

# Virginia Opioid Abatement Authority Requests for Proposals from Agencies of the Commonwealth

## 1. Introduction

The Virginia Opioid Abatement Authority (OAA) was established by the Virginia General Assembly in 2021 as an independent entity to abate and remediate the opioid epidemic in the Commonwealth through financial support from the Virginia Opioid Abatement Fund in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in the Commonwealth.

The OAA serves to build partnerships between Virginia's cities and counties, state agencies, and services providers to address abatement efforts in education, prevention, outreach, treatment, and recovery supports.

Financial assistance offered through the OAA consists of settlement funds paid to Virginia by prescription opioid manufacturers and companies in the prescription opioid distribution network. As these settlement agreements were being negotiated and finalized in 2020-2021, the Office of the Attorney General worked with attorneys representing cities, counties, and statewide organizations to negotiate Virginia's [memorandum of understanding \(MOU\)](#), which establishes an allocation plan for opioid settlements within the Commonwealth.

In accordance with the statewide MOU and statutory requirements, the OAA distributes funds to Virginia's cities, counties, and state agencies as these are the parties involved in the litigation. However, those entities may use funds they receive from the OAA to enter into agreements with service providers. More information on the OAA is available [here](#).

## 2. Purpose of Proposals from State Agencies

The OAA is charged with providing financial assistance to fund evidence-based or evidence-informed methods, programs, or strategies that target individuals who have, or are at risk of developing opioid use disorder and any co-occurring substance use disorders or mental health conditions.

Proposals from state agencies will address how the agency plans to use the funds, including the details of each project along with a budget, timeline, and performance measures for each.

Proposals must address opioid abatement strategies consistent with the "*List of Opioid Remediation Uses*" as found in [Exhibit E](#) of the settlements, which are substantially identical to one another. Proposals must be submitted in accordance with this RFP and must comply with statutory requirements outlined in the *Code of Virginia* [§2.2-2370](#).

### 3. Eligibility

State agencies of the Commonwealth of Virginia may submit proposals in response to this RFP. When determining whether an entity qualifies as a “state agency,” the OAA will consider the following “four-way test.”

- a. Was the entity created by an act of the General Assembly or the state constitution?
- b. Does the entity fulfill a state-wide purpose?
- c. Does the General Assembly, Governor, Lieutenant Governor, Attorney General, or Supreme Court maintain direct budgetary and managerial control over the entity?
- d. Is the agency funded primarily with state budget funds (including state appropriated federal/special revenues)?

If an entity does not meet all four elements of this test, the entity should contact the OAA directly to determine whether it qualifies to participate in this RFP ([info@voaa.us](mailto:info@voaa.us)).

### 4. Statement of Priorities and Scope

The submitting agency may only submit one proposal, but that proposal may include multiple projects. If multiple projects are proposed, the agency must rank-order the projects in priority. Each project must have its own budget and performance measures. Agency leadership must endorse the submitted proposal.

The OAA will consider awarding projects that range from one to five years, with funding being awarded on a yearly basis. After the first year, the project may continue for up to four, one-year renewals provided the renewal is approved by the OAA, and pending availability of funds, the agency’s performance, and proposed or requested amendments. After any optional renewals have been exhausted, the agency must go through the RFP process again.

During the 2023-2024 performance period RFP process the OAA is specifically seeking proposals that accomplish one or more of the following:

- a. Expand, facilitate, or otherwise provide greater mobile treatment and crisis services;
- b. Empower and support local governments and/or community-based service providers in their opioid abatement efforts
  - i. Including research and analysis of effective models for local government use of settlement funds;
- c. Reduce overdoses;
- d. Expand access to effective treatments
  - i. Including providing Medications for Opioid Use Disorder (MOUD) treatment, especially for criminal justice involved individuals;
- e. Support people in recovery
  - i. Including supports for housing and transportation;

- f. Improve information and data sharing related to the opioid crisis in Virginia;
- g. Provide proactive outreach, screening, and healthcare connections;
- h. Identify and address disparities in access to prevention, treatment, and recovery support services for people in traditionally disadvantaged communities;
- i. Other proposals that meet the requirements of *Code of Virginia* §2.2-2370 and Exhibit E.

## 5. Proposal Requirements

A complete proposal will contain the following information:

- a. A narrative description of the proposed project including the requested term (1-5 years) and which category below that best fits the project:
  - i. A new effort for the agency;
  - ii. A proposed supplement or enhancement to a project or effort that is already in place;
  - iii. A combination of enhancing an existing project/effort with new components
    - 1. If the project already exists, notate how long it has existed;
- b. A description of the objectives of the project;
- c. A description of how the need was determined and how it relates to abatement;
- d. A description of how this project aligns any state and/or federal mandates or priorities (if applicable);
- e. A description of how this project addresses equity issues for Virginians;
- f. A description of the geographic focus of the project (statewide vs. specific area(s))
  - i. If targeting a specific area(s), describe the reasoning for the focus;
- g. A description of the targeted beneficiaries and how many persons are expected to participate per year;
- h. A description (name of organization, description of role, budget, etc.) of the organization(s) including any sub-recipients and/or contractors (if known) that will be involved in the project
  - i. Attach any contract and/or memoranda of understanding/agreement. If not fully executed, a draft or narrative describing the scope of services may suffice;
- i. A notation if any of the following apply to the project, and for those that do, provide supporting documentation with the proposal:
  - i. Is the project classified as evidence-based?
  - ii. Is the project classified as evidence-informed?

- iii. Has the project been certified or credentialed by a state/federal government agency, or other organization/non-profit?
- iv. Has the project received any awards or recognition?
- j. A notation if the project has components other than opioid-related abatement as defined?
  - i. If the project is not 100% related to opioid-related abatement, please provide the approximate percentage that is opioid-related (i.e. 20% of the patients who seek services have opioid-related disorders);
- k. Include a brief narrative describing the budget including how the OAA funds will be utilized in conjunction with other funds if applicable;
  - i. A line-item detail budget file is also required;
- l. A complete [project timeline workbook](#);
- m. A complete [performance measurement workbook](#) (The agency must choose at least one of the prescribed measures but may also propose additional measures as part of the narrative.);
- n. (*Optional*) Attach any additional narrative materials explaining the project, along with any research, data, plans, letters of support, articles, or other items that may assist the OAA Grants Committee in making an award decision for this project.

## 6. Definitions

The OAA's Glossary of Terms can be found [here](#).

## 7. General Guidelines

Proposals should include information that identifies the data used, the gaps identified, and the beneficiaries of the project(s) including specific geographical service area(s).

If multiple agencies wish to work together on a project, one agency must be identified as the fiscal agent who is responsible for receiving the funds as well as making payments, and all reporting requirements. If the collaborating agencies have multiple projects, the ranking of the collaborative project should be the same across all agencies.

Agencies may enter into agreements with vendors and/or sub-recipients as part of a project. Another state agency may serve as a sub-recipient in lieu of collaboration as described above. The awarded agency is ultimately responsible for all vendors and sub-recipients.

Funds will be awarded yearly and on an upfront basis (not reimbursement based).

If an awarded agency is found to not be in compliance with the [terms and conditions](#) of the agreement, repayment of abatement funds may be required.

## 8. Financial Guidelines

- a. The performance period for the awards will be October-September.
- b. In accordance with *Code of Virginia §2.2-2370*, no support provided shall be used by the recipient:
  - i. To supplant funding for an existing program or continue funding an existing program at its current amount
  - ii. For indirect costs incurred in the administration of the financial support
- c. Administrative costs that are new to the recipient for the purposes of government oversight and management of an abatement program to include managing and monitoring of expenses, collecting data, and making reports are considered allowable direct costs.
  - i. New costs are defined as hiring an employee or contractor or increasing the hours of an employee or contractor to meet the oversight and management needs.
  - ii. Utilizing abatement funds for a current employee's costs is considered supplanting and not allowed per *Code of Virginia §2.2-2370*.

## 9. Available Funding for State Agencies for 2023-2024 Performance Period

The estimated total budget for OAA awards to state agencies during its grant year 2023-2024 performance period will be **\$8 million**. Based on the current estimates of known and potential settlements, it is likely that funding will continue to exist to support OAA awards to state agencies at least through 2039, however the amount of funding from settlements will decline in future years. For this reason, programs funded through this mechanism should not be considered permanent in nature. Multiple awards will be made from these funds. No singular agency will receive all \$8 million.

## 10. Timeframe for RFP Process

The OAA will accept proposals between April 21st and June 21st, 2023. [Virtual Q&A sessions](#) will take place on May 2nd and June 6th, 2023. In subsequent years, the OAA will accept proposals between April 1 and June 1 of each year.

After the proposal period closes, the OAA will review proposals for completeness and the criteria listed in Section 13 below. After the review period, the OAA will conduct an evaluation meeting with each agency which may include negotiating with the agency to potentially adjust the scope, budget, project priority, and other components of each proposal before presenting them to the Grants Committee for final consideration.

The OAA's Grants Committee will determine awards on August 18th, 2023. When an OAA offer of award is accepted by an agency, the OAA and the agency will negotiate and execute a memorandum of understanding (MOU) to memorialize the [terms and conditions](#) of the award, including the project timeframe(s). As part of the awards process, the OAA will provide information to the Department of Planning and Budget (DPB) to facilitate the appropriation of awarded funds.

The OAA anticipates finalizing the MOUs and transmitting the awards in October 2023.

## Requests for Proposals from Agencies of the Commonwealth

Proposal Window Opens	April 21, 2023	Evaluation Meetings & Negotiations	June 22 – August 11, 2023
Q&A Webinar #1	May 2, 2023	Award Determinations	August 18, 2023
Q&A Webinar #2	June 6, 2023	Finalized MOU & Award Transmittal	October 2023
Proposal Window Closes	June 21, 2023	Subsequent Performance Period Proposal Windows	April 1 – June 1 Each Year

### 11. Amendments & Carryover

Amendments to approved multi-year projects will be reviewed during the renewal process in the next proposal period. Carryover of unexpended funds will also be reviewed at this time. Both must be requested and approved by the OAA Grants Committee and will be handled on a case-by-case basis.

### 12. Reporting Requirements

Reporting requirements will be annual, on forms proscribed by the OAA, and include both financial and performance measurement data. Reporting requirements will be agreed upon during the MOU negotiation.

### 13. Evaluation Criteria

Proposals will be reviewed by the OAA on a competitive basis. The OAA may share information about proposals with the general public and may choose to accept public comments regarding the proposals. The OAA Grants Committee will determine award offers based solely on the Committee's discretion and in accordance with settlement agreements, the Virginia Allocation Memorandum of Understanding, the Code of Virginia, and any Virginia court orders that may apply. There is no appeal process to the Committee's final decision.

Proposals will be evaluated as follows:

- a. Adherence to minimum requirements
  - i. Eligibility to apply in accordance with Section 3 above.
  - ii. Compliance with settlement terms and *Code of Virginia 2.2-2370 (A)*
    1. Example: [Exhibit E](#) from Distributors and Janssen Settlements
  - iii. Compliance with [terms and conditions](#) of this funding opportunity; and
- b. Achievement of statutorily enumerated priorities in *Code of Virginia §2.2-2370 (B)*
  - i. Specifically, proposals that accomplish the following:
    1. Collaborate with an existing program or organization that has an established record of success treating, preventing, or reducing opioid use disorder or the misuse of opioids;
    2. Treat, prevent, or reduce opioid use disorder or the misuse of opioids in a community with a high incidence of opioid use disorder or opioid death rate, relative to population;
    3. Treat, prevent, or reduce opioid use disorder or the misuse of opioids in a historically economically disadvantaged community; or

4. Include a monetary match from or on behalf of the applicant, with higher priority given to an effort with a larger matching amount; and
- c. Extent to which the proposal identifies and addresses one or more of the items listed above in Section 4, items a through i.
- d. The equity with which the results of the proposal are spread across the Commonwealth in accordance with *Code of Virginia §2.2-2368 (4)*.

#### **14. Evaluation Process**

After the proposal period closes, the OAA will review proposals for completeness and how the criteria listed in Section 13 above are addressed. As stated in Section 10 above, after the review period, the OAA will conduct an evaluation meeting with each agency which may include negotiating with the agency to potentially adjust the scope, budget, project priority, and other components of each proposal before presenting them to the Grants Committee for final consideration.

If an agency prefers not to negotiate requested changes by the OAA, they may withdraw their proposal.

There is a limited amount of funding available that the OAA Grants Committee must award in an equitable manner across the Commonwealth in accordance with *Code of Virginia §2.2-2368 (4)*.

There is no guarantee that submitting a proposal will result in an award. As stated in Section 9 above, no singular agency will receive all \$8 million.

#### **15. How to Submit a Proposal**

Complete proposals will include the following:

- a. Completed [Summary of Proposal](#) that includes the name of each project and if multiple projects are included in the proposal, the agency's priority ranking. *\*\*Please note only 1 proposal per agency will be accepted.*
- b. Completed Project Proposal for each project (this can be in a format of the agency's choosing).
- c. Completed [Project Timeline Workbook](#) for each project.
- d. Completed [Performance Measurement Workbook](#) for each project.
- e. Completed Line-item Budget for each project (this can be in a format of the agency's choosing but must be sectioned by major object/account codes and include any other sources of funding if they are part of the project).

Email all documents to [info@voaa.us](mailto:info@voaa.us) on or before June 21st, 2023.