



## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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May 25, 2010

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Juan S. Muñoz, Ph.D.

Ms. Gloria C. Arriaga  
Executive Director  
Alamo Area Council of Governments  
8700 Tesoro Dr., Ste. 700  
San Antonio, Texas 78217

Re: DOE Weatherization Assistance Program Contract # 56090000447  
LIHEAP Weatherization Assistance Program Contract #81090000479  
DOE ARRA Weatherization Assistance Program Contract #16090000649

Dear Ms. Arriaga:

Enclosed is a report that details the monitoring review of your Weatherization Assistance Program contracts with the Texas Department of Housing and Community Affairs. This information is provided to ensure that compliance with the contracts is maintained and that services to the poor, elderly, and disabled are offered in the most expeditious and economical manner.

The monitoring report includes five (5) findings. The Department is concerned that one (1) of the findings is a repeat finding from the previous program year. The Department requests that AACOG submit a response to this report to this office within thirty (30) days of the date of this letter.

If we can be of any assistance, please feel free to contact J.R. Mendoza, Senior Program Officer, at (512) 936-7811. The assistance provided to the Program Officer by the agency is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to be "S. D. Gamble", followed by a horizontal line.

Sharon D. Gamble  
Manager  
Energy Assistance Section

cc: The Honorable Jay P. Millikin, AACOG Board Chairman

## **Directory of Monitoring Sections**

- Section I. Financial Review
  - Section II. Travel and Timesheets
  - Section III. General Liability and Pollution Occurrence Insurance
  - Section IV. Property Management
  - Section V. Procurement
  - Section VI. Audit
  - Section VII. Personnel Policies and Practices
  - Section VII. Performance Review
  - Section IX. Administrative
  - Section X. Multi-Family Review
  - Section XI. Denied Files
  - Section XII. Summary
-

**2009 WEATHERIZATION MONITORING REPORT  
OF  
ALAMO AREA COUNCIL OF GOVERNMENTS**

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**Dates of Review:** April 5-8, 2010

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**FOCUS OF REVIEW**

CONTRACT NAME	CONTRACT NUMBER	CONTRACT AMOUNT	CONTRACT DATES
DOE	56090000447	\$ 1,487,948.00	4/1/2009 to 3/31/2010
LIHEAP	81090000479	\$ 1,914,512.00	4/1/2009 to 3/31/2010
DOE ARRA	16090000649	\$ 7,259,959	9/1/2009 to 8/31/2011

On-site review of the Alamo Area Council of Governments (AACOG) implementation of the Department of Energy's, Low Income Home Energy Assistance Program's Weatherization Assistance Program (WAP) and the Department of Energy's ARRA WAP. Specific areas of review included Financial Reporting, Contract Agreements, Procurement, Personnel, and the Management of the Department of Energy and Low Income Home Energy Assistance Program contracts.

**PROGRAM EVALUATION**

The evaluation of the program consisted of: interviews with the Alamo Area Council of Governments personnel, analysis of the fiscal system, review of programmatic records, on-site inspections, client interviews, and inventory review.

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The following was noted during the review:

- Onsite Inspections requiring numerous returns.
- AACOG did not utilize the Blower Door rings
- Multi family client files revealed missing or incomplete documents
- Denied client appeals procedure did not follow the Texas Administrative Code.
- Was not servicing all counties according to the census population.

**2008 WEATHERIZATION MONITORING REPORT  
OF  
ALAMO AREA COUNCIL OF GOVERNMENTS**

**Section I. Financial Reporting**

**EXPENDITURES AS OF FEB 2010**

CONTRACT NAME	YEAR-TO-DATE EXPENDITURES	% OF ORIGINAL CONTRACT AMOUNT	# UNITS COMPLETED	# UNITS IN PROGRESS
DOE	\$ 1,190,935.50	80%	383	6
LIHEAP	\$ 716,557.90	37%	364	318
ARRA	\$ 257,795.84	4%	9	390

**Section VIII. Performance Review**

**Finding #1:** Onsite home inspection of weatherized units revealed that nine (9) units inspected, would require a return to address deficiencies in subcontractor workmanship. This finding is a repeat finding from Program Year 2008-2009.

**Action**

**Required:**

AACOG must return to the client units listed in Attachment A, and address the deficiencies noted on each unit. AACOG must provide an explanation on how the assurance, provided to the Department in the previous program year, was not effectively implemented. In addition, AACOG must detail, in its response to this report, what proactive measures will be taken to prevent future returns. Those measures at a minimum should include periodic visits to client units while work is in progress, to insure that the quality of work that is being performed meets AACOG's requirements, and the Department's expectations. Additionally, AACOG should also address the requirement of ensuring final inspections are conducted in a more thorough manner. AACOG must assure the Department that a copy of the Texas Weatherization Field Guide is provided to WAP staff.

**Reference: 10 CFR Part 440; §440.16 (g)**

**Finding #2:** A review of expenditures and an interview of AACOG's staff revealed clients are served on a "first come-first serve basis." Although the Department allocates funds for each county in AACOG's service area, AACOG pools its money and does not allocate the respective funds for each county. Therefore, there is a chance of minimal or no expenditures in counties where there was no applicants or outreach performed. AACOG staff was provided with the poverty percentage breakdown

**2009 WEATHERIZATION MONITORING REPORT  
OF  
ALAMO AREA COUNCIL OF GOVERNMENTS**

that should be used to correctly allocate weatherization funds for all Department weatherization programs.

**Action**

**Required:** AACOG must immediately implement (and continue to implement) the correct funding allocation for each county in its service delivery area. As part of the response to this report, AACOG must provide an assurance that the allocation will be implemented and maintained with each new funding cycle. In addition, as part of the response to this report, AACOG must provide the allocation given to each county for the remaining DOE ARRA funds and for the PY 2010-2011 DOE and LIHEAP grants.

**Reference: T.A.C. 5.503**

**Finding #3:** It was noted that AACOG conducted final inspections using an open fan. AACOG failed to utilize the rings on the fan to create a baseline reading before performing the blower door test. In performing a baseline reading AACOG will obtain an average pressure baseline when inconsistent and varying pressures exist. The use of the blower door rings during the actual blower test will enable more accurate readings building envelopes with lower special volume.

**Action**

**Required:** As part of the response to this report, AACOG must provide an assurance that a baseline reading will be obtained. The assurance should detail the use of the blower door readings to obtain a baseline reading, while conducting unit assessments and final inspections. In addition, if AACOG personnel require training on the use of the blower door rings, a training request should be documented in the response to this report.

**Reference: Texas Blower Door Standards**

**Section X. Multifamily**

**Finding #4:** A review of Multi-Family client files revealed missing blower door data sheets in six (6) files at 500 Cross Creek apartments in Dilley, Tx. The lack of blower door data sheets may create a situation where the BTL is surpassed, potentially creating a Health and Safety issue in each unit.

**Action**

**Required:** As part of the response to this report, AACOG must provide an assurance to the Department, that all files will contain blower door data sheets which will note the BTL.

**Reference: Texas Blower Door Standards**

2008 WEATHERIZATION MONITORING REPORT  
OF  
ALAMO AREA COUNCIL OF GOVERNMENTS


**Section XI. Denied Files**

**Finding #5:** A review of denied client files revealed that AACOG's appeals procedure was not in compliance with the T.A.C. The existing appeals procedure at AACOG did not allow the applicant the opportunity for a hearing.

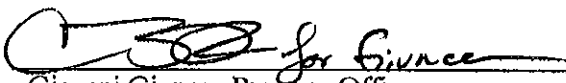
**Action**

**Required:** As part of the response to this report, AACOG must provide the Department a revised Appeals Procedure which is consistent to the T.A.C. In addition, AACOG must also assure the Department that it will adhere to the Appeals Procedure as required by the T.A.C. Finally, AACOG must submit letters to each denied applicant/client form PY 2009-2010 providing the new appeals procedure. This letter should explain the opportunity to appeal its earlier denial. Should a denied applicant appeal, AACOG must follow the appeals procedure as stated in the T.A.C.

**Reference: T.A.C. 5.505**

Signature:   
\_\_\_\_\_  
Celedonio Mendoza Jr., Sr. Program Officer

5/25/10  
\_\_\_\_\_  
Date

Signature:   
\_\_\_\_\_  
Giovanni Giunca, Program Officer

5/25/10  
\_\_\_\_\_  
Date

**2009 WEATHERIZATION MONITORING REPORT  
OF  
ALAMO AREA COUNCIL OF GOVERNMENTS**

**ATTACHMENT A**

Unit #	Funding Source	If Material was not installed correctly, list deficiencies? (Unit will require a return to correct the deficiencies)
09KR6243	DOE LIHEAP X ARRA X	Caulk Insulation plugs at exterior wall Caulk windows and trim on exterior wall Remove old windows from site.
09KR6828	DOE LIHEAP X ARRA X	Install Baffles at vents in attic
09KR6240	DOE X LIHEAP X ARRA	Install required Electrical Disconnect on condensing unit. Return and replace duct
09KR6623	DOE LIHEAP X ARRA X	No Return
09KE6037	DOE XLIHEAP X ARRA X	Address air infiltration Address damaged insulation and skirting
09BE6168	DOE X LIHEAP X ARRA	Return and install code compliant vent pipe Provide required combustion air
09BE6174	DOE X LIHEAP X ARRA	No Return
09BE6175	DOE X LIHEAP X ARRA	No Return
09BE6179	DOE X LIHEAP X ARRA	No Return
09BE6182	DOE X LIHEAP X ARRA	No Return
09BE6183	DOE X LIHEAP X ARRA	Properly block attic opening at HVAC closet to prevent insulation from falling in.
09BE6188	DOE X LIHEAP X ARRA	No Return
09BE6188	DOE X LIHEAP X ARRA	No Return
09BE6192	DOE X LIHEAP X ARRA	No Return

**2008 WEATHERIZATION MONITORING REPORT  
OF  
ALAMO AREA COUNCIL OF GOVERNMENTS**

09BE6178	DOE X LIHEAP X ARRA	No Return
09BE6173	DOE X LIHEAP X ARRA	No Return
Cross Creek Apt # [REDACTED]	DOE LIHEAP X ARRA X	No Return
Cross Creek Apt # [REDACTED]	DOE LIHEAP X ARRA X	Address hole in HVAC Evaporator condensation pan
Cross Creek Apt # [REDACTED]	DOE LIHEAP X ARRA X	Address hole in HVAC Evaporator condensation pan
Cross Creek Apt # [REDACTED]	DOE LIHEAP X ARRA X	Address hole in HVAC Evaporator condensation pan

**Action Required:** AACOG must return to the units listed above and address the issues noted. In addition, AACOG must verify that all units at Cross Creek Apartments, not inspected by the program officers, have properly addressed the holes in the condensation pan. As part of the response to this report, AACOG must detail what was performed on each separate return.







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Lowell A. Keig  
Juan S. Muñoz, Ph.D.

June 7, 2010

Mr. David Zappasodi  
Executive Director  
Arlington Housing Authority  
501 W. Sanford, Suite 20  
Arlington, Texas 76011

Re: ARRA Weatherization Assistance Program Contract #16090000746

Dear Mr. Zappasodi:

Enclosed is a report that details the monitoring review of your Weatherization Assistance Program contract with the Texas Department of Housing and Community Affairs. This information is provided to ensure that compliance with the contract(s) is maintained and that services to the poor, elderly, and disabled are offered in the most expeditious and economical manner.

The Department has identified **seven (7) findings** and **one (1) recommendation** for the Weatherization Assistance Program. Please submit a response to this report to this office within thirty (30) days of the date of this letter.

If we can be of any assistance, please contact Jason A. Seale, Program Officer, at (512) 463-0172. The assistance provided to the Program Officer by City of Arlington is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to be "SG", followed by a horizontal line.

Sharon Gamble  
Manager  
Energy Assistance Section

PY09 WEATHERIZATION MONITORING REPORT  
OF  
CITY OF ARLINGTON

**Directory of Monitoring Sections**

- Section I. Financial Review
- Section II. Travel and Timesheets
- Section III. General Liability and Pollution Occurrence Insurance
- Section IV. Property Management
- Section V. Procurement
- Section VI. Audit
- Section VII. Personnel Policies and Procedures
- Section VIII. Performance Review/Onsite Inspections
- Section IX. Administrative
- Section X. Client File/Multifamily Review
- Section XI. Denied Files

PY09 WEATHERIZATION MONITORING REPORT  
OF  
CITY OF ARLINGTON

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**Dates of Review:** April 26, 2010 – April 29, 2010

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Focus of Review

CONTRACT NAME	CONTRACT NUMBER	CONTRACT AMOUNT	CONTRACT DATES
ARRA	16090000746	\$1,091,787.00	9/1/2009 to 8/31/2011

On-site review of City of Arlington's implementation of the American Recovery and Reinvestment Act of 2009 Weatherization Assistance Program (WAP). Specific areas of review included Financial Reporting, Contract Agreements, Procurement, Personnel and the Management of the American Recovery and Reinvestment Act of 2009 contract.

**Program Evaluation**

The evaluation of the program consisted of: Interviews with the City of Arlington personnel, analysis of the fiscal system, review of programmatic records, on-site inspections, client file reviews and inventory review.

**The following was noted during the review:**

- Lack of Documentation for LSW Practices
- Missing Material Specification Sheets
- Low Expenditures for ARRA WAP Contract
- Incomplete Client File Documentation
- Contractor HVAC Pricing Discrepancies
- Missing Contract Provisions

PY09 WEATHERIZATION MONITORING REPORT  
OF  
CITY OF ARLINGTON

**Section I. Financial Review**

**EXPENDITURES AS OF MARCH 2010**

CONTRACT NAME	YEAR-TO-DATE EXPENDITURES	% OF ORIGINAL CONTRACT AMOUNT	# UNITS COMPLETED	# UNITS IN PROGRESS
ARRA	\$95,796.81	8.77%	35	35

**Recommended Improvement #1** Review of the March 2010 expenditure report for the ARRA contract revealed Administrative expenditures were above the maximum allowable of 5%. Current Administrative expenditures for the ARRA contract are 12.15%. The Department reminds City of Arlington that Administrative expenditures must be at or below the maximum by contract closeout or be subject to disallowed cost.

**Finding #1**                    **Low Expenditures** As of the March 2010 monthly expenditure reports, City of Arlington had expended 8.77% of ARRA WAP Contract #16090000746. The ARRA WAP Contract requires the development and implementation of equitable WAP services throughout the entire service area.

**Action Required**                    The Department requires City of Arlington to submit a detailed plan of action to include increased production and adherence to the DOE Production Schedule in the response to this report. Failure to submit a plan to the Department may result in suspension of the ARRA WAP contract. **Reference: ARRA Contract Section 4**

**Section V. Procurement**

**Finding #2**                    **Missing Contract Provisions** Review of the current vendor contract revealed four (4) provisions that are required to be included in the contractor agreement. The four (4) provisions that weren't included in the current agreement are:

- A) For contracts in excess of \$10,000, compliance with Executive Order 11375 Amending Executive Order 11246 "Equal Employment Opportunity"
- B) Utilizing ARRA funds for use in political activity and lobbying
- C) Assuring legal authority to sign the contract
- D) For contracts in excess of \$100,000, compliance with Clean Air and Clean Water Acts

PY09 WEATHERIZATION MONITORING REPORT  
OF  
CITY OF ARLINGTON

**Action  
Required**

City of Arlington is currently in the process of procuring an additional contractor for the ARRA WAP program. Once the preceding provisions have been added to amend existing contracts, City of Arlington must submit a copy to the Department in the response to this report.

**Reference: OMB Circular A-110 - Appendix A, ARRA Contract Section 30, 10 TAC §5.10**

**Section VIII. Onsite Inspections**

**Finding #3**

**Inadequate Final Inspections** On-site review revealed that the City of Arlington was not conducting thorough final inspections of units weatherized. The units require a return to 7 out of the 10 units inspected for additional work to assure compliance with current program requirements. City of Arlington installed 1/2" sheetrock in the garage of 09WAP102 under health & safety. **This installation is not an allowable cost under this category.**

**Action  
Required**

In order to ensure program compliance, the City of Arlington must return and address units as indicated in Attachment A of this report. As part of the response to this report, the City of Arlington must submit a written plan that outlines how final inspections will be more thorough and comprehensive. City of Arlington must transfer the cost of the sheetrock (09WAP102) to unrestricted funds and submit supporting documentation or reimburse the Department \$384.00 from unrestricted funds for the sheetrock that was installed under Health & Safety. **Reference: Weatherization Field Guide, Chapter 1**

**Finding #4**

**Inadequate Lead Work Practice Documentation** On-site unit inspections revealed a deficiency in minimum documentation standards for Lead Safe Work Practices. Review of client file documentation affirmed the potential of lead hazards in pre-1978 units that were recipients of weatherization services provided by City of Arlington.

**Action  
Required**

The City of Arlington is reminded of EPA's LRRPP (Lead; Renovation, Repair and Painting Program) Final Rule effective April 22, 2010. The listed reference will provide Minimum Standards for LSW, found in WPN 08-6, Attachment A. Failure to follow EPA guidelines for LSW could result in fines administered by the EPA as well as disallowed costs administered by the Department. **Reference: WPN 08-6, WPN 08-6, Attachment A – Minimum Standards for LSW, WPN 09-6**

PY09 WEATHERIZATION MONITORING REPORT  
OF  
CITY OF ARLINGTON

**Finding #5**                    **Missing Material Specifications Documentation**    At the time of monitoring, City of Arlington could not provide Material Specifications for air conditioning equipment, gas water heaters, electric water heaters, gas furnaces, electric furnaces, weatherstripping and replacement windows being utilized in the ARRA WAP program by its current contractor.

**Action Required**                    The City of Arlington must submit as a response to this report the material specifications of the preceding equipment in accordance with Department of Energy (DOE) specifications. Any materials not meeting DOE specifications will be considered disallowed costs. **Reference: 10 CFR 440, Appendix A – Standards For Weatherization Materials**

**Section X. Client File Review**

**Finding #6**                    **Incomplete Client File Forms**    A review of the client files revealed that the City of Arlington is not completing the forms as required by the contract.

**All Files** - Start date on Building Weatherization Report were from the assessment date and must be from the work start date.

**09WAP102** - Income documentation is not current for PVSH1504. File is missing income documentation or the Declaration of Income Statement for PUSH1504.

**09WAP78** - Failed to obtain complete 30 days of income for HAL6205 and JMI6205. Failed to obtain 30 days of income for YMI6205 from Fuente de Sodas Letty's.

**09WAP102** - Sheetrock was installed in the garage under the Health & Safety line item.

**09WAP24** - Priority sheet shows the water heater under the Health & Safety category but the Building Weatherization Report indicates it was paid under the Other Measures category.

**09WAP44** - Building Weatherization Report is missing agency and client signatures with dates.

**09WAP62** - Contractor invoiced agency \$1,200.00 to replace a 13 SEER A/C. The material price list indicates that the price is \$900.00.

**09WAP4** - Contractor invoiced the agency \$2,075.00 to replace a 75 BTU Furnace. The material price list indicates that the price is \$900.00.

**Action Required**                    The City of Arlington must provide the Department a written procedure

PY09 WEATHERIZATION MONITORING REPORT  
OF  
CITY OF ARLINGTON

indicating how the agency will adhere to complying with the requirement of filling out the forms as required by the contract. The written procedure must be submitted in response to this report. The City of Arlington must obtain current income documentation from PVSH1504 and for PUSH1504 (09WAP102). The agency must obtain current income documentation or Declaration of Income Statement from HAL6205 and JMI6205 (09WAP78). A copy of the income documentation for HAL6205, PUSH1504 and PVSH1504 must be submitted with the response to this report. Failure to provide the required income verification documentation will result in disallowed costs for all weatherization measures performed and all materials installed.

The City of Arlington must request from the contractor an adjusted invoice in the amount of \$1,475.00 for files 09WAP62 and 09WAP4. **Reference: 10 TAC §5.20 (c), ARRA Contract Section 13, Record Keeping Requirements**

City of Arlington must review the above noted client files, and complete the required BWR certification of final inspection page. A copy of the properly completed BWR certification of final inspection page must be submitted with the response to this report. Failure to provide the BWR certification of final inspection page will result in disallowed costs. The City of Arlington must also assure the Department in its response to this report that better quality control measures will be implemented to prevent future instances of BWR certification of final inspection page forms not being properly reviewed and/or completed. **Reference: Contract Section 13, (B), (4)**

**Finding #7**

09WAP22 received a 75,000 Btu Energy Star Furnace charged to the Health and Safety line item. The pricing revealed in the Building Weatherization Report was not the stated price as submitted in the Bid Modification submitted by E3 Solutions. Material cost for the furnace is shown at \$2,425.00 with a labor cost of \$2,075.00 on the complete Building Weatherization Report. The current price, according to the agreed Bid Modification is \$2,250.00 for materials and \$900.00 for the associated labor.

**Action  
Required**

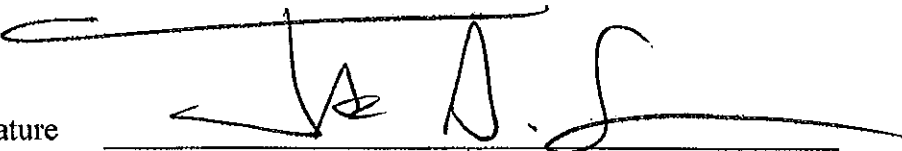
In order to ensure program compliance, the City of Arlington must request immediate reimbursement from E3 Solutions for the difference in pricing as stated in the Bid Modification in the amount of \$1,350.00 (\$175.00 for materials and \$1,175.00 for labor). As part of the response to this report, the City of Arlington must submit support documentation that outlines the reimbursement to the City of Arlington from E3 Solutions. **Reference: 10 TAC §5.10, 10 CFR 440.21**



PY09 WEATHERIZATION MONITORING REPORT  
OF  
CITY OF ARLINGTON

Program Officers Jason A. Seale and Walter Griner conducted an exit interview with the following staff members from City of Arlington:

Mindy Cochran, Housing Operations Manager  
Donna Wall, Weatherization Specialist  
Amy Trevino, Financial Manager  
Medria Browhow, Account Analyst  
Juan Serrano, Project Coordinator  
David Zappasodi, Executive Director  
Brett Clark, Project Coordinator  
Nicolette Arceneaux, Urban Development Specialist, LSO  
Tahseen Khan, Rehabilitation Specialist

Signature  Date 6/4/10  
Jason A. Seale  
Energy Assistance Program Officer

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Walter Griner  
Energy Assistance Program Officer

PY09 WEATHERIZATION MONITORING REPORT  
OF  
CITY OF ARLINGTON

ATTACHMENT A

Units Reviewed	Comments
10 units reviewed	10 DOE ARRA – Returns noted below

Units Inspected	Fund Source	Return	Comments
09WAP4	DOE ARRA	No	No Return
09WAP102	DOE ARRA	Yes	Return to adjust kitchen exterior door to close correctly. Adjust water heater vent pipe. Block central heat source in attic. <b>Texas Weatherization Field Guide Pg.68 2.4 Water-Heating Measures Pg. 32 Texas Mechanical Systems Field Guide 3.2 Venting Combustion Gases Pg.31</b>
09WAP44	DOE ARRA	Yes	Return to clean inside the return that was sealed upstairs and downstairs. Install masonite siding on the west side up by the roof.
09WAP78	DOE ARRA	Yes	Return to repair the pressure and temperature relief valve line. <b>Texas Weatherization Field Guide Water-Heating Measures Pg. 32</b>
09WAP24	DOE ARRA	Yes	Return to seal five central registers correctly. Replace 4 defective bulbs. <b>Texas Weatherization Field Guide</b>
09WAP10	DOE ARRA	Yes	Return to address additional air infiltration in the back dining room. Seal around the return and tighten register in bathroom. <b>Texas Weatherization Field Guide Attic Ventilation Pg. 52</b>
09WAP92	DOE ARRA	Yes	Return to attach board behind washer to wall. Address additional air infiltration by caulking all pipe penetrations and around the French doors. <b>Texas Weatherization Field Guide Sealing major air leaks and bypasses Pg. 43</b>

PY09 WEATHERIZATION MONITORING REPORT  
OF  
CITY OF ARLINGTON

09WAP62	DOE ARRA	Yes	Return to add ventilation to attic. Address additional air infiltration by caulking all pipe penetrations, by the beam on the ceiling of the living room. Seal around the plenum in the A/C closet. <b>Texas Weatherization Field Guide Attic Ventilation Pg. 52 Sealing major air leaks and bypasses Pg. 43</b>
09WAP53	DOE ARRA	No	No return.
09WAP3	DOE ARRA	No	No return.

**Action Required:** Return and address. Upon completion, verification of returns must be submitted to the Department within thirty (30) days of this report.





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Juan S. Muñoz, Ph.D.

June 25, 2010

Mr. Karl R. Rábago  
VP for Distributed Energy Services  
Austin Energy  
721 Barton Springs Rd.  
Austin, Texas 78704

Re: DOE/ARRA Weatherization Assistance Program Contract #16090000753

Dear Mr. Rábago:

Enclosed is a report that details the monitoring of the City of Austin (COA) Weatherization Assistance Program contract with the Texas Department of Housing and Community Affairs (The Department). This information is provided to ensure that compliance with the contract is maintained and that services to the poor, elderly, and disabled are offered in the most expeditious and economical manner.

The monitoring report includes four (4) findings resulting in questioned costs and one (1) recommended improvement. Please submit a response to this report to this office within thirty (30) days of the date of this letter.

If we can be of any assistance, please feel free to contact J.R. Mendoza, Senior Program Officer, at (512) 936-7811. The assistance provided to the Program Officers by the agency is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to be "S. Gamble", followed by a horizontal line.

Sharon D. Gamble  
Manager  
Energy Assistance Section

Cc: Mr. Marc A. Ott, City Manager

**2009 WEATHERIZATION MONITORING REPORT  
CITY OF AUSTIN**

**Directory of Monitoring Sections**

**Section I. Financial Reporting**

**Section II. Travel and Timesheets**

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**Section IV. Property Management**

**Section V. Procurement**

**Section VI. Audit**

**Section VII. Personnel Policies and Practices**

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**Section IX. Administration**

**Section X. Multifamily**

**Section XI. Denied Files**

**2009 WEATHERIZATION MONITORING REPORT  
CITY OF AUSTIN**

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**Dates of Review:**            May 17-20, 2010

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**FOCUS OF REVIEW**

CONTRACT NAME	CONTRACT NUMBER	CONTRACT AMOUNT	CONTRACT DATES
DOE ARRA	16090000753	\$5,964,892.00	9/1/2009 to 8/31/2011

**PROGRAM EVALUATION**

The May 17-20, 2010 on-site monitoring consisted of a review of the City of Austin (COA) implementation of the Department of Energy's ARRA Weatherization Assistance Program. Specific areas of review included Financial Reporting, Contract Agreements, Procurement, Personnel, and the Management of the Department of Energy and Low Income Home Energy Assistance Program contracts.

The evaluation of the program consisted of: interviews with the COA personnel, analysis of the fiscal system, review of programmatic records, on-site inspections, client interviews, and inventory review. This is the first year that COA has operated a Weatherization Program from TDHCA. The process to obtain the weatherization contract was lengthy as there were protocols that required review by several City Departments and ultimately the City Council approval. Shortly after the contract was approved and signed by the council, Austin Energy commenced the procurement process to acquire sub contractors to complete unit assessments, final inspections and to install the weatherization measures. This process was completed in March 2010 and contracts were approved in the subsequent month. At the time of monitoring, COA had weatherized five (5) units, but had not reported them to the Department since the contractors had not provided invoices; therefore no Building Weatherization Report had been completed. As a result, there were no expenditures reported to the Department.

**The following was noted during the review:**

- Lack of production of weatherized units
- Lack of documentation of compliance with Weatherization Material Standards
- Work Orders did not detail where air infiltration measures were to be completed.
- Income documentation was missing on two of five client files
- Files contained excess forms

**2009 WEATHERIZATION MONITORING REPORT  
CITY OF AUSTIN**

**Section I. Financial Reporting**

**EXPENDITURES AS OF MARCH 2010**

CONTRACT NAME	YEAR-TO-DATE EXPENDITURES	% OF ORIGINAL CONTRACT AMOUNT	# UNITS COMPLETED	# UNITS IN PROGRESS
DOE ARRA	\$0	0%	0	5

**Finding #1:** At the time of monitoring, COA had not reported any completed units. Whereas, the contract period ends August 31, 2011, COA faces deobligation of funds if minimum completion benchmarks are not met throughout the program year. Two benchmarks include COA reporting 100 (cumulative) completed units, at an average unit expenditure rate of \$5,380.00, by June 30, 2010 and 371 (cumulative) units by August 31, 2010. In addition, COA must have expended at least 20% (\$538,000) of its original contract by June 30, 2010 and 35% (\$1,995,980) by August 31, 2010.

**Action**

**Required:** As part of the response to this report, COA must document a plan of action that will detail how it will assure units will be weatherized and how it anticipates meeting the production schedule that was submitted to the Department (June 10, 2010 production schedule). At a minimum, specifics of the plan of action should include Outreach, Intake, Assessments, Contractors, Final Inspections, Financial payments and Reporting. COA must understand that providing the required response does not guarantee its DOE ARRA contracted funds will not be deobligated.

**Reference: DOE ARRA contract section 4**

**Finding #2:** At the time of monitoring, COA did not have documentation that all weatherization materials installed by its contractors met the minimum standards as required by DOE. Failure to ensure each product meets DOE requirements may result in questioned or disallowed costs.

**Required**

**Action:** A copy of data sheets for all material products used by each of contractor must be maintained. In addition, each product must conform to the DOE minimum standards. As part of the response to this report, COA must provide a copy of the materials specifications from each contractor. In addition COA must provide an assurance that a file will be maintained to ensure all materials installed meet DOE requirements.

**Reference: DOE 10 CFR 440 Appendix A**



**2009 WEATHERIZATION MONITORING REPORT  
CITY OF AUSTIN**

**Finding #3:** A review of work orders for the weatherized units revealed generic details on which air infiltration measures should be taken. Having a generic work order may lead to work that may not be required and may result in over expenditure of air infiltration measure funds. A thorough unit assessment must detail what air infiltration measures will be required. In turn, this detail will allow COA to determine which measures are most cost effective and if the cost is over the maximum allowable expenditure. Any costs over the maximum allowable expenditure will be disallowed.

**Required**

**Action:** As part of the response to this report, COA must provide an assurance and detail what steps will be taken to guarantee all future work orders will be detailed as to the specific need for any weatherization measure.

**Reference: DOE ARRA Contract Section 11**

**Finding #4:** A review of five (5) client files revealed two (2) files missing income documentation for certain individuals within the household. Client file EVILL4402 was missing income documentation for the wife and file LRIBB0408 had two (2) individuals within the household missing income documentation. All encumbered weatherization expenses (\$2,896.00) for these two units are considered questioned until the income documentation is obtained.

**Action**

**Required:** As part of the response to this report, COA must obtain and provide the missing income documentation for each file noted above. COA must also provide the existing client income information on file and verify if the household is still eligible to receive DOE ARRA weatherization services. COA must provide an assurance on how it will ensure all weatherization client files will have income documentation for each household member over eighteen (18) years of age.

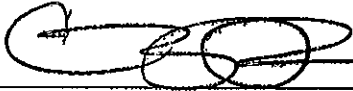
**Reference: DOE ARRA Contract Section 13**

**Recommended**

**Improvement:** A review of the client files revealed excess documents in each file. COA had copies of the Priority Rating Sheet Instructions and the Blower Door Standard Instructions in each client file. Whereas these instructions are important to ensure the priority rating sheet and the Blower Door Standard are followed correctly, copies are not required to be in each file. It is recommended that each assessor, final inspector and quality assurance staff member have a central file containing a copy of these instructions.

2009 WEATHERIZATION MONITORING REPORT  
CITY OF AUSTIN

Texas Department of Housing and Community Affairs representative, J.R. Mendoza participated in an exit conference with Mr. Steven Saenz and Joseph Guerrero.



Celedonio Mendoza Jr.  
Senior Program Officer

5/17/2010

Date

2009 WEATHERIZATION MONITORING REPORT  
CITY OF AUSTIN

ATTACHMENT A

JAMAD3409	ARRA	Clean fan in the Central System air handler
LRIBB0408	ARRA	Insulate the attic hatch
SBROO4905	ARRA	No Return
EVILLA4402	ARRA	No Return





## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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Juan S. Muñoz, Ph.D.

June 28, 2010

Mr. Karl R. Rábago  
VP for Distributed Energy Services  
Austin Energy  
721 Barton Springs Rd.  
Austin, Texas 78704

Re: DOE/ARRA Weatherization Assistance Program Contract #16090000753

Dear Mr. Rábago:

Enclosed is a report that details the monitoring of the City of Austin (COA) Weatherization Assistance Program contract with the Texas Department of Housing and Community Affairs (The Department). This information is provided to ensure that compliance with the contract is maintained and that services to the poor, elderly, and disabled are offered in the most expeditious and economical manner.

The monitoring report includes four (4) findings resulting in questioned costs and one (1) recommended improvement. Please submit a response to this report to this office within thirty (30) days of the date of this letter.

If we can be of any assistance, please feel free to contact J.R. Mendoza, Senior Program Officer, at (512) 936-7811. The assistance provided to the Program Officers by the agency is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to be "S. Gamble", followed by a horizontal line.

Sharon D. Gamble  
Manager  
Energy Assistance Section

Cc: Mr. Marc A. Ott, City Manager

**2009 WEATHERIZATION MONITORING REPORT  
CITY OF AUSTIN**

**Directory of Monitoring Sections**

Section I. Financial Reporting

Section II. Travel and Timesheets

Section III. General Liability and Pollution Occurrence Insurance

Section IV. Property Management

Section V. Procurement

Section VI. Audit

Section VII. Personnel Policies and Practices

Section VIII. Performance Review

Section IX. Administration

Section X. Multifamily

Section XI. Denied Files

**2009 WEATHERIZATION MONITORING REPORT  
CITY OF AUSTIN**

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**Dates of Review:** May 17-20, 2010

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**FOCUS OF REVIEW**

CONTRACT NAME	CONTRACT NUMBER	CONTRACT AMOUNT	CONTRACT DATES
DOE ARRA	16090000753	\$5,964,892.00	9/1/2009 to 8/31/2011

**PROGRAM EVALUATION**

The May 17-20, 2010 on-site monitoring consisted of a review of the City of Austin (COA) implementation of the Department of Energy's ARRA Weatherization Assistance Program. Specific areas of review included Financial Reporting, Contract Agreements, Procurement, Personnel, and the Management of the Department of Energy and Low Income Home Energy Assistance Program contracts.

The evaluation of the program consisted of: interviews with the COA personnel, analysis of the fiscal system, review of programmatic records, on-site inspections, client interviews, and inventory review. This is the first year that COA has operated a Weatherization Program from TDHCA. The process to obtain the weatherization contract was lengthy as there were protocols that required review by several City Departments and ultimately the City Council approval. Shortly after the contract was approved and signed by the council, Austin Energy commenced the procurement process to acquire sub contractors to complete unit assessments, final inspections and to install the weatherization measures. This process was completed in March 2010 and contracts were approved in the subsequent month. At the time of monitoring, COA had weatherized five (5) units, but had not reported them to the Department since the contractors had not provided invoices; therefore no Building Weatherization Report had been completed. As a result, there were no expenditures reported to the Department.

**The following was noted during the review:**

- Lack of production of weatherized units
- Lack of documentation of compliance with Weatherization Material Standards
- Work Orders did not detail where air infiltration measures were to be completed.
- Income documentation was missing on two of five client files
- Files contained excess forms

2009 WEATHERIZATION MONITORING REPORT  
CITY OF AUSTIN

Section I. Financial Reporting

EXPENDITURES AS OF MARCH 2010

CONTRACT NAME	YEAR-TO-DATE EXPENDITURES	% OF ORIGINAL CONTRACT AMOUNT	# UNITS COMPLETED	# UNITS IN PROGRESS
DOE ARRA	\$0	0%	0	5

**Finding #1:** At the time of monitoring, COA had not reported any completed units. Whereas, the contract period ends August 31, 2011, COA faces deobligation of funds if minimum completion benchmarks are not met throughout the program year. Two benchmarks include COA reporting 100 (cumulative) completed units, at an average unit expenditure rate of \$5,380.00, by June 30, 2010 and 371 (cumulative) units by August 31, 2010. In addition, COA must have expended at least 20% (\$538,000) of its original contract by June 30, 2010 and 35% (\$1,995,980) by August 31, 2010.

**Action**

**Required:** As part of the response to this report, COA must document a plan of action that will detail how it will assure units will be weatherized and how it anticipates meeting the production schedule that was submitted to the Department (June 10, 2010 production schedule). At a minimum, specifics of the plan of action should include Outreach, Intake, Assessments, Contractors, Final Inspections, Financial payments and Reporting. COA must understand that providing the required response does not guarantee its DOE ARRA contracted funds will not be deobligated.

**Reference:** DOE ARRA contract section 4

**Finding #2:** At the time of monitoring, COA did not have documentation that all weatherization materials installed by its contractors met the minimum standards as required by DOE. Failure to ensure each product meets DOE requirements may result in questioned or disallowed costs.

**Required**

**Action:** A copy of data sheets for all material products used by each of contractor must be maintained. In addition, each product must conform to the DOE minimum standards. As part of the response to this report, COA must provide a copy of the materials specifications from each contractor. In addition COA must provide an assurance that a file will be maintained to ensure all materials installed meet DOE requirements.

**Reference:** DOE 10 CFR 440 Appendix A



**2009 WEATHERIZATION MONITORING REPORT  
CITY OF AUSTIN**

**Finding #3:** A review of work orders for the weatherized units revealed generic details on which air infiltration measures should be taken. Having a generic work order may lead to work that may not be required and may result in over expenditure of air infiltration measure funds. A thorough unit assessment must detail what air infiltration measures will be required. In turn, this detail will allow COA to determine which measures are most cost effective and if the cost is over the maximum allowable expenditure. Any costs over the maximum allowable expenditure will be disallowed.

**Required**

**Action:** As part of the response to this report, COA must provide an assurance and detail what steps will be taken to guarantee all future work orders will be detailed as to the specific need for any weatherization measure.

**Reference: DOE ARRA Contract Section 11**

**Finding #4:** A review of five (5) client files revealed two (2) files missing income documentation for certain individuals within the household. Client file EVILL4402 was missing income documentation for the wife and file LRIBB0408 had two (2) individuals within the household missing income documentation. All encumbered weatherization expenses (\$2,896.00) for these two units are considered questioned until the income documentation is obtained.

**Action**

**Required:** As part of the response to this report, COA must obtain and provide the missing income documentation for each file noted above. COA must also provide the existing client income information on file and verify if the household is still eligible to receive DOE ARRA weatherization services. COA must provide an assurance on how it will ensure all weatherization client files will have income documentation for each household member over eighteen (18) years of age.

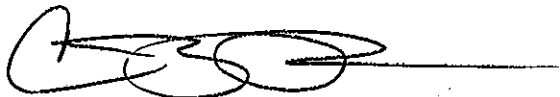
**Reference: DOE ARRA Contract Section 13**

**Recommended**

**Improvement:** A review of the client files revealed excess documents in each file. COA had copies of the Priority Rating Sheet Instructions and the Blower Door Standard Instructions in each client file. Whereas these instructions are important to ensure the priority rating sheet and the Blower Door Standard are followed correctly, copies are not required to be in each file. It is recommended that each assessor, final inspector and quality assurance staff member have a central file containing a copy of these instructions.

2009 WEATHERIZATION MONITORING REPORT  
CITY OF AUSTIN

Texas Department of Housing and Community Affairs representative, J.R. Mendoza participated in an exit conference with Mr. Steven Saenz and Joseph Guerrero.



\_\_\_\_\_  
Celedonio Mendoza Jr.  
Senior Program Officer

6/28/2010

\_\_\_\_\_  
Date

2009 WEATHERIZATION MONITORING REPORT  
CITY OF AUSTIN

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ATTACHMENT A

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JAMAD3409	ARRA	Clean fan in the Central System air handler
LRIBB0408	ARRA	Insulate the attic hatch
SBROO4905	ARRA	No Return
EVILLA4402	ARRA	No Return





## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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Juan S. Muñoz, Ph.D.

August 23, 2010

Mr. Kyle Hayes  
City Manager  
City of Beaumont  
801 Main Street, Suite 300  
Beaumont, Texas 77701

Re: ARRA Weatherization Assistance Program Contract # 16090000702

Dear Mr. Hayes:

Enclosed is a report that details the monitoring review of City of Beaumont's American Recovery and Reinvestment Act, Weatherization Assistance Program (ARRA WAP) contract with the Texas Department of Housing and Community Affairs (the Department). This information is provided to ensure that compliance with the contract is maintained and that services to the poor, elderly, and disabled are offered in the most expeditious and economical manner.

The monitoring report includes one (1) recommendation and three (3) findings. Please submit a response to this report to this office within thirty (30) days of the date of this letter.

If we can be of any assistance, please feel free to contact David Escamilla, Senior Program Officer, at (512) 475-3859. The assistance provided to the Program Officer by the agency is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "SD Gamble", written over a horizontal line.

Sharon D. Gamble  
Manager

Energy Assistance Section

cc: Mr. Chris Boone, Community Development Director

## **Directory of Monitoring Sections**

- Section I. Financial Review**
- Section II. Travel and Timesheets**
- Section III. General Liability and Pollution Occurrence Insurance**
- Section IV. Property Management**
- Section V. Procurement**
- Section VI. Audit**
- Section VII. Personnel Policies and Practices**
- Section VIII. Performance Review**
- Section IX. Administrative**
- Section X. Client File Review/Multifamily Review**
- Section XI. Denied Files**
- Section XII. Summary**

**2009 WEATHERIZATION ASSISTANCE PROGRAM MONITORING REPORT  
OF  
CITY OF BEAUMONT**

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**DATES OF REVIEW: AUGUST 9 - AUGUST 12, 2010**

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**FOCUS OF REVIEW**

CONTRACT NAME	CONTRACT NUMBER	CONTRACT AMOUNT	CONTRACT DATES
ARRA	16090000702	\$1,506,338.00	9/1/2009 to 8/31/2011

On-site review of the City of Beaumont (COB) implementation of the Department of Energy's American Recovery and Reinvestment Act Weatherization Assistance Program (ARRA WAP). Specific areas of review included Financial Reporting, Contract Agreements, Procurement, Personnel, and the Management of the Department of Energy American Recovery and Reinvestment Act contract.

**PROGRAM EVALUATION**

The evaluation of the program consisted of interviews with the City of Beaumont personnel, analysis of the fiscal system, review of programmatic records, on-site inspections, client interviews, and inventory review.

**The following issues were noted during the review:**

- Subcontractor workmanship deficiencies on four (4) client units inspected
- One (1) client unit inspected was invoiced for labor services not allowed within ARRA WAP.
- Client file review conducted revealed that several files did not contain required client documentation, and/or contained forms that were not properly and/or fully completed.

**2009 WEATHERIZATION ASSISTANCE PROGRAM MONITORING REPORT  
OF  
CITY OF BEAUMONT**

**Section I. Financial Review**

**EXPENDITURES AS OF JUNE 2010**

CONTRACT NAME	YEAR-TO-DATE EXPENDITURES	% OF ORIGINAL CONTRACT AMOUNT	# UNITS COMPLETED	# UNITS IN PROGRESS
ARRA	\$101,839.86	6.76%	37	8

**Recommended Improvement #1:** A review of the June 2010 Monthly Expenditure Report revealed that COB had an administrative expenditure ratio of 39.29% for ARRA WAP. COB is reminded that administrative expenditures must be at or below 5% by the end of the contract period. Any expenditure above the maximum allowable limit will be subject to disallowed costs.

**Section VIII. Performance Review**

**Finding #1:** Onsite home inspection of weatherized units revealed that four (4) of the units inspected would require a return to address deficiencies in subcontractor workmanship.

**Action Required:** COB must return to the client units listed in Attachment A and address the deficiencies noted on each unit. COB must also include in its response to this report a summary of all actions taken to address the deficiencies noted in Attachment A. COB must also assure the Department in its response to this report that proactive measures will be taken to prevent future instances of poor workmanship from its subcontractors. Those measures at a minimum should include both periodic visits to client units while work is in progress and ensuring that final inspections will be conducted once all work is finished to ensure that the quality of work that is being performed meets COB's requirements and the Department's expectations.  
**Reference: 10 CFR Part 440; §440.16 (g)**

**Finding #2:** During the unit inspections, it was discovered that one (1) client unit (Client: WAP-5-0128-2010-005) had been invoiced \$70.00 for labor services to repair a toilet tank leak. The labor service performed is not an allowable weatherization measure.



**2009 WEATHERIZATION ASSISTANCE PROGRAM MONITORING REPORT  
OF  
CITY OF BEAUMONT**

**Action Required:** COB shall reimburse the Department (ARRA WAP) a total of \$70.00, from agency unrestricted funds, for the payment made to the vendor, for the unallowable services performed. COB must also assure the Department in their response to this report that action will be taken to ensure client unit inspections will be conducted in a more thorough manner so as to prevent future instances of payments being made to the contracted vendor for labor services not allowed within ARRA WAP.  
**Reference: Contract, Section 11**

**Section X. Client File Review**

**Finding #3:** Client file review revealed that several files, as noted below, did not contain required client documentation and/or contained forms that were not properly and/or fully completed.

<b>Client File #:</b>	<b>Issue:</b>
WAP-5-0128-2010-0005	The Declaration of Income Statement (DIS) form does not contain all household occupant names and/or the reason for use.
WAP-2-0216-2010-0020, WAP-3-0211-2010-0014, WAP-8-0401-2010-140	The Declaration of Income Statement (DIS) form does not state reason for use, and/or is signed by agency reviewer.
WAP-2-0216-2010-0020, WAP-3-0211-2010-0014, WAP-8-0401-2010-140, WAP-2-0219-2010-031, WAP-4-0215-2010-0017, WAP-2-0302-2010-061, WAP-6-0225-2010-043, WAP-5-0225-2010-048, WAP-24-0405-2010-145, WAP-5-0128-2010-0005	The completed Attic and Wall Insulation Inspection form does not contain client signature.

**Action Required:** COB must address the client file documentation issues noted above. A copy of each corrected and/or obtained client file document noted above must be submitted with the response to this report. Additionally, COB must also assure the Department in its response to this report that procedures will be implemented that will ensure client file recordkeeping requirements will be adhered to as outlined in the ARRA WAP contract.  
**Reference: Contract; Section 13**

2009 WEATHERIZATION ASSISTANCE PROGRAM MONITORING REPORT  
OF  
CITY OF BEAUMONT

Texas Department of Housing and Community Affairs representative; David Escamilla, participated in an exit conference with Mr. Chris Boone, Ms. Tiffany Hudson, Ms. Linda Semien, and Mr. Troy Alford.

Signature:



David Escamilla, CGAP, Senior Program Officer

Date

**2009 WEATHERIZATION ASSISTANCE PROGRAM MONITORING REPORT  
OF  
CITY OF BEAUMONT**

---

**ATTACHMENT A**

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<b>Total Number of Units Inspected</b>	<b>Total Number of Units Requiring Return</b>	<b>Fund Source of Units Inspected</b>
10	4	10 ARRA

**Units Requiring Return:**

<b>Client Unit</b>	<b>Fund Source</b>	<b>Comments</b>
WAP-20-0302-2010-061	ARRA	Address turbine vent, and bathroom wall heater (high CO).
WAP-2-0216-2010-020	ARRA	Address cook stove (high CO), and test (and remove if necessary) secondary room heater.
WAP-3-0211-2010-014	ARRA	Address cook stove (high CO).
WAP-22-0225-2010-043	ARRA	Address cook stove (high CO), and kitchen ceiling patch.





## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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Gloria Ray, *Vice Chair*  
Leslie Bingham Escareño  
Tom H. Gann  
Lowell A. Kelg  
Juan S. Muñoz, Ph.D.

June 7, 2010

Ms. Anna Simo  
Executive Director  
Bee Community Action Agency  
PO Box 1540  
Beeville, TX 78104

Re: DOE Weatherization Assistance Program Contract # 56090000446  
LIHEAP Weatherization Assistance Program Contract #81090000480  
DOE/ARRA Weatherization Assistance Program Contract #16090000650

Dear Ms. Simo:

Enclosed is a report that details the monitoring and desk review of Bee Community Action Agency Weatherization Assistance Program contracts with the Texas Department of Housing and Community Affairs (The Department). This information is provided to ensure that compliance with the contracts is maintained and that services to the poor, elderly, and disabled are offered in the most expeditious and economical manner.

The monitoring report includes four (5) findings, two (2) recommended improvements, and one (1) note. Please submit a response to this report to this office within thirty (30) days of the date of this letter.

If we can be of any assistance, please feel free to contact Kevin Glienke, Program Officer, at (512) 475-3852. The assistance provided to the Program Officers by the agency is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to be "SG", followed by a horizontal line.

Sharon Gamble  
Program Manager  
Energy Assistance Section

Cc: Randy Kopplin, Community Services Director  
Reverend Bill Duke, BCAA Board Chair

**2009 WEATHERIZATION MONITORING REPORT  
BEE COMMUNITY ACTION AGENCY**

**Directory of Monitoring Sections**

Section I. Financial Reporting

Section II. Travel and Timesheets

Section III. General Liability and Pollution Occurrence Insurance

Section IV. Property Management

Section V. Procurement

Section VI. Audit

Section VII. Personnel Policies and Practices

Section VIII. Performance Review

Section IX. Administration

Section X. Multifamily

Section XI. Denied Files

**2009 WEATHERIZATION MONITORING REPORT  
BEE COMMUNITY ACTION AGENCY**

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**Dates of Review:** May 3 – May 7, 2010

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**FOCUS OF REVIEW**

CONTRACT NAME	CONTRACT NUMBER	CONTRACT AMOUNT	CONTRACT DATES
DOE	56090000446	\$131,208.00	4/1/2009 to 3/31/2010
LIHEAP	81090000480	\$134,768.00	4/1/2009 to 3/31/2010
DOE/ARRA	16090000650	\$568,597.00	9/1/2009 to 8/31/2011

On-site review of Bee Community Action Agency (BCAA) implementation of the Department of Energy's and Low Income Home Energy Assistance Program's Weatherization Assistance Program (WAP). Specific areas of review included Financial Reporting, Contract Agreements, Procurement, Personnel, and the Management of the Department of Energy and Low Income Home Energy Assistance Program contracts.

**PROGRAM EVALUATION**

The evaluation of the program consisted of: interviews with the BCAA personnel, analysis of the fiscal system, review of programmatic records, on-site inspections, client interviews, and inventory review.

**The following was noted during the review:**

- DOE and LIHEAP administrative expenditures were high.
- Contractor contracts lacked the "Rights to Inventions Made Under a Contract or Agreement" clause.
- Subcontractor workmanship deficiencies on four (4) client units inspected
- Questioned costs for energy audits in client files reviewed
- Incorrect income verification for one (1) client file

**2009 WEATHERIZATION MONITORING REPORT  
BEE COMMUNITY ACTION AGENCY  
Section I. Financial Reporting**

**Recommended Improvement #1:** At the time of monitoring, BCAA had DOE administrative expenditures of 6.07 percent and LIHEAP administrative expenditures of 9.84 percent. BCAA is reminded that DOE administrative expenditures must be at 5.0 percent and LIHEAP administrative expenditures must be at 7.22 percent by the end of the contract period.

**Reference: DOE and LIHEAP Contract Attachment A**

**Finding #1:** As of the February 2010 monthly expenditure reports, BCCA had expended 2.5% of ARRA WAP Contract #16090000650. The ARRA WAP Contract requires the development and implementation of equitable WAP services throughout the entire service area.

**Action Required:** The Department requires BCCA to submit a detailed plan of action to include increased production and adherence to the DOE Production Schedule in the response to this report. Failure to submit a plan to the Department may result in suspension of ARRA WAP contracts.

**Reference: ARRA Contract Section 4**

**Section V. Procurement**

**Finding #2:** A review of BCAA's procurement contracts revealed the lack of the provision for "Rights to Inventions Made Under a Contract or Agreement" clause within the subcontractor contracts.

**Action Required:** BCAA must amend their current subcontractor contracts to provide for the inclusion of the above mentioned contract clause.

**Reference: OMB A-110 Appendix A**

**Section VIII. Performance Review**

**Note #1:** At the time of monitoring, BCAA had not serviced Refugio county with their DOE or LIHEAP contracts. The Department recognizes that BCAA was servicing Refugio county with DOE/ARRA funds.

**Recommended Improvement #2:** At the time of monitoring, BCAA did not have material specifications for all materials installed readily available. Upon further review, it was found that materials being installed were acceptable. BCAA is reminded that any materials that do not meet the DOE specifications are subject to disallowed costs. BCAA is reminded that evidence of material specifications are needed for all weatherization materials installed, including, but not limited to: insulation (attic, walls, floor), replacement windows, storm windows, replacement doors, caulking/sealants/glazing, weather-stripping, electric and gas furnaces, electric and gas water heaters, air conditioners, window screens, and refrigerators.

**Reference: 10 CFR 440 Attachment A Material Specifications**



**2009 WEATHERIZATION MONITORING REPORT  
BEE COMMUNITY ACTION AGENCY**

**Finding #3:** Onsite home inspection of weatherized units revealed that four (4) of the ten (10) units inspected would require a return to address deficiencies in subcontractor workmanship.

**Action Required:** BCAA must return to the client units listed in Attachment A, and address the deficiencies noted on each unit. BCAA must also assure the Department in its response to this report that proactive measures will be taken to prevent future instances of poor workmanship from its subcontractors and ensure that the quality of work that is being performed meets BCAA's requirements, and the Department's expectations.  
**Reference:** 10 CFR Part 440; §440.16 (g)

**Finding #4:** \$73,056.78 Questioned Costs on energy audits reviewed during monitoring visit.

(A) \$49,001.35 questioned costs: review of NEAT energy audits in client files revealed that weatherization measures were being installed despite the savings-to-investment ratio (SIR) being below the required minimum value of 1.0. Additional measures were also being installed in homes with the household's cumulative SIR below the required minimum value of 1.0.

- a. Client 9B-006 – questioned cost \$8,462.14
- b. Client 9B-007 – questioned cost \$8,861.51
- c. Client 9B-010 – questioned cost \$9,006.46
- d. Client 9R-DA-002 – questioned cost \$4,489.52
- e. Client 9R-DA-005 – questioned cost \$4,490.51
- f. Client 9R-DA-006 – questioned cost \$4,096.96
- g. Client 9R-DA-007 – questioned cost \$5,364.07
- h. Client 9R-DA-008 – questioned cost \$4,230.18

(B) \$24,055.43 questioned costs: review of the EZ3 energy audits revealed deficiencies in every audit. There were substantial differences between the amount of money estimated for the household from the audit and the actual amount of money spent on the household. The measures listed in the audit were installed, but the additional measures and costs installed in the home were not supported by the audit. The questioned costs listed below represent the difference between the total audit price and the total amount spent on the household.

- a. Client 9B-001 – questioned cost \$905.40
- b. Client 9B-004 – questioned cost \$2,548.56
- c. Client 9LO-001 – questioned cost \$2,008.22
- d. Client 9LO-002 – questioned cost \$13,846.78
- e. Client 9M-001 – questioned cost \$4,746.47

**Action Required:** As part of the response to this report, BCAA must return to the energy audits for the files inspected, and run the audits properly, with all the

**2009 WEATHERIZATION MONITORING REPORT  
BEE COMMUNITY ACTION AGENCY**

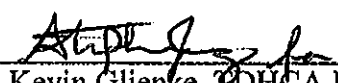
information and measures listed. Copies of these audits must be provided to the Department in the response to this report. Any measures installed in homes that do not rank on properly run audits are subject to disallowed costs. BCAA must also assure the Department that proper procedures are followed to ensure the proper inputting of information into the Energy Audit system. **Reference: ARRA Contract Section 11 (B); DOE and LIHEAP Contract Section 9 (B); 10 CFR 440; §440.21 (d)**

**Section X: Client File Review**

**Finding #5:** A review of BCAA client files revealed insufficient income documentation in file **9R-DA-007**.

**Action Required:** BCAA must submit to the Department sufficient income documentation for the above mentioned file to complete the income documentation for the household. **Reference: Texas Administrative Code; Title 10; Part 1; Chapter 5; Subchapter E; Rule §5.507 (d)(f)**

Texas Department of Housing and Community Affairs representative, Kevin Glienke, participated in an exit conference with Bee Community Action Agency representatives Ms. Anna Simo, Ms. Julie Hernandez, and Mr. Randy Kopplin.

Signature:			6/7/10
	Kevin Glienke, PDHCA Program Officer		Date:

**2009 WEATHERIZATION MONITORING REPORT  
BEE COMMUNITY ACTION AGENCY**

---

**ATTACHMENT A**

---

<b>Units Inspected</b>	<b>Fund Source</b>	<b>Return</b>	<b>Comments</b>
9RDA002	ARRA	Yes	Return to completely seal AC supply plenum. **Deficiency addressed while still on monitoring visit
9LO-001	DOE/LIHEAP	Yes	Return to re-align vent pipe for domestic water heater and install missing CO detector.
9B-007	DOE/LIHEAP	Yes	Return to address home below BTL with mechanical ventilation.
9B-010	DOE/LIHEAP	Yes	Return to address home below BTL with mechanical ventilation.

Bee Community Action Agency must return and address all units as indicated and include in it's response to this report a summary of all actions and measures taken to address the units indicated above.





## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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**Rick Perry**  
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Lowell A. Kelg  
Juan S. Muñoz, Ph.D.

July 19, 2010

Ms. Karen Garber  
Executive Director  
Brazos Valley Community Action Agency  
1500 University Dr. E, Ste 100  
College Station, TX 77840

Re: DOE/ARRA Weatherization Assistance Program Contract #16090000652

Dear Ms. Garber:

Enclosed is a report that details the unit inspection review of Brazos Valley Community Action Agency (BVCAA) Weatherization Assistance Program contracts with the Texas Department of Housing and Community Affairs (the Department). This information is provided to ensure that compliance with the contracts is maintained and that services to the poor, elderly, and disabled are offered in the most expeditious and economical manner.

The report includes **three (3) findings**. Please submit a response to this report to this office within **thirty (30) days** of the date of this letter.

If we can be of any assistance, please feel free to contact Jason A. Seale, Program Officer, at (512) 463-0172. The assistance provided to the Program Officer by BVCAA is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon Gamble", with a horizontal line extending to the right.

Sharon Gamble  
Manager  
Energy Assistance Section

Cc: Bryan Jones, Housing Coordinator

---

**WEATHERIZATION ASSISTANCE PROGRAM (WAP)  
CORRECTIVE ACTIONS REQUIRED**

---

**Dates of Review:** June 17-18, 2010

---

**FOCUS OF REVIEW**

CONTRACT NAME	CONTRACT NUMBER	CONTRACT AMOUNT	CONTRACT DATES
DOE/ARRA	16090000652	\$4,889,348.00	9/1/2009 to 8/31/2011

---

**PROGRAM EVALUATION**

The evaluation of the program consisted of twenty-four (24) client file reviews, twenty-four (24) on-site inspections (Willow Oaks Apartments), interviews with clients, and analysis of both quality of subcontractor workmanship and final inspection techniques.

**The following was noted during the review:**

- Incomplete BWR documentation for twenty-four (24) client files.
- No Attic Inspection Form for twenty-four (24) client files.
- No Wall Inspection Form for twenty-four (24) client files.
- No Whole House Assessment completed for all twenty-four (24) units inspected.
- Incomplete HVAC Assessment for all twenty-four (24) units inspected.
- Subcontractor workmanship deficiencies on all twenty-four (24) units inspected.
- No billing history in three (3) client files.

PY09 ARRA WAP Unit Inspection Report  
Brazos Valley Community Action Agency

Client File Review

**Finding #1:**

**Inadequate Client File Documentation** A review of BVCAA client files revealed a lack of required client file documentation. Of the twenty-four (24) client files reviewed, none contained a Wall Inspection Form or Attic Inspection Form. All twenty-four (24) files contained an incomplete Building Weatherization Report (BWR), due to the final certification form not filled out completely. Three (3) of the twenty-four (24) files were missing the consumer billing history

**Action  
Required:**

The Department reminds BVCAA that all WAP client files must adhere to the minimum record keeping requirements as defined by the ARRA contracts. In order to maintain compliance with WAP regulations, the Department is requiring BVCAA to submit a Quality Control Procedure as part of the monitoring response. These procedures should entail, at a minimum, the necessary steps taken by BVCAA to ensure the record keeping requirements are adhered to. **Reference: ARRA Contract Section 13**

Performance Review

**Finding #2:**

**Whole House Assessments** During the client file review process, it was noted that, in addition to the deficiencies noted in Finding #1 that a whole house assessment was not conducted on any unit in the multifamily complex. By not completing an assessment, all clients were unable to receive the maximum benefit allowed under the WAP. In addition, it was noted that an incomplete HVAC assessment was utilized to justify replacement of all twenty-four (24) central systems in the multifamily complex. By not completing an HVAC assessment, an accurate and complete list of weatherization measures to be installed into each unit was unattainable. Proper documentation was not on file to support replacement of all twenty-four (24) central systems. **Therefore, the Department is questioning costs for all twenty-four (24) systems in the amount of \$91,920.00.**

**Action  
Required:**

Prior to completing the returns noted in Attachment A of this report, BVCAA must return to each unit and complete a whole house assessment. This assessment should include items that were not addressed and could potentially provide a greater amount of savings and benefit for the client. Upon completion of all assessments, BVCAA must submit to the Department all assessments for review before being allowed to conduct a new audit on each unit. A plan of action to ensure that all future WAP

PY09 ARRA WAP Unit Inspection Report  
Brazos Valley Community Action Agency

clients of BVCAA receive a complete and accurate HVAC assessment to justify proper sizing and specifications of all replaced systems is required in the response to this report. Reference: TAC §5.529, 10 CFR §440.21

**Finding #3:**

**On-Site Inspections** On-site inspection of weatherized units revealed that all twenty-four (24) of the units inspected would require a return to address deficiencies in subcontractor workmanship. Deficiencies include, but are not limited to, additional patching/sealing to furnace closets, sealing plumbing penetrations under kitchen and bathroom sinks, adjustment or replacement of weatherstripping on front door entrances and attic access insulation and weatherstripping.

**Action Required:**

BVCAA must return to the client units listed in Attachment A, and address the deficiencies noted on each unit. BVCAA must also assure the Department in its response to this report that proactive measures will be taken to prevent future instances of poor workmanship from its subcontractors. Those measures at a minimum should include periodic visits to client units while work is in progress, to ensure that the quality of work that is being performed meets BVCAA's requirements, and the Department's expectations. The Department will also require BVCAA to submit a Quality Control Procedure to ensure compliance with WAP regulations. These procedures should entail, at a minimum, the necessary steps taken by BVCAA to ensure all weatherization measures completed on the eligible unit are verified at the time of final inspection. Reference: 10 CFR Part 440; §440.16 (g)

  
\_\_\_\_\_  
Jason A. Seale  
Program Officer, Energy Assistance Section

  
\_\_\_\_\_  
Date



PY09 ARRA WAP Unit Inspection Report  
 Brazos Valley Community Action Agency

**ATTACHMENT A – Page 1 of 4**

**Units Inspected - 24 ARRA    Unit Returns - 24 ARRA**

Unit #	Program	Materials Installed Correctly	Comments
[REDACTED]	ARRA	NO	Return to seal penetrations in furnace closet ceiling.
[REDACTED]	ARRA	NO	Return to install additional ventilation to bring unit above BTL (780 @ 50Pa during unit inspection)
[REDACTED]	ARRA	NO	. Unable to run BD, unit vacant during inspection and no electricity. Final BD reading from BVCAA final inspection appears inaccurate. Open ceiling from plenum to attic, therefore return to seal/patch ceiling in furnace closet then rerun BD to determine accurate final BD reading.
[REDACTED]	ARRA	NO	Return to seal/patch ceiling in furnace closet. Return to adjust/replace weatherstripping and adjust striker plate at front door.
[REDACTED]	ARRA	NO	Return to seal penetrations in furnace closet. Return to adjust/install new weatherstripping at front door.
[REDACTED]	ARRA	NO	Return to seal penetrations in furnace closet. Return to install missing A/C filter.

PY09 ARRA WAP Unit Inspection Report  
 Brazos Valley Community Action Agency

**ATTACHMENT A – Page 2 of 4**

Unit #	Program	Materials Installed Correctly	Comments
[REDACTED]	ARRA	NO	No returns necessary (materials noted as not installed correctly due to lack of HVAC assessment showing proper sizing of new heat pump installed).
[REDACTED]	ARRA	NO	Return to replace attic access (noted as cracked and unstable during inspection). Install missing A/C filter.
[REDACTED]	ARRA	NO	Return to adjust/install new weatherstripping at front door.
[REDACTED]	ARRA	NO	Return to seal penetrations in furnace closet.
[REDACTED]	ARRA	NO	No returns necessary (materials noted as not installed correctly due to lack of HVAC assessment showing proper sizing of new heat pump installed).
[REDACTED]	ARRA	NO	Return to patch hole beneath kitchen sink.
[REDACTED]	ARRA	NO	Return to seal penetrations and air infiltration in furnace closet. Return to install A/C filter (missing).
[REDACTED]	ARRA	NO	Return to seal/patch ceiling in furnace closet. Install missing A/C filter.

PY09 ARRA WAP Unit Inspection Report  
 Brazos Valley Community Action Agency

ATTACHMENT A – Page 3 of 4

Unit #	Program	Materials Installed Correctly	Comments
[REDACTED]	ARRA	NO	Return to patch/seal plumbing penetrations in kitchen. Return to seal/patch open air to attic in furnace closet.
[REDACTED]	ARRA	NO	Return to seal/patch ceiling in furnace closet. Return to seal plumbing penetrations under bathroom sink.
[REDACTED]	ARRA	NO	Return to seal/patch ceiling in furnace closet. Return to seal plumbing penetrations under kitchen sink. Install missing A/C filter. Replace weatherstripping at front entrance.
[REDACTED]	ARRA	NO	Return to seal/patch ceiling in furnace closet. Return to seal plumbing penetrations under bathroom sink. Install missing A/C filter.
[REDACTED]	ARRA	NO	Return to seal/patch ceiling in furnace closet. Return to seal plumbing penetrations under bathroom and kitchen sink. Install missing A/C filter. Insulate attic access and weatherstrip attic access. Replace weatherstripping at front entrance.

PY09 ARRA WAP Unit Inspection Report  
 Brazos Valley Community Action Agency

ATTACHMENT A – Page 4 of 4

Unit #	Program	Materials Installed Correctly	Comments
[REDACTED]	ARRA	NO	Return to patch/seal ceiling at plenum in furnace closet, patch 2 holes in wall near floor in hallway, patch hole in wall near floor in bedroom.
[REDACTED]	ARRA	NO	Return to seal plumbing penetrations in bathroom sink. Return to seal attic access and insulate hatch. Return to replace weatherstripping at front door.
[REDACTED]	ARRA	NO	Return to seal plumbing penetrations beneath kitchen and bathroom sink. Return to seal/patch ceiling at plenum in furnace closet.
[REDACTED]	ARRA	NO	Return to seal/patch plumbing penetrations beneath kitchen and bath sinks. Return to seal/patch open air at plenum in furnace closet. Install missing A/C filter.
[REDACTED]	ARRA	NO	Return to seal/patch plumbing penetrations beneath kitchen sink. Return to seal/patch ceiling at plenum in furnace closet. Install missing A/C filter.

*BVCAA must return and address all units as indicated and include in its response to this report within thirty (30) days a summary of all actions and measures taken to address the units indicated above.*





## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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Leslie Bingham Escareño  
Tom H. Gann  
Lowell A. Keig  
Juan S. Muñoz, Ph.D.

June 7, 2010

Ms. Karen Garber  
Executive Director  
Brazos Valley Community Action Agency  
1500 University Drive E, Suite 100  
College Station, Texas 77840

Re: DOE Weatherization Assistance Program Contract #56090000449  
LIHEAP Weatherization Assistance Program Contract #81090000482  
ARRA Weatherization Assistance Program Contract #16090000652  
ARRA Weatherization Assistance Program Contract #16090000780

Dear Ms. Garber:

Enclosed is a report that details the monitoring review of your Weatherization Assistance Program contracts with the Texas Department of Housing and Community Affairs. This information is provided to ensure that compliance with the contract(s) is maintained and that services to the poor, elderly, and disabled are offered in the most expeditious and economical manner.

The Department has identified **four (4) findings** and **three (3) recommendations** for the Weatherization Assistance Program. Please submit a response to this report to this office within thirty (30) days of the date of this letter.

If we can be of any assistance, please contact Jason A. Seale, Program Officer, at (512) 463-0172. The assistance provided to the Program Officer by Community Action Program, Inc. is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to be "SG" followed by a horizontal line.

Sharon Gamble  
Manager  
Energy Assistance Section

## **Directory of Monitoring Sections**

- Section I. Financial Review**
- Section II. Travel and Timesheets**
- Section III. General Liability and Pollution Occurrence Insurance**
- Section IV. Property Management**
- Section V. Procurement**
- Section VI. Audit**
- Section VII. Personnel Policies and Procedures**
- Section VIII. Performance Review/Onsite Inspections**
- Section IX. Administrative**
- Section X. Client File/Multifamily Review**
- Section XI. Denied Files**

PY09 WEATHERIZATION MONITORING REPORT  
OF  
BRAZOS VALLEY COMMUNITY ACTION AGENCY

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**Dates of Review:** March 22, 2010 – March 26, 2010

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Focus of Review

CONTRACT NAME	CONTRACT NUMBER	CONTRACT AMOUNT	CONTRACT DATES
DOE	56090000449	\$623,604.00	4/1/2009 to 3/31/2010
LIHEAP	81090000482	\$783,072.00	4/1/2009 to 3/31/2010
ARRA	16090000652	\$3,006,045.00	9/1/2009 to 8/31/2011
ARRA – City of Huntsville	16090000780	\$250,000.00	9/1/2009 to 8/31/2011

On-site review of the Brazos Valley Community Action Agency (BVCAA) implementation of the Department of Energy, Low Income Home Energy Assistance Program and American Recovery and Reinvestment Act of 2009 Weatherization Assistance Program (WAP). Specific areas of review included Financial Reporting, Contract Agreements, Procurement, Personnel and the Management of the Department of Energy, Low Income Home Energy Assistance Program and American Recovery and Reinvestment Act of 2009 contracts.

### Program Evaluation

The evaluation of the program consisted of: Interviews with the BVCAA personnel, analysis of the fiscal system, review of programmatic records, on-site inspections, client file reviews and inventory review.

**The following was noted during the review:**

- Low expenditures for ARRA contracts
- Late Submittal of DOE, LIHEAP and ARRA Expenditure Reports
- Lack of Documentation for Lead Safe Work Practices
- Incomplete Energy Audits
- Incomplete Blower Door Data Sheets
- Incomplete Wall Inspection Forms
- Incomplete Rental Homeowner Agreement



PY09 WEATHERIZATION MONITORING REPORT  
OF  
BRAZOS VALLEY COMMUNITY ACTION AGENCY

**Section I. Financial Review**

**EXPENDITURES AS OF FEBRUARY 2010**

CONTRACT NAME	YEAR-TO-DATE EXPENDITURES	% OF ORIGINAL CONTRACT AMOUNT	# UNITS COMPLETED	# UNITS IN PROGRESS
DOE	\$481,639.56	77.23%	84	8
LIHEAP	\$413,061.57	52.75%	83	32
ARRA	\$17,535.72	.58%	3	32
ARRA – Huntsville	\$5,118.12	2.05%	1	5

**Recommended Improvement #1** Review of client file data showed adequate support documentation in relation to current contractor pricing and submitted invoices. However, some of BVCAA's contractors are providing invoices that detail a flat fee for services rendered instead of a pricing allocation for material and labor costs. Throughout the client file review process, it was unclear per the Building Weatherization Report which costs were being allocated and leveraged to the appropriate weatherization program. The Department recommends that BVCAA's current contractors implement an invoicing system with material and labor pricing breakdown in order to better distinguish how costs are being allocated and charged to the various weatherization contracts.

**Recommended Improvement #2** Review of the February 2010 expenditure reports for DOE, DOE ARRA and LIHEAP contracts revealed Administrative expenditures were above the maximum allowable of 5%. Current Administrative expenditures for the DOE contract are 6.46%. Current Administrative expenditures for the DOE ARRA contract are 21.26%. Current Administrative expenditures for the LIHEAP contract are 13.33%. The Department reminds BVCAA that Administrative expenditures are required to be below the maximum allowable by contract end. Any costs above the maximum allowable will be subject to disallowed cost.

PY09 WEATHERIZATION MONITORING REPORT  
OF  
BRAZOS VALLEY COMMUNITY ACTION AGENCY

**Finding #1**

As of the February 2010 monthly expenditure reports, BVCAA had expended .58% of ARRA WAP Contract #16090000652 and 2.05% of ARRA WAP Contract #16090000780. The ARRA WAP Contract requires the development and implementation of equitable WAP services throughout the entire service area.

**Action  
Required**

The Department requires BVCAA to submit a detailed plan of action to include increased production and adherence to the DOE Production Schedule in the response to this report. Failure to submit a plan to the Department may result in suspension of ARRA WAP contracts.  
**Reference: ARRA Contract Section 4**

**Finding #2**

At the time of monitoring, BVCAA was responsible for submitting DOE, LIHEAP and ARRA expenditure reports late for PY09. DOE and LIHEAP expenditure reports for July 2009 were submitted past the contract deadline. ARRA expenditure reports for December 2009 and January 2010 were submitted past the contract deadline.

**Action  
Required**

The Department reminds BVCAA that DOE and LIHEAP programmatic and expenditure reports are to be submitted to the Department no later than fifteen (15) days after the end of each month of the Contract term. ARRA programmatic and expenditure reports are to be submitted to the Department no later than five (5) days after the end of each month of the Contract term. **Reference: DOE Contract Section 11 (A), LIHEAP Contract Section 11 (A)**

**Section VIII. Onsite Inspections**

**Finding #3**

On-site unit inspections revealed a documentation deficiency in minimum standards for Lead Safe Work Practices as outlined by DOE. Review of client file documentation affirmed the potential of lead hazards in pre-1978 units that were recipients of weatherization services provided by BVCAA.

**Action  
Required**

BVCAA is reminded of EPA's LRRPP (Lead; Renovation, Repair and Painting Program) Final Rule effective April 22, 2010. The listed reference will provide Minimum Standards for LSW, found in WPN 08-6, Attachment A. Failure to follow EPA guidelines for LSW could result in fines administered by the EPA as well as disallowed costs administered by the Department. **Reference: WPN 08-6, WPN 08-6, Attachment A – Minimum Standards for LSW**

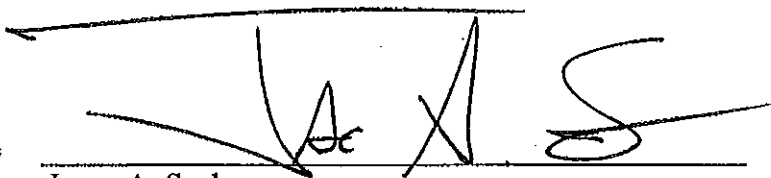
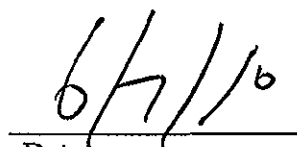
PY09 WEATHERIZATION MONITORING REPORT  
OF  
BRAZOS VALLEY COMMUNITY ACTION AGENCY

**Section X. Client File/Multifamily Review**

**Recommended Improvement #3** The current unit assessment form being utilized by BVCAA lacks substantial information in regards to the whole house approach. By not having a detailed and organized unit assessment form for BVCAA staff to conduct a thorough assessment, the client could potentially not benefit from substantial energy-efficient measures. A unit assessment template will be provided to BVCAA weatherization staff in order to provide an adequate document to conduct a detailed unit assessment.

**Finding #4** At the time of monitoring, a review of PY09 WAP client files noted five (5) deficiencies. One (1) client file contained an incomplete blower door data sheet, one (1) client file contained an incomplete Wall Inspection Form, two (2) client files contained incomplete energy audits and one (1) client file contained an incomplete Rental Homeowner Agreement.

**Action Required** BVCAA is reminded that all client files must contain, at minimum, the list of record-keeping requirements found in all WAP contracts. BVCAA must also develop procedures for quality assurance to ensure adequate support documentation is retained in all client files. These procedures must be submitted in the response to this report. **Reference: ARRA Contract Section 13, DOE Contract Section 10, LIHEAP Contract Section 10.**

Signature  Date 

Jason A. Seale  
Program Officer  
Energy Assistance

PY09 WEATHERIZATION MONITORING REPORT  
OF  
BRAZOS VALLEY COMMUNITY ACTION AGENCY

ATTACHMENT A

Units Reviewed	Comments
9 units reviewed	7 DOE/LIHEAP, 2 ARRA/LIHEAP – Returns noted below

Client	Return(s) To Address
NMC3003	Return to address TPV discharge pipe on hot water heater.
THE7006	Return to address incomplete weather-stripping at attic access.
CBE401	Return to address weather-stripping at attic access.
MMI5418	Return to address collar installation at ceiling penetration for hot water heater. Return to address weather-stripping at attic access.
DNE1100	Return to address collar replacement at ceiling penetration for hot water heater. Return to address window infiltration measures on Wall 2 and Room 5 (see client energy audit diagram)
ERO1703	Return to address weather-stripping at attic access. Return to damn and block 2 sides of exposed attic access. Also install batt insulation on top of attic access.

**Action Required:** Return and address. Upon completion, verification of returns must be submitted to the Department within thirty (30) days of this report.





## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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July 19, 2010

Ms. Karen Garber  
Executive Director  
Brazos Valley Community Action Agency  
1500 University Dr. E, Ste 100  
College Station, TX 77840

Re: DOE/ARRA Weatherization Assistance Program Contract #16090000652

Dear Ms. Garber:

Enclosed is a report that details the unit inspection review of Brazos Valley Community Action Agency (BVCAA) Weatherization Assistance Program contracts with the Texas Department of Housing and Community Affairs (the Department). This information is provided to ensure that compliance with the contracts is maintained and that services to the poor, elderly, and disabled are offered in the most expeditious and economical manner.

The report includes **three (3) findings**. Please submit a response to this report to this office within thirty (30) days of the date of this letter.

If we can be of any assistance, please feel free to contact Jason A. Seale, Program Officer, at (512) 463-0172. The assistance provided to the Program Officer by BVCAA is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to be "Sharon Gamble", with a horizontal line extending to the right.

Sharon Gamble  
Manager  
Energy Assistance Section

Cc: Bryan Jones, Housing Coordinator

**WEATHERIZATION ASSISTANCE PROGRAM (WAP)  
CORRECTIVE ACTIONS REQUIRED**

---

**Dates of Review:** June 17-18, 2010

---

**FOCUS OF REVIEW**

CONTRACT NAME	CONTRACT NUMBER	CONTRACT AMOUNT	CONTRACT DATES
DOE/ARRA	16090000652	\$4,889,348.00	9/1/2009 to 8/31/2011

---

**PROGRAM EVALUATION**

The evaluation of the program consisted of twenty-four (24) client file reviews, twenty-four (24) on-site inspections (Willow Oaks Apartments), interviews with clients, and analysis of both quality of subcontractor workmanship and final inspection techniques.

**The following was noted during the review:**

- Incomplete BWR documentation for twenty-four (24) client files.
- No Attic Inspection Form for twenty-four (24) client files.
- No Wall Inspection Form for twenty-four (24) client files.
- No Whole House Assessment completed for all twenty-four (24) units inspected.
- Incomplete HVAC Assessment for all twenty-four (24) units inspected.
- Subcontractor workmanship deficiencies on all twenty-four (24) units inspected.
- No billing history in three (3) client files.

### Client File Review

**Finding #1:** Inadequate Client File Documentation A review of BVCAA client files revealed a lack of required client file documentation. Of the twenty-four (24) client files reviewed, none contained a Wall Inspection Form or Attic Inspection Form. All twenty-four (24) files contained an incomplete Building Weatherization Report (BWR), due to the final certification form not filled out completely. Three (3) of the twenty-four (24) files were missing the consumer billing history

**Action Required:** The Department reminds BVCAA that all WAP client files must adhere to the minimum record keeping requirements as defined by the ARRA contracts. In order to maintain compliance with WAP regulations, the Department is requiring BVCAA to submit a Quality Control Procedure as part of the monitoring response. These procedures should entail, at a minimum, the necessary steps taken by BVCAA to ensure the record keeping requirements are adhered to. **Reference: ARRA Contract Section 13**

### Performance Review

**Finding #2:** Whole House Assessments During the client file review process, it was noted that, in addition to the deficiencies noted in Finding #1 that a whole house assessment was not conducted on any unit in the multifamily complex. By not completing an assessment, all clients were unable to receive the maximum benefit allowed under the WAP. In addition, it was noted that an incomplete HVAC assessment was utilized to justify replacement of all twenty-four (24) central systems in the multifamily complex. By not completing an HVAC assessment, an accurate and complete list of weatherization measures to be installed into each unit was unattainable. Proper documentation was not on file to support replacement of all twenty-four (24) central systems. **Therefore, the Department is questioning costs for all twenty-four (24) systems in the amount of \$91,920.00.**

**Action Required:** Prior to completing the returns noted in Attachment A of this report, BVCAA must return to each unit and complete a whole house assessment. This assessment should include items that were not addressed and could potentially provide a greater amount of savings and benefit for the client. Upon completion of all assessments, BVCAA must submit to the Department all assessments for review before being allowed to conduct a new audit on each unit. A plan of action to ensure that all future WAP



PY09 ARRA WAP Unit Inspection Report  
Brazos Valley Community Action Agency

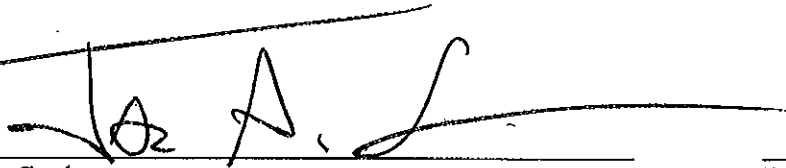
clients of BVCAA receive a complete and accurate HVAC assessment to justify proper sizing and specifications of all replaced systems is required in the response to this report. **Reference: TAC §5.529, 10 CFR §440.21**

**Finding #3:**

**On-Site Inspections** On-site inspection of weatherized units revealed that all twenty-four (24) of the units inspected would require a return to address deficiencies in subcontractor workmanship. Deficiencies include, but are not limited to, additional patching/sealing to furnace closets, sealing plumbing penetrations under kitchen and bathroom sinks, adjustment or replacement of weatherstripping on front door entrances and attic access insulation and weatherstripping.

**Action Required:**

BVCAA must return to the client units listed in Attachment A, and address the deficiencies noted on each unit. BVCAA must also assure the Department in its response to this report that proactive measures will be taken to prevent future instances of poor workmanship from its subcontractors. Those measures at a minimum should include periodic visits to client units while work is in progress, to ensure that the quality of work that is being performed meets BVCAA's requirements, and the Department's expectations. The Department will also require BVCAA to submit a Quality Control Procedure to ensure compliance with WAP regulations. These procedures should entail, at a minimum, the necessary steps taken by BVCAA to ensure all weatherization measures completed on the eligible unit are verified at the time of final inspection. **Reference: 10 CFR Part 440; §440.16 (g)**

  
\_\_\_\_\_  
Jason A. Seale  
Program Officer, Energy Assistance Section

  
\_\_\_\_\_  
Date

PY09 ARRA WAP Unit Inspection Report  
 Brazos Valley Community Action Agency

ATTACHMENT A - Page 1 of 4

Units Inspected - 24 ARRA    Unit Returns - 24 ARRA

Unit #	Program	Materials Installed Correctly	Comments
[REDACTED]	ARRA	NO	Return to seal penetrations in furnace closet ceiling.
[REDACTED]	ARRA	NO	Return to install additional ventilation to bring unit above BTL (780 @ 50Pa during unit inspection)
[REDACTED]	ARRA	NO	Unable to run BD, unit vacant during inspection and no electricity. Final BD reading from BVCAA final inspection appears inaccurate. Open ceiling from plenum to attic, therefore return to seal/patch ceiling in furnace closet then rerun BD to determine accurate final BD reading.
[REDACTED]	ARRA	NO	Return to seal/patch ceiling in furnace closet. Return to adjust/replace weatherstripping and adjust striker plate at front door.
[REDACTED]	ARRA	NO	Return to seal penetrations in furnace closet. Return to adjust/install new weatherstripping at front door.
[REDACTED]	ARRA	NO	Return to seal penetrations in furnace closet. Return to install missing A/C filter.

PY09 ARRA WAP Unit Inspection Report  
 Brazos Valley Community Action Agency

ATTACHMENT A – Page 2 of 4

Unit #	Program	Materials Installed Correctly	Comments
[REDACTED]	ARRA	NO	No returns necessary (materials noted as not installed correctly due to lack of HVAC assessment showing proper sizing of new heat pump installed).
[REDACTED]	ARRA	NO	Return to replace attic access (noted as cracked and unstable during inspection). Install missing A/C filter.
[REDACTED]	ARRA	NO	Return to adjust/install new weatherstripping at front door.
[REDACTED]	ARRA	NO	Return to seal penetrations in furnace closet.
[REDACTED]	ARRA	NO	No returns necessary (materials noted as not installed correctly due to lack of HVAC assessment showing proper sizing of new heat pump installed).
[REDACTED]	ARRA	NO	Return to patch hole beneath kitchen sink.
[REDACTED]	ARRA	NO	Return to seal penetrations and air infiltration in furnace closet. Return to install A/C filter (missing).
[REDACTED]	ARRA	NO	Return to seal/patch ceiling in furnace closet. Install missing A/C filter.

PY09 ARRA WAP Unit Inspection Report  
 Brazos Valley Community Action Agency

ATTACHMENT A – Page 3 of 4

Unit #	Program	Materials Installed Correctly	Comments
[REDACTED]	ARRA	NO	Return to patch/seal plumbing penetrations in kitchen. Return to seal/patch open air to attic in furnace closet.
[REDACTED]	ARRA	NO	Return to seal/patch ceiling in furnace closet. Return to seal plumbing penetrations under bathroom sink.
[REDACTED]	ARRA	NO	Return to seal/patch ceiling in furnace closet. Return to seal plumbing penetrations under kitchen sink. Install missing A/C filter. Replace weatherstripping at front entrance.
[REDACTED]	ARRA	NO	Return to seal/patch ceiling in furnace closet. Return to seal plumbing penetrations under bathroom sink. Install missing A/C filter.
[REDACTED]	ARRA	NO	Return to seal/patch ceiling in furnace closet. Return to seal plumbing penetrations under bathroom and kitchen sink. Install missing A/C filter. Insulate attic access and weatherstrip attic access. Replace weatherstripping at front entrance.

PY09 ARRA WAP Unit Inspection Report  
 Brazos Valley Community Action Agency

ATTACHMENT A – Page 4 of 4

Unit #	Program	Materials Installed Correctly	Comments
[REDACTED]	ARRA	NO	Return to patch/seal ceiling at plenum in furnace closet, patch 2 holes in wall near floor in hallway, patch hole in wall near floor in bedroom.
[REDACTED]	ARRA	NO	Return to seal plumbing penetrations in bathroom sink. Return to seal attic access and insulate hatch. Return to replace weatherstripping at front door.
[REDACTED]	ARRA	NO	Return to seal plumbing penetrations beneath kitchen and bathroom sink. Return to seal/patch ceiling at plenum in furnace closet.
[REDACTED]	ARRA	NO	Return to seal/patch plumbing penetrations beneath kitchen and bath sinks. Return to seal/patch open air at plenum in furnace closet. Install missing A/C filter.
[REDACTED]	ARRA	NO	Return to seal/patch plumbing penetrations beneath kitchen sink. Return to seal/patch ceiling at plenum in furnace closet. Install missing A/C filter.

*BVCAA must return and address all units as indicated and include in its response to this report within thirty (30) days a summary of all actions and measures taken to address the units indicated above.*





## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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July 26, 2010

Mr. Ben Medina  
Director of Planning and Community Development  
City of Brownsville  
1150 E. Adams St.  
Brownsville Texas 78520

Re: Monitoring Report for Weatherization Contract  
DOE ARRA WAP Contract #16090000755

Dear Mr. Medina:

Enclosed is a report that details the monitoring review of the City of Brownsville's Weatherization Assistance Program contract with the Texas Department of Housing and Community Affairs (The Department). This information is provided to ensure that compliance with the contract is maintained and that services to the poor, elderly, and disabled are offered in the most expeditious and economical manner.

The monitoring report includes eight (8) findings, six (6) recommended improvements and one (1) note. Please submit a response to this report to this office within thirty (30) days of the date of this letter.

If we can be of any assistance, please feel free to contact Enrique H. Trejo, Program Officer, at (512) 475-2299. The assistance provided to the Program Officer by the agency is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "SDG", followed by a horizontal line.

Sharon D. Gamble  
Manager  
Energy Assistance Section

cc: Charlie Cabler, City Manager

## **Directory of Monitoring Sections**

<b>Section I.</b>	<b>Financial Review</b>
<b>Section II.</b>	<b>Travel and Timesheets</b>
<b>Section III.</b>	<b>General Liability and Pollution Occurrence Insurance</b>
<b>Section IV.</b>	<b>Property Management</b>
<b>Section V.</b>	<b>Procurement</b>
<b>Section VI.</b>	<b>Audit</b>
<b>Section VII.</b>	<b>Personnel Policies and Practices</b>
<b>Section VIII.</b>	<b>Performance Review</b>
<b>Section IX.</b>	<b>Administrative</b>
<b>Section X.</b>	<b>Client File Review Worksheet</b>
<b>Section XI.</b>	<b>Multi-Family Review</b>
<b>Section XII.</b>	<b>Denied Files</b>
<b>Section XIII.</b>	<b>Summary</b>



2009 WEATHERIZATION MONITORING REPORT

OF

CITY OF BROWNSVILLE

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**Dates of Review:** May 24 – 28, 2010

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**Focus of Review**

CONTRACT NAME	CONTRACT NUMBER	CONTRACT AMOUNT	CONTRACT DATES
DOE ARRA WAP	16090000755	**\$1,638,351.00	9/1/09 to 8/31/11

\* 50% of proposed total allocation

TDHCA staff conducted an on-site review of the City of Brownsville's implementation of the Department of Energy (DOE) Weatherization Assistance Program (WAP). Specific areas of review included Financial Reporting, Contract Agreements, Procurement, Personnel, and the Management of the Department of Energy contract.

**Program Evaluation**

The evaluation of the program consisted of: interviews with City of Brownsville personnel; analysis of the fiscal system; review of programmatic records; on-site inspections; client interviews; and inventory review.

**The following was noted during the review:**

- 1) Low DOE ARRA WAP Contract Expenditures
- 2) Not Following Procurement Reporting Requirement
- 3) Lack of Materials Standards Documentation
- 4) Lack of Attic Tags and Attic Rulers
- 5) Units Weatherized with a Primary Unvented Space Heater
- 6) Not Metering Refrigerators
- 7) On-Site Inspections Requiring Returns
- 8) Inadequate Record Keeping in Client Files
- 9) Development of a Quality Assurance Plan

2009 WEATHERIZATION MONITORING REPORT

OF

CITY OF BROWNSVILLE

SECTION I. FINANCIAL REVIEW

EXPENDITURES AS OF THE TIME OF MONITORING

CONTRACT NAME	YEAR-TO-DATE EXPENDITURES	% OF AMENDED CONTRACT AMOUNT	# UNITS COMPLETED	# UNITS IN PROGRESS
*DOE ARRA WAP	\$71,223.87	4.35%	15	11

\*Expenditures as of April 2010

**Finding #1:**

**Low DOE ARRA WAP Contract Expenditures**

At the time of monitoring, the City of Brownsville had expended \$71,223.87 or 4.35% of the DOE ARRA contract #16090000755 according to submitted Expenditure Reports to TDHCA. The City of Brownsville was asked to produce a Plan of Action to Implement DOE ARRA WAP as a result of the Preliminary Monitoring held on January 5, 2010. The City of Brownsville received a Notice of Possible Deobligation letter on May 26, 2010 with the requirement to submit a Mitigation Action Plan. The Mitigation Action Plan submitted to TDHCA on June 11, 2010 includes hiring additional staff and requiring subcontractors to add additional crews.

**Action Required:**

City of Brownsville must provide assurance that that they will adhere to the Mitigation Action Plan and revise as needed. TDHCA will provide continual monitoring of the DOE ARRA WAP contract including weekly calls, Desk Reviews of Monthly Expenditure and Performance Reports and review of Production Schedules.

**Reference: DOE ARRA WAP Contract Section 4. Subrecipient Performance**

**Recommended Improvement #1:** At the time of monitoring, City of Brownsville's Administrative expenditure ratio was above the maximum allowable of 5.0% for DOE ARRA WAP Contract #16090000755. The Administrative expenditure ratio was 13.3%. The Department reminds the City of Brownsville that the Administrative expenditure ratio must be at or below the maximum allowed percentage by the end of the contract period. Expenditures above the allowable percentage will be disallowed. See DOE ARRA WAP Contract Attachment A.

**Recommended Improvement #2:** A review of financial expenditures indicates that the City of Brownsville does not have a separate chart of accounts for Travel and Training expenditures in the General Ledger. Although the Program Officer was able to track expenditures charged to Travel and Training on Expenditures Reports submitted to TDHCA, the Program Officer recommends creating a sub account for Travel and Training expenditures associated with DOE ARRA WAP. Expenditures in the Travel and Training subaccount in the General Ledger should correspond to the Travel and Training line item in the Monthly Expenditure Reports submitted to TDHCA.

## 2009 WEATHERIZATION MONITORING REPORT

OF

### CITY OF BROWNSVILLE

**Recommended Improvement #3:** At the time of monitoring, Health and Safety expenditures were included in the Material/Labor/Program Support category in the Monthly Expenditure Reports. Subsequent Monthly Expenditure Reports have expenditures charged to the Health and Safety budget line item. The Program Officer recommends creating a subaccount for Health and Safety expenditures associated with DOE ARRA WAP in the General Ledger. Expenditures in the Health and Safety subaccount in the General Ledger should correspond to the Health and Safety line item in the Monthly Expenditure Reports submitted to TDHCA.

## SECTION V. PROCUREMENT

**Finding #2:**

**Not Following Procurement Reporting Requirements**

The City of Brownsville did not post contract related job opportunities on Workintexas.com. In addition, the City of Brownsville did not provide the Department with an electronic version of a notice of procurement opportunity on the Department website. City of Brownsville staff was made aware of these requirements during the monitoring review.

**Action Required:** The City of Brownsville must provide written assurance that future contract related job opportunities will be posted in Workintexas.com. The City of Brownsville recently hired additional Weatherization staff. Please provide verification that the DOE ARRA contract related job opportunities were posted in Workintexas.com. Also, provide written assurance that the City of Brownsville will post any future procurement opportunity on the Department website.

**Reference:** DOE ARRA Contract Section 33. Job Postings on Workintexas.com and Section 19. Procurement Standards & Subcontracts

## SECTION VII. PERSONNEL POLICIES AND PRACTICES

**Recommended Improvement #5:** A review of the City of Brownsville Personnel Policy Manual states in the narrative on page 2 that "political affiliation" is a protected category for non-discrimination. The Program Officer recommends strengthening the Equal Employment section by adding "political affiliation" and "political belief" as a protected category for non-discrimination in Section 104 Equal Employment Policy on page 4.

2009 WEATHERIZATION MONITORING REPORT

OF

CITY OF BROWNSVILLE

SECTION VIII. PERFORMANCE REVIEW

**Finding #3:**

**Lack of Materials Standards Documentation**

At the time of monitoring, the City of Brownsville did not have materials standards documentation for material used in weatherization. Any materials not meeting DOE specifications will be disallowed. Material standards documentation for weatherization materials purchased with DOE WAP program funds must be maintained by the Subrecipient and comply with Attachment A of 10 CFR 440 Final Rule.

**Action Required:** The City of Brownsville must provide material standards documentation for all weatherization materials supplied from each subcontractor. The Program Officer provided technical assistance to City of Brownsville staff by supplying an example of material standards documentation for Cocoon Green Fiber cellulose insulation. Please provide material standards documentation for all weatherization materials as part of the response to the Monitoring Report.

**Reference: DOE ARRA WAP Contract Section 13 Record Keeping**

**Finding #4:**

**Lack of Attic Tags and Attic Rulers**

Department on-site inspections of weatherized units indicated that all weatherized units receiving attic insulation did not have attic tags and attic rulers. Weatherized units receiving attic insulation are not in compliance with International Residential Code standards. According to **Section 102.1.1 Building thermal envelope insulation**, the insulation installer shall provide a certification listing the type, manufacturer and R-value of insulation installed in each element of the building thermal envelope. For blow-in or sprayed insulation (fiberglass and cellulose), the initial installed thickness, settled thickness, settled R-value, installed density, coverage area and the number of bags installed shall be listed on the certification. The insulation installer shall sign, date and post the certification in a conspicuous location on the job site. In addition, insulation markers (attic rulers) shall be provided for every 300 square feet of attic area, attached to the trusses, rafters or joists, and indicate in 1 inch high numbers the installed thickness of the insulation.

**Action Required:** The City of Brownsville must provide written assurance that units receiving attic insulation will have attic tags and attic rulers. In addition, submit a sample certification with the required information from each subcontractor that installs attic insulation as part of the response to this Monitoring Report.

**Reference: International Residential Code (2006) Section 11: Energy Efficiency & DOE ARRA Contract Section 4 Subrecipient Performance**

2009 WEATHERIZATION MONITORING REPORT

OF

CITY OF BROWNSVILLE

**Finding #5:**

**Units Weatherized with a Primary Unvented Space Heater**

On-site inspection of weatherized units indicated that units were weatherized with a primary unvented space heater. The City of Brownsville is not in compliance with the applicable T.A.C. rule and DOE Weatherization Program Notice. According to Weatherization Program Notice 08-4, DOE will not allow weatherization to be conducted on a house with an unvented primary space heater. All units with a primary unvented space heater must be vented if weatherization is to occur.

**Action Required:** The City of Brownsville must vent or provide a vented space heater to: 1) 2010-06; 2) 2010-22; and 2010-23. In addition, the City of Brownsville must provide written assurance that the City of Brownsville understands and will comply with T.A.C. §5.607 Space Heater Requirements and Weatherization Program Notice 08-4. Please provide this assurance as part of the response to the Monitoring Report.

**Reference:** T.A.C. §5.607 Space Heater Requirements and Weatherization Program Notice 08-4 Space Heater Policy

**Finding #6:**

**Not Metering Refrigerators**

Department review of client files indicates that refrigerators are not being metered. Refrigerator replacement is a baseload measure that is being inadequately addressed due to the lack of metering. According to Texas Administrative Code Rule §5.606, refrigerators must be metered for a minimum of two hours under DOE WAP rules.

**Action Required:** The City of Brownsville must provide written assurance that refrigerators will be metered for a minimum of two (2) hours as part of a whole house assessment. Please provide this assurance as part of the response to the Monitoring Report.

**Reference:** Texas Administrative Code Rule §5.606 Electric Baseload Measures

2009 WEATHERIZATION MONITORING REPORT

OF

CITY OF BROWNSVILLE

**Finding #7:**

**On-Site Inspections Requiring Returns**

The Program Officer inspected ten (10) DOE ARRA units on May 26 and May 27, 2010. Department on-site inspections of weatherized units require eight (8) returns out of ten (10) units inspected. Returns are necessary to address the insufficient installation of weatherization measures and/or the lack of weatherization measures. All units were weatherized using the Priority List.

**Action Required:**

The City of Brownsville must establish a Quality Assurance Plan that includes assurance that subcontractors will install weatherization measures to Department of Energy, International Residential Code and Texas Department of Housing and Community Affairs standards. Please provide the Quality Assurance Plan as part of the response to the monitoring report. Specifically, the City of Brownsville must address and/correct the following issues and provide documentation that the issues were resolved:

- a. 2010-06: 1) Replace the unvented space heater with a vented space heater. 2) Seal the accordion wings of the room air conditioner. 3) Install a vent in the bathroom.
- b. 2010-17: 1) Replace corroded electric water heater with a gas water heater. 2) Attach insulation to the attic hatch.
- c. 2010-22: 1) Replace the unvented space heater with a vented space heater.
- d. 2010-23: 1) Replace the unvented space heater with a vented space heater.
- e. 2010-27: 1) Add a vent above the stove and one in the bathroom. Unit below the BTL.
- f. 2010-16: 1) Add a vent above the stove and one in the bathroom. Unit below the BTL. 2) Replace water heater door.
- g. 2010-19: 1) Clean and service air handler 2) Replace condenser
- h. 2010-24: 1) Install insulation on the attic hatch 2) Install R-7 (approximately 2 inches) attic insulation.

**Reference: DOE ARRA WAP Contract and 10 CFR 440 Final Rule**

2009 WEATHERIZATION MONITORING REPORT

OF

CITY OF BROWNSVILLE

SECTION X. CLIENT FILE REVIEW

**Finding #8:**

**Inadequate Record Keeping in Client Files**

Department review of client files indicates inadequate record keeping. Examples of inadequate record keeping include incomplete Blower Door Forms; missing Refrigerator Forms; and missing Lead Occupant Confirmation Form. Inadequate record keeping may lead to questioned costs and poor program performance. Subrecipients are required to have all necessary assessment forms indicated in the DOE ARRA WAP contract. In addition, subrecipients are expected to completely fill out all assessment forms.

**Action Required:**

The City of Brownsville must provide written assurance that client files will have the required assessments forms that are completely fill out. In addition, the City of Brownsville must provide a Quality Assurance Plan that includes a policy or a protocol for client file review.

**Recommended Improvement #6:** In regards to the Weatherization Assistance Program, the Program Officer recommends that the City of Brownsville develop a policy/procedure to verify compliance with the EPA Lead Renovator Rule. The policy should include how, when and how often subcontractors will be inspected by City of Brownsville Weatherization staff. Contractors performing weatherization work must be certified and follow specific work practices to prevent lead contamination. Failure to follow EPA Lead Renovator Rule guidelines may result in fines up to \$37,500.00 for each violation. The EPA Lead Renovator Rule went into effect on April 22, 2010.

**Note #1:** A Quality Assurance Plan for the City of Brownsville Weatherization Assistance Program is a set of internal policies and procedures to assure compliance with the Weatherization Assistance Program Contract, the Texas Administrative Code and the International Residential Code. Specifically, the Quality Assurance Plan includes a written policy or standard operating protocol for 1) Unit Assessments; 2) Energy Audits; 3) Final Inspections; 4) Client File review; 4) compliance with Interagency Agreement regarding historic properties; and 5) compliance with EPA Lead Renovator Rule. Please contact TDHCA if you have questions or comments.

2009 WEATHERIZATION MONITORING REPORT

OF

CITY OF BROWNSVILLE

Texas Department of Housing and Community Affairs representative, Enrique H. Trejo, Program Officer participated in an Exit Conference with Ben Medina, Director of Planning and Community Development; Lucy Garza, Community Development Manager; and Jose Mendez, Economic Development Specialist.

Signature:

  
Enrique H. Trejo, TDHCA Program Officer

07/21/2010  
Date



**2009 WEATHERIZATION MONITORING REPORT**

OF

**CITY OF BROWNSVILLE**

**ATTACHMENT A**

<b>Units Inspected</b>	<b>Fund Source</b>	<b>Return</b>	<b>Comments</b>
2010-06	ARRA	Yes	Installed 8 tubes of caulk; 2 door sweeps; weatherstripping; 20 CFLs; and R-30 attic insulation. Did not meter refrigerator. Did not take CO measurement of stove. No attic tag or attic rulers.
2010-17	ARRA	Yes	Installed caulk; R-30 attic insulation; and 16 CFLs. No attic tag or attic rulers. No attic dam. No insulation attached to the attic hatch.
2010-22	ARRA	Yes	Installed caulk; door sweep; weatherstripping; R-30 attic insulation; R-13 wall insulation; 25 CFLs; and minor AC repair. No CO detector. No attic tag. No attic ruler. No attic dam. Unvented gas space heater. No CO measurement of stove.
2010-23	ARRA	Yes	Installed caulk; weatherstripping; R-30 attic insulation; R-13 wall insulation; solar screens; and 10 CFLs. No attic tags or rulers. Unvented primary space heater.
2010-27	ARRA	Yes	Installed caulk; weatherstripping; R-30 attic insulation; and air conditioner and furnace. No attic tags or attic rulers. No attic dam. House below BTL.
2010-16	ARRA	Yes	Installed caulk; weatherstripping; R-30 attic insulation; 10 CFLs; and minor roof repair. No CO measurements. No attic tags or attic rulers. House below BTL.
2010-21	ARRA	No	Installed caulk; weatherstripping; R-30 attic insulation; exhaust fans; and 28 CFLs. No attic tag or attic rulers.
2010-28	ARRA	No	Installed caulk; spray foam; R-11 attic insulation; R-11 belly insulation; and 22 CFLs.
2010-19	ARRA	Yes	Installed caulk; weatherstripping; R-30 attic insulation; and 15 CFLs.
2010-24	ARRA	Yes	Installed caulk; weatherstripping; CFLs; and solar screens. Assessment of attic indicates less than R-30.

Units Inspected: ARRA   10  

Unit Returns: ARRA   8





## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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Juan S. Muñoz, Ph.D.

June 7, 2010

Ms. Vicki Smith  
Executive Director  
Community Action Center of Victoria  
P.O. Box 3607  
Victoria, Texas 77903-3607

Re: DOE Weatherization Assistance Program Contract # 56090000453  
LIHEAP Weatherization Assistance Program Contract # 81090000400  
ARRA Weatherization Assistance Program Contract # 16090000655

Dear Ms. Smith:

Enclosed is a report that details the monitoring review of Community Action Center of Victoria (CACV) Weatherization Assistance Program contracts with the Texas Department of Housing and Community Affairs (The Department). This information is provided to ensure that the compliance with the contracts is maintained and that services to the poor, elderly, and disabled are offered in the most expeditious and economical manner.

The monitoring report includes five (2) findings and zero (0) recommendations. Please submit a response to this report to the office within thirty (30) days of the date of this letter.

If we can be of any assistance, please feel free to contact Brian P. Fayhee, Program Officer, at (512) 475-3822. The assistance provided to the Program Officer by the agency is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "SDG", with a horizontal line extending to the right.

Sharon D. Gamble  
Manager  
Energy Assistance Section

Cc: Dr. Glenn Robertson

**2009 WEATHERIZATION MONITORING REPORT  
OF  
COMMUNITY ACTION COMMITTEE OF VICTORIA, TX**

Section 1	Financial Review
Section 2	Travel and Timesheets
Section 3	General Liability and Pollution Occurrence Insurance
Section 4	Property Management
Section 5	Procurement
Section 6	Audit Page
Section 7	Personnel Policies and Practices
Section 8	Performance Review
Section 9	Client File Review
Section 10	Multifamily Review & Multifamily Review Work Sheet
Section 11	Denied Files
Section 12	Summary Work Sheet

**2009 WEATHERIZATION MONITORING REPORT  
OF  
COMMUNITY ACTION COMMITTEE OF VICTORIA, TX**

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**WEATHERIZATION ASSISTANCE PROGRAM (WAP)  
CORRECTIVE ACTION REQUIRED AND RECOMMENDED IMPROVEMENTS**

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Dates of Review:     March 3<sup>rd</sup> – March 5<sup>th</sup> 2010

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**Focus of Review:**

Allocation Code:	5809
Programmatic Year	PY 09
Contract Number	58090000400
Contract Amount:	\$1,277,030.00
Contract Period:	1/1/09-12/31/09

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On-site review of Community Action of Victoria (CACV) implementation of the Weatherization Assistance Program (WAP) in accordance with the Low Income Home Energy Assistance Act of 1981 (LIHEAP) and the 2009 WAP Service Delivery Plan. Specific areas of review included Financial Reporting, Contract Agreements, Procurement, Personnel, and the Management of the Service Delivery Plan Components.

**Program Evaluation**

The evaluation of the program consisted of interviews with personnel, analysis of fiscal system and review of programmatic records.

**The following issues were noted during the review:**

- Not metering refrigerators
- Insufficient file documentation
- Lead Safe Work Practices

**2009 WEATHERIZATION MONITORING REPORT  
OF  
COMMUNITY ACTION COMMITTEE OF VICTORIA, TX**

**Section IX. Client File Review**

**Finding # 1:           Refrigerators not metered.**

CACV was unable to produce evidence of refrigerators being metered in 12 client file reviews for DOE, LIHEAP. DOE requires that a refrigerator be metered for a total time of 2 hours on any home that the agency is conducting an assessment. LIHEAP requires that a refrigerator is metered for 30 minutes unless the manufacture date is 1993 or prior on any home that is being assessed by the agency. Documentation must be placed in each client file with the house assessment. The client files reviewed are listed below.

<b>Case Number</b>	<b>Case Number</b>
7526	7186
7529	7609
7531	7230
7533	7303
7534	7650
7375	7542
7579	7538
7618	7537
7555	7527
7640	7529
7447	7450
7439	7467
7436	7462
7435	7459

**Action Required:** CACV is required to return to each unit and meter each refrigerator listed above. CACV is required to apply the same metering techniques in all future residential and apartment units being assessed and must establish written procedures in the policy and procedures section of their monitoring policy.  
**Reference:** TAC RULE §5.606 (DOE), TAC RULE §5.702 (LIHEAP)

**Finding #2:           Insufficient and incomplete reports and forms.**

Blower door readings: Upon review of client files produced by CACV, ten (10) files contained inaccurate blower door readings. Eight (8) of the client files had final blower door readings that were higher than the initial readings which displayed that the weatherization work made the unit less energy efficient. One (1) blower door data sheet displayed the final reading under the Building Tightness Level (BTL) which is considered a health and safety issue. One (1) client file did not have a blower door data sheet filled out and signed. During the onsite inspection process I determined that the initial testing was improperly conducted.

**2009 WEATHERIZATION MONITORING REPORT  
OF  
COMMUNITY ACTION COMMITTEE OF VICTORIA, TX**

The assessor placed a "B-Ring" on the blower door fan and configured the DG-700 Digital Pressure and Flow Gauge tool with the "A-Ring" which made the initial testing number significantly higher. The final assessor should have corrected this prior to processing the invoices.

<b>Client File</b>	<b>Blower door data sheet from</b>
7529	BTL calculations not filled in.
7375	BTL calculations not filled in.
7579	BTL calculations not filled in.
7650	Incomplete form. No signature, date or CFM reading.
7536	Final reading under BTL
7447	Final reading higher then the initial
7436	Final reading higher then the initial
7467	Final reading higher then the initial
7462	Final reading higher then the initial
7459	Final reading higher then the initial

**Actions Required:** CACV must implement a procedure for quality assurance that guarantees final inspectors are properly reviewing the initial assessments. The procedure must be able to hold the final assessor accountable for any work that is submitted incorrectly. A step-by-step checklist of how to set up a and administer the blower door and tools which can be added to the client file which can assist the final inspector in identifying possible faulty readings.

**Finding #3: Improper Lead Safe Work Practices.**

Upon review of unit inspection the following homes were not properly weatherized by Lead Safe Work Practice (LSW). Not placing a the proper materials to each clients home is a direct violation of Health and Safety standards, it places the client's health and wellbeing at risk of lead particles to stick to the clients furniture or floor if lead based paint is disturbed.

**Actions Required:** CACV must place Lead Safe Prevention materials on each piece of furniture while conducting work in a residence/apartment complex built prior to 1978. Lead Safe clothing must be worn while by the weatherization worker while this work is being preformed. A specialized suit, protective eyeglasses, gloves, and hat must be worn during the instillation of weatherization materials. Once the work is complete the weatherization worker must dispose properly of the protective gear clothing and tarps used to cover the furniture.

CACV must conduct unannounced on-site visits to 25% of the units being worked on that are pre-1978. If the weatherization workers continue to not perform the

**2009 WEATHERIZATION MONITORING REPORT  
OF  
COMMUNITY ACTION COMMITTEE OF VICTORIA, TX**

correct tasks, CACV must stop all production of pre-1978 homes and contact TDHCA immediately.

**Finding #4: Failure to Perform Carbon monoxide Testing**

CACV failed to perform carbon monoxide testing on the gas stove in one (1) Unit during the onsite inspection. Failure to test combustion appliances directly endangers the client's wellbeing and welfare. In client file #7230, the front right burner tested at 36 parts per million (PPM) and the front left burner tested at 42 PPM and needs to be removed from the client's residence to prevent health and safety concerns. The stove-top burner CO level should be less than 25 PPM.

**Action Required:** CACV must return to the identified unit remove the stove from the residence. CACV must develop and implement a procedure for quality control that ensures that final inspectors are properly reviewing the initial assessments for CO testing.

Texas Department of Housing and Community Affairs representative, Brian P. Fayhee participated in an exit conference with Vicki Smith, Patricia Kremling, Tiffany Ross, and Manny Tijerina (contractor for M&M Weatherization).

Signature:  6/2/10  
Brian P. Fayhee, TDHCA Program Officer Date