

**BUDGET INFORMATION - Non-Construction Programs**

1. Program/Project Identification No. EE0010018		2. Program/Project Title Weatherization Assistance Program: Bipartisan Infrastructure Law	
3. Name and Address State of Texas P.O. BOX 13941 Austin, TX 787113941	4. Program/Project Start Date 07/01/2022		5. Completion Date 06/30/2027

**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Federal Catalog No. (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Federal	81.042	\$ 0.00		\$ 173,162,598.00		\$ 173,162,598.00
2.						
3.						
4.						
5. TOTAL		\$ 0.00	\$ 0.00	\$ 173,162,598.00	\$ 0.00	\$ 173,162,598.00

**SECTION B - BUDGET CATEGORIES**

6. Object Class Categories	Grant Program, Function or Activity				Total (5)
	(1) GRANTEE ADMINISTRATI ON	(2) GRANTEE T&TA	(3) SUBGRANTEE ADMINISTRATI ON	(4) SUBGRANTEE T&TA	
a. Personnel	\$ 5,648,308.00	\$ 4,452,852.00	\$ 0.00	\$ 0.00	\$ 10,101,160.00
b. Fringe Benefits	\$ 1,965,611.00	\$ 1,549,592.00	\$ 0.00	\$ 0.00	\$ 3,515,203.00
c. Travel	\$ 38,940.00	\$ 207,430.00	\$ 0.00	\$ 0.00	\$ 246,370.00
d. Equipment	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
e. Supplies	\$ 5,000.00	\$ 10,000.00	\$ 0.00	\$ 0.00	\$ 15,000.00
f. Contract	\$ 0.00	\$ 2,625,000.00	\$ 12,994,198.00	\$ 7,707,955.00	\$ 153,544,833.00
g. Construction	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
h. Other Direct Costs	\$ 1,122,000.00	\$ 22,005.00	\$ 0.00	\$ 0.00	\$ 1,144,005.00
i. Total Direct Charges	\$ 8,779,859.00	\$ 8,866,879.00	\$ 12,994,198.00	\$ 7,707,955.00	\$ 168,566,571.00
j. Indirect Costs	\$ 2,569,980.00	\$ 2,026,047.00	\$ 0.00	\$ 0.00	\$ 4,596,027.00
k. Totals	\$ 11,349,839.00	\$ 10,892,926.00	\$ 12,994,198.00	\$ 7,707,955.00	\$ 173,162,598.00
7. Program Income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

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	5. Completion Date 06/30/2027		

SECTION A - BUDGET SUMMARY						
Grant Program Function or Activity (a)	Federal Catalog No. (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.						
2.						
3.						
4.						
5. TOTAL		\$ 0.00	\$ 0.00	\$ 173,162,598.00	\$ 0.00	\$ 173,162,598.00

SECTION B - BUDGET CATEGORIES					
6. Object Class Categories	Grant Program, Function or Activity				Total (5)
	(1) PROGRAM OPERATIONS	(2) HEALTH AND SAFETY	(3) FINANCIAL AUDITS	(4) LIABILITY INSURANCE	
a. Personnel	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 10,101,160.00
b. Fringe Benefits	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 3,515,203.00
c. Travel	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 246,370.00
d. Equipment	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
e. Supplies	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 15,000.00
f. Contract	\$ 109,984,326.00	\$ 19,408,999.00	\$ 110,000.00	\$ 714,355.00	\$ 153,544,833.00
g. Construction	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
h. Other Direct Costs	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,144,005.00
i. Total Direct Charges	\$ 109,984,326.00	\$ 19,408,999.00	\$ 110,000.00	\$ 714,355.00	\$ 168,566,571.00
j. Indirect Costs	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 4,596,027.00
k. Totals	\$ 109,984,326.00	\$ 19,408,999.00	\$ 110,000.00	\$ 714,355.00	\$ 173,162,598.00
7. Program Income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

**U.S. Department of Energy  
WEATHERIZATION ASSISTANCE PROGRAM (WAP)  
WEATHERIZATION ANNUAL FILE WORKSHEET**

**(Grant Number: EE0010018, State: TX, Program Year: 2022)**

**IV.1 Subgrantees**

<b>Subgrantee (City)</b>	<b>Planned Funds/Units</b>
Alamo Area Council of Governments (San Antonio)	\$2,253,259.00 184
BakerRipley (Houston)	\$3,266,399.00 284
Brazos Valley Community Action Program (College Station)	\$1,099,449.00 69
Combined Community Action, Inc. (Giddings)	\$834,150.00 43
Community Action Committee of Victoria Texas (Victoria)	\$1,025,964.00 62
Community Action Corporation of South Texas (Alice)	\$2,949,096.00 253
Community Council of South Central Texas, Inc (Seguin)	\$1,098,175.00 69
Concho Valley Community Action Agency (San Angelo)	\$749,891.00 35
Dallas County Health & Human Services (Dallas)	\$2,183,010.00 177
Economic Opportunities Advancement Corporation (Waco)	\$985,650.00 58
El Paso Community Action Program, Project Bravo (El Paso)	\$1,385,610.00 98
Fort Worth, City of (Fort Worth)	\$1,464,757.00 106
Greater East Texas Community Action Program (Nacogdoches)	\$2,486,202.00 207
Hill Country Community Action Association, Inc. (San Saba)	\$954,157.00 55
Nueces County Community Action Agency (Corpus Christi)	\$706,581.00 30
Panhandle Community Services (Amarillo)	\$965,785.00 56
Performance Based Awards (Austin)	\$30,183,967.00 3,015
Rolling Plains Management Corporation (Crowell)	\$1,321,667.00 92
South Plains Community Action Association, Inc. (Levelland)	\$906,437.00 50
Statewide Provider(s) (Austin)	\$90,551,899.00 8,967
Texoma Council of Governments (Sherman)	\$1,558,047.00 115
Travis County Health and Human Services and Veterans Services (Austin)	\$1,030,670.00 63
West Texas Opportunities (Lamesa)	\$959,011.00 56
<b>Total:</b>	<b>\$150,919,833.00</b> <b>14,144</b>

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WEATHERIZATION ASSISTANCE PROGRAM (WAP)  
WEATHERIZATION ANNUAL FILE WORKSHEET**

**(Grant Number: EE0010018, State: TX, Program Year: 2022)**

**IV.2 WAP Production Schedule**

Weatherization Plans		Units
Total Units (excluding reweatherized)		14,144
Reweatherized Units		0
Average Unit Costs, Units subject to DOE Project Rules		
<b>VEHICLE &amp; EQUIPMENT AVERAGE COST PER DWELLING UNIT (DOE RULES)</b>		
A	Total Vehicles & Equipment (\$5,000 or more) Budget	\$0.00
B	Total Units Weatherized	14,144
C	Total Units Reweatherized	0
D	Total Dwelling Units to be Weatherized and Reweatherized (B + C)	14,144
E	Average Vehicles & Equipment Acquisition Cost per Unit (A divided by D)	\$0.00
<b>AVERAGE COST PER DWELLING UNIT (DOE RULES)</b>		
F	Total Funds for Program Operations	\$109,984,326.00
G	Total Dwelling Units to be Weatherized and Reweatherized (from line D)	14,144
H	Average Program Operations Costs per Unit (F divided by G)	\$7,776.04
I	Average Vehicles & Equipment Acquisition Cost per Unit (from line E)	\$0.00
J	Total Average Cost per Dwelling (H plus I)	\$7,776.04

**IV.3 Energy Savings**

Method used to calculate savings: <input checked="" type="checkbox"/> WAP algorithm <input type="checkbox"/> Other (describe below)				
		Units	Savings Calculator (MBtus)	Energy Savings
	This Year Estimate	14144	29.3	414419
	Prior Year Estimate	1269	29.3	37182
	Prior Year Actual	590	29.3	17287
<b>Method used to calculate savings description:</b>				
NA				

**IV.4 DOE-Funded Leveraging Activities**

NA

**IV.5 Policy Advisory Council Members**

Check if an existing state council or commission serves in this category and add name below

Combined Community Action Inc.	Type of organization: Non-profit (not a financial institution) Contact Name: Kelly Franke Phone: (979)540-2985 Email: <a href="mailto:KJFranke@ccaction.com">KJFranke@ccaction.com</a>
Greater East Texas Community Action Program	Type of organization: Non-profit (not a financial institution) Contact Name: Karen Swenson, Executive Director Phone: 9365642491 Email: <a href="mailto:kswenson@get-cap.org">kswenson@get-cap.org</a>
	Type of organization: Unit of State Government

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Health and Human Services Commission	Contact Name: Keely Lee Phone: 5122065649 Email: <a href="mailto:keely.lee@hhs.texas.gov">keely.lee@hhs.texas.gov</a>
Ysleta Del Sur Pueblo-tigua Indian Reservation	Type of organization: Indian Tribe Contact Name: Albert Alvidrez Phone: 9158344925 Email: <a href="mailto:albert.alvidrez@tdhca.state.tx.us">albert.alvidrez@tdhca.state.tx.us</a>

**IV.6 State Plan Hearings (Note: attach notes and transcripts to the SF-424)**

Date Held	Newspapers that publicized the hearings and the dates the notice ran
05/12/2022	TDHCA Board of Directors authorizes release of the DOE BIL WAP State Plan for public comment and public hearing.
09/16/2022	Draft DOE BIL WAP State Plan and notice of public hearing posted on the TDHCA website; public listserv announcement sent announcing availability of Plan and public hearing details. Announcement of public hearing published in Texas Register.
09/18/2022	Public comment period for the Plan begins at 8AM (CST).
09/28/2022	Public hearing webinar for the DOE BIL WAP State Plan. Conducted virtually in accordance with DOE guidance. Comment period ends at 5PM (CST).
09/29/2022	DOE BIL WAP PAC meeting held regarding the Plan and review of public comment.
09/30/2022	Final DOE BIL WAP State Plan submitted to DOE via PAGE.

**IV.7 Miscellaneous**

<p><b>Recipient Business Officer</b> Michael De Young <a href="mailto:Michael.deyoung@tdhca.state.tx.us">Michael.deyoung@tdhca.state.tx.us</a> 221 East 11th Street Austin, Texas 78701 (512) 475-2125</p> <p><b>Recipient Principal Investigator</b> Gavin Reid <a href="mailto:gavin.reid@tdhca.state.tx.us">gavin.reid@tdhca.state.tx.us</a> 221 East 11th Street Austin, Texas 78701 (512) 936-7828</p> <p><b>Policy Advisory Council</b> The Weatherization Assistance Program Policy Advisory Council (PAC) currently has four slots and is representative of organizations and agencies and provides balance, background, and sensitivity with respect to solving the problems of low-income persons, including weatherization and energy conservation problems. The PAC met at the end of the Plan's public hearing period to discuss the DOE plan and comments received. The PAC approved the Plan for submittal to DOE.</p> <p>Two of the slots, filled by the PAC members from Combined Community Action and the Greater East Texas Community Action Program, represent the low-income, elderly, and disabled population. The third slot, filled by the PAC member from the Texas Health and Human Services Commission, represents the low-income, elderly and persons with disabilities. A fourth slot representing Native Americans is occupied by a member of the Ysleta Del Sur Pueblo-Tigua Indian Reservation.</p> <p><b>Liability Insurance</b> The liability insurance separate line item includes pollution occurrence insurance in addition to the general liability insurance. Most regular liability insurance policies do not provide coverage for potential effects of many health and safety measures, such as lead disturbances and other pollution occurrence items. The Department strongly recommends the Subgrantees require their contractors to carry pollution occurrence insurance to avoid liability for any mistakes the contractors may make. Each Subgrantee should get a legal opinion regarding the best course to take for implementing the pollution occurrence insurance coverage.</p> <p><b>Davis Bacon Act (DBA) Compliance</b></p>
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**WEATHERIZATION ANNUAL FILE WORKSHEET**

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Any BIL funded weatherization work on multifamily buildings with no fewer than 5 units will be required to pay wages to all laborers and mechanics engaged in the construction, alteration, or repair of those multifamily buildings. Laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill. Wage determinations can be found at <https://sam.gov/content/wage-determinations>. If a contractor is found to be in violation of the DBA, they will be debarred and ineligible for future contracts. Subgrantees performing weatherization work with BIL funds on buildings of 5 or more units will be monitored for compliance with DBA in accordance with the monitoring schedule attached to this Plan.

**Buy American**

The Department and its Subgrantees will follow DOE guidance as it pertains to domestic preference of materials and equipment. At the time of development of this Plan, DOE guidance is pending.

**Statewide/Regional Provider(s) Plan:**

The Department subcontracts with a network of Subgrantees that provide WAP services. This network is comprised of community action agencies (CAAs), regional Councils of Government (COGs), and organizations in other public or private nonprofit entity categories. Because the DOE BIL WAP award is more than 20 times the typical annual DOE WAP grant, the Department plans to procure a statewide or regional weatherization service provider(s) to augment the work of the network.

The statewide or regional WAP provider(s) will be allocated BIL WAP funding only. No funding from the regular DOE annual grants will be allocated to the selected provider(s). The statewide/regional provider(s) will be issued direct BIL WAP funding in an amount that is proportional to the service area for which they apply and are awarded (i.e., statewide or regional) according to the formula in 10 TAC §6.404. 60% of the total amount of BIL WAP funds are reserved in the budget for the statewide/regional provider(s) with the potential to receive an additional 20% based on performance (i.e., meeting production benchmarks). The selected provider(s) may also be allocated any voluntarily relinquished or deobligated BIL WAP funds from Subgrantees' BIL WAP allocations to ensure full utilization of BIL WAP funds, thereby reducing the likelihood of carryover and/or return of BIL WAP funds.

At the time of BIL WAP Plan development, the Department is in the process of drafting a Request for Proposal (RFP) to competitively identify one or more providers to perform multifamily (and possibly single family) weatherization activities. The goal is to have one or more providers covering certain areas of the state to augment and supplement the work of the network in its utilization of BIL WAP funds. The statewide/regional provider(s) will comply with all Federal and State regulations while performing intake for household eligibility, outreach and work with multifamily property owners to assess and weatherize dwelling units. Currently, the plan is to have the provider(s) initially perform only multifamily weatherization activities with a possible transition to single family activities. For multifamily, the provider(s) will identify eligible multifamily properties, confirm household eligibility, perform initial determination of weatherization work to be performed, perform said weatherization, work closely with multifamily property owners, and ensure all DOE, 2 CFR and Texas Administrative Code requirements are met. The plan, at least initially, is to not allow the statewide/regional provider(s) to perform single family activities in areas of the state where Subgrantees are successful. The Department is seeking provider(s) which will have competent and qualified (certified) staff, knowledge of current weatherization measures and other federal requirements (Davis-Bacon) as well as an ability and capacity to perform at a rate that expends the BIL WAP funds allocated to them. To ensure duplication of weatherization benefits does not occur, the statewide/regional provider(s) and Subgrantee operating within the same service area will each check the Previously Weatherized Database in the Community Affairs Contract System to be sure that a household which has been weatherized in the past 15 years or is currently in the process of being weatherized will not receive additional weatherization assistance. In addition to checking the Previously Weatherized Database in the Contract System, Subgrantees and the statewide/regional provider(s) will be required to ask clients at client intake if they've received weatherization assistance in the past or have recently applied for weatherization assistance elsewhere.

An approximate timeline in the procurement and administration of the statewide/regional provider(s) is as follows; however, these dates and numbers are subject to change:

Posting Date for RFP: February 2023

Response Date for RFP: April 2023

Selection of Provider: May 2023

Contract Start Date: June 2023

Staffing/Process Development: July 2023

Multifamily Weatherization Start: August 2023

10% Units (897 units) Weatherized: December 2023

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25% Units (2,242 units) Weatherized: April 2024

50% Units (4,484 units) Weatherized: September 2024

80% Units (7,174 units) Weatherized: February 2025

Contract Ends: June 2025 – 8,967 Units Weatherized

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**STATE PLAN/MASTER FILE WORKSHEET**

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This worksheet should be completed as specified in Section III of the Weatherization Assistance Program Application Package.

**V.1 Eligibility**

**V.1.1 Approach to Determining Client Eligibility**

Provide a description of the definition of income used to determine eligibility

Eligibility for program assistance is determined under the Federal Poverty Income Guidelines and calculated as described in 10 TAC §6.4. TDHCA conforms to WPN 22-3.

Describe what household eligibility basis will be used in the Program

During the application process, households will be screened for DOE Weatherization benefits and determined eligible if their income is at or below 200% of the Federal Poverty Income Guidelines. Categorical eligibility exists when at least one person in the household receives assistance payments under Title IV or XVI of the Social Security Act at any time during the 12-month period preceding the determination of eligibility. An applicant may also be categorically eligible if the applicant at the time of certification of eligibility is concurrently meeting the income requirements in a HUD means-tested program. Application eligibility expires 12 months from certification of eligibility date if work on dwelling unit has not been initiated.

Describe the process for ensuring qualified aliens are eligible for weatherization benefits

The Welfare Reform Act, officially referred to as the Personal Responsibility and Work Opportunity Act of 1996, H.R. 3734, placed specific restrictions on the eligibility of aliens for "Federal means-tested public benefits" for a period of five years. As defined in a Federal Register notice dated August 26, 1997 (62 FR 45256) the Department of Health and Human Services (HHS) is interpreting "Federal means-tested public benefits" to include only those benefits provided under Federal means-tested, mandatory spending programs. HHS Information Memorandum LIHEAP-IM-25 dated August 28, 1997, states that all qualified aliens, regardless of when they entered the U.S., continue to be eligible to receive assistance and services under the Low-Income Home Energy Assistance Program (LIHEAP) if they meet other program requirements.

To ensure program continuity between LIHEAP and DOE Weatherization for all Subgrantees operating both programs, the DOE Weatherization Assistance Program will follow the interpretation as adopted by HHS. The Department uses the Systematic Alien Verification for Entitlements (SAVE) to determine whether an alien is qualified or unqualified for this program. The Department has provided training and will continue to provide training to Subgrantees who use the SAVE system to verify legal status.

The DOE and LIHEAP WAP are in compliance with LIHEAP-IM-99-10, issued June 15, 1999, which states that weatherization in a multifamily building is not a covered activity for status verification.

**V.1.2 Approach to Determining Building Eligibility**

Procedures to determine that units weatherized have eligibility documentation

TDHCA and subgrantees conform to WPN 22-3. Dwelling Units that can be weatherized include a house, stationary mobile home, an apartment, a group of rooms, or a single room occupied as separate living quarters. For DOE WAP, a Household is an individual or group of individuals, excluding unborn children, who are living together as one economic unit in a Dwelling Unit. A Household whose total combined annual income is at or below 200% of the Federal Poverty Income guidelines, or a Household who is Categorically Eligible; is considered to be eligible. It is the subgrantee's responsibility to establish Dwelling Unit ownership through collected documentation at time of application and determine applicant income eligibility according to [10 TAC §6.4](#) (Income Determination) and [10 TAC §6.406](#) (Subrecipients Requirements for Establishing Priority for Eligible Households and Customer Eligibility).

For multifamily/shelter applications, it is a subgrantee requirement to apply the additional eligibility requirements for multifamily dwelling units and shelters according to [10 TAC §6.414](#) (Eligibility for Multifamily Dwelling Units and Shelter).

Subgrantees maintain a client file for each unit weatherized, including documented proof that the Dwelling Unit is an eligible Dwelling Unit as defined above. The Department verifies that subgrantees have taken the proper steps to ensure that weatherized units are eligible, and review the documentation during their annual monitoring reviews.



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Describe Reweathering compliance

Texas permits reweatherization of a unit if 15 years have passed from the unit's previous weatherization completion date in accordance with the Consolidated Appropriations Act of 2021 below. Otherwise, a unit may only be re-weatherized if such dwelling unit has been damaged by fire, flood, or an act of God and repair of the damage to weatherization materials is not paid for by insurance, per 10 CFR §440.18(f)(2)(ii).

Language from the Consolidated Appropriations Act of 2021 (Page 3269):

AMENDING RE-WEATHERIZATION DATE.—Paragraph (2) of section 415(c) of the Energy Conservation and Production Act (42 U.S.C. 6865(c)) is amended to read as follows:

(2) Dwelling units weatherized (including dwelling units partially weatherized) under this part, or under other Federal programs (in this paragraph referred to as 'previous weatherization'), may not receive further financial assistance for weatherization under this part until the date that is 15 years after the date such previous weatherization was completed. This paragraph does not preclude dwelling units that have received previous weatherization from receiving assistance and services (including the provision of information and education to assist with energy management and evaluation of the effectiveness of installed weatherization materials) other than weatherization under this part or under other Federal programs, or from receiving non-Federal assistance for weatherization."

Previously Weatherized Home Tracking Procedure

Previously weatherized homes and their completion dates are recorded and tracked in the TDHCA Community Affairs Contract System's Previously Weatherized Database by subgrantees and verified by TDHCA through monitoring.

Describe what structures are eligible for weatherization

10 TAC §6.2 and §6.403 includes the following definitions which describe structures eligible for weatherization:

Dwelling Unit--A house, including a stationary mobile home, an apartment, a group of rooms, or a single room occupied as separate living quarters. (This is the same as the definition for Dwelling Unit in 10 CFR §440.3 Definitions)

Multifamily Dwelling Unit--A structure containing more than one Dwelling Unit.

Rental Unit--A Dwelling Unit occupied by a person who pays rent for the use of the Dwelling Unit.

Shelter--A Dwelling Unit or Units whose principal purpose is to house on a temporary basis individuals who may or may not be related to one another and who are not living in nursing homes, prisons, or similar institutional care facilities.

Single Family Dwelling Unit--A structure containing no more than one Dwelling Unit.

Buildings with more than one Dwelling Unit under one roof must follow 10 TAC §6.414, Eligibility for Multifamily Dwelling Units and Shelters.

TDHCA and subgrantees adhere to the restrictions of historic preservation and Section 106 of the National Historic Preservation Act through its DOE executed Programmatic Agreement, executed on October 5, 2020, and valid through December 31, 2030.

Subgrantees must ensure that all weatherization activities are allowable.

Describe how Rental Units/Multifamily Buildings will be addressed

In accordance with 10 CFR §440.22(b)(3), the Department requires that Subgrantees keep on file signed documentation found on the Department's WAP Program Guidance webpage (i.e., Landlord Permission to Perform Assessment and the Multi-Family Project/Preparation Completion Checklist) that addresses protection of renters' rights to ensure:

- Written permission of the building owner or his agent before commencing work.
- Cash/in-kind contribution from building owner when feasible.

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- Benefits of the services accrued primarily to the low-income tenants residing in such units.
- For a reasonable period of time after completion, the household will not be subjected to rent increases (unless those increases are demonstrably related to other matters other than the weatherization work performed).
  - There are adequate procedures whereby the Grantee can receive tenant complaints and owners can appeal, should rental increases occur.
- No undue or excessive enhancement shall occur to the value of the Dwelling Unit.
- To secure the federal investment and to address issues of eviction from and sale of property, per 10 CFR §440.22(c), Grantees may seek landlord agreement to placement of a lien (or other contractual restrictions) upon the property being weatherized.

The Department will abide by 10 CFR §440.22, ensuring that not less than 66% of the eligible building units (50% for duplexes and four-unit buildings, and certain eligible types of large multifamily buildings) are dwelling units occupied by low-income households, or will become occupied by low-income households, within 180 days under a Federal, State or local government program for rehabilitating the building or making similar improvements. WPN 22-05 provides guidance on the review and verification required for Department of Housing and Urban Development (HUD). Assessments and client file documentation for rental units and multifamily units are also detailed in the Multifamily Weatherization Best Practice posted on the Department's website at:

<https://www.tdhca.state.tx.us/community-affairs/wap/wap-best-practices.htm>

In order to weatherize large multifamily buildings containing 25 or more dwelling units or those with shared central heating (e.g., boilers) and/or shared cooling plants (e.g., cooling tower that use water as the coolant) regardless of the number of dwelling units, Subgrantees must obtain prior written approval through the Department. When necessary, the Department will seek DOE approval.

Subgrantees must submit to the Department a request for approval to weatherize large multifamily buildings. Request for permission must include evidence of significant energy savings because of upgrades to equipment, energy systems, common space, or the building shell. A significant energy savings is defined as having an SIR of 1.0 or greater in the energy audit.

**Describe the deferral Process**

Deferral of a dwelling unit can occur when an otherwise eligible dwelling unit (e.g., income eligible) cannot receive weatherization services due to certain occupant issues or dwelling characteristics that are beyond the scope of the weatherization program. A Dwelling Unit shall not be weatherized when there is a potentially harmful situation that may adversely affect the occupants or the Subgrantee's weatherization crew and staff, or when a Dwelling Unit is found to have structural concerns that render the Dwelling Unit unable to benefit from weatherization. The Subgrantee must declare their intent to defer weatherization on an eligible unit on the assessment form. The assessment form must include the client's name and address, dates of the assessment, and the date on which the client was informed of the issue in writing. A written notice is required to be given to the client and must include a clear description of the issue(s) causing deferral, conditions under which weatherization could continue, the responsibility of all parties involved, any rights or options the client has (e.g., appeals process), and the process by which the client may re-apply upon requalification for weatherization. A copy of the notice must be signed by the Subgrantee and placed in the client application file while documenting the date it was sent/provided to the client. Only after the issue has been corrected to the satisfaction of the Subgrantee shall weatherization work begin. Subgrantees shall maintain a deferral tracking list which documents all deferrals and their status within the respective service area.

If structural concerns or health and safety issues identified (which would be exacerbated by any weatherization work performed) on an individual unit cannot be abated within program rules or within the allowable WAP limits, the unit exceeds the scope of this program.

Crewmembers or contractors who work on a unit that could or should be a deferral or walk-away do so at their own risk.

**V.1.3 Definition of Children**

Definition of children (below age): **19**

**V.1.4 Approach to Tribal Organizations**

Recommend tribal organization(s) be treated as local applicant?

If YES, Recommendation. If NO, Statement that assistance to low-income tribe members and other low-income persons is equal.

The 70th Texas Legislature created the Native American Restitutionary Program (Oil Overcharge Restitutionary Act, Texas Government Code, Chapter 2305) for the purposes of providing oil overcharge restitution to Texas Native Americans. In the Texas WAP, the Native-American Indian population is treated and served in the same manner as other applicants.

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**V.2 Selection of Areas to Be Served**

The Texas WAP is available to eligible low-income households in all 254 counties of the state. Subgrantees are held responsible for all intake, eligibility, and weatherization activities. If the Subgrantee's performance record is satisfactory according to both state and federal regulations, then the Department may offer to renew the contract if the Subgrantee so desires. The Department's award committee may decline to recommend an award or place conditions on an award based upon its previous participation review as outlined in 10 TAC §1.302.

New or additional DOE subgrantees for counties that become unserved by the DOE WAP will be selected according to DOE regulations found in 10 CFR§440.15 and 10 TAC §1.302. If the Department determines it is necessary to permanently reassign a service area to a new subgrantee, the subgrantee will be chosen in accordance with 10 CFR §440.15 and 10 TAC §1.411. A new or additional subgrantee is defined as a CAA or other public or nonprofit entity that is not currently operating a Department-funded Weatherization Assistance Program. All counties are served by 21 Subgrantees.

The Department may deobligate all or part of the funds provided under this contract as outlined in 10 TAC §6.405 and 10 TAC §1.411. A Subgrantee's failure to expend the funds provided under this State plan in a timely manner may also result in the Subgrantee's ineligibility to receive additional funding during the program year.

**Formula Distribution**

The Department updates the budget allocation proportion by county and Subgrantee based on poverty income, elderly poverty, median household income (from the most recent decennial U.S. Census data), and climate data (from the National Climatic Data Center, Climate Normals, 2010), as outlined in 10 TAC §6.404.

The Department allocates funds to Subgrantees by applying a formula based upon the DOE allocation for program year; or if the allocation amount is not known, based on an assumption of level funding from the previous program year. Once the allocation amount is known, the formula is re-run. The allocation formulas reflect the most recent decennial U.S. Census data. If any carryover funds are available, they will be distributed by allocation formula and used to increase the number of units to be weatherized. The Department will adjust guidance to reflect the adjusted average expenditure limit per unit for the program year.

The fund allocations for individual service areas are determined by a 5-factor distribution formula as outlined in 10 TAC §6.404:

- (1) Number of non-elderly poverty households per county;
- (2) Number of elderly poverty households per county;
- (3) Median income variance per county;
- (4) Inverse poverty household density ratio per county; and
- (5) County Weather Factor (Heating/Cooling Degree days per county) as a portion of State County Weather.

**V.3 Priorities**

The Department will ensure by contract that its Subgrantees give priority to weatherizing dwellings owned or occupied by low-income persons who are particularly vulnerable such as the Elderly, Persons with Disabilities, Families with Young Children, Households with High Energy Burden, and Households with High Energy Consumption. Applicants from these groups must be placed at the top of a Subgrantee's waiting list. The Department ensures that Subgrantees give proper attention to these requirements through monitoring/evaluation of the Subgrantee.

**V.4 Climatic Conditions**

The climatic conditions for the State of Texas are imbedded in the algorithms of the Weatherization Assistant (WA 8.9) energy audit software developed by the Oak Ridge National Laboratory for the Department of Energy. As part of the energy audit modeling, the Department requires Subgrantees to select the nearest

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weather station to the dwelling units. The Weather files imbedded in the WA 8.9 contains 30 year data of Heating and Cooling degree days for each weather station.

As described in the report prepared by the Pacific Northwest National Laboratory for the Department of Energy, the state of Texas has several IECC climate zones. [https://www.energy.gov/sites/prod/files/2015/10/f27/ba\\_climate\\_region\\_guide\\_7.3.pdf](https://www.energy.gov/sites/prod/files/2015/10/f27/ba_climate_region_guide_7.3.pdf)

These climate zones are used as an aid in helping Subgrantees to identify the appropriate climate designation for the counties in which they are providing WAP services. In addition to prescribing appropriate mechanical equipment (example of climate specific measures would be evaporative cooling which may be prescribed in the Hot Dry climate of Texas and not in the Mixed Humid part of Texas) the IRC prescriptive thermal envelope of measures are different. The climate zones found in Texas are as follows:

**1. Hot-Humid**

A hot-humid climate is defined as a region that receives more than 20 inches (50 cm) of annual precipitation and where one or both of the following occur:

- A 67°F (19.5°C) or higher wet bulb temperature for 3,000 or more hours during the warmest six consecutive months of the year; or
- A 73°F (23°C) or higher wet bulb temperature for 1,500 or more hours during the warmest six consecutive months of the year.

IRC Prescriptive Thermal Envelope Measures:

<b>Zone 2A</b>		<b>Zone 3A</b>	
Ceiling	R 38		R38
Windows	U 0.40		U 0.35
Walls	R13		R13 + 5
Floors	R13		R19
SHGC	0.25		0.25

**2. Hot-Dry**

A hot-dry climate is defined as a region that receives less than 20 inches (50 cm) of annual precipitation and where the monthly average outdoor temperature remains above 45°F (7°C) throughout the year.

IRC Prescriptive Thermal Envelope Measures:

<b>Zone 3B</b>	
Ceiling	R38
Windows	U 0.35
Walls	R13 + 5
Floors	R19
SHGC	0.25

**3. Mixed-Humid**

A mixed-humid climate is defined as a region that receives more than 20 inches (50 cm) of annual precipitation, has approximately 5,400 heating degree days (65°F basis) or fewer, and where the average monthly outdoor temperature drops below 45°F (7°C) during the winter months.

IRC Prescriptive Thermal Envelope Measures:

<b>Zone 3A</b>	
Ceiling	R38
Windows	U 0.35
Walls	R13 + 5
Floors	R19
SHGC	0.25

**4. Mixed-Dry**

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A mixed-dry climate is defined as a region that receives less than 20 inches (50 cm) of annual precipitation, has approximately 5,400 heating degree days (50°F basis) or less, and where the average monthly outdoor temperature drops below 45°F (7°C) during the winter months.

IRC Prescriptive Thermal Envelope Measures:

**Zone 4**

Ceiling	R49
Windows	U 0.35
Walls	R13 + 5
Floors	R19
SHGC	0.40

In addition to the 2015 IRC adopted by the State of Texas, several individual cities have adopted amendments to the code. The adoption and amendments to the 2015 IRC impact the WA 8.9 energy audits in that cities are required to evaluate user defined measures to meet the codes adopted by each individual city.

**V.5 Type of Weatherization Work to Be Done**

**V.5.1 Technical Guides and Materials**

**Technical Guides and Materials**

All technical guides (for all single family, mobile home, and multifamily buildings) and materials meet the specifications, objectives and desired outcomes outlined in the Standard Work Specifications (SWS). Provided below is an electronic link to all the current, DOE approved field guides and/or standards for single family, mobile homes, and multifamily buildings as well as all other relevant program guidance materials. These materials are available to all Subgrantees and contractors at any time.

<https://www.tdhca.state.tx.us/community-affairs/wap/guidance.htm>

Further, the Department has several Weatherization Best Practices posted at: <https://www.tdhca.state.tx.us/community-affairs/wap/wap-best-practices.htm>

Best practices are developed based upon repeat questions that require more clarity than an FAQ. These have proved highly effective in multiple ways: increased compliance, better understanding on how to assess and proceed, increased consistency across the network, and reduction in calls for same issues. They often have multiple references and are based upon sound building science principles.

**Materials and Work Standards**

Subgrantee will include the following in all subcontracts.

A. Subrecipient shall weatherize eligible dwelling units using only weatherization materials which meet or exceed the standards prescribed by DOE in Appendix A of 10 CFR Part 440, Standard Work Specifications (SWS), and added approved materials noted in WPN 19-4.

B. All weatherization measures installed shall meet or exceed the standards prescribed by DOE in WPN 22-4 regarding Standard Work Specifications, as detailed in the Department's Standard Work Specifications. All Subgrantee agreements and vendor contracts contain language which clearly documents the SWS specifications for work quality outlined in WPN 22-4, Section 2. A signed contract shall confirm that the organization understands and agrees to these expectations.

C. All weatherization work must be performed in accordance to the DOE approved energy audit procedures, 10 CFR Part 440 Appendix A, SWS, State of Texas adopted International Residential Code (or that of jurisdictions authorized by State law to adopt later editions).

**NOTE:** The Department is exploring the potential benefits of allocating/diverting WAP BIL funds for a rooftop solar pilot program. This matter is preliminary and, if it occurs, will follow the guidance provided in WAP Memorandum 024.

Field guide types approval dates

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Single-Family: 6/8/2021
Manufactured Housing: 6/8/2021
Multi-Family:

**V.5.2 Energy Audit Procedures**

Audit Procedures and Dates Most Recently Approved by DOE

Audit Procedure: Single-Family
Audit Name: Other (specify)
NEAT: On October 20, 2020, DOE approved June 2, 2021 to June 2, 2026.
Approval Date: 6/2/2021

Audit Procedure: Manufactured Housing
Audit Name: Other (specify)
MHEA: On October 20, 2020, DOE approved June 2, 2021 to June 2, 2026.
Approval Date: 6/2/2021

Audit Procedure: Multi-Family
Audit Name:
Approval Date:

**Comments**

<p>On October 20, 2020, TDHCA received DOE approval for the State of Texas Energy Audit Procedures (i.e., the National Energy Audit Tool (NEAT) and Manufactured Home Energy Audit (MHEA) for Site-Built Single Family, Manufactured, and Small Multifamily Housing for the WAP, effective June 2, 2021 and expiring June 2, 2026. Additionally, TDHCA received approval to utilize Refrigerators and General Heat Waste Measures (i.e., Low Faucet aerators (1.0 gpm or less) and Furnace/Air Conditioner Filters) which were not listed in 10 CFR 440 Appendix A. TDHCA had already received approval on July 1, 2016 to utilize LEDs which were not listed in 10 CFR 440 Appendix A.</p> <p>To comply with the requirement outlined in WPN 19-4 (Section 2), once the updated version of the NEAT and MHEA audit tool (version 10) is migrated to the web and approved for use by DOE, TDHCA will transition fully to the online version (v10).</p>
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**V.5.3 Final Inspection**

<p>The Department has provided Subgrantees with sufficient T&amp;TA funding to obtain and/or maintain required QCI and MF-QCI certifications by an IREC certified training provider. The Department tracks Subgrantee compliance with unit inspection requirements of WPN 22-4.</p> <p>The Department has six certified QCI staff who maintain their certifications. The Department annually requires all Subgrantees to report the following for determining the number of units that the Department will inspect for compliance at each agency:</p> <p>Option 1 (at minimum 5% compliance final inspection required): The Subgrantee will NOT allow the QCI staff member (or third party QCI) who conducts the Final Inspection on any DOE funded/reported unit to perform any other aspect(s) associated with that same unit. E.g., Initial Assessment, NEAT Audit, Work Order, etc.</p> <p>Option 2 (10% compliance final inspection required): The Subgrantee will have a QCI staff member conduct the Final Inspection on every DOE funded/reported unit AND will also perform other aspect(s) associated with that same unit. E.g., Initial Assessment, NEAT Audit, Work Order, etc.</p> <p>NOTE: As scheduling permits, compliance will conduct 10% final inspections on completed units for Option 1 as well.</p> <p>TDHCA survey's the WAP network annually to determine which option is appropriate for each Subgrantee while developing the monitoring schedule. Prior to conducting an onsite monitoring, the option will be verified to ensure an adequate number of units are inspected.</p> <p>All units are inspected by a certified QCI. In addition to final inspections, a completed QCI Final Inspection Certification Form is required. The form can be found at: <a href="https://www.tdhca.state.tx.us/community-affairs/wap/guidance.htm">https://www.tdhca.state.tx.us/community-affairs/wap/guidance.htm</a>.</p>
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Subgrantees are required to follow work standards as per the SWS guidelines. This requirement is within Subgrantee contracts, and the SWS guide is posted on the Department's WAP Program Guidance Webpage at <https://www.tdhca.state.tx.us/community-affairs/wap/guidance.htm>

All units are required to be in compliance with DOE/SWS guidelines and successfully pass a local QCI inspection. If a local QCI fails to adequately inspect a unit to meet the most recent DOE/SWS guidelines, the Subgrantee would be out of compliance and reported to the TDHCA Compliance Department for the appropriate action. Any unit that fails to be brought into compliance with current DOE/SWS requirements and/or successfully pass a QCI inspection will require TDHCA to disallow the unit and associated costs. A report will be generated issuing the Subgrantee a finding(s) for the reason(s) of the disallowed cost. In severe or repetitive cases the local QCI will be reported to the certifying agency for further action. In less severe or isolated cases the local QCI would be provided individualized T&TA or a referral to the appropriate Comprehensive training provider.

**V.6 Weatherization Analysis of Effectiveness**

Pursuant to 10 TAC, Chapter 1, Subchapter C, §1.302, a review of a Subgrantee's compliance history in Department programs must be approved by the Department's Executive Award and Review Advisory Committee (EARAC) and provided to the Department's Board of Directors in order that the Board may consider the compliance history and make and document its award decisions with full knowledge of these matters. Prior to the award of DOE funds to any

Subgrantee, EARAC reviews:

1. Deficiencies, Findings and Concerns identified during the last three years;
2. Any changes in debarment status;
3. Complaint history of the applicant; and
4. If the Subgrantee is subject to the requirement of an annual single audit: Single Audit status, any findings noted in the Single Audit, and the recommendation of the Single Audit Committee.

The Compliance Division submits the results of the information noted above to EARAC. If EARAC finds that a Subgrantee has outstanding monitoring or Single Audit issues, their WAP award may be subject to conditions intended to avoid future noncompliance, and limit disallowed costs.

Additionally and in a separate process, T&TA staff are copied on all monitoring reports and/or a staff meeting is held for monitors to debrief T&TA staff after each visit. In those meetings, monitoring staff relay issues found related to the Subgrantee as well as overall trends identified. Following the monitoring report, T&TA staff provide an initial email to the Subgrantee to provide resources for identified issues. T&TA staff applies this debrief information when determining the needs for agency wide specific T&TA and to plan the training curriculum. When circumstances warrant due to a high amount or degree of monitoring findings and concerns related to energy audit procedures, focused and intensive T&TA from a Weatherization Trainer will take place.

Further, Subgrantee performance is reviewed periodically and at the end of the program year. The Department tracks subgrantee performance over time by reviewing their monthly production and expenditure reports. Subgrantees are required to submit a Production Report on the 15th of each month. If staff determines that a benchmark is missed or a Subgrantee is falling behind on expenditure and/or production, a letter is issued from the Department and the subgrantee is required to submit a written Mitigation Action Plan according to 10 TAC §6.405.

Additionally, based upon monthly submitted production and expenditure reports, individualized TA is provided to ensure full expenditure and an adequate rate of production. T&TA staff analyze the reports submitted by subgrantees and provide T&TA when necessary. Such T&TA may include a course on production oriented management, proper reporting, procurement, and/or other relevant topics.

Analysis of reports includes the following:

- Number of homes completed;
- Number of applications pending;
- Number of homes in progress;
- Contract amount;
- Total funds expended;
- Balance of funds; and
- Special comments

The Department enforces the Deobligation/Reobligation of Awarded Funds rule as laid out in 10 TAC §6.405. While the Department's performance review

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process has not achieved full expenditure of funds each Program Year (e.g., PY 2017 due to Hurricane Harvey), the Department continuously assesses its processes and researches potential modifications in order to improve. For example, as mentioned previously, the Department oversees the performance and expenditure report and production schedule process and provides technical assistance to individual subgrantees who are on a pathway to nonexpenditure of the full amount of their allocation.

**V.7 Health and Safety**

Attached to SF-424

**V.8 Program Management**

**V.8.1 Overview and Organization**

The Department is the state's lead agency responsible for affordable housing and community assistance programs. The Department annually administers funds derived from mortgage revenue bond financing and refinancing, federal grants, and federal tax credits.

In 1991, the 72nd Texas Legislature created the Department. The Department's enabling legislation combined programs from the Texas Housing Agency, the Community Development Block Grant Program from the Texas Department of Commerce, and the Texas Department of Community Affairs.

On September 1, 1992, two programs were transferred to the Department from the Texas Department of Human Services: the Low Income Home Energy Assistance Program and the Emergency Nutrition and Temporary Emergency Relief Program. Effective September 1, 1995, in accordance with House Bill 785, regulation of manufactured housing was transferred to the Department. In accordance with House Bill 7, effective September 1, 2002, the Community Development Block Grant and Local Government Services Programs were transferred to the newly created Office of Rural Community Affairs. Effective September 1, 2002, in accordance with Senate Bill 322, the Manufactured Housing Division became an independent entity administratively attached to TDHCA. As a state agency, the Department is under the authority of the Governor of the State of Texas. The Department's services are offered through three program categories: Single Family Programs, Multifamily Finance Production, and Community Affairs, which administers the WAP.

The Department subcontracts with a network of Subgrantees that provide WAP services. This network is comprised of community action agencies (CAAs), regional Councils of Government (COGs), and organizations in other public or private nonprofit entity categories. Because the DOE BIL WAP award is more than 20 times the typical annual DOE WAP grant, the Department plans to procure a statewide or regional weatherization service provider(s) to augment the work of the network.

The statewide or regional WAP provider(s) will be allocated BIL WAP funding only. No funding from the regular DOE annual grants will be allocated to the selected provider(s). The statewide/regional provider(s) will be issued direct BIL WAP funding in an amount that is proportional to the service area for which they apply and are awarded (i.e., statewide or regional) according to the formula in 10 TAC §6.404. 60% of the total amount of BIL WAP funds are reserved in the budget for the statewide/regional provider(s) with the potential to receive an additional 20% based on performance (i.e., meeting production benchmarks). The selected provider(s) may also be allocated any voluntarily relinquished or deobligated BIL WAP funds from Subgrantees' BIL WAP allocations to ensure full utilization of BIL WAP funds, thereby reducing the likelihood of carryover and/or return of BIL WAP funds.

At the time of BIL WAP Plan development, the Department is in the process of drafting a Request for Proposal (RFP) to competitively identify one or more providers to perform multifamily (and possibly single family) weatherization activities. The goal is to have one or more providers covering certain areas of the state to augment and supplement the work of the network in its utilization of BIL WAP funds. The statewide/regional provider(s) will comply with all Federal and State regulations while performing intake for household eligibility, outreach and work with multifamily property owners to assess and weatherize dwelling units. Currently, the plan is to have the provider(s) initially perform only multifamily weatherization activities with a possible transition to single family activities. For multifamily, the provider(s) will identify eligible multifamily properties, confirm household eligibility, perform initial determination of weatherization work to be performed, perform said weatherization, work closely with multifamily property owners, and ensure all DOE, 2 CFR and Texas Administrative Code requirements are met. The plan, at least initially, is to not allow the statewide/regional provider(s) to perform single family activities in areas of the state where Subgrantees are successful. The Department is seeking provider(s) which will have competent and qualified (certified) staff, knowledge of current weatherization measures and other federal requirements (Davis-Bacon) as well as an ability and capacity to perform at a rate that expends the BIL WAP funds allocated to them. To ensure duplication of weatherization benefits does not occur, the statewide/regional provider(s) and Subgrantee operating within the same service area will each check the Previously Weatherized Database in the Community Affairs Contract System to be sure that a household which has been weatherized in the past 15 years or is currently in the process of being weatherized will not receive additional weatherization assistance. In addition to checking the Previously Weatherized Database in the Contract System, Subgrantees and the statewide/regional provider(s) will be required to ask clients at client intake if they've received weatherization assistance in the past or have recently applied for weatherization assistance elsewhere.

An approximate timeline in the procurement and administration of the statewide/regional provider(s) is as follows; however, these dates and numbers are subject



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to change:

Posting Date for RFP: February 2023

Response Date for RFP: April 2023

Selection of Provider: May 2023

Contract Start Date: June 2023

Staffing/Process Development: July 2023

Multifamily Weatherization Start: August 2023

10% Units (897 units) Weatherized: December 2023

25% Units (2,242 units) Weatherized: April 2024

50% Units (4,484 units) Weatherized: September 2024

80% Units (7,174 units) Weatherized: February 2025

Contract Ends: June 2025 – 8,967 Units Weatherized

All network Subgrantees were provided a draft copy of the BIL WAP State Plan and a notice of the State Plan public hearing. The public and all Subgrantees were invited and encouraged to participate in the public comment process.

The Department will administer BIL WAP through Subgrantees and a statewide or regional provider(s) in accordance with 10 CFR §440.15 provisions and State regulations. If existing Subgrantees are successfully administering the Program, the Department will offer to renew the contract if the Subgrantee so desires and if grant funds are available. When the Department determines that an organization is not administering the program satisfactorily, it may take the following action:

- Correction of the problem(s) with training or technical assistance;
- Reassignment of the service area (or service area portion) to another existing Subgrantee; or,
- Solicitation or selection of a new or additional Subgrantee in accordance with 10 CFR §440.15 provisions.

A new or additional Subgrantee is defined as a CAA or other public or nonprofit entity that is not currently operating a DOE Weatherization Assistance Program.

Consolidation/downsizing: Any downsizing will occur through normal attrition through a Subgrantee's determination that it can no longer administer the program efficiently/effectively, or through the Department's determination that a Subgrantee can no longer administer the program efficiently/effectively.

Reassignment of service areas for just cause: In the event that a service area can no longer be served by a Subgrantee, the Department reserves the right to reassign service areas. If it appears necessary to permanently reassign the service area, a new Subgrantee may be chosen in an open, competitive solicitation process in accordance with 10 CFR §440.15.

**V.8.2 Administrative Expenditure Limits**

The Department may keep up to 7.5% of its grant funds for state administration. An additional 7.5% will be distributed for local WAP field operations under contract. Contract funds are intended for local administration, liability insurance coverage, local fiscal audit, materials, labor, program support and health and safety measures. To help ensure that Subgrantees comply with the full and proper use of all the contract funds, written definitions are provided to Subgrantees on budget categories as deemed necessary. The Department has elected to provide the maximum allowable funds for Subgrantee administration to Subgrantees receiving less than \$350,000, so it has not included procedures for deciding which Subgrantees will receive additional funds. This decision is based on the following factors:

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- Subgrantees often have to rely on other programs for WAP outreach and other administrative support;
- Subgrantees have had to adjust budgeting to keep pace with cost-of-living increases -- staff salaries, fringe benefits, rent, postage, travel, etc.;
- The State of Texas is 877 miles from Northern to Southern tips, 834 miles from Eastern to Western tips, and is comprised of a total of 266,807 square miles. The extra geography that Subgrantees have to cover to serve all the area's clients equitably requires additional staff, staff time, postage and phone costs, and vehicle wear and maintenance. (Source of Mileage Data: Texas Department of Transportation);
- Salaries, space, utilities, telephone, and similar costs associated with program support personnel should be charged to program support; and
- The increasing cost of maintaining appropriate qualified staff is challenging.

For Subgrantees receiving over \$350,000, the administrative allowance will be at least 7.5% of each subgrant. For Subgrantees receiving less than \$350,000, the administrative allowance may be increased up to an additional 5% for each subgrant.

**V.8.3 Monitoring Activities**

The Department will monitor the Weatherization Assistance Program (WAP) with the Monitoring staff included in the budget. Subgrantee is defined as an organization with whom the Department contracts and provides WAP funds, including a statewide or regional WAP provider(s). Names and credentials of Department staff dedicated to monitoring DOE activities are:

- Robert Moore – 11+ years of weatherization experience including as a Texas WAP Subgrantee, BPI QCI, BPI Building Analyst Professional, BPI EA, Lead certified, OSHA 30 and attended DOE sponsored conferences.
- Ben Rose – 7+ years of weatherization experience including as a Texas WAP Subgrantee, BPI QCI, BPI EA, BPI Building Analyst Professional, and Lead certified.
- Open Position - Posted 12/21/2021 - Open until filled.

All staff listed above conduct fiscal/administrative and inspection monitoring activities and are paid for out of the T&TA (40%) budget category. Additional staff, in the form of Article IX Full Time Equivalents, will also be hired to support monitoring activities for the BIL WAP; however, at the time of development of this Plan, the Department has yet to specify the number of positions that will be assigned to monitoring activities, training activities, reporting activities, or various legal/administrative support activities.

Additionally, Compliance Subrecipient Monitoring is staffed with 10 additional monitors not dedicated to weatherization. All of these qualified monitors may be tasked with fiscal and programmatic activities through funds provided by this State plan.

The Department will attempt to monitor each of the DOE Subgrantees during the program period which will be July 1, 2022 through June 30, 2023. Many of the DOE Subgrantees also receive funds through the Department of Health and Human Services Community Service Block Grant, Low Income Home Energy Assistance Program, Housing and Urban Development HOME Program and Housing and Urban Development Emergency Solutions Grant Program. Whenever possible, all programs that are funded by the Department will be monitored during one visit to the Subgrantee; this may result in a monitoring outside of the regular DOE contract period.

(See WAP BIL Tentative Monitoring Schedule attached to SF-424)

The Department understands DOE's expectation and will conduct at least one on-site visit annually to each Subrecipient for technical and fiscal/administrative monitoring.

Financial and Administrative monitoring will include, at minimum, a review of the Subgrantee's General Ledgers and policies and procedures (including procurement) as well as support documentation for reported expenditures. These documents will be reviewed to ensure compliance with DOE, Department and other applicable rules and regulations. The Department will monitor for eligibility through sampled client file reviews. Through sampled unit inspections, Department staff will monitor for installed measures that are allowable and meet or exceed DOE requirements. The Department will review whether charged measures were installed properly and determine compliance with health and safety procedures, client eligibility, energy audit procedures, client education procedures and compliance with the SWS.

The Department will inspect 5-10% of all completed weatherized units. In order to achieve the 5-10% inspection rate and comply with the requirements of WPN 15-4, the Department is requesting that Subgrantees with a QCI on staff do not have that staff member involved with the weatherized unit prior to final inspection. The Department defines prior involvement as performing the audit, creating the work order or performing any weatherization work on the weatherized unit. The Department has created a QCI Final Inspection Form for Subgrantees which will allow TDHCA to determine if a QCI employed by the Subgrantee had prior involvement with that unit. The Department will review each sampled QCI final inspection document to ensure compliance with the

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requirement to inspect 5% and will increase the required inspections if necessary.

The Department recognizes that there may be a need to perform additional unit inspections towards the end of the contract period to comply with the requirements of WPN 22-4 if there were not enough units available to sample during the full monitoring review.

More frequent monitoring visits (Fiscal/Administrative and/or Technical) may be conducted for Subgrantees with significant identified risk.

Monitors will complete evaluation instruments to determine a Subgrantee's compliance. The instruments cover Financial and Administrative requirements, health and safety procedures, client eligibility, energy audit procedures, client education procedures, and compliance with the SWS. Compliance Monitors also review the hard copy of the NEAT or MHEA audit which is required to be in the client file to assure that the scope of the work was directed by the audit. Monitors scan documents as support if findings are noted. TDHCA monitors inventory with dedicated review procedures and an inventory testing tool.

The following list provides additional monitoring details that may occur during the monitoring review:

- Monitors may request copies of fiscal records/support documentation and perform a desk review to gauge the fiscal condition of the Subgrantee prior to onsite monitoring.
- As needed, monitors may perform a desk review of records requested but not provided during the onsite review and records requested to clarify issues identified during the onsite monitoring visit. The Department recognizes the requirement to issue the monitoring letter within 30 days of the review. The Department does not consider the review complete until receipt of information needed to ascertain compliance. Monitoring letters will be issued within 30 days of receipt of all necessary information.
- Monitors may test that weatherization activities including but not limited to: energy audits, energy conservation measures, incidental repair measures and health and safety measures are only performed by properly trained Retrofit Installer/Technicians, Crew Leaders, and Energy Auditors that have received comprehensive training (not necessarily certification) that is aligned with DOE's Job Task Analysis for the position in which the weatherization worker is employed.
- Subrecipient failure to provide/maintain support documentation sufficient enough to support activities will result in a recordkeeping finding in accordance with 2 CFR Part 200 and Texas Administrative Code §1.409 Record Retention requirements.

The Department will issue monitoring reports within 30 days of completion of the review. Subgrantees are provided a 30 day corrective action period to respond and provide evidence of correction. On a case by case basis, the Department may grant an extension to respond to the report if there is good cause and the request is made during the corrective action period. The Department will review each response and determine if the Subgrantee has resolved the compliance issue. If the Department determines the issue is not resolved, the Subgrantee will be notified and required to submit an additional response(s) until the compliance issue is resolved. In certain circumstances, the Department may "close" a compliance issue when there remains no additional actions that can be taken to resolve the issue. At the conclusion of this process, any unresolved compliance issues will be reported to DOE, as will any noncompliance that appears in two consecutive monitoring reports. Instances of suspected fraud, waste, or program abuse will be reported immediately to DOE and the Texas State Auditors Office.

The Department will review the annual Single Audits of each Subgrantee agency. The Department requires each Subgrantee to complete an Audit Certification form within 60 days of the end of the entity's fiscal year. This is used to determine if a Single Audit is required. All single audits must be uploaded to the Federal Clearinghouse within nine months of the Subgrantee's fiscal year end or within 30 days of completion. Upon receipt of the Single Audit, a review is completed to determine if the packet submitted is complete and all opinions are provided. If the audit contains findings for Department issued funds, they are reviewed and discussed by the Director of Internal Audit, the Director of Subrecipient Monitoring, the Director for Community Affairs and staff to determine the appropriate steps to ensure the entity addresses the concerns identified in the audit report or management letter. The Department issues correspondence to the entity, identifying what the entity must address, what support documentation is needed and the corrective action measures that must be performed. The entity is provided a time frame to complete the corrective action and to respond to the correspondence.

The Department's Compliance Monitor(s) keep abreast of the required timeframe for the entity to complete the corrective action and to provide the response. When the response is received, the Department reviews the documentation to determine if the corrective action requirements have been met and whether or not to refer the matter to the Department's Enforcement Committee in accordance with Department rules and standard operating procedures. During the next monitoring visit to the entity, the Department will determine if the selection of expenditures or materials reviewed reflect compliance with the respective requirement.

If it is determined that the Subgrantee is not able to administer the weatherization program, the Department will follow the requirements in 10 TAC §2.202 Contract Closeout.

Virtual Monitoring Overview

In light of the continued health concerns surrounding Coronavirus (COVID-19) and to promote the safety of our citizens, the Department developed a virtual

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monitoring inspection plan and received approval from DOE to move forward with virtual inspections according to the virtual monitoring inspection plan. While the Department has returned to onsite monitoring visits, the Department requests to retain approval for the virtual monitoring inspection plan if needed.

Virtual (video) monitoring inspections, being similar to on-site inspections, will be performed to minimize contact and exposure. This type of monitoring encompasses current comprehensive desk review procedures of all digitized client file documentation from intake to the final Subgrantee inspection as well as review of fiscal support documentation. During the desk review continued focus will include eligibility, complete whole house assessment leading to audit measures and needed health and safety measures. Any issue(s) identified will be noted on monitoring report for further follow-up and verification during the remote virtual (video) inspection.

Identified discrepancies, serious and/or questionable health and safety concerns will trigger intensified corrective action or possible onsite examination and confirmation.

Virtual Unit Inspection Technical Monitoring Procedures

Continue utilizing Texas State Plan Monitoring Process inserting virtual unit inspections in lieu of onsite physical inspections.

1. TDHCA issues Subgrantee Technical Monitoring Review Notification Letter.
2. TDHCA communicates with Subgrantee selecting specific weatherized unit to be reviewed.
3. Subgrantee submits selected specific weatherized units client file documentation, final inspection pictures and video recording through TDHCA secure file transfer system.
4. Comprehensive client file desk review completed.
  - a. Performed with evaluation instruments to determine a Subgrantee's compliance, with all questions or concerns noted.
5. Virtual Unit Inspection Technical Monitoring
  - a. Standard final Subgrantee QCI inspections to be completed and videoed
  - b. Schedule virtual instruction training with each Subgrantee to ensure understanding of required photographic and video records of final inspection.
  - c. Conducted by QCI certified TDHCA Staff for units completed and reported.
  - d. Requires Subgrantee's final inspection video recording, pictures and documentation.
  - e. TDHCA Monitor reviews video for completion and SWS and IRC compliance.
    1. If video contains required inspection support, no additional visit is necessary.
    2. If video doesn't adequately address all applicable QCI requirements, then TDHCA requests/schedules an additional Subgrantee visit as a final inspection, that would be interactive (smart phone face time, zoom, etc.) for measures testing missed in the original video.
  - f. Video begins at the street view and continue around entire unit allowing clear observation of all exterior surfaces.
  - g. Continued tour of the unit's interior allowing survey of general condition.
    1. Close-up (zoomed) view of specific areas of work performed and compared against work scope, SWS, and Texas Administrative Code (TAC) standards.
  - h. Subgrantee videos diagnostic testing set up, staff performing tests and final test results.
  - i. Required items to be provided by Subgrantee:
    - Blower Door
    - CAZ Testing

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- Zonals
- Exhaust Flow
- Pressure Pans
- Installed Measures

j. Compliance Monitor develops summary notes on testing processes and final test results based on Standard Work Specifications, DOE approved Field Guide, current Weatherization Program Notices, and Texas Administrative Code.

k. Subgrantee required to address any identified Health and Safety issues immediately with appropriate notice to the affected household and to the Department.

l. Subgrantee afforded the opportunity to address any additional non H&S identified issues prior to required monitoring review report release.

**6. DEPARTMENT ISSUED MONITORING REPORT**

- a. The Department will issue monitoring reports within 30 days of completion of the review.
- b. Subgrantees are provided a 30 day corrective action period to respond and provide evidence of correction.
- c. The Department will review each response and determine if the Subgrantee has resolved the compliance issue.
- d. If the Department determines the issue is not resolved, the Subgrantee will be notified and required to submit an additional response(s) within 30 days. Failure to resolve findings may result in disallowed costs.

**V.8.4 Training and Technical Assistance Approach and Activities**

(Also see TTA Plan attached to SF-424)

TDHCA ensures all provided trainings are in compliance with the Quality Work Specification and provides Subgrantees with sufficient T&TA funding to:

- Obtain and/or maintain required certifications such as: QCI, MFQCI, Energy Auditor, Lead Safe Renovator, Lead Safe Worker, OSHA 10/30, etc.
- Receive Comprehensive training on a regular basis for occupation-specific training to train on curriculum aligned with the topics within the job task analyses (JTAs). All Comprehensive trainings are administered either by or in cooperation with IREC accredited facilities.
- Receive Specific training to address single-issue, short-term training to address technical skills/knowledge gaps, attend conference trainings, or attend trainings not aligned with a Home Energy Professional (HEP) job task analyses (JTAs). Specific trainings are conducted by Department training and technical staff or a Department approved designee with the exception of training conferences.

Training needs are determined and based upon the following:

- Individual Subgrantee Training Needs Assessments (TNA)
  - TDHCA implemented a new requirement that requires each Subgrantee to complete DOE's WAP T&TA Planning & Reporting Template to identify each Subgrantee's specific training needs. The initial report is required to be submitted within sixty (60) days of the contract execution and is reviewed by TDHCA training staff to ensure each Subgrantee is planning to receive training in needed areas. Throughout the contract terms TDHCA staff monitor for training expenditures to ensure Subgrantee is obtaining needed trainings. Upon the completion of the contract a final version is required to be submitted to document and support training assistance received.
- Grant Requirements or as directed by DOE monitor or audit reports.
- Subgrantee Request. The Department has an online request system, with a T&TA menu list, or section for the Subgrantee to make a specific request or ask specific questions. The Department will contact the requestor and customize training to meet the need.  
<https://tdhca.wufoo.com/forms/requestforaprogramassistance>
  - In addition, submitted questions or requests are reviewed for creating Best Practices/FAQs or to identify topics for regional trainings, workshops, webinars or individualized training.
- Monitoring Reports. The Department's compliance team shares monitoring issues with the training team. The training team will initially provide resources and guides to address any findings, and follow up with T&TA as required.
- Subgrantee expenditure performance
  - TDHCA utilizes an online contract system to collect expenditure and performance data from Subgrantees and compares that data to a production

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tool at minimum on the third, fifth, and seventh program reporting deadline as identified within 10 TAC §6.405.

- Trends across the network are addressed in regional trainings, workshops, webinars or quarterly webinar calls with the network.
- Management Request. Management may make a specific request and dictate the type of training needed.
- Grantee identified needs
  - Areas of a special focus are as follows:
    - Quality work through initial assessments
    - Accurate Energy Audit Modeling
    - Accurate implementation of DOE-Approved Priority List

The Department has six certified EA/QCI staff who monitor and/or train weatherization Subgrantees on quality weatherization work, proper diagnostics, documentation, and compliance. The Department continues to provide T&TA to assist Subgrantees in preparing for and obtaining required certifications. The Department created an online Web page dedicated to Quality Work Plan requirements that contains guidance and resources. <https://www.tdhca.state.tx.us/community-affairs/wap/quality-work-plan.htm>

DOE BIL WAP Subgrantees, subcontractors, crew members, Department staff and the statewide/regional provider(s) can obtain any necessary IREC certified training through the use of any IREC certified training academies. Subgrantees may use DOE BIL WAP funds to partner with such academies to provide IREC certified training including MFQCI and Energy Auditor and to ensure that weatherization services and grant management procedures are performed according to federal and state regulations, standard work practices and specifications, health and safety standards, best practices, and quality workmanship. Instruction may be provided through a combination of classroom teaching, online instruction, and field work.

**Comprehensive Training:**

Comprehensive trainings are defined as occupation-specific trainings which is part of an overall curriculum aligned with the topics within the given JTA being trained and will be administered by or in cooperation with accredited IREC training providers credentialed for the JTA being taught. Additionally, all required certification testing will be conducted by BPI certified proctors.

The current focus for Comprehensive training will include the following:

- Ensuring all 21 Subgrantees have staff (or subcontractors as applicable) certified and trained in the profession in which the worker is employed.
  - Employment categories include: Energy Auditor (EA), Quality Control Inspector (QCI), Retrofit Installer (RI) and Crew Leader (CL).
  - As a prerequisite to BPI advanced certifications, TDHCA recommends successful training and completion of an appropriate BPI core certification on such as Building Analyst or Envelope Professional.
- Ensuring all 21 Subgrantees continue to receive Comprehensive training on a regular basis for occupation-specific topics within the perspective job task analyses (JTAs) the worker is employed.
- Ensuring all 21 Subgrantees receive Priority List related training to help with implementation of new DOE-approved Priority List.
- Ensuring all 21 Subgrantees receive Energy Audit Modeling or Assessment related training to address identified monitoring concerns.
  - To comply with the requirement outlined in WPN 194 (Section 2), once the updated version of the NEAT and MHEA audit tool (version 10) is migrated to the web and approved for use by DOE, TDHCA will plan the training approach and transition fully to the online version (v10).

In compliance with Section 2 of WPN 22-4, the Department will perform a training needs assessment (TNA) to ensure comprehensive training for each category listed above is planned for and that required certification are maintained as applicable. Whereas it is the responsibility of the Department to provide funds for training through or in conjunction with IREC training providers, it is the responsibility of the Subgrantee to ensure training is completed by staff and/or subcontractors. The Department will monitor Subgrantee training plan progress and track credentials. Weatherization staff that do not meet the requirements outlined within WPN 22-4 may not function unsupervised until training and/or certification requirements are met.

**Specific Training:**

Specific trainings are defined as training for single-issue, short-term training to address technical skills or knowledge gaps. Conference trainings and any training not aligned with a Home Energy Professional JTA are included in this category. Specific training will be provided by Department training and technical assistance staff or a designee with the exception of training conferences. With experience as Program Officers and Trainers, the staff has experience in Subgrantee monitoring, unit assessments, audits, materials installation, inspections, and the training and technical assistance that support each. The staff consists of:

- Kevin Glienke: 12+ years in WAP as a monitor/trainer, BPI Building Analyst Professional, BPI QCI, MFQCI, BPI EA, and attended DOE and TACAA sponsored conferences.
- Chad Turner: 20+ years of WAP experience including as a Texas WAP Subgrantee, BPI QCI, MFQCI, BPI EA, BPI Building Analyst Professional, OSHA 30 and attended DOE and TACAA sponsored conferences.
- Kye Garvin: 15+ years of experience in HVAC-R, construction, and WAP (including as a WAP Subgrantee), BPI BA/EA/QCI certifications, HVAC licensed, EPA certified, OSHA 30 certified, Lead certified, and other industry specific certifications. Also attended DOE and TACAA sponsored

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trainings and conferences.

- Evan Brown: 8+ years of WAP experience (including as a WAP Subgrantee), BPI QCI, BPI EA, BPI Building Analyst Professional, BPI IDL, OSHA 30 & 10 certified, Lead certified, and attended DOE and TACAA sponsored conferences.
- Laura Saintey: 10+ years experience in the construction industry and 12+ years experience in the WAP. OSHA 10 and attended DOE and TACAA sponsored conferences. Knowledge and experience as building science instructor, former QCI and proctor for 10 years.
- Robert Moore: 12+ years of weatherization experience including as a Texas WAP Subgrantee, BPI QCI, BPI Building Analyst Professional, BPI EA, Lead certified, OSHA 30 and attended DOE and TACAA sponsored conferences.
- Ben Rose: 8+ years of weatherization experience including as a Texas WAP Subgrantee, BPI QCI, BPI EA, BPI Building Analyst Professional, Lead certified, and attended DOE and TACAA sponsored conferences.

Additional staff, in the form of Article IX Full Time Equivalents, will also be hired to support training activities for the BIL WAP; however, at the time of development of this Plan, the Department has yet to specify the number of positions that will be assigned to monitoring activities, training activities, reporting activities, or various legal/administrative support activities.

The current focus for Specific trainings will include the following:

- New manager training
  - New manager training is required within three months of being hired and may be requested through the online training request system. Training includes a broad overview of the program history, applicable rules, reporting requirements, and available resources.
- Monitoring report based training
  - Another form of specific trainings are trainings that arise out of necessity due to monitoring issues. Subgrantees are monitored as described in V.8.3 Monitoring Activities of this Plan and results of those monitoring visits are shared with T&TA staff. Any issues as a result of a monitoring visit are analyzed by T&TA staff to determine how best to train the Subgrantee to resolve the issue(s).
  - While the majority of monitoring issues are addressed through the Comprehensive training approach, T&TA staff often provide short-term training to address technical skills or knowledge gaps through the Specific approach. Additionally T&TA staff help Subgrantees review their monitoring report to develop a training plan and to identify Comprehensive training(s) needs. After Comprehensive training(s) are performed a follow-up is performed by T&TA staff to ensure of training comprehension. If necessary T&TA staff provide one on one assistance to ensure the issue(s) are fully addressed/resolved.
- One-on-one technical assistance request for WAP Subgrantees.
  - T&TA staff are available daily to answer specific T&TA request, discuss/provide options for encountered scenarios, help locate applicable program guidance, etc.
  - Grantee/subgrantee knowledge and understanding of virtual platforms has increased capacity in this area tremendously.
- Quarterly Network Calls
  - Quarterly Network Webinar Call will cover topics based upon need and identified areas of concern. Topics typically include:
    - Program Requirements and Updates
    - Monitoring Concerns
    - Technical Issues
    - Health & Safety Concerns
    - Upcoming Training Dates
    - Resources
- WAP E-Newsletter
  - A WAP newsletter will be emailed to the network on an as needed basis (i.e., as information becomes available) to provide WAP related information to the network (e.g., program and technical requirements, updates, training opportunities).

For formal specific trainings requested by the Subgrantee, a report will be produced indicating Subgrantee staff present, materials and documents presented to the Subgrantee, and expected outcomes.

**Ramifications for Noncompliance with Training Requirements**

Ramifications for noncompliance with Comprehensive training and/or Specific training can contain condition(s) which the noncompliant Subgrantee must comply with in order to receive funding. Conditions can be minor (e.g., submittal of a credential to the Department) or severe (e.g., closely supervised final QCIs by Department training staff to determine quality of weatherization measures installed).

**Subgrantee Evaluation of Training Activities**

Subgrantees will be given the opportunity to provide feedback through online training evaluations. These evaluations are reviewed to make improvements to future T&TA. Training staff will conduct periodic surveys to solicit input from Subgrantees and will evaluate pass rates for certification testing. In order to evaluate compliance with the Quality Work Specifications and the efficacy of its training activities, the training staff will review a Subgrantee's training activities semiannually and compare those to the Subgrantee's monitoring reports.

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**Client Education**

The Department requires Subgrantees to provide client education to each client. Subgrantees are required to provide (at a minimum) educational materials in verbal and written format. Client education may include temperature strips that indicate the temperature in the room, energy savings materials, and instructions for equipment operation and/or maintenance.

Percent of overall trainings

Comprehensive Trainings:	66.0
Specific Trainings:	34.0

Breakdown of T&TA training budget

Percent of budget allocated to Auditor/QCI trainings:	50.0
Percent of budget allocated to Crew/Installer trainings:	30.0
Percent of budget allocated to Management/Financial trainings:	20.0

**V.9 Energy Crisis and Disaster Plan**

n/a
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