

STATE OF OREGON



COVER PAGE

OREGON HOUSING AND COMMUNITY SERVICES DEPARTMENT

HOMEOWNERSHIP LANGUAGE ACCESS AND TARGETED OUTREACH

Request for Applications (“RFA”)

RFA #7344

Date of Issue: December 20, 2022 PST

Closing Date and Time: January 23, 2023 at 4:00 PM PST

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LIST OF ATTACHMENTS

ATTACHMENT A: APPLICATION AND CERTIFICATION SHEET

ATTACHMENT B: CHECKLIST

ATTACHMENT C: SAMPLE GRANT AGREEMENT

- Exhibit A – Services
- Exhibit B – Insurance
- Exhibit C – Application
- Exhibit D – Final Expenses and Activity Report Sheet
- Exhibit E – Disbursement Invoice

ATTACHMENT D: OREGON HOMEOWNERSHIP RATES PER RACE BY COUNTY

ATTACHMENT E: LANGUAGES SPOKEN IN OREGON BY COUNTY

ATTACHMENT F: EXAMPLES AND IDEAS FOR ADDITIONAL LANGUAGE ACCESS AND TARGETED OUTREACH ACTIVITIES

ATTACHMENT G: SAMPLE EQUITY AND INCLUSION STATEMENTS

ATTACHMENT H: DISCLOSURE EXEMPTION AFFIDAVIT

(Attachments are posted as separate documents to OHCS' Procurement website)

SECTION 1: GENERAL INFORMATION

1.1 INTRODUCTION

The State of Oregon, acting by and through its Oregon Housing and Community Services Department (“Agency”) is issuing this Request for Application (“RFA”) to solicit Applications from qualified entities to help increase access to homeownership assistance programs and services by communities of color and populations that have a disproportionate rate of renters versus homeowners through financial assistance to create and facilitate language access and to increase culturally responsive program outreach and community engagement.

In 2019, the Joint Taskforce for Addressing Racial Disparities in Homeownership in Oregon recommended increasing homeownership outreach and providing financial support and technical assistance to nonprofits and culturally specific organizations to conduct outreach, tailor programs, and deliver community-specific financial literacy courses and homebuyer assistance, education, and counseling programs. Following these recommendations, and through the advocacy of several community organizations, the Oregon Legislature approved HB4003 and HB 5011 during the 2021 Regular Session and allocated \$2 million to Oregon Housing and Community Services to help advance the taskforce recommendations.

Through this RFA, OHCS will distribute the funds designated to eligible organizations that, in working with households with income at or below 100% area median income, attempt to increase access for persons of color to programs and services that assist with homeownership.

Additional details on the Scope and Services are included in the Scope of Work section.

Agency anticipates the award of multiple Grant Agreements (the “Agreement”) from this RFA.

The initial term of the Agreement is anticipated to be through June 30, 2023.

Anticipated Award: The maximum grant that the Agency will award through this RFA is \$76,000 for Language Access and Targeted Outreach and Community Engagement activities combined, plus 10% of the expended amount awarded for administrative costs.

Agreement Term: Successful Applicants will then be invited to enter into an agreement with the Agency to set forth the terms and conditions that govern the Award (“Agreement”). The initial term of each Agreement is anticipated to be from the date it has been fully executed by the parties (the Effective Date”) through June 30, 2023, or as deemed necessary by Agency.

1.2 OBJECTIVES

The objectives of this RFA are to:

- Assist organizations statewide with costs associated with the translation and interpretation services needed to facilitate language access to homeownership programs and foster meaningful and culturally responsive communication with individuals with

limited English proficiency and individuals with special communication needs due to a disability.

- Provide financial support to organizations to conduct culturally and community-specific outreach to increase the visibility of and access to homeownership assistance programs by communities of color and populations that have a disproportionate rate of renters versus homeowners.
- Create a bank of culturally and community-specific homeownership resources and materials in languages other than English to support the work of homeownership service providers in Oregon and OHCS.

1.3 SCHEDULE

Event	Date	Time
Pre-Application Conference (Optional)	December 28, 2022	3:00 – 4:00 PM PST
Questions / Requests for Clarification Due	January 10, 2023	4:00 PM PST
Answers to Questions / Requests for Clarification Issued (approx.)	January 16, 2023	
RFA Protest Period Ends	Schedule defined under OAR 813- 005-0025	
Closing (Application Due)	January 23, 2023	4:00 PM PST
Additional Rounds of Competition	TBD (Optional at Agency’s Discretion)	
Reservation Notice (approx.)	TBD	

The table above represents a tentative schedule of events. All times are listed in Pacific Time. All dates listed are subject to change.

1.4 SINGLE POINT OF CONTACT (SPC)

The SPC for this RFA is identified on the Cover Page, along with the SPC’s contact information. Applicant shall direct all communications related to any provision of the RFA only to the SPC, whether about the technical requirements of the RFA, contractual requirements, the RFA process, or any other provision.

SECTION 2: AUTHORITY, OVERVIEW, AND SCOPE

2.1 AUTHORITY AND METHOD

Agency is issuing this RFA pursuant to its authority under OAR 125-246-0170(2) including but not limited to ORS chapters 456 and 458, OAR chapter 813, divisions 5 and 6, as well as other applicable rules.

Agency is using the Competitive Procurement Procedures, pursuant to OAR 813 Divisions 5 and 6.

Agency may use a combination of the methods for Competitive Procurement Procedures, including optional procedures: a) Interviews; and b) Negotiations.

2.2 DEFINITION OF TERMS

For the purposes of this RFA, capitalized words are defined in ORS 456.270, ORS 456.515, ORS 456.250, ORS 458.610, HB 2100, and OAR 813-005-0005 unless provided within this document.

“Administrative costs” means all costs incurred throughout the administration of a program that are not directly related to the delivery of program services or projects.

“Area median income” means the area median income, subject to adjustment for areas with unusually high or low incomes or housing costs, all as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development.

“Community of Color” means identity-based communities that hold a primary racial identity that describes the racial characteristics of the community that its members share (such as being African American) that supports self-definition by community members, and that typically denotes a shared history and current/historic experiences of racism. The community may or may not also be a geographic community. Given that race is a socially-defined construct, the definitions of these communities are dynamic and evolve across time. For the purpose of this RFA, Agency defines communities of color to include Native Americans, Latinos, Asian and Pacific islanders (further disaggregated according to local preferences), African Americans, African Immigrants and Refugees, Middle Eastern, and Slavic communities.

“Culturally Responsive Services” means work tailored to an individual or communities’ cultural background, beliefs, knowledge, frames of reference, or specific needs in an Underserved Population. This may include:

- Business practices or strategies in place to understand and address the needs of a particular culture;
- A relevant marketing and outreach plan designed to publicize to Underserved Populations the availability of the new housing opportunities;
- Specific services offered in an individuals preferred language;
- Development, sponsorship or management by a diverse and representative leadership; or
- An ongoing service partnership with a culturally specific organization.

“Culturally responsive organization” means an entity that, as determined by the Housing and Community Services Department:

- (a) Comprehensively addresses power relationships throughout the organization by methods that include addressing conflicts and dynamics of inclusion and exclusion;
- (b) Has relationships with and is responsive to communities that the organization serves, including communities of color;

- (c) Hires, promotes, trains and supports staff who are culturally and linguistically diverse in ways that reflect the communities that the organization serves, including communities of color;
- (d) Provides culturally responsive service; and
- (e) With respect to paragraphs (a) to (d) of this subsection, has adopted governance structures, policies and cultural norms to hold its leadership and staff accountable and to continue improvements.

“Grantee” means an entity, including but not limited to OHCS, that maintains a grant agreement with a funder to provide program services or reallocate or utilize program funding in a prescribed manner.

“Housing programs” means activities of OHCS involving the financing, regulation, maintenance, or support of housing or home ownership or that are otherwise defined in statute or described in subsequent divisions in this chapter.

“Key Persons” means the Proposer’s personnel assigned to develop and manage the Homeownership Language Access and Targeted Outreach contract.

“Local government” means a city, county, public corporation or metropolitan service district.

“Organization” means a:

- a) Nonprofit corporation established under ORS chapter 65;
- b) Housing authority established under ORS 456.055 (Definitions for ORS 456.055 to 456.235) to 456.235 (Dissolution of housing authorities); or
- c) Local government as defined in ORS 197.015 (Definitions for ORS chapters 195, 196, 197 and ORS 197A.300 to 197A.325).
- d) Tribal government as defined in ORS 294.805

“Person of lower income” or “family of lower income” means a person or a family, residing in this state, whose income is not greater than 80 percent of the area median income, adjusted for family size, as determined by the Housing and Community Services Department using United States Department of Housing and Urban Development information.

“Person with a disability” means a person who has a physical or mental impairment that substantially limits one or more major life activities.

“Service area” means the specific geographic area or region within which a grantee or subgrantee provides program services directly or by contract.

“Very low income” means income that is 50 percent or less of the area median income.

2.3 OVERVIEW

2.3.1 Agency Overview and Background

Agency is Oregon's housing finance agency, providing financial and program support to create and preserve opportunities for quality, affordable housing for Oregonians of lower and moderate income. Agency administers federal and state antipoverty homeless, energy assistance and community services programs. Agency also administers other affordable housing programs as well as efforts to increase capacity throughout Oregon to address the need for safe, sanitary, and habitable affordable housing. In addition, Agency administers bond, tax credit and other financial assistance programs designed to assist in the purchase-financial of single-family homes and in the new construction or rehabilitation of multifamily affordable housing developments.

The Homeownership Division consists of four sections, each driven by the central goal of engaging low to moderate income Oregonians who wish to attain or retain homeownership. Our offerings bring stability to families by supporting homebuyer and homeowner financial education and foreclosure counseling, programs that provide mortgage assistance or health and safety repairs as well as developing an array of affordable housing opportunities for Oregonians by facilitating the financing and development of homes for homeownership.

We use an equity and racial justice lens in all our programming, policies and operations in order to tear down systematic housing barriers and assist in creating opportunities. Striving to meet our Statewide Housing Plan goal of closing the homeownership gap in underserved communities, we purposefully focus on the role of housing and homeownership, as homeownership has been proven to historically create stability and promote equity and generational wealth-building.

2.3.2 Available Funding

The amount approved by the Agency Director to be distributed through this RFA is of \$1,245,000 and will be distributed to eligible organizations statewide. Eligible organizations include non-profit organizations, housing authorities, local governments, Oregon tribal governments, and other organizations that in working with households with income at or below 100% area median income, attempt to increase access for persons of color to programs and services that assist with homeownership.

Agency identified Awards to be made available based on:

- 1) The available amount of funding
- 2) The applicant's score based on the evaluation criteria listed in section 4.10.3 of this RFA, and
- 3) The Agency's tiebreaker list shown in section 4.11 of this RFA

The activities to be performed through this RFA are listed under two categories: Language Access and Targeted Outreach and Engagement. Applicants may apply for one or more activities under either category for a maximum grant of \$76,000. Grantees will receive an additional 10% of the expended amount awarded for administrative costs at the end of the agreement term, which is June 30, 2023.

Awarded funds will be disbursed in two payments to grantees upon entering the Grant Agreement. The first payment will be for 50% of the awarded amount and will be released

when the grantee formally accepts the award, signs the Grant Agreement, and requests the funds through the Disbursement Invoice Sheet attached to this RFA for the purpose of requesting funds (Exhibit F).

The second disbursement will be made upon receiving the Grantee's request for the remaining funds. This request must be made through the Disbursement Invoice Sheet attached to this RFA for the purpose of requesting funds (Exhibit F), and when the Grantee has expended 90% of their first disbursement.

The amount of the second disbursement may differ from the first one based on the timely implementation of the first payment, and the Grantee's plan to utilize the remaining funds.

OHCS will disperse funds to Grantees that must be expended by June 30, 2023. Any funds not expended by June 30, 2023, will be returned to the Agency. The OHCS 23-25 biennium may provide an opportunity to distribute additional funding via an amendment.

Administrative Funds:

Upon completion of all funded activities and submittal of the final report to the Agency, Grantees will receive an additional disbursement of 10% (ten percent) of the total funds expended in the RFA activities for their administrative costs.

2.3.3 SCOPE OF WORK

The allowable activities to be performed through the funding of this RFA are listed under two categories: **Language Access** and **Targeted Outreach and Engagement**. Applicants may apply for funding to perform and complete one or more activities under either category.

Allowable Activities:

Language Access

Funding under this category will help create and facilitate access to homeownership programs by community members with limited English proficiency, ASL speakers and other community members with special communication needs due to a disability. These funds can be utilized to cover the cost of translation or interpretation services, development of materials in specific formats, and to expand the organization's skills, knowledge, and tools to foster meaningful communication with these community members through training or specialized consultations.

Activities:

1. Translation of homeownership educational and outreach materials into any non-English language spoken by community members residing in the area of service of the applicant organization. All translation services must be provided by a certified translator unless they are provided by a speaker of an indigenous language for which credentialing barriers exist due to limited or non-existent proficiency evaluation mechanisms.
2. Interpretation services, in person, through telephone or through a virtual platform, for homeownership services or activities in any language including ASL. All interpretation services

must be provided by a certified interpreter unless they are provided by a speaker of an indigenous language for which credentialing barriers exist due to limited or non-existent proficiency evaluation mechanisms.

3. Hosting or facilitating focus groups with community members that speak a specific non-English language (Ex. Spanish, Russian, Vietnamese, Chinese or American Sign Language) to revise, evaluate and recommend improvements or changes to existing homeownership educational or outreach materials created by the applicant, or to develop new ones. Through the focus groups, Grantees can gather community feedback and insight into the material's readability in the translated language, the tone of the document, the content, its cultural relevancy, and its general effectiveness in communicating the desired message. The funds approved for this activity can also be utilized to cover costs associated with planning and hosting the focus groups such as advertising, renting a space, contracting a facilitator or interpreter, or compensating community members for participation. Compensation for community member participation will be funded up to \$100 per participating community member per group and must be anticipated by the applicant in the budget requested for the activity as the funds will be disbursed upfront rather than reimbursed after the group takes place. Focus groups must be held separately for each language; however more than one focus group can be held per language to provide for a comfortable group size for conversations with the community members.
4. Obtaining consultation from professional translators, interpreters, disability access experts, or culturally specific service providers to increase the organization's capacity, skills, knowledge, and tools to provide better language services and facilitate access to programs by individuals with limited English proficiency or with special communication needs due to a disability. Among other relevant topics, the experts or consultants may advise and support Grantees on the development, improvement, or expansion of the organization's homeownership services, materials, staff's training, and the organization's policies or practices to better serve individuals with limited English proficiency or with special communication needs.
5. Creating and adding equity and/or language access statements to the organization's website, social media pages, or to the organization's homeownership outreach and program materials. The funds approved for this activity can also cover the costs of graphic and web design services and the cost of making the necessary related changes to the organization's website or materials.
6. Other activities that contribute to increasing access to homeownership programs and services by individuals with limited English proficiency or special communication needs due to a disability in the organization's area of service. These activities must be proposed by applicants through the RFA 7344 Application and Certification Sheet (Attachment A) and must be explicitly approved for implementation by the Agency through this RFA process.

Targeted Outreach and Community Engagement:

Funding under this category will help increase the visibility of homeownership assistance programs and services, by communities underrepresented as homeowners in Oregon such as black, indigenous and people of color (BIPOC) communities or individuals with disabilities. These funds can be utilized to implement community or culturally specific outreach and engagement activities, to purchase or develop community or culturally specific curriculums and materials for informational, educational or outreach purposes, and to expand the Grantee's training and skills to conduct effective and meaningful outreach to these communities for the purpose of increasing access to homeownership services and programs.

Activities:

1. Planning and implementing outreach activities or strategies to reach BIPOC communities, individuals with limited English proficiency, individuals with disabilities and other communities that are underrepresented as homeowners in the organization's area of service or are better reached through targeted outreach efforts. These activities may include developing or procuring marketing campaigns, hosting, or participating in community events, collaborating with community members or marketing experts in planning or conducting outreach for a specific community, and developing protocols or strategies for ongoing culturally specific outreach. The funds approved for this activity may also include the costs associated with event participation such as table or booth fees, rental of a venue, transportation of supplies to and from the site, snacks for community members and supplies required for a specific event.
2. Developing or purchasing marketing, educational or curriculum materials that are community or culturally specific to promote and support homeownership for BIPOC communities, individuals with limited English proficiency, individuals with disabilities and other communities that are underrepresented as homeowners. These materials can include audio/visual material, digital or written formats. These funds can also be utilized to enhance existing resources by adding closed captions, subtitles or ASL video interpretation to existing materials.
3. Procuring training for the organization's staff to further their ability to do outreach, engage and effectively serve individuals from BIPOC communities, individuals with limited English proficiency, individuals with disabilities and other communities that are underrepresented as homeowners in Oregon.
4. Facilitating or hosting homeownership educational or counseling opportunities in locations that are familiar or easily accessible by BIPOC communities, individuals with limited English proficiency, or other communities underrepresented as homeowners in the organization's area of service. These funds can cover related planning costs such as renting a space, providing transportation for facilitators and staff, or providing snacks to participants.
5. Other activities that contribute to increasing the visibility of homeownership programs and services by BIPOC communities, individuals with limited English proficiency, and other communities that may be underrepresented as homeowners in the organization's area of service such as individuals with disabilities. These activities must be proposed by applicants through the RFA 7344 Application and Certification Sheet (Attachment A) and must be explicitly approved for implementation by the Agency through this RFA process.

2.4 Performance Measures:

- Timely execution of funds
- Demonstrated progress in the implementation of approved activities
- Complete and sufficient verification of expenditures for each activity

The details of these performance measures will be specified on the Grant Agreement signed by both parties.

2.5 Anticipated Reporting Requirements:

Grantee's must submit a Final Activity and Expenses report of all activities funded through this RFA by 5:00 P.M on Monday July 31st, 2023. Grantees must attach verification of all costs or expenses related to the activities of this RFA such as receipts, paid invoices, copies of contracts, service agreements, or other legally acceptable documentation. The report must be submitted through OHCS's Homeownership Division through Procorem Work Center Procorem on the Sheet provided for this purpose (see Exhibit D).

Note that the RFA requires that all funds awarded be spent by June 30, 2023, including the receipt of all goods and services procured through these funds by the grantee. The deadline for the final report is set to allow additional time to complete and submit the final report and the required proof of costs and expenditures.

2.6 Required Deliverables:

The organizations that are awarded funding through this RFA must submit the following deliverables:

Final Report:

Due by 5:00 P.M on Monday July 31, 2023.

Note that the RFA requires that all funds awarded be spent by June 30, 2023, including the receipt of all goods and services procured through these funds by the grantee. The deadline for the final report is set to allow additional time to complete and submit the final report and the required proof of costs and expenditures.

Additionally, Grantees are encouraged to share with OHCS the materials that are purchased or developed as a result of this RFA for the purpose of creating a collection of culturally and community specific tools that can be used to inform or support the state's homeownership service providers in their ongoing efforts to facilitate access to their programs by specific communities. These materials may be submitted to OHCS's Homeownership Division through Procorem Work Center.

SECTION 3: APPLICATION REQUIREMENTS

3.1 MINIMUM APPLICANT REQUIREMENTS

To be considered for evaluation, applicants must:

1. Be an organization that, in working with households with income at 100% or below the area median income, attempts to increase access for persons of color to programs and services that assist with homeownership.
2. Submit a complete RFA 7344 Application and Certification Sheet (Attachment A).

3.2 MINIMUM SUBMISSION REQUIREMENTS

Application Submissions

To be considered for evaluation, Application must contain each of the following elements (further

detailed in Application Requirements section below):

- RFA 7344 Application and Certification Sheet (Attachment A)
- Response to the Round 1 Evaluation Criteria (See Section 4.10.3 for reference)
- Disclosure Exemption Affidavit (Attachment H)

3.2.1 Application Page Limits

Application is limited to 10 pages single-sided or 5 pages double-sided. Any pages exceeding this limit will not be provided to the evaluation committee or considered in the evaluation. The following items do not count toward the page limit:

- RFA 7344 Application and Certification Sheet (Attachment A)
- Disclosure Exemption Affidavit (Attachment H)
- Response to information requested in Section 5.3
- Supporting documents required in Round 1 Evaluation Criteria, Section 4.10.3

3.2.2 Application Form

Application should follow the format and reference the sections listed in the Application Requirements section.

Applicant shall submit one (1) electronic copy of its Application and Certification Sheet to OHCS.Contracts@hcs.oregon.gov as an attachment received by the Agency by the Closing Date/Time on the Cover Page. Please reference RFA #7344 in the Subject Line of all e-mail communication. In addition, if Applicant believes any of its Application is exempt from disclosure under Oregon Public Records Law (ORS 192.311 through 192.478), Applicant shall complete and submit the Disclosure Exemption Affidavit (Attachment H) and a fully redacted electronic version of its Application, clearly identified as the redacted version.

3.2.3 Authorized Representative

Failure of the organization's authorized representative to sign the Application may subject the Application to rejection by Agency.

3.3 APPLICATION REQUIREMENTS

3.3.1 Applicant Information

Applicant must complete this section on RFA 7344 Application and Certification Sheet (Attachment A) detailing the following information:

- Organization's name and contact information
- Current area or counties of service
- Name and contact information of authorized representative
- Name and contact information of program contact person signed to this project
- Type of organization

- Whether organization serves households with income at or below 100% of the area median income through their homeownership programs or services

3.3.2 Certificate of Insurance

Submit Applicant's most recent Certificate of Insurance, if available. This document is not a mandatory submittal item. At Application submittal, this Certificate of Insurance does not need to match the insurance requirements listed in the Sample Grant Agreement (Attachment C), however, the insurance requirements in the Sample Grant Agreement (Exhibit B) will be required prior to execution of the Grant Agreement and is subject to change and negotiations.

SECTION 4: SOLICITATION PROCESS

4.1 PUBLIC NOTICE

The RFA, including all Addenda and attachments, is published in Agency's Procurement website at <https://www.oregon.gov/ohcs/procurement/Pages/procurement-opportunities.aspx>. RFA documents will not be mailed to prospective Applicants.

Agency shall advertise all Addenda, if any, on Agency's Procurement website. Prospective Applicant is solely responsible for checking Agency's Procurement website to determine whether or not any Addenda have been issued. Addenda are incorporated into the RFA by this reference.

4.2 PRE-APPLICATION CONFERENCE

A Pre-Application Conference will be held at the date and time listed in the Schedule. Prospective Applicants' participation in this conference is highly encouraged but not mandatory.

The purpose of the Pre-Application Conference is to:

- Provide a general overview of the RFA and the activities that may be funded under each funding category.
- Provide an overview of the RFA application process and evaluation criteria, and answer questions that applicants may have related to the process.
- Provide a general overview of the reporting requirements, required deliverables and deadlines set for this RFA.

Statements made at the Pre-Application Conference are not binding upon Agency.

Pre-Application Conference Line Information:

Zoom Meeting Information

Topic: Homeownership Language Access and Targeted Outreach - RFA #7344

Time: Dec 28, 2022 3:00 – 4:00PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85040459383>

Meeting ID: 850 4045 9383

Recommended Action: In an effort to maximize the number of questions and answers during the Pre-Application Conference Call, Applicants are encouraged to submit questions in Writing prior to the Conference Call. The Agency will make its best efforts to address the questions received during the Conference or through formal communication. For this RFA, please refer your questions by email to the RFA SPC (Single Point of Contact): Lisa Cimino at OHCS.contracts@hcs.oregon.gov

4.3 QUESTIONS / REQUESTS FOR CLARIFICATIONS

All inquiries, whether relating to the RFA process, administration, deadlines, or method of award, or to the intent or technical aspects of the RFA must:

- Be delivered to the SPC via email;
- Reference the RFA number;
- Identify Applicant's name and contact information;
- Refer to the specific area of the RFA being questioned (i.e., page, section, and paragraph number); and
- Be received by the SPC by the due date and time for Questions/Requests for Clarification identified in the Schedule.

4.4 SOLICITATION PROTESTS

4.4.1 Protests to RFA

Prior to Closing, prospective Applicant may submit a written protest of anything contained in this RFA, including but not limited to, the RFA process, Specifications, Scope of Work, and the proposed Sample Grant Agreement. This is prospective Applicant's only opportunity to protest the provisions of the RFA, except that Applicant may protest Addenda as provided below and Applicant may take exception to the terms and conditions of the Sample Grant Agreement marked as negotiable as set forth in the Negotiations Section.

4.4.2 Protests to Addenda

Prospective Applicant may submit a written protest of anything contained in the respective Addendum. Protests to Addenda, if issued, must be received by Agency by 5 p.m. Pacific Time of the second Business Day of Agency's issuance of the Addendum or the date/time specified in the respective Addendum, or they will not be considered. Protests of matters not added or modified by the respective Addendum will not be considered.

4.4.3 All Protests must:

- Comply with procedure under OAR 813-005-0025;
- Be delivered to the SPC via email or hard copy;
- Reference the RFA number;

- Identify prospective Applicant's name and contact information;
- Be sent by an authorized representative;
- State the reason for the protest, including:
 - the grounds that demonstrate how the Procurement Process is contrary to law, Unnecessarily Restrictive, legally flawed, or improperly specifies a brand name; and
 - evidence or documentation that supports the grounds on which the protest is based
- State the proposed changes to the RFA provisions or other relief sought;
- Protests to the RFA must be received by Agency by the due date and time identified in the Schedule; and
- Protests to Addenda must be received by Agency by the due date identified in the respective Addendum.

4.4.4 Protest Response

Agency will endeavor to respond to all protests submitted in a timely manner while giving due consideration to the nature of the protests. Protests that do not comply with OAR 813-005-0025 may not be considered.

4.5 APPLICATION DELIVERY OPTIONS

Applicant is solely responsible for ensuring its Application is received by the SPC in accordance with the RFA requirements before Closing. Agency is not responsible for any transmission errors (electronic or otherwise) or delays or mistaken delivery. Applications submitted by any means not authorized may be rejected.

4.6 APPLICATION MODIFICATION OR WITHDRAWAL

If an Applicant wishes to make modifications to a submitted Application, it must submit its modification in the authorized method listed Section 3. To be effective the notice and modification must include the RFA number and be submitted to and received by the SPC prior to Closing.

If an Applicant wishes to withdraw a submitted Application, it must submit a Written notice signed by an authorized representative of its intent to withdraw to the SPC via email or hard copy prior to Closing in accordance with OAR 137-047-0440. To be effective the notice must include the RFA number and be received by the SPC prior to Closing

4.7 APPLICATION DUE

An Application (including all required submittal items) must be received by the SPC on or before Closing. All Application modifications or withdrawals must be received prior to Closing.

An Application received after Closing is considered LATE and will NOT be accepted for evaluation. A late Application will be returned to the Applicant or destroyed in Agency's sole discretion.

4.8 PUBLIC OPENING

There will not be a public opening for this RFA. Applications received will not be available for inspection until after the evaluation process has been completed and the Notice of Reservation is issued.

4.9 APPLICATION REJECTION

Only complete Applications will be evaluated. Additionally, Agency may reject an Application for any of the following reasons:

- Applicant fails to substantially comply with all prescribed RFA procedures and requirements, including but not limited to the requirement that Applicant's authorized representative sign the Application, although an electronic signature is acceptable.
- Applicant has liquidated and delinquent debt is owed to the State or any department or agency of the State.
- Applicant fails to meet the responsibility requirements of ORS 279B.110.
- Applicant makes any contact regarding this RFA with State representatives such as State employees or officials other than the SPC or those the SPC authorizes, or inappropriate contact with the SPC.
- Applicant attempts to influence a member of the Evaluation Committee.
- Application is conditioned on Agency's acceptance of any other terms and conditions or rights to negotiate any alternative terms and conditions that are not reasonably related to those expressly authorized for negotiation in the RFA or Addenda.

4.10 EVALUATION PROCESS

4.10.1 Responsiveness and Responsibility Determination

4.10.1.1 Responsiveness Determination

An Application received prior to Closing will be reviewed to determine if it is Responsive to all RFA requirements including compliance with Minimum Application Requirements section and Minimum Submission Requirements section. If the Application is unclear, the SPC may request clarification from Applicant. Applicant must respond within three (3) working days of the date an email has been sent from Agency. However, clarifications may not be used to rehabilitate a non-Responsive Application. If the SPC finds the Application non-Responsive, the Application may be rejected, however, Agency may waive mistakes in accordance with OAR chapter 813, divisions 5 and 6.

Agency may use its discretionary action in accordance with OAR 813-006-0040.

4.10.2 Evaluation Overview

The Agency's Procurement Department will assign a PASS or FAIL determination for the minimum application and submission requirements. Applications will then be evaluated by a committee based on the completeness of application and evaluation criteria. Members of the Evaluation Committee will independently evaluate each Application meeting all Responsiveness requirements. Evaluation

Committee members may change, and Agency may have additional or fewer evaluators for optional rounds of competition.

If the Application is unclear or incomplete, the evaluation committee may request clarification from Applicant or seek additional information, as deemed necessary by Agency. Applicant must respond within three (3) business days of the date an email has been sent from the agency. If the information is not received or does not fully answer the questions of the committee, the Application will not be considered for funding. However, Agency may waive mistakes in accordance with OAR 137-047-0470 and OAR chapter 813, divisions 5 and 6. Agency may use its discretionary action in accordance with OAR 813-006-0040.

The SPC may request further clarification and reserves the right to request additional information to assist the Evaluation Committee in gaining additional understanding of the Application. Agency may issue an Award and enter in an Agreement with an Applicant whose Application is most advantageous to Agency. Agency reserves the right to issue an Award to the Applicant who will best meet the requirements of this RFA, and not necessarily to the interested Applicant with the lowest cost price.

4.10.3 Round 1 Evaluation Criteria

Scoring is based on the categories described below, and the Applicant must describe how they meet any other requirements that may be specified in this RFA. A total of 75 maximum points are possible for this application. The minimum score for an Application that will potentially qualify for a Reservation of grant funding is 50 points. See the POINT AND SCORE CALCULATIONS section for a detailed breakdown.

1. Need for language access services and/or increased targeted outreach and community engagement in the organization's area of service (Total maximum 25 points)

Applicants describe clearly, with detail and in a compelling manner the need for expanded language access and/or increased targeted outreach and community engagement in the organization's area of service. Applicants use quantitative or qualitative data resources to support their explanation.

2. Explanation of how the requested funds will contribute to meeting the needs of the community (Total maximum 25 points)

Applicants explain and articulate clearly how the activities that they are seeking funding for will address the language needs of their community and/or help increase the visibility of homeownership programs and services for communities of color and other communities underrepresented as homeowners in their area of service.

3. Description of the outcomes anticipated through the implementation of the funds (Total maximum 25 points)

Applicants describe the outcomes that they expect to see in their community or area of service because of the implementation of these funds. Applicants share the services, programs, processes, or policies that may be developed or improved through this funding and how the individuals who experience language barriers and/or are underrepresented as homeowners in the organization's area of operation will be better off as a result of the activities that will be implemented.

4.11 TIEBREAKERS

In the event that two or more applications receive the same score, or that OHCS receives more applications that can be funded, the evaluation committee will prioritize funding applications from organizations that:

1. Provide services to persons of color or with disabilities through services that incorporate the cultural values and preferred language of the persons' communities.
2. Support or expand community or culturally specific homeownership counseling and education programs for those populations with disparities in homeownership.
3. Identify and use best practices in establishing course content guidelines and in exploring ways to systematically deliver certain services, including language access, program materials and counseling, to both increase service availability and reduce costs to individual providers, especially in rural areas
4. Seek to implement activities that target individuals with special communication needs due to disabilities or limited English proficiency
5. Have not received funding from OHCS to expand their capacity and homeownership services to serve communities of color or underrepresented in homeownership in Oregon before.
6. Are located in rural areas
7. Leverage partnerships with the private sector, credit unions or other financial institutions
8. Leverage funding from other nonprofit sources

4.12 POINT AND SCORE CALCULATIONS

Scores are the points assigned by each Evaluation Committee member.

The maximum points possible for each evaluation item are listed in the table below.

TOTAL POINTS POSSIBLE (Section 4.10.3):		125
1	Need for language access services and/or increased targeted outreach and community engagement in the organization’s area of service	25
2	Explanation of how the requested funds will contribute to meeting the needs of the community	25
3	Description of the outcomes anticipated through the implementation of the funds	25
ADDITIONAL ROUNDS POINTS POSSIBLE - TIEBREAKER		
4.11	Interviews (Optional – At Agency’s Discretion)	50

4.13 SELECTION PROCESS

Agency will be evaluating Applications based on the process identified in Section 4.11, and then selected on a first come first serve basis based on available funding, and in accordance with the requirements in this RFA and applicable ORSs and OARs. If two or more applications receive the same score, or the Agency receives more applications that can be funded and must select between two equally qualified applications, Agency will utilize the tiebreaker list showed in section 4.11 of this RFA.

All Applicants will be notified electronically of the results.

SECTION 5: AWARD AND NEGOTIATION

5.1 AWARD NOTIFICATION PROCESS

5.1.1 Award Consideration

Agency, if it makes an Award of funding pursuant this RFA, shall enter an Agreement in accordance with the process described in Section 4. Agency may award less than the full Scope defined in this RFA. Additionally, Agency, in its sole discretion, may make additional award(s) based on availability of funding. In making Awards, Agency may select the next ranked applicant and issue an Award notice. If Agreement with that Applicant is not reached, Agency may offer an Award to the next ranked Applicant and so on until agreement is reached or until Agency terminates the process. Agency may also make awards based on the local need for the services that can be provided through the funds of this RFA.

Applicant will have 10 business days to respond to Award Notice.

5.1.2 Reservation Notice

Agency will notify all Applicants in Writing that Agency intends to Award an Agreement to the selected Applicant(s) subject to successful negotiation of any negotiable provisions.

5.2 FUNDING AWARD PROTEST

5.2.1 Protest Submission

An Affected Applicant may submit a written protest in accordance with procedures and timeline outlined in OAR 813-005-0025.

5.2.2 Response to Protest

Agency will address all timely submitted protests within a reasonable time and will issue a Written decision to the respective Applicant. Protests that do not include the required information may not be considered by Agency.

5.3 APPARENT SUCCESSFUL APPLICANT SUBMISSION REQUIREMENTS

Each Applicant who is selected for an Award under this RFA will be required to submit additional information and comply with the following:

5.3.1 Insurance

Prior to execution of an Agreement, Applicant shall secure and demonstrate to Agency proof of insurance as required in this RFA or as negotiated. Insurance Requirements are found in Exhibit B of Attachment C (Sample Grant Agreement).

5.3.2 Taxpayer Identification Number

Applicant shall provide its Taxpayer Identification Number ("TIN") and backup withholding status on a completed W-9 form when requested by Agency or when the backup withholding status or any other relevant information of Applicant has changed since the last submitted W-9 form, if any.

Business Registry

If selected for Award, Applicant shall be duly authorized by the State of Oregon to transact business in the State of Oregon before executing the Agreement. Visit <http://sos.oregon.gov/business/pages/register.aspx> for Oregon Business Registry information.

5.4 AGREEMENT NEGOTIATION

5.4.1 Negotiation

After selection of a successful Applicant, Agency may enter into Agreement negotiations with the successful Applicant. By submitting an Application, Applicant agrees to comply with the requirements of the RFA, including the terms and conditions of the Sample Grant Agreement (Attachment C), with the exception of those terms reserved for negotiation such as the Statement of Work and Insurance requirements.

Applicant shall review the attached Sample Grant Agreement and must note exceptions.

Applicant must submit those exceptions to Agency during the Questions / Requests for Clarification period set forth in Section 1.2. Unless Agency agrees to modify any of the terms and conditions, Agency intends to enter into an Agreement with the successful Applicant substantially in the form set forth in Sample Grant Agreement (Attachment C).

It may be possible to negotiate some provisions of the final Agreement; however, Agency is not required to make any changes and many provisions cannot be changed. Applicant is cautioned that the State of Oregon believes modifications to the standard provisions constitute increased risk and increased cost to the State. Therefore, Agency will consider the Scope of requested exceptions in the evaluation of Application.

Any subsequent negotiated changes are subject to prior approval of the Oregon Department of Justice.

Agency is not willing to negotiate those items listed below:

- Choice of law
- Choice of venue
- Constitutional requirements
- Requirements of applicable federal and State law

In the event that the parties have not reached mutually agreeable terms within 30 calendar days, Agency may terminate Negotiations and commence Negotiations with the next highest-ranking Applicant for the selected Region.

SECTION 6: ADDITIONAL INFORMATION

6.1 GOVERNING LAWS AND REGULATIONS

This RFA is governed by the laws of the State of Oregon. Venue for any administrative or judicial action relating to this RFA, evaluation and award is the Circuit Court of Marion County for the State of Oregon; provided, however, if a proceeding must be brought in a federal forum, then it must be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. In no event shall this Section be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States or otherwise, to or from any Claim or consent to the jurisdiction of any court.

6.2 PUBLIC INFORMATION

All Applications are public record and are subject to public inspection. Application of the Oregon Public Records Law will determine whether any information is actually exempt from disclosure.

The Oregon Public Records Law (“PRL”) may provide confidentiality protection to some or all of your Application, at least on a limited basis.

- A. The PRL exempts purported trade secrets from disclosure only so far as they qualify as bona fide trade secrets, and the exemption in ORS 192.345(2) from disclosure applies

only "unless the public interest requires disclosure in the particular instance". Therefore, non-disclosure of a document or any portion of a document submitted as part of an Application may depend upon official or judicial determination made pursuant to Oregon law. Please identify in your Application any materials that you deem to constitute trade secrets. Failure to do so may be deemed by Agency as a waiver by Applicant of this records exemption.

- B. The PRL exempts to one degree or another certain records, communications and information obtained by Agency, including through this RFA. This protection normally is discretionary with Agency. Please refer to ORS 192.355(24) for the specifics of this exemption.
- C. The PRL, in ORS 192.355(4), allows information submitted to a public body in confidence and not otherwise required by law to be submitted to that body, "where such information should reasonably be considered confidential, the public body has obliged itself in good faith not to disclose the information, and when the public interest would suffer by the disclosure." In a competitive solicitation such as this RFA, the terms of individual Applications manifestly must be deemed and treated as confidential (at least through the point in time when Notice of Intent to Award is made with respect to this RFA have been given, and perhaps longer) if (i) the competitive purposes of the RFA are to be realized, (ii) the confidential distinguishing aspects of Applications are to be protected, and (iii) Agency's interest in maximizing the number and innovative nature of Applications is to be achieved. If the Applicant identifies that its Application is being submitted in confidence pursuant to ORS 192.355(4) by so stating in writing on its Application through Attachment H, Agency hereby obliges itself in good faith not to disclose the Application to the public consistent with the terms of ORS 192.355(4) - at least through the point in time when Notice of Intent to Award is fully provided under this RFA, and perhaps longer if Agency determines, inter alia, that such additional confidentiality serves the purposes of Agency programs, the public, or the purposes of this RFA.

All Applications submitted in response to this RFA become the Property of Agency. By submitting an Application in response to this RFA, Applicant grants the State a non-exclusive, perpetual, irrevocable, royalty-free license for the rights to copy, distribute, display, prepare derivative works of and transmit the Application solely for the purpose of evaluating the Application, negotiating an Agreement, if awarded to Applicant, or as otherwise needed to administer the RFA process, and to fulfill obligations under Oregon Public Records Law (ORS 192.311 through 192.478). Applications, including supporting materials, will not be returned to Applicant unless at Agency discretion.

6.3 CANCELLATION OF RFA; REJECTION OF APPLICATION; NO DAMAGES.

Agency may reject any or all Applications in-whole or in-part or may cancel this RFA at any time when the rejection or cancellation is in the best interest of the State or Agency, as determined by Agency. Neither the State nor Agency is liable to any Applicant for any loss or expense caused by or resulting from the delay, suspension, or cancellation of the RFA, award, or rejection of any Application.

6.4 COST OF SUBMITTING AN APPLICATION

Applicant must pay all the costs in submitting its Application, including, but not limited to, the costs to prepare and submit the Application, costs of samples and other supporting materials, costs to participate in demonstrations, or costs associated with Protests.

6.5 CHECKLIST DISCLAIMER

Any checklists that may be contained in this RFA are provided only as a courtesy to prospective Applicant. Agency makes no representation as to the completeness or accuracy of any Checklist. Prospective Applicant is solely responsible for reviewing and understanding the RFA and complying with all the requirements of this RFA, whether listed in a checklist or not. Neither the State nor Agency is liable for any claims, or subject to any defenses, asserted by Applicant based upon, resulting from, or related to, Applicant's failure to comprehend all requirements of this RFA.