

# REQUEST FOR PROPOSALS

**For Purchase and Development**  
of City-owned real property

**2600 Minnehaha Avenue**

**Revised February 10, 2014**



**REVISED SUBMISSION DEADLINE:**  
**Thursday, March 20, 2014, 4:00 pm**

**City of Minneapolis – Community Planning and Economic Development**  
105 Fifth Avenue South, Suite 200, Minneapolis, Minnesota 55401  
[www.ci.minneapolis.mn.us/cped](http://www.ci.minneapolis.mn.us/cped)

Contact Mark Garner at [Mark.Garner@minneapolismn.gov](mailto:Mark.Garner@minneapolismn.gov)  
for issues specific to this RFP

## Overview

The City of Minneapolis (“City”) is seeking redevelopment proposals for the vacant City-owned property located at 2600 Minnehaha Avenue (the “Site”). The approximately 1.51-acre (65,734 square foot) undeveloped parcel is zoned I1, Light Industrial District. The property is located in the Seward/Hiawatha Industrial Employment District, an area designated for industrial job preservation and development within the *Minneapolis Plan for Sustainable Growth*.

The City will sell the Site “as-is”. Site contamination has been remediated by the City, using contamination remediation grants from the Minnesota Department of Employment and Economic Development (DEED) and Hennepin County in addition to City funds. Several environmental reports are available as exhibits to this RFP. The Site is now considered shovel ready for light industrial development.

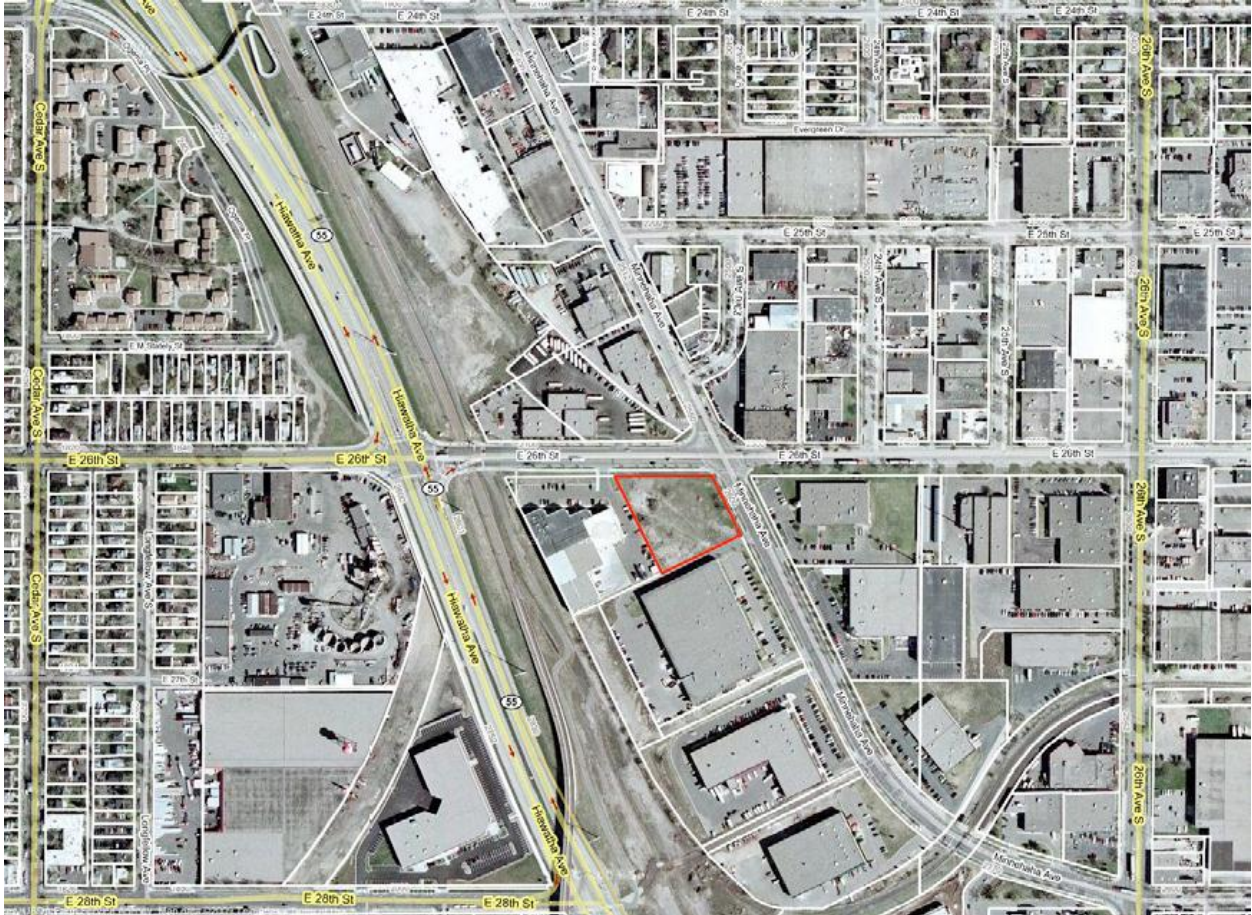
Industrial job creation is the primary redevelopment goal for this Site. Additional development objectives include maximizing building coverage on the property and increasing the property tax base; maintaining the quality of development that has occurred within the area with a well-designed building that is compatible with surrounding properties; and sustainable development that incorporates best practices for green site design and building design, materials and systems.

**The asking price for the Site is \$330,000, or approximately \$5.00/square foot. The asking price is based on an appraisal dated February 8, 2012.**

The selected developer must be ready to work with City staff and the neighborhood to assure compliance with the development objectives and City regulations.

## Revised Proposal Deadline

Proposals are due no later than **4:00 p.m. Thursday, March 20, 2014.**



**Aerial Photo of Site**  
(North is at top of photo)

### Site Facts

- Address: 2600 Minnehaha Avenue, Minneapolis, MN 55408
- Ward: Second Ward, Council Member Cam Gordon
- Neighborhood: Seward
- Property ID#: 360-29-24-31-0025
- Acreage of Site: 1.51
- Sq. Ft. of Site: 65,734
- Zoning: I1 (Light Industrial District)
- Current Land Use: Vacant Land
- Designated Land Use: Industrial
- Market value: \$330,000





**Site Location**

The Site is located on the southwest corner of the intersection of 26<sup>th</sup> Street East and Minnehaha Avenue in Minneapolis. Set in Minneapolis’ Seward neighborhood, a community with a long tradition of industrial growth, low vacancy rates and high property values, it is currently one of Minneapolis’ strongest industrial business settings. The Site is only minutes from downtown Minneapolis and its proximity to major arteries provides easy access to the entire metropolitan area. Seldom is there such a prime real estate opportunity for light industrial development in the heart of the city.

**Background Information**

The subject is owned by the City of Minneapolis and is the last undeveloped property in the 61-acre Seward Place Industrial Business Park.

Between 1930 and the mid-1980s, this area was the Southtown Yards of the Milwaukee Road Railroad. The railroad yards were purchased by Minneapolis in 1988 for industrial redevelopment. Since that time, the City has constructed new streets and utilities, and coordinated the phased pollution investigation and remediation, sale of development sites, and industrial redevelopment of the business park.

The Site was utilized as part of this railroad yard. Structures known to have existed on the Site included a small pump house, well, scale, and railroad tracks. From the mid-1980s to the present, the Site was vacant. The Site is currently covered with grass and maintained by the City.

One of the former barriers to redeveloping this Site was uncertainty regarding environmental contamination. Between 2005 and 2009, the City completed a Phase 1 environmental site assessment (ESA), conducted test pit evaluations, completed Phase 2 investigation and testing of ground water and soil vapor impacts, located a 995-foot-deep abandoned well, prepared a response action plan ("RAP"), and entered the Site in the Minnesota Pollution Control Agency ("MPCA") Voluntary Investigation and Cleanup (VIC) Program and the MPCA Petroleum Brownfield Program.

In January 2010, the City was awarded clean-up funding from the Minnesota Department of Employment and Economic Development (DEED) and Hennepin County brownfield grant programs that was combined with additional City funds to remediate the Site for job-generating light industrial redevelopment. The historic well was sealed in accordance with Minnesota Health Department guidelines in 2010 and in 2011, and spot petroleum remediation was conducted in late 2011. Removal of contaminated soil and site reclamation was completed in early 2013 and the site deemed "shovel ready," for light industrial redevelopment that is consistent with the approved RAP and Implementation Plan.

Following completion of site remediation, an Interim Response Action Plan / Construction Contingency Implementation Report, dated February 18, 2013 was prepared by the City's environmental consultant, Braun Intertec Corporation, and submitted to the Minnesota Pollution Control Agency. In March 2013 the MPCA approved the Interim Response Action Plan / Construction Contingency Implementation Report and issued a no further action determination. The site is now considered shovel ready for development that is consistent with the approved RAP and Implementation Plan. MPCA review of proposed new development plans will be required.

The property will be sold "as-is." Several environmental reports for the property investigation and clean-up are available as exhibits on the RFP website at <http://www.ci.minneapolis.mn.us/cped/rfp/index.htm>. Any potential proposer may also reasonably conduct its own environmental testing of the property by contacting the department contact person, entering into a Right of Entry Agreement with the City and providing the requisite insurance coverage.

### **Estimated Fair Reuse Value**

Scott F. Muenchow, Real Property Appraiser of Muenchow Appraisals, Inc. completed a market value appraisal of the Site in February, 2012. Mr. Muenchow concluded that the prospective market value of the subject property on October 1, 2012, after completion of remediation, would be \$330,000 or approximately \$5.00 per square foot. The appraisal

is available for review as an exhibit on the RFP website at:  
<http://www.ci.minneapolis.mn.us/cped/rfp/index.htm>

Submittals must include an offer price, and price will be one of multiple criteria for evaluating proposals. It is City policy to sell property at its fair market value. Write-downs from that value are considered public financial assistance and may trigger other requirements for the project. Offers that require a write-down are discouraged.

## **Comprehensive Plan**

The [Minneapolis Plan for Sustainable Growth](#), the City's comprehensive plan, designates the site for industrial use. Specifically, low impact industrial uses which produce little or no noise, odor, vibration, glare or other objectionable influences and which have little or no adverse effect on surrounding properties.

## **Industrial Land Use and Employment Policy Plan**

While the *Minneapolis Plan* does provide policy direction for the entire city, sometimes more specific guidance is needed for certain areas. The purpose of the [Industrial Land Use and Employment Policy Plan](#) is to provide the City with a clear policy direction for industrial land uses and industrial sector employment within the City of Minneapolis. The plan evaluates the long-term viability of existing industrial uses and proposes a range of industrial uses to retain for the future. The plan identifies seven "Employment Districts" where existing and new industrial uses should be located. These seven districts are prioritized for industrial uses and residential uses are strongly discouraged. The Site is located with the Seward/Hiawatha Industrial Employment District.

## **Redevelopment Goals**

Redevelopment proposals should comply with the guiding principles defined in the [Minneapolis Plan for Sustainable Growth](#) and [Industrial Land Use and Employment Policy Plan](#). Special consideration should be given to the following four redevelopment goals when considering a response to this RFP.

1. Building Coverage: At minimum, the City would like to see a production facility of at least 24,000 square feet on this site. Buildings with a greater square footage are strongly encouraged.
2. High-intensity of employment: The proposed end user should employ at least one staffer at the site for every 1,000 square feet of building. More jobs at the site are strongly encouraged.
3. Design and construction quality: The successful redevelopment proposal will contribute to the building quality and commercial vitality of the Seward Place Industrial

Business Park and reflect the spirit, diversity, and character of the Seward Neighborhood.

In addition to these redevelopment goals, proposals should be consistent with current site plan review regulations and urban design standards and policies in the [Minneapolis Plan for Sustainable Growth](#) for industrial buildings. Responders to this RFP should also be creative with the proposals. Public art and artistic elements on the exterior of the building and creative use of color, façade elements, and signage are desired. Incorporating energy efficient components and proposals with additional green building and site design features, materials and building systems are strongly encouraged.

## Proposal Contents

Proposals must include the following information to be deemed complete and responsive and must be in the following order and with corresponding section numbering (all proposals must include page numbers). The information being requested through this RFP is necessary for the City to adequately evaluate the proposals. Failure to supply the requested information may result in rejection of a proposal. Select items below must be presented in special format as noted. The City is not responsible for the costs incurred by proposers or their subcontractors in connection with this RFP process, including, but not limited to costs associated with preparing a proposal or associated with participating in any presentations or negotiations related to this RFP. Proposals deemed incomplete and/or non-responsive will not be considered.

1. A **cover page** that includes:
  - a. Respondent's name and mailing address
  - b. Respondent's current legal status: corporation, partnership, etc.
  - c. Federal tax ID number or Social Security number
  - d. State ID number
  - e. Contact person's name, title, phone number, and e-mail address
  - f. Signature of authorized corporate officer for each entity proposing as a partnership or team
  
2. A **narrative project description** that includes, but is not limited to, the following information:
  - a. Uses on the Site and proposed users/tenants of the Site
  - b. Improvements made to the Site including square footage of specific components, anticipated materials, and design
  - c. Project schedule
  - d. Plan for transportation access, including parking needs
  - e. "Green" building features, techniques, and/or certifications
  - f. Include exhibits of preliminary schematics, plans, and/or elevations
  
3. A **description of the entities involved** in the development team that includes:

- a. Description of the roles the development team members will play (e.g., developer, architect, building owner, property manager, tenant, professional consultant)
  - b. Summary of the development team's track record, including, but not limited to:
    - i. Experience working together and in developing projects of similar type or scale.
    - ii. Information on the location of past projects, their type, their development costs, their development funding sources, their current status, and any continued financial or operating interest in them.
    - iii. Previous relevant development experience working with public entities, including reference contact information.
    - iv. The City may ask for supporting documentation substantiating claims of previous experience.
  - c. Summarize any lawsuits to which the members of the development team or any principals of the development team have been a party.
  - d. Identify the principal person who will speak for the development team and any other key participants who will be involved in negotiating the project terms.
  - e. Specify whether the development team is or intends to form a corporation, a limited liability company, a general or limited partnership, a joint venture or other type of business entity to carry out the proposed development.
  - f. The developer must also provide two years of audited financial statements. If there is a concern about confidentiality, they may be submitted confidentially to the CPED Director under separate cover.
  - g. Please note that design consultants on the team must be licensed in the State of Minnesota and contractors must be licensed to work in the City of Minneapolis. The submission must include a certification that identified team members meet or will meet these requirements.
4. A **development budget** showing the detailed sources and uses of funds for the project. For uses of funds, itemize the estimated costs of the project including Site acquisition, hard and soft construction costs, any tenant improvements, and any other project costs. For sources of funds, indicate the type of financing planned – e.g. debt, equity, other – and describe the status of securing those funds. If debt financing is proposed, include a letter of interest, if possible, from a lender to provide financing. Clearly indicate any public financial assistance such as loans or grants to be requested, particularly any from the City. Requested write-downs of the acquisition price below market value will be considered public financial assistance from the City, which may trigger additional requirements on the project, and are discouraged. **Please provide one electronic and editable copy of the development budget including all underlying assumptions and formulas in Excel format.**



5. An **operating pro forma** of at least 10 years for the building operation, including the assumptions underlying the income and expense projections. The pro forma should break out line items for all revenue streams and expense categories. Clearly indicated assumptions, if applicable, for rental rates, vacancy rates, operating expenses, growth rates, taxes, debt service, and capital reserves. Also show the available cash flow, cash-on-cash return, and internal rate of return, if applicable. Detailed pro formas in a format acceptable to the City will be required during the negotiation of a redevelopment agreement. **Please provide one electronic and editable copy of the pro forma including all underlying assumptions and formulas in Excel format.**
6. **Evidence of demand** for the space that could include a market study, letters of intent from tenants, an assessment of area demographics or economics, and/or other information documenting market demand for the proposed space if the proposal is for tenanted rather than owner-occupied space
7. A **description of the public benefits** that will result from the development, e.g. the creation or retention of jobs (including the estimated number, type and wage levels), tax base enhancement, the provision of retail goods and services, and/or activities that generate visitors to the area or benefit the community. Include an estimate of the taxable value upon completion and annual real estate taxes of the Site.
8. A **timeframe for redevelopment**. The schedule should include the time needed to finalize financing, complete design, secure approvals and permits, prepare the site, start and complete construction, and start and complete occupation and/or lease-up. Identify any conditions that must be met before the proposal can become a reality.
9. An **executed “Consent for Release of Response Data” form** (see **Attachment 1**). Proposals that do not include an executed “Consent for Release of Response Data” form shall be considered incomplete, which will be grounds for rejection of the proposal.
10. Any **other information** that would help City staff understand and evaluate the concept.

The contents of the proposal and any clarification to the contents submitted by the successful proposer may become part of the contractual obligation and be incorporated by reference into the redevelopment contract between the selected developer and the City.

Development teams/developers responding to this RFP are not required to provide a good faith deposit on the land with their proposals. However, the development team whose proposal is ultimately selected by the City Council must make the required

deposit – 10% of purchase price – upon execution of the redevelopment contract. The City will hold the deposit until development of the project is complete.

## **Proposal Submission**

Proposers must submit copies of their proposals as follows:

- One unbound copy
- Five bound copies (staples are fine, or other mechanisms as desired)
- One electronic version in Microsoft Word or PDF format on CD, including Excel files for project financial information as described above.

Proposals must be on standard 8 ½” by 11” paper. Foldouts containing charts, spreadsheets, drawings, and oversized exhibits are permissible as long as they are packaged with the proposal.

Proposals and supporting documentation must be submitted in a sealed envelope labeled “**2600 Minnehaha Avenue Proposal**” and sent to:

City of Minneapolis, Community Planning & Economic Development  
Attention: Mark Garner  
105 Fifth Avenue South, Suite 200  
Minneapolis, MN 55401

Faxed proposals will not be accepted. Proposers may choose to provide additional copies if and when invited to do so for presentation purposes. Submissions will not be returned.

Proposals shall be delivered to the City on or before **4:00 pm on Thursday, March 20, 2014 (revised deadline)**.

Proposals received after the deadline may not be accepted. It is neither the City’s responsibility nor practice to acknowledge receipt of any proposal. It is the proposer’s responsibility to assure that a proposal is received in a timely manner.

## **Evaluation Criteria**

In reviewing potential development concepts, the following criteria are among those that will be considered:

1. Purchase price.
2. Attainment of the development goals for the Site stated above – including maximizing development potential, jobs, and contribution to the City’s tax base.
3. Consistency with the Minneapolis Comprehensive Plan, the Minneapolis Zoning Code, and other relevant policy documents and City ordinances.

4. The track record and financial and organizational capacity of the development team to complete the type of development project that they propose.
5. Project readiness and feasibility of proposed project schedule.
6. Identification of commercial business owner-user of property or commitment letter from proposed tenant.
7. Financial feasibility and the ability of the project to secure necessary financing
8. The public benefits that would be provided by the project, including the proposed land price, jobs and increase in tax base.
9. Minimization of public subsidy, if any.
10. Degree of “green” building techniques and features incorporated.
11. Overall quality of the submission and adherence to proposal content requirements.

The City may, in its sole discretion, expand or reduce the criteria upon which it bases its final decisions regarding selection of the development team or developer for this site.

### **Citizen Participation**

The City of Minneapolis has established a citizen participation process for development projects impacting neighborhoods and values advice/input from the public obtained through this process. The neighborhood group officially designated to provide input on responses to this RFP is the Seward Neighborhood Group (SNG). In addition to the Seward Neighborhood Group review, responsive proposers will present at a community meeting with participation encouraged from the Seward Neighborhood Group, local business and neighborhood associations and property owners, and other interested parties. Additional information regarding this presentation’s date, time, location, and participation will be provided after the submission date. All proposers that wish to be considered must be present and deliver a professional presentation on their proposal at this community meeting.

Under the Minnesota Government Data Practices Act, Minnesota Statutes Ch. 13, public disclosure of RFP response data prior to execution of a contract is restricted. In order to meet the City’s citizen participation goals, the City requires each proposer to execute and submit a “Consent for Release of Response Data” form as attached to this RFP as Attachment 1. Failure to submit the “Consent for Release of Response Data” will be grounds for rejection of the entire proposal as unresponsive. Notwithstanding the foregoing, if proposers are being asked to provide financial statements as part of the RFP response, proposers may submit such financial statements confidentially under separate cover pursuant to the Minnesota Government Data Practices Act.

### **Proposal Review & Selection Process**

City staff will review proposals that are received by the due date. City staff will also seek input from the Seward Neighborhood Group (SNG). Some or all of the proposers

may be requested to present their proposals to City staff and/or a public meeting. City staff expects this review process to occur in the month following the deadline.

City staff will then make a recommendation regarding a developer that best meets the evaluation criteria to the CPED Director and then to the City Council for action. The goal is to have a recommendation regarding a preferred developer before the City Council by April 2014. The land sale must be authorized by the City Council either as part of that action if terms can be quickly negotiated or as part of a subsequent action.

If the selected proposal requests additional public investment, staff will determine what types of further analysis, underwriting and/or other processes are required. Unless further analysis indicates that the selected proposal is infeasible, staff will negotiate the terms of the proposed transaction during this period. Once redevelopment contract terms have been negotiated and any further analysis completed, staff will return to the City Council for a land sale public hearing and consideration of approval of the land sale and related terms.

**The City reserves the right to reject any or all proposals or parts of proposals, to negotiate modifications of proposals submitted, and to negotiate specific work elements with a proposer into a project of lesser or greater magnitude than described in this RFP or the proposer’s reply.**

**Timing**

It is the City’s desire that a redevelopment contract be executed with the selected proposer as soon as possible and that construction of the project would begin no later than late-Fall or Winter 2014.

<b>Anticipated RFP Timeline</b>	
Release of RFP	Released January 24, 2014; revised February 10, 2014
Frequently Asked Questions (FAQ) posted to RFP Website (revised)	February 14, 2014 and February 21, 2014
<b>Revised Submission deadline for proposals</b>	<b>March 20, 2014 (4:00 p.m.)</b>
Review and evaluation of proposals by City staff and presentation to neighborhood organizations (revised)	April 2014
Review by City Council (revised)	May 2014
Negotiate terms of redevelopment contract and close on sale (revised)	July 2014



## RFP Inquiries

Prospective proposers may only direct questions in writing (preferably by email) to the department contact person:

Mark Garner, Senior Project Coordinator  
[Mark.Garner@minneapolismn.gov](mailto:Mark.Garner@minneapolismn.gov)  
City of Minneapolis, Community Planning & Economic Development  
105 Fifth Avenue South, Suite 200  
Minneapolis, MN 55401

All questions are due no later than 4:00 pm on Monday, **February 17, 2014 (revised deadline)**. Questions will be answered in writing and posted on the RFP website at: [www.minneapolismn.gov/cped/rfp/index.htm](http://www.minneapolismn.gov/cped/rfp/index.htm) by **February 21, 2014**.

**A response to the questions that were submitted prior to February 10 will be posted on February 14.** Potential respondents are encouraged to periodically check the website for new information on this RFP and for answers to questions posed by other respondents during the proposal preparation process.

The department contact person is the only individual who can be contacted about the RFP before the proposal deadline. The department contact cannot vary the terms of the RFP.

## City Contracting Requirements

The selected developer will be required to enter into a redevelopment contract with the City and comply with any applicable City requirements. These requirements vary depending upon the type of development and the source and amount of public investment, if any, and may include, without limitation, the payment of prevailing wages for construction, the preparation of affirmative action plans, competitive bidding, compliance with the Apprenticeship Training Policy, the Small and Underutilized Business Enterprise Program or equivalent federal program, and the Business Subsidy Act/Living Wage Ordinance, and reporting requirements for those programs.

Some of the standard requirements (also sometimes known as “General Conditions”) are further discussed below, but the following list is not exhaustive. Proposers unfamiliar with these standard requirements are urged to seek further information from City staff.

General Conditions are terms and conditions that the City expects all Respondents or Proposers to meet. The Respondent or Proposer agrees to be bound by these requirements unless otherwise noted in the Proposal. The Respondent or Proposer may suggest alternative language to any section at the time it submits its response to

this RFP. Some negotiation is possible to accommodate the suggestions of the Respondent or Proposer.

1. *City's Rights.* The City reserves the right to reject any or all proposals or parts of proposals, and to accept part or all of proposals.

2. *Interest of Members of City.* The Respondent or Proposer agrees that it has complied with Minnesota Statutes, Section 471.87 and Chapter 3, Section 22 of the City Charter. Therefore unless authorized in Chapter 15 of the City's Code of Ordinances, no member of the governing body, officer, employee or agent of the City shall have any interest, financial or otherwise, direct or indirect, in the Contract.

3. *Equal Opportunity Statement.* The Respondent or Proposer agrees to comply with applicable provisions of applicable federal, state and city regulations, statutes and ordinances pertaining to the civil rights and non-discrimination in the application for and employment of applicants, employees, subcontractors and suppliers of the Respondent or Proposer. Among the federal, state and city statutes and ordinances to which the Respondent or Proposer shall be subject under the terms of this Contract include, without limitation, Minnesota Statutes, section 181.59 and Chapter 363A, Minneapolis Code of Ordinances Chapter 139, 42 U.S.C Section 2000e, et. seq. (Title VII of the Civil Rights Act of 1964), 29 U.S.C Sections 621-624 (the Age Discrimination in Employment Act), 42 U.S.C Sections 12101-12213 (the Americans with Disability Act or ADA), 29 U.S.C Section 206(d) (the Equal Pay Act), 8 U.S.C Section 1324 (the Immigration Reform and Control Act of 1986) and all regulations and policies promulgated to enforce these laws. The Respondent or Proposer shall have submitted and had an "affirmative action plan" approved by the City prior to entering into a Contract.

4. *Job Linkage.* The Job Linkage Program links economic development with employment. The purpose of the program is to insure increased employment opportunities for Minneapolis residents. All commercial/industrial development projects whose primary purpose is job creation or retention must establish and report on certain workforce goals for five years.

5. *Prevailing Wage Policy.* In accordance with the City's Prevailing Wage Policy, the selected developer covenants and agrees that it will cause its general contractor to comply with the wage and hour standards issued by the United States Secretary of Labor pursuant to the Davis Bacon Act, 40 U.S.C. Sections 276a to 276a-5, as amended, and the Contract Work Hours and Safety Standards Act 40 U.S.C. Sections 327-333. The developer shall maintain appropriate payroll documentation for a 3-year period after completion of the project.

6. *Small and Underutilized Business Program.* Development projects that receive public financial assistance over \$100,000 must comply with Chapter 423 of the Minneapolis Code of Ordinances which requires "every available and reasonable effort" to meet

goals for the use of businesses owned by women and minorities in construction and professional services. A list of certified businesses can be obtained by contacting the Small and Underutilized Business Program at 612-673-2112 or at [www.govcontracts.org](http://www.govcontracts.org). Goals for this project will be established when the specifics are known. Similar projects have had established goals ranging from 5% to 15% for women and 5% to 15% for minority-owned companies.

*7. Apprenticeships.* The developer's general contractor with a construction contract over \$100,000 and any subcontractors with a construction contract over \$50,000 will be subject to the City's Apprenticeship Training Policy.

*8. Minnesota Business Subsidy Act.* Depending upon the level and purpose of public assistance that may be received, provisions of the Minnesota Business Subsidy Act and/or the City's Living Wage Ordinance may also apply to the project. Should these requirements apply, they will be incorporated into a business subsidy agreement.

*9. Uniform Federal Accessibility Standards.* The development must be in conformance with the Uniform Federal Accessibility Standards as published on April 1, 1988. Developers must describe the accessibility design for people with disabilities of each of the code required handicapped units, any proposed housing development (e.g. roll-in showers), the mix of accessible units in the project and where they are located, and any appropriate safety features for vision- and hearing-impaired people.

*10. Soil Conditions.* The Site will be sold "as-is" and it will be the developer's responsibility to correct and pay for all costs associated with environmental or geotechnical soil problems. Any environmental reports in CPED's possession regarding the property may be reviewed during normal business hours at the CPED offices by making arrangements with the department contact person. Any potential proposer may also reasonably conduct its own environmental testing of the property by contacting the department contact person, entering into a right of entry agreement with the City and providing the requisite insurance coverage.

*11. Rezoning Responsibility.* It is the selected developer's responsibility to undertake and finance any rezoning, variance and use permits necessary for approval of the proposed development.

*12. Utilities.* It is the selected developer's responsibility to identify the locations of and provide for the installation of electricity, gas, water, sewer service and other utilities servicing the site from the public mains to the individual units.

*13. Construction Standards.* Development must meet all Minneapolis City codes, and projects will be reviewed for energy efficiency.

*14. Hold Harmless.* The Respondent or Proposer will defend, indemnify and hold harmless the City and its officers and employees from all liabilities, claims, damages,

costs, judgments, lawsuits and expenses, including court costs and reasonable attorney's fees regardless of the Respondent's or Proposer's insurance coverage, arising directly from any negligent act or omission of the Respondent or Proposer, its employees, agents or employees of the subcontractors and subcontractors of the Consultant, by reason of the failure of the Respondent or Proposer to perform, in any respect, any of its obligations under this Contract.

The City will defend, indemnify and hold harmless the Respondent or Proposer and its employees from all liabilities, claims, damages, costs, judgments, lawsuits and expenses including court costs and reasonable attorney's fees arising directly from the negligent acts and omissions of the City by reason of the failure of the City to perform its obligations under this Contract. The provisions of the Minnesota Statutes, Chapter 466 shall apply to any tort claims brought against the City as a result of this Contract.

**Attachments to RFP**

1. Consent for Release of Response Data
2. Site Survey
3. Example Site Plan

**Exhibits Available on RFP Website at:**

<http://www.ci.minneapolis.mn.us/cped/rfp/index.htm>

1. Market Value Appraisal Report
2. Interim Response Action Plan / Construction Contingency Implementation Report
3. MPCA RAP Implementation Approval letters and related consultant correspondence

**Additional exhibits prepared in response to questions about this RFP will be posted to the website on February 14 and on February 21 (revised dates).**

Potential respondents are encouraged to periodically check the website for new information on this RFP and for answers to questions posed by other respondents during the proposal preparation process.



# Attachment 1

## Form of Consent for Release of Response Data

\_\_\_\_\_, 2014

City of Minneapolis  
Department of Community Planning and Economic Development  
105 5<sup>th</sup> Avenue S.  
Minneapolis, MN 55401

Re: 2600 Minnehaha Avenue 2014 Request for Proposals  
Consent for Release of Response Data

\_\_\_\_\_, on behalf of  
\_\_\_\_\_, hereby consents to the release of its development  
proposal in response to the 2600 Minnehaha Avenue 2014 Request for Proposals and  
waives any claims it may have under Minnesota Statutes Section 13.08 against the City  
of Minneapolis for making such information public. **The foregoing consent and waiver  
does not extend to financial statements submitted under separate confidential  
cover, which shall be treated by the City consistent with Minnesota Statutes,  
Section 13.591.**

\_\_\_\_\_  
\_\_\_\_\_



Attachment 3  
Example Site Plan

