

HENNEPIN COUNTY MINNESOTA

2023 Request for Applications

Transit Oriented Development (TOD) Program



Publication: January 25, 2023

Application period opens: Thursday, February 9, 2023

Applications due: Thursday, March 9, 2023 BY 3 p.m.



TOD Program Guidelines

Background

Transit Oriented Development (TOD) is a response, an alternative, to auto-oriented development patterns that have dominated the American landscape for over 70 years. TOD relies on principles that prioritize people, supporting or creating walkable, mixed-use, human-centered communities that leverage transit service. Basic principles include compact development or efficient land use, reduced or shared parking, a mix of uses, and increased density. TOD, and ultimately a transit-oriented community facilitates an increased ability to walk or bike to access daily needs and services, improved connections to employment and service destinations, and a reduced need to drive and own a car. Benefits of transit oriented communities include improved public health outcomes due to increased walking, biking, and transit ridership; a more diverse mix of housing options; reduced vehicle emissions and opportunities for district energy and stormwater systems, and lower combined housing and transportation costs. To realize these benefits, TOD projects must address the details of providing a quality public realm, such as building orientation, pedestrian infrastructure, parking placement, and open space amenities that fully prioritize the pedestrian over the car. Vibrant transit-oriented communities additionally increase the economic competitiveness of Hennepin County to attract new residents, enhance the quality of life for existing residents, and provide economic resilience via more productive land use and reduced infrastructure costs.

The Hennepin County Board of Commissioners established the TOD program in 2003 to support mixed-use, housing, and commercial developments that increase transit usage. Since 2003, just over \$45 million has been awarded to over 170 projects creating or retaining over 11,800 housing units and 3,400 jobs.

TOD funding available

Approximately \$2,000,000 is available for award in 2023 through the Hennepin County Housing and Redevelopment Authority (HCHRA) TOD Program. The program is highly competitive and regularly oversubscribed. Additional funds may be available at the HCHRA Board's discretion.

1. Prior awards have ranged from \$25,000 to \$1,000,000.
2. HCHRA reserves the right to offer either grants or loans to approved applicants.
3. Funds are available on a reimbursement basis for actual costs incurred for activities approved in the TOD award contract.
4. Only approved activities that occur after the date of TOD award are eligible for reimbursement.

Additional funding available

Hennepin County ("County") offers additional funding opportunities for projects that meet specific criteria. Projects in designated Community Works Corridors may be eligible for additional funding consideration by submitting a TOD application in 2023. This funding is restricted to certain project types and generally local government entities only. Hennepin County will determine project eligibility, funding sources, and total funding amounts. Awards will be in the form of a grant, and available on a reimbursement basement for approved activities that occur after date of grant award.

Projects that meet Community Works qualifications will be evaluated in that category. In the event Community Works requests are oversubscribed, eligible project types may be considered for funding in the TOD program.

1. Bottineau Community Works (BCW) and Southwest Community Works (SWCW)

Projects will be evaluated to the degree they advance BCW or SWCW goals and the priorities below.

[Bottineau Community Works | Hennepin County](#)

[Southwest Community Works | Hennepin County \(swlrtccommunityworks.org\)](#)

Eligibility

- Projects must be within a [TOD Eligible Area](#) along the Blue Line or Green Line Extension
- Applicants must be a local government agency
- Eligible activities: only hard costs for the construction/installation of permanent infrastructure
 - Bike trails, sidewalk connections, street extensions, improving station area connectivity
 - Infrastructure to support new TOD projects, such as regional stormwater management systems,
 - Streetscaping, lighting or wayfinding related to station connectivity

Priorities for funding consideration

- Readiness for the project to proceed, considering such elements as level of site control, necessary construction drawings, and other funding committed
- The degree to which projects improve pedestrian and bike connectivity to a station
- Last mile connections to expand the ridership area
- Degree that project supports climate mitigation or adaptation strategies

2. Penn Avenue Community Works (PACW)

Projects will be evaluated to the degree they advance PACW goals, especially as identified in the Penn Avenue Vision and Implementation Framework and the priorities below.

[Penn Avenue community works | Hennepin County](#)

Eligibility

- Projects must be within one block of Penn Avenue from I-394 to 49th Avenue N, Minneapolis
- Applications may be considered from local government agencies, non-profit and for-profit developers
- Eligible project types and eligible activities are the same as the TOD program

Priorities for funding consideration

- Readiness for the project to proceed, considering such elements as level of site control, necessary construction drawings, and other funding committed
- Projects consistent with the Penn Avenue Community Works Implementation Framework priorities of:
 - Creating jobs and/or providing space for businesses
 - Providing new housing units, particularly multi-family ownership opportunities
 - Increasing the tax base

3. HOME and Affordable Housing Incentive Fund (AHIF)

Through a separate application process, HOME and AHIF funds are available for affordable housing projects. HOME funds are available to projects located in suburban Hennepin County, while AHIF funds are available for projects located throughout the entire county. More information on this application process can be found on the [Development Requests for Proposals](#) web page.

4. Environmental Response Fund

Through a separate application process held on a biannual basis, the Environmental Response Fund supports the assessment and cleanup of contaminated sites where conditions present a threat to human health or the environment. More information on this program can be found on the [Environmental Response Fund](#) page.

Requirements

1. Submission of completed application and required attachments **by 3:00pm March, 9**. Applications **must** be submitted via Hennepin County's online grant management system located on the [Hennepin County TOD webpage](#). Incomplete applications and applications submitted outside of the required grant system may not be reviewed.
2. The project must be located within a municipally designated Redevelopment Area, or the municipality must express its intent to establish a Redevelopment Area at time of application. The Redevelopment Area must be established before an award agreement will be signed.
3. The municipality in which the project is located must agree to enter into a multi-jurisdictional agreement with the HCHRA for any project receiving an award, if applicable. A council resolution from the municipality, approving the project, is required before an award agreement will be signed.
4. Funded activities must be completed by December 31, 2025.
5. Projects must comply with the Hennepin County Construction and Demolition Waste Policy. See excerpt in "Definitions" section.

Eligibility

The project must be located in Hennepin County within a [TOD Eligible Area as shown on this map](#).

- Suburban areas with transit service where it can be demonstrated the project area is transitioning to a transit-supportive area through policies, planning efforts, and/or other investments may be considered at the discretion of County staff.

Eligible applicants

- For-profit developer
- Nonprofit developer or organization
- City, county, or housing/development/port authority.

Eligible projects

- New development, redevelopment, or the rehabilitation/renovation of vacant commercial/retail/office/industrial buildings
- Mixed-use, commercial/retail/manufacturing (jobs projects), housing
 - Priority projects are mixed-use, diversify land uses in the transit area, and those that include wealth-building opportunities for small business owners, affordable commercial spaces, and/or jobs and community ownership opportunities in low-income communities
- Comprehensive public infrastructure investments, distinct from a development project, related to improving walkability & development potential in select situations, e.g., new streets to improve intersection density and create better development parcels; street reconstruction and associated infrastructure such as sidewalks; district stormwater or energy systems
 - Standalone activities such as just landscaping or lighting are not eligible
- Strategic site acquisition in select situations



Satori Apartments, Minneapolis

Eligible uses of TOD funds

Uses must demonstrate a public purpose and have a demonstrated need for County funds and can include projects located within the public realm.

Eligible uses may include, but are not limited to:

- Real estate development/redevelopment projects
 - Clearing acquired property and installation of streets, utilities, and site improvements for uses in accordance with the redevelopment project or other extraordinary project costs
 - Public realm improvements or amenities open to the public on private property
 - Building rehabilitation or renovation for locally owned small businesses or affordable housing
 - Site integrated transit shelters, beyond standard MetroTransit facilities, at approved transit stops
 - Stormwater management features, other than retention ponds
- Public infrastructure improvements, distinct from a development project, such as:
 - Public plazas
 - New streets that improve connectivity (with demonstrated benefit to pedestrians)
 - Sidewalks, lighting, landscaping related to new streets, street reconstruction
 - Pedestrian and bicycle facilities that improve safety
- Strategic acquisition of real property, by a local government agency or community-based landholding organization, for the purpose of preserving a TOD opportunity and removing, preventing, or reducing blight, blighting factors, or the causes of blight. Eligible only in some cases where a non-TOD project is likely.

Program priorities

Projects are evaluated to the extent they best demonstrate the following:

District and community

- a. The project contributes to a more transit-oriented community by diversifying uses, housing options, public realm improvements, or improved pedestrian and bicycle connections
- b. Site and building construction strategies that advance climate mitigation and adaptation best practices (e.g., stormwater reuse, renewable energy, “green building” techniques, reuse and waste management, etc.)
- c. An intensification of land use emphasizing the pedestrian environment and transit service with transition from auto-oriented landscape
- d. High quality, diversified, and employee-intensive businesses are created, or retained, providing job opportunities for the full employment of a diverse set of skills
- e. New opportunities are created to promote local small business development, arts/cultural-based businesses, community services, inclusive entrepreneurial opportunities, and affordable commercial space
- f. The degree to which the project is fulfilling an identified area need (e.g., affordable housing, retail space, public amenities, job-base, etc.)
- g. The likelihood of catalyzing development, stimulating private investment, and enhancing the tax base
- h. Aligns with the Affordable Housing Incentive Fund priorities if affordable housing is included



Design

- a. Supports a high-quality pedestrian-engaging environment
- b. Advances TOD design principles (e.g., building orientation and articulation, active first floor space, reclaiming underutilized space, placing parking behind buildings, limiting curb cuts, etc.)
- c. Development projects include environmentally responsible and resource efficient materials and processes throughout the project’s life cycle
- d. Promotes bicycling (e.g., providing obvious bike parking, short-term and long-term, includes bike repair facilities, etc.)
- e. Attractive, comfortable, accessible transit facilities are available or provided
- f. For public infrastructure projects: the degree to which the infrastructure project will support and catalyze transit-oriented development and improve connectivity in the transit area.

Need for funding

- a. Financial need and demonstration that other private and public resources are insufficient
- b. Public financing request is commensurate with the public benefit
- c. Demonstration that the project, or project elements, will not move forward without TOD funding

Readiness

- a. The likelihood the project moves forward and completes the eligible activities within the award period
- b. Plans, policies, or ordinances by the municipality that support such development
- c. The impact of an award at this point in the project's development process
- d. For site acquisition without a specific development project: the threat that a non-TOD project may be constructed

Request for applications (RFA) process

Applications will only be accepted through the online grant program accessed on the [Hennepin County TOD webpage](#). The application is a web-based form, and all required attachments will be uploaded to the same system.

- To apply, you must first register at the application website.
 - Only submit requested materials; do not submit additional, unlisted documents, nor additional sheets for expanded narrative.
- Applicants are urged to be as complete with their application as possible, knowing projects may change. Concise brevity is appreciated, and bulleted points are encouraged.
- Applicants are strongly encouraged to make their submissions well in advance of the application due date as the process may take some time to complete. Failure to submit an application on time may be grounds for rejection of the application; however, the County reserves the right, in its sole and absolute discretion, to accept applications after the time and date specified.

Inquiries

Please direct questions to Ryan Kelley, Manager, Transit Oriented Development, at: ryan.kelley@hennepin.us by February 23, 2023. Technical Assistance sessions are available by scheduling a meeting on the [TOD website](#). Potential applicants are **strongly encouraged** to discuss their project with Mr. Kelley prior to submittal.

Application evaluation and recommendation for selection

A selection committee including HCHRA staff and additional contributors, as needed, will review applications and may request additional information. The HCHRA may elect to allocate funding to Hennepin County projects that best meet TOD Program criteria and may not allocate funding if projects do not meet program priorities. Evaluation consideration is also given to geographic distribution of projects and demonstrated need for TOD funding. Staff anticipates presenting funding recommendations to the HCHRA Board in June 2023.

The County and HCHRA may require the entities selected to participate in negotiations to submit fiscal, technical, or other revisions of their applications that may result from negotiations.

This RFA does not commit the County to award a contract. Submission of a proposal shall neither obligate nor

entitle an Applicant to enter into a contract with the County. The County reserves the following rights, to be exercised in the County's sole and absolute discretion: 1) to determine whether any aspect of a proposal satisfactorily meets the criteria established in this RFA; 2) to seek clarification or additional information from any Applicant; 3) to negotiate, sequentially or simultaneously, pricing and/or terms with any Applicant or vendor; 4) to reject any or all proposals with or without cause; 5) to waive any irregularities or informalities in a proposal; 6) to cancel or amend by addenda this RFA, in part or entirely; 7) to award multiple contracts to Applicants; and/or 8) award a contract to a respondent that did not submit an application.

Addenda

The County reserves the right to modify the RFA at any time prior to the application due date. If the RFA is modified, addenda to the RFA will be provided to all applicants known to have received a copy of the RFA. It is the responsibility of each prospective applicant to assure receipt of all addenda.

The County will modify the RFA only by formal written addenda. The application should be based on the specifications herein and any formal written addenda from the County, not oral or other interpretations or clarifications.

County's right to withdraw, cancel, suspend and/or modify RFA

The County reserves the right to withdraw, cancel, suspend, and/or modify this RFA for any reason and at any time with no liability to any prospective applicant for any costs or expenses incurred in connection with the RFA or otherwise. Hennepin County and the HCHRA reserve the right to accept or reject any or all applications received, to accept or reject any late applications, to rescind the request for applications, to request additional information as deemed necessary to review any application, to negotiate with all qualified proposers, to use any or all proposer ideas and/or approaches presented, or to cancel in part or in its entirety this request for applications, if it is in the best interest of Hennepin County and the HCHRA to do so.

Proposer's right to edit or cancel application

An application may be withdrawn on written request of the applicant prior to the application due date. Prior to the application due date, changes may be made, provided the change is submitted in writing and signed by an officer or authorized representative of the applicant. No modification, unless in writing, will be accepted.

Applications will not be returned

Upon submission, applications will not be returned.

Public disclosure of application documents

Under Minnesota law, applications are private or nonpublic until the applications are opened on the application due date. Once the applications are opened, the name of the Proposer becomes public. All other data in the application is private/nonpublic data until completion of the evaluation process. The evaluation process is completed when the County enters into a contract with a Proposer. At that time, all remaining data submitted by all Proposers is public with the exception of data classified as private/non-public trade secret data under Minn. Stat. § 13.37 of the Minnesota Government Data Practices Act.

Proposers must not submit trade secret material, as defined by Minn. Stat. § 13.37, as part of their application. The County does NOT consider cost or prices to be trade secret material, as defined by the statute. Proposers may present and discuss trade secret information during an interview or demonstration, if applicable.

The Proposer agrees, as a condition of submitting its application, that the County will not, as between the parties, be liable or accountable for any loss or damage which may result from a breach of confidentiality related to the application. The Proposer agrees to indemnify and hold the County, its officials, agents, and employees harmless from all claims arising out of, resulting from, or in any manner attributable to any violation of any provision of the Minnesota Government Data Practices Act, including legal fees and disbursements paid or incurred to enforce this provision. This indemnification survives the County's award of a contract. In submitting an application in response to this RFA, the Proposer agrees that this indemnification survives as long as the Application is in the County's possession. The County is required to keep all the basic documents related to its contracts, including RFA applications, for a minimum of seven years.

Use of application images

By submitting any renderings, images, perspectives, sections, diagrams, photos, or other copyrightable materials (collectively, "copyrightable materials") with an application, applicant certifies that applicant's organization is the owner of the copyrightable materials or is fully authorized to grant permissions regarding the copyrightable materials and that those materials do not infringe upon the copyrights of others. Applicant also agrees that: 1) Hennepin County has a nonexclusive royalty-free license and all necessary permissions to reproduce and publish any copyrightable materials for noncommercial purposes, including but not limited to press releases, presentations, reports, and on the internet; and 2) your organization will not hold Hennepin County responsible for the unauthorized use of the copyrightable materials by third parties. If applicant desires attribution on the copyrightable materials, you may include a discreet transparent watermark.

Applicant's costs

The County or HCHRA shall not be responsible for any costs incurred by applicant in connection with this RFA. Applicant shall bear all costs associated with application preparation, submission, and attendance at presentation interviews, or any other activity associated with this RFA or otherwise. These same costs are not eligible for TOD grant funding.

Collusion

If the County determines that collusion has occurred among applicants, none of the applications of the participants in such collusion shall be considered. The County's determination shall be final.

Conflict of interest

Applicant affirms that, to the best of its knowledge, its application does not present a conflict of interest with any party or entity, which may be affected by the terms of a contract resulting from this RFA. The applicant agrees that, should any conflict or potential conflict of interest become known, it will immediately notify the County of the conflict or potential conflict, and will advise the County whether it will or will not resign from the other engagement or representation. Further, the County may make reasonable efforts to avoid, mitigate, or neutralize an organizational conflict of interest by an applicant in all competitive procurements. To avoid an organizational conflict of interest by an applicant, the County may utilize methods including disqualifying an applicant from eligibility for a contract award or canceling the contract if the conflict is discovered after a contract has been issued. To mitigate or neutralize an organizational conflict of interest by an applicant, the County may use methods such as revising the scope of work to be conducted, allowing applicant to propose the exclusion of task areas that create a conflict, or providing information to all applicants to assure that all facts are known to all applicants. The County may, at its sole and absolute discretion, waive any conflict of interest.

Definitions

- "Proposals" means "application" in this document and both words can be used interchangeably.
- "Proposer" means "applicant" in this document and both words can be used interchangeably.

Construction and demolition reuse and recycling policy

All non-hazardous building material generated during the project should be sorted by material type for recycling or, if collected as mixed waste, sent to a facility that achieves a minimum 60% recycling rate. If sorting by material type, at a minimum, the following materials should be separated for recycling: concrete, metals, untreated wood, and roofing material. Removal of building materials for reuse is encouraged where feasible. New construction, renovation, rehabilitation, and remodeling projects are encouraged to incorporate reused and recycled content building materials in their designs.

Resources (provided for reference only)

Transit Oriented Development		
Metropolitan Council Transit Oriented Development Guide	Policy and Planning Guide	Guide intended for planners, elected officials and planning commissioners which explains the roles and responsibilities of various levels of government in implementing TOD, and houses case studies and best practices to emphasize.
Institute for Transportation and Development Policy, What is TOD	Best Practices and Scorecard	A policy brief providing core principles of inclusive TOD based on ITDP's Principles of Urban Development for Transport in Urban Life, and an assessment tool for plans and projects.
National Resources & Technical Assistance for Transit-Oriented Development, FTA and Smart Growth America	Guidebooks, Research Papers, Fact Sheets	The TOD Technical Assistance Initiative is a project of the Federal Transit Administration and Smart Growth America that provides technical assistance to support transit-oriented development, improve access to public transportation, and build new economic opportunities and pathways to employment for local communities.
Reconnecting America, Center for Transit-Oriented Development	Best Practices Database	Collection of case studies, research, technical and policy documents on a variety of topics related to transit-oriented development and livable communities. Continuation of Best Practices database originally funded by the Federal Transit Administration.
Minneapolis' "What Does Density Look Like?"	Guide	Pamphlet illustrating building form at various densities and heights.
Saint Paul Transit-Oriented Development Guidebook for the Central Corridor	Guidebook	A reference guide including business tips, guiding plans and design development principles for the Central Corridor in Saint Paul.

Community Engagement		
Metropolitan Council Community Engagement Resources	Checklists, Presentations, Best Practices	A variety of community engagement resources compiled by the Metropolitan Council Community Development Division and Community Engagement staff. Resources include checklists, best practices, and planning worksheets

Metropolitan Council PlanIt Series –Workshops	Workshop Presentations	Community Engagement presentations include: Community Engagement Best Practices; Interactive Community Engagement; Re-Thinking Engagement Strategies; and Community Engagement
Community Engagement Institute Resources	Assessment Tool, Background Guide	The Community Engagement Institute from Nexus Community Partners provides a series of trainings and additional resources to advance community engagement practice. A self-assessment tool helps teams determine how they currently do engagement and identify areas to expand.
Public Engagement Primer	Introduction Guide	Overview of core principles of community engagement with examples of engagement strategies, including focus groups, stakeholder dialogues, and community conversations.
Equitable Development		
Twin Cities Equitable Development Principles and Scorecard	Scorecard	The Scorecard offers guidance to assess a development project or potential project in the following areas: housing, transportation, land use, community engagement, and economic development.
King County Equity Impact Review Tool	Project Toolkit	The Impact Tool guides project teams through a series of questions to assess the racial equity impact of their project.
Complete Streets		
New York City Active Design Guidelines	Guidebook	Strategies for designing public spaces that encourage active transportation and recreation. Relationships between active living and sustainable design is also addressed.
Minnesota Complete Streets Coalition	Toolkits, Design Guides, Policy Guides	Design toolkits, guides, and policy case studies are available. Example complete streets resolutions are also available.
Hennepin County		
Hennepin County Active Living	Workshops, tools, policy, and planning guides	The Hennepin County Active Living initiative provides a variety of resources on developing environments that promote active living. Resources include bike and pedestrian planning, design checklists, and workshop materials.
Hennepin County Bike Plan	Planning Guide	The plan provides information on the County's build out of the bike network.
Hennepin County Pedestrian Plan	Planning Guide	This document guides the implementation of improved opportunities for walking within Hennepin County.
Hennepin County Sustainable Landscape Guidelines	Guidebook	A collection of best management practices for implementation tailored for specific County departments.