketing Organization (DMO).

program area will develop tourism marketing initiatives to help the Puerto Rican tourism ecosystem recover by supporting economic indicators and investing in the island's tourism as an economic driver.

- PRDOH may partner with a business promotion entity such as Invest Puerto Rico (**IPR**), a nonprofit corporation authorized to be created by Act 13-2017, to oversee and manage business marketing activities. This program area will target the investment of new businesses with external capital that can contribute to the local economy and economic growth for the Island. To market Puerto Rico as a pro-business jurisdiction will encourage new external investments, promote economic development and create new jobs.

PRDOH, in partnership with DPR and IPR, will fund direct marketing activities to develop a comprehensive marketing effort and will serve as the administering entity, providing oversight and support services to both subrecipients. PRDOH will work with IPR and with DPR to design and implement strategies which elevate the island's unique features and benefits as an ideal destination for tourism and investment, as part of the recovery efforts for the island post the hurricanes.

1.2 Tourism Marketing Role

With the Tourism Marketing Program, a previously designed destination economic intervention marketing strategy will be put into action, to improve the perception of the island's readiness among potential visitors; to help stabilize Puerto Rico's tourism industry and; to help avoid projected (further) decline in its economic activity. The promotion of Puerto Rico as a tourist destination can focus on the different experiences that the island provides such as leisure, sports, adventure, eco-tourism, gastronomy, agriculture, nature, meetings and conventions among others.

1.3 Business Marketing Role

The administering entity will aim to attract investment spending through its Business Marketing initiatives, which also provide long term growth to the economy. Attracting additional external capital through new businesses that can contribute to the local island economy is necessary to ensure economic growth. The TBM Program will use Business Marketing as a method to address needs to promote the island as a more pro-business jurisdiction to encourage new external investments. Efforts will work to prevent tourism and service sector displacement or business failure as a result of the Hurricanes impact.

2 National Objectives

All CDBG-DR-funded activities in the TBM Program will meet the following HUD national objective:

- Urgent Need - 24 C.F.R. § 570.483(d).

The CDBG-DR regulations establish that a project is not considered to meet a national objective until it is complete. Marketing efforts are evaluated to determine eligibility under the urgent need national objective requirements in accordance with HUD standards.

2.1 Tie Back to the Storm

In 83 FR 40314, issued on August 14, 2018, HUD granted the Government of Puerto Rico a waiver permitting the use of \$15,000,000 in CDBG-DR funds for tourism marketing activities to promote travel and to attract new businesses to disaster-impacted areas. In this notice, HUD recognized the need for the waiver based on Puerto Rico's demonstrated losses as a result of impact to the tourism sector. Before the Hurricanes, tourism accounted for 8% of the Island's economy. One month after the Hurricanes, however, one-third of the Island's hotels remained shuttered and beaches remained closed due to possible water contamination. HUD further recognized in this notice that any effort to recover tourism industry assets such as hotels, restaurants, and other local business, especially in insular areas, could go unrecognized without business marketing to promote them. Seven months later, HUD funding for tourism and business marketing was increased to the current value of \$25,000,000. See 84 FR 4836, issued on February 19, 2019.

3 Program Description

The total allocation for the TBM Program is up to \$25,000,000, subject to change with additional CDBG-DR Action Plan Amendments. In accordance with HUD rules, as stipulated in 83 FR 40314 and 84 FR 4836, the Program will be implemented on a two-year timeline beginning from the first draw down of funds.

The TBM Program, as outlined in the Action Plan, is based on the existing need to communicate that Puerto Rico is open for business and is on a course of growth to re-emerge as a highly competitive destination in the Caribbean relative to its neighbors. Through this Program, Puerto Rico will build tourism and business marketing campaigns to complement the need for increased Tourism Marketing and New Business Marketing.

Through this Program, Puerto Rico will build full-scale tourism and business marketing campaigns to complement the need for local cultivation of small business growth, local employment opportunities with new businesses, and increased tourism.

3.1 Tourism Marketing

To stabilize the tourism industry and avoid further decline in economic activity, DPR shall targeted marketing activities such as:

Awareness and brand health

Design, place, monitor and manage digital advertisements designed to update perceptions, improve awareness and boost brand health of the destination. These advertisements will include optimized search advertising, paid search advertising, digital display ads, digital video advertising and other digital advertising methods, as appropriate.

Broadcasts Advertisements

Design, place, monitor and manage broadcast advertisements designed to update perceptions, improve awareness and boost brand health of the destination. These advertisements will include legacy television and/or OTT television.

Digital Advertisements

Design, place, monitor and manage digital advertisements designed to update perceptions of professional meeting planners and build interest in Puerto Rico as a meeting and convention destination.

Earned Media Coverage

Boost awareness, likelihood of visitation and earned media coverage through out-of-home promotion that is designed to reach key audience segments.

Trade Shows and Conferences

Strategically select and attend industry trade shows and conferences targeting professional planners and travel agents to improve perception, increase awareness and identify business opportunities for Puerto Rico. This will include:

- industry trade shows;
- sales missions in key markets of opportunity;
- Planner familiarization trips.

3.2 Business Marketing

To attract new businesses to Puerto Rico's disaster-impacted areas, IPR shall targeted marketing activities such as:

Business Opportunities Lead Generation

- Run digital media campaigns aligned specifically to marketing events, industry trends, market opportunity training sessions, specialized industry sectors, and targeted investors.
- Display advertising in venues such as websites, apps, and social media platforms. Could include banners, images, buttons and videos, among others.
- Invest in publications in print media where efforts will also be made to ensure both editorial coverage in addition to cost-efficient advertising.
- Conduct radio advertising that will aim to extend outside traditional placements with a strong emphasis on podcasts and streaming services.
- Conduct cooperative stakeholder marketing efforts focused on key markets and target sectors.
- Establish Puerto Rico's presence in business tradeshow and conferences in key markets aligned to targeted talent assets in partnership with existing stakeholders to attract investment.
- Host between two and four familiarization tours with potential targeted investors to show areas in Puerto Rico with investment potential such as disused

buildings and properties, as well as areas where resilient services such as internet, energy and adequate roads can be developed.

Website improvement

- Design and maintain new customized website content to be used as a direct sales tool for both inbound industry and investor leads.
- Design and maintain customized new website content to communicate with other business and economic development programs on the island.
- Include Spanish and if possible other languages access and resource pages for a broader industry reach.
- Generate regular updates on investment opportunities.
- Increase content library to include economic markers, quality of life, and specific regional economic assets.
- Add specific site selection and other economic tools such as GIS market comparison tool, incentives calculator, industry specific and sub-regional microsites.

3.3 Key Performance Indicators

Key Performance Indicators (**KPI**) for the respective tourism and business marketing segments of the Program may include qualitative and quantitative measurements of outcomes and output as managed and reported by DPR and IPR. Key indicators include but are not limited to the following:

3.3.1 Tourism Marketing KPIs

The KPIs for the Tourism Marketing segment of the Program include, but is not limited to:

1. Publicity value of promotional investment.
2. Likelihood of Visitation measuring Interest in visiting Puerto Rico, the competitive position of the destination, and the change of Puerto Rico's image on key attributes.
3. Participation in tourism trade shows, conferences and other tourism-related events, measured by contracted events, projected room nights and the estimated economic impact.

3.3.2 Business Marketing KPIs

The Business Marketing segment of the Program may include the following but not limited Key Performance Indicators to:

1. Increase in the development and implementation of business promotion strategies that leverage core asset and competitive advantages that are unique and compelling for investment in the island.
2. Improve awareness of Puerto Rico as a competitive investment destination calculated by the marketing activities baseline.

3. Amount of site inspections focusing on attracting and connecting the investing business to the location, to establish facilities and/or operations in Puerto Rico.
4. Website content improvement to communicate Puerto Rico's investment value proposition to potential investors, measured by the amount of the page visitors and the qualified leads.

4 Eligible Use of Funds

CDBG-DR funds represent a substantial and necessary infusion of CDBG-DR resources to sustain the following unmet tourism marketing and business promotion needs identified in the Government of Puerto Rico's prior waiver request: (1) advertising and publicity to correct and update public perception of Puerto Rico as a tourism destination and location for new business investment; and (2) sales promotion and publicity to update professional planners' perceptions of the destination and its ability to host business events (e.g., conventions, quarterly sales conferences, corporate meetings, association conferences) and new businesses.

As the Government of Puerto Rico is proposing advertising and marketing activities rather than direct assistance to tourism-dependent and other businesses, and because the measures of long-term benefit from the proposed activities must be derived using indirect means, 42 U.S.C. 5305(a) is waived only to the extent necessary to expand the tourism and business marketing eligible activity to permit no more than \$25,000,000 for assistance for tourism and business marketing activities to promote travel and to attract new businesses to disaster-impacted area. No elected officials or candidates for political office shall appear in tourism or business marketing materials financed with CDBG-DR funds.

This waiver will expire two (2) years after the first draw of funds allocated under 83 FR 5844, issued on February 8, 2018. The requirements of 83 FR 40314, issued on August 14, 2018, for the Government of Puerto Rico apply to all amounts used for tourism and business marketing.

The Program will not use CDBG-DR tourism expenditures to supplant funds of the Government of Puerto Rico or local government funds for tourism and business marketing activities. PRDOH will establish a Standard Operating Procedures with the Subrecipient to prevent any supplanting funds issue. In addition, the DPR will develop metrics to demonstrate the impact of its CDBG-DR tourism and business marketing expenditures.

Activities of the TBM Program shall not support:

- Undue enrichment
- Unreasonable costs
- Partisan political activities
- Candidate forums

5 Program Method of Distribution

5.1 Method of Distribution

PRDOH assigns, as a method of distribution, a portion of the TBM Program funds to the DPR for tourism marketing and a portion to IPR for business marketing. These entities will further distribute Program funds on a competitive basis when sales or rentals are involved.

PRDOH will execute detailed Subrecipient Agreements with each entity under this Program that comply with 2 C.F.R § 200 and related CDBG-DR and Puerto Rico regulations. Most hurricane-related business recovery and expansion will focus on marketing and advertising campaigns.

Within each Subrecipient Agreement the following must be provided:

- Schedule of services that will require competitive procurement of professional service providers, contractors, and/or related goods and services to fulfill their mission of the Program.
- Detailed Plan or Plans for how the subrecipients will manage their competitive procurement process and generate written agreements for contractors and/or service providers in compliance with 2 C.F.R § 200 and related CDBG-DR and PRDOH procurement and financial management regulations.

6 Procurement

PRDOH recognizes that procurement processes for the utilization of CDBG-DR 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. § 200.318-326, the Appropriations Act, the Federal Register Notice, and applicable Federal, State and local laws, rules and regulations.

PRDOH further recognizes, as stated in 83 FR 40314, that in providing similar waivers to other CDBG-DR grantees HUD has often identified issues in the procurement of tourism and business marketing services with grantees adding CDBG-DR funds to existing tourism and business marketing contracts procured with other sources of funds.

Accordingly, PRDOH requires that subrecipients comply with policies and procedures as required for the responsible expenditure of CDBG-DR funds. Specifically, subrecipients must:

- Adhere to PRDOH's procurement policies, HUD, and in accordance with 2 C.F.R § 200 Uniform Administrative Requirements, Cost Requirements, Cost Principles, and Audit Requirements for Federal Awards, in particular, 2 C.F.R. § 200.318-326.
- Maintain a process throughout the planning, implementation and measurement of this Program which meets or exceeds all requirements of transparency and accountability established by PRDOH.

- Engage in procurement processes and contractual agreements that ensure competition is open and fair, and service delivery is cost reasonable by evaluating the following criteria through a request for proposal (**RFP**) process:
 - Ensuring that no programmatic expenditure is at risk of private contractors or employees receiving undue enrichment.
 - Ability and Capacity to Perform Services: The ability, capacity, skill, financial and other necessary resources of the Proposer to perform the work or provide the services required.
 - Costs, Fees and Expenses: The reasonability of the costs, fees and expenses structure provided by the Proposer given the complexity of the tasks and projects requested from the service provider.
 - Examples of Work Product: The quality of examples of previous work product from previous engagements or professional endeavors of the Proposer or Proposer's professionals that will be involved in providing the services being procured.
 - References: The character, integrity, reputation, judgment, experience, and efficiency of the Proposer or Proposer's professionals that will be involved in providing the services being procured.
 - Where appropriate, use a "Best and Final Offer" clause to secure optimal rates and pricing

These guidelines both ensure that subrecipients will undertake transparent, free, open, fair and competitive procurement processes and enable the procurement of goods and services in an efficient and timely manner at the lowest cost available. Through these guidelines, subrecipients will promote fair and open competition, properly document purchasing activities and decisions, and maintain a procurement process of integrity and quality and ensure that all procurements are performed in full compliance with applicable policies and procedures.

7 Program Closeout

Upon completion of all Program activities, the Program shall be closed. This process will begin by ensuring that all invoices presented have been accepted by PRDOH and that everything reflected in the associated Subrecipient Agreements has been executed and performed in compliance with Program requirements. A member of the Program's team will perform a complete review of the Program files to ensure all necessary documentation is present and to ensure that the Program is ready for closeout. General requirements for closeout are as follows:

- All funds used for the Program have been properly accounted for and reconciled.
- All permits, if required, have been properly closed-out with the proper governmental entities.
- Environmental clearance, if required, has been obtained.
- Other requirements for closeout as established in the grant agreement contract have been completed.

Outreach will be made to any other party involved in the event that any additional information may be necessary for close-out. Once all levels of quality control review are passed, the subrecipients -DPR and IPR- will receive a Program Final Notice.

8 Reporting

Compliance will be maintained in accordance with the reporting requirements under the CDBG-DR regulations. This includes all information and reports as required under any executed contracts and demographic data and other information as defined in the section above for Key Performance Indicators and as mandated by HUD.

9 Monitoring

According to 24 C.F.R. § 570.501 (b), PRDOH, as Grantee, is responsible for ensuring that CDBG-DR funds are used in accordance with all program requirements. The use of CDBG-DR funds by designated public agencies, subrecipients, or contractors does not relieve PRDOH of this responsibility. Therefore, this Program will be subject to PRDOH's Monitoring Plan, Cross Cutting Guidelines and other Grantee adopted guidelines or policies and procedures as outlined within the SRA between the parties.

10 Environmental Review

Every project undertaken with Federal funds, and all activities associated with such project, are subject to the provisions of the National Environmental Policy Act of 1969 (**NEPA**), as well as to the HUD environmental review regulations at 24 C.F.R. § 58 on Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities.

Laws and regulations which contain environmental provisions with which the Program must be in compliance include, but are not limited to:

1. Protection of Historic Properties (36 C.F.R. § 800)
2. Floodplain Management and Protection of Wetlands (24 C.F.R. § 55, Executive Order 11988 and Executive Order 11990)
3. Sections 307 (c) and (d) of the Coastal Zone Management Act of 1972 (CZMA), as amended, (16 U.S.C. § 1456)
4. Sole Source Aquifers (40 C.F.R. § 149)
5. Interagency Cooperation - Endangered Species Act of 1973, as amended (50 C.F.R. § 402)
6. Section 7 (b)(c) of the Wild and Scenic Rivers Act of 1968 (WSRA), as amended, (16 U.S.C. § 1278 - Restrictions on Water Resources Projects)
7. Air quality provisions as found in Sections 176 (c) and (d) of the Clean Air Act, as amended, (42 U.S.C. § 7506) and in Title 40 of the Code of Federal Regulations (40 C.F.R. Parts 6, 51, and 93)
8. Farmland Protection Policy Act (**FPPA**) (7 U.S.C. § 4201 *et seq.*, implementing regulations 7 C.F.R. Part 658, of the Agriculture and Food Act of 1981, as amended)
9. Environmental Criteria and Standards

1. Noise Abatement and Control (24 C.F.R. §§ 51.100 - 51.106)
 2. Siting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels or Chemicals of an Explosive or Flammable Nature (24 C.F.R. §§ 51.200 - 51.208)
 3. Siting of HUD Assisted Projects in Runway Clear Zones at Civil Airports and Clear Zones and Accident Potential Zones at Military Airfields (24 C.F.R. § 51 §§ 51.300 - 51.305)
10. Toxic/Hazardous Materials (24 C.F.R. § 58.5(i)(2)(i))
11. Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (Executive Order 12898 signed on 1994)

10.1 Exempt Activities

The TBM Program has been determined to have a level of environmental review of EXEMPT in accordance with 24 C.F.R. § 58.34 (a). Except for the applicable requirements of 24 C.F.R. § 58.6 (addressed below), the PRDOH does not have to undertake any environmental review, consultation or other action under NEPA and the other provisions of law or authorities in 24 C.F.R. § 58.5 for the activities associated with the TBM Program. The activities and the regulatory citations at 24 C.F.R. § 58.34 (a) that qualify this program for the EXEMPT determination are:

- §58.34 (a)(3) – Administrative and management services
- §58.34 (a)(4) – 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, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs

The regulations at 24 C.F.R. § 58.6 have also been reviewed for the TBM Program and, as the activities for the program are not location sensitive, it has been determined that the requirements for 24 C.F.R. §58.6 -(1) Flood Insurance (2) Activities in a Coastal Barrier Resource Unit and (3) Activities occurring within an Airport Runway Protection Zone- are in compliance with the applicable regulations.

This Program has also been approved by PRDOH's Certifying Officer as an exempt activity per 24 C.F.R. § 58.34, as accredited in the Certificate of Exemption for HUD Funded Projects signed on April 25, 2019 and resides in the project file.

11 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. As such, PRDOH must consider disaster recovery aid received by Program applicants from any other federal, state, local or other source and determine if any assistance is duplicative.

In accordance with Federal Register Vol. 84, No. 119 (June 20, 2019), 84 FR 28836, the duplication of benefits guidance issued in Federal Register Vol. 76, No. 221 (November 16, 2011), 76 FR 71060, shall remain as the duplication of benefits guidance in effect for the Program until an approved substantial amendment to the PRDOH Action Plan for Disaster Recovery authorizes implementation of duplication of benefits guidance included in 84 FR 28836.

Tourism and business advertising campaigns are typically ineligible for CDBG-DR and other federal assistance; therefore, there is no anticipated duplication of benefits. PRDOH will include a review in the program procedures to ensure there is none.

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 established program procedures and all federal and state laws and regulations in effect, as applicable, in the execution of program activities.

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 Disaster Impacted Areas

As described in the initial Action Plan, and its amendments, the Government of Puerto Rico will use CDBG-DR funds solely for necessary expenses related to disaster relief, long-term recovery, restoration of housing, infrastructure, and economic revitalization in the impacted and distressed areas in Puerto Rico as identified in disaster declaration numbers DR-4336 and 4339. Through the Federal Register Vol. 83, No. 157 (August 14, 2018), 83 FR 40314, HUD identified that, for Puerto Rico, all components of the Island are considered "most impacted and distressed" areas. Therefore, these guidelines apply to all 78 municipalities of Puerto Rico.

12.4 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. 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 any applicable federal or state law or regulation.

12.5 Established Periods of Time

Unless otherwise specified, all established periods of time addressed in this and all CDBG-DR 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.

12.6 Conflict of Interest

PRDOH, Program officials, their employees, agents and/or designees are subject to federal (24 C.F.R. § 570.489(h)), state and local ethic laws and regulations in regard to their conduct in the administration, granting of awards and program activities.

No public servant shall intervene, either directly or indirectly, in any matter in which he/she has a conflict of interests that may result in his/her benefit. No public servant shall intervene, directly or indirectly, in any matter in which any member of his/her family unit, relative, partner or housemate has a conflict of interest that may result in benefit for any of the aforementioned. The Conflict of Interest Policy is posted as a standalone document at www.cdbg-dr.pr.gov. For more information on how to contact PRDOH, please refer to www.cdbg-dr.pr.gov.

12.7 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-DR funds, including all programs funded by this grant, are welcomed. The Citizen Participation Plan is posted as a standalone document at www.cdbg-dr.pr.gov. For more information on how to contact PRDOH, please refer to www.cdbg-dr.pr.gov.

12.8 Related Laws and Regulations

These guidelines make reference 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.

12.9 Cross-Cutting Guidelines

Some federal and local requirements apply to all programs funded by CDBG-DR. These Cross-Cutting Guidelines cover topics such as: financial management; environmental review; labor standards; acquisition; relocation; fair housing; anti-fraud, waste and abuse; among others. The requirements described in the above referenced Cross-Cutting Guidelines, apply to all programs described in PRDOH's CDBG-DR Initial Action Plan and its amendments. For more information, please refer to the Cross-Cutting Guidelines found at www.cdbgdr.pr.gov.

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.