

STATEMENT OF WORK (SOW)
REAL ESTATE, ENVIRONMENTAL, HISTORIC PRESERVATION,
AND LEGAL SUPPORT
AT THE WEST LOS ANGELES, CA CAMPUS
APRIL 12, 2016

1. BACKGROUND:

The West Los Angeles (WLA) campus is one of the largest medical facilities within the VA system. The facilities at the WLA campus provides a full continuum of medical services to eligible Veterans and other patients through the use of the state-of-the-art hospital and through outpatient care, rehabilitation, residential care, and long-term care services. The campus is also utilized as a center for medical research and education. The WLA campus currently exists in a natural as well as a built environment which offers both, opportunities and constraints to its development. The site's natural features (topography, plant materials, and microclimate) and build features (historic districts, historic buildings and landscapes, and existing roads) will directly influence the decisions that will be made in regards to the ongoing master planning process. A key focus of this process will be to welcome the 21st century of healthcare to the WLA campus, while serving as a vibrant home for Veterans and their families. Another key aspect will be to effectively utilize the campus for supportive housing and services aimed at helping to end Veteran homelessness throughout the Greater Los Angeles area. The underlying vision for the campus is for it to represent the pinnacle within VA's real property portfolio in which the campus will allow Veterans and their families to receive and experience a "gold standard" of care, services, support, convenience, and customer service from the VA's three different administrations: Health, Benefits, and Cemetery.

On January 28, 2016, the Secretary of the VA, Mr. Robert A. McDonald, publically announced the framework for the Draft Master Plan (DMP) for the WLA campus. The DMP in its entirety, along with an Executive Summary and PowerPoint presentation can be accessed via the link below:

http://www.losangeles.va.gov/LOSANGELES/features/VAGLAHS_Announces_Draft_Master_Plan.asp

The VA's plans for the campus include the development of 1,200 units, consisting of permanent and supportive housing as well as time-limited "bridge" and transitional housing; short-term treatment services; and state-of-the-art primary care, mental health, and addiction services to Veterans—particularly those Veterans who are chronically homeless and severely disabled, and women and aging Veterans. Housing will be structured based on the latest homelessness prevention and urban planning sciences, consistent with best practices and evidence-based approaches under the Housing First Model. The VA's objective under this model is for Veterans to have an attractive choice whether they decide to pursue housing on, or off, the WLA campus. The permanent housing on the WLA campus will be intended for those most needy, most vulnerable Veterans.

The housing will be carefully planned to ensure a safe, dignified community environment which will function effectively in its own right, and in coordination with the other care and services

provided on the Campus, in the surrounding community, and within the Greater Los Angeles area. The VA is currently working with Congress and the Obama Administration in anticipation that key legislation to help VA transform the WLA Campus, namely the “Los Angeles Homeless Veterans Leasing Act of 2015” (i.e., S. 2013 and HR 3484), will be enacted. If, and when this legislation is enacted, the VA will be authorized to provide Veteran-focused supportive housing and services on the WLA campus. The supportive services will include activities, such as those involving the promotion of health and wellness, nutrition, and spiritual wellness; education; vocational training, skills building or other training relating to employment; peer activities, socialization or physical recreation; assistance with legal issues and Federal benefits; volunteerism; family support services and child care; and transportation.

The VA’s goal is to utilize the WLA Campus in a more Veteran-centric manner moving forward by providing the optimal type, location, mix, densities of bridge and permanent supportive housing, and supportive services to include: mental health, addictions, employment, and social support. This Veteran-centric approach will allow the VA to become a positive cornerstone and a source of pride and inclusion for the Veterans and their families in the Greater Los Angeles area. It will also help the VA to function successfully when taking into account the multitude of sophisticated authorities, programs, and services contained in pertinent Federal laws and regulations including, but not limited to, those contained in Title 38 of the United States Code; Title 38 of the United States Code of Federal Regulations; and the “Veterans Choice, Access, and Accountability Act” of 2014, contained in PL 113-146.

2. SCOPE OF WORK:

The United States Department of Veterans Affairs (VA) is seeking a contractor to assist the VA with the finalization and implementation of the Department’s framework Draft Master Plan (DMP) for the 388-acre VA Greater Los Angeles Healthcare System (VAGLAHS), West Los Angeles (WLA) campus. The WLA campus is located at 11301 Wilshire Boulevard, Los Angeles, California.

The contractor shall provide services and support in the following fields:

1. Real estate development
2. Environmental
3. Historic preservation
4. Legal support

The contractor shall also assist and support the VA with the necessary coordination, communication, and project management services to ensure the master planning process and implementation of a final Master Plan are successfully accomplished in a timely, organized, and cost-effective manner.

ANTICIPATED PERIOD OF PERFORMANCE:

The base term of the contract will be for one (1) year duration, with the possibility of four (4), one-year option periods, to be exercised at the VA’s discretion.

3. PERTINENT BACKGROUND DOCUMENTS AND INFORMATION:

The contractor shall perform the necessary due diligence to become familiar with the current layout, configuration, programs, operations, and services provided at the WLA Campus. The contractor's team shall possess significant levels of expertise, proficiency, personnel, resources, knowledge, and experience in the following areas:

1. Large-scale master planning
2. Mental health and addiction services
3. Pertinent laws, regulations, programs, mission, operations, and services of VA (including those programs having a housing-related component)
4. Applicable Federal, State, and local environmental and historic preservation laws and regulations
5. Police and law enforcement issues and strategies
6. Traffic planning
7. Impact mitigation measures, utility, and landscaping issues

As part of the services and support to be provided to the VA, the contractor shall need to be exceptionally familiar with, and have a keen working understanding of the documents referenced in the following sections (a) through (c) below as well as the programs, authorities, and concepts delineated in sections 1 through 21 below:

KEY DOCUMENTS:

- (a) The "Principles for a Partnership and Framework for Settlement By and Between the United States Department of Veterans Affairs and Representatives of the Plaintiffs -- Valentini v. McDonald," dated January 28, 2015;
- (b) VA's Draft Master Plan publicly released on 1/28/2016 which is available at the following website:
http://www.losangeles.va.gov/LOSANGELES/features/VAGLAHS_Announces_Draft_Master_Plan.asp;
- (c) The March 5, 1888 deed, whereby the United States received title to the property now comprising the WLA Campus.

KEY PROGRAMS, AUTHORITIES, AND CONCEPTS:

1. PERMANENT SUPPORTIVE HOUSING:

Attractive, safe, and affordable housing that provides tenants with the rights of tenancy and links to voluntary and flexible supports and services for people with disabilities who are experiencing or who have experienced homelessness. Permanent supportive housing is a proven, effective means of reintegrating chronically homeless and other highly vulnerable homeless families and individuals with psychiatric disabilities or chronic health challenges into the community by addressing their basic needs for housing and providing ongoing support.

2. HOUSING FIRST:

A supportive housing model prioritizes permanent supportive housing as the primary service to end homelessness. This approach provides individuals who are experiencing homelessness (particularly those who have been homeless for prolonged periods and have disabling conditions, such as schizophrenia, bipolar disorder, recurrent major depression, post-traumatic stress disorder (PTSD), and addictive disorders) with permanent housing as quickly as possible and supportive services as needed. The Housing First approach provides housing without prerequisites for abstinence, psychiatric stability, or completion of treatment programs.

3. ENHANCED-USE LEASE AUTHORITY:

38 U.S.C. §§ 8161-8169 authorizes the VA to lease VA property to a selected developer/lessee for up to seventy-five (75) years to develop and operate a “supportive housing” facility as defined in 38 U.S.C. § 8161(3) (Note: The VA is currently prohibited from doing Enhanced-Use Leases at the Campus due to Section 224 of PL 110-161. Accordingly, the contractor will need to stay apprised of any legislative changes that occur to that PL during the performance under this contract, and will need to include suggestions for using this authority if the VA were to obtain legislative authority to use this program on the Campus).

4. ENHANCED-SHARING AUTHORITY:

38 U.S.C. §§ 8151-8153 in part authorizes the VA to grant “sharing agreements” which allows VA sharing partners to use Veterans Health Administration (VHA) “health care resources” (to include land) for the purposes permitted by the statute (i.e. housing related to or necessary for health care) in return for monetary and/or in-kind consideration. This authority is unique to the VA and a land use Enhanced Sharing Agreement is akin to a revocable license. Therefore, the Sharing Agreement does not convey a recordable land interest to the VA sharing partner. Such transactions are generally more difficult to finance than Enhanced-Use Leases which do convey a recordable land interest to the Enhanced-Use Lessee.

5. HOUSING AND URBAN DEVELOPMENT (HUD)-VA SUPPORTED HOUSING PROGRAM (HUD-VASH):

HUD-VASH is a joint program between the VA and the HUD as described at 38 U.S.C. § 2003(b) and 42 U.S.C. § 1427f (o). The HUD-VASH program combines Housing Choice Voucher (HCV) rental assistance for homeless Veterans with case management and clinical services provided by the VA.

6. DOMICILIARY CARE FOR HOMELESS VETERANS (DCHV) PROGRAM:

The VA has authority to provide domiciliary care under 38 U.S.C. § 1710(b) and 38 C.F.R. §§ 17.30(b), 17.43, 17.46(b), and 17.47(b)(2). Domiciliaries provide shelter, food, and necessary medical care on an ambulatory self-care basis to restore patients to their highest level of functioning. Veterans served under this program are not in need of hospitalization or nursing care services. Additionally, 38 U.S.C. § 2043 provides VA with specific authority for the DCHV Program. DCHV provides time-limited residential treatment to homeless Veterans with significant health care and social-vocational deficits.

7. COMPENSATED WORK THERAPY (CWT) AND COMPENSATED WORK THERAPY/TRANSITIONAL RESIDENCE (CWT/TR):

CWT/TR programs are designed for Veterans whose rehabilitative focus is transitioning to successful independent community living. See 38 U.S.C. §§ 2031(a)(3), 2032, and 2042. Disadvantaged, at-risk, and homeless Veterans live in CWT/TR community-based supervised group homes while working for pay in VA's CWT Program.

8. HOMELESS GRANT & PER DIEM PROGRAM (TRANSITIONAL HOUSING):

The VA uses this program to assist public or non-profit private organizations in establishing and operating transitional programs for homeless Veterans by awarding capital grants and operational funding (per diem) to such organizations (38 U.S.C. §§ 2011, 2012, 2061 and 38 C.F.R. Part 61). Under the Capital Grant component, the VA may fund up to sixty-five (65) percent of the construction, acquisition, renovation of facilities, or purchase vans to provide outreach and services to homeless Veterans.

9. HEALTH CARE FOR HOMELESS VETERANS (HCHV) PROGRAM:

The HCHV Program allows VA social workers and other mental health clinicians to perform outreach and identify homeless Veterans with serious mental illnesses, and assist them in accessing the appropriate healthcare and benefits. See 38 U.S.C. § 2031(a)(1)-(2). In addition to its initial core mission, the HCHV Program also functions as a mechanism to contract with providers for community-based residential treatment for homeless Veterans.

10. SUPPORTIVE SERVICES FOR VETERAN FAMILIES (SSVF) PROGRAM:

38 U.S.C. § 2044 authorizes the VA to provide financial assistance for supportive housing for very low income Veteran families in permanent housing. The VA provides supportive service grants to non-profit organizations and consumer cooperatives which provide supportive services to very low-income Veteran families residing or scheduled to receive permanent housing.

11. AGREEMENTS WITH NONPROFITS:

38 U.S.C. § 2041 authorizes the VA to enter into agreements with nonprofit organizations or State (local) governments to sell, lease, or donate property to be used to shelter homeless Veterans and their families.

12. SPECIALIZED RESIDENTIAL CARE AND REHABILITATION SERVICES:

38 USC 1720(g) authorizes the VA to contract with appropriate entities to provide specialized residential care and rehabilitation services to a Veteran of Operation Enduring Freedom (OEF) or Operation Iraqi Freedom (OIF) who the VA determines, suffers from a traumatic brain injury, has an accumulation of deficits in activities of daily living and instrumental activities of daily living, and because of these deficits, would otherwise require admission to a nursing home even though such care would generally exceed the Veteran's nursing needs.

13. VA'S GRANT AND PER DIEM PROGRAM FOR STATE HOME DOMICILIARIES:

State home domiciliaries are owned and operated by States. Per 38 U.S.C. §§ 8131-8137 and 38 C.F.R. Part 59, the VA may pay up to sixty-five (65) percent of the cost of construction or acquisition of State homes or for renovations to existing State homes. Per 38 U.S.C. §§ 1741-1745, the VA may also provide per diem payments to States for domiciliary care in State homes of Veterans who meet the eligibility criteria for domiciliary care in a VA domiciliary.

14. HOUSING ASSISTANCE:

The VA guarantees loans made to Veterans by private lenders for, inter alia, the purchase of a dwelling to be owned and occupied by the Veteran as the Veteran's home. 38 U.S.C. § 3710(a)(1). Any loan to an eligible Veteran made in compliance with the purposes and requirement set forth in Chapter 37 of Title 38, U.S.C., "is automatically guaranteed by the United States..." 38 U.S.C. § 3703(a)(1).

15. SPECIALLY ADAPTED HOUSING:

The VA may provide Specially Adapted Housing (SAH) assistance to an eligible disabled Veteran for the purpose of acquiring an adapted home or for modifying an existing home that meets the Veteran's needs. 38 U.S.C. § 2101. To be eligible for assistance, a Veteran must meet the medical eligibility requirements and the suitability and feasibility requirements prescribed by statute and regulation. 38 U.S.C. § 2101; and 38 C.F.R. § 36.4404.

16. VA'S STRATEGIC CAPITAL INVESTMENT PLANNING (SCIP) PROCESS:

VA's SCIP process involves a systematic evaluation of all proposed VA capital investments nationwide. It is based on how well they address identified performance gaps (i.e., safety, security, workload-driven capacity shortage, right-sizing, and access for Veterans—including providing housing for homeless Veterans). Paragraph nine (9) of the Principles Agreement (contained in Attachment A) requires the VA to include the objectives and goals of the Principles Document and the New Master Plan in the VA's annual Strategic Capital Investment Plan (SCIP) ten (10) year planning process.

17. BRIDGE HOUSING:

Bridge housing is time-limited, low-barrier housing that is utilized to rapidly move Veterans from the streets into a safe environment where the primary focus is on expediting the connection to long-term permanent supportive housing and the services to maintain the housing.

18. AUTHORITIES FOR VA CONTRIBUTIONS TOWARD TRAFFIC CONTROLS AND ROADWAY IMPROVEMENTS:

Subject to the availability of VA funding, note that: (a) under 38 U.S.C. § 8108, the VA can make monetary contributions to local authorities to help cover their costs to construct traffic controls and provide roadway improvements for safe ingress and egress to VA medical facilities; and (b) under 38 U.S.C. § 2404(f)(2), the VA can make monetary contributions to local authorities to help cover their costs to construct traffic controls and provide roadway improvements for safe ingress and egress to VA cemetery facilities.

19. APPENDIX B OF THE OFFICE OF MANAGEMENT & BUDGET’S CIRCULAR A-11:

The budgetary treatment of lease-purchases and leases of capital assets

20. THE PROPOSED FEDERAL LEGISLATION TITLED “THE LOS ANGELES HOMELESS VETERANS LEASING ACT OF 2015” (S. 2013 AND HR 3484):

This legislation was introduced by Senator Dianne Feinstein and Congressman Ted Lieu in 2015. If enacted, this legislation would enable the VA to provide permanent, and other types of, supportive housing, Enhanced-Use Leases, and service leases on the WLA Campus to principally and directly benefit Veterans and their families.

21. THE STATE OF CALIFORNIA “PROPOSITION 41” VETERANS HOUSING AND HOMELESSNESS PREVENTION (VHHP) PROGRAM:

Information regarding Proposition 41 is available at via two websites below:

<http://www.hcd.ca.gov/fa/vets/>

<https://www.calvet.ca.gov/Pages/Proposition-41-Notice-of-Funding-Availability-Released.aspx>

Note: This is for general information purposes and does not constitute a VA endorsement of the VHHP Program or Proposition 41 funding.