

# REQUEST FOR PROPOSALS

For City-owned real property

## – Hollywood Theater –

**2815-2819 Johnson Street NE**

Minneapolis, Minnesota 55418



**SUBMISSION DEADLINE - Friday, July 31, 2009**

**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 Miles Mercer at [miles.mercer@ci.minneapolis.mn.us](mailto:miles.mercer@ci.minneapolis.mn.us)  
for issues specific to this RFP

## **Overview**

The City of Minneapolis (“City”) is seeking redevelopment proposals for certain property owned by the City and located at 2815-2819 Johnson Street NE, Minneapolis (the “Site”), also known as the Hollywood Theater building. The City will sell the Site “as-is”.

The City’s redevelopment goals for the Site include renovation of the existing structure to accommodate a viable commercial use while preserving the character-defining features of the building and the option for future use as a theater.

This RFP will consider a wide range of commercial uses of the theater building. Proposals that involve a theater or entertainment reuse will be considered but so will proposals with other commercial uses such as office and/or retail. Any proposals with a non-theater use must address how they will preserve the option for reuse as a theater in the future, if such an option arises. Residential uses are not allowed at the Site.

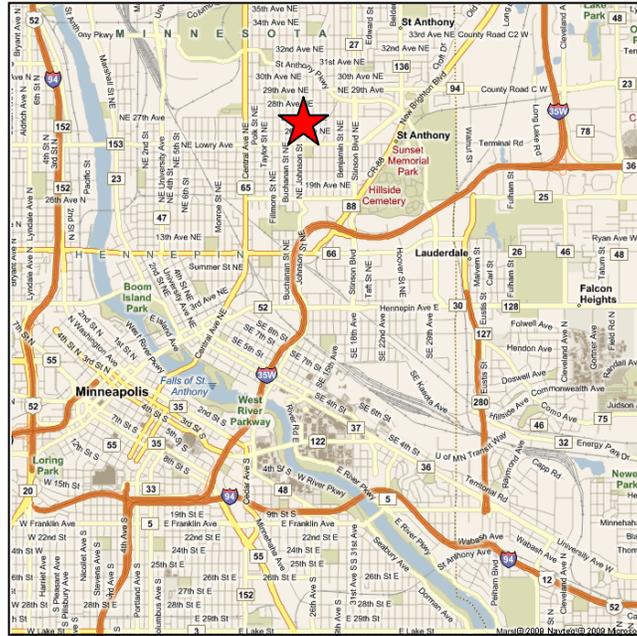
The City has an appraisal for the Site from January 2009 of \$275,000. Offer prices will be one of multiple criteria for evaluating proposals. City policy is to sell redevelopment property at fair reuse value based on the planned use of the property. The Site is approximately 16,000 square feet and the theater building, which occupies the southern two-thirds of the Site, is approximately 12,000 square feet.

Proposals are due at City offices no later than 4:00 pm local time on Friday, July 31, 2009.

## **Site Facts**

- The Site consists of two parcels, 2815 and 2819 Johnson Street NE, totaling approximately 16,000 square feet
- The Hollywood Theater building sits on the 2815 Johnson parcel, which is approximately 10,700 square feet
- The 2819 Johnson parcel, which is approximately 5,300 square feet, is currently vacant
- The total gross square footage of the theater building is approximately 12,000, which includes approximately 10,000 square feet above grade and an approximately 2,000 square foot basement.
- The parcel ID numbers are 1202924120224 and 1202924120062
- The Site is zoned C-1, Neighborhood Commercial District
- Built in 1935, the Hollywood Theater building has been a locally-designated historic landmark since 1990; both the interior and exterior of the structure are protected by the designation. The theater building is not on the national register of historic places, but likely would be eligible for national designation.
- The Site is located in the Audubon Park neighborhood of northeast Minneapolis

## Site in Minneapolis



## Site on block



## **Redevelopment Goals**

The redevelopment goals for the RFP include:

- A. *Reactivate the theater building with a viable commercial use.* The theater building needs to be reactivated as a positive contributor to the commercial district, the neighborhood, and the City. The City will consider a wide range of viable commercial uses that accomplish this. For too long, the theater building has stood vacant, been a blighting influence in the neighborhood, and a drain on City resources.
- B. *Contribute to the commercial activity on Johnson Street NE.* The Site is located in one of the sixty-five neighborhood “commercial nodes” defined by the City. Commercial nodes are relatively small clusters of neighborhood-oriented retail and service uses focused around an intersection. Redevelopment of the Site should support commercial activity at this Johnson Street node by contributing to market demand and/or by providing complementary goods and services and/or employment opportunities for the area.
- C. *Preserve the historic building and its character defining features.* As a locally-designated historic landmark, remaining character-defining features inside and outside of the building must be reconstructed, rehabilitated, or maintained. The Minneapolis Heritage Preservation Commission (“HPC”) has approved a framework for treating these features (see Exhibits). This framework should help guide redevelopment plans and provide respondents with some certainty as to the HPC approval process.
- D. *If not a theater use now, preserve the option for theater reuse in the future.* Proposals without a theater reuse must address how they will preserve the option for a theater reuse in the future, if such an option were to arise. For example, any approved modification to the interior of the space, such as dividing walls or a leveling of a floor, must be done in a way that is reversible.

## **Site Background**

The Hollywood Theater was built in 1935 and operated as a movie theater until it closed in 1987. In 1990, the City designated the Hollywood Theater a local historic landmark. In 1993, the City acquired 2815 Johnson to prevent the theater building from falling into greater disrepair and over the years has made investments to stabilize the building (see Exhibits). The City has made multiple attempts at redevelopment of the theater building with a theater and entertainment use. Those attempts have been unsuccessful.

In the fall of 2008, the City acquired 2819 Johnson just to the north of the theater building. 2819 Johnson contained a single family house which the City has demolished. 2819 Johnson is included in this RFP to provide space for uses such as parking, site access, or complementary improvements that facilitate redevelopment of the Site.

There is another vacant, City-owned parcel, 2800 Johnson, across the street from the theater building. That parcel is not included in this RFP. Past redevelopment ideas have considered using 2800 Johnson as accessory parking for the theater building. Given the acquisition of 2819 Johnson, the availability of street and surface lot parking in the area, and the consideration of a broader range of commercial uses, 2800 Johnson is unlikely to be needed for parking and can be available for other potential future uses, such as multi-family housing. 2800 Johnson may go through a separate disposition process sometime in the future.

### **Redevelopment Considerations**

There are multiple issues with the redevelopment of the Site that respondents should consider when developing their proposals.

*Heritage Preservation.* The Hollywood Theater was designated as a local historic landmark by the Minneapolis Heritage Preservation Commission (HPC) in 1990. The theater building is not on the national register of historic places, but likely would be eligible for national designation.

Constructed in 1935 and designed by architects Liebenberg and Kaplan, the theater is a noteworthy example of Streamline Moderne design. The interior design and finish of the theater provide an excellent example of the Art Deco style. Because of its detail and design, both the interior and exterior features of the theater are protected by the local historic designation. The theater is not only significant for its exemplary architecture and the work of the master architects, Liebenberg and Kaplan, but also because of its social history as a remnant of a pattern of theater and entertainment growth that occurred between 1920 and 1939.

The redevelopment plan for the theater building will require review and approval from HPC. When reviewing a project, HPC uses the Secretary of the Interior Standards for the Treatment of Historic Properties and locally adopted design guidelines. In 1991 the Minneapolis HPC adopted a document entitled “Neighborhood Movie Theater Thematic District Guidelines for Rehabilitation.” This document provided guidance on the rehabilitation of five locally designated movie theaters including the Hollywood Theater. These guidelines provided general guidance on how to treat the various features of these five theaters (see Exhibits).

In March of 2009, HPC approved a framework for the treatment of the character defining features of the theater building (see Exhibits). The “framework” was developed by CPED staff in consultation with the neighborhood task force (described below). The intent of this framework is to supplement the previously adopted “Neighborhood Movie Theater” guidelines by providing clarity and specific recommendations on the treatment of the individual features of the Hollywood Theater. The framework identifies the external and internal features that are important in conveying the historical significance of the structure and recommends how each of the features should be treated, for example reconstructed, rehabilitated, or maintained. This framework, along with the

Secretary of the Interior Standards and the “Neighborhood Movie Theater” guidelines, should provide guidance to the proposed plans and designs of RFP respondents.

Also in March of 2009, HPC approved a Certificate of Appropriateness to allow for the removal of seats from the theater building auditorium and for the installation of new windows in the projection booth.

Please note that the specific redevelopment plan and development team chosen from this RFP process will still need to secure HPC approval. The framework should help the designated developer through the HPC approval process

In addition, the selected redevelopment proposal will likely need to complete a federal environmental review, including a Section 106 review of the historic resources. This federal review is likely required since the City has used federal Community Development Block Grant funds from the US Department of Housing and Urban Development (HUD) to acquire and stabilize the Site.

*Completed Work.* The City has made several improvements over the years to stabilize and clean the theater building (see Exhibits). In 2002, the City (then acting through the Minneapolis Community Development Agency), contracted for the removal of asbestos, mold, and other various hazardous materials from the theater building. In 2005, the City contracted for the removal of more asbestos from the ceiling, walls, floor, and seats in the main hall and stabilized lead-based paint on the walls.

In 2003, the City contracted for the installation of a new roof that came with a 20 year warranty. The warranty transfers to future owners of the building. In 2009, a new roof membrane was installed on the roof over the front marquee, thus completing the repair of all roof surfaces of the theater building.

Since the installation of the new roof in 2003, the City has heated the theater building in the winter and run a mechanical blower year round to provide ventilation and prevent mold. Also since 2003, the City installed a sump pump to drain any water from the basement.

In 2009, the City contracted a review of the exterior facade and several stabilization repairs to the facade masonry.

*Hollywood Task Force.* A task force is helping to guide the redevelopment and includes ten representatives from the Audubon Park neighborhood, the Audubon Neighborhood Association, the local councilmember’s office, and Hillcrest Development serving on a pro bono basis. The role of the task force is to provide feedback on the RFP process, the selection of a proposal, and the approval process for the chosen redevelopment proposal. The task force can be a valuable resource in refining project proposals and communicating with the neighborhood. In addition to the task force, the chosen development team must make a presentation to the Audubon Neighborhood Association, as mentioned below.

*Stormwater Management.* The theater building's stormwater drains are currently connected to the City's sanitary system. City Regulatory Services and Public Works will require that the stormwater drains be disconnected from the sanitary system in conjunction with redevelopment of the Site. Respondents will need to demonstrate either that stormwater can be managed adequately onsite or connect to the City stormwater system. The nearest connection to the stormwater system is on 28<sup>th</sup> Avenue NE between Johnson Street and Lincoln Street to the west. For more information related to separation of stormwater from sanitary sewers and combined sewer overflow, please see [www.ci.minneapolis.mn.us/cso](http://www.ci.minneapolis.mn.us/cso).

*CDBG requirements.* The City has used Community Development Block Grant funds from the US Department of Housing and Urban Development (HUD) to acquire and stabilize the Site. Since these funds have been used, the redevelopment project will likely need to comply with certain requirements, including an environmental review process (the historic resources component of which is mentioned above) and compliance with Davis-Bacon wage requirements for construction jobs.

*Well.* There is an uncapped well in the basement of the theater building. The well will need to be properly abandoned in accordance with Minnesota Department of Health requirements.

### **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 your proposal. Failure to supply the requested information may result in rejection of your 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. Developer's name and mailing address
  - b. Developer'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 style
  - c. Treatment of HPC identified character defining features
  - d. If project is not for theater re-use, strategy for preserving option for theater re-use in the future
  - e. Timing of the improvements and of the programming of the building
  - f. Plan for transportation access, including parking needs
  - g. “Green” building features, techniques, and/or certifications
  - h. Include exhibits of preliminary schematics plans and 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, including projects that involve the rehabilitation of old or historic buildings.
    - 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 general or limited partnership, a joint venture or other type of business association to carry out the proposed development.
  - f. The developer must also provide two years of 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 these requirements.
4. A **development budget** showing the detailed sources and uses of funds for the project. For uses of funds, itemize the projected 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 available, include a letter of interest to provide financing from a lender if debt financing is proposed. Clearly indicate any public financial assistance to be requested, particularly any from the City. Write-downs of the acquisition price below fair market value will be considered City financial assistance. **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 15 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.
7. A **description of the public benefits** that will result from the redevelopment, 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 connections or relationships with the community and/or neighborhood-based organizations. 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 permits and approvals, 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 Exhibits). 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.

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 – at the time of selection. The City will hold the deposit until rehabilitation of the project is complete.

### **Evaluation Criteria**

In reviewing proposals, the following criteria are among those that will be considered:

1. Fulfillment of the four redevelopment goals for the RFP stated above
2. Adherence to the Minneapolis Comprehensive Plan, the Audubon Park Neighborhood Small Area Plan, Hollywood Theatre Redevelopment Plan, the Minneapolis Zoning Code, and other relevant policy documents and City ordinances
3. Track record and financial and organizational capacity of the development team to complete the type of redevelopment project that they propose
4. Financial feasibility of the project and the ability of the project to secure necessary financing
5. Proposed project timeframe, feasibility of beginning construction in 2009
6. Public benefits from the project
7. Offered purchase price for the Site
8. Minimization of City subsidy, if any
9. Degree of “green” building techniques and features incorporated
10. Overall quality of the submission, adherence to the proposal content requirements, and responsiveness during the review process

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.

### **Proposal Submission**

Proposers must submit copies of their proposals as follows:

- One unbound copy
- Fifteen bound copies
- One electronic version in Microsoft compatible 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 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 "2815-2819 Johnson St NE Proposal" and sent to:

City of Minneapolis, Community Planning & Economic Development  
Attention: Miles Mercer  
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 Friday, July 31, 2009**.

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.

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

City staff will review proposals that are received by the due date. City staff will also seek input from the neighborhood task force. Some or all of the proposers may be requested to present their proposals to City staff and/or the neighborhood task force. City staff expects this review process to occur in August 2009.

City staff 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. The goal is to have a recommendation before the City Council in September 2009.

It is anticipated that staff will seek approval from City Council for the developer designation and the land sale in one action. However, if the recommended developer requests public financial assistance, staff may need to complete further analysis, underwriting, and/or other processes to consider the request. This further analysis may require two separate City Council actions to approve the developer and then to approve the land sale.

**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.**

### **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 Audubon Neighborhood Association (ANA).

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 in the Exhibits. 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.

**Information Session and Building Access**

City staff will hold an information session on the RFP onsite at the Hollywood Theater building on Tuesday, June 30 beginning at 8:30 am.

Subsequently, City staff will be available to open the theater building by appointment only for any follow up visits on Tuesday, July 7 from 10:00 to noon and Wednesday, July 15 from 9:00 to 11:00 am. To schedule an appointment during these times, email Miles Mercer, [miles.mercer@ci.minneapolis.mn.us](mailto:miles.mercer@ci.minneapolis.mn.us).

**RFP Timing**

The City prefers that a redevelopment contract be executed with the selected respondent as soon as possible and that construction of the project begin before 2010.

<b>Anticipated RFP Timeline</b>	
Release of RFP	June 22, 2009
Information session onsite	June 30, 2009, 8:30 am
Building access, by appointment only	July 7, 10:00 am-noon
Building access, by appointment only	July 15, 9:00-11:00 am
<b>Submission deadline for proposals</b>	<b>July 31, 2009, 4:00 pm</b>
Review and evaluation of proposals	August 2009
Recommendation to City Council Community Development Committee and Full City Council	September 2009
Negotiate terms of redevelopment contract	Fall 2009
Close on land sale and redevelopment contract	Before 2010

## **RFP Inquiries**

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

Miles Mercer  
[miles.mercer@ci.minneapolis.mn.us](mailto:miles.mercer@ci.minneapolis.mn.us)

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 Friday, July 24, 2009. Questions will be answered in writing and posted on the RFP website:

[www.ci.minneapolis.mn.us/cped/Hollywood\\_Theater\\_RFP\\_2009.asp](http://www.ci.minneapolis.mn.us/cped/Hollywood_Theater_RFP_2009.asp)

Potential respondents are encouraged to periodically check the website for new information on this RFP and for answers 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 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 (affirmative action and nondiscrimination)*. If the project receives a subsidy in excess of \$50,000, the selected developer and its general contractor will each be required to submit a written affirmative action plan to the City's Department of Civil Rights for the development project. In any event, the selected developer will be required to comply and to 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) for CDBG-funded housing programs, the Age Discrimination Act of 1975 (as amended) for federal and federally funded projects 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, 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. The City will require compliance in demolition, construction and marketing of development projects.

2. *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.
3. *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.
4. *Small and Underutilized Business Program.* Development projects that receive public financial assistance in excess of \$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.

5. *Apprenticeships.* The developer's general contractor and any subcontractors with contracts over \$50,000 will be subject to the City's Apprenticeship Training Policy if public financial assistance is provided to the developer/owner.
6. *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.
7. *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.
8. *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.
9. *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.
10. *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.
11. *Construction Standards.* Development must meet all Minneapolis City codes, and projects will be reviewed for energy efficiency.
12. *Hold Harmless.* The selected developer shall agree to defend, indemnify and hold the City harmless from any and all claims or lawsuits that may arise from the developer's activities under the provisions of the redevelopment contract, 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.

## List of Exhibits

Exhibits and any further information to be posted are available for download from:

[www.ci.minneapolis.mn.us/cped/Hollywood\\_Theater\\_RFP\\_2009.asp](http://www.ci.minneapolis.mn.us/cped/Hollywood_Theater_RFP_2009.asp)

- *Framework for the Treatment of Character Defining Features for the Reactivation of the Hollywood Theater.* HPC, March 10, 2009
- Presentation slides on the *Framework for the Treatment of Character Defining Features for the Reactivation of the Hollywood Theater.* HPC, March 10, 2009
- *Neighborhood Movie Theater Thematic District Guidelines for Rehabilitation.* HPC, 1991
- Two HPC staff reports from March 2009
- Hollywood Theatre Redevelopment Plan, September 2008
- Audubon Park Neighborhood Small Area Plan, February 2008
- Summary Appraisal Report and Summary of Review Appraiser's Report. January and February 2009
- Site survey, October 2002
- Downloadable CAD files
- Summary of City improvements and expenditures
  - Roof work summary and 20 year warranty, April 2003 (pdf)
  - Asbestos Removal and General Cleaning Report Summary Report letter, December 2005 (pdf)
  - Lead paint encapsulating, 2005
  - Facade evaluation report, April 2009
- Consent for Release of Response Data form