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IN THE STATE OF OREGON

PUBLIC HEARING

In the Matter of the:)
)
)
Oregon American Recovery and Reinvestment Act Weatherization)
Assistance Program State Plan 2009-2012)
)
)
)
)
)

TRANSCRIPT OF HEARING PROCEDURES

DATE: Thursday, April 2, 2009

TIME: 10:00am - 12:00pm

PLACE: Oregon Housing & Community Services
725 Summer Street NE, Room #237 Conference Room
Salem, Oregon 97301

BEFORE: Dan Elliott, Weatherization Program Coordinator
Energy Unit
Hearings Officer

53 THE HEARINGS OFFICER: Good morning, my name is Dan Elliott, and I will be
54 serving as the Department's Hearing Officer. The purpose of this hearing is to take public comment
55 on the rules proposed for 2009-2012 Oregon Recovery and Reinvestment Act Weatherization
56 Assistance Program. No response to questions will be made at this time.
57

58
59 The agency will review issues raised during the public comment period, and the
60 hearing officer's report will contain responses. In addition to the opportunity to present oral comments
61 at this hearing, anyone may submit written comments until April 10, 2009 at by 5:00 oclock pm, which
62 is the close of the public comment period. Comments received after that time will not be review or
63 considered by the agency unless the agency decides to extend the public comment period for
64 everyone.
65

66 Each person wishing to comment orally at this hearing should complete one of the
67 registration cards on the information table in back and bring it up to me. I will use those cards to call
68 each person when it is his or her turn to testify. When I call your name, please come forward, state
69 your name and where you are from. If you represent an organization, please state the name. You
70 may then present your comments. If you have written material to enter into the record, please say so
71 and try to summarize it. Give me a copy of the material if you have not already submitted it to the
72 agency.
73

74 I will begin the hearing in about five minutes giving you an opportunity to fill out your
75 registration cards. Are there any questions on how the hearing will be conducted?.

76
77 THE HEARINGS OFFICER: This hearing is now in session and being tape recorded to
78 maintain a permanent record. My name is Dan Elliott and I am the hearing officer today. Today is
79 April 2, 2009 and the time is 10:04.
80

81 The purpose of this hearing is to provide and opportunity for public comment on the
82 rules proposed for the 2009-2012 Oregon American Recovery and Reinvestment Act Weatherization
83 Assistance Program State Plan by Oregon Housing and Community Services.
84

85 In addition to presenting oral comments at this hearing, anyone may submit written
86 comments until April 10, 2009 by 5:00pm to this office, which is the close of the public comment
87 period.
88

89 I will begin taking comments now. There is no one in attendance at this time to make
90 public comments, we will take a brief break until someone arrives for comment and reconvenene at
91 that time. It is now 10:05am.
92

93 It is now 10:16 we've had two people arrive for the public hearing, HC Tupper and Tom
94 Brodbeck both of Multnomah County. They have indicated they will submitt written comments. They
95 have no oral comments at this hearing at this time. Therefore, we will a, we will take another break
96 and reconnvene when there is more available public comments at that time. It is now 10:17.
97

98 THE HEARINGS OFFICER: OK, it is now 11:57 and I will now formally call the hearing
99 to a close but first let me just say that I will continue to take wriiten comments up until the 10th of April
100 2009, which is a Friday and they have to be received by 5:00pm and those comments can be sent to
101 me Dan Elliott either e-mail me at dan.elliott@state.or.us or they can be mailed to Dan Elliott at
102 Oregon Housing and Community Services, 725 Summer Street NE, Suite B, Salem, Oregon 97301
103 and again we will take written comments up until 5:00pm on the 10th of April 2009 and I would like to
104 thank everyone for coming and with that I will call the public hearing to a close. Thank You!
105

106 Thank you for coming and providing us with comments. The hearing is now
107 adjourned.



Setting the Standard...

Advisory Committee on Energy

2585 State Street
Salem, OR 97301

Joan Cote, Chair
Mid Willamette Valley CAA

Terry Knoll, Vice Chair
Community Services Consortium

Lois Douglass, Secretary
NW Natural

Steve Weiss, Legislative Chair
NWECA

Jim Slusher, Past Chair
Mid Columbia CAC

Tom Brodbeck
Multnomah County

Margo Bryant
PGE

Charles Dalton
EWEB

Becky Eberle
PacifiCorp

Rocky Johnson
Community Action Team

Lori Koho
OPUC

Tom O'Connor
OMEU

Dave Tooze
League of Oregon Cities

Suzanne Dillard
Oregon Department of Energy

Lenore Bijan
Elders In Action

Carina Kistler Ginter
Grand Ronde Tribal
Housing Council

Diane Ferington
Energy Trust of Oregon

Roger Rees
Oregon HEAT

April 9, 2009

Dan Elliott, Program Representative
Oregon Housing and Community Services
725 Summer Street NE
Salem OR 97303

Dear Dan:

The Advisory Committee on Energy (ACE) met today, April 9, 2009, and directed that a letter be written endorsing the State of Oregon Weatherization Assistance Plan for the United States Department of Energy American Recovery and Reinvestment Act April 15, 2009 – March 31, 2012. Please include this letter of support as part of your application to the Department of Energy.

Thank you for attending the ACE meeting to facilitate the review of the American Recovery and Reinvestment Act (ARRA) state plan.

Sincerely,

Joan E. Cote, Chair
Advisory Committee on Energy

Mr. Elliott,

Community Action appreciates the opportunity to comment on the ARRA WAP State Plan 2009-2012.

Please consider the following comments:

1. **Section 1.02 Sub-Grantees.** Community Action's contact information has an incorrect zip code. The correct code is 97123
2. **Section 1.05 Administrative, page 9** – “To meet the intent of the Recovery Act funding, it may be necessary to add additional subgrantees to this Program.” If there is an inability to provide services through the ARRA funding in a particular area of the state, whether as a result of the existing agency's lack of capacity to serve or the lack of a service provider, Community Action would recommend that OHCS look to the existing network of agencies to determine if there is capacity within the system to provide these services in those areas.
3. **Section 1.07 Training and Technical Assistance,** The trainings provided to the agencies through OHCS's contract with Oregon Energy Coordinators have been high of quality, and very effective at providing agencies' field staff the skills needed for this highly technical profession. Now that there is an increase in the funding available for training, Community Action would recommend that there be an major investment in a state training center. This center would provide a place to highlight new technologies, materials and practices; provide a location to house a site built structure and mobile home to be used for hands on trainings; and labs for RemRate or Oasis training.
4. **Section 2.04 Energy Audit Procedure,** page 21. Community Action has not yet seen or tested the OASIS software. We support a data collection system that encompasses all phases of the weatherization process, from waiting list prioritization, audit, measure selection, contractor pricing, costing to grants, and final job report.
5. **Section 2.05 Final Inspection,** page 23. Community Action is still looking for guidance on the method to be used to report DOE completions when DOE funds were used to purchase equipment or vehicles used for audit or inspection but no funds were used for measure installation.
6. **Section 2.20.2 Davis-Bacon Act – Prevailing Wages,** page 35. Community Action supports prevailing wage for contractors and workers but will need guidance in implementing the change and requests that OHCS provide guidance and training on prevailing wages in this area and any reporting requirements.

Joan Ellen Jones
Weatherization Manager
Community Action
1001 SW Baseline St.
Hillsboro, OR 97123

RE: HACSA / HSC Comments about the Draft ARRA WAP Oregon State Plan 2009-2012

1. **Section 1.02 Sub-Grantees**, pg 4 Change Ron Haynes to Steve Jole
2. **Section 1.03 Estimated Production Schedule** pg 8 Units by Occupancy, The children occupied units (57) doesn't match up with the total children to be served (2,444)
3. **Section 1.06.3 OHCS Monitoring of Sub-Grantees**, pg 12 The paragraph of Subsection e. and the intro-paragraph to section 1.07 (Training), with minor exception, is redundant. One or the other should be deleted.
4. Section 1.07 Training and Technical Assistance, pg 12 Oregon has good reason to feel very proud about the significant progress that's been achieved regarding the REAP certification program developed through partnership with skilled and dedicated OECA members. Now is the time to take the next big step in the evolution of this program with the realization of a institutionalized training facility. We strongly support either developing a partnership program with one of Oregon's community colleges, else create an alternate facility.
5. **Section 1.09.2 ACE Membership List**, pg 15 The information for EWEB needs to be updated since Charles Dalton is now retired.

Also, pg 17, Delete 2nd redundant paragraph regarding ACE membership
6. **Section 1.09.3 Public Hearing**, pg 17 Change 1st sentence to read " Oregon Housing and Community Services (OHCS) held a" Delete "will"
7. **Section 2.04.3 Prioritization of Work**, pg 23 The average unit cost needs to
changed from \$2,885 to \$6,500
8. **Section 2.07 Health and Safety Plan**, pg 24 The last paragraph is confusing. . . and contradictory. . . about whether H&S costs are or are not included in the average cost per home.

9. **Section 2.08 Health and Safety - Minor Repair**, pg 25 2nd para, 6th sentence, need to change 15% to 25%
10. **Section 2.08.1 Reporting Requirements**, pg 26 Last paragraph and sentence before Section 2.09. . . Need to provide the list of H&S measures that will be reported. . .
11. **Section 2.10 Lien on Property**, pg 27 We disagree with the idea of placing a lien on property... will likely result with fewer units being completed
12. **Section 2.14 Training - Audit Tool**, pg 33 Since OASIS has not yet been presented to the Agencies, this is not an accurate statement.
13. **Section 2.20.6 Certify Work**, pg 36 Recommend increasing the time period from 1 year to 2 years for certification or warranty of contractor installed work.
14. **Section 2.22.4 Cook Stove** pg 39 We recommend that Cook Stoves that are dangerous and emitting high CO levels, should be replaced or repaired under the H&S provisions and an allowed expense with ARRA funds.
15. **Exhibit 2 Knob and Tube Wiring**, pg 79 We would appreciate an effort by the state to simplify the 10 pages of information in this exhibit. By the time you finish reading this material, you haven't gained any real benefit of direction or clarity. Too much information. . . need to simplify

From: Chris Shoopman [chris.shoopman@ucancap.org]

Sent: Friday, April 10, 2009 9:51 AM

To: 'Dan Elliott'

Cc: Mike Fieldman; Vic Falgout; rolsen@warmandsafenow.com; sdivan@warmandsafenow.com; Colleen Neel; Diane Hansen; dkinman@capeco-works.org; Jacque Meier; janiced@co.clackamas.or.us; Kraig Ludwig; linda@ccno.org; Robert Stevens

Subject: ARRA State Plan Comments

Mr Elliott,

UCAN appreciates the opportunity to comment on the State Plan for the stimulus funds coming to Oregon as a result of the American Recovery and Reinvestment Act (ARRA). Please consider the following issues in regards to the ARRA State plan.

1. **Section 1.07 Training and Technical Assistance**,. UCAN has been a strong supporter of training and technical assistance by offering the use of staff, facilities, and other assistance to OECA. We would request that a significant amount of money be made available to build a training center in the state of Oregon. Oregon has had and continues to have a progressive weatherization program with OHCS as a strong supporter of the trainings that are delivered to low-income weatherization programs, which has set the bar high for neighboring states. The training that Wx personnel in Oregon receive is of the highest caliber and now it is time to take it to the next level. This can only be achieved by having a training center that is located in Oregon making it accessible to the OHCS sub-grantee agencies. At the current time OECA has the capacity to handle the management of a training center and has staff to provide the trainings. The nearest training center is in California which does not provide equal opportunity for Oregon programs to continue to thrive.

2. **Section 2.20.2 Davis-Bacon Act – Prevailing Wages**, page 35 – the Weatherization Assistance Program has enjoyed a waiver from the Davis-Bacon Act for many years. While UCAN supports employees making a living wage, we are concerned about the Davis-Bacon mandate and the lack of training/guidance around this issue. We request OHCS provide guidance/training around this issue including Davis-Bacon wages by county.

3. **Section 2.04 Energy Audit Procedure**, page 21 – states “OASIS will be the preferred computerized audit tool for use in the weatherization assistance program in Oregon once approved by DOE.” When will this program be available for use on a local level? We cannot support the use of it without first viewing it at minimum. On page 22 there is the following Note: Oregon Housing and Community Services database system (OASIS) will have a developed weatherization module active by April 1 2009.” Today is April 10, 2009 and we have not seen nor tested this module. During a time of agency ramp up OASIS might not be the best choice as an audit tool to use when we have one that is currently used throughout the state and agency personnel are already trained in its use.

Thank you
Chris Shoopman

Chris Shoopman
Short Term Client Services Program Manager
541-492-3924 or 1-800-301-8226
Email: chris.shoopman@ucancap.org
Website: www.ucancap.org
Fax: 541-492-3937

United Community Action Network

Working together to improve the lives of people in our communities!
Creating solutions to Poverty

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From: Colleen Neel [colleenn@neighborimpact.org]
Sent: Thursday, April 02, 2009 10:14 AM
To: Dan Elliott
Cc: Sharon Miller; Corky Senecal; Pegge McGuire; Tim Zimmer
Subject: ARRA State Plan Comments

Attachments: ARRA_State_Plan_09_12_DRAFT.pdf

Mr. Elliott,

NeighborImpact appreciates the opportunity to comment on the State Plan for the stimulus funds coming to Oregon as a result of the American Recovery and Reinvestment Act (ARRA). Central Oregon has been particularly impacted by the recession and we look forward to this opportunity to utilize these funds to promote employment, reduce energy consumption, and stabilize housing issues.

Please consider the following comments:

1. We applaud OHCS's efforts to include, support, and promote weatherization among Oregon's tribal communities. The trainings provided jointly by OHCS/OECA in 2008 and 2009 have demonstrated the commitment to serving some of our most vulnerable citizens as well as address some of the most **severe** housing issues. Seating weatherization programs within the tribal systems may prove to be the most effective change in Oregon as long as tribal programs are provided adequate support.
2. **Section 1.05 Administrative**, page 9 – "To meet the intent of the Recovery Act funding, it may be necessary to add additional subgrantees to this Program." The description of who OHCS would allocate funds to is fairly clear, but the mechanism is quite unclear. Would OHCS allocate funds from existing CAA's allocations, or other funds? Is there a policy around this? How would OHCS decide this? Is input from CAPO, EPC, ACE, or OECA involved? Some CAA's are better equipped to spend out funds, would they be considered to receive additional funds if they are performing well? Is there a mechanism for agencies that perform well to receive additional funds?
3. **Section 1.06.2 Peer Exchange**, page 11 – refers to Peer Exchange protocol in Appendix A. Only reference is to Stable and Vulnerable agencies – what about Exemplary agencies?
4. **Section 1.07 Training and Technical Assistance**, page 12 – refers to a "detailed budget" as part of the T&TA Plan. Where can this be seen and/or reviewed? Appendix C is not a detailed plan. The current "detailed plan" expires in 2 months and will have expired by the time ARRA funds become available. NeighborImpact has been a strong supporter of training and technical assistance by providing staff, facilities, and other assistance to OHCS, OECA and individual agencies across the state. We would like to see a significant amount of funds be set aside for a state training center; a "brick and mortar" facility that could provide classrooms, energy laboratories, demonstration rooms for new conservation products and building materials, renewable energy technology, a large bay area to build a small site built structure and pull a mobile home into to provide hands on trainings. The progressive approach OHCS has taken to T&TA over the past several years has set precedence and demonstrated how effective training can be to smaller, rural agencies as well as large urban programs. There is uniformity in training statewide and expertise is available to every agency, regardless of an agency's funding level. The groundwork has been laid, the expertise is available, and now the funding is available. The nearest training center is several hundred miles to the south in California and not beneficial to Oregon. It is time to go beyond conferences.
5. **Section 1.08.2 DOE Funds as Leverage**, page 14 – NeighborImpact supports the requirement to use DOE funds as leverage for all ARRA projects.
6. **Section 1.09.3 Public Hearing**, page 17 – there is reference to a public hearing that has passed. Suggest this reference be removed.
7. **Section 2.01, Eligible Population**, page 17 – refers to "the income eligibility level for the DOE Weatherization Program is 200% of the Poverty Income Guidelines." We support this change, but would appreciate a table to specifically state what these income guidelines are.
8. **Section 2.02 Climatic Conditions**, page 20 – Heating degree days for Eastern Oregon are quoted at "close to 6,000". According to the Western Regional Climate Center, the latest statistical information reports that between 1928 and 2006, Bend, Oregon averages 6,926 annual heating degree days. We believe this is a significant difference and Eastern Oregon cities likely have higher amounts of heating degree days. This is important as it affects the funding formula.
9. **Section 2.04 Energy Audit Procedure**, page 21 – states "OASIS will be the preferred computerized audit tool for use in

the weatherization assistance program in Oregon once approved by DOE.” NeighborImpact can neither support nor object to this without having seen, used, or tested this program. On page 22 there is the following Note: Oregon Housing and Community Services database system (OASIS) will have a developed weatherization module active by April 1 2009.” Today is April 1, 2009 and we have not seen nor tested this module. We suggest it may be short sighted to test this software during a time of significant ramp up efforts. Please consider re-evaluating this statement or advise when OASIS will come online.

10. **Section 2.04.3 Prioritization of Work**, page 23 – states “The average unit cost for overall program expenditure is limited to \$2,885 as established by DOE.” On page 16 of the DOE ARRA Formula Grant states **ADJUSTED AVERAGE:** In accordance with the Recovery Act, the average expenditure limit per home has been increased to \$6,500 to achieve greater energy savings with WAP funds. The adjusted average expenditure limit per home for all funds appropriated and/or used for PY 2009 is now \$6,500.” Is the average cost limited to \$2,885 or \$6,500?
11. **Section 2.05 Final Inspection**, page 23 – “A DOE Weatherized unit is: A dwelling unit on which a DOE-approved energy audit or priority list has been applied. As funds allow, the DOE measures installed on this unit have an SIR of 1.0 or greater, but also may include any necessary energy-related health and safety measures. The use of DOE funds on this unit may include but are not limited to auditing, testing, measure installation, inspection, use of DOE equipment, vehicles, or DOE provides the training and/or administration. Therefore, a dwelling unit that meets both the definition of a DOE weatherized unit and has DOE funds used directly on it must be counted as a DOE completed unit.” It has never been explained to me how we count a unit that we audited (using DOE funds) but were unable to install measures. If there are no energy savings because the house was up to all current energy codes, but we spent DOE funds performing an audit, how do we report that unit?
12. **Section 2.07 Health and Safety Plan**, page 24 – “The final rule does not mandate a separate health and safety budget cost category, but rather allows the state to budget health and safety costs as a *separate category and, thereby, exclude such costs from the average cost calculation.* The related health and safety costs will be included in the calculation of the average cost per home and cost-justified through the audit.” Isn’t that contradictory? Clarification is requested.
13. **Section 2.15 Certification for Lead Safe Work Practices**, page 33 – should state See Attachment D, Section VII.
14. **Section 2.20.2 Davis-Bacon Act – Prevailing Wages**, page 35 – the Weatherization Assistance Program has enjoyed a waiver from the Davis-Bacon Act for many years. While NeighborImpact supports prevailing wages for staff and contractors, we have concerns in regards to reporting and monitoring requirements. We strongly object to reporting requirements that are prohibitively cumbersome and expensive. We request OHCS provide specific details about what prevailing wages are in each local area of Oregon and provide guidance and training around reporting requirements.

Thank you,

Colleen Neel
Energy and Weatherization Programs Manager



2303 SW First Street
Redmond, OR 97756
(541) 548-2380 x. 136
www.neighborimpact.org

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Memo

To: Dan Elliott, Oregon Housing and Community Services

From: Mary Ellen Bennett, Lane County Human Services Commission

Date: 4/14/2009

Re: **ARRA WAP OR State Plan 09-12 comments**

The Lane County Human Services Commission and the Housing and Community Services Agency recommend that the state plan include either Davis Bacon Act requirements or Savings to Investment Ratio (SIR) cost justifications, but not both. If Oregon is required to operate under both requirements, many important weatherization measures likely will be eliminated on the basis of increased measure cost and thus failing the SIR criteria. Obviously, this would be counterproductive to the purpose and intention of stimulating employment and the economy.

The Department of Energy (DOE) should allow the use of DOE funds to purchase and replace old, inefficient clothes washing machines with energy and water efficient horizontal axis (HA) clothes washing machines. This measure provides multiple well documented benefits; less energy and water used for washing and drying clothes, and less laundry detergent. Several local utility funding sources allow for the purchase of these machines, and DOE funds should as well.

Increase the percentage of administrative funding associated with ARRA DOE funds. It is not fair or realistic for CAPs to operate this new funding stream with only 5% admin.

Thank you for your consideration.

From: Donna Kinnaman [dkinnaman@CAPECO-WORKS.ORG]

Sent: Friday, April 10, 2009 1:08 PM

To: Dan Elliott

Cc: jason.heuser@eweb.org; margo.bryant@pgn.com; Tim Zimmer; wendi.schultz-kerns@eweb.org; rebecca.eberle@pacificorp.com; carina.ginter@grandronde.org; Cecilia Lyons; Cheri Hansen; Dan Elliott; David Kaufman; DAVIS Deby S; Diane@energytrust.org; Ebberts,Mark H - KLJC-1; GORTNER Jennifer R; Holly Meyer; Jim Slusher; ldd@nwnatural.com; Marisa DeCristoforo; Melissa Torgerson; Rand Berke; Richard Mathews; Roger Rees; Sherry Burbach; carmen.underwood@ucancap.org; elanderos@ohdc.org; hcscwx@centurytel.net; judys@neighborimpact.org; Katherine@mcoainfo.com; Angela Schlacht; Beverly Danner; Bill Colmer; Bo Fegan; Brenda Sam; chris.shoopman@ucancap.org; colleenn@neighborimpact.org; Cote, Joan; csatein@hacs.us; Delameter, Janice; dianeh@neighborimpact.org; Donna Bowman; Donna Kinnaman; Gary Walsworth; jjones@caowash.org; Jody Hill; jlorenz@access-inc.org; johnh@orca.us; jschilling@caowash.org; Julie Clark; Karrie Durie; KraigL@yamhillcap.org; Linda Grimm; linda@ccno.org; md@mccac.com; mary.ellen.bennett@co.lane.or.us; Meier, Jacque; mcashner@ohdc.org; philh@orca.us; rstevens@cat-team.org; Ron Dake; Steve Divan; Steve Jole; Terry Knoll; tom.a.brodbeck@co.multnomah.or.us; campbellt@mwwcaa.org

Subject: ARRA State Plan Comments

To: Dan Elliott

State of Oregon WAP Manager

CAPECO values the quick response of Oregon Housing and Community Services (OHCS) to compile Oregon's State Plan for the American Recovery and Reinvestment Act funds. As always, I appreciate the working relationship agencies have with the State office and believe programs are designed with a joint vision to provide quality service to eligible households and produce statewide standards. Both are being accomplished through our strong training curriculum designed to elevate skills and the use of technological equipment. Also, I commend OHCS for collaborating with Oregon's Native American Tribes to assist them in establishing weatherization programs.

In alignment with the Training and Technical Assistance in Section 1.07, CAPECO advocates that the Oregon Energy Coordinators Association (OECA) should be designated as the administering agent of trainings due to the superb curriculum they have created and implemented. Our past and current staff have gained a wealth of knowledge and skills that has enhanced their job performance after attending OECA's various trainings. Additionally, Oregon is looked at as a leader in weatherization and other states have contacted OECA to acquire training. Likewise, Oregon would benefit from a training center, ideally a large facility where weatherization technicians, auditors, contractors and management staff could acquire knowledge and skills via classroom and hands on training rather than imposing on the network to coordinate a training at an agency.

In Section 2.02 Climatic Conditions, I support utilizing heating degree days as a factor in the funding formula and hope that statistical information is reviewed and updated as a quote indicated in this section is vastly different than the actual.

A reference to the average cost in Section 2.04, conflicts with the newly established average job limit of \$6,500 for ARRA DOE. Additionally in the 2.08 Section regarding Health and Safety 15% is listed as the allowable average expense for H&S yet the example is 25%.

In Section 2.04, the energy audit tool currently implemented is RemRate and the plan lists OASIS being functional April 1, 2009. Realizing a transition period will need to occur prior to full deployment at agencies, I hope that a reasonable timeframe will be inserted into this section.

Lastly, the inclusion of paying Davis Bacon-Act wage rates for residential weatherization will have an enormous impact on agencies, measures needed in homes, and the State. Many agencies lack the knowledge of the reporting requirements which would necessitate a quick training response from the State. Implementing this wage structure would eliminate many measures deemed necessary at a home but would now be eliminated as the Savings to Investment Ratio will not pencil out. Our contractors have indicated they expect their fees to increase upwards of 30% or more.

CAPECO values the opportunity to provide comments on the plan and will work with you in concert to maintain the high level of competency provided by our weatherization network.

Sincerely,

Donna Kinnaman
CAPECO CSS Director

From: Meier, Jacque [JacqueMei@co.clackamas.or.us]
Sent: Tuesday, March 24, 2009 2:48 PM
To: Dan Elliott
Subject: ARRA DOE State Plan Clarification

Importance: High

Pg 17: I would like to see the 200% of poverty broken down into Oregon household information.

Pg 21: Top of the page Weatherization Work reads "activities include health and safety inspections".
Clarification: Does it include more than the inspections of the H&S issues?

Pg 21 under 2.04 it states: "All sub-grantees will use OASIS and only OASIS on each job being considered for weatherization."
As an agency I should be allowed to run a REM Rate in conjunction with OASIS if I so choose. You also list REM-Rate elsewhere throughout the document.

Pg 23, 2.04.3: states "the average unit cost for overall program expenditure is limited to \$2885 as established by DOE."
I thought the limit was \$6500 for ARRA DOE.

Pg 25, 2.08 H&S is not longer an average? (the old regulation was \$500 on average for H&S).

Pg 26: The last sentence just above 2.09 reads "The following Health & Safety measures will be reported when appropriate on OPUS Weatherization."
Clarification: Nothing follows.

Pg 30 2.13 d last sentence: "Sub-grantees are assigned another sub-grantee to monitor."
Clarification: Since When?

Jacque Meier

Weatherization Program Manager

Clackamas County Weatherization

Phone: 503-650-3339

*Beginning November 1, 2008 we will be **CLOSED** on Fridays our new office hours will be Monday through Thursday 7:00am to 6:00pm*



External Affairs

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RELIABILITY for real life®

April 9, 2009

Via Email: Dan.Elliott@hcs.state.or.us

Dan Elliott
Oregon Housing & Community Services
North Mall Office Building
725 Summer St NE, Suite B
Salem, Oregon 97301-1266

Dear Mr. Elliott,

Window and door replacements are reported to be a small percent of the Oregon Housing & Community Services (OHSC) Weatherization Assistance Program's (WAP) array of applied weatherization measures. JELD-WEN strongly recommends a re-examination of window and door replacement measures within the WAP to achieve longer term and greater energy savings in Oregon. This recommendation is based on the proven ability of windows and doors to reduce home heating and cooling costs. We believe re-examination is necessary for the following reasons:

There is evidence that the Savings In Return (SIR) resulting from window and door replacements has increased at a rate that outpaces audit considerations. As window and door technologies have improved over the last decade, so too have the returns on the initial investment of replacing an inefficient window. Recently the Bonneville Power Administration approved raising the incentive to replace windows and doors from \$.50 per square foot to \$6.00 per square foot. Their analysis shows more energy will be saved when appropriate replacements occur because it's more expensive to supply the extra power required by homes with inefficient windows and doors. We further recommend that the WAP services intake process takes into account the condition of the existing window rather than rely on an average for the area.

Emphasis should be on durable weatherization measures that will perform over the long term and deliver energy-savings year after year. Many windows come with limited lifetime warranties, indicating that the window is intended to perform for longer periods of time than other products used in various weatherization measures, such as refrigerators or certain insulation. With a ten-fold increase in funding, greater priority should be given to those measures with proven SIR, but that have been largely under-utilized because the initial cost is higher than other measures. Now is the time to utilize highly efficient, reliable measures because such investments will continue to deliver savings.

Thank you for your consideration.

Sincerely,

JELD-WEN, inc.

Teri Cline

From: Michael Bodaken [mbodaken@nhtinc.org]

Sent: Friday, April 10, 2009 12:12 PM

To: Dan Elliott

Cc: Victor Merced; Rick Crager; Bob Gillespie; melgert@enterprisecommunity.org

Subject: Comments on Oregon's Weatherization Assistance Program State Plan for 2009-12

Attachments: NHT_Enterprise_Memo_OHCS_WAP_041009.pdf

Dan Elliot

Oregon Housing & Community Services

725 Summer St NE, Suite B

Salem, Oregon 97301-1266

Dear Mr. Elliot:

Thank you for providing an opportunity to submit comments on Oregon's proposed 2009 Weatherization plan.

The American Recovery and Reinvestment Act has made available unprecedented investments to green America's homes. The National Housing Trust and Enterprise urge OHCS to take steps that would ensure that low income families in multifamily homes have an opportunity to benefit from these investments.

Please find attached specific recommendations for leveraging Weatherization funds in multifamily housing.

Sincerely,

Michael Bodaken

President, National Housing Trust

cc:

Victor Merced, OHCS Director

Rick Crager, OHCS Deputy Director

Bob Gillespie, Housing Division Administrator

Michael Bodaken

National Housing Trust

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please think before you print

Whether we are advocating for federal or state housing resources, lending through the NHT Community Development Fund or developing and preserving housing through the National Housing Trust/Enterprise Preservation Corporation, we are always working to help people stay in affordable homes.



MEMO

To: Dan Elliot, Oregon Housing and Community Services (OHCS)
Fr: Michael Bodaken, President, National Housing Trust
Monica Elgert, Enterprise Community Partners
Date: April 10, 2009
Re: Recommendations to OHCS to leverage ARRA WAP funding for multifamily housing

The National Housing Trust is a national nonprofit dedicated exclusively to the preservation and improvement of affordable multifamily housing. We are the only national organization engaged in affordable housing preservation through public policy advocacy, real estate development, and lending. We have preserved more than 20,000 affordable apartments throughout the country. In Oregon, we have worked with nonprofit and for profit developers, Oregon Housing and Community Services (OHCS), the City of Portland, HUD and Rural Development.

Enterprise is a national leader in investment capital and development services for affordable housing and community revitalization. For over 25 years, Enterprise has raised and invested over \$9 billion to help finance more than 240,000 affordable homes in communities across the nation. Our work provides housing and opportunities for individuals and families with the greatest needs. Central to our mission is Enterprise's fundamental commitment to give people living in poverty an opportunity to move up and out. We believe that these opportunities are best provided in communities with a diverse mix of affordable and market housing options, access to jobs and social supports, and a strong commitment to the environment and civic participation.

The American Recovery and Reinvestment Act (ARRA) included a dramatic increase in Weatherization funding for residential energy efficiency improvements. **We urge OHCS to ensure that low income families in multifamily housing have an opportunity to benefit from these investments.**

When it comes to achieving wide scale residential energy savings, Oregon's multifamily homes should not be ignored. **Approximately 35% of Oregon households are renters and older multifamily housing- which is home to many of Oregon's low and very low-income families and seniors- are at risk from disrepair.**

In order to reach the goals set out by President Obama, we encourage OHCS deploy these funds proportionally to the number of single and multifamily housing. Department of Energy (DOE) guidance specifically suggests that states review any policies beyond the DOE minimum requirements that may impede the ability of the state to meet production requirements (Weatherization Program Notice 09-1B, Section 5.2). **We urge OHCS to take the same approach as states such as Virginia and reduce obstacles to using Weatherization funds in multifamily housing. This would be an effective way to meet ARRA's increased job creation and production requirements.**

Using Weatherization funds in multifamily homes achieves several goals:

- Energy retrofits of larger scale multifamily housing can help states meet their required goals. States must demonstrate they are making progress towards their goals or risk having funds withheld.

- Putting the funds to immediate use in multifamily properties will preserve much needed affordable rental housing.
- Deploying the funds for multifamily will produce much needed green jobs in the shortest amount of time.
- Where acquisition and rehab projects are stalled due to lack of resources, using Weatherization could help fill financing gaps.
- Energy retrofits of multifamily housing would dramatically reduce greenhouse gas emissions.

As we understand it, OHCS is preparing a priority list of publicly financed properties that will be eligible to receive weatherization funding. We welcome this move to the extent that it leads to a balanced weatherization policy that provides a proportional emphasis on multifamily housing. We had been concerned that Oregon’s draft plan for ARRA implementation estimates that only 11% of units weatherized annually will be in multifamily buildings (5+ units).

In addition, in order to leverage Weatherization funds in multifamily housing, we urge OHCS adopt the following recommendations for the implementation ARRA Weatherization funding in Oregon.

RECOMMENDATIONS

STREAMLINE INCOME ELIGIBILITY/TENANT TEST FOR WAP FUNDING THAT LEVERAGES ELIGIBILITY REQUIREMENTS OF EXISTING PUBLICLY ASSISTED PROGRAMS

Documentation of income eligibility of multifamily tenants is a challenging process. If the building is already receiving other financing or subsidies that demonstrate eligibility under requirements of the DOE programs, then flexibility in accepting that documentation and deeming the project eligible would quicken and simplify the process. For example, if this is a Low Income Housing Tax Credit project, receives HUD funding or if tenants receive HUD Section 8 rental assistance or other public subsidies requiring income documentation and subjecting the project to long term affordability restrictions, then these developments should be deemed automatically eligible for WAP funding.

DEDICATE NO LESS THAN 10% OF THE ARRA WEATHERIZATION FUNDS TO HUD AND RD “PRESERVATION” PROJECTS

The use of Weatherization funds in properties that already have long term use restriction agreements is an especially effective use of resources because it ensures that low income tenants benefit for a significant timeframe. Therefore, we urge OHCS to set aside no less than 10% of WAP funds to privately owned, subsidized housing in Oregon.

Section 8 projects and other “Preservation” projects across the state including Rural Development 515 projects provide housing options for thousands of Oregon’s lowest income citizens, more than two-thirds of whom are elderly and/or disabled. Many owners of these properties are seeking to refinance or transfer properties to new owners in order to preserve long term affordability. Most of these properties will undergo renovations as part of their transactions. Investing WAP funds to provide energy system upgrades for these properties will provide significant savings to their low income and very low income residents, provide good jobs, and ensure that tenants benefit from the improvements for many years.

REQUIRE NO MATCH FROM OWNERS FOR ELIGIBLE AFFORDABLE RENTAL PROPERTY RETROFITS UNDERTAKEN BY NONPROFIT OWNERS

Oregon’s 2009 draft WAP plan requires landlords to match at least 10% of costs if the percentage of income eligible tenants is between 50% and 66% of all tenants. We urge OHCS to take the same approach as states such as Virginia and waive this requirement, especially in cases where the property is owned by a nonprofit.

This match requirement creates a burden on nonprofit owners to use the WAP. Eliminating this match for affordable rental properties owned by nonprofits would allow more affordable rental units to be improved. This would ultimately benefit either the low-income renter with lower renter-paid utility bills or lower overall utility costs of the nonprofit owner who can manage a stable utility expense and keep rents lower.

PROVIDE OUTREACH & EDUCATION TO OVERCOME OBSTACLES OF USING WEATHERIZATION IN LARGE MULTIFAMILY PROPERTIES

Additional training will be required both to provide an overview on how to access additional WAP funds and to instruct the numerous professionals that will be needed in the ramping up of the program to manage and deliver this service.

We urge you to work with the housing community to identify ways to seamlessly integrate weatherization program resources into larger multifamily project renovation efforts. This will require both the developers and the CAPs to develop processes to efficiently integrate weatherization contractors and materials into larger construction budgets and projects.

ENHANCE THE CAPACITY OF THE EXISTING WEATHERIZATION NETWORK IN OREGON TO FACILITATE THE WEATHERIZATION OF RENTAL HOUSING OCCUPIED BY LOW INCOME FAMILIES OR SENIORS

Weatherization Providers need to buy a substantial amount of equipment for the ramp up of their production units – ranging from \$50,000 to \$100,000. This can be a significant burden on a nonprofit entity providing this service. A reimbursement approach rather than an upfront funding approach places a burden on the nonprofit organizations to find funds to make these purchases which can delay the ramp up, or even their ability to participate in the ramp up of the program.

Thank you for providing the opportunity to submit these comments. ARRA has made available unprecedented investments to green America’s homes. Preserving our multifamily housing will make these homes more energy efficient, sustainable and healthy for our country’s families while allowing households to reduce energy expenses and carbon emissions. This can be an effective and efficient way to contribute to quickly advancing the production goals of this program and create vitally necessary jobs to stimulate local economies.

Any comments or questions can be addressed to:

Michael Bodaken, President
National Housing Trust
202-333-8931 ext. 111
mbodaken@nhtinc.org

Monika Elgert
Enterprise Community Partners
503-553-5643
melgert@enterprisecommunity.org



Weatherization Funds Present An Opportunity to Improve the Energy Efficiency of Oregon's Rental Affordable Homes, Preserve Essential Affordable Housing and Stimulate Green Jobs

With the passage of the American Reinvestment and Recovery Act (ARRA), \$5 billion in Weatherization funding will be allocated to states to improve residential energy efficiency. Oregon is to receive \$40 million in these funds.

As the Oregon Housing and Community Services Department (OHCS) plans how to invest these dollars, we urge OHCS to consider addressing a critical underfunded need in Oregon: Energy retrofits of existing affordable *multifamily* housing.

When it comes to achieving wide scale residential energy savings, Oregon's multifamily housing stock should not be ignored. Approximately 35% of Oregon households are renters. Energy retrofits of rental housing are eligible under the Weatherization program (10 CFR 44.22).

Older multifamily rental housing- which is home to many of Oregon's low and very low-income residents- are at risk from disrepair and renovations. These properties confront skyrocketing expenses and can greatly benefit from Weatherization funds. The ability to use up to \$6,500 per apartment results in a significant amount of energy improvements in a typical rental building.

Using Weatherization funds to finance affordable housing energy retrofits is a good strategic use of the funds that will result in immediate green jobs, wide scale energy savings, and reduced CO₂ emissions.

Using Weatherization funds in multifamily housing would achieve several goals:

- Putting the funds to immediate use in larger scale multifamily properties will **preserve much needed affordable rental housing and generate substantial numbers of improved homes and green jobs** in the shortest amount of time. Currently, many retrofits of existing properties are stalled in Oregon because of financing gaps due to lack of investment or a funding shortfall. In addition to improving energy efficiency, using Weatherization funds to finance energy efficient improvements in affordable rental housing would help to fill these financing gaps and would allow pipeline projects to move forward. This would leverage the creation of additional construction jobs. As many as 27.5 jobs are created per \$1 million spent on residential remodeling, resulting in 1,100 jobs for a \$40 million investment.
- By investing in green retrofits of existing affordable rental housing, OHCS has the opportunity to **contribute to sustainable economic solutions for low-income families and dramatically reduce greenhouse gas emissions.**

A \$40 million investment in energy retrofits of affordable apartments would reduce CO₂ emissions in Oregon by 3,846 tons.¹

¹ Assumes a \$40 million investment would result in energy retrofits of 6,154 apartments at a cost of \$6,500 per apartment resulting in a 25% reduction in energy use per apartment. The average apartment in Oregon emits 2.5 tons of CO₂ per year (according to green.yahoo.com).

From: Pegge McGuire
Sent: Friday, April 03, 2009 5:42 PM
To: Dan Elliott
Subject: FW: Weatherization Hearing
 These are comments for your state plan.

Pegge McGuire
Community Resources Division Administrator
Oregon Housing and Community Services
 North Mall Office Building
 725 Summer St. NE, Suite B
 Salem, OR 97301-1266
 503-986-6700/direct
 503-986-2006/fax
pegge.mcguire@state.or.us
www.ohcs.oregon.gov

From: Victor Merced [mailto:victor.merced@state.or.us]
Sent: Friday, April 03, 2009 4:22 PM
To: Pegge McGuire
Subject: FW: Weatherization Hearing

FYI. In case you were not copied. V.

From: Bill Van Vliet [mailto:billv@noah-housing.org]
Sent: Friday, April 03, 2009 4:11 PM
To: Bob Gillespie
Cc: Rick Crager; Victor Merced
Subject: Weatherization Hearing

Bob:
 Unfortunately, I was unable to attend yesterday's hearing on the department's plan for deployment of the ARRA weatherization funding. I would like to share a couple of thoughts on the subject. I'm not sure who should receive this input and trust you will forward it to the proper place.

I understand that the majority of these resources will be deployed through the local CAP agencies based on historical practice and statute. Since these resources will flow through OHCS, I hope the Department can provide some preferences or guidance to the CAPs in this plan.

1. How will the Estimated Production Schedule be managed at the CAP level? Is it possible that each CAP could have its own production schedule that does not match these goals?
2. Multi-family housing projects should receive strong consideration or a set-aside for funding from these new resources. Multifamily projects will likely be one of the most efficient options to reach the most households with weatherization efforts. I see in the draft plan that of the nearly 5,000 units targeted for production, only 571 are to be multi-family (page 8). This seems like a very low allocation to multi-family projects.
3. Within the Multi-family allocation, preservation projects should receive a preference or set-aside for funding. Preservation projects could perhaps be the greatest beneficiaries from weatherization investments given the age of most of these buildings. It would be a great outcome if every preservation project that received OHCS funding also received an energy audit, and then received resources to address issues identified by that audit.
4. Encourage CAPs to actively work with the housing community to identify ways to seamlessly integrate weatherization program resources into larger project renovation efforts. This will require both the developers and the CAPs to develop processes to efficiently integrate weatherization contractors and materials into larger construction budgets and projects.
5. Can you let us know if the ARRA Wx funds will be considered federal funds for tax credit purposes?

Thanks for the opportunity to comment, albeit not in person.

--bvv

Bill Van Vliet, Executive Director

Network for Oregon Affordable Housing (NOAH)
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503-223-3211 ext. 111

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From: Rob Prasch [robp@noah-housing.org]
Sent: Tuesday, April 07, 2009 9:17 AM
To: Dan Elliott
Cc: Victor Merced; Bill Van Vliet
Subject: ARRA WAP program comments

Attachments: NHT_OR Weatherization One Pager.doc

Dear Mr. Elliott,

NOAH and the Oregon Housing Acquisition Project strongly support the use of ARRA WAP funds for weatherizing existing multifamily projects. Further, we recommend the Department consider a set-aside for OHCS Section 8 projects and other "Preservation" projects across the state including Rural Development 515 projects with Rental Assistance. These properties provide housing options for thousands of Oregon's lowest income citizens.

Averaging more than 30 years old, these buildings were placed in service long before modern building and energy code increased the minimum energy efficiency standards for multifamily properties. As you know, there is a growing pipeline of "Preservation" projects in Oregon whose owners are seeking to refinance or transfer to new owners. Most of these properties will undergo renovations as part of their transactions. Investing WAP funds to provide energy system upgrades for these properties will provide significant savings to their low income and very low income residents and provide good jobs.

Attached is a recommendation to OHCS from the National Housing Trust which urges the Department to invest WAP funds to improve energy efficiency of multifamily properties in the state. We strongly agree and urge OHCS to dedicate no less than 10% of the ARRA weatherization funds to "Preservation" projects.

Respectfully submitted, Rob Prasch

Rob Prasch
Preservation Director
Network for Oregon Affordable Housing
1020 SW Taylor, Suite 585
Portland OR 97205

503 501-5688
robp@noah-housing.org

From: Steve Jole [sjole@csc.gen.or.us]

Sent: Friday, April 10, 2009 3:44 PM

To: Dan Elliott

Subject: ARRA Commments

Davis bacon/ prevailing wage

We have a well paid in house crew with wages and benefits that meet the actual intent of Davis bacon. We also have a construction management department so are fully aware of the burden of monitoring the reporting requirements of Davis Bacon. For us it is the reporting requirements that will be costly and burdensome and will diminish our ability meet the intent of ARRA weatherization package. With the Davis bacon requirements we will be weatherizing fewer homes because of the costs associated with reporting.

We have a youth weatherization program where students receive a stipend to complete their high school requirements and learn a skill. We also offer summer internships to college students in energy and housing programs. Both of these programs meet the intent of ARRA but will be greatly hampered by prevailing wage requirements.

Training:

OECA's REAP certification system clearly offers the most applicable and comprehensive training and training curriculum for our region. The program administration and ability to deliver quantities of trainings continues to grow with demand. From its inception there has never been an issue on quality. REAP training and certification is a totally indigenous product. It would be extremely short sighted to bypass OECA in the training component of the ARRA plan.

Thanks

Steve Jole

Weatherization Supervisor
Community Services Consortium

Additional Comment on the State ARRA WX Plan

From: MANELA Steve M [Steve.Manela@CO.Lane.OR.US]

Sent: Friday, April 10, 2009 2:25 PM

To: Dan Elliott

Cc: BENNETT Mary Ellen; SATEIN Craig (HACSA)

Subject: Additional Comment on the State ARRA WX Plan

Attachments: MANELA Steve M.vcf

The Lane County Human Services Commission recommends that the state plan include either Davis Bacon Act requirements or Savings to Investment Ratio (SIR) cost justifications, but not both. If Oregon is required to operate under both requirements, Oregon will not be able to perform many important weatherization measures that could otherwise be done.


The Department of Energy (DOE) should allow the use of DOE funds to purchase and replace old, inefficient clothes washing machines with energy and water efficient horizontal access clothes washing machines. Many other federal, state and local funding sources allow for the purchase of these machines, and DOE funds should as well.


Increase the percentage of administrative funding associated with ARRA DOE funds. It is not fair or realistic to CAPs to operate this new funding stream with only 5% admin.

Steven Manela, MPA

Human Services Commission Division Manager

Lane County Health & Human Services

 Direct: (541) 682-3798

 Fax: (541) 682-3760

 email: steve.manela@co.lane.or.us

<<MANELA Steve M.vcf>>



April 10, 2009

Dan Elliott
Weatherization Statewide Program Coordinator
Oregon Housing and Community Services
P.O. Box 14508
Salem, Oregon 97309-0409

Re: State of Oregon – ARRA Weatherization Assistance Plan for the US-DOE

It is YCAP's expectation that comments received on this Plan will be reviewed and seriously considered as potential changes to the Plan document as per the intent of a public comment requirement.

YCAP recommends the following general comments in reference to the US-DOE State Plan:

- That OHCS reproduce all written and oral comments received on this Plan and include them in the final response back to the sub-grantees.

Please accept the following comments as additional written testimony in response to the Oregon DOE Weatherization Assistance Plan.

Section 1.05 Administrative, page 9 “To meet the intent of the Recovery Act funding, it may be necessary to add additional sub grantees to this Program.”

Comment: The description of who OHCS would allocate funds to is fairly clear, but the mechanism is not. Would OHCS allocate funds from existing CAA's allocations or other funds? Is there a policy around this? How would OHCS decide this? Is input from CAPO, EPC, ACE, or OECA involved? Some CAA's are better equipped to spend out funds. Would they be considered to receive additional funds if they are performing well? Is there a mechanism for agencies that perform well to receive additional funds?

Section 1.07 Training and Technical Assistance, page 12

Comment: YCAP has been a strong supporter of training and technical assistance by providing staff, other assistance to OECA, and peer exchange across the state. YCAP would like to see a significant amount of funds be set aside for a state training center; a “brick and mortar” facility that could provide classrooms, energy laboratories,

Section 1.07 Training and Technical Assistance, page 12 continued demonstration rooms for new conservation products and building materials, renewable energy technology, a large bay area to build a small site built structure and pull a mobile home into to provide hands on trainings. The progressive approach OHCS has taken to T&TA over the past several years has set precedence and demonstrated how effective training can be to smaller, rural agencies as well as large urban programs. There is uniformity in training statewide and expertise is available to every agency, regardless of an agency’s funding level. The groundwork has been laid, the expertise is available, and now the funding is available.

Section 1.08.2 DOE Funds as Leverage, page 14 “DOE funding must be utilized in every unit completion”

Comment: YCAP recommends the following change; DOE funding expended on ARRA projects is strongly encouraged. YCAP is concerned the Davis Bacon regulations that differ from DOE and other funding sources will place a negative impact on once flexible funds.

Section 1.09 Policy Advisory Council, page 14

Comment: YCAP commends both past and current members serving in this capacity for their efforts to serve those persons less fortunate in the State of Oregon. As a non-member agency of this council, it would be very helpful to have information (i.e. agenda) prior to meetings and meeting minutes. (Repeated Comment - DOE 2005-06, DOE 2007-08, DOE 2008-09, State Plan)

Section 2.01, Eligible Population, page 17 – refers to “the income eligibility level for the DOE Weatherization Program is 200% of the Poverty Income Guidelines.”

Comment: YCAP supports this change, but requests further guidance as to what priorities agencies should concentrate on during ARRA if the Poverty Income Guidelines go to the 60% of state median when ARRA funding is exhausted.

Section 2.04 Energy Audit Procedure, page 21 – states “OASIS will be the preferred computerized audit tool for use in the weatherization assistance program in Oregon once approved by DOE. All sub grantees will use OASIS and only OASIS on each job”.

Comment: YCAP encourages improvements to the process available to determine priority cost-effectiveness but neither support nor object to OASIS without having seen, used, or tested this program. The statement also refers to “preferred” in one sentence than stipulates in the following “will use and only use OASIS”. Further in the paragraph it stipulates the following; “OHCS will require two people from each sub grantee agency to be trained in the use of OASIS and REM/Rate. It is our opinion that the use of “preferred and will” contradict each other leaving some room for interpretation. In addition, it was our understanding that REM/Rate would still be available as an option for such projects (i.e. Northwest Natural Gas Projects that require REM/Rate as the modeling software).

Section 2.04.3 Prioritization of Work, page 23 - “The average unit cost for overall program expenditures is limited to \$ 2,885.00 as established by DOE”.

Comment: Prior information released to the sub-grantees referred to \$6500.00 as the new average cost. YCAP does not recall correspondence reversing the average payment and requests further clarification.

Section 2.05 Final Inspection, page 23 – “A DOE Weatherized unit is: A dwelling unit on which a DOE-approved energy audit or priority list has been applied. As funds allow, the DOE measures installed on this unit have an SIR of 1.0 or greater, but also may include any necessary energy-related health and safety measures. The use of DOE funds on this unit may include but are not limited to auditing, testing, measure installation, inspection, use of DOE equipment, vehicles, or DOE provides the training and/or administration. Therefore, a dwelling unit that meets both the definition of a DOE weatherized unit and has DOE funds used directly on it must be counted as a DOE completed unit.”

Comment: It is not clear how to count a unit that completed the audit stage (using DOE funds) but unable to install measures. If energy savings cannot be achieved because the house was up to all current energy codes and DOE funds were expended performing an audit, how do we report that unit?

Section 2.07 Health and Safety Plan, page 24 – “The final rule does not mandate a separate health and safety budget cost category, but rather allows the state to budget health and safety costs *as a separate category and, thereby, exclude such costs from the average cost calculation*. The related health and safety costs will be included in the calculation of the average cost per home and cost-justified through the audit.”

Comment: Isn't that contradictory? Clarification is requested.

Section 2.12.5 Administrative Expenditure Limits, page 28 – “Sub-grantees receiving more the (should be “than”) \$350,000.00 will receive no more than 5% for administration”.

Comment: Additional reporting requirements will be required for the Davis Bacon Act-Prevailing Wage provision in addition to those already outlined in section 2.08.1 Reporting requirements. Will the additional costs associate to this reporting be considered an administrative cost? If so, not knowing the detailed extent of new reporting requirements YCAP is concerned the 5% may be inadequate to cover expenses associated with ARRA placing a financial burden on CSBG or other unrestricted funds.

Section 2.12.6 Special Populations, page 28

Comment: YCAP supports OHCS's effort to include, support, and promote weatherization among Oregon's tribal communities. The establishment of weatherization programs within the tribal systems is allowing the tribes to strengthen their core services to tribal members in an effective manner.

Section 2.20.1 Labor, page 35

Comment: YCAP supports the certification requirements and standards that are required of agency staff through the REAP Certification Process. It is our recommendation to raise minimum standards for an Auditor to successfully complete the Diagnostic Tech. course or equivalency to become an Energy Analyst.
(Repeated Comment – DOE 2008-09)

Section 2.20.2 Davis-Bacon Act – Prevailing Wages, page 35

Comment: While YCAP advocates for living wages, requirements for the Davis-Bacon Act in accordance with ARRA funds draws immediate concern for the effectiveness of installing weatherization measures as a holistic approach. A program that is driven under strict guidance for “Savings to Investment Ratio greater than 1” may be hindered and no longer eligible by the increased cost of labor to install materials.

YCAP requests that OHCS provide specific details about what prevailing wages are in each local area of Oregon, guidance and training around reporting requirements.

The efforts of OHCS staff for providing the opportunity for program enhancement that serves the disadvantaged individuals of the State of Oregon is greatly appreciated.

If you would like further clarification of the comments, please feel free to contact me at 503-883-4174.

Respectfully Given,

Signature on file

Kraig Ludwig
Energy Services Coordinator

CC; Lee Means, YCAP-Executive Director

Email – Attachment sent April 10, 2009

Dan Elliott

Multnomah County Weatherization Program appreciates the opportunity to comment on the American Recovery and Reinvestment Act (ARRA) proposed draft plan.

1. **Section 2.20.2 Davis-Bacon Act – Prevailing Wages**, page 35 – the Weatherization Assistance Program has enjoyed a waiver from the Davis-Bacon Act for many years. While Multnomah County supports livable wages requiring Prevailing may limit some of the measures that can be installed.
2. **Section 2.07 Health and Safety Plan**, page 24 Eliminate the need to have the health and safety repairs cost justified through the audit. The Health and Safety Plan section has some inconsistencies please correct
3. **Section 1.07 Training and Technical Assistance**, page 12 We support training and technical funds sent directly to sub grantees. We would also suggest a portion of the TTA funds go towards starting an Oregon Training Center.
4. **Section 1.06.2 Peer Exchange**, page 10 Allow sub grantees to leverage additional Peer Exchange funding when approved by the Department.

Thomas Brodbeck
Multnomah County Weatherization LEAD