

**REQUEST FOR REDEVELOPMENT PROPOSALS
FOR CITY OWNED REAL PROPERTY AT
1101 WEST BROADWAY AVENUE
SEPTEMBER 1, 2005**



1101 West Broadway in 1929. Source Minnesota Historical Society.

Issued by:



City of Minneapolis – Community Planning and Economic Development

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INTRODUCTION

The City of Minneapolis (“City”) is seeking redevelopment proposals for certain property owned by the City and located at 1101 West Broadway Avenue. The City’s development goals for the property are renovation of the existing structure to accommodate neighborhood-oriented, pedestrian-scale mixed-use commercial/retail/office uses. Proposals are due in City offices no later than 4:00 p.m. local time Wednesday, November 30, 2005. Project Staff will hold a pre-proposal meeting on Wednesday, October 19, 2005 at 2:00 p.m. in the CPED Offices to discuss the request and answer questions. Staff will hold a tour of the development site on Tuesday, October 4, 2005 at 9:00 a.m. Meet at the site, wear appropriate footwear and clothing and bring a flashlight.

SITE FACTS

The redevelopment site is located on the southwest corner of North Emerson and West Broadway avenues. The site includes a 12,000 square foot two-story structure with an adjacent surface parking lot. In addition to the structure and the parking lot, three undeveloped parcels east of the parking lot are offered in this RFP. The site consists of five tax parcels, with three parcels zoned commercial (C2), one parcel residential (R3) and one split commercial/residential (C2/R3) (see Exhibit 1 below). For more information on the zoning code refer to www.ci.minneapolis.mn.us/zoning/code/.

These parcels are:

Street Address	Property Identification Number	Size (sq.ft.)	Zoning
1101 West Broadway	16-029-24-13-0091	6,105	C2
1831 Emerson Ave N	16-029-24-42-0060	21,054	C2/R3
1838 Fremont Ave N	16-029-24-42-0079	3,696	C2
1836 Fremont Ave N	16-029-24-42-0078	3,696	C2
1834 Fremont Ave N	16-029-24-42-0167	6,816	R3

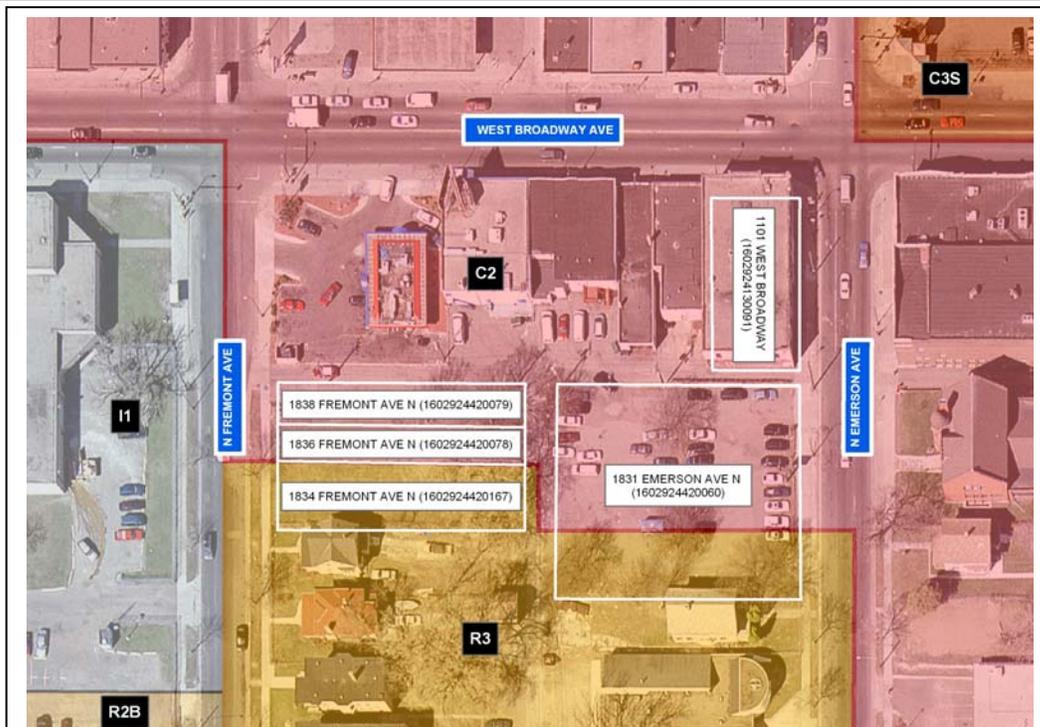


Exhibit 1 - Redevelopment Site with zoning districts

Proposals must incorporate all five parcels in the redevelopment plan. The City of Minneapolis will accept redevelopment proposals that include additional parcels to those listed only if the proposer can demonstrate site control to the City's satisfaction at the time of developer selection. Proposals that require the City to acquire additional property for site assembly will not be accepted.

The more than 100-year-old 1101 building anchors the redevelopment site. The City of Minneapolis purchased the site from Hennepin County tax forfeiture property rolls in 1992. The site has sat vacant for more than four years. Prior to that time, tenants in the building served the neighborhood offering various retail goods and professional services. The Metropolitan Council has contributed almost \$100,000 for environmental remediation associated with asbestos, lead paint, and fuel oil tanks. The City is undertaking the abatement of the asbestos and fuel oil tanks. This clean up will be completed before the end of 2005. Proposers are welcome to review documentation related to the environmental remediation located at CPED Offices.

Due to the age of the building, the City has retained a structural engineer to analyze the building. The assessment will be posted in the City's website next to this RFP in early September. The City of Minneapolis is not aware of utility easements or substandard geotechnical conditions on the site. Proposers are welcome to review documentation related to the remediation.

Building Character and Historical Uses

1101 West Broadway has served Northside residents for over 100 years. The first floor provided a number of retail stores from grocery and dry goods, to pharmacy, clothing, restaurants, and bakeries. Tenants on the second floor provided much of the area's professional services such as dentistry, attorneys, and accountants.

The building, in its prime, was a typical example of West Broadway's storefront architecture and intensity of use. The mason and brick structure has a number of exterior accents that draw attention including the bay-window and arched windows that defines the front face of the structure, and ornamental brick work along the roof line. Faux columns break-up the length of and depth of the building reducing the appearance of the building's mass and draw attention to the individual storefronts. On the first floor, display windows that lead to recessed entrances along West Broadway and Emerson Avenues draw pedestrian traffic into the retail spaces.

A number of tenants once shared the space in the building. It has approximately 6,000 square feet per floor and a full basement (see Attachment 1 – Representative Floor plans). On the first floor there are five retail spaces two retail spaces along West Broadway and three retail spaces along Emerson. The second floor has a number of professional offices that can be configured into individual offices or larger office suites.

Empowerment Zone Funding

The Minneapolis Empowerment Zone has earmarked \$350,000 for the redevelopment of this property. The funding will be available to the successful proposers to defray costs associated with the stabilization and redevelopment of this building. Prior to the final award of the funds, Empowerment Zone staff will review the proposal to ensure that the redevelopment and proposed uses of funds meet Empowerment Zone federal program requirements.

Site Location

The redevelopment site is located at the heart of one of Minneapolis' largest commercial areas. The site sits at the intersection of the Near North, Jordan and Hawthorne neighborhoods. The site is located on one of the North Side's two commercial corridors, West Broadway, with connections to Interstate 94 less than a half-mile to the east. Downtown is a few minutes drive or bicycle ride from the site. Emerson Avenue connects the Greater Northside to Downtown and to the new \$225,000,000 Heritage Park development to the south.

West Broadway Business District

The business district (see Exhibit 2 on next page) that stretches along West Broadway between Fremont and Interstate 94 consists of neighborhood and regional scale retail and professional services. There are approximate 400,000 square feet of 'big-box', strip retail, and historic retail space in the area. Tenants include 'big-box' retailers such as Cub Foods and Builder's Surplus, corporate chains such as Walgreen's, a variety of fast-food restaurants, and professional services such as US Bank and Jackson Hewitt. Complementing these larger franchise and corporate retailers are community-oriented entrepreneurs such as Juxtaposition Arts and the Cookie Cart. Tenants in the historic storefronts range from clothiers to restaurateurs to personal services. Complementing the diverse mix of commercial and service offerings are schools, religious institutions, and social service providers such as the Upper Midwest American Indian Center, Four Winds Schools and Hennepin County Social Services.

Strong Neighborhood Connections

The redevelopment site is located in the "Near North Community". This Community has a rich history of strong neighborhoods that embrace and celebrate the area's unique identity and diversity. The redevelopment site is located in a part of the Near North neighborhood known as Old Highland. Old Highland is one of area's oldest neighborhoods with housing dating back to the 1880s. On the north side of West Broadway, across from the redevelopment site, are the Hawthorne and Jordan neighborhoods.

These two neighborhoods have been one of the most racially diverse areas in the City for many decades. The area has been home to and continues to be home to a number of ethnic and racial groups. According to the projected U.S. Census figures (see Attachment 2 – Selected Demographic and Income Figures) in 2005 the three largest racial populations within one mile of the redevelopment site are Black (61 percent),

Asian (15 percent), and White (14 percent). Within three miles the same three largest racial populations are Black (28 percent), Asian (9 percent), and White (53 percent). Both within a one and three mile radii, the area is more diverse than the Citywide statistics of Black (18 percent), Asian (6 percent), and White (65 percent).

Population around the site increased between the 1990 and 2000 census, and is expected to continue to rise, along with income, through 2010. Within one mile of the site the population increased from 23,850 to 24,500 and from 155,000 to 162,000 within three miles. Projections increase population to 25,903 within one mile and 167,712 within three. The median household income was \$26,600 in 2000 and is expected to be \$33,000 in 2005 for households within one mile. For households within three miles, the median income was \$33,500 in 2000 and is expected to be \$43,772 in 2005. Per capita income was \$11,000 in 2000 and is projected to rise to \$13,000 for those living within one mile and \$21,000 in 2000 and projected to rise to \$28,000 for those living within three miles.

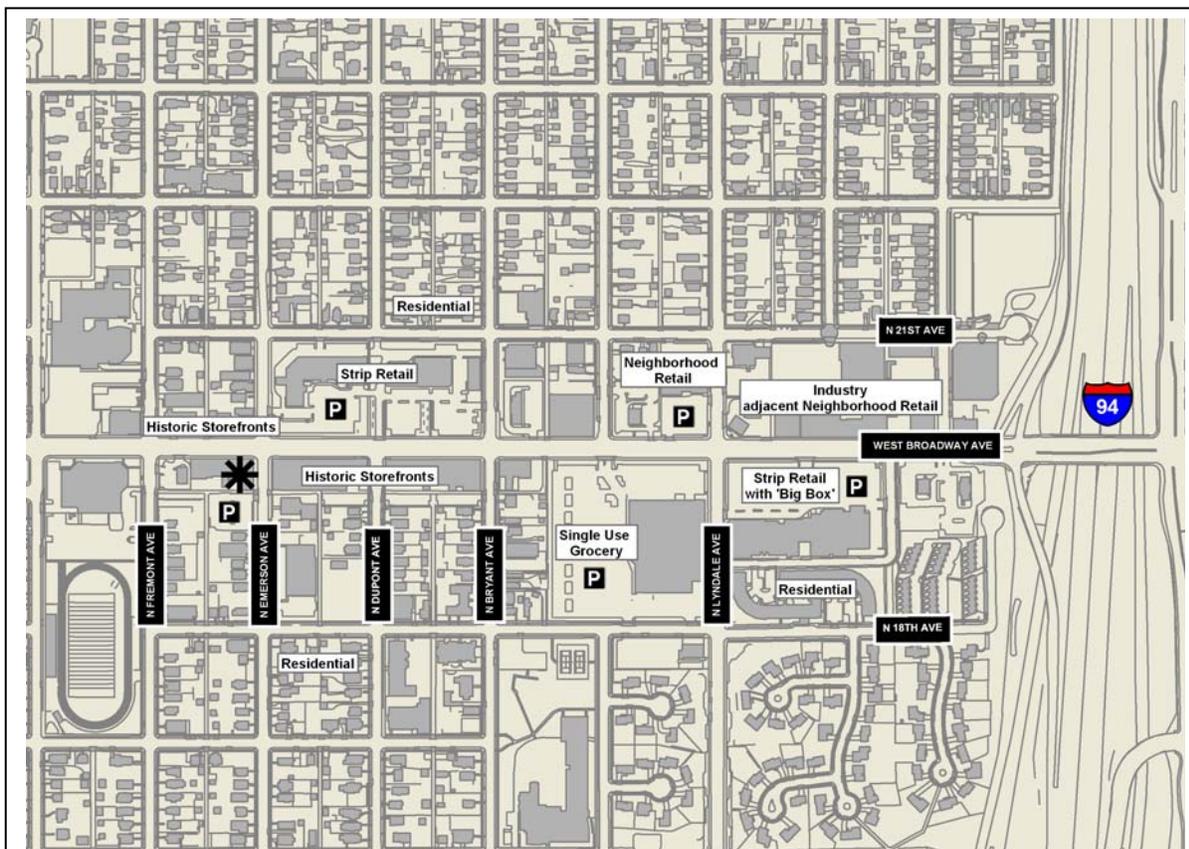


Exhibit 2 - West Broadway Business District

Strong Street Connections

The site has strong transportation connections to surrounding communities along West Broadway and Emerson avenues North. West Broadway is the most important commercial corridor in North Minneapolis. It connects County Road 81 at the City's

western border to Interstate 94 and beyond to the Mississippi River and Northeast Minneapolis. Broadway intersects Washington Avenue less than one-half mile to the east that is a quick convenient connection to downtown through the growing warehouse district. Automotive traffic passes the site along West Broadway at a rate of 15,000 average daily trips (According to Minneapolis Public Works data).

Metro Transit Route 14 serves West Broadway every 10 to 15 minutes during 'rush hour' and 15 minute service mid-day. Route 14 connects West Broadway to Robbinsdale to the west and downtown and Bloomington Avenue to the east. Bus Rapid Transit will begin to serve West Broadway beginning in 2008 between downtown and Brooklyn Park. The proposed west bound station will be located on the northeast corner of the intersection at Emerson and West Broadway with the east bound station on southwest corner of Fremont and Emerson.

Emerson Avenue is a primary north-south route in North Minneapolis. It is a northbound 'one-way,' paired with Fremont Avenue, a southbound one-way, and carries an average of 11,000 trips per day. Emerson provides a direct northbound connection (via Seventh Street) from downtown and Heritage Park to the greater Northside and Camden.

Metro Transit serves Emerson and Fremont avenues with Route 5 as frequently as 5 to 10 minutes during 'rush hour' and 7 to 8 minute during mid-day service. Route 5 serves Brooklyn Center, North Minneapolis, Downtown, and South Minneapolis to the Mall of America.

COMPREHENSIVE PLAN

The Minneapolis Plan, the City's comprehensive plan, designates West Broadway as a commercial corridor. Commercial corridors are streets that with more intensive commercial development and high traffic activity. These corridors exhibit traditional urban form and massing with a mix of uses including auto-oriented, industrial, and high-density residential. A mix of uses commonly occurs within some of the structures. These corridors typically have traditional commercial storefronts, with a balance of both pedestrian and automobile orientation. A commercial corridor is also a minor arterial that carries an annual average of 10,000 to 20,000 cars per day.

In addition, the redevelopment site at 1101 West Broadway is located adjacent to an Auto-Oriented Shopping Center at Lyndale Avenue. Auto-Oriented Shopping Centers are characterized as areas with more than 100,000 square feet of total retail floor space, a major anchor tenant, proximity to major roads that directly connect to the regional road network and large area of surface parking. Including this area, there are two of these designations in Minneapolis and designation of additional areas is restricted.

The *Minneapolis Plan* is available at the City's website. The URI is <http://www.ci.minneapolis.mn.us/planning/planpubs/mplsplan/>.

REDEVELOPMENT GOALS

Structure Redevelopment Goals

Redevelopment proposal should comply with the guiding principles defined in the *Minneapolis Plan*. Therefore, acceptable proposals will include a commercial/retail/office component that increases or enhances the offering at the node. A successful proposal will include a mix of uses that increases the density of activity on the node and complements and improves existing retail and service offerings in the greater business district.

Active Streets

Successful proposals will increase retail offerings that enhance the streetscape. These uses should foster an active sidewalk environment, and could include outdoor seating, street furniture, or other place making elements in order to increase pedestrian traffic, identify the node as a landmark urban destination, and accommodate alternative transportation modes such as bicycles and transit.

Design Creativity

Creativity for the second floor uses is encouraged as long as it addresses the following parameters. Uses should be related to office, commercial or retail uses. Housing proposals will not be accepted. Alterations to the structure can occur if the exterior integrity is not disturbed and alterations do not diminish the economic capacity of the structure.

Parking Lot Redevelopment Goals

The City expects that the parking lot located on 1831 Emerson and the lots along Fremont be improved as parking. The overall goal for these lots is to support the redevelopment in the structure and to provide for community/shared parking for general district uses. The four lots combined, using 350 square feet per space, can provide for up to 100 surface parking spaces. At least 50 percent of these stalls must be preserved as community shared parking stalls. Structured parking is an acceptable reuse of the property if it is in conjunction with new construction on the parcel (see next section Design Creativity) Project staff will work with the successful proposer to identify available funding to help defray costs for parking construction. Project staff will also work with successful proposer to determine if any reconfiguration or alley vacations are needed.

Design Creativity

Proposers are encouraged to be creative when designing the parking component and should be sensitive to the surrounding context. Even though the property can accommodate up to 100 parking spaces, the City will entertain development proposals that increase the activity on these parcels. This could be construction of new structures or an alternate use of the property that works to increase the area as a draw. However, the proposal must allocate a portion of parking to support 1101 West Broadway and allocate a portion that is preserved as community/shared parking.

Existing uses to the south are residential. Proposals must address buffering between the two uses to minimize the impact on the adjacent neighbors' quality of life. Therefore, innovative buffering techniques that will create transition from land use to land use that are both environmentally friendly and aesthetically appropriate to both uses are encouraged.

Crime Prevention Through Environmental Design (CPTED) aspects should be incorporated into proposals. CPTED is an urban design philosophy that orients buildings and circulation or movement patterns to the street, to function as "eyes" watching over street activity (see *Minneapolis Plan* Chapter 9 part 9.16 for more information). Parking lot designs should have adequate lighting, clear pedestrian circulation, multiple unobstructed sightlines to the street or to an active use of a building, and multiple ingress and egress points.

Environmentally sensitive design for the parking areas is encouraged. Proposals that use materials and have elements that improve natural drainage, storm water management, and environmental impact will receive additional consideration during the ranking process. These materials and elements can include on-site storm water management systems, pervious parking surface material, retention or replacement of existing trees that shade the parking area, and native/zone hardy landscaping materials.

Access Design

Emerson Avenue's configuration as a northbound one-way street provides some complications when trying to attract vehicle traffic from West Broadway. The City of Minneapolis is studying the costs and benefits of turning Emerson and Fremont back into two-way streets. If the future findings of the study support such a move, it is unlikely that a change will occur before the redevelopment is complete. To address the complications, proposers should include a way finding plan that directs patrons to the entrance on Fremont. Plans can include rights-of-way for way finding placement, but further review and approval will need to occur. Project staff will work with the successful proposer to identify required approval steps and assist developers as they move through the process.

Community Input

Project Staff met with a group from the surrounding neighborhoods, business owners and property owners at a community meeting on August 9, 2005; invited organizations included Northside Residents Redevelopment Council, Hawthorne Area Community Council, Jordan Area Community Council, West Broadway Business Association, and West Broadway Area Coalition. A majority of the group supported the renovation of the building to preserve the building's character so that it can again serve as the cornerstone of the business district. In addition to the guidance reflected in the text of this RFP, the community meeting identified the specific business types and structural features that are desirable at the redevelopment site. Successful proposals will consider and incorporate some of the following ideas:

Desired Business Types
Coffee Shop
Hardware Store
Dry Cleaners
Sit-Down Restaurant
Book Store
Bike Shop
Art Studio/Gallery
Bakery
Diner/Greasy Spoon
Food Co-op
Credit Union
Florist

Desired Site Features
Create a youth presence/activities for youth
No housing
Neighborhood oriented/scale retail
Staggered hours of use for tenants
Community room
Landscaping of parking
Retail display windows (similar to Marshall Field's downtown)
Community Information Kiosk
Outdoor Seating
Green Roof

ESTIMATED FAIR REUSE VALUE OR ASKING PRICE

The City has not set an Estimated Fair Reuse Value for the development property. Proposers will need to indicate an offer price in the proposal.

PROPOSAL DEADLINE

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 diskette or CD. 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 "1101 West Broadway Redevelopment Proposal." Telefaxed 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 p.m. Wednesday, November 30, 2005

To:

**Contract Services
City of Minneapolis, Department of CPED
105 Fifth Avenue South, Suite 200
Minneapolis, MN 55401**

Proposals received after the deadline will not be accepted. It is neither CPED'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.

RFP INQUIRIES

Prospective proposers may only direct questions in writing to the department contact person:

Erik Hansen
City of Minneapolis, Department of CPED
105 Fifth Avenue South, Suite 200
Minneapolis, MN 55401
Email: erik.hansen@ci.minneapolis.mn.us
Fax: (612) 673-5113

There will be a pre-proposal conference to discuss the RFP and answer questions. It will be held on Wednesday, October 19, 2005 at 2:00 p.m. at the CPED Office listed above. A summary of the meeting will be posted on the CPED website. (www.ci.minneapolis.mn.us/cped/rfps_home.asp). A tour of the building will be held on Tuesday, October 4, 2005 at 9:00 a.m. Meet at the site, wear appropriate footwear and clothing and bring a flashlight. All additional questions are due no later than November 25, 2005. Questions will be answered in writing and posted on the CPED web site. The department contact person is the only individual who can be contacted about the RFP by proposers before the proposal deadline. The department contact cannot vary the terms of the RFP.

PROPOSAL CONTENTS

Proposals must include the following information in the following order and with corresponding section numbering (all proposals must include page numbers):

1. A cover page that includes the following information:
 - a. Developer's name and mailing address
 - b. Developer's current legal status: corporation, partnership, sole proprietor, etc.
 - c. Federal ID number or Social Security number
 - d. State ID number
 - e. Contact person's name, title, phone number, fax number and e-mail address
 - f. Signature of authorized corporate officer for each entity proposing as a partnership or team

2. A **description (narrative, preliminary schematic plans and elevations) of the proposed development** (e.g., size of building and square footage of specific components, nature of improvements, number of parking spaces, rehabilitation plan, anticipated materials and design style, circulation patterns, loading/service provisions) to be built on the site. If the development is proposed to be phased, the narrative should clearly define the components and timing of each phase and indicate the nature of the conditions upon which construction of subsequent phases would be based. For the proposed retail/commercial component of the development, information should be included about the anticipated type of tenants expected, and rents and/or sale prices.

3. An **identification of the entities** that will be involved, a description of the roles they will play (e.g., developer, architect, building owner, property manager, tenant, professional consultant) and a summary of the development team's past experience in working together. A description of the entity's 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. Include specific previous relevant experience with public entities, including reference contact information. The City may ask for supporting documentation substantiating claims of previous experience. Summarize any lawsuits to which the proposer or any principals of the proposer have been a party. 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 team 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 to the CPED Director 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 pro forma** showing the detailed 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. Clearly indicate any public assistance to be requested. If the project includes multiple uses, the capital pro forma should be broken down for the component uses (commercial, housing, etc.).
5. For rental projects, a preliminary **operating pro forma** of at least 20 years for the building operation, including the assumptions underlying the income and expense projections. 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 pro formas in a format acceptable to CPED will be required during the negotiation of a redevelopment agreement.
6. A **market study** or other information documenting the demand for the proposed space.
8. A **description of the public benefits** that will result from the development, e.g., the number and types of housing units, the creation or retention of jobs (including the estimated number, type and wage levels), tax base enhancement, the provision of retail goods and services, etc. This should include an estimate of the taxable value upon completion and annual real estate taxes.

9. 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.
10. An executed "Consent for Release of Response Data" form (Attachment 3). 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.
11. 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 at the time of selection.

EVALUATION CRITERIA

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

1. 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.
2. The extent to which the proposed development is in compliance with the Minneapolis Zoning Code, comprehensive plan, redevelopment goals of this document, and other relevant planning documents for the area.
3. The extent to which the project can move forward on a timetable that will coordinate with the other development in the area.
4. The market and financial feasibility of the project.
5. The anticipated ability of the project to secure necessary public and private funds.
6. The public benefits that would be provided by the project, including the proposed land price.
7. Overall quality of the submission.
8. Review of related previous experience.

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 groups officially designated to provide input on responses to this RFP is the Northside Residents Redevelopment Council (NRRC). In addition the NRRC review, proposers will present to a project review committee (PRC) comprised of members from NRRC, Hawthorne Area Community Council, Jordan Area Community Council, West Broadway Business Association, and West Broadway Area Coalition. This presentation will take place at a public meeting that will be scheduled for early January 2006. From this presentation the PRC will make a recommendation to the City Council and Mayor.

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 Exhibit A. 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.](#)

REVIEW/SELECTION PROCESS

A committee that will include City staff and neighborhood organization representatives will review proposals received by the due date. Input also will be sought from the affected neighborhood organization(s). Some or all of the proposers may be requested to present their proposals to the review committee and/or neighborhood organizations. It is hoped that this review process will be completed by December 2005.

The review committee will then make a recommendation as to the developer that best meets the evaluation criteria. This recommendation will be considered by the CPED Director and then forwarded to the City Council for action.

If the City Council selects a development proposal that does not entail any additional public investment, staff will proceed to negotiate with the selected developer the terms of the proposed land sale. 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 Fall 2006.

Following is the anticipated timeline:

Tour of building:	October 4, 2005, 9:00 a.m.
Pre-proposal meeting:	October 19, 2005, 2:00 p.m.
Submission deadline for proposals:	November 30, 2005, 4:00p.m.
Review/evaluation of proposals and neighborhood review:	Dec. 2005 to Feb. 2006
Recommendation to City Council Community Development Committee on the selected developer:	February 2006
Final action by City Council:	March 2006

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.

- 1. 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 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.

2. 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, that receive non-City public development assistance, are required by contract to identify positions that are reserved for Minneapolis residents.
3. 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.
4. 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.
5. City of Minneapolis Ordinances require that all development projects that receive public financial assistance in excess of \$100,000 must comply with Chapter 423 of the Minneapolis City Ordinances 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. 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. 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.

6. The developer's contractor will be subject to the City's **Apprenticeship Training Policy** for development projects where public financial assistance is provided to the developer/owner.
7. Depending upon the level and purpose of public assistance that may be received, provisions of the Minnesota **Business Subsidy Act** may also apply to the project. Should these requirements apply, they will be incorporated into the development agreement.
8. 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.
9. The City's **Affordable Housing Policy** 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. 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 requires the City to be a co-applicant (see Affordable Housing Policy, Exhibit M).

Under the Affordable Housing Policy, three options are available:

- 20% of the units in the development must be affordable, or
- A comparable number of affordable units must be legally committed by the developer to be built elsewhere in the City, or
- A payment equal to the number of required affordable housing units times \$80,000 must be made into the City's Affordable Housing Fund.

Units are considered affordable if the rent (and/or the combined PITI with utilities) is no more than 30% of 50% of the Twin Cities Standard Metropolitan Statistical Area monthly household income, by family size. Affordable units must be occupied by households with incomes <50% metropolitan median income. Units must be affordable for a minimum of 15 years after completion.

10. **Soil Conditions:** The property 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 FHA minimum property standards and all Minneapolis City codes, and projects will be reviewed for energy efficiency.
14. **Residential Sale and Commercial Sale/ Lease:** The completed units must be advertised and offered publicly and must be sold to the general public.
15. **Hold Harmless:** The Respondent shall agree to defend, indemnify and hold CPED harmless from any and all claims or lawsuits that may arise from the Candidate’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 Respondent or the Respondent’s independent contractors, agents, employees or officers.

ATTACHMENTS

1 – Representative Floor plans

Available online at www.ci.minneapolis.mn.us/cped/rfps_home.asp

2 – Selected Demographic and Income Figures

Available online at www.ci.minneapolis.mn.us/cped/rfps_home.asp

3 – “Consent for Release of Response Data”

Attachment 3
Form of Consent for Release of Response Data

_____, 20__

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

Re: _____ 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 _____ 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.](#)

