

KANSAS HOUSING

State of Kansas Weatherization State Plan Application WAPBIL

**Kansas Housing Resources Corporation
611 S. Kansas Avenue, Suite 300
Topeka, KS 66603-3803
(785) 217-2001 / FAX (785) 232-8084
www.kshousingcorp.org**

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|--|--|--|--|
| Application for Federal Assistance SF-424 | | | |
| *1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application | | *2. Type of Application: * If Revision, select appropriate letter(s): <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation *Other (Specify): _____ <input type="checkbox"/> Revision | |
| * 3. Date Received: 03/30/22 | | 4. Applicant Identifier: | |
| 5a. Federal Entity Identifier: | | *5b. Federal Award Identifier: DE-EE0009988 | |
| State Use Only: | | | |
| 6. Date Received by State: 03/30/22 | | 7. State Application Identifier: 2022WAPBIL Grant | |
| 8. APPLICANT INFORMATION: | | | |
| *a. Legal Name: KANSAS HOUSING RESOURCES CORPORATION | | | |
| *b. Employer/Taxpayer Identification Number (EIN/TIN): 710950729 | | *c. Organizational UEI: S249YBY1KLE8 | |
| d. Address: | | | |
| *Street 1: _____ 611 S Kansas Avenue _____ Street 2: _____ Suite 300 _____ *City: _____ Topeka _____ County/Parish: _____ Shawnee County _____ *State: _____ Kansas _____ Province: _____ *Country: _____ U.S.A _____ *Zip / Postal Code: _____ 666033803 _____ | | | |
| e. Organizational Unit: | | | |
| Department Name: Community Solutions | | Division Name: | |
| f. Name and contact information of person to be contacted on matters involving this application: | | | |
| Prefix: _____ Middle Name: _____ *Last Name: _____ Reimler _____ Suffix: _____ | | *First Name: _____ Christine _____ | |
| Title: Community Solutions Director | | | |
| Organizational Affiliation: | | | |
| *Telephone Number: (785) 217-2023 | | Fax Number: 785-256-9479 | |
| *Email: creimler@kshousingcorp.org | | | |
| Application for Federal Assistance SF-424 | | | |

9. Type of Applicant 1: Select Applicant Type: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

U.S. Department of Energy

11. Catalog of Federal Domestic Assistance Number:

81.042 Weatherization Assistance for Low-Income Persons

CFDA Title:

***12 Funding Opportunity Number:**

DE-WWBI-0002022

*Title:

2022 WAP Bipartisan Infrastructure Law

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

State of Kansas

***15. Descriptive Title of Applicant's Project:**

The Weatherization Assistance Program enables low-income families to permanently reduce their energy bills by making their homes more energy efficient. During the past 45 years, the U.S. Department of Energy's (DOE) Weatherization Assistance Program has provided weatherization services to more than 7.4 million low-income families.

Application for Federal Assistance SF-424

16. Congressional Districts Of:

| | |
|---|-----------------------------------|
| *a. Applicant: Kansas Congressional District 02 | *b. Program/Project: KS-Statewide |
| Attach an additional list of Program/Project Congressional Districts if needed. | |
| 17. Proposed Project: | |
| *a. Start Date: 07/01/2022 | *b. End Date: 06/30/2027 |
| 18. Estimated Funding (\$): | |
| *a. Federal | \$ \$31,974,404.00 |
| *b. Applicant | \$ _____ |
| *c. State | \$ _____ |
| *d. Local | \$ _____ |
| *e. Other | \$ _____ |
| *f. Program Income | \$ _____ |
| *g. TOTAL | \$ \$31,974,404.00 |
| *19. Is Application Subject to Review by State Under Executive Order 12372 Process? | |
| <input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on _____ <input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review. <input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372. | |
| *20. Is the Applicant Delinquent on Any Federal Debt? (If "Yes," provide explanation in attachment.) | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes", provide explanation and attach. | |
| 21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001) <input checked="" type="checkbox"/> ** I AGREE ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions. | |
| Authorized Representative: | |
| Prefix: _____ Mr. _____ | *First Name: <u>Ryan</u> |
| Middle Name: _____ | |
| *Last Name: <u>Vincent</u> | |
| Suffix: _____ | |
| *Title: Executive Director | |
| *Telephone Number: (785)217-2001 | Fax Number: (785)232-8084 |
| * Email: rvincent@kshousingcorp.org | |
| *Signature of Authorized Representative: Signed Electronically | *Date Signed: |

IV. WEATHERIZATION ANNUAL FILE

IV.1 SUBRECIPIENTS

Allocation of funds to Subrecipients and across budget categories will be calculated on the base formula as available from KHRC. The base formula is based on the 2016-2020 American Community Survey 5-year Estimates. KHRC retains the right to actively manage the grant and move funds as necessary to fully expend the monies during the budget period. For this initial WAPBIL budget, KHRC is retaining 3.4% of the award to build in a little flexibility. These funds will be later allocated to subrecipients that are hitting expenditure and production goals. This also provides some flexibility should another subrecipient be identified and named per 10 CFR 440.15.

| Subrecipient Agency | Type of Organization | Tentative | | Congressional District |
|--|-------------------------------|--------------|-------|---|
| | | Allocation | Units | |
| Community Action, Inc. 455 SE Golf Park Blvd Topeka, KS 66605-2862 (Contractors) | Local Community Action Agency | \$2,634,624 | 236 | Dist. 2, 100% |
| East Central Ks Economic Opportunity Corporation P.O. Box 40, 1320 S. Ash Street, Ottawa, KS 66067-0040 (Contractors) | Local Community Action Agency | \$7,015,868 | 643 | Dist. 1, 19% Dist. 2, 62% Dist. 3, 13% Dist. 4, 6% |
| North Central Regional Planning Commission P.O. Box 565, 109 North Mill Beloit, KS 67420-0565 (Contractors) | Unit of Local Government | \$3,807,574 | 340 | Dist. 1, 98% Dist. 2, 2% |
| South Central Ks Economic Development District 9730 E. 50 th St. North Bel Aire, KS 67226 (Contractor and Crew) | Nonprofit Organization | \$10,830,943 | 1,000 | Dist. 1, 47% Dist. 2, 15% Dist. 4, 38% |
| Southeast Kansas Community Action Program P.O. Box 128, 401 N. Sinnet Girard, KS 66743-0128 (Contractors) | Local Community Action Agency | \$500,000 | 31 | Dist. 2, 100% |
| TBD: See above | | \$857,316 | 80 | |
| TOTAL ESTIMATED COST AND UNITS | | \$25,646,325 | 2,330 | |
| | | | | |

IV.2 WAP PRODUCTION SCHEDULE

| | Annual Total |
|----------------------------------|--------------|
| Weatherized Units (TOTAL) | 2,330 |
| Reweatherized Units | 0 |

Vehicles and Equipment \$5,000 or more Average Cost per Dwelling Unit (DOE Rules)

| | |
|---|--------|
| A. Total of Vehicles and Equipment (\$5,000 or more) Budget | \$0.00 |
| B. Total Units to be Weatherized, from Production Schedule above | 2,330 |
| C. Units to be Reweatherized, from Production Schedule above | 0 |
| D. Total Units to be Weatherized, plus Planned Reweatherized Units from Production Schedule above (B plus C) | 2,330 |
| E. Average Vehicles and Equipment Cost per Dwelling Unit (A divided by D)..... | \$0.00 |

Average Cost per Dwelling Unit (DOE Rules)

| | |
|---|--------------|
| F. Total of Funds for Program Operation | \$17,468,667 |
| G. Total Units to be Weatherized, plus Planned Reweatherized Units from Production Schedule above (total from D above) | 2,330 |
| H. Average Program Operations Costs per Unit (F divided by G) | \$7,497.28 |
| I. Average Vehicles and Equipment Acquisition Cost per unit (total from E) | \$0.00 |
| J. Total Average Cost per Dwelling Unit (H plus I) | \$7,497.28 |

The WAPBIL average expenditure limit is \$8,009 per Weatherization Program Notice BIL 22-1, effective date of March 30, 2022, and shall remain the same throughout the expenditure of the WAPBIL multiyear grant.. For planning purposes, an average of \$7,500 will be used which is closer to historical state averages.

IV.3 ENERGY SAVINGS

K-WAP will utilize the DOE algorithm to estimate energy savings for the WAPBIL grant. The DOE algorithm is based on the most recently published evaluation of the Weatherization Assistance Program, specifically the report “Weatherization Works- Summary of Findings from the Retrospective Evaluation of the U.S. Department of Energy’s Weatherization Assistance Program”, ORNL/TM-2014/338, which estimates annual savings of 29.3 MBtu per year for natural gas heated homes. The study includes site-built weatherized homes nationwide (which include single-family homes and buildings with 1-4 units, but excludes mobile homes and large multifamily). This value is representative of the total energy savings expected from weatherization for an average house from the fuel used for space heating (natural gas, propane, fuel oil, and electricity), which may include water heating too, and the source value of the electricity savings for the home (from space heating, space cooling, water heating, lighting, refrigerators, etc.).

| DOE Program | Amount | Line |
|---|------------|------|
| Total Estimated Homes to be Weatherized | 2,330 | (a) |
| Multiply (a) by 29.3 MBtu for Total Annual Estimated Energy Savings resulting from DOE appropriated funds | 68,269MBtu | (b) |

IV.4 DOE-FUNDED LEVERAGING ACTIVITIES

For the current Program Year, KHRC will not be engaging in any DOE funded leveraging activities.

Other Funding Sources

For the current Program Year, KHRC will receive 15 percent of the State of Kansas LIEAP allocation. The LIEAP funds are used according to DOE rules, with the exception of additional measures as identified in the Weatherization Subrecipient’s Procedures Manual. (Revision date: 2022)

IV.5 POLICY ADVISORY COUNCIL

The purpose of the Policy Advisory Council (PAC) is to serve in an advisory capacity to the Kansas Housing Resources Corporation in the administration and development of the Weatherization Assistance Program. PAC members assist the program by bringing special qualifications, professional and personal networking, and sensitivity with respect to solving the problems of low-income persons across the state. Membership can include organizations, agencies, programs, and individuals that broadly represent low-income persons within our target populations.

The K-WAP is assisted by the Kansas Weatherization Policy Advisory Council. The members of the Council are as follows:

Name & Mailing Address

Theresa English

Constituent Affiliation - Evergy (utility company, representing energy users)
1200 Main St,
Kansas City, MO 64105

Beth Pauley

Constituent Affiliation – Climate + Energy Project.
P.O. Box 1858
Hutchinson, KS 67504

Kimberly Bailey

Constituent Affiliation – Evergy (utility company, representing energy users)
818 S. Kansas Ave
Topeka, KS 66612

Hilary Lukens

Constituent Affiliation – Representing low income families, LIEAP customers.
Kansas Dept. Children and Families
500 SW Van Buren
Topeka, KS 66603

Faye Kinner and Janell Igoe

Constituent Affiliation – Atmos Energy (utility company, representing energy users)
25090 W 110th Terrace
Olathe, KS 66061

David Carter

Constituent Affiliation – K-State Engineering Extension-Kansas Energy Program
2323 Anderson, Suite 300
Manhattan, KS 66502

Jessica Wederski

Constituent Affiliation – Representing low to moderate income families including elderly, handicapped, and Native Americans.
KACAP
455 SE Golf Park Blvd.
Topeka, KS 66605

Brian Dreiling

Constituent Affiliation –Midwest Energy (utility company, representing energy users)
1330 Canterbury Dr.
Hays, KS 67601

Kara Titus

Constituent Affiliation – Kansas Gas Service (utility company, representing energy users)
5960 Executive Ct.
Manhattan, KS 66503

IV.6 HEARING AND TRANSCRIPTS

On March 31, 2022, WAPBIL application documents were shared with subrecipients. It was discussed that the WAPBIL State Plan will be based on the PY22 State Plan. , U

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Weatherization Subrecipients and PAC members were emailed the draft proposal on September 8, 2022, and a meeting with these stakeholders was held on September 15, 2022, to discuss the proposed changes to the State Plan and to gather their input. (PENDING)

The Kansas Register ran the Notice for Public Hearing on September 8, 2022. The Public Hearing was held on September 20, 2022. The Public Hearing transcript is attached. (PENDING)

IV.7 MISCELLANEOUS

Search and selection of additional subrecipients:

KHRC began a search for additional weatherization subrecipients during the fall of 2021 in an attempt to help build program capacity. KHRC had been discussing this possibility with our current subrecipient network for years and the global pandemic, continued program growth, and the potential for future growth necessitated that we start the search. An initial Expression of Interest (EOI) letter seeking potentially interested parties for anywhere in the state was released in early October 2021. The announcement was publicly shared on our website, emailed to the general KHRC Constant Contact email list, and directly emailed to statewide partners, subrecipients of other federal programs, current weatherization subrecipients, PAC members, and others. EOI responses were due November 12, 2021. Six agencies provided responses. KHRC and potentially impacted subrecipients evaluated the submissions and identified two submissions, Flint Hills Regional Council (FHRC) and Southeast Kansas Community Action Program (SEKCAP) that showed potential in providing beneficial capacity in geographically beneficial locations. KHRC initiated additional conversations with these entities to provide more information on the program and outline the full proposal and public hearing process. FHRC elected not to pursue becoming a subrecipient at this time. SEKCAP submitted a full proposal on May 17, 2022. KHRC evaluated the proposal, held additional discussions with SEKCAP, and shared the proposal with current subrecipients that may be impacted. The proposal, with minor modifications, was deemed beneficial and acceptable. A public hearing pursuant to 10 CFR 440.14 and 440.15 to receive public comment on adding SEKCAP as a weatherization subrecipient as held during the same public hearing at this WAPBIL State Plan public hearing. (Insert results of hearing) A several year ramp up period is anticipated and service territories will be revised after SEKCAP meets training, certification, and capacity benchmarks.

Davis Bacon Act Compliance:

In accordance with Section 40551, subpart (b) of the Bipartisan Infrastructure Law, any WAPBIL funded weatherization work on multifamily buildings with no fewer than 5 units will be required to pay wages to all laborers and mechanics engaged in the construction, alteration, or repair of those multifamily buildings (whether employed by a contractor or subcontractor) wages “at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor.”

DOE will issue additional guidance regarding the prevailing wage requirements and KWAP will incorporate future guidance into program policies, management, and monitoring. Since the Davis Bacon requirement only applies to multifamily units and WAPBIL funding, to avoid triggering the extra work of Davis Bacon compliance, K-WAP anticipates prioritizing multifamily projects for non-WAPBIL funding sources (annual DOE allocation, LIEAP, etc.).

Buy American Provisions:

The BIL included a new “Buy America, Build America” section which created a number of new responsibilities and requirements, including a new—permanent—Buy American domestic preference requirement for all iron, steel, manufactured products, and construction materials used in certain financial assistance projects.

DOE will issue additional guidance regarding the requirements and applicability, as well as the possibility for applying for a special waiver. KWAP will incorporate future guidance into program policies and management.

Fuel Switching:

In an effort to achieve the Administration’s goal of delivering more equitable clean energy, DOE WAP Grantees are reminded they may perform cost-effective fuel-switching installations as outlined in current DOE guidance (WPN 19-4). Health and Safety related fuel-switching is also allowed as outlined in the current DOE guidance (WPN 22-7). Kansas Subrecipients are reminded to reference and follow Subrecipient Procedure Manual section 2.5.8 Fuel Switching requirements.

“Recipient Business Officer”: Christine Reimler, 785-217-2023, creimler@kshousingcorp.org
“Recipient Principal Investigator”: Scott Kuhn, 785-217-2048, skuhn@kshousingcorp.org

V. WEATHERIZATION MASTER FILE

V.1 ELIGIBILITY

V.1.1 Approach to Determining Client Eligibility

Definition of income used to determine eligibility:

Renters or homeowners whose income is at or below 200 percent of the poverty level, determined in accordance with criteria established by the Director of the Office of Management and Budget, shall be eligible for weatherization assistance in Kansas. In addition, households which contain a member who has received cash assistance payments under Title IV or XVI of the Social Security Act or applicable state or local law during the 12-month period preceding the determination of eligibility for weatherization assistance shall be eligible for weatherization assistance.

Applicants receiving LIEAP Utility Assistance from Kansas Department of Children and Families (KDCF) during the current program year will automatically income qualify for weatherization services.

WPN 22-5 extended categorical income eligibility to HUD means-tested programs. WAP subrecipients may certify that applicants have met the income requirements of HUD means-test programs through mechanisms including, but not limited to, applicant documentation, interagency lists of recipients, shared system databases, etc. The method of verification of eligibility will be included in the client file.

Household Eligibility:

A dwelling unit shall be eligible for weatherization assistance if it is occupied by an eligible family unit whose income is at or below 200 percent of the poverty level and the structure is eligible as outlined in V.1.2 Approach to Determining Building Eligibility.

Qualified Aliens Eligibility for Benefits:

Subrecipients shall ensure that DOE weatherization services shall only be provided to eligible populations. All client files will contain an Eligibility Certification statement as found in the Kansas Subrecipient Procedures Manual. Subrecipients are directed to review <https://www.acf.hhs.gov/ocs/resource/liheap-im-hhs-guidance-on-the-use-of-social-security-numbers-ssns-and-citizenship-status-verification>.

V.1.2 Approach to Determining Building Eligibility

Procedures to determine that units weatherized have eligibility documentation:

The applicant must provide evidence or income documentation satisfactory to the outreach worker that the household meets the eligibility requirements. The documentation must be maintained in the client file and made available for inspection by the agency employee and state staff. Applicant income must be verified for the one-year period prior to the certification month. Income data for a part of a

year may be annualized in order to determine eligibility—for example, by multiplying by four the amount of income received during the most recent three months. The method of calculation is to be determined by the Subrecipient in accordance with WPN 22-3 and the Subrecipient Procedures Manual and should be uniformly applied. Applications on file for one year or more must be recertified for the year prior to pre-inspection. Applicant eligibility verification shall be documented in the file and shall include, as a minimum, (1) which 12-month period was considered, (2) a list of all sources of applicant income, (3) documentation of income from each source for the period(s) being considered, and (4) the date and initials of the agency employee verifying income.

Tax forms may be used to verify income only if the certification period is from January through December. Certification of self-employed individuals will include the use of a notarized statement declaring their income for the previous 12 months. Applicants who have undocumented or zero income must provide a notarized statement declaring their income, or lack thereof, for the previous 12 months.

Signed permission from the owner, or authorized agent, of each eligible dwelling unit must be obtained and documented in the client file prior to performing any inspections, tests, or weatherization measures on a dwelling.

Reweatherization:

No dwelling unit may be weatherized (1) which is designated for acquisition or clearance by a federal, state or local program within 12 months from the date weatherization would be scheduled to be completed; or (2) which has been weatherized with any federal “weatherization” sources (DOE, LIEAP) in the past rolling 15 years. An exception is allowable for a unit, which has been weatherized in the previous 15 years, if it has been damaged by fire, flood or act of God and repair of the damage to weatherization materials was not covered by insurance. Historical WMS and Hancock records will be referenced for previous weatherization activity when determining household eligibility. All reweatherized units must meet current weatherization standards on completion.

In the event of a natural disaster which results in damage to low-income homes, Subrecipient and state staff will evaluate the damage to determine the appropriate role for the Weatherization Assistance Program in relief efforts. See section V.8.

During scheduled on-site monitoring visits, K-WAP staff reviews a sample of client files to assure they were eligible for weatherization. In addition, K-WAP staff reviews annual Subrecipient CPA reports for findings related to ineligible units. In each case, the K-WAP recoups weatherization funding for ineligible units.

Eligible Structures:

Every dwelling weatherized must meet both the client eligibility and the building eligibility requirements. Eligible structure types include: single family, manufactured housing, multifamily buildings, and shelters.

Structures are ineligible for weatherization grant funds if they are condemned, scheduled for demolition, or designated for acquisition or clearance by a Federal, State, or local program within twelve months from the date of weatherization scheduled completion.

Structures will be assessed for compliance with the State Historic Preservation Office (SHPO) Programmatic Agreement (PA). Weatherization services or select measures may not be eligible on certain homes as identified by a Section 106 review.

Structures will be assessed to ensure that weatherization measures will be effective. The expected lifetime of measures and their benefit will be taken into consideration when assessing structure eligibility. Conditions which constitute such limitations may include, but are not limited to:

- If remodeling or rehabilitation of the property (either planned or in progress) is substantial enough to degrade the effectiveness of weatherization.
- If the conditions of structural or mechanical systems of the home are such that it is not safe and possible to install or complete core measures; i.e., furnace safety and efficiency inspections and repair, blower door guided envelope air sealing, insulation.
- If it is not possible to improve the condition of the structure sufficiently to allow the installation of the core measures with allowable incidental repairs, or with coordinated rehabilitation funding.
- If, at a minimum, health and safety items cannot be addressed.

If conditions exist which preclude the weatherization of the structure, a brief written description of the conditions should be supplied to the client. This notification should be coupled with the notification that weatherization assistance is postponed or deferred until such time that the problem conditions have been resolved. The agency should inform the client of a “reasonable” amount of time for the resolution of the problem conditions. The client will also be informed of their right to appeal the deferral. See Deferral Standards.

Subrecipients will exercise caution in dealing with non-traditional type dwelling units to ensure that they meet program regulations on whether the unit is, in fact, eligible. The weatherization of non-stationary campers and trailers that do not have a mailing address associated with the eligible applicant is not allowed. The use of a post office box for non-stationary campers or trailers does not meet this requirement.

Rental Units:

Renter occupied housing units are eligible for weatherization services if they meet all other eligibility requirements. Signed permission from the owner, or authorized agent, of each eligible dwelling unit must be obtained and documented in the client file prior to performing any inspections, tests, or weatherization measures on a dwelling. Rent to own and contract for deed arrangements shall be considered rental properties.

K-WAP does not require landlord contributions to provide weatherization services. However, funding restrictions (i.e. excessive health and safety or incidental repairs, or other funding limitations) may require a landlord contribution to allow comprehensive weatherization work to

proceed. Landlord contributions should be sought for the weatherization of multifamily complexes to maximize the benefits to the low-income clients and to stretch limited WAP funding, when feasible.

In compliance with 10 CFR 440.22, the following procedures shall be used in the weatherization of rental dwellings:

1. Subrecipients shall use the financial assistance guidelines for dwelling units to determine eligibility.
2. Subrecipients shall obtain a signed agreement (Landlord Rental Agreement) from the owner/landlord of the building or his designated agent authorizing the work to be done and, if applicable, agreeing to the landlord's financial participation in weatherization costs. Subrecipients should develop a detailed description of the weatherization measures authorized and costs assigned to the landlord and the agency. Rents shall not be raised solely due to the weatherization assistance provided under this part. The agreement shall include a provision that the landlord agrees not to raise the rent for at least one year from the time the work is completed, unless raising the rent is based on factors unrelated to the weatherization improvements. The client shall be provided a copy of the signed agreement. The K-WAP will not use a lien on landlord property.
3. In order to weatherize an entire multi-family building, the building must have at least 66 percent program eligibility rate (50 percent duplex or four-plex) including those units that will become eligible within 180 days under a federal, state or local government program for rehabilitating the building or making similar improvements to the building. On a case-by-case basis, with prior approval from DOE, certain eligible types of large multi-family buildings may be eligible for weatherization if as few as 50 percent of the units were certified as eligible for weatherization. This exception applies only to those large multi-family buildings where an investment of DOE funds would result in significant energy-efficiency improvement because of the upgrades to equipment, energy systems, common space, or the building shell.
4. The maximum amount of grant funds which can be spent for multifamily weatherization is determined the same way as in single-family owner-occupied units, which is by managing the average cost per unit. For reporting purposes, all units receiving weatherization must be reported as "completed units."
5. Approved measures that are applicable to multi-family units should be assessed, prioritized and implemented in an energy savings/cost effective manner appropriate to the particular building.
6. A building which is totally vacant may be weatherized only in conjunction with a federally funded rehabilitation project, and with the assurance that at least 66 percent of the units will be leased to income eligible tenants. If the building is partially occupied, vacant units may be weatherized if 66 percent of the total units are occupied by eligible tenants.
7. No undue or excessive enhancements shall accrue to the value of weatherized dwelling units in Kansas. Weatherization measures to be completed on rental units, as on owner units, must be cost-effective, as determined by an individualized REM/Design audit. The state may recoup costs of excessive weatherization measures.

8. Subrecipients shall document how the benefits of weatherization services accrue primarily to the low-income tenants residing in the rental unit if the tenants do not directly pay their own primary heating bill. Examples and guidance can be found in WPN 16-5.
9. Subrecipients shall include in their rental agreements the address and telephone number of the Legal Aid Society office(s) serving their areas, as well as a statement that Legal Aid is responsible for arbitrating landlord-tenant disagreements arising from weatherization activities completed on the units.
10. Shelters are eligible for weatherization activities, as follows:
 - a. “Shelter” is defined as a dwelling unit or units whose principal purpose is to house on a temporary basis individuals who may or may not be related to one another and who are not living in nursing homes, prisons or similar institutional care facilities.
 - b. For the purpose of determining how many dwelling units exist in a shelter, the minimum size for each dwelling unit within the shelter shall be 800 square feet of living space, or each floor of the shelter may be counted as a dwelling unit.

Deferral Standards:

The term “deferral” describes when an otherwise income eligible client cannot receive weatherization services due to certain occupant issues or dwelling characteristics that are beyond the scope of WAP. Deferral may be necessary if health and safety issues cannot be adequately addressed through this guidance. The decision to defer work in a dwelling is difficult but necessary in some cases. This does not mean that assistance will never be available, but that work must be postponed until the problems can be resolved and/or alternative sources of help are found. In the judgment of the Subrecipients, which include crews and contractors, any conditions that exist, which may endanger the health and/or safety of the workers or occupants, should be deferred until the conditions are corrected. Deferral may also be necessary where occupants are uncooperative, abusive, or threatening. Crews and contractors are expected to pursue all reasonable options on behalf of the client.

Subrecipients will develop guidelines and a standardized form for such situations.* The form will include the client’s name and address, dates of the audit/assessment and when the client was informed, a clear description of the problem, conditions under which weatherization could continue, any applicable referrals, the responsibility of all parties involved, and the client(s) signature(s) indicating that they understand and have been informed of their rights and options and have the opportunity to appeal. A copy of the deferral letter must be provided to the client and a copy retained in the client file. All deferred weatherization applications and jobs shall be entered into the Hancock system and the corresponding deferral reason selected from the available options. Deferred clients remain income eligible and do not need to be recertified unless their income certification date lapses. Clients should be provided a list of potential resources or referrals to other programs to assist in correcting the deferral.

*Disclaimer notices are currently in place for lead paint, mold, asbestos, hazard identification, occupant pre-existing or potential health conditions, and radon.

Deferral conditions may include:

1. The client has known health conditions that prohibit the installation of insulation and other weatherization materials.
2. The building structure or its mechanical systems, including electrical and plumbing, are in such a state of disrepair that failure is imminent and the conditions cannot be resolved cost-effectively.
3. The house has sewage or other sanitary problems that would further endanger the client and weatherization installers if weatherization work were performed.
4. The house has been condemned or electrical, heating, plumbing, or other equipment has been “red tagged” by local or state building officials or utilities and cannot be remedied by weatherization funds.
5. Moisture problems have developed signs of significant mold.
6. Dangerous conditions exist due to high carbon monoxide levels in combustion appliances, and cannot be resolved under existing health and safety measures.
7. The client is uncooperative, abusive, or threatening to the crew, subcontractors, auditors, inspectors, or others who must work on or visit the house.
8. The extent and condition of lead-based paint in the house would potentially create further health and safety hazards.
9. If, in the judgment of the energy auditor, any condition exists which may endanger the health and/or safety of the work crew or subcontractor, the work should not proceed until the condition is corrected.
10. The property has vermiculite insulation that will be disturbed.
11. The property has suspected asbestos containing materials in less than good condition or where the material is non-intact or where the material may be disturbed.
12. The utilities to the property have been disconnected by the utility company.
13. The combined price of required H&S measures exceeds the average H&S expenditure to the extent that the agency cannot balance the expenditure to maintain the required H&S percentage. In this instance, the agency may defer the home until additional funds are located to lower the expenditure to within the average.
14. The property is currently listed for sale and/or the eligible occupant will be moving.
15. The property has a significant remodel in progress.

V.1.3 Definition of Children

The State of Kansas has defined “children,” in terms of prioritizing households including children, as those 18 years old and under. Data are compiled in age groups of 0-2, 3-5, 5 and under, and 6-18 years of age.

V.1.4 Approach to Tribal Organizations

In accordance with federal rule, the State of Kansas recommends that tribal organizations not be treated as local applicants eligible to submit an application to operate a Weatherization Assistance Program. Native Americans will receive assistance as eligible individual applicants under program guidelines.

V.2 SELECTION OF AREAS TO BE SERVED

Each Subrecipient listed in this application is a public or private nonprofit agency, including Community Action Agencies (CAAs), units of local government, and an economic development district.

Each existing Subrecipient was selected initially by criteria set forth in 10 CFR 440.15. (See map of areas attached.) Every year an analysis is completed on each Subrecipient’s performance, including the review of monitoring visits and resolution of findings, production reports, expenditures in relationship to units completed, the quality of weatherization services provided, annual CPA audit reports, and general staff observations from interactions with Subrecipient staff and clients.

The WAP Subrecipient Procedure Manual describes procedures for the state’s response to Subrecipient noncompliance, including recoupment or reduction of funding, subgrant probation, and subgrant termination.

The entire geographical area of the Grantee shall be served by the Weatherization Assistance Program. This requirement will be accomplished with a combination of DOE and other funds, as available, and may require multiple program years.

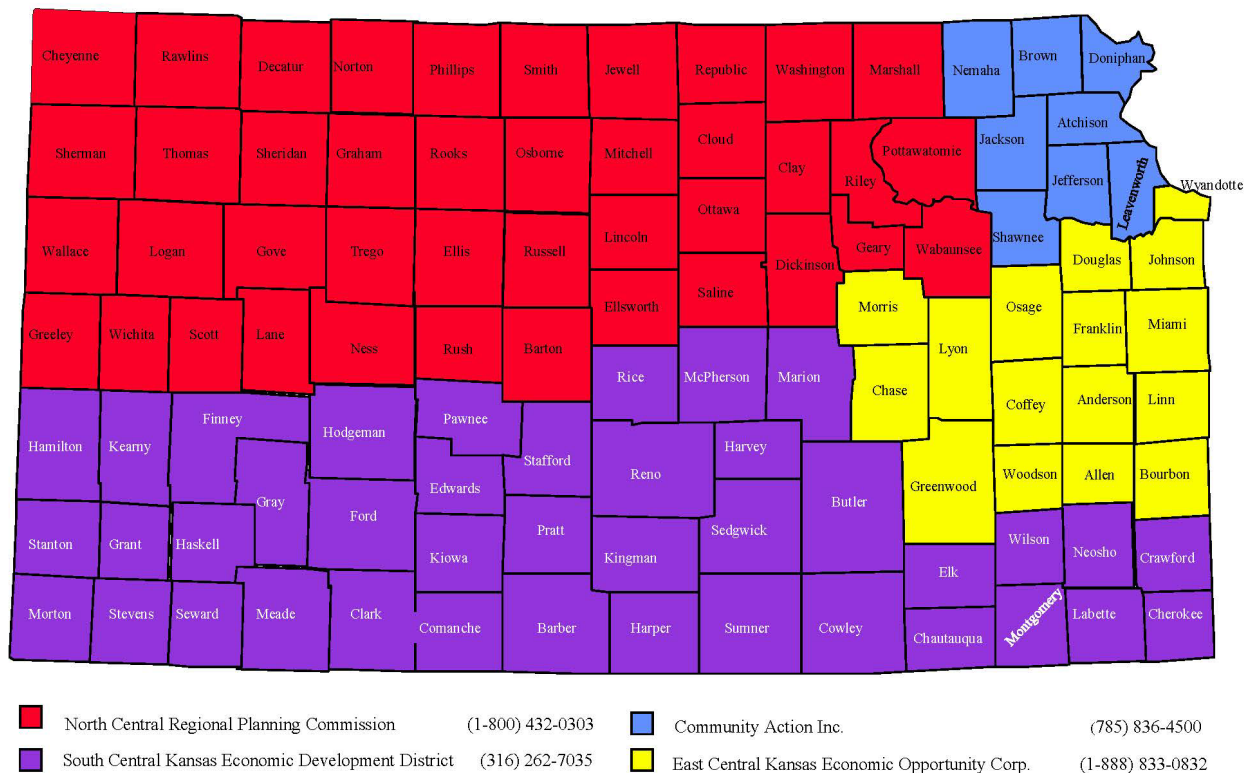
Allocation of funds to Subrecipients and across budget categories will be based on the base formula as available from KHRC. The base formula is based on the 2016-2020 American Community Survey 5-year Estimates.

Redistribution Provision: If Subrecipients are unable to expend their funds in a timely manner, KHRC/K-WAP retains the right to allow for re-allocation of funds to Subrecipients and across budget categories using the same formula as originally proposed or any other funding plan that meets the needs of targeted Kansas citizens without holding additional public hearings. Funds may be reallocated to those high performing subrecipients that demonstrate a commitment to meeting or exceeding quarterly production and spending targets. Active management and re-allocation of the grant allows the grant to be fully expended during the budget period.

See section IV.7 Miscellaneous for an explanation of new subrecipient SECKAP and that service areas in the attached map will be adjusted as SECKAP meets training, certification and capacity

benchmarks over the multiyear WAPBIL performance period.

Counties Served by Kansas Weatherization Assistance Program



V.3 PRIORITIES

Subrecipients have developed procedures for serving clients by priority. These priorities include:

1. Elderly persons (age 60 or over)
2. Persons with disabilities (any individual who has a physical or mental disability which constitutes or results in a substantial handicap to the individual's employment; or a person who has a record of having, or is regarded as having, a physical or mental impairment which substantially limits one or more of the individual's major life activities; or someone who has a disability which would make the individual eligible to receive disability insurance benefits or supplemental security income from the Social Security Administration or developmentally disabled assistance from the Department of Health and Human Services)
3. Families with children 18 years old or under

If applicants are not elderly, disabled, or members of families with children 18 years old or under, they may also be prioritized if they qualify as high residential energy users or a household with a high energy

burden. Clients are given the option, but are not required, to provide energy-related utility bills for intake staff to calculate the household's energy usage and burden.

High energy users are households who's previous 12-month energy use exceeds: 100 MCF of natural gas or 14,000 kWh for electricity or 800 gallons of propane.

High energy burden households are those households where overall annual energy costs are equal to or greater than 15% of the household's annual income. The same 12-month period for determining income eligibility and annual energy bills will be used when calculating burden.

Weatherization Subrecipients are sensitive to the issues of high-energy burden and high residential fuel usage. The State of Kansas continues to explore ways to establish these categories for use in identifying priorities, however consistently and efficiently obtaining utility bill information from the numerous investor-owned, cooperative, and municipal utilities across the state remains a programmatic barrier and client application hurdle.

Emergencies may take precedence over all other priorities. Emergencies are defined as life-threatening housing conditions, and they shall be documented as such in client files.

The timing of service to an applicant that is in a priority category may be set so services can be coordinated with another funding source.

Taking into consideration the above priority groups, subrecipients are encouraged to direct services to those geographic regions that did not receive weatherization benefits in the previous program year.

V.4 CLIMATIC CONDITIONS

The climatic conditions in Kansas range across the state. The table below show the average heating degree days and the average cooling degree hours for four primary weather stations across the state. These values are from ASHRAE Fundamentals Std 169-2013 and are imbedded in our energy auditing software. The REM/Design audit utilizes the four provided climatic zones to factor in climatic variances within the state and in its analysis of cost effectiveness

| Location | HDD, base 65F | CDH, Base 74F |
|-----------------|----------------------|----------------------|
| Dodge City | 4880 | 16573 |
| Goodland | 5782 | 12121 |
| Topeka | 4929 | 12924 |
| Wichita | 4464 | 18215 |

V.5 TYPE OF WEATHERIZATION WORK TO BE DONE

V.5.1 Technical Guides and Materials

Prioritization of weatherization measures to be performed on a dwelling unit have been established according to 10 CFR 440.21, Standards and Techniques for Weatherization. Energy audits will be conducted on each dwelling unit covered by the state's weatherization program.

Energy Conservation Measures (ECMs) approved in Kansas, as justified by an individualized REM/Design audit, H&S policy, or GHW list, include:

1. Insulating foundation walls up to R-19
2. Insulating slab edge insulation up to R-10
3. Insulating frame floors over unconditioned areas up to R-30
4. Insulating cantilevered floors over ambient air up to R-30
5. Insulating rim joists up to R-13
6. Insulating side wall cavities (dense pack and/or batt as applicable)
7. Insulating attic knee-walls up to R-19
8. Insulating attic floors up to R-38
9. Dense packing roof slopes cavities
10. Installation of interior or exterior storm windows over single-glazed windows
11. Replacing primary windows
12. Replacing exterior grade doors
13. Measures to reduce air infiltration
14. Insulating ductwork
15. Tuning heating and cooling equipment
16. Replacing fossil fuel fired heating equipment
17. Replacing electric HVAC systems with heat pumps
18. Replacing air conditioner
19. Installation of a smart thermostat
20. Refrigerator replacement
21. Installation of LED lamps and fixtures
22. Diagnostic combustion appliance testing.
23. Necessary health and safety repairs.
24. Necessary repairs or replacement of water heater.
25. Installation of other measures necessary to protect installed weatherization materials.
26. General heat waste measures: water heater tank wrap, water heater pipe insulation on the first six feet, water pipe insulation in unconditioned areas, low-flow faucet aerators, low flow showerheads, replacement of furnace or air conditioner filters, and duct sealing and insulation when located outside the thermal boundary.

All weatherization ECM materials must meet the latest standards for weatherization as published in 10 CFR 440 Appendix A. Additional materials that are approved for use that are not included in Appendix A are LED lamps and fixtures and refrigerators. Subrecipients shall give preference in their purchases to products containing the highest level of recovered or recycled materials practicable.

In accordance with WPN 22-4, all measures installed will meet the objectives and desired outcomes of the Standard Work Specification as adopted and outlined in the Kansas SWS Field Guide and accompanying Supplemental Specifications for Manufactured Housing. All work must also be performed in accordance to the DOE approved energy audit procedures and 10 CRF 400 Appendix A.

The current SWS field guide for single family and manufactured housing is approved for use through June 16, 2026. The approved SWS field guide is also utilized and followed for small multifamily projects.

These documents currently contain the language for all the desired outcomes, specifications, and objectives required to complete weatherization work on single family and manufactured homes. These standards shall also apply to the small garden style multifamily buildings common to the state. A digital, dated version of the field guide and supplement has been provided to all Subrecipients and is available for all contractors and the public on the KHRC Weatherization Website: <https://kshousingcorp.org/forms>

Supporting photographs and how-to practices for specifications will be updated on an ongoing process and provided as new dated versions of the guide on the website.

Proposed changes and clarifications should be submitted to KHRC. All SWS primary language updates will be reviewed and incorporated on an annual basis. Annual and critical updates will be communicated with an effective date to all Subrecipients for distribution to crews and contractors.

All Grantee and Subrecipient agreements and vendor contracts will contain the following language which clearly communicates the expectation for quality work and the requirement to be in compliance with the Kansas SWS Field Guide: “The Weatherization Assistance Program is dedicated to a high quality of work. To ensure this quality, all work performed by subrecipients, contractors, and subcontractors must meet the desired outcomes, specifications, and objectives found in the Kansas SWS Field Guide. This Agreement constitutes confirmation of receipt and understanding of the expectations of the Kansas SWS Field Guide.” A signed contract that includes confirmation of receipt and understanding shall be sufficient and binding.

Activities or projects not included in the list of Categorical Exclusion activities in Section 2.9 of WPN 22-1 will require a NEPA environmental questionnaire submission for review.

V.5.2 Energy Audit Procedures

K-WAP has received DOE’s (5) year audit approval and it is conditionally approved through February 26, 2026. In no case may a weatherization energy conservation measure (ECM) be installed that shows an SIR of less than 1.0, with the sole exceptions of top plane air sealing, air sealing the attached garage wall, and or manufactured home duct boot and trunk sealing which will be eligible if the cumulative house SIR package is equal to or greater than 1.0. Subrecipients must also demonstrate good judgment in determining the appropriateness of some measures that show an SIR of 1.0 or above, assuring they manage to the average cost per unit, and balancing between providing more services to fewer households and providing appropriate services to more households. It is not permissible to omit cost justified ‘major measures’ vital to the success of the weatherization job. Major measures are as follows: air sealing, duct sealing of ducts outside the thermal boundary, attic insulation, wall insulation, and floor or belly insulation.

Multi-family units comprise a smaller percentage of eligible units within Kansas, with the majority of these units being small complexes. Small multi-family buildings are buildings with 25 dwellings or fewer per building and units must be individually heated and/or cooled. These individually heated

units will be modeled in REM/Design as individual units using the same field auditing and modeling procedures as detached single-family units. Large multifamily buildings (26+ units) or those buildings with a shared heating/cool systems may be weatherized on a case-by-case approval by DOE. The audit and assessment procedures must be appropriate to the dwelling type and each audit and all supporting documentation will be submitted to the DOE Project Officer for pre-approval.

| <u>Unit Types</u> | <u>Audit Procedures and Dates Approved by DOE</u> |
|------------------------------|---|
| Single-Family | REM/Design audit (February 26, 2021) |
| Manufactured Housing | REM/Design audit (February 26, 2021) |
| Small Multi-Family | REM/Design audit (February 26, 2021) |
| High Rise/Large Multi-Family | On a case by case DOE approval basis |

K-WAP is in the process of reviewing WPN 22-8, “Streamlining the Energy Audit Process- Optional Regional Priority Lists” and anticipates following the outlined adoption procedures within the guidance to adopt several or all of the regional priority lists.

V.5.3 Final Inspection

No dwelling unit may be reported to the Department of Energy as completed until the Subrecipient, or its authorized representative, has conducted a final inspection and certifies that the applicable work has been completed in a professional manner and in accordance with the priority determined by the audit procedures. Final inspections shall include post-weatherization blower door tests, mechanical inspections, and worst-case draft tests.

Every DOE WAP unit reported as a completed unit must receive a final inspection ensuring that all work meets the minimum specifications as outlined in the Kansas SWS Field Guide. The individual who performs this final inspection shall be a certified Home Energy Professional Quality Control Inspector (QCI). Every client file must have a form that certifies that the unit had a final inspection and that all work met the required standards. The form must contain the QCI’s printed name, signature, certification number and date. The inspection must include an assessment of the energy audit that confirms the accuracy of the field site data collection, energy audit software inputs, and that the measures called for on the work order were appropriate and in accordance with K-WAP procedures.

To meet the Quality Work Plan inspection requirement, every agency shall have on staff a certified QCI. Additional WAP inspection staff are encouraged to work towards QCI certification. Where or when an agency does not have a certified QCI on staff to meet the requirement or inspection demands, a contracted certified QCI may be used with the written approval from KHRC. This contracted QCI may be an independent contractor or an arrangement with a network certified QCI may be established. All certified QCI inspectors working within K-WAP must maintain a valid copy of their certification with KHRC.

Due to the size of many Subrecipient agencies, the desire to have a completely independent QCI may not be realistic. It will be acceptable to have the same individual conduct the audit and perform the final inspection. However, the final inspector shall not be involved in any of the actual work on the home. Because this model does not allow for an independent review of the audit on every home, the percentage of monitoring shall be at least 10 percent.

A part of monitoring will be to ensure that final inspectors are QCI certified and are inspecting to the Kansas Energy Auditing Procedures and Kansas SWS Field Guide. In situations where inspectors are found not upholding the high quality of work expectations or are approving work, which is not consistent with the Kansas SWS Field Guide, inspectors and subrecipients will be notified in writing. Corrective action plans may be required to be developed and implemented based on the severity and frequency of non-compliance. Increased monitoring may be required. Concerns will be tracked to resolution. Repeat offenders may be suspended or disqualified from conducting final inspections for the K-WAP.

V.6 WEATHERIZATION ANALYSIS OF EFFECTIVENESS

Subrecipient effectiveness is assessed through multiple measures. Onsite monitoring requirements, as described in V.7.3 Monitoring Activities, provide ideal conditions during which Subrecipients may be evaluated and areas in need of improvement can be identified. In addition to the formal monitoring reporting that tracks deficiencies and findings and outlines how to make improvements, monitoring visits allow for a comprehensive review of the agency. Such review may include technical and financial systems and procedures, follow up on previous training outcomes and identification of future training needs, and the sharing of “Best Practices” at all levels of operation.

Monthly desk top budgetary reviews enable the grantee to analyze Subrecipient performance and productivity on an ongoing basis.

The K-WAP air sealing effectiveness is calculated using data provided from pre- and post-blower door measurements. This analysis provides K-WAP with information on each agency and weatherization auditor which allows staff to identify significantly high and/or significantly low performers. K-WAP staff analyzes the data for T&TA purposes that allows them to compare effectiveness within a Subrecipient’s area and between Subrecipients. The need for additional T&TA may be identified through these comparisons.

T&TA funds are made available and utilized throughout the K-WAP network to allow for continuous improvement. For current certified inspection staff, the use of continuing education units (CEUs) are used to maintain certification and to ensure on-going acquisition of knowledge and information about new procedures, materials, and trends. The specific certification will dictate the CEU requirements (i.e. BPI Energy Auditor requires 24 CEUs over 3 years).

Each Subrecipient is provided an annual award closeout report that is an analysis of their performance and effectiveness. The report may include the review of monitoring visits and resolution of findings, production reports, expenditures in relationship to units completed, the quality of weatherization services provided, annual CPA audit reports, general staff observations from interactions with Subrecipient staff and clients, the number of counties served, and agency average cost expenditures as compared to entire state averages. This annual review allows Grantee staff to review and compare Subrecipients’ productivity and effectiveness.

Success Stories - Each agency will be expected to develop a total of two “success stories” that occurred throughout the Program Year. The story should be accompanied with pictures of the dwelling or work in progress and if at all possible the unit’s resident. KHRC can be contacted for the appropriate consent forms for potential written publication and use of the picture(s).

V.7 HEALTH AND SAFETY

See attached health and safety plan template.

V.8 PROGRAM MANAGEMENT

V.8.1 Overview and Organization

In 1992, the Kansas Weatherization Assistance Program was located in the Housing Development Division, of the Kansas Department of Commerce & Housing. In 2003, the State of Kansas Governor's Executive Reorganization Order created a stand-alone agency. The agency is now the Kansas Housing Resources Corporation (KHRC), effective July 1, 2003. A KHRC organization chart is attached.

As well as the Weatherization Assistance Program, the KHRC administers the HOME, Community Services Block Grant (CSBG), Emergency Solutions Grant (ESG), and Low Income Housing Tax Credit (LIHTC); Section 8 Housing projects, and the State Housing Trust Fund.

The K-WAP also obtains client information and shares data with the Low-Income Energy Assistance Program (LIEAP), located in the Kansas Department of Children and Families, in an effort to target the users who utilize the utility assistance program. A distinct agency, the Kansas Corporation Commission, houses the Energy Division, funded by the State Energy Program.

V.8.2 Administrative Expenditure Limits

The State of Kansas shall follow the maximum 15% administrative limit including the flexibility for additional admin for those subrecipients receiving grants less than \$350,000. Not more than 7.5% may be used by KHRC for admin, and not less than 7.5% will be made available to Subrecipients. A direct split is common. To ensure the compliance of the 15 percent maximum federal mandate, K-WAP has written policies and procedures which require that K-WAP costs are monitored and maintained against the approved agency budget. All costs are reviewed and approved by the program director or fiscal officer prior to authorization to expend funds. Subrecipient administrative costs are controlled by the approved budget and narrative, which is a part of the signed grant agreement. All administrative costs which are determined unallowable, as a result of a resolved agency or CPA audit, shall be recouped by the K-WAP.

Subrecipients funded at less than \$350,000 of DOE funds, may request and receive up to an additional 5% for administration with written justification, with state approval based on the individual need and justification. The total effect of the additional 5% may result in the State exceeding the 15% administration cap for the award.

V.8.3 Monitoring Activities

In accordance with 10 CFR 440, K-WAP has the responsibility to perform monitoring and oversight of the program implementation and work performed by all its Subrecipients. This responsibility

includes ensuring that grant funds are expended in accordance with applicable law, including regulations contained in 10 CFR 440; applicable OMB circulars, Financial Assistance regulations 2 CFR 200 and 2 CFR 910; Weatherization Program Notices, and other procedures that DOE may issue. The purpose of monitoring will be to assure weatherization programs are being managed within federal and state guidelines and that eligible low-income families are receiving high-quality and appropriate weatherization of their homes. Approximately 39% of the Grantee T&TA funds will be allocated for program oversight and travel by state monitors. The remaining T&TA budget will be used for onsite training, mandatory trainings, trainers, or passed down to Subrecipients for approved individual T&TA activities. Additional funding sources may be utilized for special T&TA or monitoring activities as needed.

To fulfill this requirement K-WAP will conduct comprehensive monitoring of each Subrecipient at least once a year, utilizing the following approach:

A. Approach:

1. Programmatic and Management Monitoring

- a. K-WAP staff will conduct a programmatic and management review during annual one to three-day on-site, virtual, or hybrid compliance monitoring visits utilizing the Programmatic and Management Compliance Monitoring Instrument found in the WAP Subrecipient Procedure Manual. Monitoring will be completed by the Weatherization Program Manager or Field Specialist.
- b. Training and Technical Assistance will be provided as identified as needed or as requested during this monitoring visit.

2. Subrecipient Production Monitoring

- a. Subrecipient and home inspection monitoring will be conducted during one- to four-day on-site visits by the Weatherization Field Specialists or Program Manager. All grantee field monitoring will be performed by a certified Quality Control Inspector (QCI). For larger subrecipients several visits may be needed. K-WAP will inspect a minimum of five percent of completed homes and up to 10 percent were required per WPN 22-4, filling out a Home Inspection Monitoring Instrument (see WAP Subrecipient Procedure Manual) for all homes inspected. The client file for monitored homes will have a form added that certifies that the unit was monitored and that all work met the required standards. The form will contain the monitor's printed name, signature, and QCI certification number and date. In progress units will be monitored annually.
- b. The effectiveness, safety, workmanship, overall appearance, and compliance with field standards will be evaluated during the monitoring visit.
- c. Dwelling units inspected will be selected from a list of reported projects that will allow a comprehensive sample.

- d. Inspection visits may focus on problem areas identified in previous monitoring reports to ensure that problems have been corrected.
- e. Units which demonstrate satisfactory completion of weatherization measures and compliance with the SWS specifications will be identified as “Pass” units; those units in which weatherization measures were completed but could have benefitted by “Best Practices” or other recommendations will be identified as “Pass with Comments” and T&TA or suggestions for the future will be made. Units on which weatherization measures either were not completed, were completed unsatisfactorily, or not in compliance with the SWS specifications will be identified as “Rework” units. If significant deficiencies are discovered, such as health and safety violations, poor quality installation of materials, or major measures missed, the Subrecipient will be required to take appropriate corrective action to resolve the outstanding issues in a timely manner. As a general rule, no additional DOE WAP funds can be charged for “Reworks” on homes that have already been reported to DOE as completed, weatherized units. “Reworks” identified on units that are reported as completed to DOE will be addressed on a case by case basis in accordance with WPN 11-3. Corrective action may require the removal of that unit from submitted reports or the use of non-DOE funds to correct the issue.
- f. Noncompliance items or issues not resolved may result in K-WAP’s recoupment of funds.
- g. Subrecipients receiving a high number of “Reworks” will be monitored more frequently and will have a higher percentage of homes examined until the Grantee can be assured that all deficiencies are resolved. Once procedures are in place to prevent reoccurrences, typical monitoring will resume.
- h. Contractors found to be repeatedly failing to perform adequately may be disqualified from future work if additional worker training fails to correct issues and concerns. Subrecipients will first contact underperforming contractors by telephone to try to resolve concerns. If concerns continue, the Subrecipient will initiate a written request for corrective action. Persistent concerns or deviations from specified requirements may result in withheld payments, contract probation, or contract termination.
- i. Training and Technical Assistance will be provided as identified as needed or as requested during this monitoring visit.

3. Financial Monitoring

- a. K-WAP staff will conduct a fiscal review during annual one- to three-day on-site, virtual, or hybrid compliance monitoring visits by the Fiscal Monitor, utilizing the Fiscal Monitoring Tool and the accompanying Fiscal Monitoring Guide as found in the Subrecipient Procedures Manual.
- b. Sensitive or significant noncompliance findings, such as waste, fraud, or abuse will be reported to DOE immediately.

- c. Issues not resolved may result in disciplinary action, included recoupment of disallowed costs, grant probation, or grant termination. See Subrecipient Procedures Manual: High Risk.
 - d. Training and Technical Assistance will be provided as identified as needed or as requested during this monitoring visit.
- 4. K-WAP staff will review monthly financial and production reports for each agency.
 - a. If irregularities or deviations from planned activities are found, K-WAP staff will contact Subrecipient agency staff for an explanation or correction. This contact will usually be by telephone or email first; if not resolved by telephone or email, K-WAP will initiate a written request for action.
 - b. If irregularities or deviations occur over several months, K-WAP may withhold payments until they are corrected. Long-term irregularities or deviations from planned activities may result in grant probation and grant termination. See Subrecipient Procedures Manual: High Risk.
 - c. Sensitive or significant noncompliance findings, such as waste, fraud, or abuse will be reported to DOE immediately.
- 5. K-WAP staff will review the latest financial audit of agency financial activities by the close of the program year.
 - a. If the reports note program findings, K-WAP will require responses and, if appropriate, corrective action.
 - b. Depending on the severity of any problems reported, a Subrecipient may receive a follow-up monitoring review, concentrating on prior deficiencies and required corrective actions.
 - c. Issues not resolved in a timely manner may result in recoupment of disallowed costs, grant probation, and grant termination. See Subrecipient Procedures Manual: High Risk
 - d. Sensitive or significant noncompliance findings, such as waste, fraud, or abuse will be reported to DOE immediately.

B. Exemplary Agencies. Previous guidance suspended the designation of “Exemplary” Subrecipients so this status will not be utilized.

C. Visit. Monitoring visits will be scheduled at the convenience of KHRC and the Subrecipient through written correspondence. After the monitoring review is complete, the monitor will brief the Subrecipient, usually through an exit briefing, on the observations and monitoring assessments generated by the monitoring visit. Any issues that present imminent danger to people will be discussed and must be resolved immediately.

Sensitive or significant noncompliance findings, such as waste, fraud, or abuse will be reported to DOE immediately.

Within 30 days after each visit, a written report will be prepared for the Subrecipient that describes the current monitoring assessment (identifying any findings, concerns, recommendations, commendations, and best practices) and any corrective actions, if applicable. The Subrecipient has the right to respond in writing and present additional supporting documentation, clarification, and information as to why a particular finding(s) should be waived. If necessary, the Subrecipient will have 35 calendar days to respond with an acceptable corrective action plan.

Subrecipient noncompliance or repeated unresolved findings may result in disciplinary action, including recoupment of disallowed costs, grant probation, or grant terminations. See Subrecipient Procedures Manual: High Risk. Noncompliance and unresolved findings will be reported to the DOE Project Officer.

- D. Tracking and Analysis.** Tracking and analysis of monitoring visiting will be conducted to ensure resolution and improvement. All corrective action items will be tracked to completion and will conclude with a close out letter.

Annually, K-WAP staff will summarize each of its Subrecipients' reviews and monitoring reports to identify each Subrecipient's needs, strengths, and weaknesses. The results of this monitoring analysis will be considered during annual planning and assessment of T&TA needs. An annual risk assessment of each Subrecipient will also be included the analysis.

- E. Reporting.** A narrative report including successes and significant problems will be reported to DOE in the T&TA, Monitoring, and Leveraging Report. This report will include at a minimum: the Subrecipients monitored, and major findings (waste, fraud, and abuse) and resolutions, trends with respect to findings, concerns, or other issues, needed T&TA, Subrecipients that are considered high risk and a corrective action plan, and outcome activities involving T&TA and monitoring training.

Monitoring Activities planned for the Program Year

WAPBIL Programmatic and Fiscal monitoring is tentatively scheduled to occur alongside annual DOE monitoring visits. Technical field monitoring will be schedule for WAPBIL units as production is completed. At least 5% of completed units will be monitored per year.

V.8.4 Training and Technical Assistance (T&TA)

See attached WAPBIL T&TA plan template.

A quarterly module-training format has worked well for Kansas's T&TA activities. The state will continue to build its training plan in quarter modules, with efforts to avoid major disruptions during peak production months.

Tentative activities planned annually for each WAPBIL year: :

First Quarter (July- September):

- Kansas Weatherization Directors' Meeting July
- Kansas Housing Conference August
- NASCSP Annual Conference September/October
- QCI/Energy Auditor Certification, as needed

Second Quarter (October — December):

- Kansas Weatherization Directors' Meeting October
- On-site T&TA, as needed
- Inspector's Retreat October/Nov
- Retrofit/Installer Training, as needed TBA


Third Quarter (January — March):

- NASCSP Winter Conference Feb/March
- Kansas Weatherization Directors' Meeting January
- On-site T&TA, as needed
- Kansas State Plan Development Meetings Jan/Feb

Fourth Quarter (April — June):

- PAC Meeting April
- Kansas Weatherization Directors' Meeting April
- On-site T&TA, as needed
- Inspector's Retreat - TBA

Estimated breakdown of activities planned:

Percent of  overall training:

- Comprehensive Trainings: 31%
- Specific Trainings: 69%

Breakdown of T&TA training budget:

- Percentage of budget allocated to Auditor/QCI trainings: 55%
- Percentage of budget allocated to Crew/Installer trainings: 15%
- Percentage of budget allocated to Management/Financial trainings: 30%

V.9 ENERGY CRISIS AND DISASTER RESPONSE PLAN

The K-WAP allows a great deal of flexibility in its program under normal operation. An energy crisis, as issued by federal, state, or local officials, offers Subrecipients the opportunity to use existing procedures to prioritize weatherization for income qualified households within the impacted territory. Households with no heating unit, households with unusually high energy costs, households with certain health and safety problems, or households with other emergencies such as extremely leaky homes, may be prioritized as a second consideration to the priorities set forth in section V.3 Priorities.

During an energy crisis, K-WAP Subrecipients may consider any income qualified household an emergency that has no working furnace or whose furnace is tested unsafe, or that demonstrates its energy costs constitute a high burden, or whose energy consumption is unusually high. Classification as an emergency enables a Subrecipient to place that household at the top of the list for weatherization services.

As an emergency, the K-WAP Subrecipient may make emergency repairs, including furnace replacement and repair of serious air leaks, and schedule other needed repairs at a later date. If at all possible, the Subrecipient should complete the emergency units within the current program year. If it is not possible, however, the state will work with the Subrecipient agency to assure the work can be completed during the following program year.

The state will allow Subrecipients to purchase or lease temporary heating sources for use in energy crises. Subrecipients may use program funds for storage of the units and to increase liability insurance, as needed. Subrecipients will be responsible for maintaining the safety of the units.

As needed, T&TA funds may be reprogrammed for use as Program Operations per WPN 10-10 and WPN 12-7 to meet an energy crisis.

Kansas General Disaster Response Plan (Reference WPN 12-7):

Policy: For weatherization purposes, a disaster is determined by a Presidential or Gubernatorial order declaring either a Federal or State Emergency. The crisis may be naturally occurring or man-made and generally will involve at least three phases: the crisis itself, the clean-up, and the rebuilding of the affected area. It is not uncommon for weatherization work to be suspended during the crisis and early clean-up phase until basic community services such as electricity, water, food and medical supply activities can be returned closer to normal.

The disaster time period may be from several days to a month or more and this period can have a critical impact on program operations.

This “General Disaster Response Plan” addresses the needs of the affected low-income clients and also takes into consideration the limited funds available in weatherization.

Procedures:

1. General Disaster Response Plan: A General Disaster Response Plan will include:

- a. contact and coordination with the appropriate disaster site leadership in charge to explain the role and resources that weatherization can provide;

- b. availability and use of grantee and/or local agency staff, equipment and resources;
 - c. consideration for the preservation of local agency (Subrecipient) weatherization files, records, materials and equipment if they would be at risk.
2. **Notify A DOE Project Officer As Soon As Possible Regarding the Disaster:** Contact DOE staff by telephone, then provide a follow-up in writing (email is fine). Discussion by telephone allows DOE staff to explore ideas and options that may be available using weatherization resources and begin to explore whether the currently approved state plan adequately addresses the circumstances and possible proposed actions.
 3. **Assess Circumstances And Determine The Need To Develop And Submit An Event-Specific Disaster Response Plan:** Assess the needs of the affected Subrecipients, and identify potential assistance available from other Subrecipients in the network that may be willing to volunteer assistance.

Verbal agreements within the scope of the grant can be made to clarify details and expedite early action during the disaster and early stages of clean-up. The grantee shall follow-up with DOE staff on verbal understandings and agreements in writing (email) promptly afterward.

Event Specific Disaster Response Plan

The “Event Specific Disaster Response Plan” will provide as much of the applicable reporting element information upfront as available and establish the estimated timeframe and end-date for DOE assistance.

It will clearly specify when the reporting will be provided to DOE as part of the proposed disaster plan (i.e., 30 days after the approved end-date for DOE weatherization assistance.) If an extension of the end-date is requested, the request will indicate the circumstances and provide updated reporting information.

Examples of Eligible Activities:

- a. **Reweatherization** - The Program Regulation allows any previously weatherized home “damaged by fire, flood or act of God” to be re-weatherized, without regard to date of weatherization, where local authorities deem the dwelling salvageable as well as habitable and if the damage to materials is not covered by insurance or some other form of compensation.
- b. **Health and Safety** - In the normal course of weatherization or re-weatherization, the cost of eliminating health and safety hazards, elimination of which is necessary before the installation of weatherization materials or the result of weatherization activities, is allowable. To the extent that the services are in support of eligible weatherization work, such expenditure would be allowable. For example, debris removal at a dwelling unit so that the unit can be weatherized would be an allowable cost. Please note that the average cost per dwelling unit limit continues to apply.
- c. **Incidental Repairs** – In the normal course of weatherization or re-weatherization, the cost of incidental repair costs to protect or aid in the installation of weatherization materials and are part of the total allowable expenditure. All incidental repair costs shall be documented as such in the client files and be tied to an energy conservation measure or group of measures. The overall cost must receive and SIR of 1+.

- d. Protection of DOE investment- Weatherization personnel can be paid from DOE funds to perform functions related to protecting the DOE investment. Such activities include: securing weatherization materials, tools, equipment, weatherization vehicles, or protection of local agency weatherization files, records and the like during the initial phase of the disaster response. Using DOE funds to pay for weatherization personnel to perform relief work in the community as a result of a disaster is not allowable.

Local agencies may use weatherization vehicles and/or equipment to help assist in disaster relief provided the WAP is reimbursed according to the Financial Assistance Regulations 2 CFR 200.

- e. Priority – It would be permissible to consider households located in the disaster area, as a priority as long as the households are eligible and meet one of the priorities established in regulation and are free and clear of any insurance claim or other form of compensation resulting from damage incurred from the disaster. Inclusion of these households as a priority must be outlined in the Disaster Response Plan.

Summary Statement

Planning and Reporting Elements: If the General Disaster Response Plan is utilized and/or an Event-Specific Disaster Response Plan is approved, the grantee will report to the DOE Project Officer on the use of Weatherization resources and the DOE grant will include, at a minimum:

- a. A description of the disaster including the counties/local weatherization agencies affected. It will include the state emergency management website that tracks disasters;
- b. A description of the types of DOE weatherization assistance, the scope and costs of weatherization activities performed.
- c. The timeframe of the disaster. The date it started, when it was declared a disaster, and the (proposed or approved) end-date for DOE weatherization assistance;
- d. An explanation of how disaster-related costs are being tracked by type of activity and summary of DOE disaster-related expenditures and programmatic reporting information. For example, the number of homes and persons assisted under the Disaster Response Plan provisions;
- e. Any other applicable items as determined by KHRC or DOE.

Reporting will be sent to the DOE Project Officer by email.