

Item 10



Travis County Commissioners Court Agenda Request

Meeting Date: December 11, 2012

Prepared By/Phone Number: David A. Salazar 854-4107

Elected/Appointed Official/Dept. Head: Sherri E. Fleming,
County Executive for Health and Human Services and Veterans Service

Commissioners Court Sponsor: Judge Samuel T. Biscoe

AGENDA LANGUAGE:

Consider and Take Appropriate Action to Authorize the County Executive of Travis County Health and Human Services and Veterans Service (HHS&VS) to sign the Comprehensive Energy Assistance Program (CEAP) Vendor Agreement.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

Staff requests that the Court grant signature authority to the Travis County HHS&VS' County Executive for the proposed CEAP Vendor Agreement. The form is an administrative requirement from the Texas Department of Housing and Community Affairs for the utility vendors receiving CEAP assistance.

This agreement contains provisions outlining the utility vendor's responsibilities, such as accepting assistance pledges, not discriminating against the client, not interrupting the utility service for the client and accepting the payment of the pledge within 45 days from the pledge date. Travis County is also requested to provide the assistance payment to the vendor within 45 days from the pledge date, determine if the client is a certified customer of the vendor, and provide the utility vendor with a list of Travis County staff that is designated to make pledges for the clients. This form is routinely signed by the appropriate vendor's authorized staff person; in this case that staff person would be the HHSVS County Executive. The completed forms are effective for a two-year time period and are maintained within HHS&VS for monitoring reviews.

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to the County Judge's office, agenda@co.travis.tx.us by **Tuesdays at 5:00 p.m.** for the next week's meeting.

STAFF RECOMMENDATIONS:

Staff recommends that the Court authorize the County Executive to sign the proposed vendor agreement.

ISSUES AND OPPORTUNITIES:

Travis County utilizes CEAP funds for direct service assistance, administrative costs, case management costs and direct services support or outreach. Travis County's Health and Human Services & Veterans Service administers the grant-funded CEAP program which has provided great value and support to the community for the past seventeen years. The department coordinates its efforts with community resources such as faith-based organizations and other local agencies providing services to low-income residents of Travis County to ensure residents will attain the assistance they are seeking.

Within the present program year, Travis County has assisted over 1,600 households in Travis County. The operation of this grant allows the department to provide assistance to clients experiencing energy-related hardships and provide case management services to clients utilizing the co-payment and, in some instances, elderly/disabled components. The aim of such services, to assist clients in obtaining energy self-sufficiency, is consistent with the goal of the Travis County Health and Human Services and Veterans Service.

FISCAL IMPACT AND SOURCE OF FUNDING:

This is an administrative requirement and is needed to maintain compliance with the funding source. This has no fiscal impact on the grant award.

REQUIRED AUTHORIZATIONS:

Mary Etta Gerhardt, Assistant County Attorney
Leslie Browder, County Executive, Planning and Budget Office
Diana Ramirez, Budget Analyst Sr., Planning and Budget Office
Nicki Riley, CPA, Travis County Auditor
Jose Palacios, Chief Assistant County Auditor
Michelle Gable, Auditor Analyst II, County Auditor's Office
Cyd Grimes, C.P.M., CPPO, Travis County Purchasing Agent
Jim Lehrman, Social Services Director, Family Support Services

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**TRAVIS COUNTY HEALTH and HUMAN SERVICES
and VETERANS SERVICE**

100 North I.H. 35
P. O. Box 1748
Austin, Texas 78767

Sherri E. Fleming
County Executive
(512) 854-4100
Fax (512) 854-4115

DATE: December 3, 2012

TO: MEMBERS OF THE COMMISSIONERS COURT

FROM: 
Sherri E. Fleming, County Executive
Travis County Health and Human Services and Veterans Service

SUBJECT: Acceptance of signature authority of Comprehensive Energy Assistance Program (CEAP) Vendor Agreement

Proposed Motion: Consider and take appropriate action to have the HHSVS County Executive be the signature authority for the CEAP Vendor Agreement.

Summary and Staff Recommendation: Staff requests the acceptance to have the HHSVS County Executive be the signature authority on the CEAP Vendor Agreement. The form is an administrative requirement from the Texas Department of Housing and Community Affairs for the utility vendors receiving CEAP assistance. This agreement has requests that the utility vendor is to uphold such as accepting assistance pledges, not discriminating against the client, not interrupting the utility service for the client and accepting the payment of the pledge within 45 days from the pledge date. Travis County is also requested to provide the assistance payment to the vendor within 45 days from the pledge date, determine if the client is a certified customer of the vendor, and provide the utility vendor with a list of Travis County staff that is designated to make pledges for the clients. The form is signed by the appropriate vendor's staff person and the department requests the authorized staff person for Travis County be the HHSVS County Executive. The completed forms are effective for a two year time period and are maintained within HHSVS for monitoring reviews.

Budgetary and Fiscal Impact: This is an administrative requirement and is needed to maintain compliance with the funding source. This has no fiscal impact on the grant award.

Issues and Opportunities: We utilize CEAP funds for direct service assistance, administrative costs, case management costs and direct services support or outreach. The Health and Human Services & Veterans Service department has provided the CEAP program and its great value to the community for the past seventeen years. The department coordinates its efforts with community resources such as faith-based organizations and other local agencies providing services to low-income residents of Travis County to ensure residents will attain the assistance they are seeking.

Within the present program year, we were able to assist more than 1,600 households within Travis County. The operation of this grant allows our department the ability to provide assistance to clients who are experiencing an energy-related hardship, and provide case management services to clients utilizing the co-payment and in some instances the elderly/disabled components. The aim of such services, to assist clients in obtaining energy self-sufficiency, is consistent with the goal of the Travis County Health and Human Services and Veterans Service department.

cc: Leslie Browder, County Executive, Planning and Budget Office
Diana Ramirez, Budget Analyst Sr., Planning and Budget Office
Nicki Riley, CPA, Travis County Auditor
Jose Palacios, Chief Assistant County Auditor
Michelle Gable, Auditor Analyst II, County Auditors Office
Cyd Grimes, C.P.M., CPPO, Travis County Purchasing Agent
Mary Etta Gerhardt, Assistant County Attorney
Jim Lehrman, Social Services Director, Family Support Services



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**VENDOR AGREEMENT
COMPREHENSIVE ENERGY ASSISTANCE PROGRAM**

The purpose of the Comprehensive Energy Assistance Program (CEAP) funded from the Low-Income Home Energy Assistance Program (LIHEAP) grant is to maintain an energy supply to heat and cool the residences of eligible low-income clients.

The Energy Services provider, (or "Vendor,") agrees to honor the purpose of the CEAP grant and to accept pledges of payment from CEAP agencies only for certified customers to whom Vendor continues to provide energy services. The Energy Assistance Provider, (or "Agency",) agrees to make payments only for eligible low-income clients.

This vendor agreement is by and between:

Travis County through

Travis County Health and Human Services and Veterans Service and

Energy Assistance Provider (Agency)

(Vendor)

Vendor and Agency agree to assist customers in the following counties: TRAVIS

This agreement shall be effective from the 1st day of January, 2013 for a period not to exceed two years from the effective date. Either party may terminate this agreement by written notice. Such written notice of termination shall not affect any obligation by either party incurred prior to the receipt of such notice. Notice shall be sent via certified mail with return receipt requested.

(Vendor Name)

(Vendor Mailing Address)



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Travis County through
Travis County Health and Human Services and Veterans Service
(Agency Name)

P. O. Box 1748; Austin, TX 78767
(Agency Mailing Address)

The Agency named above represents and warrants to Vendor that it is a subrecipient of the Texas Department of Housing and Community Affairs ("TDHCA") and as such is authorized and has received funding from the TDHCA to provide bill payment assistance service for eligible low-income households.

The Vendor named above represents and warrants that it is authorized to receive payments from Agency on behalf of a customer that the Agency has determined to be eligible under the CEAP guidelines and such is a "Certified Customer".

Vendor will, with reference to a Certified Customer:

- Extend the CEAP applicant's energy service for up to five (5) business days while the Agency determines whether the CEAP applicant is eligible pursuant to the CEAP guidelines
- Upon accepting pledge from Agency for Certified Customer, continue or restore energy service to Certified Customer without any increase in charges, service charges or other charges affecting the total cost of the bill;
- In the event the full past due balance is not paid by the Agency, the Certified Customer must pay the remaining balance on or before the disconnect date stated in the customer's Disconnect Notice required by PUCT regulations in order to avoid disconnection or be eligible for reconnection. Nothing in this agreement requires the Vendor to reconnect the customer upon receipt of a pledge that does not cover the full past due balance or if the customer has already been disconnected by the time the pledge is received by the vendor.
- Invoice the Certified Customer in accordance with Vendor's normal billing practices.
- Upon verbal or written request from Agency, provide at no cost to the Agency the Certified Customer's billing and usage history for previous twelve (12) months, or available history plus monthly estimates if less than 12 months of billing history and usage is available. Vendor will transmit such billing history via electronic mail or facsimile no later than the end of the next business day following the request.
- Work with Agency and Certified Customer to explore the feasibility of offering flexible payment arrangements that may include, without limitation, waiving security deposits, reconnect fees, application fees, and all other fees whenever possible;



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- Not discriminate against Certified Customer in price or services, including the availability of deferred payment plans, level or average payment plans, discount, budget, advance payment or other credit plans;
- Not refuse to provide energy service or otherwise discriminate in the marketing and provision of energy service to any Certified Customer because of race, creed, color, national origin, ancestry, sex, marital status, lawful source of income, level of income, disability, financial status, location of customer in an economically distressed geographic area, or qualification for low-income or energy-efficiency services;
- Allow Agency forty-five (45) days from the date of the pledge to forward payment to the vendor. Vendor agrees not to consider the portion of the Certified Customer's account to be paid by the Agency delinquent if said payment is received within the above mentioned forty-five (45) day period and Vendor is provided with a verbal or signed pledge from the Agency within 5 days of identifying a Certified Customer.
- Not interrupt service if Certified Customer is eligible under PUCT regulations and enters into an agreement with the Vendor concerning how the Certified Customer will pay the balance owed Vendor and the Certified Customer is meeting the obligation under such agreement.

The Agency will:

- Not provide pledges on behalf of a Certified Customer to Vendor without having adequate funds to pay such pledge;
- Pay pledges within forty-five (45) days of making pledge to Vendor.
- Determine if a customer is a Certified Customer within five (5) days of contacting Vendor.
- Provide Vendor a list of names, telephone numbers and e-mail addresses of Agency staff designated to make pledges on behalf of the Agency and Certified Clients, if requested from Vendor.

The terms of any confidential transaction under this agreement or any other information exchanged by the Agency and Vendor relating to any transaction shall not be disclosed to any person not employed or retained by the Agency or Vendor, their affiliates, or brokers, except to the extent disclosure is 1) required by law; 2) necessary to disclose to the other party in connection with a dispute between the parties; 3) otherwise permitted by written consent of the other party; 4) required by guarantors to be disclosed; 5) information which must be disclosed to a third party to transmit energy; 6) to meet reliability council, regulatory, administrative, judicial, governmental, or regulated commodity exchange requirements where necessary; or 7) of information which was or is hereafter in the public domain (except by breach of this Agreement.)



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Authorized Vendor Signature

Date

Typed Name of Authorized Signature

Title

Vendor (Area Code) Telephone Number

Vendor Email Address

Authorized Agency Signature

Date

Sherri E. Fleming

County Executive

Typed Name of Authorized Signature

Title

512-854-4100

Agency (Area Code) Telephone Number