



DEPARTMENT OF
HOUSING



CDBG-DR PROGRAM GUIDELINES

Whole Community Resilience Planning Program

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PUERTO RICO DEPARTMENT OF HOUSING
CDBG-DR PROGRAM GUIDELINES
WHOLE COMMUNITY RESILIENCE PLANNING PROGRAM
VERSION CONTROL

VERSION NUMBER	DATE REVISED	DESCRIPTION OF REVISIONS
1	September 11, 2019	Original Version
2	June 9, 2021	The Program was redesigned. This version supersedes version 1 in its entirety.

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1 Overview of Whole Community Resilience Planning Program

In September 2017, Puerto Rico was struck by two major hurricanes: Irma and María. The hurricanes greatly impacted an already-weakened infrastructure and economy across the archipelago. The aftermath of these events exposed the lack of an efficient healthcare system, aging infrastructure, income inequality, a growing poverty rate and the persistence of structures built within floodplains. These factors disproportionately magnified the disasters' impacts within vulnerable communities, significantly increasing daily hardships faced by residents, stunting recovery efforts, and consequently impacting human life in ways still being understood today. Rebuilding Puerto Rico requires an equitable approach to community resilience. This begins with the implementation of resilience plans to assure a recovery effort that can mitigate future disasters and embody holistic and inclusive long-term adaptation strategies. The Whole Community Resilience Planning (**WCRP**) Program will result in comprehensive community recovery plans, the benefits of which enable communities to develop policies, planning, and management capacity to coordinate and advocate local needs to municipal, state, and federal agencies and representatives.

The Program proposes to foster a recovery that protects life and property from future threats while building residents' capacity to steward the revitalization and well-being of their communities. This process and approach are of great importance in the recovery and rebuilding of vulnerable communities throughout the archipelago.

The WCRP Program of the Puerto Rico Department of Housing (**PRDOH**) exists to respond to current and future community needs in the Disaster Impact Areas (**DIA**) of federally declared disasters: DR-4336-PR, DR-4339-PR. This area encompasses all of Puerto Rico. To this end, PRDOH has signed, as a subrecipient, the non-profit organization Foundation for Puerto Rico (**FPR**) to collaborate in the design and execution of the Program.

1.1 Planning

For purposes of the WCRP Program, the term "planning" is considered as a process by which community residents, businesses, neighboring communities, non-governmental organizations, not-for-profit entities, municipalities, and central government agencies work together to identify holistic strategies, actions and projects with the objective of building a long-term community resilience, while holistically recovering from the aftermath of Hurricanes Irma and María. Communities will have time and space to envision a potential bright future in its plans for recovery which includes a community resilience plan for all its inhabitants. Throughout this process communities will be asked to consider future stressors (hurricanes, earthquakes, landslides, economic downturns, other social or geophysical shocks, etc.), environmental integrity, economic diversity and viability, hazard mitigation opportunities, historic preservation, equity and vulnerability, and infrastructure redevelopment or augmentation, as well as other issues they deem

important. This process will conclude in a public document which lays out community findings and visions for future success, as well as specific identified issues, solutions, implementation, and funding strategies.

1.2 Definitions

- **Action Plan** – Refers to the Puerto Rico Disaster Recovery Action Plan, as it may be amended, that outlines the uses for the approximately \$10 billion CDBG-DR funds allocated to Puerto Rico, available in English and Spanish at <https://cdbg-dr.pr.gov/en/action-plan/> and <https://cdbg-dr.pr.gov/plan-de-accion/>.
- **CDBG-DR** – Refers to the Community Development Block Grant for 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.
- **Community** – For the purpose of this Program, “community” refers to a social unit that shares a sense of identity and common experiences; or shares a place that is situated in a geographical area within a municipality (e.g., municipality, ward/“barrio”; local community or neighborhood/“sector”).
- **Community Resilience Plan or “CRP”** – Refers to a strategy originating from within the community, and with the assistance of other entities as relevant, to guide the adoption, use or incorporation of near, medium and long-term measures designed to enhance resilience. These measures may include policies, procedures, programs and/or projects, and may include or necessitate the participation of one or more entities that directly or indirectly impact the community, such as a municipality.
- **Data Sharing Agreement** - A data sharing agreement is a formal contract that clearly documents what data are being shared and how the data can be used. Such an agreement serves two purposes. First, it protects the provider of the data, ensuring that the data will not be misused. Second, it prevents miscommunication on the part of the provider of the data and the receiving party of the data by making certain that any questions about data usage are discussed. Before any data are shared, both the provider and receiver should discuss data-sharing and data-use issues and come to a collaborative understanding that will then be documented in a data-sharing agreement.
- **High Risk and vulnerable communities** - Refers to groups of people that share a common vulnerability, whether physical, economic, social, cultural, or environmental. These vulnerable social units are often disproportionately affected by disruptions and disasters. A few examples include, but are not limited to: a) communities with a low socioeconomic level; high concentrations of poverty, lack

of basic infrastructure, unacceptable environmental conditions, poor housing status, and high social stressors; b) communities that are situated in the floodway or floodplain, landslide areas, and other natural hazards; and c) communities that share a special need or disability.

- **HUD** – Refers to the United States Department of Housing and Urban Development.
- **Notice of Funding Availability (NOFA)** – Refers to a notice and its addenda that describes a type of funding opportunity available on a competitive basis and provides a contact where an application may be submitted, typically up to sixty (60) to ninety (90) days from the date of NOFA publication. Selection will then be made based upon specific factors and criteria identified within the NOFA.
- **Planning Vendor:** Refers to a procured qualified professional made available by PRDOH to Subrecipients and Communities during the planning process and CRP Development phase. Their primary function is to provide program support, perform studies, analysis, and data gathering; prepare plans; identify actions that will implement plans; develop regulations, ordinances or codes, and build capacity. These professional services will be provided by design, architecture, health professionals, IT, and engineering professionals, among other service providers.
- **PRDOH** – Refers to the Puerto Rico Department of Housing.
- **Resilience** – Refers to the ability to anticipate, prepare for and adapt to changing conditions, and withstand, respond to, and recover rapidly from disruptions. Such disruptions may include, for example, a flooding event, a precipitous economic change, and effects of long-term environmental degradation, short-term or intermittent failure or under-performance of infrastructure such as the electrical grid. Resilience describes an area's capacity to prepare for, withstand, and recover from unpredictable shocks, minimizing impacts on people, infrastructure, environments, and economies. In practice, resilience provides a framework for guiding planning, investment, and actions to reduce vulnerabilities.
- **Resilient Community** – In the disaster recovery lexicon, resilience is commonly described as the ability of a community to quickly respond, recover, adapt to, and prepare for unexpected events, such as a natural disaster. In this way, resilience goes far beyond immediate emergency response measures, back-up power generators, and hardened protective infrastructure. These components are part of a resilient community. However, planning for and building a truly resilient community encompasses much more. A resilient community is one that can utilize available resources to respond to, withstand, recover from, adapt to, and prepare for adverse situations in a timely and efficient manner.

- **Social Capital** – The existing networks of relationships among people who live and work in a community that allows it to function successfully.
- **Special Flood Hazard Area** – Also known as the 100-year floodplain. This term was adopted by FEMA's National Flood Insurance Program Insurance (**NFIP**) as the basis for mapping, insurance rating, and regulating new construction. This area is a floodplain that would be inundated in the event of a 100-year flood. The 100-year flood has a one percent (1%) chance of being equaled or exceeded during any given year. Projects located in the 100-year floodplain that receive assistance under CDBG-DR will be required to obtain and maintain flood insurance in perpetuity for all such property for which financial assistance is received.¹
- **Subrecipient** – Refers to a public or private nonprofit agency, authority, or organization which receives CDBG-DR funds from PRDOH to undertake eligible activities. 24 C.F.R. § 570.500(c). It is further defined at 2 C.F.R. § 200.93 as a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program.
- **Subrecipient Agreement (SRA)** - Refers to an agreement between PRDOH and a Program Subrecipient which governs the relationship between both parties as well as Subrecipient funding and activities. The SRA is the basis for the contractual obligation between PRDOH and the Subrecipient to fund and implement the awarded activity or program, as required by 24 C.F.R. § 570.503. The agreement denotes responsibilities attributable to each party, and outlines in exact measure the scope of services provided under the agreement, methods of accountability, and a schedule for payment.

2 National Objective

Funds being used for planning activities for the development of community plans are part of the twenty percent (20%) planning and administrative cap of CDBG-DR funds. Funds with this designation are considered to address the national objective requirement.²

3 Program Description

The WCRP Program pursues the active and direct participation of communities in the development of Community Resilience Plans (**CRPs**). The Program will also provide community resilience tools to support long-term recovery planning processes.

¹ See Flood Insurance Requirements of the Cross-Cutting Guidelines found in English and Spanish at <https://www.cdbg-dr.pr.gov/en/download/cross-cutting-guidelines/> and <https://cdbg-dr.pr.gov/download/guias-intersectoriales/>.

² 24 C.F.R. §570.483(f).

WCRP goals and outcomes can be summarized as follows:



Engage with community-driven, recovery planning processes towards the development of **CRPs**; and,



Develop RESILIENCE TOOLS to support communities in furthering resilience-building efforts.

The WCRP Program aims to foster the development of community-driven, recovery planning processes that result in CRPs for engaged communities. It also aims to develop resilience tools that further enhance resilience efforts. Through the planning and tool-building process, communities will collaboratively and effectively determine their unique needs, set long-term and short-term objectives, and identify high priority action items. The WCRP Program prioritizes high risk and vulnerable communities, which are defined as groups of people that share a common vulnerability, whether physical, economic, social, cultural, or environmental and are often disproportionately affected by disruptions and disasters.

Subrecipients will steward a collaborative community planning process with communities interested in developing CRPs. This public community document will contain all findings, recommendations for resilience actions, and implementation strategies. Subrecipients will also work closely with communities to build the capacity required to manage and support the implementation of long-term recovery activities associated with CDBG-DR grant funds. The six (6) core areas of focus for resilience tools and CRP Development are Economic Development, Education, Environment, Health, Housing, and Infrastructure.

4 Program Activities

All program activities will result in CRPs and/or resilience tools. Program activities for each of these two goals may proceed concurrently.

4.1 Community Resilience Plans



CRPs will be useful, actionable, and relevant plans that describe specific policies, protocols, programs, and/or projects that communities can undertake to increase their ability to withstand or recover from disruptions and disasters.

Subrecipients to the WCRP Program will receive funding to collaborate with communities to develop CRPs. Subrecipients may work with multiple communities and will be chosen

for an award based on their organizational capacity, their ability to collaborate with communities for CRP Development, and their involvement in the six (6) core areas of focus: Economic Development, Education, Environment, Health, Housing, and Infrastructure. Communities will be evaluated to be part of the WCRP Program in consideration of their vulnerability, resilience plan need, and community interest in the Program. Entities such as Foundation for Puerto Rico (**FPR**) and planning vendors will be available as needed to provide support and technical assistance with the creation of the CPRs.

The aim of this Program is to robustly engage communities in this process, with the understanding that the most effective plans are developed collaboratively, with the input of residents, subject-matter experts, and local stakeholders. In the planning world, oftentimes outside parties exclusively develop plans, and with perhaps only trivial or superficial consultation of residents and stakeholders. For a community plan to be truly effective, it must be developed in concert with the community it aims to serve.

That is why WCRP Program promotes a participatory planning, in which residents and stakeholders are involved and engage in all stages of the process – from initial conceptualization, goal setting, decision making, and prioritization of actions. Plans that are developed in a participatory manner and have the buy-in of residents and stakeholders are more likely to be implemented and followed, as opposed to remaining unfulfilled on a shelf.

CRP Development within the WCRP Program will generally progress according to the following sequence, with outreach and engagement prioritized throughout the process shown in Figure 1: WCRP Program Progression below:

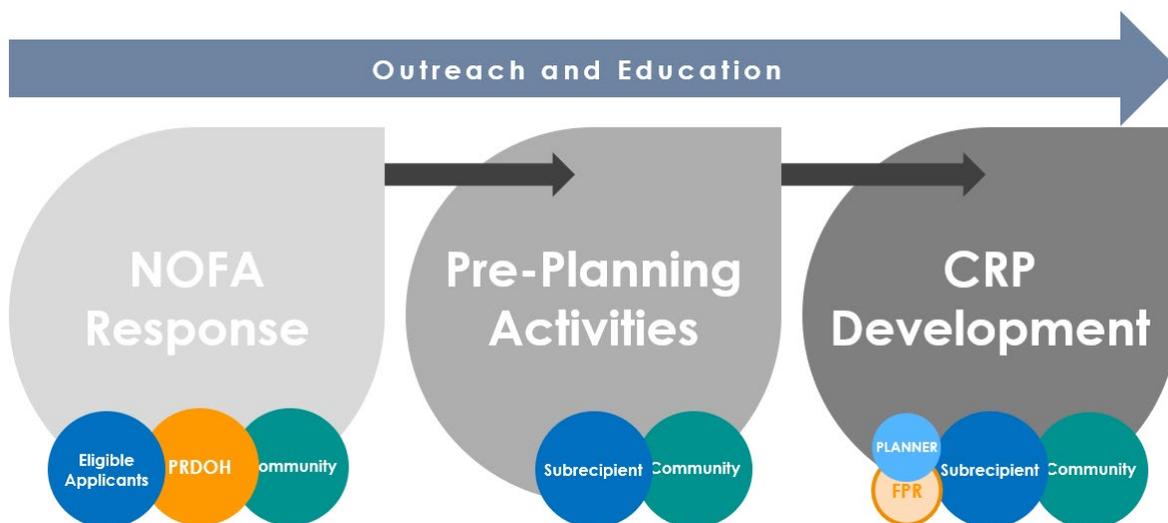


Figure 1: WCRP Program Progression

Outreach and Education

Outreach and education will be an ongoing offering throughout the WCRP Program process. FPR will create comprehensive outreach and educational strategies to implement Island-wide communication with high risk and vulnerable communities, promoting engagement and participation in the Program. This includes, but is not limited to, reviewing and validating community data; hosting public meetings with community stakeholders; organizing meetings in the municipalities; and distributing educational materials. This will be executed primarily through regional community outreach and planning teams.

Some components of this strategy include municipal orientation events on program guidelines and reimbursement requirements, and outreach efforts to promote municipal participation; designing and implementing a community outreach and engagement strategy with residents, municipal staff, and other stakeholders, including trainings on resilience and community planning; and identifying community assets to support the planning process and resilience tool development.

Notice of Funding Availability (NOFA) Response

During the NOFA response period, eligible Applicants will be invited to attend a Pre-Application Conference and respond to the WCRP Program NOFA. During the Pre-Application Conference, Applicants will gain an understanding of the WCRP Planning Framework, the Planning Milestones, and the Community Resilience Plan Template, and have an opportunity to ask questions related to funding and budget.

In the NOFA application, Applicants will be asked to provide an estimate of the number of high risk and vulnerable communities they intend to work with and organizational documentation demonstrating their capacity to manage the award. Each community will be automatically approved a budget of \$200,000 dollars. Additional amounts will be evaluated on a case by case basis, depending on the needs of each community up to a maximum of \$500,000 dollars as established in the current Action Plan.

For each community, applicants should provide a proposed sequencing of planned activities. As part of the application process, and prior to signing a Subrecipient Agreement (**SRA**), PRDOH will perform a capacity assessment of Selected Applicants. Applicants who have signed Subrecipient Agreements are considered Subrecipients.

Pre-Planning Activities

Subrecipients will work directly with high risk and vulnerable communities and community groups to develop Community Profiles, schedules for CRPs development, and Community Agreements. These documents will be submitted to PRDOH, who will assess these documents to determine if a Subrecipient may proceed with planning activities

and CRP Development. Since Subrecipients are expected to work with multiple communities, any timeframes, work schedules, and/or additional information regarding pre-planning activities will be further delimited in the SRAs, according to the number of communities per Subrecipient.

The Community Profile will be developed through a collaborative effort between the Subrecipient and the community and will follow a template provided by PRDOH. It will include a map and total population of the community area to be served, as well as additional information related to the community, including a description of the community's vulnerability, the resilience planning need, challenges that could affect the preparation of the CRP, and possible solutions and/or alternatives to resolve such risks. The community and Subrecipient will also develop a detailed schedule for CRP completion showing the progression of activities to ensure successful completion of the CRP.

The Community Agreement will establish a working relationship between the high risk and vulnerable community and the Subrecipient. PRDOH will provide a template for the Community Agreement, which will include a statement that establishes the willingness of community members to participate in the CRP Development process. This statement will be followed by the signatures of all committed community members. The Community Agreement will be submitted to PRDOH with the Community Profile as demonstration of the community's intent to collaborate and participate in the CRP Program. PRDOH will consider the level of community interest in participating, as demonstrated by the aforementioned documents, the vulnerability and resilience need of the community, the schedule for CRP Development and the capacity and specialty focus of the Subrecipient, and will issue a Notice to Proceed with Planning Activities.

CRP Development

Communities and Subrecipients will begin CRP Development when they receive the Notice to Proceed with Planning Activities. The CRP will follow the Planning Framework and will use a CRP Template provided by PRDOH. Planning activities will span the six (6) core areas of the WCRP Program: Economic Development, Education, Environment, Health, Housing, and Infrastructure.

The Planning Framework is a planning methodology defined by PRDOH. It includes four (4) phases:

- Phase 1 - Analyze existing conditions;
- Phase 2 - Perform a high risk and vulnerability assessment;
- Phase 3 - Define and prioritize resilience actions; and
- Phase 4 - Prepare a strategy for implementation of selected resilience actions.

The CRP Template will serve as the main guide to incorporate the results of each of the four (4) phases into a CRP document. The CRP document should incorporate as attachments all materials developed during Phases one (1) through four (4), including meeting minutes, tables, graphics, maps, photos, and other relevant materials.

PRDOH will use the following milestones to evaluate the progression and completion of CRPs.

- **Milestone 1: Participation Plan.** Development and presentation of mechanisms to support community participation and introduction to the planning process.
- **Milestone 2: Needs Assessment.** Development, evaluation, and presentation of data and existing conditions relative to the community.
- **Milestone 3: Analysis.** Analysis and presentation of impacts and stressors as well as susceptibility and sensitivity of community assets.
- **Milestone 4: Action Identification.** Development and presentation of the resilience actions.
- **Milestone 5: Implementation Plan.** Development of tools for the implementation and evaluation of the CRP.
- **Milestone 6: First Comments.** Presentation of the Plan's first draft for public comments.
- **Milestone 7: Second Comments.** Presentation of the CRP's final draft for public comments.
- **Milestone 8: Submission.** Final presentation and submission of the CRP Document to PRDOH.

The Planning Framework includes a Guideline for the Implementation of the Planning Milestones, providing greater description and evaluation criteria on each of these Milestones. This will be made available as a separate document.

FPR will be available to provide technical assistance to Subrecipients to provide greater understanding of the tools available for the development of CRP's. The technical assistance provided will focus on guidance with the implementation of the Planning Framework; compliance with the Planning Milestones, the use of resilience tools, associated data, and information; and other relevant topics to support CRP Development.

While the content and recommended strategies for recovery contained within CRPs are expected to vary by locality, the planning process will follow a consistent methodology that will result in an outcome of consistent format and structure.

4.2 Resilience Tools



Resilience tool development will be led by FPR. As part of the development of the resilience tools, FPR will assemble a Working Group composed of governmental, non-governmental, and not-for-profit entities representing the six (6) core areas of the WCRP Program to develop and manage the following resilience tools:

1. Social Capital Map (**SCM**);
2. Risk and Vulnerability Indicator (**RVI**); and
3. Community Resilience Webpage. The URL will be disclosed at the time the webpage goes live.

More information on each of these resilience tools is provided below.

Social Capital Map (SCM)

The WCRP Program's SCM will identify, aggregate, geolocate, and provide information on the existing social assets that allow a community to have knowledge of local resources and initiatives in their community. These resources and initiatives may include community-based organizations, local stakeholders, community organizers and elected officials, faith-based organizations, residents committee, cultural institutions, spaces, and other relevant public facilities. This information will be provided in dashboard format and will be published on the Community Resilience Webpage. It is intended to contribute to a sustained economic development and support local access to local resources and initiatives in communities.

Risk and Vulnerability Indicators (RVI)

The WCRP Program's RVI dashboard will identify, aggregate, and geolocate high risk and vulnerability indicators related to the six (6) core areas: Economic Development, Education, Environment, Health, Housing, and Infrastructure.

For this purpose, FPR and PRDOH will lead a Working Group composed of governmental, non-governmental, and not-for-profit entities representing the six (6) core areas of the WCRP Program. FPR, with the assistance of the Working Group, will identify data sets relevant to the core areas of focus, and recommend data collection and analysis processes. FPR will endeavor to collect identified datasets, perform analysis, and aggregate information into a Community-Based RVI Dashboard.

WCRP Program will prioritize the use of state and federal government datasets. Those state and federal government datasets that do not meet minimum information requirements, such as metadata standards, information on data collection and management, programming language, description, granularity, methodologies, etc., will not be used in the RVI.

Collected data will be aggregated and analyzed to create community vulnerability and resilience profiles using geo-referenced indicators to identify high risks and vulnerabilities of communities across Puerto Rico. It is the intention of the WCRP Program to make this information available to help guide current and future local, regional, and island-wide planning, recovery, mitigation, and resilience efforts. The dashboard and the information contained therein will be available to all communities via the Community Resilience Webpage, according to the terms of an executed Data Sharing Agreements.

Community Resilience Webpage

The WCRP Community Resilience Webpage will aggregate collected resilience data and studies and provide or enhance community access to it. These resources will provide backbone support and planning resources to communities across Puerto Rico, regardless of their local capacity or planning history, and will allow residents to participate in the resilience-building process more actively.

4.3 Shared Program Support Services

Shared Program Support Services will be available to reinforce planning processes requiring additional technical assistance or studies. Technical assistance may take the form of data analysis, planning research to support CRP Development, or working sessions. Technical support may also include revisions, feedback, or comments pertaining to the alignment of the CRP documents with the WCRP Program goals and objectives.

4.3.1 Foundation for Puerto Rico (FPR)

FPR will work as a partner and in close coordination with PRDOH in the WCRP Program. FPR will take the lead in the development of resilience tools for the WCRP Program and will also provide stakeholder engagement and implement outreach and educational strategies for high risk and vulnerable communities and Subrecipients.

FPR will also provide technical support to PRDOH, as needed, required and/or requested, by contributing to the Planning Framework, Planning Milestones, and the CRP Template. PRDOH, in collaboration with FPR, will make this technical assistance available to communities and Subrecipients to support their understanding in implementing the Planning Framework and CRP Template in their planning processes, as well as complying with the Planning Milestones toward completion of their respective CRPs. This technical assistance will focus on the use of resilience tools, associated data and information, the Planning Framework and Milestones, CRP Development, and other relevant topics related to the WCRP Program.

4.3.2 Planning Vendor

A Planning Vendor will be available to support communities and Subrecipients during the development of CRPs. These vendors will perform additional studies or provide expertise

as needed and/or requested. Additional technical assistance may take the form of data analysis, planning research to support CRP Development, or working sessions.

4.4 Roles and Responsibilities

Several entities and organizations will take part in the WCRP Program. *Figure 2: WCRP Program Structure* provides an illustration of the relationship of program stakeholders; PRDOH, FPR, and the Planning Vendor work with the Subrecipients and the communities to achieve the CRP deliverable. *Table 1: Roles and Responsibilities* describes roles and responsibilities for each of those stakeholders.

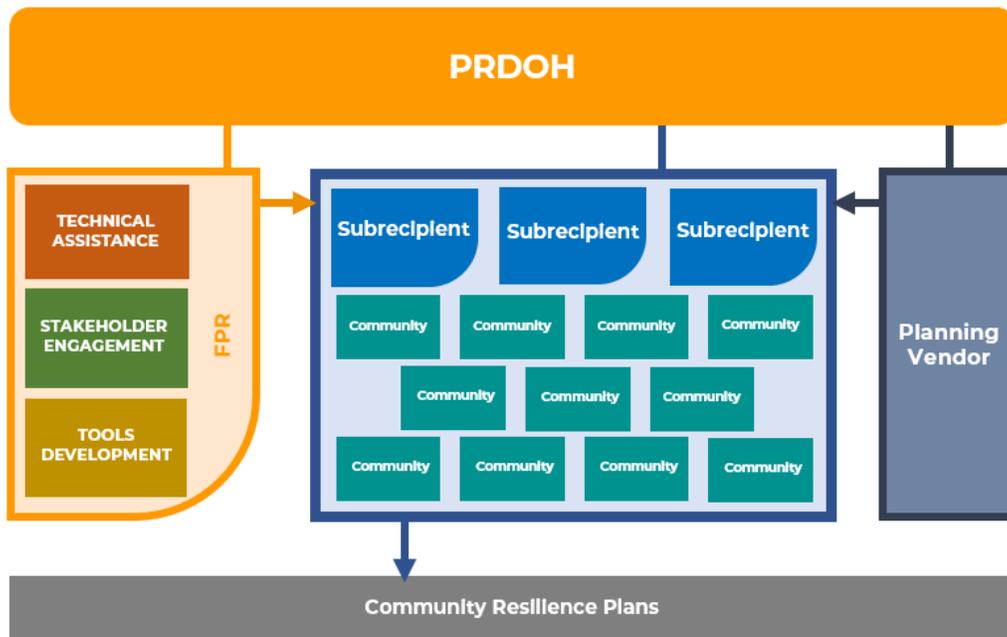


Figure 2: WCRP Program Structure

Table 1: Roles and Responsibilities

Entity	Role	Responsibilities
PRDOH	- Grantee - Program Manager	<ul style="list-style-type: none"> • Recipient of Federal Funds. • Publishes all programmatic documents. • Manages contracts and agreements with Subrecipients and procured service providers.
Community	- Beneficiary	<ul style="list-style-type: none"> • Works with Subrecipients during Pre-Planning activities. • Enters into Community Agreement with Subrecipient. • Actively participates with Subrecipient in Planning Activities for development of CRP.

Entity	Role	Responsibilities
		<ul style="list-style-type: none"> Engages with Subrecipient to identify additional technical assistance and studies as needed.
Applicant	- Apply for Funding	<ul style="list-style-type: none"> Attends mandatory Pre-Application Conference. Assesses internal capacity. Submits complete application for funding to develop CRPs in coordination with communities.
Subrecipient	- Selected Applicants who have been awarded planning funds	<ul style="list-style-type: none"> Enters into SRA with PRDOH. Works with Communities in Pre-planning activities. Enters into Community Agreement. Submits Community Profile and Agreement to PRDOH for consideration. Facilitates Planning Activities with Communities. Identifies additional studies as needed. Requests Technical Assistance as needed. Development and presentation of CRP.
Foundation for Puerto Rico (FPR)	Shared Program Support - Resilience tools development Lead - Engagement and Technical Assistance Lead	<ul style="list-style-type: none"> Leads resilience tool development for Communities, Subrecipients, and general public. Leads stakeholder engagement by implementing outreach and educational strategies. Supports and participates with PRDOH in the evaluation committee process of applications. Provides Technical Assistance to Subrecipients and Communities.
Planning Vendor	Shared Program Support - Planning Support - Specialty Studies	<ul style="list-style-type: none"> Perform additional studies or provide expertise as needed or requested.
Working Group (composed of representatives of the six (6) core areas of focus)	- Provide support, input, and guidance to FPR for the development of resilience tools	<ul style="list-style-type: none"> Identify and recommend RVI data sets related to the core areas of focus. Support development of a Data Validation Report. Support Social Capital Map with map-based data and contact information for known resources and NGO's. Support FPR with content creation for the communication and outreach materials.

5 Program Administration and Support

5.1 NOFA

PRDOH will publish a NOFA, wherein competitive applications may receive a planning award of up to \$200,000 per community, to develop CRPs. This award includes all services proposed as part of the NOFA. Applicants may apply for funding to work with multiple communities, as limited by their internal organizational, resource availability and fiscal capacity.

Additional funding may be approved for a community to receive specialty studies or planning services. These studies or services may be provided by the Subrecipient or by a Planning Vendor. However, the total funding amount of CRP Development and specialty studies or planning services may not exceed \$500,000 per community.

The NOFA will outline parameters for application, participation, and award caps. The publication of the NOFA may include templates with the purpose of leveling the playing field for all Applicants while preparing their application. PRDOH will convene an evaluation committee to evaluate and select awardees.

All planning-specific activities should be concluded within **nine (9) to twelve (12) months** from receipt of the Notice to Proceed from PRDOH. All program closeout activities must be concluded within **six (6) months** of the conclusion of all CRPs and final approval from PRDOH.

5.1.1 Use of Funds under the WCRP Notice of Funding Availability

Planning activities are limited to activities necessary to develop a comprehensive CRP or activities necessary to develop policy-planning-management capacity.

The WCRP Program is intended to provide funding for planning activities, including funding for Subrecipients or procured program support service providers to perform studies, analysis, and data gathering; prepare plans; identify actions that will implement plans; develop regulations, ordinances or codes, and build capacity.

The following costs are considered NOT eligible for funding or reimbursement: engineering, architectural, and design costs related to a specific project such as detailed engineering specifications and working drawings; construction or any costs of implementation of projects or plans; and costs not associated with the development of plans or other planning activities.

Detailed funding requirements will be provided in the NOFA.

5.1.2 Program Eligibility under the WCRP Program NOFA

The selection criteria to receive WCRP Program funding will be published as part of the NOFA guidelines. Eligible Applicants for the WCRP Program must be legally incorporated organizations of the following status:

- NGO or Not for Profit organizations which are tax-exempt organizations under Internal Revenue Code, 26 U.S.C. § 501 (a) (c)(3) and (6), or tax-exempt status under section 1101.01 of the Puerto Rico Internal Revenue Code of 2011, Act 1-2011, as amended, 13 LPRA § 30011.
 - Some examples may include mission-based non-profits whose purpose is to further a social cause and provide a public benefit, Professional Associations and Public or Not for Profit Institutions of Higher Learning.
- Community Based Development Organizations as defined by HUD per 24 C.F.R. § 570.204.
- Municipal Governments of Puerto Rico. Municipal governments may only apply to work with high risk and vulnerable communities that lay all or partially within their jurisdictional boundaries.

5.1.3 Application Process to the WCRP Program NOFA

To effectively manage and provide oversight to its WCRP Program, PRDOH will provide an online application and proposal tool where Applicants to the WCRP Program may provide information and upload all required document templates. Detailed application guidelines will be provided in the NOFA. The applications instructions and requirements in the NOFA must be strictly adhered to in order to avoid disqualification.

5.2 Request for Proposals (RFP)

PRDOH will publish an RFP to procure qualified planning vendors to support planning activities, as needed. These professional resources or vendors will be made available to Subrecipients and communities during the planning process and CRP Development phase. The professional services will be comprised of design, architecture, health professionals, IT, and engineering services, among other services. The RFP details will be provided in the published RFP.

6 Monitoring and Compliance for Awardees

PRDOH will ensure compliance with the approved grant activities, provide guidance and support for program implementation and monitor grant expenses to ensure compliance with all applicable rules and regulations. PRDOH will be responsible for the reimbursement of Subrecipients.

7 Environmental Review

The WCRP Program will develop comprehensive, community resilience strategies, which are exempt activities under 24 C.F.R. § 58.34 (a)(1) and (3), with the applicable requirements of 24 C.F.R. § 58.6. A Certificate of Exemption for HUD Funded Projects was signed on April 25th, 2019 for this purpose.

8 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. Any assistance determined to be duplicative must be deducted from the Program's calculation of the Applicant's total need prior to awarding assistance.

When possible, PRDOH will electronically verify disaster recovery assistance received through federally and locally maintained datasets, such as FEMA Individual Assistance (**IA**) and Small Business Administration (**SBA**) disaster home loan datasets.

The duplication of benefits guidance included in Federal Register Vol. 84, No. 119 (June 20, 2019), 84 FR 28836, supersedes the duplication of benefits guidance issued in Federal Register Vol. 76, No. 221 (November 16, 2011), 76 FR 71060 for CDBG-DR grants received in response to disasters declared between January 1, 2015 and December 31, 2021. As such, the duplication of benefits policy outlined in these guidelines follows the guidance issued in 84 FR 28836.

9 Program Closeout

All planning-specific activities should be concluded within **nine (9) to twelve (12) months** from receipt of the Notice to Proceed from PRDOH. All program closeout activities must be concluded within **six (6) months** of the conclusion of all CRPs and final approval from PRDOH.

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

General requirements for Program Closeout are as follows:

- All milestones have been met and deliverables submitted, and each in accordance with all requirements of this Program.

- All eligibility and DOB documentation are found to be in accordance with all requirements of this Program.
- All Program forms required throughout the entirety of the application process have been duly completed and executed by the appropriate parties, which may include program staff, the planning vendor, and the Applicant or Subrecipient.
- All funds used for the Program, whether CDBG-DR or received using a subrogation of funds, have been properly accounted for and reconciled with payments made to the corresponding parties, such as Subrecipient and procurement vendors.
- All payments have been issued to the Planning Vendor, including applicable retainages.
- Other requirements for closeout as established in the Subrecipient Agreement.

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

10 General Provisions

10.1 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.

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

10.2 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.

10.3 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-PR and DR-4339-PR. 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.

10.4 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 or the schedule of an individual construction project. The aforementioned strictly applies to program deadlines or established program terms. Under no circumstance(s) does the faculty to extend deadlines apply to the established terms of time in these guidelines or any applicable federal or state law or regulation, or to the terms of times established in these guidelines to request a Program-based Reconsideration, administrative review and/or judicial review.

10.5 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.

10.6 Written Notifications

All determinations made by the Program will be notified in writing. If an applicant believes that any determination was made without being written, the applicant may request that such decision be made in writing and duly substantiated.

10.7 Conflict of Interest

As stated in the Federal Register Vol. 83, No. 28 (February 9, 2018), 83 FR 5844, Federal regulations require that State grantees, in the direct Grant administration and means of carrying out eligible activities, be responsible with program administrative requirements, including those established in 24 C.F.R. §570.489(h) related to conflicts of interest.

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

1. HUD conflict of interest regulations, 24 C.F.R. §570.611 and 24 C.F.R. §85.36;
2. The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200 at § 200.112 and §200.318 (c)(1);
3. Puerto Rico Department of Housing Organic Act, Act 97 of June 10, 1972, as amended, 3 L.P.R.A. § 441 *et seq.*;
4. The Anti-Corruption Code for the New Puerto Rico, Act No. 2-2018, as amended, 3 L.P.R.A. § 1881 *et seq.*; and
5. The Puerto Rico Government Ethics Act of 2011, Act 1-2012, as amended, 3 L.P.R.A. § 1854 *et seq.*

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

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

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

According to the aforementioned Act, no public servant shall intervene, either directly or indirectly, in any matter in which they have a conflict of interests that may result in their benefit. No public servant shall intervene, directly or indirectly, in any matter in which any member of their family unit, relative, partner or housemate has a conflict of interest that may result in benefit for any of the abovementioned. In the case that any of the

abovementioned relationships have ended during the two (2) years preceding the appointment of the public servant, they shall not intervene, either directly or indirectly, in any matter related to them until two (2) years have elapsed after their appointment. This prohibition shall remain in effect insofar the beneficial ties with the public servant exist. Once the beneficial ties end, the public servant shall not intervene, either directly or indirectly, in such matter until two (2) years have elapsed.

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

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

10.8 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.

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

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

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

10.9 Citizen Complaints

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

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

- **Via email at:** LegalCDBG@vivienda.pr.gov
- **Online at:** <https://cdbg-dr.pr.gov/en/complaints/> (English)
<https://cdbg-dr.pr.gov/quejas/> (Spanish)
- **In writing at:** Puerto Rico CDBG-DR Program
Attn: CDBG-DR Legal Division-Complaints
P.O. Box 21365
San Juan, PR 00928-1365

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

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

*Attention hours: Monday – Friday from 8:00 a.m. to 5:00 p.m.³

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

³ Hours may vary due to COVID-19. PRDOH recommends calling ahead prior to arrival to corroborate.

10.10 Anti-Fraud, Waste, Abuse or Mismanagement

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

Pursuant to 83 FR 40314, PRDOH implements adequate measures to detect and prevent fraud, waste, abuse, or mismanagement in all programs administered with CDBG-DR funds as well as encourages any individual who is aware or suspects any kind of conduct or activity that may be considered an act of fraud, waste, abuse, or mismanagement, regarding the CDBG-DR Program, to report such acts to the CDBG-DR Internal Audit Office, directly to the Office of Inspector General (**OIG**) at HUD, or any local or federal law enforcement agency.

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

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

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

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

10.11 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.

10.12 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; civil rights; fair housing; among others. The requirements described in the above referenced Cross-Cutting Guidelines, apply to all programs described in PRDOH's CDBG-DR Initial Action Plan and its amendments.

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

11 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.

12 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.