AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: MOU; Energy Outreach CO

Action Requested:

Parties to the Agreement: Energy Outreach Colorado

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Utility Assistance, offered an MOU this year instead of a grant application

Fiscal Impact: $31500

Submitted by: Elizabeth Holena **Submitter's Email Address:** elizabeth.holena@state.co.us

Finance Review: (●) Required ( ) Not Required

Comments:
No concerns, included in the 2020 adopted budget. ln

Reviewed by: GUNCOUNTY1\lNienhueser Discharge Date: 6/25/2020

County Attorney Review: (●) Required ( ) Not Required

Comments:
ok db 7/1/20

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 7/1/2020 Certificate of Insurance Required Yes ( ) No (●)

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\emense Discharge Date: 7/2/2020

(●) Consent Agenda ( ) Regular Agenda ( ) Worksession Time Allotted: 0

Agenda Date: 7/7/2020

Revised April 2015

ENERGY OUTREACH COLORADO

Checklist for 2020-2021 Bill Payment Assistance Memorandum of Understanding (MOU)

Agency Name: Gunnison County Department of Health and Human Services

MOU Contact: Elizabeth Holena

Contact Phone: 970-642-4665

Contact Email: elizabeth.holena@state.co.us

MOU

- [x] Signed MOU

Financial Attachments

- [ ] Year-end financial statements (government entities exempt)
- [x] Certification of Financial Soundness Form
- [ ] Explanation of Financial Position (if applicable)

Other Attachments

- [x] Program Liaison Form (if applicable)
- [ ] Database Access Request Forms (if applicable)

Funding Request Summary

Assistance Funds Requested	$30,000
Administrative Funds Requested	$1,500
Total Funding Request	$31,500

MEMORANDUM OF UNDERSTANDING

BETWEEN

ENERGY OUTREACH COLORADO

AND

Gunnison/Hinsdale County DHS

This Memorandum of Understanding (MOU) sets forth terms and understanding between Energy Outreach Colorado (EOC) and Gunnison/Hinsdale County DHS (hereby referred to as "the AGENCY") to implement Energy Outreach Colorado's Bill Payment Assistance program.

Purpose

To streamline the delivery of Bill Payment Assistance funding to the Agency and enhance participant access to wraparound energy affordability services. The program will be implemented by undertaking the following responsibilities. These responsibilities have been outlined in order for the Agency and EOC to carry out this proposal based on mutually agreed upon expectations.

EOC's Responsibilities

- Allocate Bill Payment Assistance funding to the Agency, based upon projected need in the community, agency capacity and funding availability.
- Provide an additional 5% of the assistance total to help defray administrative costs of implementing the program.
- Conduct orientation and training for Agency staff on program delivery and best practices.
- Provide additional follow-up, support, and technical assistance to the Agency's staff and/or volunteers *(as needed).*
- Supply educational and promotional materials on energy behavior change and affordability options to be distributed to program participants.
- Pay client applications submitted by Agency staff via the energy assistance portal in a timely manner and resolve any issues with vendors that may arise regarding those payments.
- Respond to Agency questions and concerns efficiently and effectively.
- Conduct periodic programmatic audits of and visits to the Agency for the purpose of quality assurance, fiscal responsibility and improvement.

The Agency's Responsibilities

- Use grant funds to supplement and extend existing resources and to provide only Bill Payment Assistance.
- Participate in programmatic audits and visits, as requested by EOC.

- **Certification of Financial Soundness Form.** Signed by Executive Director, Chief Financial Officer or Chair, Vice Chair, Secretary or Treasurer of the Board. (See attachment.)
- **Explanation of Financial Position (if applicable).** See Certification of Financial Soundness form for more details.

Funding Distribution

The Bill Payment Assistance program year runs from October 1 through September 30 with administration funds distributed on a quarterly basis in October, January, April, and July. Assistance funds will be distributed in the energy assistance data platform according to the same schedule, based on percentages requested by the Agency (subject to EOC approval). Agencies may not pre-spend future quarters' allocations. Any funds remaining at the end of the quarter may be carried over to the next quarter, except for the fourth quarter. It is expected that all allocated funds are spent to be best ability of the Agency, however any funds remaining at the end of the fourth quarter will revert to EOC. All assistance funds to utilities and fuel vendors will be disbursed by EOC on behalf of program participants.

Funding Restrictions

Energy Outreach Colorado funds may not be used for:

- Federal, state or local electioneering and support of such entities as campaign organizations and political action committees.
- Direct lobbying of the US Congress or state legislatures to influence legislation.
- Grassroots lobbying concerning either federal or state legislation.
- Lobbying of the Executive Branch in connection with decisions to sign or veto enrolled legislation.
- Efforts to utilize state and local officials to lobby Congress or state legislatures.

Indemnity

EOC shall not be responsible in the event of any dispute between program participants or prospective participants and the Agency and indemnifies and holds EOC harmless from any liability (including attorney fees) arising out of this partnership, any activities conducted by the Agency and any claims by any applicant.

Duration

This MOU is at-will and may be modified by mutual consent of authorized officials from EOC and the Agency. This MOU shall become effective upon signature by the authorized officials from the list of partners below and will remain in effect until modified or terminated by any one of the partners by mutual consent. In the absence of mutual agreement by the authorized officials from EOC & the Agency, this MOU shall end on 9/30/2025 with the future potential of extension. This agreement is contingent upon timely submission and successful review of all financial documentation requested by EOC staff.

ENERGY OUTREACH COLORADO

Certification of Financial Soundness

Energy Outreach Colorado strives to be the best steward possible of the funds it raises to ensure that low-income Coloradans can meet their home energy needs. In order to do so, we must be confident that our agency partners are financially sound. If there are any issues either within a formal audit or the agency's financial statements that might create the appearance of financial weakness, please disclose them and provide an explanation as to why this should not prevent Energy Outreach from awarding the Agency a Bill Payment Assistance funding. This information should be provided in a separate document entitled "Explanation of Financial Position". If the agency has received a management representation letter outlining material deficiencies, include a copy with the aforementioned document.

Agency Name: Gunnison County, Colorado

For Audited Agencies (select one)

- (●) I certify that the Agency does not have a management representation letter issued by its external audit firm following its most recent year-end audit, which identifies significant deficiencies and/or material weaknesses.
- ( ) The agency has received a management representation letter, which identifies significant deficiencies and/or material weaknesses, a copy of which is enclosed. Also enclosed is the "Explanation of Financial Position" referenced above.

For Non-Audited Agencies (select one)

- ( ) I certify that the Agency's financial statements do not indicate or create the appearance of significant deficiencies and/or material weaknesses.
- ( ) The Agency's financial statements indicate or create the appearance of significant deficiencies and/or material weaknesses. Enclosed is the "Explanation of Financial Position" referenced above.

Linda Nienhueser Digitally signed by Linda Nienhueser DN: cn=Linda Nienhueser, o=Gunnison County, ou=Administration, email=lnienhueser@gunnisoncounty.org, c=US Date: 2020.06.23 16:27:58 -06'00'

Authorized Representative Signature*

Finance Director

Title

Linda Nienhueser

Printed Name

6/23/2020

Date

**Authorized representatives include Executive Director, Chief Financial Officer or Chair, Vice Chair, Secretary or Treasurer of the Board.*

Revised 5/31/20

ENERGY OUTREACH COLORADO

Bill Payment Assistance Program Liaison

Energy Outreach Colorado (EOC) requires each agency awarded a Bill Payment Assistance funding to designate a Program Liaison. This person should be an agency staff member who administers the EOC program or directly oversees its administration. The liaison does not need to be a manager and, in most cases, it is most effective if someone other than the executive director fulfills this function. The Program Liaison is expected to:

- Serve as the agency's in-house expert on the Bill Payment Assistance program, its administration and database.
- Respond to caseworker questions on program administration and the database.
- Attend annual Training and Orientation.
- Communicate with EOC regarding issues and questions that cannot be resolved internally.
- Be responsive to program-related communications.
- Read and understand the Program Administration Requirements prior to using the database and administering the EOC program and confirm that all caseworkers have done so as well.
- Understand how to use the Energy Assistance Database regardless of whether (s)he uses it for entering client applications or other purposes on a regular basis.
- Ensure timely and accurate data entry of online client applications as well as Utility Payments (if applicable).
- Ensure that all database users complete and sign the Energy Assistance Database Access Request form. A copy must be submitted to EOC via email or fax and the hard copy should be retained with the agency's program files.
- Inform EOC immediately of any program-related staff changes. This includes changes at the Executive Director and program levels. In the event that the Program Liaison leaves the agency or no longer works on EOC, a new liaison must be designated and a new Program Liaison form must be submitted to alert EOC of the change.
- Alert EOC in advance of change of address.

Organization: Gunnison County Department of Health and Human Services

Executive Director: Joni Reynolds

Program Liaison: Elizabeth Holena

Job Title: Manager

Phone Number: 9706424665

Email: elizabeth.holena@state.co.us

Elizabeth Holena Digitally signed by Elizabeth Holena Date: 2020.06.23 09:02:31 -06'00'

Program Liaison Signature

06/24/2020

Date

Joni Reynolds Digitally signed by Joni Reynolds DN: cn=Joni Reynolds, o=Gunnison County Health & Human Services, ou, email=jreynolds@gunnisoncounty.org, c=US Date: 2020.06.24 08:30:44 -06'00'

Executive Director Signature

06/24/2020

Date

Revised 5/31/20