

# State of Oregon

Oregon Housing and Community Services

## Request for Information (RFI) #4536

### Multifamily Mental Health Housing Program

Date of Issue: November 16, 2017

Closing Date: January 19, 2018

Point of Contact: Lisa Cimino, Procurement Specialist

[OHCS.contracts@Oregon.gov](mailto:OHCS.contracts@Oregon.gov)

#### Introduction

The State of Oregon acting by and through the Oregon Housing and Community Services (OHCS) issues this Request for Information (RFI) to solicit information from Respondents on the department's NOFA (Notice of Funding Availability) process as it pertains to affordable multifamily residential rental housing developments that function as supported housing or supportive housing for persons with a serious and persistent mental illness (SPMI) and/or a substance use disorder (SUD).

In 2015, OHCS received \$20 million from the legislature for the Mental Health Housing Program with direction to collaborate with the Oregon Health Authority (OHA) and receive input by a stakeholder group to develop program guidance. This program was designed for development of new units designated for persons with a SPMI and SUD, in need of supportive/supported units. Approximately \$10.7 million of the fund has been allocated, and a NOFA of approximately 2 million is currently under review to serve veterans with serious mental illness or substance use disorder. In 2017, the Oregon Legislature passed HB 3063 to establish the Housing for Mental Health Fund. No funds were allocated by the Legislature in 2017, but the remaining balance from the prior \$20 million fund may be available to seed the new fund, which will be advised by a legislatively designated stakeholder group.

This RFI may or may not result in a Request for Proposals (RFP). Responses provided to this RFI will be used only for general information purposes and will not be considered binding on any party. Responses provided to this RFI will also not have any impact on any current or future RFP selection process.

#### Background

Oregon's affordable housing crisis is now a long-standing statewide concern, and among the individuals and families most in need of housing are those with Serious and Persistent Mental Illness (SPMI) and/or a Substance use Disorders (SUD), who require housing along with an array of wrap-around supports and services to assist them to live as successful and contributing members of our communities. Currently in Oregon, the demand for affordable housing for those with a SPMI and SUD far exceeds the supply.

In addition, the State of Oregon, through Oregon Health Authority has reached an agreement with the U.S. Department of Justice to comply with Title II of the Americans with Disabilities Act, and better serve people with

a SPMI by helping them live as independently as possible and take advantage of supports on a voluntary basis (note: the agreement does not address the SUD population, only the SPMI population). This agreement is known as the Oregon Performance Plan (OPP), and it established the goal of 2,000 people with a SPMI housed in supported housing, in apartments where no more than 25 percent of the residents have SPMI. Currently, Oregon is not on track to meet this goal, with only 854 out of 1,154 supported housing slots filled. It is the goal of Oregon Health Authority and Oregon Housing and Community Services to identify future NOFA opportunities and program opportunities to help Oregon meet the OPP goals and better serve people with a SPMI.

Nationally, supportive and supported housing is a widely recognized means to address some forms of homelessness and is a dynamic field of research among community integration organizations. These service-enriched housing options involve cross-disciplinary and community-based services with family and friends serving as cooperative partners. For many populations, supportive/supported housing is a comprehensive solution – offering housing stability, providing help for illnesses and addictions thereby improving health outcomes, reducing the demands on disparate social services, and decreasing reliance on hospitals and other institutions.

Supportive/supported housing encompasses a range of approaches.

- Single sites such as apartment buildings where units are developed and designated as supported or supportive housing;
- Scattered sites where units are developed and designated as supported or supportive housing;
- Single site programs and scattered site programs or where participants can use rental assistance subsidies to obtain housing from a private landlord in any type of building (e.g., single family home, multi-family apartment building)

## Definitions

### **Person with a Serious and Persistent Mental Illness (SPMI)**

An individual must be diagnosed with a Serious and Persistent Mental Illness as defined in the most current version of the DSM diagnostic criteria (Diagnostic and Statistical Manual of Mental Disorders) for at least one of the following conditions, as a primary diagnosis for an adult age 18 or older:

- Schizophrenia and other psychotic disorders; or
- Major depressive disorder; or
- Bipolar disorder; or
- Anxiety disorders limited to Obsessive Compulsive Disorder (OCD) and Post Traumatic Stress Disorder (PTSD); or
- Schizotypal personality disorder; or
- Borderline personality disorder.

### **Person with a Substance Use Disorder**

An individual qualifying as a Person with a Substance Use Disorder has a recurrent use of alcohol and/or drugs that causes clinically and functionally significant impairment, such as health problems, disability, and failure to meet major responsibilities as work, school, or home. According to the most current version of the SUD, a diagnosis of substance use disorder is based on evidence of impaired control, social impairment, risky use, and pharmacological criteria.

For purposes of this program, OHCS and OHA are using the following definitions of supported housing and supportive housing:

### **Supported Housing for Individuals with a Serious and Persistent Mental Illness**

Permanent affordable housing that offers individuals with a SPMI independent housing integrated into the community in a private, secure setting. It must enable individuals with a SPMI to interact with individuals without disabilities to the fullest extent possible and with all the same rights and responsibilities of tenancy. Supported Housing services for individuals with a SPMI include the provision of evidence-based approaches and recognized best practices in mental health treatment available to tenants; including resident-involved planning. Participation in support services by residents must be voluntary and not a condition of occupancy. Supported Housing providers cannot reject individuals for placement due to medical needs or substance abuse history. Project buildings or complexes with four or more units, no more than 25% of the total units in any building or complex within the Project, or the Project in general, may be Supported Housing for tenants with a SPMI referred by OHA or its contractors - who shall make good faith, best efforts to facilitate the occupancy of those units by individuals with a SPMI. For Project buildings or complexes of two-three units, not more than one unit may be Supported Housing for tenants with a SPMI referred by OHA or its contractors - who shall make good faith, best efforts to facilitate the occupancy of those units by individuals with a SPMI. The remaining Project units are otherwise available to persons in conformance with Program Requirements, including Fair Housing and other laws. Except in the case of families, Supported Housing for individuals with a SPMI has no more than two people in an apartment or house, each with a private bedroom. Individuals may choose to live as housemates but individuals cannot be required to live together. Individuals maintain their own unit and visitors are not restricted.

### **Supported Housing for Individuals with a Substance Use Disorder**

Permanent affordable housing integrated within the community that enables individuals with a SUD to interact with individuals without a SUD in the community with the same rights and responsibilities of tenancy. Individuals with a SUD will participate in a program of Recovery with support services that include the use of evidence-based practices in substance use disorder treatment and recovery services including access to case managers and peer mentors. The provision of services for individuals with a SUD must support recovery and enable such residents to live independently with increased self-sufficiency. Individuals with a SUD maintain their own Supported Housing unit and visitors are not restricted. SUD Supported Housing providers must ensure that resident's with a SUD need for medication, both psychotropic and otherwise (including medication assisted treatment for substance use disorder), is not a basis for restricting occupancy and that they do not impede access to appropriate medication.

### **Supportive Housing for Individuals with a Serious and Persistent Mental Illness**

Single-site housing, either permanent or transitional, in which all or a majority of tenants who receive support services are individuals with a serious mental illness who live together in a single building or complex with or without on-site support services. Individuals with SPMI maintain their own unit and visitors are not restricted. Support services for individuals with a SPMI include the provision of evidence-based approaches and recognized best practices in mental health treatment available to tenants, including resident-involved planning. Individuals with a SPMI have the ability to engage freely in community activities and manage their own activities of daily living. Participation in support services by residents must be voluntary and not a condition of occupancy.

Supportive Housing may include housing serving individuals with a co-occurring condition or a population of individuals with multiple behavioral health and physical health conditions. Occupancy of Supportive Housing for individuals with a SPMI that is designated to be transitional is limited to no more than two years.

### **Supportive Housing for Individuals with a Substance Use Disorder**

Single-site housing, either permanent or transitional, in which all or a majority of tenants with a substance use disorder live together in a single building or complex with or without on-site support services. Individuals will participate in a program of recovery with support services that include the use of evidence-based practices in substance use disorder treatment and recovery services including access to case managers and peer mentors. The provision of support services must support recovery and self-sufficiency. Individuals maintain their own Supportive Housing unit and visitors are not restricted. Providers of Supportive Housing for individuals with a SUD must ensure that their access for medication, both psychotropic and otherwise (including Medication Assisted Treatment for Substance Use Disorder) is not restricted.

## **PARTICIPATION IN THIS RFI**

### **RESPONDER PARTICIPATION**

In order to assess the current supportive/supported housing needs and opportunities to serve people with a SPMI and/or SUD, through this RFI process, OHCS is seeking responses from any and all respondents who have information related to supportive/supported housing. This may include developers, municipalities, financial institutions or philanthropic organizations. It is not the intention of OHCS, at this stage, to define a solution; rather responses to this RFI will assist OHCS to identify a course of action for possible inclusion in future procurement documents.

Submission of a response to the RFI does not constitute an agreement between OHCS and the Respondent; nor does it secure or imply that Respondent will be selected or given any preferential access or availability to future funding opportunities that may arise as a result of this RFI.

Responders submitting timely responses to this RFI that appear to address OHCS' desire for a viable option(s) to affordable supportive/supported housing\_ may be invited to meet with the OHCS Multifamily team to discuss the various components of the option(s) including gaps in financing, hurdles and other obstacles identified through this RFI process.

### **RESPONDER SUBMISSION**

Responses must be delivered via email to [OHCS.Contracts@oregon.gov](mailto:OHCS.Contracts@oregon.gov). Please make sure to clearly identify the RFI name and number, the contact person name, agency name and address. Mis-deliveries and late submittals will not be accepted or considered.

Faxed or late responses will not be considered. All responses and any accompanying documentation become the property of the OHCS, subject to the Oregon Public Records Law, and will not be returned.

Neither OHCS nor the State of Oregon is responsible for any errors or omissions from downloading the RFI. The official RFI document is the one held at the OHCS Multifamily office.

### **COSTS and FEES**

All costs associated with Respondent's preparation and the submission of this RFI are the sole responsibility of the Respondent and shall not be borne by the OHCS or the State of Oregon.

## **General Process Information**

**SCHEDULE**

Following are key dates specific to this RFI:

RFI Issued	November 16, 2017
Questions and Requests for Clarification Due	December 15, 2017
Closing	January 19, 2018 at 5:00 PM

**RFI QUESTIONS AND REQUESTS FOR CLARIFICATION**

Please submit all questions and requests for clarifications relating to the content of this RFI to [MFNOFA@oregon.gov](mailto:MFNOFA@oregon.gov) , please use this as the means of communication with the agency for this RFI. Phone calls will be directed to putting the question or clarification in writing to this email address.

**Objectives**

The objectives of this RFI are to gather information to:

- Gain insight for OHCS and OHA to build better Requests for Proposals (RFPs) to solicit projects that will produce service-enriched affordable housing options for individuals and families experiencing homelessness or are at risk of becoming homeless, with one or more persons with a SPMI and/or (SUD).
- Find innovative and replicable solutions to a decades-long issue in Oregon.
- Deepen the state’s understanding of the challenges experienced by project sponsors considering applying for funds through prior NOFAs for the Mental Health Housing Program or other state funding processes for Multifamily service-enriched housing for people with a SPMI and/or SUD.
- Qualify and quantify the challenges with discrete numbers and examples.
- Gain a better understanding of the various entities, partnerships, coalitions, efforts, and projects engaged in addressing service-enriched multifamily housing for people with a SPMI and/or SUD.
- Better understand the barriers to developing this type of affordable housing.

**Questions**

- What are the greatest needs you see in serving the population of people with a SPMI and/or SUD?
- What kind of strategy or development do you have in mind to provide housing opportunities to persons with a SPMI and/or SUD? What is your “concept?”
  - \* Do you already have a site and are trying to do more, or;
  - \* Are you looking to acquire existing units?
  - \* Are you planning to develop a new multifamily property on one site, or to use a different model?

- How would it be most effective to make these resources available to you (application process, funding timeline, etc) to help you make your concept a reality?
- What are the barriers to success, as you see them?
  - \* Funding levels for capital construction of affordable housing?
  - \* Availability of services and partnerships with service providers?
  - \* Local capacity and/or technical concerns?
  - \* Rental assistance or other operating funds to make rents affordable for the target population?
  - \* Siting concerns?
  - \* State or federal requirements, restrictions, guidelines, terms or definitions?
  - \* Is data sharing between housing and services a concern? What would data sharing look like to get to desired outcomes?
  - \* Are referrals a barrier? What kind of referral system is desired and what you recommend as a back-up if referrals are not received?
  - \* Other?
- What kind of technical assistance would help bring your concept to reality?
  - \* Assistance in assembling the financing to acquire or build housing?
  - \* Assistance to put together partnerships with funders and housing developers?
  - \* Assistance to create effective partnerships to provide services to residents?
  - \* Assistance to build local support for the proposed housing strategy?
  - \* Other?
  - \* Please provide other insights or comments you believe helpful.

## **Public Record/Confidential or Proprietary Information**

If an RFI response contains any information that is considered a trade secret under ORS 192.501(2), or is otherwise exempt from disclosure under the Oregon Public Records Law, ORS 192.410 through 192.505, if applicable, the respondent shall complete and submit the Affidavit of Trade Secret (Attachment A to this RFI) and a fully redacted version of its response, clearly identified as the redacted version.

If applicable, the Oregon Public Records Law exempts from disclosure only bona fide trade secrets, and some exemptions from disclosure apply only “unless the public interest requires disclosure in the particular instance.” Therefore, non-disclosure of documents or any portion of a document submitted as part of a response to this RFI may depend upon official or judicial determinations made pursuant to the public records laws and requirements. If applicable, Regional Solutions may give respondent notice of any required disclosure and cooperate with respondent, at respondent’s expense, in seeking reasonable protective arrangements. However, the OHCS shall not be required to act in a manner which would result in any sanctions or other penalties.

Respondents are cautioned that cost information generally is not considered a trade secret under Oregon Public Records Law (ORS 192.410 through 192.505) and identifying the submission, in whole, as exempt from disclosure is not acceptable.

## Attachment A – AFFIDAVIT OF TRADE SECRET

                     (Affiant), being first duly sworn under oath, and representing [insert Respondent Name] (hereafter “Respondent”), hereby deposes and swears or affirms under penalty of perjury that:

1. I am an employee of the Respondent, I have knowledge of the Request for Information (RFI) referenced herein, and I have full authority from the Respondent to submit this affidavit and accept the responsibilities stated herein.
2. I am aware that the Respondent has submitted a submission, dated on or about [insert date] (the “Submission”), to the Oregon Housing and Community Services (OHCS) department in response to Request for Information (RFI)#4536, for the service-enriched Multifamily housing options and I am familiar with the contents of the RFI and Submission.
3. I have read and am familiar with the provisions of Oregon’s Public Records Law, Oregon Revised Statutes (“ORS”) 192.410 through 192.505, and the Uniform Trade Secrets Act as adopted by the State of Oregon, which is set forth in ORS 646.461 through ORS 646.475. I understand that the Submission is a public record held by a public body and is subject to disclosure under the Oregon Public Records Law unless specifically exempt from disclosure under that law.
4. I have reviewed the information contained in the Submission. The Respondent believes the information listed in Exhibit A is exempt from public disclosure (collectively, the “Exempt Information”), which is incorporated herein by this reference. It is my opinion that the Exempt Information constitutes “Trade Secrets” under either the Oregon Public Records Law or the Uniform Trade Secrets Act as adopted in Oregon because that information is either:
  - A. A formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information that:
    - i. is not patented,
    - ii. is known only to certain individuals within the Respondent’s organization and that is used in a business the Respondent conducts,
    - iii. has actual or potential commercial value, and
    - iv. gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

or

- B. Information, including a drawing, cost data, customer list, formula, pattern, compilation, program, device, method, technique or process that:
  - i. Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and
  - ii. Is the subject of efforts by the Respondent that are reasonable under the circumstances to maintain its secrecy.

5. I understand that disclosure of the information referenced in Exhibit A may depend on official or judicial determinations made in accordance with the Public Records Law.

\_\_\_\_\_  
Affiant's Signature

State of \_\_\_\_\_)

) ss:

County of \_\_\_\_\_)

Signed and sworn to before me on \_\_\_\_\_ (date) by \_\_\_\_\_ (Affiant's name).

\_\_\_\_\_  
Notary Public for the State of \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**EXHIBIT A**

Respondent identifies the following information as exempt from public disclosure: