

**REQUEST FOR DEVELOPMENT PROPOSALS
FOR CITY-OWNED REAL PROPERTY AT
800 WASHINGTON AVE. S.
April 12, 2018**



*800 Washington Ave. S. in lower right, looking west to downtown
(taken from adjacent Riverfront Municipal parking ramp)*

RFP issued by:
City of Minneapolis – Community Planning and Economic Development
105 5th Ave. S., Suite 200
Minneapolis, MN 55401
www.minneapolismn.gov/cped

Contact:
Emily Stern at emily.stern@minneapolismn.gov
for issues specific to this RFP.

OVERVIEW

The City of Minneapolis is seeking development proposals for a vacant parcel of land the City owns at 800 Washington Ave. S.

Development Goals

The City's development goals for the site include (see more detail on pp. 7-8):

1. Maximize the site's development potential and contribute to the vibrancy of the Mill District and the Washington Avenue corridor with a well-designed development that brings active uses to the area, which may include office, retail, residential and/or hotel.
2. Maximize retail space on the ground floor. Proposals should, at a minimum, include retail/restaurant use(s) at both street corners and fronting along Washington Avenue.
3. If housing is included in the proposal, the City would like to see a mixed-income, mixed-use project that includes long-term affordability.

Proposal Options The City will accept development proposals for any or all of the parcels described below and depicted on p.3:

- 1) **Parcel A** – that portion of the 800 Washington Ave. S. parcel extending from the American Academy of Neurology's (AAN's) building along Chicago Ave. to Washington Ave., matching AAN's setback and depth. (approximately 76 ft by 71ft), or
- 2) **Parcel B** – the remainder of the 800 Washington Ave. S. parcel fronting Washington Ave., excluding Parcel A (approximately 76 ft by 249 ft), or
- 3) **Parcel C**– the *entire* 800 Washington Ave. S. parcel i.e. Parcels A + B (approximately 76 ft by 320 ft)

Due Date

Proposals are due in City offices **no later than 4:00 p.m. local time Thursday, June 7, 2018**. Project staff will hold an optional pre-proposal meeting on Wednesday, April 25, 2018 at 10:00 a.m. at the Crown Roller Mill Building office to discuss the RFP and answer questions (105 5th Ave. S., Suite 200, Minneapolis).



BACKGROUND INFORMATION

Location and Description of Parcel

The 800 Washington Ave. S. parcel is located on the southerly portion of the block bound by Washington Ave. S., 2nd St. S., Chicago Ave., and 9th Ave. S. (see map). The majority of the block has been improved with the Riverfront Municipal Parking Ramp (also known as the Guthrie ramp) and the headquarters for the American Academy of Neurology.

The entire parcel is about 24,419 square feet in size and roughly 76 feet by 320 feet (see survey at: [800 Washington Ave. S. Survey](#)). However, as described on pages 8 and 11 of the RFP, a 10 foot setback will be required along the Chicago Ave. side of the parcel, and two separate easements impact the inner side of the parcel next to the parking ramp. The parcel is generally flat, but is somewhat sloped along the Washington Ave. S. frontage, from 9th Ave. S. down to Chicago Ave. Prior to the construction of the Riverfront Ramp, the parcel was used as surface parking and more recently the parcel has been vacant.

The Neighborhood

Significant amenities and investments are located in the immediate vicinity, including the Mill City Museum, Mill Ruins Park, Gold Medal Park, West River Parkway and its associated riverfront trails, Guthrie Theater complex, American Academy of Neurology (AAN) headquarters, Mill City Farmers Market, Open Book, and various housing and commercial projects.

The parcel also is located two blocks from U.S. Bank Stadium and adjacent Light Rail Transit Station, two Wells Fargo office towers, a Radisson Red hotel, multiple restaurants, and the Commons park. A Trader Joe's grocery store is scheduled to open in June 2018 immediately across Washington Ave. from the site.



800 Washington Ave. S. parcel location

Zoning and Guiding City Plans

The parcel is zoned C3A ([Community Activity Center District](#)). This zoning is intended to provide for the development of major urban activity and entertainment centers with neighborhood-scale retail sales and services. In addition to entertainment and commercial uses (including office, retail, hospitality), the zoning allows for residential uses, institutional and public uses, parking facilities, limited production/processing and public services and utilities. The 800 Washington Ave. S. parcel also is located within the [Downtown Height Overlay District](#) (DH) and [Downtown Parking Overlay District](#) (DP).

The governing policy direction for development of the parcel comes from the City's Comprehensive Plan -- *The Minneapolis Plan for Sustainable Growth*, as well as the *Historic Mills District Master Plan and Update*. The plans designate the Central Riverfront as an Activity Center and a neighborhood that complements the uses in the office core. The primary use envisioned in the Mill District is a new residential neighborhood. Other retail, office, hospitality, cultural and recreational uses are encouraged as long as they are compatible with residential. Approved plans can be viewed on [the City website](#).

The City is currently in the process of updating its comprehensive plan. The City released a draft plan for public comment in March 2018 and will adopt a final plan by the

end of 2018 that would go into effect at the beginning of 2019. Updated guidance on land use and built form may influence redevelopment of the 800 Washington Ave. S. parcel. To review the draft plan and learn more about the comprehensive planning process, visit Minneapolis2040.com.

800 Washington Ave. S. is located a block from, but is not within, either the St. Anthony Falls Historic District or the Mississippi River Critical Area.

As with all proposed development in the city, final plans are subject to compliance with adopted City policies and ordinances.



800 Washington Ave. S., looking from 9th Ave. S. to Chicago Ave. The Riverfront Ramp is to the right.

DEVELOPMENT GOALS AND POSSIBLE USES

Development Goals

The overall goal is a development that will build upon and complement the vitality of the Mill District area, including supporting the success of existing uses, while maximizing the development potential of the site. The Mill District is one of the vibrant areas of the city that combines natural amenities, cultural resources, educational opportunities, housing, workplaces and retail services. Proposals for the site should contribute to this mix of activity by creating a unique place, providing services or experiences, and/or drawing in visitors, employees and/or residents.

The City's development goals for the site include:

1. Maximize the site's development potential and contribute to the vibrancy of the Mill District and the Washington Avenue corridor with a well-designed development that brings active uses to the area, which may include office, retail, residential and/or hotel. The goal is to achieve a redeveloped block that is pedestrian-friendly and active with people and that supports additional development in the adjacent area.

The Mill District is home to numerous architectural award-winning buildings. The development on the site in question will be expected to continue this tradition of high quality design and materials. Active roof uses would be welcomed. A design to meet LEED or similar green building and environmental sustainability standards also is strongly encouraged.

The American Academy of Neurology (AAN) headquarters, which lines the westerly side of the Riverfront Parking Ramp along Chicago Ave., is adjacent to the 800 Washington Ave. S. development parcel. AAN has indicated a desire to expand its footprint to accommodate expected growth.

2. Maximize retail space on the ground floor. Proposals should, at a minimum, include retail/restaurant use(s) at both street corners fronting along Washington Avenue.

Ground-floor active uses are critical along Washington Ave. S., and active uses that are open to the public should be included on the corner of Chicago Ave. and Washington Ave. S. (as the highest priority commercial node identified in the adopted Historic Mills District Master Plan Update), and on the corner of 9th Ave. S. and along the Washington Ave. S. frontage.

Examples of active public uses are commercial uses (restaurant, breakfast place or coffee shop, retail, food-related retail such as a deli or bakery, neighborhood services) and arts and culture uses that invite activity for much of the day.

Possible ground-floor uses along the Washington Ave. S. frontage include additional commercial, arts and/or cultural space and the public entry and shared spaces for upper-level uses (e.g., hotel, office or residential).

3. If housing is included in the proposal, the City would like to see a mixed-income, mixed-use project that includes long-term affordability (at least 30 years).

Residential uses may be rental and/or ownership and must include an affordable component in accordance with the City's [Affordable Housing Policy](#), as updated December 15, 2017. That policy applies to any residential project (rental and

ownership) of ten or more units developed on property purchased from the City, including 800 Washington Ave. S.

For residential rental projects, at least 20% of the units shall be affordable to and occupied by households earning 60% or less of Area Median Income (AMI).

For residential ownership projects, at least 10% of the units shall be affordable to and occupied by households earning 80% or less of the AMI.

SITE REQUIREMENTS

Building Massing and Setbacks

The development on the 800 Washington Ave. S. parcel must screen the parking ramp and thus must be at least 4-5 stories in height, with zoning allowing a maximum height of up to eight stories or 112 feet, whichever is less. The maximum floor area ratio is 4.0, but additional density may be achieved through density bonuses and/or a variance.



800 Washington Ave. S. from southwest. AAN headquarters is in the foreground.

Recent developments in Downtown East such as U.S. Bank Stadium, the Wells Fargo office towers and the Commons park further emphasize the prominence of the Chicago Ave. corridor as outlined in the adopted plans. Chicago Ave. is a major pedestrian-friendly connection from the riverfront to the U.S. Bank Stadium light rail station and to neighborhoods beyond. The Chicago Ave. right-of-way between Washington Ave. S. and 2nd St. S. is 90 feet rather than the normal 80 foot right-of-way.

In addition to the extra right-of-way width of Chicago Ave., the building must be set back 10 feet from the property line along Chicago Ave. The 10-foot setback area is intended to provide space for outdoor seating, furniture, etc. The additional setback also maintains the view corridor north along Chicago Ave. to the Guthrie and beyond to the historic Pillsbury A Mill complex and its iconic sign on the east bank of the River. The

Chicago Avenue Streetscape Plan illustrates the intended design in more detail. [Chicago Avenue Streetscape Plan.pdf](#)

Along Washington Ave. S., a small setback may be necessary to accommodate landscaping and lighting. [Washington Avenue Sidewalk Design.pdf](#)

Streetscape

Streetscaping is required on Chicago Ave., 9th Ave. S., and Washington Ave. S. and must be installed and paid for (and maintained) by the developer. Along Chicago Ave., streetscaping must consist of scored sidewalks (including in the service lane area), acorn lights and tree plantings. See the Chicago Avenue Streetscape Plan for details.

[Chicago Avenue Streetscape Plan.pdf](#). Trees and acorn lighting also will be required along Washington Ave. S. [Washington Avenue Sidewalk Design.pdf](#)

The existing streetscaping on 9th Ave. S. must be replaced in kind if damaged by construction of the new development. The [Downtown Public Realm Framework Plan](#) should also be used to inform overall streetscaping and public realm improvements on the site.

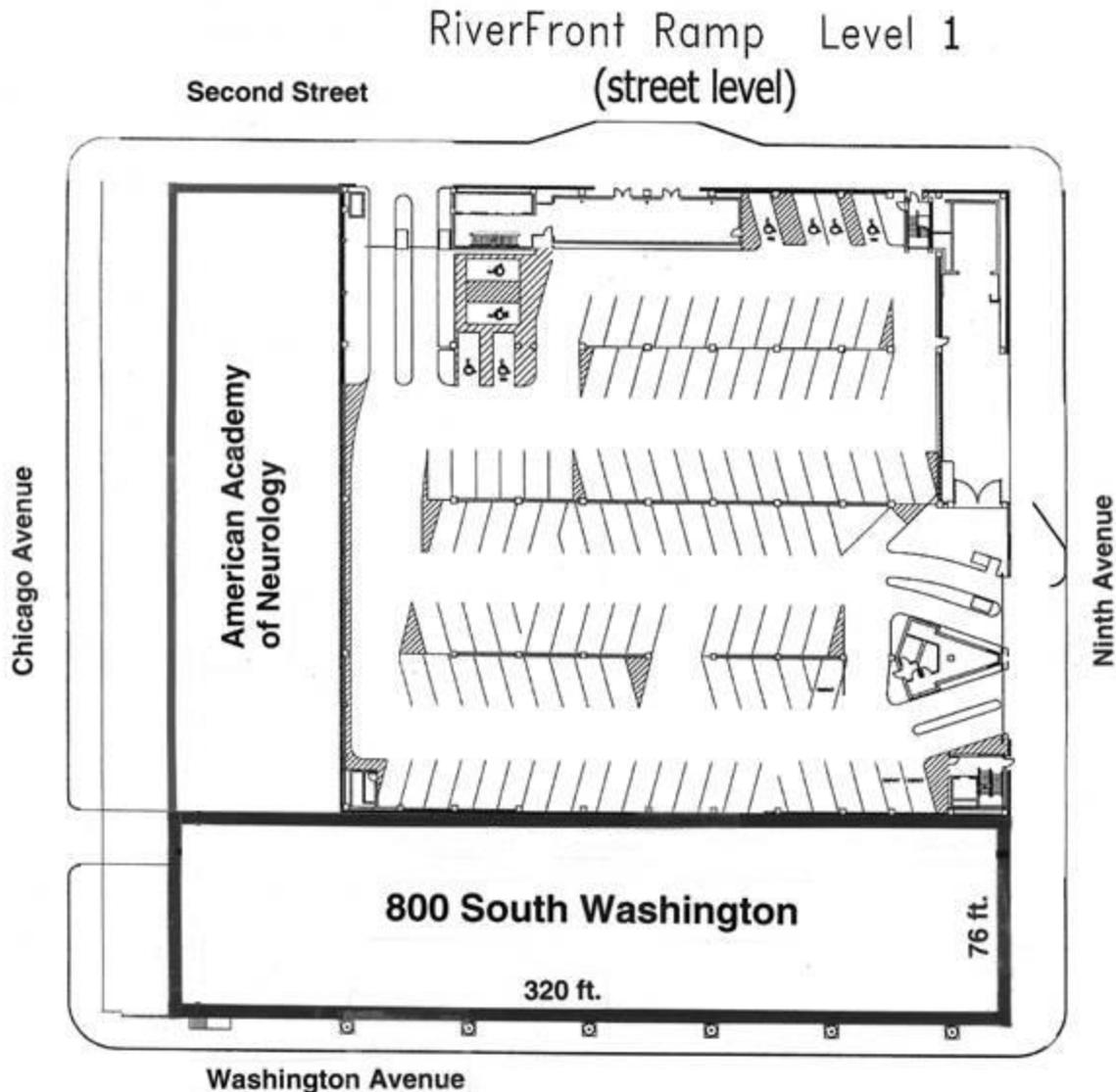


Streetscape and view corridor along Chicago Ave. AAN headquarters is to the right.

Parking Ramp

The City-owned Riverfront Parking Ramp occupies the majority of the block. This 994-stall ramp is open to the general public and is used by employees and patrons of the Guthrie Theater, AAN and other local businesses, as well as visitors to Gold Medal Park, the Mill City Museum, Mill City Farmers Market, U.S. Bank Stadium and other special events in the area. As shown on the enclosed plan, the ramp has vehicular entrances/exits on both 2nd St. S. and 9th Ave. S., with the primary pedestrian elevator core on the 2nd St. S. side of the facility and a secondary elevator on the 9th Ave. S. side, near Washington Ave. S. Approximately 400 of the parking spaces are in two levels below-grade and the rest of the spaces are above-grade. More detailed

information about the ramp may be found at:
http://www.ci.minneapolis.mn.us/cped/rfp/parkingrfp_riverfront.



Relationship between parcel and Riverfront Ramp (see the survey [800 Washington Ave. S. Survey, Sept 2013.pdf](#) for precise site dimensions)

The ramp has sufficient capacity to provide parking for new development on the parcel (currently 300 spaces are not committed under existing agreements). Proposers are encouraged to utilize this capacity. A below-grade connection to the ramp's 9th Ave. S. elevator tower could be considered. In addition, it may be possible to add a short skyway to connect an upper floor of the 800 Washington Ave. S. development to the 9th Ave. S. elevator tower in the ramp. Since the City financed the ramp with tax-exempt bonds, various federal restrictions apply to its operation. It should be assumed that if development on the parcel requires parking in the ramp, then those stalls would be provided at the same rates and terms as are available to the general public.

Minneapolis Public Works will work with the selected developer to explore how to meet the parking needs of the 800 Washington Ave. S. development via their various parking programming options and within the limitations of the bond financing. Proposers are strongly encouraged to identify their parking needs in their proposal.

If parking underneath the new development is necessary, Public Works is open to exploring whether it would be possible to create a connection between one of the below-grade levels in the parking facility and parking that would be constructed under the 800 Washington Ave. S. parcel. However, it should be noted that this may be challenging from an engineering point of view due to the sloping parking floor. In addition to the costs of retrofitting the parking facility, there also may be costs related to changes in the ramp's access equipment to accommodate access to parking under the development parcel. Necessary easements and operating agreements would be negotiated with the selected developer as part of the overall development package.

Service Alley

A 15-foot wide service alley between the ramp and the 800 Washington Ave. S. building will serve both the American Academy of Neurology building and the new development on the 800 Washington Ave. S. parcel. This alley is on the parcel pursuant to a permanent easement, which may be found at: [Service Lane Alley Easement \(pdf\)](#) As noted in the easement, the construction and maintenance of the service alley are to be split between the American Academy of Neurology and the owner of the 800 Washington Ave. S. parcel. Additional curb cuts will not be allowed onto any of the surrounding streets.



800 Washington Ave. S. from Chicago Avenue side, showing portion of service alley

Any building constructed on this site must step back 15 ft from the southwest side of the parking ramp on the first floor to conform with the service alley easement described above. However, floors 2 and above only require a 10-ft setback from for the southwest side of the parking ramp (this 10-ft “no build” area is also described in the easement agreement referenced above). Therefore, a building could potentially cantilever 5 ft over the service alley on floors 2 and above.

Environmental

The site was purchased by the City from the Hennepin County Regional Rail Authority (HCCRA) and was partially cleaned as part of the ramp construction. Environmental documentation on the 800 Washington Ave. S. parcel and the now-developed American Academy of Neurology site may be found at:

http://www.ci.minneapolis.mn.us/www/groups/public/@cped/documents/webcontent/convert_253617.pdf.

The frontage along Washington Ave. S. over to 9th Ave. S. still contains some buried ash that will need to be handled appropriately if it is excavated from the site. If the ash materials remain on site, a restrictive covenant may be required. The quantity and location are identified in the report.

The property will be sold “as-is,” and it will be the developer’s responsibility to correct and pay for all costs associated with soil and environmental 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 Emily Stern, CPED’s project coordinator (see p. 16 for contact information). Any potential proposer may also reasonably conduct its own environmental testing of the property by contacting Emily Stern, entering into a Right of Entry Agreement with the City and providing the requisite insurance coverage.

Potential mined space reserved

The portion of the city that includes the site has been determined to be suitable for mined space development to create additional development space in the sandstone level deep below the surface. More information about the mined space concept may be found here. [Mined Space Illustrative Summary.pdf](#)

In order to facilitate possible future implementation of mined space, the City policy in this area has been to retain ownership of the property below 790 feet above sea level. While this is a unique situation, a restrictive covenant benefiting the surface owner has been developed that has successfully addressed the concerns of the surface owners (and lenders). [Mined Space Covenant Benefiting Property.pdf](#)

Proposal Requirements

Land sale terms

The City expects that the parcel will be sold for at least its fair market value. Proposal submittals must include a proposed price; price will be one of the factors considered in evaluation. The City will not sell the parcel for less than its fair market value. In accordance with the City's disposition policy, the City will seek an independent appraisal to establish the fair market value of the parcel(s) before any sale is proposed to the City Council for approval.

The parcel(s) will be sold pursuant to a redevelopment agreement that will include a number of terms (see pp. 19 – 21). Please note that any public financial assistance may trigger additional requirements.

The City is open, subject to City Council approval, to supporting and assisting the selected developer with any application for federal, state, county and regional funding for which the proposed development might qualify, including environmental investigation and remediation grants, subject to specific program guidelines.

Proposal submission

Proposers must submit copies of their proposals as follows: one unbound copy, ten bound copies and one electronic version in Microsoft compatible or PDF format on CD or USB drive. Proposals must be on standard 8 ½" by 11" paper. All supporting documentation must be on paper no larger than 11' by 17". Proposals and supporting documentation must be submitted in a sealed envelope labeled "800 Washington Ave. S. Parcel Development." Proposers may choose to provide additional sets 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:

Thursday, June 7, 2018, at 4:00 PM

To:

**City of Minneapolis – CPED
Request for Proposals for 800 Washington Ave. S.
105 5th Ave. S., Suite 200
Minneapolis, MN 55401**

Proposals received after the deadline will not be accepted.

Proposal Contents

The information being requested through this RFP is necessary for the City of Minneapolis to adequately evaluate your proposal. Failure to supply the requested information may result in rejection of your proposal. The City is not responsible for the costs incurred by proposers or their subcontractors incurred 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 must include the following in this precise order:

1. A **cover page** that includes the following information:
 - a. Developer's name and mailing address
 - b. Contact person's name, title, phone number, and e-mail address
 - c. Signature of authorized corporate officer for each entity proposing as a partnership or team

2. **Description (narrative, schematic plans and elevations) of the proposed development** (e.g., size of building and square footage of specific components, nature of improvements and how they would bring active public uses to the block, amount and type of parking spaces needed, anticipated materials and design style/concept, circulation patterns, proposed public realm improvements, loading/service provisions) to be built on the site.
 - a. The proposal should explicitly identify which parcel(s) are included (see section on pp. 2-3 regarding proposal options and descriptions/depictions of Parcels A, B and C).
 - b. As noted above, the proposal should indicate how the 10 feet of setback along the Chicago Avenue frontage might best be used to complement the proposal.
 - c. If residential development is proposed, the proposal should include tentative information about the bedroom compositions, rents and/or sales prices, amenities/services included, and the projected number of affordable units.
 - d. If commercial development is proposed, information should be included about the anticipated type of tenants expected.

3. An **identification of the entities** that will be involved, a description of the roles they will play (e.g., developer, building owner, tenant, professional consultant) and a summary of the team's past experience in working together. A description of the entities' experience in developing similar projects must be included, including location, type of development, proposer's role(s), cost of project, funding sources, status of project and information about any continued financial or operating interest in each. 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. Specify whether the development entity is or intends to form a corporation, a general or limited partnership, a joint venture or other type of business association to carry out the proposed development. The developer must also provide two years of financial statements, which may be submitted confidentially under separate cover. 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 these requirements.

4. A preliminary **capital budget** showing the sources and uses of funds (debt, equity and other) to acquire the parcel and construct the development (including any tenant improvements). Information as to the status of securing those funds should be included, and inclusion of a conditional financing commitment is strongly encouraged. If the project includes multiple uses, the capital budget should be broken down for the component uses.
5. For rental projects, a before and after-tax flow preliminary **operating pro forma** of at least 15 years for the building operation, including the assumptions underlying the income and expense projections, accounting for both market-rate and affordable units. Also show the Cash-on-Cash Return and Internal Rate of Return. If the project includes multiple uses, the operating pro forma should be broken down for the component uses. Detailed proformas in a format acceptable to the City will be required during the negotiation of a redevelopment agreement.
6. A **market study** or other information documenting the demand for the proposed space.
7. A **description of the public benefits** that will result from the development, e.g., the number and types of housing units, the retention/creation of jobs (including the estimated number, type and wage levels), tax base enhancement, the provision of retail goods and services, public realm improvements, etc.
8. A **proposed timeframe** for the development, including identification of any conditions that must be met before the proposal can become a reality. The schedule should include the time needed to obtain financing, complete design and secure permits and approvals, prepare the site, start and complete construction, and start and complete lease-up and/or sellout.
9. An executed "**Consent for Release of Response Data**" form (see Exhibit A). 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 entire 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.

Developers responding to this RFP are not required to provide a deposit on the land with their proposals. However, the developer whose proposal is ultimately selected by the City Council must make the required Good Faith Deposit (10% of the purchase

price) at the time of execution of a redevelopment contract, which deposit will be held by the City until completion of the improvements.

Optional Pre-Proposal Informational Meeting

An informational meeting will be held:

Wednesday, April 25, 2018; 10:00 a.m. at

**City of Minneapolis – CPED Offices
Crown Roller Mill
105 5th Ave. S., Suite 200
Minneapolis, MN 55401**

Please contact Emily Stern at emily.stern@minneapolismn.gov to RSVP your attendance at the Pre-Proposal Informational Meeting.

City contact

Questions regarding the RFP should be directed via email to the following City staff representative no later than 4:00 p.m. on Monday, May 7, 2018:

Emily Stern, Senior Project Coordinator
emily.stern@minneapolismn.gov

Answers to all questions received will be posted on the web site by Friday, May 11, 2018: http://www.minneapolismn.gov/cped/rfp/cped_rfp

In addition, City staff may provide periodic updates and addenda to this project and this information also will be posted on the City website. Potential respondents are encouraged to periodically check the City website for any new information concerning this process and for answers to questions posed by other respondents during the proposal preparation process.

PROPOSAL REVIEW PROCESS AND CRITERIA

Evaluation criteria

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

- The experience and the financial and organizational capacity of the developer in successfully planning and completing development projects of similar type and scale, on time and within budget. The developer's development track record with the City of Minneapolis, including any history of meeting (or not meeting) its contractual commitments to the City, will be an important factor.
- The degree to which the proposal meets the development goals and requirements outlined in this RFP.

- The degree to which the proposal conforms to the *Update to the Historic Mills District Plan* and meets the intent of the Minneapolis Zoning Code and *The Minneapolis Plan for Sustainable Growth* and the *Downtown Public Realm Framework Plan*.
- The existence of committed building tenant(s), if a commercial or office proposal.
- If housing, the degree to which the proposal meets or exceeds the affordable housing goals.
 - For residential rental projects, at least 20% of the units shall be affordable to and occupied by households earning 60% or less of AMI for at least 30 years.
 - For residential ownership projects, at least 10% of the units shall be affordable to and occupied by households earning 80% or less of the AMI for at least 30 years.
 - The degree to which affordable residential units (both rental and owner occupied) are reasonably distributed throughout the project and comparable in size, number of bedrooms, quality and finish to the market rate units in the project.
 - The length of affordability period.
- The degree to which the proposal supports the neighborhood's design character and contributes to the public realm including drawing on guidance from the *Downtown Public Realm Framework Plan*.
- The quality of the proposed project's exterior design and materials and the intended application of LEED or other environmental standards.
- The ability of the proposal to utilize the Riverfront Ramp capacity.
- The market and financial feasibility of the project, and its ability to secure necessary private funds and be started and completed in a timely manner.
- The public benefits to be provided by the development (e.g., the generation of real estate taxes, the creation or retention of jobs, the provision of housing units and/or commercial goods and services).
- The land price and whether any additional public investment would be needed to make the project feasible.
- Overall quality of the submission

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

Review/selection process

A review committee that will include City representatives will review proposals received by the due date. Input also may be sought from the Downtown Minneapolis Neighborhood Association and East Town Business Partnership. For any proposals that include a housing component, the neighborhood has indicated a general preference for ownership housing with an affordable component over rental.

Some or all of the proposers may be requested to present their proposals to the review committee and/or neighborhood organization(s). During the review process, proposers may be asked questions to clarify their proposals, but cannot modify their proposals.

The review committee will make a recommendation as to the proposal that best meets the evaluation criteria. The staff recommendation then will be forwarded to the City Council for action. At that point, the City Council will select a development proposal and award an exclusive negotiating rights period to allow time for staff and the selected developer to negotiate the terms of the redevelopment contract that will include the terms of the transaction.

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.

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. 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.

SCHEDULE

Following is the anticipated tentative timeline:

Pre-proposal meeting	April 25, 2018
Questions due	May 7, 2018
Answers to questions posted on web site	May 11, 2018
Submission deadline for proposals	June 7, 2018
Review/evaluation of proposals	June - July 2018
City Council action to designate a developer	July - August 2018

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 Small and Underutilized Business Enterprise program or equivalent federal program, and Business Subsidy Act/Living Wage Policy and reporting requirements for those programs. Some of the standard requirements are further

discussed below, but the following list is not exhaustive. Proposers unfamiliar with these standard requirements are urged to seek further information.

The redevelopment contract also will provide that the City will not close on sale of the parcel to the selected developer until the proposed project is ready to proceed, as evidenced by the provision of evidence of financing, approval by the City of detailed plans and other conditions precedent.

Requirements that apply to all developments:

1. **“As Is” Sale and Reversionary Rights.** The City will convey the property “as is,” with no title warranties and subject to reversionary rights running in favor of the City. In the event that subsequent to conveyance of the Property and prior to receipt by the Developer of a Certificate of Completion, the Developer defaults in the terms of the Redevelopment Contract, the City will have certain rights to re-acquire the property. In order to facilitate the obtaining of funds necessary for construction of the Minimum Improvements, the City agrees that it will enter into a reasonable agreement of subordination of the City's interest in the Property to the interests of the holder of such a mortgage, provided that the City determines, in its reasonable judgment, that the interests of the City under the land sale remain adequately protected.
2. **Equal opportunity (nondiscrimination and affirmative action)** The selected developer and contractor will be required to submit a written affirmative action plan for the development project and to comply and cause its contractors to comply with applicable provisions of Chapters 139 and 141 (Title 7, Civil Rights), Minneapolis Code of Ordinances, nondiscrimination provisions contained in Chapter 181, Minnesota Statutes, the Americans with Disabilities Act of 1990 (as amended), Section 109 of the Housing and Community Development Act of 1974 (as amended), the Age Discrimination Act of 1975 (as amended) and Executive Order 11246, as amended by Executive Order 12086. The selected developer will be required to agree not to discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, affectional preference, disability or other handicap, age (40 – 70), marital status, or status with regard to public assistance. The selected developer also will be required to take affirmative action to ensure that all employment practices are free of such discrimination. These employment practices include, but are not limited to the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation and selection for training, including apprenticeship. The developer will be required to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the City setting forth the provisions of this non-discrimination clause. The selected developer also will be required to, in all solicitations or advertisements for employees placed by or on behalf of the developer, state that it is an equal opportunity or affirmative action

employer. CPED will require compliance in demolition, construction and marketing of development projects.

3. The development must be in conformance with the **Americans with Disabilities Act** of 1990 and ADA Amendments Act of 2008, the **Fair Housing Act** and the **Uniform Federal Accessibility Standards**.
4. **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.
5. **Construction Standards:** Residential development must meet FHA minimum property standards and all Minneapolis City codes, and projects will be reviewed for energy efficiency.
6. **Residential Sale and Commercial Sale/ Lease:** The completed units must be advertised and offered publicly and marketed affirmatively.
7. **Hold Harmless:** The selected developer must agree to defend, indemnify and hold CPED harmless from any and all claims or lawsuits that may arise from the developer's activities under the provisions of the development agreement, that are attributable to the acts or omissions, including breach of specific contractual duties of the developer or the developer's independent contractors, agents, employees or officers.
8. The City's **Affordable Housing Policy**, as updated December 15, 2017, applies to any residential development (rental or ownership) with ten units or more, or a project with a residential component of 10 or more units, that receives any public financial assistance or is developed on property purchased from the City even if no financial assistance is being provided. Public financial assistance includes the receipt of City-wide resources through the normal, competitive RFP funding processes established by the City, or the receipt of non-City resources that are either passed through the City or that require the City to be a co-applicant (see Affordable Housing Policy at:
http://www.minneapolismn.gov/cped/resources/reports/cped_affordable_housing_resolution.

Requirements that may apply depending upon amount/type of public financial assistance and type of development:

9. If the City provides assistance to the development as defined in the City's **Prevailing Wage Policy**, the selected developer will be required to covenant and agree 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.

10. The developer's contractor and any subcontractors with a construction contract over \$50,000 will be subject to the City's **Apprenticeship Training Policy** for development projects where public assistance is provided to the developer/owner.
11. 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 and that receive City public development assistance will be required by contract to identify positions that are reserved for Minneapolis residents.
12. The City of Minneapolis **Living Wage Policy** established certain wage and hiring requirements applicable to the owner and tenants of development projects where the primary objective of the project is job creation or retention.
13. City of Minneapolis regulations require that all development projects that receive public financial assistance in excess of \$100,000 must comply with Chapter 423 of the Ordinance where subcontracting opportunities exist. Such requirements encourage the use of businesses owned by women and minorities in securing construction and professional services and are applicable to developers and contractors. Additional information is available at: <http://mnucp.org>
14. 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 Responsible Public Spending Ordinance** may also apply to the project. Should these requirements apply, they will be incorporated into the development agreement.

Links to following documents related to 800 Washington Ave. S. are available on the RFP webpage:

- Site survey
- Service lane alley easement
- Environmental Report
- Form of Consent for Release of Response Data