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October 20, 2023

Mr. Gavin Reid
Manager of Planning - Community Affairs Division
T.D.H.C.A.
221 East 11th Street
Austin, Texas 78711-3941

Re: Appeal on Letter of Non-Recommendation for Request for Applications to administer the Bipartisan Infrastructure Law Department of Energy Weatherization Assistance Program

Dear Mr. Reid:

As per your letter dated October 19, 2023, regarding the Department's notification that our application to administer the above-referenced program, on behalf of AYUDA, I am submitting this letter as formal notification that I wish to exercise my rights to appeal. Specifically, I am challenging staff decision, per 10 TAC Part 1, Chapter 1, Subchapter A, Rule §1.7, "Disagreement with the determination of staff regarding the sufficiency or appropriateness of documents submitted to satisfy evidence of a given threshold or scoring criteria, including the calculation of any scoring-based items."

Your letter states: "AYUDA's application will not be recommended for an award due to the application's failure to demonstrate the following as stated under "Scoring of Applications" in the Request for Applications:

- 1) An ability to demonstrate staff and organizational capacity to deliver the proposed services; and;
- 2) An ability to demonstrate positive past performance with DOE WAP."

We identify the following as our grounds for the Appeal of our Application:

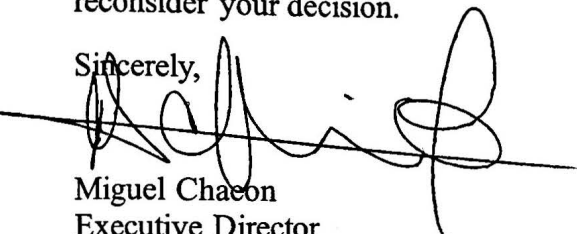
1) AYUDA is not denying staff experience specifically with the Weatherization Assistance Program. However, AYUDA staff is thoroughly familiar with weatherization requirements and interventions due to its experience with our other housing programs, i.e., TDHCA's HOME Program and Amy Young Barrier Removal Program, HUD's Older Adult Housing Assistance Program and the Texas Veteran's Commission's Housing for Texas Heroes Program. Also, staff has attended various trainings regarding weatherization and incorporates these features into its housing rehabilitation programs.



2) Additionally, our application included a resume of an experienced and qualified individual ready and willing to join our staff to administer the program that would provide additional organizational capacity to deliver the proposed services.

It is our understanding that the purpose of the Bilateral Infrastructure Law Weatherization Assistance Program is to increase the energy efficiency number of multi-family units, shelters and depending on funding occupied units of low-income households that are not being served by TDHCA's current providers due to funding and/or capacity issues. In our Region, the current provider, Project BRAVO, chose not to seek BILWAP funds. Recognizing the urgent and critical need for additional WAP services, the tremendous inroads AYUDA has made in interacting with residents and stakeholders, and our past positive experiences with TDHCA programs, we submitted this application to assure that the areas we designated would not lose out on this opportunity. For these reasons, we are appealing your decision in the hopes that you will reconsider your decision.

Sincerely,



Miguel Chacon
Executive Director