

**REQUEST FOR DEVELOPMENT PROPOSALS  
FOR CITY-OWNED REAL PROPERTY AT  
205 PARK AVENUE SOUTH  
April 15, 2016**



*205 Park Ave. S., looking southwest to downtown (taken from adjacent parking ramp)*

RFP Issued by:  
City of Minneapolis – Community Planning and Economic Development  
105 Fifth Avenue South, Suite 200  
Minneapolis, MN 55401  
[www.minneapolismn.gov/cped](http://www.minneapolismn.gov/cped)

Contact:  
Emily Stern at [emily.stern@minneapolismn.gov](mailto:emily.stern@minneapolismn.gov)  
for issues specific to this RFP.

## INTRODUCTION

On behalf of the City of Minneapolis, the Department of Community Planning and Economic Development (CPED) is seeking proposals to purchase and develop a parcel of land that the City owns at 205 Park Avenue South (“205 Park”). This parcel benefits from significant public and private investments in the immediate vicinity, including the Mill City Museum, Mill Ruins Park, West River Parkway and its associated riverfront trails, Open Book, Guthrie Theater complex, Gold Medal Park, American Academy of Neurology headquarters, Mill City Farmers Market, and various housing and commercial projects. The parcel also is centrally located near the downtown core in a highly visible Washington Avenue location, three blocks from the Downtown East LRT station and the new U.S. Bank Stadium, and within two blocks of two newly constructed 17 story Wells Fargo office towers and a new 1,610-stall parking ramp.

The City’s development goals for the site include:

1. Maximizing the site’s development potential and contributing to the vibrancy of the Mill District area with a well-designed development project.
2. Preference for residential use (either ownership or rental housing) that includes long-term affordability.
  - a. If ownership housing is included in the proposal, the City would like to see a long-term affordability component, such as a land trust model.
  - b. If rental housing is included in the proposal, the City would like to see a mixed-income project with at least 20% of the proposed units affordable to households at or below 50% or 60% of Area Median Income.
3. Maximizing retail space on the ground floor, including incorporating a restaurant that serves breakfast. Proposals should obtain maximum square footage at ground level, or at a minimum include retail at both corners at Park Ave./Washington Ave. and Park Ave./2<sup>nd</sup> St. S.

More information about this development opportunity and the Request for Proposals process follows.

### **PROPOSAL DEADLINE: Friday, June 10 at 4:00 p.m.**

Proposals are due in City offices no later than 4:00 p.m. local time Friday, June 10, 2016. Project staff will hold an optional pre-proposal meeting on Tuesday, May 3, 2016 at 10:00 am at the Crown Roller Mill Building office to discuss the RFP and answer questions (105 Fifth Avenue South, Suite 200, Minneapolis).

## 205 Park



April 12, 2016

1:4,514  
0 0.0375 0.075 0.15 mi  
0 0.05 0.1 0.2 km  
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Geomatics, AeroGrid, IGN, IGP, swisstopo, and City of Minneapolis - CPED  
USDA FSA, DigitalGlobe, GeoEye, Microsoft |

## BACKGROUND INFORMATION

### Location and Description of Parcel

205 Park is located on the block between Washington Avenue South, 2nd Street South, Park Avenue and Chicago Avenue (see above).

The parcel is about 36,076 square feet and roughly 311 feet by 116 feet (see survey at: <http://www.minneapolismn.gov/www/groups/public/@cped/documents/webcontent/wcm-sp-178074.pdf>)

Since 1992, the City of Minneapolis has owned the 205 Park parcel that originally was part of the larger Milwaukee Railroad depot property. 205 Park has been operated as a surface parking lot since the City's purchase until it could be sold for development. There were two earlier proposals for this site (a housing development and then commercial development) that were not able to be completed due to a softened real estate market. All previous redevelopment contracts have been terminated, and the City is now seeking new proposals for development of this site.

## Planning Framework

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 205 Park Ave 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 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 at: [http://www.minneapolismn.gov/cped/planning/cped\\_plans](http://www.minneapolismn.gov/cped/planning/cped_plans)



*Illustration from Historic Mills District Master Plan Update*

The 205 Park parcel 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.



*205 Park Ave. S., looking northwest*

**Development goals and vision, possible uses, scale, streetscape, parking**

As noted, 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 creating a unique place, providing services or experiences, and/or drawing in residents, employees and/or visitors.

A residential use (either ownership or rental housing) that includes long-term affordability is preferred at this location. If ownership housing is included in the proposal, the City would like to see a long-term affordability component, such as a land trust model. If rental housing is included in the proposal, the City would like to see a mixed-income project with at least 20% of the proposed units affordable to households at or below 50% or 60% of Area Median Income. The housing may be directed to the general market or targeted to a specific segment such as seniors or artists.

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 City would like to see active, ground-floor retail and/or public uses at this site, especially along Washington Avenue. Examples of active public uses are commercial

uses (restaurant/breakfast place, 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. The incorporation of publicly accessible amenities is highly desirable, such as generous landscaping, public art, outdoor seating, bike parking, and/or a public dog relief 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. Design to meet LEED and/or similar environmental standards also is strongly encouraged.

### **Building massing and setbacks**

The development on the 205 Park Avenue parcel must screen the parking ramp and thus must be at least four (4) stories in height, with zoning allowing a maximum height of up to eight (8) stories or 112 feet, whichever is less. The maximum floor area ratio is 4.0. The height limitations of principal structures may be increased by conditional use permit, as provided in [Chapter 525](#) of the Minneapolis Zoning Code.

Along Washington Avenue, the building should at least match the setback of the neighboring St. Anthony Mills Apartments in order to have consistent sidewalk width that accommodates landscaping and lighting. Any existing streetscape that acts as an obstruction to pedestrian through-traffic should be rectified. [Washington Avenue Sidewalk Design.pdf](#)



*205 Park Ave. S. from southwest (corner of Washington & Park)*

## Streetscape

Streetscaping consistent with the area is required on Park and Washington avenues and must be installed and paid for (and maintained) by the developer. Trees and acorn lighting also will be required along Washington Avenue. [Washington Avenue Sidewalk Design.pdf](#)



*205 Park Ave. S. from northwest (corner of 2<sup>nd</sup> St. S. and Park)*

Hennepin County is currently working on a design plan for Washington Avenue South. At this point, the County does not plan to change the curb line location and instead will focus on improvements within the existing road section. Further information on the County's roadway plan may be found at:

<http://www.hennepin.us/residents/transportation/washington-ave-mpls>

If the County formulates a new plan for streetscaping along Washington while plans for the 205 Park parcel are still being finalized, the selected developer may be asked to revise its streetscape plan accordingly.

## **Adjacent Parking Ramp**

The City-owned Mill Quarter Parking Ramp occupies a portion of the block. The 324-stall Mill Quarter Ramp has four levels and was constructed in 2005. Vehicle entry and exit is on 2<sup>nd</sup> St. S.

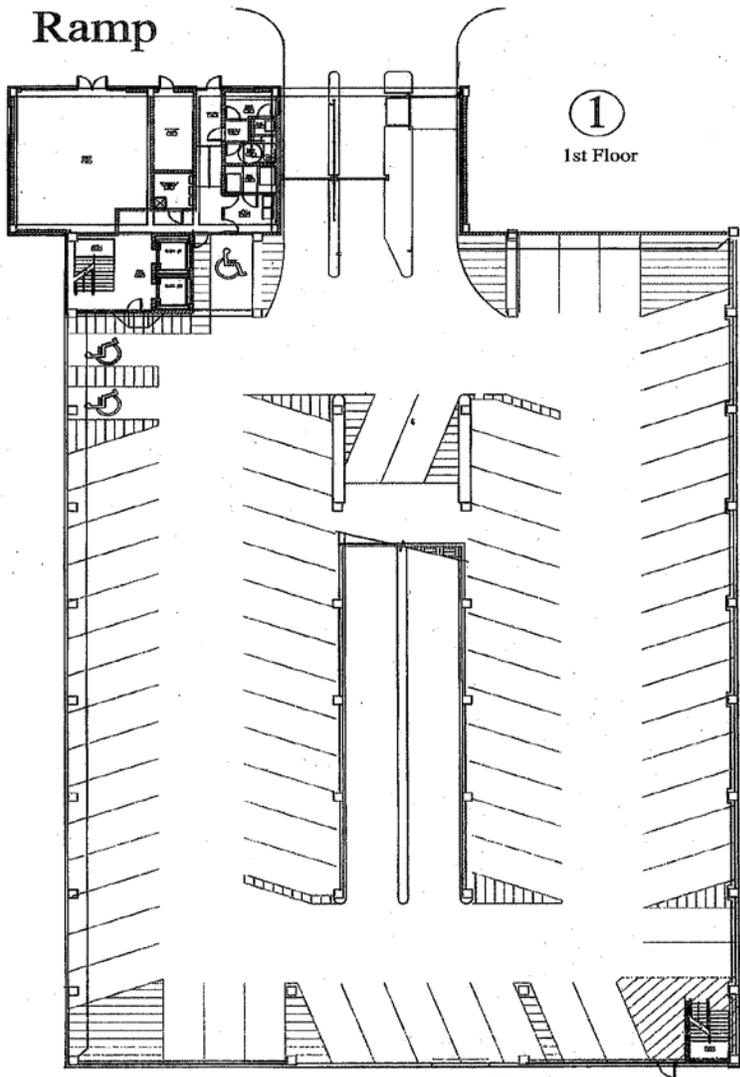
Currently, the ramp has contracts for approximately 233 leased spaces and averages 90 transient spaces per day. Of the lease spaces, 76 on the first level are leased to the entity that owns the St. Anthony Mills Apartments (SAMA) that wrap the ramp, for use by apartment residents. The remaining 157 contract spaces are accessible 24 hours per day, 7 days per week.

The City built the Mill Quarter Ramp as part of the overall redevelopment efforts to provide parking for the Mill City Museum, office tenants in the area and the SAMA liner housing development that wraps the ramp. The ramp was financed in part by a \$2.6 million grant from the State of Minnesota and general obligation (G.O.) tax increment bonds issued by the City which have a final maturity in 2032. Net parking revenues from the ramp pay for annual debt service on the bonds (approximately \$300,000 per year).

More detailed information about the ramp may be found at:

[http://www.minneapolismn.gov/parking/ramps/parking\\_mill-quarter](http://www.minneapolismn.gov/parking/ramps/parking_mill-quarter)

# Mill Quarter Municipal Ramp



205 Park Ave site is located to the west of the Mill Quarter Ramp on the same block (see the survey [205 Park Ave Survey.pdf](#) for precise site dimensions).

## Environmental

The site is part of the former Milwaukee Road Depot property and is contaminated with metals, petroleum-related compounds, volatile organic compounds, and polynuclear aromatic hydrocarbons. The property will be sold “as-is,” and it will be the developer’s responsibility to correct and pay for all costs associated with any soil and environmental problems. Any environmental reports in CPED’s possession regarding the property may be reviewed during normal business hours at CPED’s offices by making arrangements with the department contact person, Emily Stern (see p. 11 for contact information). Any potential proposer may 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.

### **Land sale terms**

The City expects that the parcel will be sold for at least the fair market value. Proposal submittals must include an offer price; price will be one of the factors considered in evaluation. The City will not sell the parcel for less than the fair market value. In accordance with the City's disposition policy, the City Assessor or an independent appraiser will be asked for input as to the fair market value of the parcel before any sale is proposed to the City Council for approval.

The parcel will be sold pursuant to a redevelopment agreement that will include a number of terms (see pp. 12 – 15). Please note that any public financial assistance may trigger additional requirements.

**The City of Minneapolis will not provide financial incentives or subsidies for a market-rate development project at 205 Park Avenue. However, 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, subject to specific program guidelines.**

## **IF YOU ARE INTERESTED...**

### **Optional Pre-Proposal Informational Meeting**

An informational meeting will be held:

**Tuesday, May 3, 2016; 10:00 am at**

**City of Minneapolis – CPED Offices  
Crown Roller Mill Conference Room #3  
105 Fifth Avenue South  
Minneapolis, MN 55401**

Please email Emily Stern at [emily.stern@minneapolismn.gov](mailto:emily.stern@minneapolismn.gov) to RSVP your attendance at the Pre-Proposal Informational Meeting.

### **Whom to contact**

Questions regarding the RFP should be directed via email to the following City staff representative no later than 4:00 pm on May 13, 2016:

Emily Stern, Senior Project Coordinator  
[emily.stern@minneapolismn.gov](mailto:emily.stern@minneapolismn.gov)

Answers to all questions received will be posted on the web site by May 24, 2016, and will be available for download from: [http://www.minneapolismn.gov/cped/rfp/cped\\_rfp](http://www.minneapolismn.gov/cped/rfp/cped_rfp)

In addition, City staff may provide periodic updates and addenda to this RFP 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 submission**

Proposers must submit copies of their proposals as follows:

- One unbound copy
- Ten bound copies
- 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 “205 Park Ave Parcel Development.” Faxed proposals will not be accepted. 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:

**Friday, June 10, 2016, at 4:00 pm**

To:

**City of Minneapolis – CPED  
Request for Proposals for: 205 Park Avenue Parcel  
105 Fifth Avenue South, Suite 200  
Minneapolis, MN 55401**

Proposals received after the deadline may not, at the City’s discretion, 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:

1. **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, and e-mail address
  - f. 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** such as 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. For any proposed residential development, the proposal should include tentative information about the bedroom compositions, sale prices and/or rents, and amenities/services included. If commercial development is proposed, information should be included about the anticipated type of tenants expected.
  3. **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. **Capital pro forma** showing the sources and uses of funds (debt, equity and other) to acquire the parcel and construct the development (including any tenant improvements). Capital pro forma must include the proposed purchase price. Information on the status of securing those funds should also be included, and inclusion of a conditional financing commitment is strongly encouraged. If the project includes multiple uses, the capital pro forma should be broken down for the component uses.
  5. **Operating pro forma** of at least 15 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 proformas in a format acceptable to the City will be required during the negotiation of a redevelopment agreement.

6. **Market study**, letters of intent from commercial tenants, or other information documenting the demand for the proposed space.
7. **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, public realm improvements, etc. This should include an estimate of the taxable real estate value upon completion and annual real estate taxes.
8. **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 Good Faith Deposit on the land with their proposals. However, the developer whose proposal is ultimately selected by the City Council must make the required 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.

### **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 Downtown Minneapolis Neighborhood Association. Other interested organizations are the East Downtown Council and the Mill District Neighborhood Association.

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.

### **Review/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 extent to which the proposed development meets the goals and requirements outlined in this RFP, as well as the goals of the *Update to the Historic Mills District Plan* (including the goal of active retail/public uses on the ground floor) and meets the Minneapolis Zoning Code and *The Minneapolis Plan for Sustainable Growth*.
- A proposal that includes a well-designed development project with added weight given to a residential proposal (either ownership or rental) that includes long-term affordability.
  - If ownership housing is included in the proposal, the City would like to see a long-term affordability component, such as a land trust model.
  - If rental housing is included in the proposal, the City would like to see a mixed-income project with at least 20% of the proposed units affordable to households at or below 50% or 60% of Area Median Income.
- The degree to which the proposal maximizes ground floor retail, including incorporating a restaurant that serves breakfast.
- The existence of committed building tenant(s), if proposal contains a commercial, retail or office component.
- The incorporation of publicly accessible amenities such as generous landscaping, public art, outdoor seating, bike parking, and/or a public dog relief area.
- The degree to which the proposal supports the neighborhood's design character and contributes to the public realm.
- The quality of the proposed project's exterior design and materials and the intended application of LEED or other environmental standards.
- 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 committee of City staff will review proposals received by the due date that are deemed complete and responsive. Input also may be sought from the Downtown Minneapolis Neighborhood Association, East Downtown Council and Mill District Neighborhood Association. Some or all of the proposers may be requested to present their proposals to the review committee and/or neighborhood organization(s). Once the review is complete, CPED staff will seek City Council action to select a development proposal and authorize staff to negotiate the terms of a redevelopment contract.

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.**

**SCHEDULE**

Following is the anticipated tentative timeline:

Pre-proposal meeting	May 3, 2016
Questions due:	May 13, 2016
Answers to questions posted on web site:	May 24, 2016
Submission deadline for proposals:	June 10, 2016
Review/evaluation of proposals:	June - July 2016
Recommendation of selected developers to Community Development & Regulatory Services Committee and action by City Council:	July - August 2016

**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 City contracting 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 must be sold to the general public.
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.

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

8. 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.
9. 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.
10. 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.

11. 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.
12. 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>
13. 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.
14. 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 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](http://www.minneapolismn.gov/cped/resources/reports/cped_affordable_housing_resolution)).

## EXHIBITS

### A. Form of Consent for Release of Response Data

Links imbedded in the RFP:

City web pages:

- C3A description
- DH Overlay
- DP Overlay
- SUBP information

Posted documents (all links imbedded in the RFP):

- Site survey
- Washington Avenue streetscape plan and sidewalk design plan
- Affordable Housing Policy

EXHIBIT A  
Form of Consent for Release of Response Data

\_\_\_\_\_, 20\_\_

City of Minneapolis  
Department of Community Planning and Economic Development  
105 5<sup>th</sup> Avenue South, Suite 200  
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, which shall be treated by the City consistent with Minnesota Statutes, Section 13.591.

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