

Statement of Qualifications and Proposal for
Portable Opportunity Dwelling (POD) Demonstration Project
RFPQ-76-2021 “Alternative Shelter”

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Prepared for:



Joint Office of Homeless Services



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INTRODUCTION

When Charlie Hales announced his (six-month) “safe sleep” plan (five years ago) and directed the police to stop arresting People for camping (for a night) on public property, *Portland Business Journal* ran an informal poll in which 89 percent of readers were opposed to the change. In hindsight, the former mayor’s “radical” leniency was inevitable, but this would only become apparent after a bitter winter in which several Homeless People froze to death, and after others took the “camping” question to court. In 2018, the Federal Court of Appeals for the Ninth Circuit ruled in the case of *Martin v. Boise* that prosecuting the poor for safeguarding our Lives by taking shelter on public property is “cruel and unusual punishment”—at least when no “alternative shelter” is available.

Hence, we have this RFPQ for “Alternative Shelter.”

But what is alternative shelter?

According to the solicitation materials, “Any proposal that shows an improvement for participants vs. sleeping unsheltered in unsanctioned public spaces will be considered.”

Is the “vs.” really necessary?

Do we need so many “un-”s?

We propose an improvement for participants sleeping in sanctioned public spaces.

After all, it is up to the issuers of this Request to define where sleeping is sanctioned. Until the City delineates where sleeping *is* sanctioned, *every* public space has been sanctioned—by the court.

Let statisticians at HUD worry about what “unsheltered” means.
The purpose of this Request is to define what *shelter* is.
We hope you like our alternative.

THE PORTABLE OPPORTUNITY DWELLING (POD)

Definition: A Portable Opportunity Dwelling (POD) is an inexpensive mobile home, vehicle, craft, or vessel, or a combination of mobile homes, vehicles, crafts or vessels that is:

- (a) equipped with safe sleeping and sanitary accommodations,
- (b) transportable without an operator license or insurance, and
- (c) able to fit in a standard parking, docking, or storage space.¹

The Portable Opportunity Dwelling may sound like a fantasy, but in fact it exists today. Every livable sailboat secured in a navigable river is already a POD under U.S. admiralty law. To make the benefits of the Portable Opportunity Dwelling accessible to those in need, POD the People are creating a new type of POD based on the emerging technology of the electric bicycle.

Federal law passed in 2002 defines a “low-speed electric bicycle” as a two- or three-wheeled vehicle with operable pedals, an electric motor of less than 750 watts, and a top speed of less than 20 miles per hour. In recognition of the low crash liability and ecological impact of these vehicles, twenty-nine states including Oregon have authorized the use of electric bicycles and tricycles without a license. All that we need is to make electric tricycles that are fit for habitation.

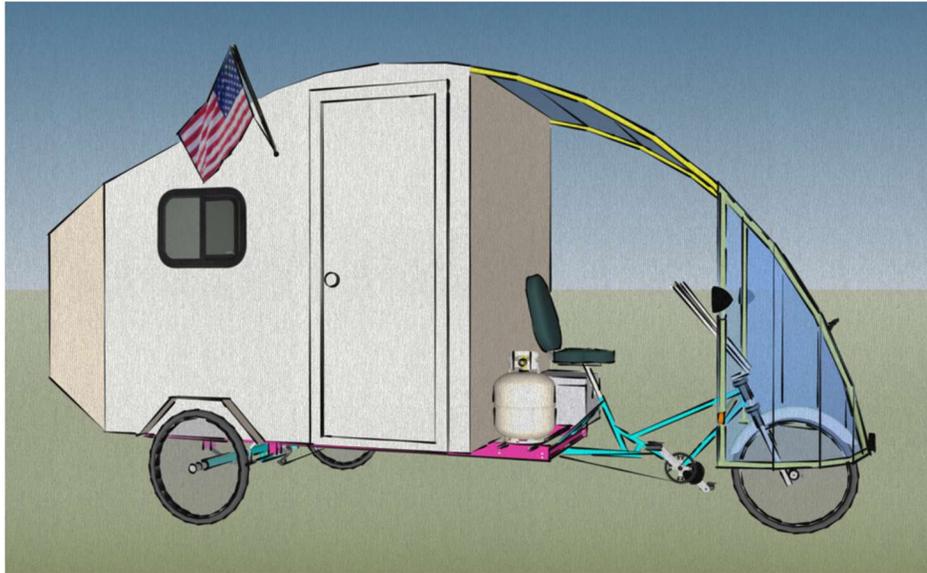
A MODEL POD PROTOTYPE

On January 19, 2021, POD the People released draft specifications and a construction plan for a new POD prototype. The specifications are available on our website:

www.podthepeople.org/files/bids/rfq20210119/POD_Prototype_Specification.pdf

Here we provide only a brief summary of the plans.

¹ “Portable Opportunity Dwelling” is a trademark that may be used in commerce only with certification of applicable safety standards and written permission of POD the People. If a contract is executed based on this proposal, we will provide JOHS an irrevocable and royalty-free license to use the trademark for products and services that are provided or administered by JOHS in accordance with this definition.



The POD is of modular construction. The front cycling frame and the rear axle are made of ½” to 2” welded steel tube, fabricated by a sub-contractor. The remainder of the Portable Opportunity Dwelling will be constructed by POD the People.

The chassis is made of 2” to 3” aluminum-alloy channel, bolted to the front cycling frame, and suspended above the rear axle with leaf springs. The framing for the cabin is mostly 1x2” lumber. The floor is 1/8”-thick marine-grade plywood. The siding is fluted polypropylene. The roof—fluted polycarbonate. The windscreen frame is 1” PVC pipe, and the windscreen—1/32” polycarbonate. The walls and floor of the cabin are insulated with expanded polystyrene. The roof is insulated with fiberglass. The cabin has one door and two windows and meets the statutory requirements for emergency egress.

Inside the cabin, there is a bench which converts into a twin bed. Underneath the bench is a portable toilet with a sealed cassette that can be carried out of the POD and emptied into any drain that is connected to the sewer. The bench faces a kitchen cabinet with a sink, water pump, fresh water and gray water tanks, a propane stove, and a vented propane furnace. A smoke detector and propane detector will be installed as required by law.

The POD is propelled by a 750-watt mid-drive electric-assist motor which drives both rear wheels using a small chain differential with a variable gear ratio. Mechanical disc brakes will be installed according to the rules of the Consumer Product Safety Commission. Mirrors, windscreen wipers, and exterior lights will be installed according to a hybrid of the *Federal Motor Vehicle Safety Standards* for motorcycles and passenger cars.

Electric power will be provided by a 48-Volt lithium-ion battery pack, voltage converters, inverters, and circuit protection devices installed in accordance with ANSI *Low Voltage Electrical Systems* and the *National Electrical Code*. The battery can be charged over time by solar panels on the roof, or more quickly using either a standard 120-Volt NEMA plug or a 240-Volt J1772 electric vehicle charger.

The Portable Opportunity Dwelling will meet all applicable safety standards including the National Fire Prevention Association *Standard on Recreational Vehicles*.

The unloaded weight of the POD will be approximately 500 pounds.

DEMONSTRATION PROJECT

After the prototype is complete, POD the People will produce and distribute Portable Opportunity Dwellings in a *collaborative partnership program*. In this program, we will offer eligible participants who help to build their own PODs an invoice credit on a sliding scale which will completely offset the sales price for People who have no funds and no expected savings potential. This arrangement will not only make PODs more accessible to those in need; personally-invested participants will also develop vocational skills and experience greater success in maintaining their PODs.

However, as the Portable Opportunity Dwelling prototype is still under development, we are proposing a six-month Demonstration Project for the purposes of this solicitation. During this initial phase, POD the People will build and test the prototype, exhibit the prototype in the community, and share the results of our research with JOHS and with the general public. Further partnership between JOHS and POD the People, if any, can be determined through negotiation when the Demonstration Project is complete.

ANTICIPATED BUDGET

The Demonstration Project will require a grant of thirty thousand dollars (\$30,000).

ABOUT POD THE PEOPLE

The purpose of POD the People is to empower the poor by making mobile micro-housing available to all. Founded in Portland in 2017, we are organized as an Oregon non-profit public benefit corporation that is consistent with Section 501(c)(3). We are currently exempt, under IRS rules, from the requirement to apply for recognition of this status.

ANSWERS TO SELECTED QUESTIONS NOT ANSWERED ABOVE

1. Include your experience/expertise with this population and similar shelters.

POD the People were founded by a homeless community organizer, a van-dwelling artist, and an urban planning consultant. A member of our Board of Directors is also certified by the Oregon Health Authority as a Mental Health Peer Support Specialist. Prior to establishing POD the People, we built a bicycle-powered personal mobile shelter and provided it to someone who was living on the street. We formed the corporation to establish a scalable program, and to provide sanitation and heating facilities in accordance with relevant safety standards.

2. (b) Describe the location of the shelter.

The Portable Opportunity Dwelling is, obviously, portable! When the Demonstration Project ends and our collaborative partnership program begins, the recipients of Portable Opportunity Dwellings will locate themselves as they see fit. We welcome the possibility of a continuing partnership with JOHS beyond the Demonstration Project; however, we maintain that, under the current laws, a Portable Opportunity Dwelling may be lawfully parked on the street in any unmarked space for 24 hours. The City may enact restrictions on the times and places where the People may sleep in a vehicle, but such rules must be narrowly tailored to achieve a compelling governmental purpose by due process of law.

Many benefits could accrue in this regard from the municipal leadership needed to amend to the City Code. Beyond eliminating the opaque administrative rules pertaining to deadly “sweeps”, such amendments might enable the City to resume prosecution for prolonged tent camping, offensive littering, and the parking of oversized and “zombie” RVs. However, because POD the People are organized solely for charitable purposes, we are prohibited by the Internal Revenue Code from proposing any specific legislation.

This aspect of our proposal may be a matter of some controversy. We don't expect that PODs will be a panacea. However, instead of squandering law enforcement hours pushing People around from place to place at great risk to health and safety, instead of carving out millions of dollars every year for hazmat crews to remediate precious natural resources over and over again, we do envision that when a POD user outstays her welcome in any particular spot, a friendly knock on the door could get her in the saddle, and around the block to a new temporary home.

2. *(d & e) Describe the structures used for hygiene and utilities that will be needed.*

Utilities and sanitation in the POD will be self-contained. When we begin the collaborative partnership program, POD the People may operate a facility for waste disposal, propane refueling, and battery charging for POD users. No such site will be needed during the term of the Demonstration Project.

3. *(b) Who will be prioritized for the shelter?*

When the collaborative partnership program begins, POD the People will offer liberal opportunities for ownership of Portable Opportunity Dwellings to People who are unhoused; People displaced by eviction, foreclosure, violence, fire, or natural disaster; People displaced by domestic relations suits; People engaging in residential rent strikes against a proprietor who is in violation of law; People recovering from prison and involuntary labor; People who are, by lawful migration, or by eligibility for a statutory exemption from removal, admissible resident aliens of the United States; People having served in the U.S. armed forces; People with limited resources; People who have, or are perceived to have, a disability; and People who are otherwise significantly disadvantaged or distressed.

3. *(d) Describe the requirements for participation.*

Apart from need and a willingness to participate in the collaborative partnership program, we do not expect any additional restrictions.

4. *(d) Describe the staffing model for the program.*

In the Demonstration Project, our Board of Directors will hire a temporary project manager who will oversee a team of volunteers and construct the prototype. A draft staffing plan for the collaborative partnership program is available upon request.

6. *(d) Describe how your organization recognizes cultural diversity in your services.*

Apart from our regard for the People and the Constitution of the United States, POD the People are not a “culturally specific” service provider. However, we welcome cultural diversity with open arms. We do not and will not—absent a clear relationship with a greater or lesser need for charitable services or affirmative action—discriminate in employment or in the provision of our services on the basis of race, color, religion or creed, national origin or ancestry, military history, disability, sex, gender expression, sexual orientation, family type, or marital status.