

ATTACHMENT 3

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

DETAILED MODEL PLAN

PUBLIC LAW 97-35, AS AMENDED

FISCAL YEAR (FY) 2014

GRANTEE Virginia Department of Social Services

EIN: 54-0959533

ADDRESS 801 East Main Street

Richmond, Virginia, 23219

NAME OF LIHEAP COORDINATOR Andrea Gregg

EMAIL: andrea.gregg@dss.virginia.gov

TELEPHONE: 804-726-7368 FAX: 804-726-7358

PLEASE CHECK ONE: TRIBE _____ STATE X INSULAR AREA _____

**Department of Health and Human Services
Administration for Children and Families
Office of Community Services
Washington, DC 20447**

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01

OMB Approval No. 0970-0075

Expiration Date: 04/30/2014

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13)

Use of this model plan is optional. However, the information requested is required in order to receive a Low Income Home Energy Assistance Program (LIHEAP) grant in years in which the grantee is not permitted to file an abbreviated plan. Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Assurances

The Commonwealth of Virginia agrees to:

(Grantee Name)

(1) use the funds available under this title to--

(A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) intervene in energy crisis situations;

(C) provide low-cost residential weatherization and other cost-effective energy-related home repair; and

(D) plan, develop, and administer the State's program under this title including leveraging programs,

and the State agrees not to use such funds for any purposes other than those specified in this title;

(2) make payments under this title only with respect to--

(A) households in which one or more individuals are receiving--

(i) assistance under the State program funded under part A of title IV of the Social Security Act;

(ii) supplemental security income payments under title XVI of the Social Security Act;

(iii) food stamps under the Food Stamp Act of 1977; or

(iv) payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or

(B) households with incomes which do not exceed the greater of—

(i) an amount equal to 150 percent of the poverty level for such State; or

(ii) an amount equal to 60 percent of the State median income;

except that a State may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for such State, but the State may give priority to those households with the highest home energy costs or needs in relation to household income.

(3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;

(6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving Federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that—

(A) the State shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the State; and

(B) if there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the State shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made;

(7) if the State chooses to pay home energy suppliers directly, establish procedures to --

(A) notify each participating household of the amount of assistance paid on its behalf;

(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;

(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and

(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;

(8) provide assurances that,

(A) the State will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and

(B) the State will treat owners and renters equitably under the program assisted under this title;

(9) provide that--

(A) the State may use for planning and administering the use of funds under this title an amount not to exceed 10 percent of the funds payable to such State under this title for a fiscal year; and

(B) the State will pay from non-Federal sources the remaining costs of planning and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));

(10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursement of and accounting for Federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, and provide that the State will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");

(11) permit and cooperate with Federal investigations undertaken in accordance with section 2608;

(12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);

(13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

(14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.

(15) * beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

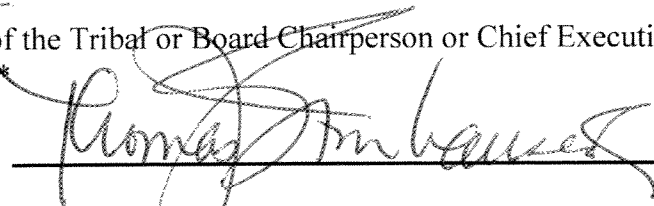
*** This assurance is applicable only to States, and to territories whose annual regular LIHEAP allotments exceed \$200,000. Neither territories with annual allotments of \$200,000 or less nor Indian tribes/tribal organizations are subject to Assurance 15.**

(16) use up to 5 percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.

Certification to the Assurances: As Chief Executive Officer, I agree to comply with the sixteen assurances contained in Title XXVI of the Omnibus Budget Reconciliation Act of 1981, as amended.* By signing these assurances, I also agree to abide by the standard assurances on lobbying, debarment and suspension, and a drug-free workplace.

Signature of the Tribal or Board Chairperson or Chief Executive Officer of the State or Territory.**

Signature:



Title:

Director, Division of Benefit Programs

Date:

8/24/13

*** Indian tribes/tribal organizations, and territories with annual regular LIHEAP allotments of \$200,000 or less, are not subject to assurance 15, and thus must only certify to 15 assurances.**

**** If a person other than the Chief Executive Officer of the State or territory, or Tribal Chairperson or Board Chairperson of a tribal organization, is signing the certification to the assurances, a letter must be submitted delegating such authority. (PLEASE ATTACH DELEGATION of AUTHORITY.) The delegation must include authority to sign the assurances, not just to administer the program.**

***** HHS needs the EIN (Entity Identification Number) of the State, territory or Tribal agency that is to receive the grant funds before it can issue the grant.**

In the above assurances which are quoted from the law, "State" means the 50 States, the District of Columbia, an Indian Tribe or Tribal Organization, or a Territory; "title" of the Act refers to Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (OBRA), as amended, the "Low Income Home Energy Assistance Act"; "section" means Section 2605 of OBRA; and, "subsection" refers to Section 2605(b) of OBRA.

statutory references

2605(a)

2605(b)(1) → Please check which components you will operate under the LIHEAP program. (Note: You must provide information for each component designated here as requested elsewhere in this plan.)

Dates of Operation

(use of funds)

X heating assistance

Walk-in period: 2nd Tuesday in October through the 2nd Friday in November. Preprinted applications are mailed to prior year recipients in late September.

X cooling assistance

June 15 through August 15.

X crisis assistance

November 1 through March 15.

X weatherization assistance

October 1 through September 30.

2605(c)(1)(C) → Please estimate what amount of available LIHEAP funds will be used for each component that you will operate: **The total of all percentages must add up to 100%.**

(use of funds)

55 % heating assistance

10 % cooling assistance

9 % crisis assistance

2605(k)(1) 15 % weatherization assistance

0 % carryover to the following fiscal year

2605(b)(9) 10 % administrative and planning costs

2605(b)(16) .92 % services to reduce home energy needs including needs assessment (assurance 16)

.08 % used to develop and implement leveraging activities (limited to the greater of 0.08% or \$35,000 for States, the greater of 2% or \$100 for territories, tribes and tribal organizations).

100 % **TOTAL**

statutory references

2605(c)(1)(C)

→ The funds reserved for winter crisis assistance that have not been expended by March 15 will be reprogrammed to:

(alternate use of crisis assistance funds)

_____ heating assistance

X cooling assistance

_____ weatherization assistance

_____ Other (specify):

→ Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served? (This is required by the statute.)

Yes X No _____

2605(b)(2)
2605(c)(1)(A)

→ What are your maximum eligibility limits?
(Please check the components to which they apply.)

Current year guidelines must be used.

(eligibility)

_____ 150% of the poverty guidelines:
heating _____ cooling _____ crisis _____ wx _____

_____ 125% of the poverty guidelines:
heating _____ cooling _____ crisis _____ wx _____

_____ 110% of the poverty guidelines:
heating _____ cooling _____ crisis _____ wx _____

X 60% of the State's median income:
heating _____ cooling _____ crisis _____ wx X

X Other (specify for each component)

130 percent of the federal poverty limit/guideline for the heating, crisis, and cooling components.

_____ Households automatically eligible if one person is receiving _____ TANF, _____ SSI, _____ Food Stamps, _____ Certain means-tested veterans programs (heating _____ cooling _____ crisis _____ wx _____)

statutory
references

2605(c)(1)(A)
2605(b)(2)

→Do you have additional eligibility requirements for:
HEATING ASSISTANCE (X Yes _____ No)

(eligibility)

→Do you use: Yes No
Assets test? _____ X

→Do you give priority in eligibility to:

Elderly? _____ X

Disabled? _____ X

Young children? _____ X

Other: X* _____
(If Yes, please describe)

***Although, priority is not given to households which include vulnerable individuals (elderly, disabled, or a child under the age of six), the Energy Assistance Program (EAP) automated system assigns points according to vulnerability status, awarding the highest value to whichever condition is present, resulting in a weighted benefit.**

statutory
references

2605(c)(1)(A)
2605(b)(2)

→Do you have additional eligibility requirements for:
COOLING ASSISTANCE (X Yes ___ No)

(eligibility)

→Do you use:	<u>Yes</u>	<u>No</u>
Assets test?	_____	<u>X</u>
→Do you give priority in eligibility to:		
Elderly?	<u>X</u>	_____
Disabled?	<u>X</u>	_____
Young children?	<u>X</u>	_____
Other: (If Yes, please describe)	_____	<u>X</u>

To be eligible for Cooling Assistance, the household must contain at least one individual who is age 60 or over, disabled, or under the age of 6.

statutory
references

2604(c)
2605(c)(1)(A)

→ Do you have additional eligibility requirements for:
CRISIS ASSISTANCE (X Yes ___ No)

(eligibility)

→ Do you use:	<u>Yes</u>	<u>No</u>
Assets test?	_____	_____ <u>X</u> _____
Must the household have received a shut-off notice or have an empty tank?	_____ <u>X*</u> _____	_____
Must the household have exhausted regular benefit?	_____ <u>X**</u> _____	_____
Must the household have received a rent eviction notice?	_____	_____ <u>X</u> _____
Must heating/cooling be medically necessary?	_____	_____ <u>X</u> _____
Other (Please explain):	_____	_____ <u>X</u> _____

***Note: For certain types of crisis assistance, a disconnection notice or a low supply of deliverable fuel is required.**

****Note: For certain types of crisis assistance, the household must have exhausted their heating benefit.**

→ What constitutes a crisis? (Please describe)

The Crisis Assistance component is designed to help households meet energy emergencies that cannot be met by other resources. The emergency may result from a weather related or supply shortage emergency such as: no source of heat; the only heating equipment in the home is inoperable or unsafe; or there is a potential no heat situation. Crisis Assistance will be provided when the conditions for providing assistance are met and the assistance will ensure heat for the household. Assistance with the purchase of primary fuel and the payment of the primary utility bills is provided to households who did not receive Heating Assistance or who have exhausted their heating benefit.

statutory
references

2605(c)(1)(A)

→Do you have additional eligibility requirements for:
WEATHERIZATION (X Yes ___ No)

(eligibility)

→Do you use: Yes No

Assets test? ___ X

Priority groups? (Please list) X ___

- (1) **Households who do not have a permanent, safe, and operable heat source;**
- (2) **Households with time sensitive projects who are leveraging funds from other sources.**

→Are you using Department of Energy (DOE) Low Income Weatherization Assistance Program (LIWAP) rules to establish eligibility or to establish priority eligibility for households with certain characteristics? X ___

→If Yes, are there exceptions? X ___
Please list below.

- (1) **Elderly persons;**
- (2) **Persons with disabilities;**
- (3) **Families with children;**
- (4) **High residential energy users; and**
- (5) **Households with a high energy burden.**

statutory
references

2605(b)(3)
2605(c)(3)(A)

(outreach)

→ Please check the outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

X provide intake service through home visits or by telephone for the physically infirm (i.e. elderly or disabled).

X place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.

X publish articles in local newspapers or broadcast media announcements.

X include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.

X make mass mailing to past recipients of LIHEAP.

X inform low income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.

execute interagency agreements with other low-income program offices to perform outreach to target groups.

X other (Please specify):

For the Heating, Crisis and Cooling components, the Virginia Department of Social Services (VDSS) provides mail out applications and access to applications on the VDSS public website. Applications can be submitted in person as well as by mail, fax, and online via CommonHelp. Applications are accepted at sites that are geographically accessible to all households within the service area. A toll-free telephone number for the hearing impaired is provided.

Each September, the VDSS uses specific criteria to match cases from the Heating Assistance database with cases in the Supplemental Nutrition Assistance Program (SNAP) database. The current SNAP recipients who meet this eligibility criterion will be automatically approved for Heating Assistance. Households that are not pre-approved for Heating Assistance but received Heating, Crisis, or

Cooling Assistance in the last year will be mailed a pre-printed Heating Assistance application.

Approximately seven percent of the statewide caseload will receive a pre-approval notice. Pre-approved households do not need to re-apply but are responsible for reporting any changes to the pre-printed data on their approval notice. Over 170,000 households will receive a pre-printed application.

statutory
references

2605(b)(4)

→ Please describe how you will assure that LIHEAP is coordinated with similar and related programs. The description provided applies to all components unless specifically noted.

(coordination)

The grantee is able to cross reference information in the EAP automated system database to identify low-income households for mass mailings. Through contact with other federal, state and community agencies, Virginia coordinates services and activities to low-income households. Local departments of social services (LDSS) in 120 cities and counties are responsible for coordinating programs locally with other community agencies, faith-based organizations, and non-profit organizations.

At a minimum, the LIHEAP Weatherization component will be coordinated with the Department of Energy (DOE) Weatherization Assistance Program and other housing rehabilitation programs operated by local weatherization agencies. During the application process or during the onsite estimation for weatherization, the local administrator will inquire and assess for other health and safety needs or problems related to the home and its occupants.

The VDSS provides an Energy Assistance referral list twice yearly to the Department of Housing and Community Development (DHCD) for outreach activities by local weatherization agencies.

The Virginia General Assembly passed and the Governor signed into law, House Bill 2473 on March 25, 2001 and House Bill 71, March 22, 2002. These laws created the Home Energy Assistance Program (HEAP).

2605(b)(5)

2605(b)(2)

2605(b)(8A)

→ The statute requires that there be no difference in the treatment of households eligible because of their income and those eligible because they receive benefits under TANF, Food Stamps, SSI, or certain means-tested veterans programs ("categorically eligible"). How do you ensure there is no difference when determining eligibility and benefit amounts? This applies to all components unless specifically noted below.

(benefit levels)

Any and all benefits are dependent upon need and availability of federal funds. Benefit levels for the Heating, Crisis, and Cooling components are based on the same criteria for all applicants. No distinction is made between types of eligible households.

For the LIHEAP Weatherization component, categorically eligible households that are common to both DOE weatherization and LIHEAP will receive the same consideration as income eligible households in determining when and what benefits can be provided. Weatherization measures undertaken are determined based on an inspection of the unit and the Program's installation standards - not on the household's income source.

statutory
references

HEATING COMPONENT

2605(b)(5) → Please check the variables you use to determine your benefit levels (check all that apply):

(determination
of benefits)

- income
- family (household) size
- home energy cost or need
 - fuel type
 - climate/region
 - individual bill
 - dwelling type
 - energy burden
(% of income spent on home energy)
 - energy need
 - other (describe)

Vulnerability Factors: elderly individuals aged 60 or older; disabled individuals; and young children under six years of age are awarded more points.

2605(b)(5)
2605(c)(1)(B)

(benefit
levels)

→ Describe how you will assure that the highest benefits go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size.
Please describe benefit levels or attach a copy of your payment matrix.

The EAP automated system will assign a number of points (see Attachment I) to each household which reflects the household's status with regard to the factors listed above. The more points attributed to a household, the larger the benefit. The highest amount of assistance will be provided to those households having the highest energy costs and the lowest monthly income.

→ Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits?

Yes No If Yes, please describe.

statutory
references

2605(b)(5)
2605(c)(1)(B)

(determination
of benefits)

COOLING COMPONENT

→ Please check the variables you use to determine your benefit levels (check all that apply):

- income
- family (household) size
- home energy cost or need
 - fuel type
 - climate/region
 - individual bill
 - dwelling type
 - energy burden
(% of income spent on home energy)
- energy need
- other (describe)

Vulnerability Factors: The household must include one of the following: a person 60 years of age or older; a disabled individual; or a child under six years of age.

2605(b)(5)
2605(c)(1)(B)

(benefit
levels)

→ Describe how you will assure that the highest benefits will go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size. Please describe benefit levels or attach a copy of your payment matrix.

Cooling Assistance recipients must meet the same income criteria as established for the Heating Assistance component. Benefits for Cooling Assistance will be determined based on need and will not exceed the current year maximum. Contracted vendors throughout the Commonwealth will provide services. The statewide maximum benefit for electricity payments will be based on available funding; households may be eligible and approved for payment of their bill up to the program maximum. Households with higher energy costs will receive a higher benefit.

→ Do you provide in-kind (e.g. fans) and/or other forms of benefits?

Yes No If Yes, please describe.

statutory
references

2605(b)(5)
2605(c)(1)(B)

(determination
of benefits)

CRISIS COMPONENT

→How do you handle crisis situations?

 X separate component other (please explain)

→If you have a separate component, how do you determine crisis assistance benefits?

 X amount to resolve crisis, up to maximum

 other (please describe)

(benefit
levels)

→Please indicate the maximum benefit for each type of crisis assistance offered.

heating \$ 2,500* maximum benefit

cooling \$ 0 maximum benefit

year-round \$ 0 maximum benefit

***\$2,500 is the cap for heating equipment repairs, purchases, replacements, and provision of supplemental equipment.**

→Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits?

 Yes X No If Yes, please describe.

statutory
references

2605(b)(5)
2605(c)(1)
(B) & (D)

**WEATHERIZATION & OTHER ENERGY RELATED
HOME REPAIR AND IMPROVEMENTS**

➔What LIHEAP weatherization services/materials do you provide?
(Check all categories that apply.)

(types of
assistance)

- Weatherization needs assessments/audits.
- Caulking, insulation, storm windows, etc.
- Furnace/heating system modifications/repairs
- Furnace replacement
- Cooling efficiency mods/repairs/replacement
- Other (Please describe)

Incidental repairs necessary to complete a weatherization measure i.e. roof repair or replacement; removal of health and safety hazards that are necessary to complete a weatherization measure (not to exceed the designated percentage of allocation) i.e. removal of knob and tube wiring or replacement of a combustion appliance. All weatherization services/materials provided must comply with the WAP Operations Manual Installation Standards.

(benefit
levels)

➔Do you have a maximum LIHEAP weatherization benefit/expenditure per household? Yes No

The Weatherization allocation is based on a weighted system, using the variables of heating degree days (climate), number of low-income households and size of the locality.

If Yes, what is the maximum amount? **\$6,500 per household**

(types of
rules)

➔Under what rules do you administer LIHEAP weatherization? (Check only one.)

- Entirely under LIHEAP (not DOE) rules
- Entirely under DOE LIWAP rules
- Mostly under LIHEAP rules with the following DOE LIWAP rule(s) where LIHEAP and LIWAP rules differ (Check all that apply):

Weatherize buildings if at least 66% of units (50% in 2- & 4-unit buildings) are eligible units or will become eligible within 180 days

Weatherize shelters temporarily housing primarily low income persons (excluding nursing homes, prisons, and similar institutional care facilities).

Other (Please describe)

Weatherize buildings if 100% of units are eligible units or will become eligible in 180 days.

Mostly under DOE LIWAP rules, with the following LIHEAP rule(s) where LIHEAP and LIWAP rules differ (Check all that apply.)

Weatherization not subject to DOE LIWAP maximum statewide average cost per dwelling unit.

Other (Please describe.)

Sub-grantees may go back to a home for no fault rework on a case by case basis with DHCD's prior written approval, i.e. required monitoring corrective actions and/or warranty issues.

2605(b)(6) The state or tribe administers LIHEAP through the following local agencies:

- | | |
|----------------------|--|
| (agency designation) | <input checked="" type="checkbox"/> county welfare offices
<input checked="" type="checkbox"/> community action agencies (weatherization component only)
<input type="checkbox"/> community action agencies (heating, cooling or crisis)
<input type="checkbox"/> charitable organizations
<input type="checkbox"/> not applicable (i.e. state energy office)
<input type="checkbox"/> tribal office
<input type="checkbox"/> other, describe: |
|----------------------|--|

→ Have you changed local administering agencies from last year?
 _____ Yes No

If Yes, please describe how you selected them.

→ What components are affected by the change?

2605(c)(1)(E) → Please describe any additional steps (other than those described elsewhere in this plan) that will be taken to target assistance to households with high home energy burdens. **(This applies to all components. If all steps to target households with high home energy burdens are described elsewhere in the plan, no further information is required here.)**

(targeting of assistance)

No additional steps will be taken to target assistance households with high home energy burdens except in the Weatherization component. Household size, household income, household occupants, and the condition of both the home and the heating system will be assessed in determining the energy burden.

statutory
references

2605(b)(7)
(energy
suppliers)

→Do you make payments directly to home energy suppliers?

Heating Yes No

Cooling Yes No

Crisis Yes No

If Yes, are there exceptions? Yes No

If Yes, please describe.

The grantee also makes payments directly to eligible households under the following conditions: household's primary fuel type is wood or coal; fuel tank capacity less than 100 gallons; renters with heat/cooling included in the rent; households where no vendor contract for a specific fuel type exists for their locality; energy source can only be provided by a unique vendor and no vendor contracts exists (i.e., liquid propane, electricity or natural gas); an appeal decision requires it; the household picks up oil/kerosene from an island pump; and eligible households who have their utility payment automatically debited/withdrawn as verified.

2605(b)(7)(A)

→If you make payments directly to home energy suppliers, how do you notify the client of the amount of assistance paid? (Please describe)

At the end of each component, the grantee mails a system generated payment notice (Notice of Payments Made) to each eligible household. The payment notice lists payments made on behalf of the client for each component as well as any refunds and/or cancellations. For households receiving direct payments, in addition to a check, the grantee mails a system generated Client Notice of Action indicating the benefit amount authorized.

2605(b)(7)
(B) & (C)

→How do you make sure the home energy supplier performs what is required in this assurance? If vendor agreements are used, they may be attached. Indicate each component for which this description applies.

Vendor agreements are used for all components. The grantee

identifies performance standards for energy suppliers in the Energy Assistance Vendor agreement (see Attachment II). In addition to adherence to the EAP Vendor Agreement, Energy Assistance vendors must comply with the requirements in the Commonwealth of Virginia's Vendor Manual. The state will seek correction of identified noncompliance or terminate the agreement.

statutory
references

2605(b)(8)(B)

→ Is there any difference in the way owners and renters are treated? If Yes, please describe.

(owners
and
renters)

HEATING ASSISTANCE

_____ Yes No

COOLING ASSISTANCE

_____ Yes No

CRISIS ASSISTANCE

_____ Yes No

Note: Replacement or purchase of heating equipment assistance is not provided to renters.

WEATHERIZATION

Yes _____ No

Owners of rental property may be requested to make a match contribution. If a match contribution is refused, the local weatherization service provider may use their discretion to either reject or accept the application.

Renters who are income eligible are not required to make a match contribution.

statutory
references

2605(b)(10)

→How do you ensure good fiscal accounting and tracking of LIHEAP funds? (Please describe. Include a description of how you monitor fiscal activities.)

(program,
Fiscal
monitoring,
and audit)

The VDSS is responsible for monitoring expenditures for all components of the EAP. Funds for local administration are allocated at the beginning of each fiscal year. No local agency is reimbursed for administrative expenditures above the maximum amount allowed per state and federal regulations.

The VDSS monitors the DHCD reimbursement requests for weatherization expenditures to ensure that supporting documentation is available for review and to ensure that assistance and administrative expenditures are in compliance with state and federal regulations.

Two accounting and tracking systems, one by the program and one by the Department’s Finance Division are maintained to track revenue and disbursements for all components of the program. These two accounting and tracking systems are reconciled with the State’s financial accounting system.

→How do you monitor program activities? (Please be sure to include a description of how you monitor eligibility and benefit determination.)

Program activities will be monitored by the grantee. State staff monitors cases via the online “Pending” and “Unpaid” reports. A sampling of all case types will be randomly selected by the automated system. Case reading reviews will be conducted and findings submitted to management at the state level and local level. When necessary, LDSS will be required to develop and submit corrective action plans for errors detected. DHCD staff monitors approximately 5 percent of weatherization fieldwork and recipient files.

→How is your LIHEAP program audited?

Under the Single Audit Act? X Yes No

If not, please describe:

For States and Territories:

→Is there an annual audit of local administering agencies? X Yes No

If not, please explain.

statutory
references

2605(b)(12)

(timely and
meaningful
public
partici-
pation)

➔How did you get timely and meaningful public participation in the development of the plan? (Please describe.)

The grantee encourages public participation in the development of the state plan through: (1) input from LDSS and (2) a public hearing.

Notification of the LIHEAP public hearing was published in the legal notices section of the Richmond Times Dispatch and the Washington Post newspapers Sunday, August 4, 2013.

Notification of the LIHEAP public hearing was posted on the Commonwealth Calendar of Events located on the Official Commonwealth of Virginia Government website.

A broadcast was posted on SPARK, an internal website for LDSS, soliciting comments on a draft version of the LIHEAP state plan.

Public Hearing – The VDSS held a public hearing on Friday, August 9, 2013 from 9 am to 11 am in the 9th floor conference room of the VDSS office, located at 801 East Main Street, Richmond, VA.

2605(a)(2)

(public
hearings)

➔Did you conduct public hearings on the proposed use and distribution of your LIHEAP funds? When and where?

 X Yes No

(Not required for Tribes and tribal organizations)

The VDSS held a public hearing on Friday, August 9, 2013 from 9 am to 11 am in the 9th floor conference room of the VDSS office, located at 801 East Main Street, Richmond, VA.

statutory
references

2605(b)(13)

(fair
hearings)

→ Describe your fair hearing procedures for households whose applications are denied or not acted on in a timely manner. When are applicants informed of these rights?

All applicants for and recipients of Heating, Crisis and Cooling Assistance will be informed in writing, at the time of application of the right to a fair hearing, of the method by which a hearing may be obtained, and of the right to be represented by others or to represent him/herself. Additionally, LDSS will inform all clients of the right to a fair hearing if the client is dissatisfied with any action taken by the agency. Notification will occur via the following methods: applicants seen in person will be informed verbally and in writing via the EAP Fact Sheet and all applicants, whether seen or not, will be informed of the right to request a fair hearing in writing via the Client Notice of Action.

In addition to filing an appeal, the applicant has the right to request a conference with the LDSS to discuss the actions listed above or any action taken on his/her case/application. At this conference, the LDSS must provide the applicant with an explanation of the action taken. The applicant must also be given the opportunity to present an explanation and state why he/she disagrees with the LDSS action. At the conference, the applicant has the right to have his/her side presented by an authorized representative, such as a friend, relative, or lawyer. Requesting a conference does not prevent the applicant from requesting a fair hearing. If a hearing is requested, a VDSS Hearings Officer will conduct the hearing and make a decision on the appeal. The appellant will be notified in writing of the hearings officer's decision within 60 days of the receipt of the appeal request.

→ Denials

An applicant for and/or recipient of Heating, Crisis, and/or Cooling Assistance has the right to appeal and receive a fair hearing: if the application or the right to make application is denied; the application is not approved or denied in a timely manner unless the delay was caused by the applicant's lack of cooperation in providing necessary and reasonable evidence; an approved case is closed and the household believes it should not have been; or for any action taken on the case/application for which s/he disagrees.

The Weatherization component's hearings process is the same for denials and applications not acted on in a timely manner. The local weatherization administrator develops procedures that are adopted by their Board of Directors. Typically, the procedures involve an opportunity to meet with the agency head and/or a representative group of the Board of Directors. Applicants are informed of the right to appeal an application denial or an untimely action on an application at the time the application is taken or denied. Files of denied applicants are monitored during the field/client file monitoring.

→ Applications Not Acted On In a Timely Manner

An applicant for and/or recipient of Heating, Crisis and/or Cooling Assistance has the right to appeal and receive a fair hearing if the application or the right to make application is denied; the application is not approved or denied in a timely manner unless the delay was caused by the applicant's lack of cooperation in providing necessary and reasonable evidence, an approved case is closed and the household believes it should not have been; or for any action taken on the case/application for which s/he disagrees.

The Weatherization component's hearings process is the same for denials and applications not acted on in a timely manner. The local weatherization administrator develops procedures that are adopted by their Board of Directors. Typically, the procedures involve an opportunity to meet with the agency head and/or a representative group of the Board of Directors. Applicants are informed of the right to appeal an application denial or an untimely action on an application at the time the application is taken or denied. Files of denied applicants are monitored during the field/client file monitoring.

statutory
references

2605(b)(15)

For States and Puerto Rico only (not applicable to Tribes and tribal organizations, or to territories whose annual regular LIHEAP allotments are \$200,000 or less):

➔ Does the State agency that administers the following LIHEAP component also administer the State's welfare program?

(alternate
outreach
and intake)

HEATING ASSISTANCE

Yes No

If Yes, describe alternate process for outreach and intake:

See below.

COOLING ASSISTANCE

Yes No

If Yes, describe alternate process for outreach and intake:

See below.

CRISIS ASSISTANCE

Yes No

If Yes, describe alternate process for outreach and intake:

The Code of Virginia 63.2-100 designates energy assistance as “public assistance” which is administered by VDSS. These three LIHEAP components and the State’s “welfare programs” are administered through the same state agency, the VDSS. Administration is managed through 120 LDSS including a system of mail-in applications and access to applications on the VDSS public website and the option to apply online via CommonHelp. The grantee will continue coordination with other social services organizations (e.g., Area Agencies on Aging and Community Action Agencies) throughout Virginia by supplying EAP information posters and EAP Fact Sheets.

The grantee will continue to administer the Weatherization component through the DHCD, who contracts with the local weatherization agencies.

statutory
references

2605(b)(16)

→ Do you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance? (This assurance refers to activities such as needs assessments, counseling, and assistance with energy vendors.)

Yes No

If Yes, please describe these activities.

Energy savings and conservation tips are included in the mass mailing of pre-printed applications sent to over 170,000 households prior to the start of the Heating application period.

The VDSS is evaluating additional educational and outreach activities to encourage households to reduce their home energy needs.

If Yes, how do you ensure that you don't use more than 5% (statutory ceiling) of your LIHEAP funds for these activities?

The grantee has established a separate cost code to monitor Assurance 16 expenditures.

statutory
references

2607A
(leveraging)

→ Please describe leveraging activities planned for the fiscal year. **(This entry is optional.)*** Complete this entry if you plan to apply for LIHEAP leveraging incentive funds and to include in your leveraging report resources/benefits provided to low income households this fiscal year under criterion (iii) in 45 CFR 96.87(d)(2). Provide the following information for each:

- (1) Identify and described each resource/benefit;
- (2) Identify the source(s) of each resource; and
- (3) Describe the integration/coordination of each resource/benefit with the LIHEAP program, consistent with 1 or more of conditions A-H in 45 CFR 96.87(d)(2)(iii).

1. Dominion Virginia Power Company – EnergyShare (Fuel Fund)

This program provides payments for heating and cooling assistance to eligible low-income households in addition to LIHEAP benefits. EAP provides technical assistance for planning/ implementing the EnergyShare Program and works side-by-side with the company in the formulation of policies, procedures, etc.

Intake is provided at LDSS and community agencies. Households must meet the state grantee LIHEAP income requirements and are assisted only after their LIHEAP benefits have been exhausted or if they were ineligible for LIHEAP.

Funding is provided through customer and company contributions. The utility company receives and disburses funds. All payments go directly to the household’s energy vendor. Administrative expenses are borne by the utility company.

2. American Electric Power (AEP) – Neighbor-To-Neighbor (Fuel Fund)

Applicants must be current AEP customers in possession of a cutoff notice, income eligible for LIHEAP, and, if approved for LIHEAP, have exhausted LIHEAP benefits.

The VDSS works with AEP on development of program policies and promotion. Funds come from customer and company contributions. The utility company deposits contributions and disburses supplemental assistance to eligible LIHEAP households.

3. Security Deposit Option Program (SDOP)

A joint project developed by the VDSS and Dominion Virginia Power, the Security Deposit Option Program allows individuals found eligible for payment of a security deposit through the Crisis and Cooling Assistance components to have the payment of the deposit waived by the utility company. The utility will consider the deposit paid although no dollars have been received. Over the years additional companies have elected to participate in the SDOP.

A written agreement between the participating companies and the VDSS specifies the criteria for the eligibility and defines the relationship between the cooperating members.

4. Joint Venture with the Virginia Department of Housing and Community Development

DHCD oversees the Weatherization Assistance Program and weatherization agencies in Virginia. The weatherization agencies are the sole source vendor for the LIHEAP Weatherization component. The cost of services may be supplemented by other funds received by DHCD; the source of supplemental funds may be state funds allocated to DHCD. Intake is provided by local weatherization agencies.

The VDSS and DHCD collaborate across programs to maximize available funding for eligible households. The VDSS makes referrals to the DHCD and provides a biennial referral list of EAP recipients to the DHCD.

5. Home Energy Assistance Fund - Home Energy Assistance Program (HEAP)

In 2002, the Virginia General Assembly established a special non-converting fund to support the efforts of public agencies, private utility service providers, and charitable and community groups seeking to assist low-income Virginians in meeting their residential energy needs.

The fund consists of donations, contributions and moneys appropriated by the General Assembly. Interest earned on the

money shall remain and be credited to the fund. Contributions remaining in the fund at the end of each fiscal year will be carried over into the next year. The funds will be disbursed through the operations of the HEAP.

The VDSS has been designated as the lead agency in coordinating and administering all energy assistance efforts among state agencies and non- state organizations electing to participate in HEAP.

In January 2004, the Virginia state income tax form provided a check-off option for contributions to HEAP. The VDSS will continue to promote the income tax check-off box on behalf of the fund.

6. State General Funds

The VDSS has occasionally received state general funds to supplement LIHEAP funded Energy Assistance Program. Periodic receipt of state general funds may continue.

* Leveraged resources/benefits that are counted under criterion (iii) in 45 CFR 96.87(d)(2) must be identified and described in the grantee's LIHEAP plan and distributed as indicated in the plan. In addition, leveraging resources/benefits that are counted under criterion (ii) must be carried out under one or more components of the grantee's regular LIHEAP program.

statutory
references

2605(b)

→ Please describe performance goals and measures planned for the fiscal year. **(This entry is optional.)**

(performance)
goals and
measures)

The percent of households served through the EAP that include an elderly individual (age 60 and over) will be at least 33% annually.

ADDITIONAL CERTIFICATIONS AND REQUIREMENTS

Attached are additional certifications required as follows:

- * **Lobbying certification**, which must be filed by all States and territories. If applicable, Form LLL, which discloses lobbying payments, must be submitted. **(Tribes and tribal organizations are EXEMPT.)**
- * **Debarment and suspension certification**, which must be filed by all grantees.
- * **Drug-free workplace requirement certification**, which must be filed by all grantees, unless the grantee has filed a statewide certification with the Department of Health and Human Services. **STATES ONLY:** If you have filed a statewide certification for the drug-free workplace requirement, please check here: _____
- * One of the requirements included in the 1994 reauthorization of the statute is that state grantees must include in their annual application for funds a report on the number and income levels of households applying for and receiving LIHEAP assistance, and on the number of recipient households that have members who are elderly, disabled, or young children.

All Tribes and those territories with allotments of less than \$200,000 need only submit data on the number of households served by each component (heating, cooling, weatherization and crisis). The approval for the collection of information contained in the **LIHEAP Household Report** is covered by OMB approval number 0970-0060.
- * Though not a part of this application, the report on funds to be carried over or available for reallocation as required by section 2607(a) for the preceding year must be submitted by August 1 of each year. A grant award for the current fiscal year may not be made until the carryover/reallocation report is received. The approval for the collection of information contained in the **LIHEAP Carryover and Reallocation Report** is covered by OMB approval number 0970-0106.

Attachment I

CLIMATE ZONES

Western Piedmont

Albemarle	003	Patrick	141
Amherst	009	Pittsylvania	143
Appomattox	011		
Bedford	019		
Campbell	031		
Charlotte	037	Bedford City	515
Franklin	067	Charlottesville	540
Halifax	083	Danville	590
Henry	089	Lynchburg	680
Nelson	125	Martinsville	690

Northern

Arlington	013	Shenandoah	171
Clarke	043	Warren	187
Culpeper	047		
Fairfax	059		
Fauquier	061		
Frederick	069	Alexandria	510
Greene	079	Manassas	683
Loudoun	107	Manassas Park	685
Madison	113	Winchester	850
Orange	137		
Page	139		
Prince William	153		
Rappahannock	157		

Central Mountain

Alleghany	005	Clifton Forge	560
Augusta	015	Covington	580
Bath	017	Harrisonburg	660
Botetourt	023	Roanoke City	770
Craig	045	Staunton	790
Highland	091	Waynesboro	820
Roanoke County	161		
Rockbridge	163		
Rockingham	165		

CLIMATE ZONES

Eastern Piedmont

Amelia	007	Colonial Heights	570
Brunswick	025	Fredericksburg	630
Buckingham	029	Petersburg	730
Caroline	033	Richmond City	760
Chesterfield	041		
Cumberland	049		
Dinwiddie	053		
Fluvanna	065		
Goochland	075		
Hanover	085		
Henrico	087		
Louisa	109		
Lunenburg	111		
Mecklenburg	117		
Nottoway	135		
Powhatan	145		
Prince Edward	147		
Spotsylvania	177		

Southwestern Mountain

Bland	021	Bristol City	520
Buchanan	027	Galax	640
Carroll	035	Norton	720
Dickenson	051		
Floyd	063		
Giles	071		
Grayson	077		
Lee	105		
Montgomery	121		
Pulaski	155		
Russell	067		
Scott	169		
Smyth	185		
Washington	191		
Wise	195		
Wythe	197		

CLIMATE ZONES

Tidewater

Accomack	001	Chesapeake	550
Charles City	036	Franklin City	620
Essex	057	Hampton	650
Gloucester	073	Hopewell	670
Greensville/Emporia	081	Newport News	700
Isle of Wight	093	Norfolk	710
James City	095	Portsmouth	740
King George	099	Suffolk	800
King and Queen	097	Virginia Beach	810
King William	101	Williamsburg	830
Lancaster	103		
Mathews	115		
Middlesex	119		
New Kent	127		
Northampton	131		
Northumberland	133		
Prince George	149		
Richmond County	159		
Southampton	175		
Stafford	179		
Surry	181		
Sussex	183		
Westmoreland	193		

BENEFIT DETERMINATION/POINT VALUES DETERMINATION

The values below remain constant from year to year.

HOUSEHOLD SIZE

<u>No. of Persons</u>	<u>Points</u>
6 or more	15
3 to 5	12
1 to 2	9

HOUSEHOLD INCOME

<u>Income as % of Max Level</u>	<u>Points</u>
0 to 19	25
20 to 29	20
30 to 39	18
40 to 49	15
50 to 59	13
60 to 69	10
70 to 79	8
80 to 89	5
90 to 94	3
95 to 100	1

Income levels based on 130% of the Poverty Income Guidelines are determined. The computer calculates the percentage of the maximum income level for the household's income to determine the point assignment.

CLIMATE ZONES

<u>Zone</u>	<u>Points</u>
Central Mountain	20
Southwestern Mountain	18
Northern	16
Western Piedmont	13
Eastern Piedmont	12
Tidewater	8

VULNERABILITY

<u>Condition</u>	<u>Points</u>
Elderly	20
Disabled	15
Child under 6	12

Points are not cumulative, but are assigned by the system for the one condition present in the household with the highest point value.

LIVING ARRANGEMENTS

Living arrangement codes A, C, E, G, and P have a point value of 20.

PRIMARY FUEL

The point value for primary fuel changes on a yearly basis. An annual survey of vendors is conducted to determine the current price per fuel type. Consumption data is obtained from a Cost and Consumption study conducted by Virginia Tech. Costs are then calculated and ranked in order. The highest cost fuel type is assigned 20 points. All other fuel types are assigned points based on the cost of the fuel type as a percentage of all fuel costs.

ENERGY BURDEN

The average fuel cost obtained from the annual survey will be divided by the income of the household to determine the household's energy burden. The point assignment based on percentage of energy burden, is as follows:

<u>Percentage</u>	<u>Points</u>
0 - 19	0
20 - 29	5
30 - 39	8
40 - 49	10
50 - 69	13
70 - 79	18
80 - 89	20
90 - 94	24
95 - 100	25

Attachment II

VIRGINIA ENERGY ASSISTANCE PROGRAM VENDOR AGREEMENT

This agreement is subject to the provisions of the Commonwealth of Virginia's General Terms and Conditions and the Vendor's Manual and any revisions thereto, which are hereby incorporated into this agreement in their entirety. A copy of the manual is available for review on the Internet at www.dgs.state.va.us.

In consideration for timely payments and authorizations that will be provided by the Virginia Department of Social Services (VDSS), for households found eligible for assistance through the Virginia Energy Assistance Program, the vendor agrees to these terms and conditions.

Program Description

The Energy Assistance Program assists low-income households in meeting their immediate home energy needs. To be eligible, households must have a heating or cooling expense and gross monthly income may not exceed 130 percent of the federal poverty level. Applications for fuel, crisis, and cooling assistance are accepted at the local departments of social services. The Energy Assistance Program contracts for three components, Fuel Assistance, Crisis Assistance, and Cooling Assistance.

The Fuel Assistance component provides assistance to eligible customers for primary home heat. The primary home heat may be a deliverable fuel (oil, kerosene, or propane), electricity, natural gas, wood, or coal.

The Crisis Assistance component provides assistance to eligible customers for heating emergencies. Assistance includes a one-time only heat security deposit, purchase of one portable heater for temporary use, purchase of home heating fuel, payment of heat utility bill, payment for emergency shelter, and/or repair/purchase of heating equipment.

The Cooling Assistance component provides assistance to eligible customers for the purchase or repair of cooling equipment and/or payment for electricity to operate cooling equipment. Assistance includes self pick-up of one portable fan, purchase and installation of one room size window air conditioner, repair of one central air conditioning unit or heat pump, a once-per-lifetime payment of an electric security deposit, purchase and installation of one ceiling, attic, or whole house fan, repair of ceiling, attic, or whole house fan, payment of electric bill to operate cooling equipment, and self pick-up and self-installation of one room size window air conditioner.

DSS Responsibilities

1. Determine customer eligibility.
2. Provide authorization for deliveries and services.
3. Make payments to vendors within 20 days after receipt of billing.

Vendor Responsibilities

1. Will not discriminate against or adversely treat any eligible household in regard to terms and conditions of sale, credit, delivery, or service.
2. Will comply with all billing instructions and guidelines provided by VDSS for each component.

3. Will bill for deliveries made or service rendered up to amount displayed on the customer credit authorization. Any additional costs will be charged to the customer household as agreed upon by vendor and household.
4. Will provide Crisis Assistance deliveries/services within 48 hours of receipt of authorization, or within 18 hours of receipt of authorization if life-threatening.
5. Will provide Fuel Assistance deliveries in accordance with vendor's delivery schedule but not more than 7 days after receipt of authorization.
6. Will provide Cooling Assistance installations within 7 days of receipt of authorization.
7. Will install heating and cooling equipment in accordance with manufacturer's guidelines or industry standards, and secure building or mechanical permit when required.
8. Will sell and install only UL approved or UL approved and AGA certified equipment.
9. Will not install unvented heating equipment.
10. Will provide a minimum warranty for all installations and repairs: 30 days for labor, 1 year for parts, and 2 years for burner, heat exchanger/combustion system, firebox, and/or air conditioner compressor/sealed system.
11. To the extent permitted by law, agrees to indemnify, defend, and hold harmless the Commonwealth of Virginia, its officers, agents, and employees from any claims, damages and actions of any kind or nature, whether at law or in equity, arising from or caused by the use of any materials, goods, equipment or services of any kind or nature furnished by the Vendor, provided that such liability is not attributed to the sole negligence of the using agency or to failure of the using agency to use the materials, goods, or equipment in the manner already and permanently described by the Vendor on the materials, goods, or equipment delivered.
12. Is regarded as an independent contractor and not as an agent or employee of the Commonwealth of Virginia or the Purchasing Agent. The vendor is responsible for all its own insurance and federal, state, local, and social security taxes.
13. Will not charge State sales tax for fuel or services. State Sales and Use of Tax Certificate of Exemption, Form ST-12, will be issued upon request.
14. Will maintain adequate records to assure billing is in accordance with the Energy Assistance billing instructions, and will retain all Energy Assistance records for three years. If audit questions are raised, records will be kept until questions are resolved.
15. Will provide VDSS a copy of the Employer Identification Number document or Social Security card which was issued to the vendor and which displays the number used by the Internal Revenue Service as the vendor's tax identification number.
16. Will allow VDSS representatives access to all books and records relating to Energy Assistance households for the purpose of compliance verification with this agreement.
17. Will provide, at no cost to VDSS or the household, annual consumption and cost data for eligible households if requested by or on behalf of VDSS.
18. Will credit payments redirected to the Internal Revenue Service to the customer(s) account(s).
19. Will refund, by check or money order, to VDSS any overpayments or payments that are received in error.
20. Will maintain a drug-free workplace for its employees and will include provisions for same in every subcontract or purchase over \$10,000 during the performance of this agreement.

Dates of Service

This agreement begins upon return receipt and remains in effect until terminated by either vendor or VDSS. Termination notice must be in writing and termination becomes effective ten days from date of notice.

RETURN THIS PAGE TO: DSS – Energy Assistance Program
P. O. Box 630
Richmond VA 23218-0630

Fuel/Crisis/Cooling Supplier/Vendor Agreement
Virginia Energy Assistance Program
FAX (804)726-7358

Vendor Trade Name	Vendor Legal Name (as used on Business Federal Tax Return)		
Type of Entity <input type="checkbox"/> Individual/Sole Proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Government Entity	Taxpayer Identification Number (as used on Federal Tax Return) <input type="checkbox"/> Social Security Number (SSN) <input type="checkbox"/> Federal Employer ID Number (FEIN) <input type="checkbox"/> Taxpayer Individual Number (TIN) Taxpayer Identification		
Primary Contact Name	Primary Telephone ()	Fax ()	E-mail
Primary Mailing Address (Street or PO Box)	City	State	Zip
Payment/Check Contact Name , if different from above	Payment/Check Telephone , if different from above ()		
Payment/Check Address (Street or PO), if different	City	State	Zip

- Services Provided** (Check all your company will do)
- | | | |
|--|--|--|
| FUEL ASSISTANCE | CRISIS ASSISTANCE | <input type="checkbox"/> Sale of Portable Space Heater |
| <input type="checkbox"/> Propane <input type="checkbox"/> Dyed Kero <input type="checkbox"/> Electricity | <input type="checkbox"/> Emergency Fuel Delivery | <input type="checkbox"/> Sale and Installation of Heating/Supplemental Equipment |
| <input type="checkbox"/> Fuel Oil <input type="checkbox"/> Clear Kero <input type="checkbox"/> Natural Gas | <input type="checkbox"/> Emergency Lodging | <input type="checkbox"/> Repair of Heating Equipment |
| | <input type="checkbox"/> Security Deposit Option | <input type="checkbox"/> Security Deposit |
| COOLING ASSISTANCE | <input type="checkbox"/> Sale/Installation of Fan | <input type="checkbox"/> Security Deposit |
| <input type="checkbox"/> Sale/Installation of Window AC | <input type="checkbox"/> Repair of Installed Fan | <input type="checkbox"/> Electric Utility |
| <input type="checkbox"/> Repair of Window AC | <input type="checkbox"/> Sale of Fan/No Installation | <input type="checkbox"/> Security Deposit Option |
| <input type="checkbox"/> Sale of Window AC/No Installation | | <input type="checkbox"/> Repair of Central AC or Heat Pump |

Areas Served (Please circle all that your company will serve).
Counties of:

- | | | | |
|------------------|--------------------|---------------------|----------------------|
| 001 Accomack | 075 Goochland | 149 Prince George | 560 Clifton Forge |
| 003 Albemarle | 077 Grayson | 153 Prince William | 570 Colonial Heights |
| 005 Allegheny | 079 Greene | 155 Pulaski | 580 Covington |
| 007 Amelia | 081 Greensville | 157 Rappahannock | 590 Danville |
| 009 Amherst | 083 Halifax | 159 Richmond Co. | 595 Emporia |
| 011 Appomattox | 085 Hanover | 161 Roanoke Co. | 600 Fairfax |
| 013 Arlington | 087 Henrico | 163 Rockbridge | 610 Falls Church |
| 015 Augusta | 089 Henry | 165 Rockingham | 620 Franklin |
| 017 Bath | 091 Highland | 167 Russell | 630 Fredericksburg |
| 019 Bedford Co. | 093 Isle of Wight | 169 Scott | 640 Galax |
| 021 Bland | 095 James City Co. | 171 Shenandoah | 650 Hampton |
| 023 Botetourt | 097 King and Queen | 173 Smyth | 660 Harrisonburg |
| 025 Brunswick | 099 King George | 175 Southampton | 670 Hopewell |
| 027 Buchanan | 101 King William | 177 Spotsylvania | 678 Lexington |
| 029 Buckingham | 103 Lancaster | 179 Stafford | 680 Lynchburg |
| 031 Campbell | 105 Lee | 181 Surry | 683 Manassas |
| 033 Caroline | 107 Loudoun | 183 Sussex | 685 Manassas Park |
| 035 Carroll | 109 Louisa | 185 Tazewell | 690 Martinsville |
| 036 Charles City | 111 Lunenburg | 187 Warren | 700 Newport News |
| 037 Charlotte | 113 Madison | 191 Washington | 710 Norfolk |
| 041 Chesterfield | 115 Mathews | 193 Westmoreland | 720 Norton |
| 043 Clarke | 117 Mecklenburg | 195 Wise | 730 Petersburg |
| 045 Craig | 119 Middlesex | 197 Wythe | 735 Poquoson |
| 047 Culpeper | 121 Montgomery | 199 York | 740 Portsmouth |
| 049 Cumberland | 125 Nelson | | 750 Radford |
| 051 Dickenson | 127 New Kent | Cities of: | 760 Richmond |
| 053 Dinwiddie | 131 Northampton | 510 Alexandria | 770 Roanoke |
| 057 Essex | 133 Northumberland | 515 Bedford | 775 Salem |
| 059 Fairfax | 135 Nottoway | 520 Bristol | 790 Staunton |
| 061 Fauquier | 137 Orange | 530 Buena Vista | 800 Suffolk |
| 063 Floyd | 139 Page | 540 Charlottesville | 810 Virginia Beach |
| 065 Fluvanna | 141 Patrick | 550 Chesapeake | 820 Waynesboro |
| 067 Franklin Co. | 143 Pittsylvania | | 830 Williamsburg |
| 069 Frederick | 145 Powhatan | | 840 Winchester |
| 071 Giles | 147 Price Edward | | |
| 073 Gloucester | | | |

Fuel/Crisis/Cooling Supplier/Authorized Vendor Signature

Date

Certifications

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature



Title

Director, Division of Benefit Programs

Organization

Virginia Department of Social Services

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS (PRIMARY)

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

**Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary
Covered Transactions**

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).

7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about --

1. The dangers of drug abuse in the workplace;
2. The grantee's policy of maintaining a drug-free workplace;
3. Any available drug counseling, rehabilitation, and employee assistance programs; and
4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --

1. Abide by the terms of the statement; and
2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted --

1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

801 East Main Street

Richmond, Virginia, 23219

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

Delegation of Authority Letters



COMMONWEALTH of VIRGINIA

Office of the Governor

Robert F. McDonnell
Governor

August 23, 2010

Mr. Nick St. Angelo, Director
Division of Energy Assistance
Office of Community Services/ACF/HHS
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

Dear Mr. St. Angelo:

I hereby designate the Honorable William A. Hazel, Jr. M.D., Secretary of Health and Human Resources as the individual responsible for certification of assurances related to the Low Income Home Energy Assistance Program (LIHEAP) grant request made by the Virginia Department of Social Services.

Secretary Hazel will also be responsible for delegating certification of assurances and responsibility for the administration of the grant, as permitted by federal law.

Questions regarding the certification or administration of the grant should be directed to Secretary Hazel at the following address:

The Honorable William A. Hazel Jr., M.D.
Secretary of Health and Human Resources
Post Office Box 1475
Richmond, Virginia 23218

I reserve the right to amend or withdraw this designation at any time.

Sincerely,


Robert F. McDonnell

RFM:alg



COMMONWEALTH of VIRGINIA

Office of the Governor

William A. Hazel, Jr., MD
Secretary of Health and Human Resources

July 3, 2013

Ms. Lauren Christopher, Energy Program Operations Branch Chief
Division of Energy Assistance
Office of Community Services/ACF/HHS
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

Dear Ms. Christopher:

As the Secretary of Health and Human Resources, I am delegating authority to sign assurances and to administer the Low Income Home Energy Assistance Program (LIHEAP) grant to the Commissioner of the Virginia Department of Social Services.

The Commissioner may delegate responsibility for certification of assurances and administration of the grant, as permitted by federal law.

Questions regarding the assurances or the administration of the grant may be directed to the Commissioner at the following address:

Virginia Department of Social Services
801 East Main Street
Richmond, Virginia 23219

I reserve the right to amend or withdraw this designation at any time.

Sincerely,

A handwritten signature in cursive script, appearing to read "William A. Hazel Jr. MD".

William A. Hazel Jr., M.D.

WAH:tds



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

July 16, 2013

Ms. Lauren Christopher, Energy Program Operations Branch Chief
Division of Energy Assistance
Office of Community Services/ACF/HHS
370 L'Enfant Promenade, S.W.
Washington, DC 20447

Dear Ms. Christopher:

The Governor delegated responsibility for certification of assurances and administration of the Low-income Home Energy Assistance Program to Virginia's Secretary of Health and Human Resources. The Secretary of Health and Human Resources delegated this authority to the Commissioner of the Virginia Department of Social Services.

The Commissioner may delegate responsibility for the certification of assurances and administration of this grant as permitted by federal law. Therefore, I am delegating responsibility to the Director of the Division of Benefit Programs.

I reserve the right to amend or withdraw this designation at anytime. If you have any further questions, you may contact Andrea Gregg, Energy Assistance Program Manager, at (804) 726-7368.

Sincerely,

A handwritten signature in black ink, appearing to read "Margaret Ross Schultze".

Margaret Ross Schultze
Commissioner

MRS: tds