



**Department of Energy**  
Washington, DC 20585

**WEATHERIZATION PROGRAM NOTICE BIL 23-4**

**ISSUE DATE: March 9, 2023**

**EFFECTIVE DATE: April 1, 2023**

**SUBJECT:** Department of Energy Monitoring of Bipartisan Infrastructure Law in the Weatherization Assistance Program

**INTENDED AUDIENCE:** WAP Grantee Program Managers, WAP Grantee Technical Monitors, WAP Subgrantee Program Managers/Coordinators, WAP Subgrantee Technical Monitors, WAP Auditors, WAP Quality Control Inspectors

**PURPOSE:** Provides updates to the Department of Energy's (DOE) Weatherization Assistance Program (WAP) monitoring activities with the implementation of the Bipartisan Infrastructure Law (BIL) grants.

**RELATED GUIDANCE:** Weatherization Assistance Program Monitoring Procedures (currently, [Weatherization Program Notice \(WPN\) 20-4](#)), BIL Grants for the Weatherization Assistance Program ([BIL WPN 22-1](#))

**SCOPE:** The provisions of this WPN apply to all WAP Grantees applying for financial assistance under the WAP.

**LEGAL AUTHORITY:** Title IV, Energy Conservation and Production Act (ECPA), as amended, authorizes the Department to administer the WAP (42 U.S.C. § 6861, et. seq.). All grant awards made under this Program shall comply with applicable law and regulations including, but not limited to, the WAP regulations contained in the Code of Federal Regulations (CFR) at [10 CFR 440](#), DOE Financial Assistance Rules at [2 CFR 200](#), and the Bipartisan Infrastructure Law (Infrastructure Investment and Jobs Act), [Public Law 117-58](#).

**BACKGROUND:** On November 15, 2021, the President signed into law the Infrastructure Investment and Jobs Act (Public Law 117-58), also referred to as the BIL, which provides \$3.5 billion in funding for WAP.

With the addition of the BIL grants and an increase in production and funds used, it remains critically important that WAP funds be used cost-effectively and in accordance with existing WPNs, rules, and regulations.

Monitoring is one of the key activities to ensure oversight of the public investment under BIL to prevent waste, fraud, and abuse. To safeguard the public trust, WAP monitoring has evolved since the American Recovery and Reinvestment Act (Recovery). DOE implemented the Quality Work Plan which includes the following elements:

- Definition of Work Quality Guidelines and Standards
  - All measures and incidental repairs performed must meet the specifications, objectives and desired outcomes outlined in the Standard Work Specifications for Home Energy Upgrades (SWS).
- Communication of Guidelines and Standards
  - Grantees must provide Subgrantees and/or contractors with the technical requirements for field work including energy audits/testing, installation of energy conservation measures, health and safety and incidental repairs measures, and final inspections.
- Inspection and Monitoring of Work Using Guidelines and Standards
  - Every unit reported as complete must receive a Final Inspection which has been completed by or attested to by a certified Quality Control Inspector documenting that all work meets the minimum specifications outlined in the Grantees approved field guide.
  - Grantees must complete program monitoring of their Subgrantee network including a minimum of 5-10% of units completed for each Subgrantee.
- Provide Training to Implement and Maintain Guidelines/Standards
  - Grantee training plans must include comprehensive training for all WAP field workers that is aligned with the National Renewable Energy Laboratories Job Task Analysis for the position in which the field worker is employed.

**GUIDANCE:** DOE will continue to monitor Grantee required activities, project accomplishments, policies and procedures, management and financial control systems using the following monitoring activities as detailed in [WPN 20-4](#).


The following guidelines are updates/increases/changes that are specific to the WAP BIL grants and will be used and modified as needed based on the annual risk assessment, open or in-process monitoring action items, and/or assessments and issues experienced by each Grantee:

- **Annual Monitoring Frequency**
  - High Risk Grantees: Up to two Onsite Monitoring visits; Up to two Specialized Desktop Monitoring; Quarterly Desktop Monitoring; monthly calls and if warranted biweekly calls.
  - Medium Risk Grantees: Up to two Onsite Monitoring visits; Up to one Specialized Desktop Monitoring; Quarterly Desktop Monitoring; monthly calls and if warranted biweekly calls.
  - Low Risk Grantees: Up to one Onsite Monitoring Visit; One Specialized Desktop Monitoring; Quarterly Desktop Monitoring; monthly calls and if warranted biweekly calls.
  - Ad-Hoc Based Monitoring: Throughout a fiscal year, Onsite or Specialized Desktop Monitoring may increase based upon observations from completed monitoring assessments, regularly provided oversight, and inquiries.
- **Average Cost Per Unit**
  - Ensuring that Grantees are complying with BIL specific Average Cost Per Unit requirements set forth in [WPN BIL 22-1](#).
- **Davis-Bacon and Related Acts**
  - Ensuring that Grantees and Subgrantees are complying with the requirement that BIL-funded weatherization work on multifamily buildings with not fewer than 5 units will be required to pay all laborers and mechanics engaged in the alteration or repair of those multifamily buildings (whether employed by a contractor or subcontractor) wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor.
- **Issuance of remaining 50% of BIL Grant**
  - Ensuring that Grantees are demonstrating progress in meeting expenditure goals, production targets, and reporting requirements which will allow for the processing of the remaining 50% of the BIL grant as described in [WPN BIL 22-1](#).
- **Technical Assistance**
  - Throughout a fiscal year, it may be determined that a Grantee needs additional technical assistance. DOE will provide in-depth technical assistance to address long-standing action items or critically urgent issues. This technical assistance is not considered official monitoring but can complement ongoing monitoring based on observations made during onsite and desktop monitoring.
- **Sustainable Energy Resources for Consumers (SERC)**
  - SERC Grants awarded with BIL funds will follow this monitoring process.

**CONCLUSION:** This program notice offers Grantees an overview of the different monitoring and technical assistance activities that will be implemented the duration of the BIL grants. With the implementation of changes since Recovery, and with the increased frequency, type of monitoring, and technical assistance offered under the BIL award period, we can ensure our goal of protecting taxpayer funds from waste, fraud, and abuse.

If you need additional information, please contact your respective DOE Project Officer.

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