



**GOVERNMENT OF PUERTO RICO**  
**Department of Housing**

**NOTICE OF FUNDING AVAILABILITY  
FOR THE  
WORKFORCE TRAINING PROGRAM  
UNDER THE  
COMMUNITY DEVELOPMENT BLOCK GRANT  
DISASTER RECOVERY**

**CDBG-DR-NOFA- 2020-02**

**PUERTO RICO DEPARTMENT OF HOUSING**

March 30, 2020

June 1, 2020

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NOFA Issued

Application Due Date

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## Funding Announcement Summary

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

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

**Announcement Date:** March 30, 2020

**Announcement Type:** Notice of Funding Availability (NOFA) for programs funded through the CDBG-DR from the United States Department of Housing and Urban Development (HUD) allocation under Public Law 115-56, as amended, and Public Law 115-123, as amended.

**Application Submissions:** Applicants must submit a completed Application, supplemental proposal, and all associated Application exhibits, as described in this NOFA, by June 1, 2020.

- Electronic Application – Applicants must follow instructions provided within this document and at [www.cdbg-dr.pr.gov/](http://www.cdbg-dr.pr.gov/). No hard copies will be accepted.

**Funding Opportunity Description:** PRDOH announces the availability of forty million dollars (\$40,000,000) in CDBG-DR funds for the WT Program. The funds announced in this NOFA cover various allocations as detailed in the Action Plan approved by HUD. PRDOH reserves the right to award selected Applicants in accordance with funds made available by HUD and based on any applicable statutory constraint at the time of award issuance. Under the conditions of this NOFA, it is the intent of PRDOH to award grant funds to eligible workforce training Applicants not to exceed five million dollars (\$5,000,000) total per Program participant.

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

**Contact:**

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## Attachments

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### 1. Form for Submission of Inquiries

#### Exhibits

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- A Mandatory Requirements Checklist
- B Non-Conflict of Interests Certification
- C Non-Conflict of Interest on Existing or Pending Contracts Certification
- D Limited Denial of Participation Affidavit
- E Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion
- F Sworn Statement Under Act 2-2018
- G Anti-Lobbying Certification
- H Authorization for Background and/or Financial Information
- I Budget Template
- J Entity Prior Performance Certification

## 1. Definitions/Acronyms

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

- **Action Plan** refers to the Puerto Rico Disaster Recovery Action Plan, as it may be amended, that outlines the uses for the approximately \$9.7 billion CDBG-DR funds allocated to Puerto Rico, found at [www.cdbg-dr.pr.gov](http://www.cdbg-dr.pr.gov).
- **Addendum** or **Addenda** refer to a written or graphic document issued by PRDOH before the Application Due Date, which modifies or interprets the NOFA by means of additions, deletions, clarifications, or corrections.
- **Applicant** means a(n) (i) NGO (501(c)(3)) or Not for Profit Entities, (ii) Professional Associations and Trade Associations, (iii) Community Based Development Organizations, (iv) Municipal Governments, (v) Public Institution of Higher Learning, (vi) Administrative Agency or Department of Government of Puerto Rico or (vii) for profit entities as authorized under 24 C.F.R. §570.201(o) and not currently debarred.
- **Application** refers to the responses(s) submitted by the Applicant(s) to this NOFA. Only electronic Applications will be accepted. **No hard copies are accepted.**
- **Authorized Representative** refers to the person authorized to bind the Applicant and appear on its behalf in matters related to this NOFA.
- **CDBG-DR** refers to the Community Development Block Grant-Disaster Recovery which is additional funding appropriated by the United States Congress to rebuild affected areas and provide crucial seed money to start the recovery process.
- **CDBG-DR Website** refers to the CDBG-DR Program website at [www.cdbg-dr.pr.gov](http://www.cdbg-dr.pr.gov).
- **Direct Cost** refers to costs directly related to implementing the eligible activity. Typical examples of direct costs may include salaries of staff working directly on the Program, equipment and supplies used directly by the Program, and other expenses that are specific to the Program.
- **Evaluation Committee** refers to a committee designated by PRDOH, which will evaluate all the Applications pursuant to the criteria listed in this NOFA.
- **Federal Government** means any of the departments of the executive branch of the Government of the United States of America, or any department, corporation,

agency, or instrumentality created, or which may be created, designated, or established by the United States of America.

- **Government Entity** or **Government Entities** refer to any department, agency, board, commission, body, bureau, office, public corporation, or instrumentality of the Government of Puerto Rico's Executive Branch, whether existing or created in the future.
- **HUD** refers to the United States Department of Housing and Urban Development.
- **Indirect Costs** refers to costs incurred for a common or joint purpose benefiting more than one (1) cost objective. Typical examples of indirect costs may include depreciation on buildings and equipment, the costs of operating and maintaining facilities, general administration and general expenses, such as the salaries and expenses of executive officers, personnel administration, and accounting.
- **Local Parties** means local subcontractors or professionals and relevant service providers who are based in or have a significant on-going business presence in Puerto Rico.
- **Mandatory Requirements** refers to those requirements that Applicant(s) must meet to pass to the next evaluation stage of the NOFA Application process. Non-compliance with mandatory evaluation requirements will result in the disqualification of the Applicant.
- **NOFA** means Notice of Funding Availability and any addenda issued by PRDOH.
- **PRDOH** refers to the Puerto Rico Department of Housing.
- **Qualified Applicant** means a responsible and responsive Applicant whose Application meets the mandatory requirements and, therefore, may continue on to the technical requirements evaluation process.
- **Subrecipient Agreement** refers to an agreement entered into between PRDOH and a Program Subrecipient which governs the relationship between both parties as well as subrecipient funding and activities.

## 2. Overview, Purpose, and Authority Overview

The **PRDOH** announces this **NOFA** through the **CDBG-DR** Program for the **WT** Program to seek Applications from potential Subrecipients across Puerto Rico as defined in the WT Program Guidelines found on the CDBG-DR Website.

Under the conditions of this NOFA it is the intent of PRDOH to award grant funds to eligible workforce training Applicants for the purpose of administering training programs that

support the development of a labor force to meet the needs of hurricane reconstruction and to build the skill capacity to push Puerto Rico into the economy of the future. The WT Program will boost economic development and create jobs by investing CDBG-DR funds into resources that enable skills development through education, capital investment, technical assistance, and mentorship.

## **2.2 Purpose**

PRDOH is seeking Applicants to enter into a Subrecipient Agreement with PRDOH for the delivery of workforce training opportunities. Subrecipients will support the implementation of the WT Program by designing, administering, and qualifying participants for workforce training programs. The goal of the WT Program is to prepare Puerto Rican residents with the skills required to gain employment in industries that will drive the Island's economy over the next decade.

In addition to training programs that meet the current construction and contractor needs to rebuild the Island in the continued aftermath of the Hurricanes, this Program will engage entities that train residents of Puerto Rico in industries that are expected to grow in the coming years; namely, tourism and hospitality, computer programming and technology, shipbuilding, manufacturing, and healthcare.

While the above-mentioned industries have been readily identified as areas of need for the recovering economy and workforce, entities from all industries which have or plan to have training programs that they believe should be a part of Puerto Rico's growing economy are encouraged to apply to this Program.

The Program will support entities that seek to expand existing or launch new workforce training or apprenticeship programs.

## **2.3 Authority**

This NOFA is issued by PRDOH for the CDBG-DR Program, which has allocated funds appropriated by the Supplemental Appropriations for Disaster Relief Requirements 2017 (Pub. L. 115-56, as amended, and Pub. L. 115-123, as amended), to provide assistance in long-term recovery from 2017 natural disasters.

# **3. Funding Opportunity Description**

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## **3.1 Program Description**

Funding provided under this NOFA is intended to support HUD-approved economic development activities under the CDBG-DR Program. Selection for award under this NOFA will be made based on the qualifications of the Applicant and the viability of proposed activities in compliance with HUD and PRDOH requirements. Funding will be



distributed on a reimbursement basis for the eligible expense of grant funds, as supported by substantial supporting documentation.

This NOFA releases funding for Phase One (1) of the WT Program. Funding for Phase Two (2) will be released in a separate NOFA and eligibility terms to qualify for Phase Two (2) funding will be released in an amendment to the Workforce Training Program Guidelines found on the CDBG-DR Website.

Additional funds may become available for award as a result of PRDOH's efforts to recapture unused funds, carryover funds, or availability of additional appropriated funds. Use of these funds is subject to statutory constraints. The funds announced in this NOFA cover various allocations as detailed in the Action Plan approved by HUD. Funding opportunities referenced in this NOFA, and all obligations of the PRDOH herein, are expressly subject to and conditioned upon the ongoing availability of funds, as well as the continued authority of the PRDOH to operate the CDBG-DR Program. In the event that funds are not available to fund any, or all, activities offered herein, or if the PRDOH's authority to operate the CDBG-DR Program or act under this NOFA is eliminated, or in any way restricted, the PRDOH reserves the right, at its sole discretion, to amend, rescind, suspend, or terminate this NOFA and any associated funding pursuant to the provision set forth immediately above. This NOFA is not a commitment of funds to any activity or Applicant.

The purpose of the WT Program is to provide grants to organizations and entities that demonstrate, through an Application, that they can operate or develop workforce training and associated programming. These services must serve hurricane affected populations on the Island while performing eligible activities outlined in the Program Guidelines and meet one of the Program's national objectives. Under this NOFA, viable project Applicants must address the following:

- **Phase One (1) Expand Existing or Develop New Workforce Training Programs:**  
Applications from entities that are currently running training programs that want to expand their services and/or proposals from entities that have developed new programs that will address the current and/or future training needs of the people of Puerto Rico. Funding may allow programs to accept and train more students and/or to offer new subjects or services to potential trainees in Puerto Rico.

### **3.2 Eligible Applicants**

Eligible entities for the WT Program include:

- NGO (501(c)(3)) or Not for Profit Entities
- Professional Associations and Trade Associations
- Community Based Development Organizations

- Municipal Governments
- Public Institution of Higher Learning (e.g. Universities)
- Administrative Agency or Department of Government of Puerto Rico (State Agencies)
- For profit entities as authorized under 24 C.F.R. §570.201(o)

### 3.3 Eligible Activities

Eligible activities for this Program, per the Housing and Community Development Act of 1974, as amended, 42 U.S.C. § 5305, (**HCDA**) include:

- Sections 105(a)(8), provision of public services which could include employment services (e.g. job training) or education programs, among others (42 U.S.C. § 5305(a)(8));
- Section 105(a)(14), may include grants for activities carried out by public or private nonprofit entities, including construction, reconstruction, rehabilitation, or installation of public facilities (except for buildings for the general conduct of government), site improvements, and utilities, and commercial or industrial buildings or structures and other commercial or industrial real property improvements (42 U.S.C. § 5305(a)(14));
- Section 105(a)(15), assistance to neighborhood-based nonprofit organizations, local development corporations, nonprofit organizations serving the development needs of the communities in non-entitlement areas, or entities organized under section 301(d) of the Small Business Investment Act of 1958 (15 U.S.C. § 661 *et seq*) to carry out neighborhood revitalization, community economic development, or energy conservation projects in furtherance of the objectives of section 101(c) of the HDCA, (42 U.S.C. § 5305(a)(15));
- Section 105(a)(17), for-profit assistance to private, for profit-entities, when the assistance is appropriate to carry out an economic development project. This may include, but is not limited to, an economic development project which creates or retains jobs, creates or retains businesses owned by community residents, assist businesses that provide goods or services needed by LMI residents, or prevents or eliminates slums and blight, meets an urgent need, (42 U.S.C. § 5305(a)(17)); and or
- Section 105(a)(21), provision of assistance to institutions of higher education having a demonstrated capacity to carry out eligible activities under this subsection for carrying out such activities (42 U.S.C. § 5305(a)(21)).

### 3.4 Eligible Use of Funds

As a guideline, selected Subrecipients may use funds for the following activities/expenses:

- Recruitment activity costs that are allowable under federal cost principals and approved by PRDOH;
- Costs specific to the marketing of this program that are allowable under federal cost principals and approved by PRDOH;
- Screening and skills assessment of participants;
- Training, instruction, and certification of participants;
- Software and instructional materials for training and educational purposes. All purchased materials and supplies will need to be acquired through proper procurement procedures as defined by PRDOH;
- Tuition, books, supplies, and other materials necessary for participants to complete their training;
- Job placement activities;
- Rent and utilities that are directly related to executing a training program;
- Subrecipient staff salaries, benefits, supplies, and travel costs that are directly associated with implementing the training programs funded through the WT Program. Travel costs will be reimbursed in compliance with Federal regulations; and,
- Indirect costs<sup>1</sup>

### 3.5 Ineligible Use of Funds

Selected Subrecipients shall NOT use CDBG-DR WT Program funds for the following:

- Entertainment, including amusement, diversion and social activities; food and alcohol associated with parties or socials, meals, lodging, transportation, and gratuities associated with entertainment;
- Pre-award costs, including preparation of the grant proposal;
- Donations and contributions, including cash, services or property;
- Fundraising activities;
- Lobbying;
- Stipends for participants; and
- Supplanting Federal and State Funds;

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<sup>1</sup> Indirect costs are defined as those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. For major nonprofit organizations, those which receive more than ten million dollars (\$10,000,000) in direct federal funding, indirect costs are classified within two (2) broad categories: Facilities and Administration. 2 C.F.R. § 200.56; 2 C.F.R. § 200.414

- Any other items unallowable under federal cost principals as stated in 2 C.F.R. part 200.

### 3.6 Number of Awards and Maximum Award Information

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

- **Maximum Total Award Amount per Program Participant:** Eligible Applicants are eligible to receive not more than five million dollars (\$5,000,000) from the WT Program. This maximum award includes all services proposed under Phases One (1) and Two (2) combined.
- **Award Adjustments:** PRDOH reserves the right to adjust funding levels for each grantee. Once Applicants are selected for award, PRDOH will determine the total amount to be awarded based upon the scope of services to be provided, funds available, and other factors that PRDOH may determine. It is possible that not all awardees will receive the maximum amount as funding will be based on Applicant capacity as proposed in the Application.

### 3.7 Cost Limitations

Selected Applicants will execute a Subrecipient Agreement with PRDOH which provides direct reimbursement of costs associated with eligible activities defined in the WT Program Guidelines and this NOFA. Costs incurred in the performance of the Program, as determined by HUD or PRDOH must be allowable, allocable, and reasonable in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. part 200, and the Grant Agreement. PRDOH reserves the right to reject funding requests for any cost outside of the scope of the Program.

### 3.8 CDBG-DR Program Requirements

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

### **3.9 Environmental Compliance**

Environmental review is the process of reviewing a project and its potential environmental impacts to determine whether it meets federal, state, and local environmental standards. 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.

WT Program Applications are not subject to most of the procedural requirements of environmental review. However, a level of environmental determination for project activity will be required prior to the development of the Subrecipient Agreement. The environmental review (based upon that level of environmental determination) will be required prior to receiving funding.

To conduct the appropriate level of environmental review the Program 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 by the Program in whole or in part to accomplish a specific objective. Additional information about the WT environmental review can be found in the WT Program Guidelines.

### **3.10 Local Participation: Minority and Women Owned Business Enterprises; and Section 3**

#### **3.10.1 Local Participation**

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

#### **3.10.2 Minority and Women Owned Business Enterprises (MWBE's)**

PRDOH recognizes its obligation to promote opportunities for maximum feasible participation of certified minority and women owned business enterprises (**MWBEs**), and the employment of minority group members and women in the performance of all

PRDOH Federal funded contracts<sup>2</sup>. PRDOH encourages MWBE certified firms to submit Applications in response to this NOFA (as applicable).

PRDOH has established policy guidelines to ensure compliance with 24 C.F.R. § 85.36(e) which set goals of ten percent (10%) WBE and ten percent (10%) MBE of the total contract amount for all contracts over ten thousand dollars (\$10,000) for goods or services and define affirmative steps as part of implementation of contracting opportunities with MWBEs. It is required that an approved Utilization Plans be in place before the project is awarded and approved. Efforts taken to contract or subcontract with MWBEs should be documented. Waiver requests will be considered commensurate with the amount of the contract and the level of efforts taken.

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

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

### 3.10.3 Section 3

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

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

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

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<sup>2</sup> 2 C.F.R. § 200.321

three percent (3%) goal for non-construction contracts and ten percent (10%) goal for construction contracts.

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

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

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

For those interested in locating Section 3 businesses, HUD has developed a business registry for businesses who have identified themselves as a Section 3 business in order to facilitate the process of engaging in best efforts.<sup>3</sup>

## **4. NOFA Procedures**

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### **4.1 NOFA Documents Acquisition**

Copies of this NOFA are available for download by prospective Applicants at the CDBG-DR Website. To submit an Application, Applicants are required to go to the CDBG-DR Website and complete the online Application available, and follow the instructions contained therein. NOFA documents will be available at the Document Availability Date stated in the NOFA Schedule of this document.

### **4.2 Addenda**

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

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

### 4.3 Schedule

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

**Table 1: NOFA Schedule**

<b>Event</b>	<b>Time and Date</b>
Public Notice	03/30/20
Documents Availability	03/30/20
Questions Due	04/13/20
Questions & Answers Posted	04/20/20
Application Submission Start Date	04/29/20
Application Submission Due Date	06/01/20
Application Evaluation Period (Expected)	From: 06/02/20
	Up To: 07/06/20
Notice of Award (Expected)	07/13/20
Execution of the Agreement (Expected)	07/20/20

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

### 4.4 Correspondence, Communications, and Conferences

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

### 4.5 Submission of Inquiries

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



Applicants using the document titled "Form for Submission of Inquiries" included as Attachment 1.

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

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

#### **4.6 Allowed and Prohibited Communications**

Only questions and requests for clarifications on this NOFA submitted by prospective Applicants as per the Correspondence, Communications, and Conferences and Submission of Inquiries Sections of this document are allowed. Communications by prospective Applicants with officials and/or representatives of PRDOH, other government entities, the Government of Puerto Rico and any of its instrumentalities, HUD, or other relevant entities of the Federal government, and/or others associated with the CDBG-DR Program, regarding the contents of this NOFA or its qualification and selection process, are prohibited during the submission and selection processes. Failure to adhere to this requirement may result in the disqualification of submitted Applications.

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

#### **4.7 Representations for Application Submission**

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

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

PRDOH reserves the right, without limitations, to reject partially or completely any/all Applications received in response to this NOFA when, in its opinion, the best interest of the Government of Puerto Rico, PRDOH, or of the impacted communities will be served by such action. PRDOH further reserve the right, without limitations, to make such investigations, as it deems necessary as to the qualifications or perceived conflicts of interest of any/all entities submitting Applications in response to this NOFA. The mere appearance of a conflict of interest shall constitute sufficient cause for the outright

rejection of an Application. In the event that any or all Applications are rejected, PRDOH reserves the right, without limitations, to re-solicit Applications.

By submitting an Application, the Applicant shall comply with all applicable Federal and local laws and regulations, including but not limited to, those regarding the proper use of CDBG-DR funds and procurement processes related thereto.

PRDOH reserves the right, without limitations, to: (i) grant more than one (1) agreement and/or select more than one (1) Qualified Applicant; (ii) amend the agreement(s) of the selected Applicant(s) to, among others, extend its original duration, as explained in this NOFA, or to extend its scope to include work under subsequent CDBG-DR action plans.

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

#### **4.8 Application Modification or Withdrawal**

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

#### **4.9 Ownership of Applications**

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

## **5 General Application Requirements**

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

### **5.1 Application Format**

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

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

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

- Attachments to the Application shall be typewritten on standard 8 ½" x 11" paper. Written content of attachments must be set at one and one-half (1.15) line spacing and the font shall be 12-point.
- Attachment pages shall have a one-inch margin.
- Larger paper (up to 11" x 17") and smaller fonts are permissible for charts, diagrams, spreadsheets, etc.
- The Budget Proposal will be included as an attachment, either in .pdf or Excel format.
- The requested resumè(s) and organizational chart must be provided as attachments.
- All documents that require an ink signature as part of the Application shall be signed in blue ink. All names must be included in print below each signature. Documents consisting of more than one (1) page that require signature shall contain the initials of the Applicant's Authorized Representative at the right-top corner of every page.

## 5.2 Application Submission and Submission Due Date

Applications shall be submitted at the CDBG-DR Website. Applicants will receive their final submitted Application in pdf format via email following a successful submission.

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

## 6 Application Requirements

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

### 6.1 Application Scoring

**Table 2** presents the maximum points for the mandatory and technical requirements of the Applications. For details regarding the distribution of scoring for each technical aspect of the Application, please refer to the corresponding section. Applicants deemed to meet the eligibility requirements will receive further consideration. Applications will be scored based on the below listed criteria and then compared against all others received for the proposed type of training.

Applications will be evaluated according to the following criteria:

**Table 2: Technical Aspects of the Application Scoring**

Criteria	Scoring Factor
Mandatory Requirements	
<b>Mandatory Requirements</b>	PASS/FAIL
• Complete Application Received	
Technical Requirements	
<b>Proposed Program Plan</b>	
• Program Information	50
• Timeline	
• Outcomes	
<b>Organizational Qualifications</b>	
• Organizational Capacity of the Applicant	25
<b>Program Budget</b>	
• Program Budget (download)	25
• Other Program Financing	
• Future Operating Budget/Sustainability	
<b>Bonus Criteria</b> (if applicable)	5
<b>TOTAL</b>	105

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

Once the mandatory requirements evaluation of the Applications is completed, the Evaluation Committee will evaluate technical requirements (proposed program plan, organizational qualifications, and the program budget) submitted by the Qualified Applicants and will combine all aspects of the Applications in order to determine the Applicant(s) whose Application(s) is (are) most advantageous to PRDOH.

PRDOH will review the budget proposal to determine whether the Applicant has proposed a reasonable budget and fee structure to accomplish the proposed services.

Applicant(s) whose Application(s) was determined to be most advantageous shall become a selected Applicant(s). To be considered for selection for an award, Applicants need to achieve a technical score greater than or equal to **sixty (60) points**.

All Applications must meet the mandatory requirements and receive a technical score of **sixty (60) points** or higher to be eligible for consideration of award.

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

## 6.2 Mandatory Requirements

Applicants shall comply with the following mandatory requirements in order for their Application to be evaluated. Mandatory requirements will be scored as either “**Pass**” or “**Fail**.” If the Application meets all mandatory requirements, the Application will “Pass” this evaluation. On the contrary, if the Application does not meet said requirements, it will “Fail” this evaluation. Failure to comply with these requirements will result in the disqualification of the Applicant. However, PRDOH reserves the right to waive minor irregularities and minor instances of non-compliance. Mandatory requirements for this NOFA are as follows:

- **Application Submission:** Application must be submitted within the closing date and time as established in the Schedule Section of this document. The submission must contain all components as required in the Application Checklist and include the items as listed below.
- **Threshold Requirements:** Eligible Applications will be expected to meet the following threshold criteria to be further considered for full eligibility for the WT Program.
  - The program must be physically located in Puerto Rico (branch offices are acceptable).
  - The organization must be running an existing training program with proven capacity or have a training curriculum developed for a new or expanded program
- **Organizational Information:** The Applicant, in its Application, must submit organizational documents, such as proof that the organization is tax-exempt under section 501(c)(3) and (c)(6) of the Internal Revenue Code as amended, 26 U.S.C. § 501(c)(3) and 26 U.S.C. § 501(c)(6), or section 1101.01 of Act No. 1-2011, as amended, known as the “Puerto Rico Internal Revenue Code of 2011”, 13 LPRA § 30011, a certified copy of the Applicant's certificate of incorporation or similar document which may state nonprofit status when applicable, a statement from a state taxing body that the organization is a nonprofit organization operating in good standing within the state, a certificate of good standing from the Puerto Rico Department of State, higher learning institutions license to operate issued by appropriate authority, as applicable. These will vary by the Applicant's type of organization. The following shall also be included, where applicable:

- Entity Name;
  - Employer Identification Number (**EIN**)
  - Data Universal Numbering System (D.U.N.S Number)
  - Valid and current registration in Federal System of Award Management (**SAM**); (Applicants may register at <https://www.sam.gov/SAM/>)
  - Physical Address
  - Mailing Address
  - Contact Info: the persons PRDOH should contact regarding the Application, and
  - Organizational Chart with lines of responsibility and authority in the administration of the organization and detail the names, telephone numbers, and email addresses of its officers, directors, members, and any partners.
- **Conflicts of Interest:** Pursuant to Act No. 237-2004, as amended, 3 LPRA § 8611, *et seq.*, known as Establishment of Uniform Parameters in the Process of Contracting Professional and Consulting Services for Puerto Rico Government Agencies and Entities, Act No. 1-2012, as amended, 3 L.P.R.A. § 1854 *et seq.*, known as the Puerto Rico Government Ethics Code of 2011, and/or Act No. 2- 2018, 3 L.P.R.A. § 1881 *et seq.*, known as the Anti-Corruption Code for the New Puerto Rico (Act 2-2018), Applicant will be required to certify that no officer, agent, or employee of the Government of Puerto Rico, or its Government Entities and instrumentalities, has a monetary interest in the Application or has participated in contract negotiations on behalf of the Government of Puerto Rico; that the Application is made in good faith without fraud, collusion, or connection of any kind with any other applicants; that the Applicant is competing solely on its own behalf without connection with, or obligation to, any undisclosed person or firm; and that the Applicant has not been convicted or plead guilty in a state of federal court or any other jurisdiction of the United States of America, of the crimes described in Act 2-2018. For compliance with this mandatory requirement, the Applicant shall submit the following forms with the Application:
    - Exhibit B (Non-Conflict of Interest Certification);
    - Exhibit C (Non-Conflict of Interest on Existing or Pending Contracts Certification);
    - Exhibit D (Limited Denial of Participation Affidavit);
    - Exhibit E (Certification Regarding Debarment Suspension, Ineligibility and Voluntary Exclusion) duly completed and notarized; and
    - Exhibit F (Sworn Statement Under Act 2-2018) duly completed and notarized.

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

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

### **6.3 Program Work Plan, Qualifications, and Budget Requirements for Scoring**

Each Applicant shall draft and submit a proposed work plan document as part of the Application. The implementation schedule, as stated in the Application, will be implemented on a **five (5) year** timeframe with Subrecipient Agreements of **three (3) years** to include an option to extend Agreements based on organizational programmatic implementation performance. This term can be modified with written authorization from PRDOH.

Provided regulatory oversight for the CDBG-DR Program, Applicants are required to have English proficiency to perform the tasks services included herein. While an Applicant can respond to the NOFA in English or Spanish, the Applicant must have the capacity to produce Program documents in both languages to purposes of delivering to oversight entities upon request. If Applicant deems necessary any translation services to comply with the above, costs related thereto should be included in their costs and budget proposals.

The Application will have a maximum score of **one hundred five (105) points**. The scoring criteria shall consider and include:

- **Proposed Program Plan (50 points total)**
  - Provide a detailed overview of the proposed job training program and the people you will engage.
    - **Program Information (40 points):**
      - Provide an overview for the proposed job training course including; subject(s) to be taught, teaching methodology, and other pertinent information.
      - Provide a detailed description of the proposed service area for the program, and a description of job opportunities currently available in the field of training.

- Discuss the need for the program and workforce training services. Include an analysis of current job demand in the area and projected demand. Cite any community research, studies, or surveys that document the need.
  - Provide a description of the clientele targeted to participate in the workforce training activities, to include:
    1. A description of the population(s) targeted to participate in the training program. Include a list of all Municipalities where trainings will be provided in.
    2. A description of specific needs or circumstances of the population targeted for your training program(s), such as, if your program will engage incarcerated or formerly incarcerated individuals.
    3. A statement of how the program will meet a National Objective, such as, working with Low- and Moderate-Income individuals and communities (as outlined in the Policy and Procedure Compliance Section of this document).
    4. If applicable a description of how the program will engage minority or women businesses or individuals.
  - Indicate how many trained beneficiaries are expected to complete the program(s) annually.
  - If job training is currently being provided, indicate the number currently served and the number by which the program will expand.
- **Timeline (5 points):**  
Provide a timeline of proposed activities, including:
- A timeline for program development and implementation (if applicable);
  - Anticipated date students will enroll in expanded or new programming;
  - Anticipated date for full capacity (be sure to indicate the number of students to be served at full capacity); and
  - Anticipated length of training program(s).
- **Outcomes (5 points):**
- List expected outcomes for participants that will successfully enroll in and complete the workforce training program, and/or obtain quality employment following such program.
  - Describe the tools and processes that will be used to track student progress and indicate the frequency of the evaluation.



- List and describe any certifications, accreditations, or other credentials that program participants will receive upon successful completion of the training.
- **Organizational Qualifications (25 points total)**

Provide a detailed overview of the organization and its experience as it relates to the proposed job training program.

  - **Organizational Capacity of the Applicant:**
    - Provide a description of the applicant organization, including its mission, history, and experience in running workforce training programs.
    - Identify all program staff who will be part of administering the proposed training program. Include:
      1. General Duties
      2. Position title
      3. Individual's Name
      4. Resume and any Certifications held

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

*If needed, identify if the Applicant organization will have any staffing needs to administer the proposed program. If so, outline the plan to hire needed staff to implement the job training program(s), or identify any work that will be contracted to another service provider.*

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

*Applicants must outline each partner's roles, responsibilities, and commitments.*
- Provide a description of the organization's experience with administering Federally funded programs, if any.
- **Program Budget (25 points total)**

Provide a detailed budget for the proposed job training program.

- **Program Budget (15 points):**
  - Provide Budget based on Exhibit L Budget Template. Make sure to indicate the amount and type of funding requested for:
    1. Technical Assistance;
    2. Staffing levels and rates;
    3. Programmatic funds, salaries, and benefits;
    4. Equipment purchases, if applicable; and
    5. Other services as needed.

***NOTE:** The list of allowable and unallowable expenses can be found in Sections 3.4 and 3.5 of this NOFA and in the WT Program Guidelines.*
- **Other Program Financing (5 points):**
  - Identify all other sources of funding which will be used in completing the proposed program. Indicate the amount requested from each source and whether the funding is secured or pending.
- **Future Operating Budget/Sustainability (5 points):**
  - Provide a copy of a projected **five (5)-year** operating budget, as well as a description of anticipated annual revenue sources and amounts, including but not limited to earned income, tuition fees, donations, and grants.
- **Bonus Criteria (5 points total):**

Section 3 participation.

  - If you work with or employ Section 3 residents and/or businesses, please provide an explanation of how you engage with them and how you will engage with them in this proposed program.

## 7 Evaluation and Selection

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The scoring and funding methodology for this NOFA is intended to enable entities that seek to expand existing or launch new workforce or professional training programs. The goal is to engage entities from all industries which have or plan to have training programs that they believe should be a part of Puerto Rico's growing economy. Applications will be evaluated on the level and quality of services to be provided to the workforce training participants, including cost-benefit and resiliency.

The selection of service providers will be conducted through a review of submitted Applications with included budgets.

Applications will be evaluated by PRDOH based on the scoring criteria outlined above and according to the following processes:

### **7.1 Evaluation Committee**

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

Upon closure of the Application Submission period, the Evaluation Committee will evaluate each Application based on the criteria stated in this NOFA. Initial evaluation will consider the mandatory requirements of the Application stated in Section 6.2. The Evaluation Committee will evaluate those Applicants whose Applications meet the mandatory requirements.

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

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

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

### **7.2 Errors and Omissions in Applications**

PRDOH reserves the right, without limitations, to reject an Application that contains an error or omission. PRDOH also reserves the right, without limitations, to request correction of any errors or omissions and/or to request any clarification or additional information from any Applicant, without opening clarifications for all Applicants.

### **7.3 Rejection of Application and Cancellation of NOFA**

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

PRDOH reserve the right, without limitations, to disregard or waive any noncompliance, informalities, and/or irregularities in the Applications, not otherwise identified in the mandatory requirements and qualifications in Section 6.2, when, in its opinion, the best interest of the Government of Puerto Rico, of the PRDOH, or of the impacted communities will be served by such action.

## **7.5 Confidentiality of Responses and Proprietary Information**

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

All the information (trade secrets, proprietary, or confidential information) submitted as part of this NOFA will be made available to HUD, the U.S. Office of Inspector General, or any other Federal or state agency that requires said information for Program evaluation and compliance purposes.

## **8 Activity Tracking and Monitoring**

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Awarded Subrecipients shall submit regular monthly progress reports to PRDOH as required under the Subrecipient Agreement which will provide the guidelines and requirements applicable for the submission of the monthly progress reports.

### **8.1 Policy and Procedure Compliance**

Subrecipients will be required to carry out all compliance requirements imposed by HUD with respect to the PRDOH's Federal award or CDBG-DR Grant. Thus, Applicants must include in their responses to this NOFA, an explanation of how they will comply with Federal policy and procedural requirements applicable to CDBG-DR funds. Such requirements include but are not limited to:

- HUD National Objective
  - Benefit to low- and moderate-income persons (LMI) (24 C.F.R. § 570.483(b))
    - Job Creation/Retention: Under the Low- and Moderate-Income national objective, the Program considers a person income-qualified if the annual wages or salary of their job is at or under the HUD-established LMI income limit eighty percent (80%) of AMFI for a one-person household in Puerto Rico (\$28,850 for 2019).
  - Urgent Need (UN) activities (24 C.F.R. § 570.483(d))

- Under CDBG-DR, HUD determines that an Urgent Need exists where a disaster has been presidentially declared within a jurisdiction.
- Title VI of the Civil Rights (non-discrimination) (41 C.F.R. §60-1)
- Conflict of Interest (24 C.F.R. § 1003.606)
- Environmental Compliance (24 C.F.R. § 58)
- Flood Insurance Requirements (44 C.F.R. § 61.13)
- Program Income (2 C.F.R. § (200.307)
- Management of Assets (2 C.F.R. § 200.443)
- Insurance and Bonding (if applicable) (45 C.F.R. § 1301.11)
- Section 3 of the Housing and Urban Development Act (24 C.F.R. § 1000.42)
- Davis Bacon & Federal Labor Standards
- Occupational Safety and Health Administration (**OSHA**) Requirements
- Record-Keeping

## **9. Administrative Procedures and Reconsideration Remedies**

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

### **9.1 Reconsideration Request**

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

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

The Program will review and address the Reconsideration Request within **fifteen (15) days** of its receipt. Applicants will be notified of the reconsideration determination via a Reconsideration Request Approved or a Reconsideration Request Denied Notification.

Applicants with an approved Reconsideration Request will be deemed qualified for this NOFA. Applicants with a denied Reconsideration Request will still be deemed unqualified.

Filing a Reconsideration Request does not substitute, negate, or preclude any legal right that an Applicant has to challenge a determination made by the Program. Therefore, Applicants who believe the initial determination of the Program was erroneous, may submit either a Reconsideration Request or a petition for review of the decision made by the Program by filing an Administrative Review Request at PRDOH in accordance with Regulation No. 4953 of August 19, 1993, which regulates the Formal Adjudication Process for PRDOH and its Adjunct Agencies (Regulation 4953) or the substitute regulation.

## 9.2 Administrative Review Request

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

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

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

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

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

**END OF NOFA.**