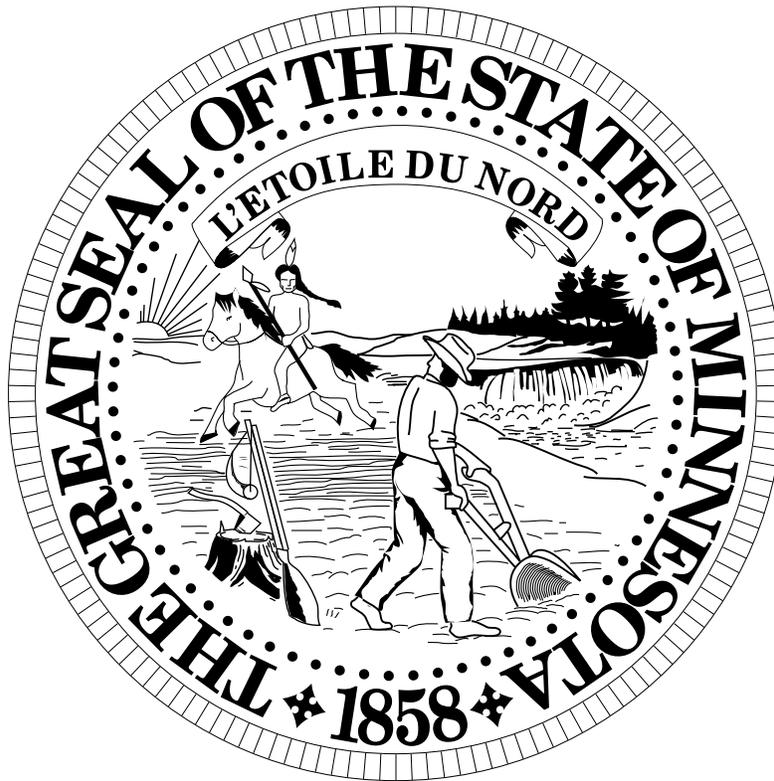


State of Minnesota

State Register

Rules and Official Notices Edition



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State Register

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- commissioners' orders
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Vol. 27 Issue Number	PUBLISH DATE	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for both Adopted and Proposed RULES
#23	Monday 2 December	NOON MONDAY 25 NOVEMBER	Noon Wednesday 20 November
#24	Monday 9 December	Noon Tuesday 3 December	NOON TUESDAY 26 NOVEMBER
#25	Monday 16 December	Noon Tuesday 10 December	Noon Wednesday 6 December
#26	Monday 23 December	Noon Tuesday 17 December	Noon Wednesday 11 December

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Commodity, Service, and Construction contracts are published Tuesday and Friday in a bulletin, the *Solicitation Announcements*. Award results are available from the Materials Management Helpline (651) 296-2600. **Website:** www.mmd.admin.state.mn.us

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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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Proposed Rules

Comments on Planned Rules or Rule Amendments

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing

After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Board of Physical Therapy

Proposed Permanent Rules Relating to Ethics

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to Rules Governing Code of Ethics for Physical Therapists, *Minnesota Rules*, 5601.3200

Introduction. The Board of Physical Therapy intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until January 6, 2003.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Stephanie Lunning at the Board of Physical Therapy, Suite 315, 2829 University Ave SE, Minneapolis, MN 55414-3222, **phone:** (612) 627-5406, **fax:** (612) 627-5403, **email:** Stephanie.Lunning@state.mn.us. **TTY** users may call the Hearing Impaired - Minnesota Relay Service at 1-800-627-3527.

Proposed Rules

Subject of Rules and Statutory Authority. The proposed rules are about a code of ethics for physical therapists setting out principles of ethical integrity and prohibited conduct. The statutory authority to adopt the rules is *Minnesota Statutes*, section 148.66 (1), 148.66 (7), 148.74, and *2002 Laws of Minnesota*, Chapter 219, Section 1. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Monday, January 6, 2003, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on January 6, 2003. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rules*, part 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. Copies of the statement may be obtained at the cost of reproduction from the agency.

Adoption and Review of Rules. If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: 15 November 2002

Stephanie J. Lunning
Executive Director
Minnesota Board of Physical Therapy

5601.3200 CODE OF ETHICAL PRACTICE.

Subpart 1. Scope. The code of ethical practice for licensees and applicants constitutes the code of ethics required by *Minnesota Statutes*, section 148.66, clause (7).

Subp. 2. Ethical integrity. Licensees and applicants shall use the principles in items A to H as guidelines for ethical integrity.

A. A physical therapist shall respect the rights and dignity of all individuals and provide compassionate care as described in subitems (1) and (2).

(1) A physical therapist shall recognize individual differences with patients and shall respect and be responsive to those differences.

(2) A physical therapist shall be guided by concern for the physical, psychological, and socioeconomic welfare of patients.

B. A physical therapist shall exercise sound judgment and act in a trustworthy manner toward patients and in all other aspects of physical therapy practice. Regardless of practice setting, physical therapists shall maintain the ability to make independent judgments. A physical therapist shall strive to effect changes that benefit patients.

C. A physical therapist shall maintain professional competence and promote high standards for physical therapy practice, education, and research. Physical therapists shall participate in educational activities that enhance their basic knowledge and provide new knowledge.

D. A physical therapist shall seek only such remuneration as is deserved and reasonable for physical therapy services performed and shall never place the therapist's own financial interest above the welfare of patients under the therapist's care.

E. A physical therapist shall endeavor to address the health needs of society.

F. A physical therapist shall respect the rights, knowledge, and skills of colleagues and other health care professionals.

G. A physical therapist shall safeguard the public from underutilization or overutilization of physical therapy services.

H. A physical therapist shall provide and make available accurate and relevant information to patients about their care and to the public about physical therapy services.

Subp. 3. **Aid to interpretation.** The American Physical Therapy Association (APTA) Code of Ethics and APTA Guide for Professional Conduct shall be used as aids in resolving any ambiguity that may arise in the interpretation of this part. However, in a conflict between this part and the APTA Code of Ethics and Guide to Professional Conduct, this part shall prevail. The Code of Ethics published by the American Physical Therapy Association in July 2000, and Guide to Professional Conduct published by the American Physical Therapy Association in January 2001, are incorporated by reference, are available at the state law library, and are not subject to frequent change.

Subp. 4. **Prohibited activities.** Violation of the conduct rules in items A to E is prohibited and is grounds for disciplinary action under *Minnesota Statutes*, section 148.75, paragraph (a), clause (5).

A. Physical therapists shall not engage in conduct that constitutes harassment or abuse of, or unlawful discrimination against, patients.

B. Information relating to the physical therapist-patient relationship is confidential and may not be communicated to a third party not involved in that patient's care without the prior written consent of the patient or patient's representative, or otherwise allowed by law. Information must be disclosed when required by law for the protection of the patient or the public.

C. Physical therapists shall not engage in any sexual relationship or activity with any patient, or engage in any conduct that may reasonably be interpreted by the patient to be sexual, whether consensual or nonconsensual, while a physical therapist-patient relationship exists. A physical therapist shall not exploit the physical therapist-patient relationship for sexual or any other purpose, and termination of the physical therapist-patient relationship is not a defense to exploitation involving sexual misconduct.

D. A physical therapist, unless otherwise allowed by law, shall not provide patient care without disclosing benefits, costs, and substantial risks, if any, of the recommended examination, intervention, and the alternatives to the patient or patient's representative provided by law.

E. A physical therapist shall not provide care to patients when impaired by illness, chemical use, or chemical dependency that affects the physical therapist's ability to practice with reasonable skill and safety.

Subp. 5. **Reporting requirements.** A physical therapist, within 30 days of the occurrence of a reportable event, shall:

A. self report to the board any personal actions which may be grounds for disciplinary actions in *Minnesota Statutes*, sections 148.75 and 148.76;

B. self report to the board or to the health professional services program impairment by illness, chemical use, or chemical dependency that affects the practitioner's ability to practice with reasonable skill and safety;

C. self report to the board conviction of a misdemeanor, gross misdemeanor, or felony relating to patient care; and

D. self report the termination, revocation, or suspension of membership by a state or national physical therapy professional association.

Failure to comply with items A to D in a timely manner is considered conduct detrimental to the best interests of the public and grounds for disciplinary action under *Minnesota Statutes*, section 148.75, paragraph (a), clause (5).

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

Subp. 6. Cooperation. A physical therapist shall cooperate with an investigation of the board. Failure to cooperate is conduct detrimental to the best interest of the public and grounds for disciplinary action under *Minnesota Statutes*, section 148.75, paragraph (a), clause (5). Cooperation includes responding fully and promptly to any question raised by the board and providing copies of the medical records and other documents requested by the board.

Subp. 7. Interpretation. The conduct rules found under subparts 4, items A to D; 5; and 6, do not represent the exclusive grounds for disciplinary action under *Minnesota Statutes*, section 148.75, paragraph (a), clause (5), and must not be construed as limiting the grounds for disciplinary action under *Minnesota Statutes*, section 148.75, paragraph (a), clause (5), for conduct not listed in this part.

INCORPORATION BY REFERENCE: Part 5601.3200, subpart 3: the Code of Ethics, published by the American Physical Therapy Association in July 2000; and Guide to Professional Conduct, published by the American Physical Therapy Association in January 2001, are available at the state law library, and are not subject to frequent change.

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

Expedited and Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

Department of Labor and Industry

Adopted Exempt Permanent Rules Relating to OSHA

The rules proposed and published at *State Register*, Volume 27, Number 13, pages 424-425, September 23, 2002 (27 SR 424), are adopted as proposed.

Revenue Notices

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* § 270.0604.

Department of Revenue

Revenue Notice # 02-20: Technical Corrections of Prior Revenue Notices

This Revenue Notice corrects obsolete statutory references cited in previously issued Revenue Notices. The changes stem from various recodifications made since the original notices were issued. This notice is not intended to have any substantive effect, but instead is being published solely to assist readers of the notices.

The Revenue Notice is in two parts. The first part is a table of Revenue Notices that contain statutory citations that have changed as a result of subsequent law changes. The left column of this chart lists the affected Revenue Notice. The middle column lists the statutory citation included in the original Revenue Notice. The right column lists a citation to current law as amended through the date of publication of this Revenue Notice.

The Revenue Notices in the second part also contain statutory citations that have changed as a result of subsequent law changes. However, these Revenue Notices also contain either direct quotes from, or references to, provisions that have been amended in such a manner as to make a portion of the notice obsolete. In every instance, the obsolete portion of the notice is not relevant to the main position announced in the notice. Each change in this part contains a brief explanation of the obsolete part of the notice.

Part 1

Notice	Citation in Original Notice	Current Citation
91-2	Minn. Stat. § 297A.01, subd. 3(j)(vi)	Minn. Stat. § 297A.61, subd. 3(g)(5)(vi)
	Minn. Stat. § 297A.01, subd. 4	Minn. Stat. § 297A.61, subd. 4
91-4	Minn. Stat. § 297A.25, subd. 9	Minn. Stat. § 297A.69, subd. 2
91-5	Minn. Stat. § 297A.25, subd. 12	Minn. Stat. § 297A.67, subd. 23
91-6	Minn. Stat. § 297A.25, subd. 12	Minn. Stat. § 297A.67, subd. 23 and § 297A.68, subd. 25
91-18	Minn. Stat. § 297A.01, subd. 3(f)	Minn. Stat. § 297A.61, subsd. 3(i) and 24
92-1	Minn. Stat. § 60A.19, subd. 6	Minn. Stat. § 297I.05, subd. 11
92-6	Minn. Stat. § 297A.01, subd. 3(j)(iv)	Minn. Stat. § 297A.61, subd. 3(g)(5)(iv)
92-12	Minn. Stat. § 297A.01, subd. 3(j)(vi)	Minn. Stat. § 297A.61, subd. 3(g)(5)(vi)
	Minn. Stat. § 297A.01, subd. 4	Minn. Stat. § 297A.61, subd. 4
92-13	Minn. Stat. § 297A.01, subd. 4	Minn. Stat. § 297A.61, subd. 4
	Minn. Stat. § 297A.25, subd. 12	Minn. Stat. § 297A.67, subd. 23 and § 297A.68, subd. 25
92-18	Minn. Stat. § 297A.25, subd. 34	Minn. Stat. § 297A.67, subd. 30
	Minn. Stat. § 297A.01, subd. 3(e)	Minn. Stat. § 297A.61, subd. 3(g)(2)
92-24	Minn. Stat. § 297A.01, subd. 3(i)(i)	Minn. Stat. § 297A.61, subd. 3(g)(5)(i)
92-27	Minn. Stat. § 297A.21	Minn. Stat. § 297A.66
	Minn. Stat. § 297A.21, subd. 1	Minn. Stat. § 297A.66, subd. 1
	Minn. Stat. § 297A.02	Minn. Stat. § 297A.62
	Minn. Stat. § 297A.01, subd. 7	Minn. Stat. § 297A.68, subd. 14
	Minn. Stat. § 297A.01, subd. 3(j)	Minn. Stat. § 297A.61, subd. 3(g)

Revenue Notices

	Minn. Stat. § 297A.01, subd. 3(a)	Minn. Stat. § 297A.61, subd. 3(b)
	Minn. Stat. § 297A.01, subd. 2	Minn. Stat. § 297A.61, subd. 2
	Minn. Stat. § 297A.14	Minn. Stat. § 297A.63
93-1	Minn. Stat. § 297.031	Minn. Stat. § 297F.14, subd. 4
	Minn. Stat. § 297.321	Minn. Stat. § 297F.14, subd. 4
93-7	Minn. Stat. § 297A.01, subd. 3(c)	Minn. Stat. § 297A.61, subd. 3(d)
	Minn. Stat. § 297A.01, subd. 8	Minn. Stat. § 297A.61, subd. 7
93-9	Minn. Stat. § 297A.25, subd. 5	Minn. Stat. § 297A.68, subd. 13
93-19	Minn. Stat. § 290.01, subd. 19c (5)	Minn. Stat. § 290.01, subd. 19c (4)
93-24	Minn. Stat. § 290.01, subd. 19d (11)	Minn. Stat. § 290.01, subd. 19d (10)
94-6	Minn. Stat. § 60A.15	Minn. Stat. § 297I.05
94-11	Minn. Stat. § 297A.01, subd. 3(j)(viii)	Minn. Stat. § 297A.61, subd. 3(g)(5)(vii)
95-1	Minn. Stat. § 297A.01, subd. 3(i)(iii)	Minn. Stat. § 297A.61, subd. 3(g)(5)(iii)
95-4	Minn. Stat. § 297A.041	Minn. Stat. § 297A.87
95-5	Minn. Stat. § 297A.25, subd. 11	Minn. Stat. § 297A.70, subd. 2
	Minn. Stat. § 297A.25, subd. 16	Minn. Stat. § 297A.70, subd. 4
95-9	Minn. Stat. § 297A.01, subd. 3(i)(iii)	Minn. Stat. § 297A.61, subd. 3(g)(5)(iii)
96-3	Minn. Stat. § 60A.15, subd. 1	Minn. Stat. § 297I.01, subd. 1
97-5	Minn. Stat. § 297A.25, subd. 42	Minn. Stat. § 297A.68, subd. 5
	Minn. Stat. § 297A.15, subd. 5	Minn. Stat. § 297A.75
	Minn. Stat. § 297A.01, subd. 16(a) and (b)	Minn. Stat. § 297A.68, subd. 5(a) and (b)
	Minn. Stat. § 297A.01, subd. 16(c)	Minn. Stat. § 297A.68, subd. 5(c)
97-6	Minn. Stat. § 297B.01, subd. 1	Minn. Stat. § 297B.02, subd. 1
	Minn. Stat. § 297A.25	Minn. Stat. § 297A.70, subd. 3
	Minn. Stat. § 144.802	Minn. Stat. § 144E.10
	Minn. Stat. § 297A.25, subd. 11	Minn. Stat. §§ 297A.67, subd. 28 (ambulances), 297A.70, subd. 3 (fire trucks and other emergency vehicles)
97-12	Minn. Stat. § 297A.01, subd. 3(d)	Minn. Stat. § 297A.61, subd. 3(g)(1)
97-13	Minn. Stat. § 297A.25, subd. 22	Minn. Stat. § 297A.68, subd. 11
98-1	Minn. Stat. § 297A.25, subd. 65	Minn. Stat. § 297A.71, subd. 3
	Minn. Stat. § 297A.15, subd. 7	Minn. Stat. § 297A.75
98-2	Minn. Stat. § 297A.25, subd. 63	Minn. Stat. § 297A.70, subd. 7
98-6	Minn. Stat. § 297A.15, subd. 5	Minn. Stat. § 297A.75
	Minn. Stat. § 297A.01, subd. 16(a)	Minn. Stat. § 297A.68, subd. 5(a)
98-7	Minn. Stat. § 297A.07	Minn. Stat. § 297A.86

Revenue Notices

98-10	Minn. Stat. § 295.53, subd. 1(6)	Minn. Stat. § 295.53, subd. 1(a)(6)
98-11	Minn. Stat. § 297A.09	Minn. Stat. § 297A.665
98-15	Minn. Stat. § 297A.25, subd. 42	Minn. Stat. § 297A.68, subd. 5
	Minn. Stat. § 297A.01, subd. 16	Minn. Stat. § 297A.68, subd. 5
98-17	Minn. Stat. § 297A.25, subd. 73	Minn. Stat. § 297A.70, subd. 3(a)(8)
98-23	Minn. Stat. § 297A.01, subd. 3	Minn. Stat. § 297A.61, subd. 3
	Minn. Stat. § 297A.25, subd. 31	Minn. Stat. § 297A.61, subd. 3(h)
	Minn. Stat. § 297A.25, subd. 64	Minn. Stat. § 297A.68, subd. 22
98-25	Minn. Stat. § 297A.01, subd. 15(4)	Minn. Stat. § 297A.61, subd. 12(b)(4)
	Minn. Stat. § 297A.25, subd. 59	Minn. Stat. § 297A.69, subd. 4
98-26	Minn. Stat. § 297A.01, subd. 3(i)(viii)	Minn. Stat. § 297A.61, subd. 3(g)(5)(viii)
	Minn. Stat. § 297A.01, subd. 3(i)(v)	Minn. Stat. § 297A.61, subd. 3(g)(5)(v)
99-1	Minn. Stat. § 297A.01, subd. 7	Minn. Stat. § 297A.68, subd. 14
99-2	Minn. Stat. § 297A.25, subd. 10	Minn. Stat. § 297A.68, subd. 10
99-6	Minn. Stat. § 297A.25, subd. 65	Minn. Stat. § 297A.71, subd. 3
	Minn. Stat. § 297A.15, subd. 7	Minn. Stat. § 297A.75
99-14	Minn. Stat. § 297A.25, subd. 59	Minn. Stat. § 297A.69, subd. 4
	Minn. Stat. § 297A.01, subd. 15	Minn. Stat. § 297A.61, subd. 12
99-16	Minn. Stat. § 297A.25, subd. 11	Minn. Stat. § 297A.70, subd. 3(a)(9)
	Minn. Stat. § 297B.03, subd. 10	Minn. Stat. § 297B.03 (10)
00-1	Minn. Stat. § 297A.25, subd. 24	Minn. Stat. § 297A.70, subd. 10
	Minn. Stat. § 297A.256, subd. 1(c)	Minn. Stat. § 297A.70, subd. 14
00-2	Minn. Stat. § 297A.01, subd. 3(h)	Minn. Stat. § 297A.61, subd. 3(g)(3)
00-4	Minn. Stat. § 297A.02, subd. 2	Minn. Stat. § 297A.62, subd. 1
	Minn. Stat. § 297A.01, subd. 9	Minn. Stat. § 297A.61, subd. 8
	Minn. Stat. § 297A.01, subd. 8	Minn. Stat. § 297A.61, subd. 7
00-5	Minn. Stat. § 297A.01, subd. 3(k)	Minn. Stat. § 297A.61, subd. 3(g)(4)
00-6	Minn. Stat. § 297A.25, subd. 83	Minn. Stat. § 297A.68, subd. 31
00-8	Minn. Stat. § 297A.25, subd. 42	Minn. Stat. § 297A.68, subd. 5
	Minn. Stat. § 297A.01, subd. 16	Minn. Stat. § 297A.68, subd. 5
	Minn. Stat. § 297A.01, subd. 8	Minn. Stat. § 297A.61, subd. 7
	Minn. Stat. § 297A.25, subd. 9	Minn. Stat. § 297A.68, subd. 2
	Minn. Stat. § 297A.15, subd. 5	Minn. Stat. § 297A.75
00-9	Minn. Stat. § 136A.241	Minn. Stat. ch. 136G
00-10	Minn. Stat. § 297A.21, subd. 3	Minn. Stat. §§ 297A.66, subd. 3, 297A.83

Revenue Notices

	Minn. Stat. § 297A.21, subd. 1	Minn. Stat. § 297A.66, subd. 1
	Minn. Stat. § 297A.21, subd. 4	Minn. Stat. § 297A.66, subd. 3
95-2	Minn. Rules pt. 7864.0020	Minn. Rules pt. 7864.0030

Part 2

Notice	Citation in Original Notice	Current Citation
91-23	Minn. Stat. § 297A.25, subd. 8	Minn. Stat. § 297A.67 subd. 8

The last paragraph of the notice discusses clothing made of fur, which is no longer subject to sales and use tax. It is now subject to a gross revenues tax under *Minn. Stat.* § 295.60. For more information on the fur tax, see Revenue Notice 01-04. Other information contained in the notice remains in force.

Notice	Citation in Original Notice	Current Citation
92-2	Minn. Stat. § 297A.01, subd. 15	Minn. Stat. § 297A.61 subd. 12

The 2.5% rate for agricultural equipment that is described in Revenue Notice 92-2, dropped to 2% for sales occurring after June 30, 1998, and to 1% for sales occurring after June 30, 1999. Those items listed in the notice as subject to the 2.5% rate are now exempt from tax.

Notice	Citation in Original Notice	Current Citation
93-5	Minn. Stat. § 295.50, subd. 3(b)	Minn. Stat. § 295.53, subd. 1(a)(11)

Under former law, certain governmental, foundation, or other grants or donations to a hospital or health care provider for operating or other costs were not subject to Minnesota Care tax because they were not included within the definition of "gross revenues". Under current law, those payments are included in "gross revenues" but are not taxed because of a specific exemption from tax. The positions announced in the notice remain in force as they describe the taxability of those types of grants or donations. Additionally, the 2 percent of gross revenues tax rate quoted in the notice has been reduced to 1.5 percent of gross revenues until January 1, 2004.

Notice	Citation in Original Notice	Current Citation
96-8	Minn. Stat. § 297A.25, subd. 42	Minn. Stat. § 297A.68 subd. 5
	Minn. Stat. § 297A.15, subd. 5	Minn. Stat. § 297A.75
	Minn. Stat. § 297A.01, subd. 16	Minn. Stat. § 297A.68 subd. 5

Minn. Stat. § 297A.01, subd. 20, which defined replacement capital equipment, was repealed effective July 1, 1998. The positions announced in the notice otherwise remain in force.

Notice	Citation in Original Notice	Current Citation
96-10	Minn. Stat. § 297A.25, subd. 42	Minn. Stat. § 297A.68 subd. 5
	Minn. Stat. § 297A.15, subd. 5	Minn. Stat. § 297A.75
	Minn. Stat. § 297A.01, subd. 16	Minn. Stat. § 297A.68 subd. 5

Minn. Stat. § 297A.01, subd. 20, which defined replacement capital equipment, was repealed effective July 1, 1998. The positions announced in the notice otherwise remain in force.

Notice	Citation in Original Notice	Current Citation
96-13	Minn. Stat. § 297A.25, subd. 42	Minn. Stat. § 297A.68 subd. 5
	Minn. Stat. § 297A.15, subd. 5	Minn. Stat. § 297A.75
	Minn. Stat. § 297A.01, subd. 16	Minn. Stat. § 297A.68 subd. 5

Revenue Notices

Minn. Stat. § 297A.01, subd. 20, which defined replacement capital equipment, was repealed effective July 1, 1998. The positions announced in the notice otherwise remain in force.

Notice	Citation in Original Notice	Current Citation
96-14	Minn. Stat. § 297A.25, subd. 42	Minn. Stat. § 297A.68 subd. 5
	Minn. Stat. § 297A.15, subd. 5	Minn. Stat. § 297A.75
	Minn. Stat. § 297A.01, subd. 16	Minn. Stat. § 297A.68 subd. 5

Minn. Stat. § 297A.01, subd. 20, which defined replacement capital equipment, was repealed effective July 1, 1998. The positions announced in the notice otherwise remain in force.

Notice	Citation in Original Notice	Current Citation
96-15	Minn. Stat. § 297A.25, subd. 42	Minn. Stat. § 297A.68 subd. 5
	Minn. Stat. § 297A.15, subd. 5	Minn. Stat. § 297A.75
	Minn. Stat. § 297A.01, subd. 16	Minn. Stat. § 297A.68 subd. 5

Minn. Stat. § 297A.01, subd. 20, which defined replacement capital equipment, was repealed effective July 1, 1998. The positions announced in the notice otherwise remain in force.

Notice	Citation in Original Notice	Current Citation
97-4	Minn. Stat. § 297A.15, subd. 5	Minn. Stat. § 297A.75

Minn. Stat. § 297A.01, subd. 20, which defined replacement capital equipment, was repealed effective July 1, 1998. The positions announced in the notice otherwise remain in force.

Notice	Citation in Original Notice	Current Citation
97-14	Minn. Stat. § 297A.01, subd. 22	Minn. Stat. § 297A.61, subd. 14 and 15

This notice quotes extensively from the statutes. While the language of the new statutes was changed in the recodification, the Department position as announced in the notice remains the same as it relates to the issues covered in the notice.

Notice	Citation in Original Notice	Current Citation
98-3	Minn. Stat. § 297A.25, subd. 42	Minn. Stat. § 297A.68 subd. 5
	Minn. Stat. § 297A.15, subd. 5	Minn. Stat. § 297A.75
	Minn. Stat. § 297A.01, subd. 16	Minn. Stat. § 297A.68 subd. 5

Minn. Stat. § 297A.01, subd. 20, which defined replacement capital equipment, was repealed effective July 1, 1998. The positions announced in the notice otherwise remain in force.

Notice	Citation in Original Notice	Current Citation
99-13	Minn. Stat. § 295.53, subd. 1 (21)	Minn. Stat. § 295.50 subd. 9b

Under former law, certain examinations for purposes of utilization reviews, insurance claims or eligibility, litigation, and employment were included in the definition of “patient services” but were not taxed because of a specific exemption from the Minnesota Care tax. Under current law, those items are not subject to tax because they are not included within the definition of “patient services.” The positions announced in the notice remain in force as they describe the taxability of those types of examinations.

Notice	Citation in Original Notice	Current Citation
00-3	Minn. Stat. § 297A.25, subd. 62	Minn. Stat. § 297A.68 subd. 2
	Minn. Stat. § 297A.01, subd. 3 (i)	Minn. Stat. § 297A.61 subd. 16

This notice quotes extensively from the statutes. While the language of the new statutes was changed in the recodification, the Department position as announced in the notice remains the same as it relates to the issues covered in the notice.

Terese M. Mitchell, Director
Appeals and Legal Services Division

Revenue Notices

Department of Revenue

Revenue Notice # 02-21: Individual Income Tax - Part and Full Year Nonresidents with Zero or Less Minnesota Assignable Federal Adjusted Gross Income

In the case where an individual part year or full year nonresident has net Minnesota assignable income of zero or less under *Minnesota Statutes*, section 290.17, the Minnesota income tax for that year is zero even if the taxpayer has either a Minnesota alternative minimum tax computed under *Minnesota Statutes*, section 290.091, subdivision 1, or a regular tax computed under *Minnesota Statutes*, section 290.06, subdivision 2c.

Terese M. Mitchell, Director
Appeals and Legal Services Division

Official Notices

Pursuant to Minnesota Statutes §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the State Register at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The State Register also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Board of Animal Health

Notice of Quarterly Meeting

The Board of Animal Health will hold its quarterly meeting on Friday December 13th, 2002 at 9:30 a.m. at the Board's Office at 90 W Plato Blvd, St Paul, MN.

Department of Human Services

Chemical Health Division

Synar Report Regarding Tobacco Sales to Minors Prevention Available

The Chemical Health Division of the Department of Human Services has completed the Synar Report, which is submitted to the Federal Center on Substance Abuse Prevention and made available to the public in conformance with the provisions of Title 45, Part 96.130 of the *Code of Federal Regulations* and 42 U.S.C 300x-26. This report provides the results of compliance efforts conducted during Federal Fiscal Year 2002 relating to prevention retail sales of tobacco to minors.

Further information or copies of the report can be obtained from:

Wayne Raske
Chemical Health Division
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3823
Phone: (651) 582-1849
Email: wayne.raske@state.mn.us

This report is also available on the world wide web at: <http://www.dhs.state.mn.us/contcare/chemicalhealth/default.htm>

This information is available in other forms to people with disabilities by contacting us at: phone (651) 582-1832, or contact us through the Minnesota Relay Service at 1-800-627-3529 (TTY) or 1-877-627-3848 (speech-to-speech relay service).

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Minnesota Housing Finance Agency (MHFA) Greater Minnesota Housing Fund Metropolitan Council Family Housing Fund St. Paul Public Housing Agency Minnesota Department of Corrections

Consolidated Request for Proposals for the • Single Family RFP, • Multifamily RFP, and the • Housing Tax Credit Program

The Minnesota Housing Finance Agency (MHFA), the Greater Minnesota Housing Fund, the Metropolitan Council, the Family Housing Fund, the Saint Paul Public Housing Agency, and the Minnesota Department of Corrections announce the availability of funds through a Consolidated Request for Proposals (RFP). Funds are available to assist in the development, construction, acquisition, demolition, or rehabilitation of affordable homeownership, home improvement, including manufactured homes or rental housing activities for low and moderate-income residents of Minnesota.

Single Family RFP activities also include a very limited amount of funding for exterior home improvement or lead hazard reduction.

Multifamily RFP activities also include limited amounts of funding for operating subsidies for existing MHFA financed permanent supportive housing developments, and project-based rental assistance for developments located in St. Paul.

The Consolidated RFP represents an effort to coordinate the resources available within the agency, and to address communities' comprehensive housing efforts.

Eligible applicants are invited to submit proposal(s) for the Single Family RFP, the Multifamily RFP and the Housing Tax Credit Program. Separate Single Family and Multifamily proposals are required; due dates are a week apart.

In the event that a comprehensive housing proposal is submitted that consists of both single family and multifamily units within the same geographical area, you must complete both a single family and multifamily application.

Amount of Funds Available:

Fund availability is listed individually under each specific RFP section below.

Eligible Locations:

MHFA funds are generally available statewide; while respective RFP partners' funds are available only in the Twin Cities Metropolitan area or Greater Minnesota depending upon the specific funding partner.

Eligible Applicants:

In general, eligible applicants for the majority of resources include Minnesota Cities, limited dividend entities, for profit organizations, a nonprofit organization, a private developer, a natural person, an Indian tribe or tribal housing corporation, a public housing agency, a joint powers board established by two or more cities, and a cooperative housing corporation.

In addition to the above, eligible applicants for multifamily and tax credit proposals also include corporations and partnerships.

Habitat for Humanity organizations are not eligible to apply for funding from the Community Revitalization Fund (CRV) as the primary applicant under the "traditional Habitat model", but are eligible to be secondary partners with those applicants previously mentioned.

State Grants & Loans

SINGLE FAMILY RFP

Limited Fund Program Information

The Limited Fund programs are highly competitive. The funding partners anticipate having approximately \$4-5 million available this round. Limited Fund proposals will be presented to a Selection Committee for evaluation, scoring and funding consideration. The Selection Committee is comprised of MHFA staff, representatives from the various funding partners and staff from the Minnesota Department of Trade and Economic Development (DTED).

I. Programs Available:

- **Building Better Neighborhoods (BBN)** - For qualified projects, Greater Minnesota Housing Fund provides gap financing (0% interest, deferred loans) for homebuyers and/or below market interim construction financing for the developer - available for land, infrastructure or construction. Employer - matching funds are also available.
- **Community Revitalization Fund (CRV)**. The Family Housing Fund, Metropolitan Council, GMHF and MHFA provide funds for this program. The CRV is the umbrella name for a variety of limited funding resources that are provided under one fund. Funding resources include the Economic Development and Housing Challenge Program (Challenge Program) and internal interim construction financing programs. CRV also includes a small amount of resources to fund an exterior home improvement or lead hazard reduction project, plus funds to address the need for manufactured home park redevelopment. Funds are provided in the form of a loan or grant. If a CRV Proposal submitted includes a multifamily component, you must also submit a Multifamily RFP proposal. To obtain Multifamily application materials, refer to the Application Process section of this notice.
- **Local Housing Incentive Account (LHIA)**. The Metropolitan Council provides funds for this program. Funds from this account are awarded as grants that must be matched on a dollar-for-dollar basis by the municipality receiving the funds. These grant funds may be used for costs associated with projects that help municipalities meet their negotiated housing goals, including, but not limited to acquisition, rehabilitation and construction of permanent affordable and life-cycle housing.

II. Types of Funds Available:

The type, terms and conditions of assistance provided will vary depending upon the needs outlined in each application and the availability of funding resources. Generally, if an activity may be addressed through a loan rather than a grant, a loan will be provided.

The contributing partners strongly encourage communities to leverage funds with the resources available through this RFP to address the local housing need(s) identified in their comprehensive housing plan.

III. Funding Partners Program Income Limits/Guidelines:

Please refer to each of the program concepts for specific income limits/guidelines.

- Greater Minnesota Housing Fund only serves households with incomes that do not exceed 80% of the statewide median income adjusted by household size.
- Family Housing Fund only serves households with incomes that do not exceed 80% of the Twin Cities metropolitan area median income with priority given to households with incomes at or below 50% - 60% of area median income.
- Metropolitan Council's LHIA serves households with incomes that do not exceed 80% of the Twin Cities metropolitan area median income with preference for those at 60% or below. Rehabilitation and redevelopment programs in areas of low valued, blighted or substandard properties may serve households up to 115% of area median income.
- The Minnesota Department of Corrections - Institution Community Work Crew Affordable House Building Program only serves households with incomes at or below 80% of greater of state or area median income and the homes must be priced so as not to compete with the private residential construction industry.
- Minnesota Housing Finance Agency only serves households with incomes that are at or below 115% of the greater of state or area median income.

Ongoing Program Information

Your agency may apply for any of these programs at any time during the year. Please contact the Program Manager listed below to obtain a program application. Ongoing applications are not included in this RFP.

- **Community Activity Set Aside Program (CASA)**

The CASA program supports and encourages partnerships between lenders, local governments and/or nonprofit housing organizations. The program provides access to pools of MHFA mortgage revenue bond funds set-aside to support those partnerships in meeting the homeownership objectives and housing credit needs of their communities by providing end loans with a subsidized interest rate to first-time homebuyers. Specifically, the program supports initiatives that target funds toward underserved populations, increase the stock of affordable housing or address a community specific community housing credit need. Partnerships apply for CASA funds. Partnerships consist of a MHFA contract lender or lender consortia and a community partner. The application materials are on the MHFA website at www.mhfa.state.mn.us.

Program Manager: Kim Stuart (651) 296-9959 kim.stuart@state.mn.us
Toll Free (800) 710-8871 Fax (651) 296-8292

- **Community Fix-up Fund (CFUF)**

Encourages partnership efforts between local lenders, nonprofit organizations, local governments, and community organizations by providing funds to assist a designated community in addressing its specific home improvement needs or objectives. Applications must be submitted by participating MHFA Fix-up Fund lenders (or participating lender consortia), in partnership with a nonprofit organization delivering housing programs, or a city.

Program Manager: Susan Ude (651) 297-3656 susan.ude@state.mn.us
Toll free (800) 710-8871 Fax (651) 296-8292

- **Entry Cost Homeownership Opportunity Program (ECHO)**

Support community lending initiatives developed by private and public sector mortgage lenders in partnership with community representatives. The program provides funds to low and moderate-income borrowers for down payment and closing cost assistance and to address minor property repairs. Partnerships may apply for this program on a pipeline or ongoing basis.

Program Manager: Edward Niewinski (651) 297-3130 ed.niewinski@state.mn.us
Toll free (800) 710-8871 Fax (651) 296-8292

- **Institution Community Work Crew (ICWC) Affordable House Building Program**

The Minnesota Department of Corrections (MNDOC) may provide assistance through the Institution Community Work Crew (ICWC) Affordable House Building Program. ICWC Affordable House Building Program can provide interest-free interim construction financing, but only to non-profit entities. A letter from the MNDOC must be attached to your proposal indicating if an ICWC program is or will be available in the area you have identified. Contact the Program Manager for future availability of funds.

Program Manager: Ron Solheid at MNDOC (651) 603-0010,
rsolheid@co.doc.state.mn.us
Fax (651) 642-0457

- **Urban Indian Housing Program - Special (UIHP)**

Supports innovative methods of providing affordable housing for urban American Indians, (in the 7 county metro area and cities of Duluth and Bemidji) including, but not limited to, the construction, purchase or rehabilitation of residential and rental housing.

Program Manager: Edward Niewinski (651) 297-3130 ed.niewinski@state.mn.us
Toll free (800) 710-8871 Fax (651) 296-8292

MULTIFAMILY RFP

Funding Availability

Estimated total funding available for Multifamily housing developments is \$10.3 million.

MHFA Programs

Economic Development and Housing Challenge Program (Challenge) - \$1.3 million

Preservation ARIF (PARIF) - \$2.5 million

Housing Trust Fund - capital (HTF) - approximately \$1.2 million

Housing Trust Fund - Operating Subsidy - up to \$500,000

Housing Opportunities for Persons with AIDS (HOPWA) - \$227,929

State Grants & Loans

Funding Partner Programs:

- Family Housing Fund (FHF) - estimate \$1 million
- Metropolitan Council - Local Housing Incentive Account (LHIA) - up to \$1.6 million
- Greater Minnesota Housing Fund (GMHF) - estimate \$1.5 - \$2 million
- Saint Paul Public Housing Agency - up to 81 units of federal rent subsidy

Types of Funding Available, Multifamily Programs

- **Deferred loan funds** are generally in the form of a zero percent (0%), 30 year deferred or subordinate loan or grant. Actual interest rate, term and type of loan or grant will vary depending upon recommended funding source(s) and will be discussed in detail with sponsors upon selection for funding. The Agency will allow non-recourse debt to single-asset entities.

For developments using the **Federal Housing Tax Credit Program**, loans may be structured with an interest rate to be eligible for inclusion in qualified basis. More information on the Housing Tax Credit Program follows this section.

- **Long term fixed rate mortgages** for acquisition, refinance, or new construction of multifamily housing for developments that may generate adequate income to service debt are also available. These mortgages are offered through the Low and Moderate Income Rental Program (LMIR). Separate application materials are not required for the first mortgage programs. Source of funding available is taxable or tax-exempt bonds.

First mortgage programs may be provided for new construction of housing tax credit developments. In addition, MHFA is interested in providing financing for developments with 20% project-based rental assistance and 80% market rate units, where the objective would be cost containment and creation of developments of scale (50 to 100 units). The Agency will allow non-recourse debt to single-asset entities.

- **Operating Subsidies:** A limited amount of funding is available for operating subsidies through the HTF Program. HTF operating subsidies are available on a demonstration basis for existing MHFA financed permanent supportive housing developments. The HTF operating subsidy is awarded in the form of a grant and may be provided for up to 10 years.
- **Rent Assistance:** Up to 81 units of rent subsidy is available through the Saint Paul Public Housing Agency's Section 8 Project-Based Rental Assistance Program.

Eligible Projects

In general, the RFP funding sources can be used for a variety of activities and housing types. Eligible activities include new construction, acquisition of land or existing structures, rehabilitation of housing, refinancing of existing loans, conversion to housing from another use, demolition, construction financing, permanent financing. Eligible housing types include permanent housing, preservation of federally assisted housing, temporary or transitional housing, emergency shelters, permanent supportive housing and HIV/AIDS housing/services.

Developments in which economic integration is provided or maintained are encouraged.

Eligible projects must contain a minimum of four units. Scattered site developments, must be located in the same city or county and also contain a minimum of four units.

Developments with age restrictions of 55 and older are ineligible under most funding sources. State licensed nursing homes, board and care facilities and supervised living facilities are not eligible for funding. Any development providing nursing care services is not eligible for funding.

Income Limits

The overall goal of the Multifamily RFP is to serve lower income households.

Funding sources with an objective of addressing needs identified in a continuum of care plan generally allow incomes up to 60% of the metropolitan area median income. However, there is a priority for, and 75% of the funding for this purpose, must serve households with incomes at or below 30% of the median income in the metropolitan area. Incomes can be adjusted for family size for families with five or more people. A household with a Section 8 housing assistance voucher is deemed to meet these income requirements.

Funding sources with an objective of addressing housing needs of the local workforce generally allow incomes up to 80% of the greater of statewide or area median income.

Gross Rent Limits

For housing proposals addressing the needs identified in a continuum of care plan (i.e., shelters, transitional housing or permanent supportive housing for homeless populations) maximum gross rents shall generally be equal to or less than 30% of the seven-county metro area median income.

For permanent rental housing proposals, or proposals addressing the needs of the local workforce, maximum gross rents shall be affordable based on the wage levels of the jobs being created / retained. Rents generally shall not exceed 30% of 50% of area median income, depending upon the underlying funding sources.

The relationship between proposed rent levels and Fair Market Rents is an important factor because it is crucial that Section 8 voucher holders be able to rent units in MHFA-financed developments.

**NOTE: Priority will generally be given to those developments serving the lowest income households.*

HOUSING TAX CREDIT PROGRAM

The Minnesota Housing Finance Agency (MHFA) is pleased to announce that it is accepting 2003 Round 2 competition applications for reservation and allocation of Housing Tax Credits, authorized by the Federal Tax Reform Act of 1986, as revised.

Housing Tax Credits offer a ten-year reduction in tax liability to owners and investors in eligible low income rental housing developments involving new construction, rehabilitation or existing rental housing with rehabilitation. General information on tax credit availability is posted on the MHFA internet web site at (www.mhfa.state.mn.us/multifamily/multifamily_tax.htm).

Total estimated 2003 tax credits available for the State of Minnesota is approximately \$8.7 million. The total estimated 2003 tax credits available for 2003 Round 2 is approximately \$938,000. MHFA has estimated the housing credit ceiling for Minnesota for calendar year 2003 based upon the amounts of the housing credit ceiling for calendar year 2002. The actual housing credit ceiling for the year 2003 will not be known by MHFA until some time in February or March of 2003. In early 2003 the IRS will make a final determination of Minnesota's population component used in determining Minnesota's final year 2003 housing credit ceiling. The IRS will publish this population component some time in February or March of 2003.

As in past competition years, in 2003 Round 2 a priority will be given to proposals which have previously received an allocation of tax credits and are in need of a supplemental allocation.

MHFA will be establishing a Wait List from the non-selected proposals remaining at the conclusion of the 2003 Round 2 competition. Proposals from this list will be considered to receive returned credits, if any, which become available for allocation prior to October 1, 2003.

The Minnesota Housing Finance Agency's Housing Tax Credit Program, Qualified Allocation Plan and related manual contents were revised in preparation for the 2003 tax credit year. Details regarding these changes can be found on the MHFA internet web site.

No significant changes have been made to the tax credit materials or application process for 2003 Round 2. MHFA will not be holding a formal tax credit application training session for the 2003 Round 2 RFP.

Credit Formula

The Minnesota Legislature designated the MHFA as the primary apportionment agency for housing tax credits for the state and also authorized eligible cities and counties to administer the tax credits in their respective jurisdictions based on the *Minnesota Statutes* Section 462A.222, Subd. 1(a)(2).

Local Administration of Tax Credit

For Round 2, applicants within Suballocator or Joint Powers Suballocator jurisdictions apply directly to the MHFA.

MHFA Administration Tax Credits

In all tax credit rounds, applicants with eligible buildings in the balance of the state, not within the jurisdiction of a Suballocator, may apply to the MHFA for an allocation of housing tax credits.

Each year, 10 percent of the state ceiling is set aside by MHFA for qualified 501(c)(3) and 501(c)(4) nonprofits as required by Section 42 of the Internal Revenue Code of 1986. Qualified nonprofits can apply to MHFA for these credits, regardless of the geographic location of the proposed low income housing development, as specified in the allocation plan.

State Grants & Loans

APPLICATION PROCESS

Application materials can be accessed as follows:

- **Single Family:** The Single Family application packet is available on the MHFA website at www.mhfa.state.mn.us/rfp_sf.htm in a pdf format. If you are unable to access our website call (651) 297-3118, or Toll Free: 1-800-710-8871 to obtain a hard copy.
- **Multifamily RFP and Housing Tax Credits (2003 Round 2):** The Multifamily and Housing Tax Credit application materials (instructions, reference materials, application form, narratives, forms, submittal requirements) are available on the MHFA website at www.mhfa.state.mn.us/multifamily/multifamily_forms.htm for download and/or completion. Please refer to the Multifamily Website for more detailed Application Instructions.

If you are unable to access the web, contact the Multifamily Division at (651) 297-3294 or Toll Free: 1-800-657-3701.

RFP INFORMATION AND TECHNICAL ASSISTANCE SESSIONS:

Please check the MHFA website at www.mhfa.state.mn.us/rfp.htm for Single Family and Multifamily technical assistance dates, times and locations, and registration information.

IMPORTANT DATES:

Proposal(s) Due: (Faxed, emailed, or late applications will **not** be accepted.)

- **Multifamily and Housing Tax Credit (2003 Round 2):** The following application materials must be **received by** the MHFA by 5:00 p.m. on or before **Thursday, February 6, 2003:**
 - The Multifamily Application Form electronically submitted,
 - The Multifamily Application Form with original signature plus 3 copies, and
 - All required attachments (narratives, forms and submittals) plus three (3) copies of all attachments.
- **Single Family:** The original application and all attachments plus two (2) copies of the application and all attachments must be **received by** the MHFA by 5:00 p.m. on or before **Thursday, February 13, 2003.**

MHFA Board Approval:

- Both Single Family, Multifamily RFP and Housing Tax Credit funding recommendations will be made at the April 24, 2003 MHFA Board meeting.

Fund Notification:

- Notification of Single Family approved selected proposals will be posted on the MHFA website (www.mhfa.state.mn.us) after the Board meeting noted above and Loan/Grant Agreements will be mailed within 20 working days of the approval.
- Notification of Multifamily Programs and Housing Tax Credit funding awards will be posted on the MHFA website after the Board meeting noted above (www.mhfa.state.mn.us/multifamily/multifamily_home.htm). Selection letters will be mailed within 20 days of the approval.

This request for proposals is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of proposals.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, sexual orientation, marital status, status with regard to receipt of public assistance, disability, or family status.

State Contracts

Informal Solicitations: Effective March 1, 2002, informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) website. Interested vendors are encouraged to monitor the P/T Contract section of the MMD website at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Department of Administration

Request for Proposal (RFP) to Establish a Contract for a Grant Management System for the Department of Public Safety

There will not be pre-proposal vendor conference.

Questions concerning the RFP terms and conditions or technical requirements must be sent to the Acquisition Management Specialist listed in the RFP by December 6, 2002.

Proposals will be due on January 3, 2003, at 3:00 p.m. Central Time.

Contact the Materials Management Division

50 Sherburne Ave.

St. Paul, MN 55155

Phone: (651) 296-2600

Fax: (651) 297-3996 - Fax

to request a copy of the complete Request for Proposal.

Department of Administration

State Designer Selection Board

Request for Proposals for Designer Selection for Minnesota Department of Natural Resources, Facilities Operations and Support Bureau - Itasca State Park Headquarters Visitor Center - Itasca State Park, Clearwater County, MN. (Project 02-21)

To Minnesota Registered Design Professionals:

The State of Minnesota (State) through its State Designer Selection Board has been requested to select a design team for the above project. Proposals from interested firms must be received by, 11:00 a.m. Monday, December 16, 2002 to:

Terry Lewko, Executive Secretary

State Designer Selection Board

Department of Administration

c/o Materials Management Division

50 Sherburne Avenue, Room 112

St. Paul, Minnesota 55155

Phone: (651) 297-1545

PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.

Questions concerning procedures, or schedule are to be referred to the Executive Secretary at (651) 297-1545. Questions relating to the project are to be referred to the project contact(s) in Item 1.h.

1. PROJECT 02-21

a. PROJECT DESCRIPTION:

The Minnesota Department of Natural Resources intends to retain architectural and engineering services for the design of the Itasca State Park Headwaters Visitor Center.

State Contracts

Project Scope:

Design a new Visitor Center at the Headwaters of the Mississippi River in Itasca State Park in accordance with recommendations noted in the Itasca State Park Management Plan.

The new Visitor Center will provide orientation and interpretation of the Mississippi Headwaters area, as well as restroom facilities and gift and food sales. The new facility will replace a group of 3 existing structures constructed in the 1960's that are to be demolished. Portions of existing site infrastructure such as trails, paving and a service road will be removed and restored to natural conditions.

The new project will include approximately 7,000 gross square feet of building construction, an exterior open courtyard area for visitor orientation and outdoor interpretation containing display kiosk structures, and other primary interpretive installations. Also included are improvement modifications to the existing parking lot, and all associated site, landscaping and utilities infrastructure work.

The site is designated as a State Historical Site, and all design work will be done in consultation with the Minnesota Historical Society, State Historic Preservation Office (SHPO).

Additional Information:

Additional project specific information is available to respondents in a pre-design report dated 9/23/02, prepared by the DNR. The report also includes the Itasca State Park Exhibit Plan, and relevant excerpts from the Itasca State Park Management Plan.

To review or obtain copies of this document, contact Julie Johanson at (651) 297-3758.

b. REQUIRED CONSULTANT SERVICES:

1. Provide complete services from schematic design through construction administration, including architectural design, landscape architecture and interior design; civil, structural, mechanical and electrical engineering; HVAC commissioning, kitchen design, telecommunications design and cost estimating services. Scope-of-work includes design and documentation of all necessary exhibit support structure such as kiosks and canoe display framework (see item #5 below).
2. Consultant firm and sub-consultant firms must demonstrate experience in successfully completing projects of similar type, function, size and complexity.
3. Prepare sustainability evaluations, studies and cost analysis recommendations in accordance with the 'Minnesota Sustainable Design Guide'. The Guide is available at: www.sustainabledesignguide.umn.edu.
4. Evaluate the pre-design report including the exhibit plan and park management plan, all available existing site documentation, and existing conditions to refine final programmatic and design requirements for the project.
5. Coordinate closely with Owners project team, including the project manager, park manager, resource manager and exhibit design / installation team.
6. Execute and coordinate necessary reviews with all state and local regulatory agencies including SHPO.
7. Coordinate with the 'Percent for Arts' program.
8. Comply with the State Consultant Designer Procedures Manual, Indoor Air Quality Standards, Electrical Standards, and Technology Standards. All are available at: www.dsbc.admin.state.mn.us.

c. SERVICES PROVIDED BY OTHERS

1. Site survey, geo-technical, environmental and materials testing services provided by Owner.
2. Exhibit design and installation by Owner. All interpretive display materials by Owner.
3. Construction Documents quality control review consultation provided by Owner.

d. PROJECT BUDGET / FEES:

Construction cost estimate: \$1,500,000 (not including a design/construction contingency).

Consultant's fee: approximately 8% of the construction cost, including all reimbursable expenses. Final total fees will be negotiated with the selected design firm.

e. PROJECT SCHEDULE:

<i>Schematic Design Phase:</i>	January - March 2003
<i>Design Development Phase:</i>	April - May 2003
<i>Construction Document Phase:</i>	June - August 2003
<i>Anticipated Bid Date:</i>	September 2003
<i>Construction Phase:</i>	October 2003 - June 2004

f. PROJECT INFORMATION MEETING / SITE VISIT: An informational meeting has been scheduled for **Thursday, December 12, 2002, at 10:00 a.m. at the Itasca State Park Main Visitor Center.** Call (218) 266-2100 for *directions only*. To visit the site or existing buildings at any time other than this meeting, see item 'h' (below).

g. STATE DESIGNER SELECTION BOARD SCHEDULE:

<i>Project Proposals Due:</i>	Monday, December 16, 2002
<i>Project Shortlist:</i>	Tuesday, January 7, 2003
<i>Informational Meeting for short list firms:</i>	None
<i>Project Interviews and Award:</i>	Tuesday, January 21, 2003

h. PROJECT CONTACTS:

For questions concerning the RFP and project, contact:

Peter Paulson, Principal Architect
DNR Facilities and Operations Support Bureau
500 Lafayette Road, St Paul Minnesota 55155-4016
Phone: (651) 296-0605
Fax: (651) 297-5818
Email: peter.paulson@dnr.state.mn.us

To arrange site visits and for questions regarding the Park Management Plan and Exhibit Plan, contact:

Michael Kovacovitch, Park Manager
Itasca State Park
36750 Main Park Drive, Park Rapids Minnesota 56470
Phone: (218) 266-2103
Fax: (218) 266-3942
Email: Michael.Kovacovich@dnr.state.mn.us

All questions submitted to Peter or Michael must be in writing, fax or email.

i. SAMPLE CONTRACT:

The successful responder shall be required to execute the State's Basic Services Agreement which contains the State's standard contract terms and conditions, including insurance requirements. A sample of the State's Basic Services Agreement is available on the Minnesota Department of Administration Division of State Building Construction's Website: www.dsbc.admin.state.mn.us.

NOTE TO RESPONDERS: CHANGES MAY HAVE BEEN MADE IN THE FOLLOWING AS OF 11 JUNE 2002.

2. PROPOSAL REQUIREMENTS

- a. 12 copies
- b. 8-1/2 x 11, soft bound, portrait format
- c. Maximum 20 faces (excluding front and back covers, blank dividers, affidavit of non-collusion, and affirmative action data page)
- d. All pages numbered

3. PROPOSAL CONTENTS**a. COVER**

- Project name and number
- Prime firm name, address, telephone number, fax number
- Contact person, telephone number, fax number, and email address

State Contracts

b. COVER LETTER

Single face letter with original signature (on at least one copy) of principal of prime firm, including:

- Brief overview of proposal
- Statement that proposal contents are accurate to the best knowledge of signatory

c. INFORMATION ON FIRM (S)

For prime firm and each consultant firm provide brief description including:

- Name and location
- Year established
- Legal status
- Ownership
- Staffing by discipline
- For firms with multiple offices briefly summarize for each office

d. PROJECT TEAM

- Brief statement of team's past or present working relationships

For each team member provide:

- Name and position in firm, include name of firm
- Home base (if in multi-office firm)
- Responsibility on this project
- Years of experience
- Relevant recent experience (if in another firm, so note)
- Registration (including specialty if engineer)

e. TEAM ORGANIZATION

If planning or design consultants are a part of the team explain how they will be utilized (e.g. major role during design, absent during construction, etc). Matrix or chart *may* be used.

f. PROJECT EXPERIENCE

For architectural, planning, and/or landscape architecture firms, provide examples of relevant projects recently completed or in progress including:

- Photographs, sketches and/or plans
- Name and location
- Brief description (e.g. size, cost, relevance)
- Firm of record
- Involvement of proposed project team members (*may* be separate matrix; if in another firm so note)
- Completion date or current status

For engineering or technical firms provide examples of relevant projects recently completed or in progress including the above except that photographs, sketches and/or plans are to be for only that portion of the work for which firm was responsible.

g. APPROACH/METHODOLOGY

Describe your understanding of the project, significant issues to be addressed and your *specific* approach to the planning, design and construction process for *this* project.

h. UNIQUE QUALIFICATIONS

Briefly summarize your team's unique qualifications for this project.

i. OTHER REQUIREMENTS

- A statement of commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in the proposal along with adequate staff to meet requirements of the work.
- A statement indicating that consultants listed have been contacted and have agreed to be a part of the team.
- A complete Affidavit of Non-collusion. (Not counted as part of the 20 faces)
- If appropriate, provide a list of all entities that create a conflict of interest (see 5.b.)
- A completed Affirmative Action Data Page regarding compliance with Minnesota Human Rights Requirements. A copy of the form is available on Web Site <http://www.dsb.admin.state.mn.us>, click on forms. (Not counted as part of the 20 faces)
- A list of all State and Minnesota State Colleges and Universities current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or Minnesota State Colleges and Universities operating funds, or by funding raised from the private sector or individuals by state/user agencies or the Minnesota State Colleges and Universities; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the Minnesota State Colleges and Universities without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

The prime firm(s) shall list and total all gross fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The prime firm(s) shall subtract consultant fees from gross fees to determine total net fees using the format below.

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
TOTAL			

(The total shown in column (A) shall equal the sum of those shown in columns (B) and (C).)

4. SELECTION CRITERIA

Criteria for selection shall be as stated in the project description. Technical and aesthetic experience and capabilities are paramount. In addition, the Board seeks equitable distribution of fees among qualified firms and gives consideration to geographical location of firms with respect to project site.

5. CONTRACT REQUIREMENTS

a. AFFIDAVIT OF NONCOLLUSION

Each responder must attach a completed Affidavit of Noncollusion. A copy of the form is available on Web Site <http://www.dsb.admin.state.mn.us>, click on forms.

b. CONFLICTS OF INTEREST

Responder must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this request for proposals. The list should indicate the name of the entity, the relationship, and a discussion of the conflict.

c. DISPOSITION OF RESPONSES

All materials submitted in response to this RFP will become property of the State and will become public record in accordance with *Minnesota Statutes* 13.591 after the evaluation process is completed. If the responder submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, *Minnesota Statutes* § 13.37, the responder must:

State Contracts

- clearly mark all trade secret materials in its response at the time the response is submitted,
- include a statement with its response justifying the trade secret designation for each item, and
- defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFP, the responder agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

The State will not consider the prices submitted by the responder to be proprietary or trade secret materials.

Responses to this RFP will not be open for public review until the State decides to pursue a contract and that contract is awarded.

d. CONTINGENCY FEES PROHIBITED

Pursuant to *Minnesota Statutes* Section 10A.06, no person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislation or administrative action.

e. ORGANIZATIONAL CONFLICTS OF INTEREST

The responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances that could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, the responder is unable or potentially unable to render impartial assistance or advice to the State, or the responder's objectivity in performing the contract work is or might be otherwise impaired, or the responder has an unfair competitive advantage. The responder agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the Assistant Director of the Department of Administration's Materials Management Division, 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, which must include a description of the action which the contractor has taken or proposes to take to avoid or mitigate such conflicts. If an organization conflict of interest is determined to exist, the State may, at its discretion, cancel the contract. In the event the responder was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to the contracting officer, the State may terminate the contract for default. The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime contractor (consultant), and the terms "contract," "contractor (consultant)," and "contracting officer" modified appropriately to preserve the State's rights.

f. STATE EMPLOYEES

In compliance with *Minnesota Statutes* § 16C.07, the availability of this work is being offered to State employees. The State will evaluate the responses of any State employee, along with other responses to this Request for Proposals.

g. PREFERENCE TO TARGETED GROUP AND ECONOMICALLY DISADVANTAGED BUSINESS AND INDIVIDUALS

In accordance with *Minnesota Rules* 1230.1810, subpart B and *Minnesota Rules* 1230.1830, certified Targeted Group Businesses or individuals and certified Economically Disadvantaged Businesses or individuals submitting proposals as prime contractors (consultants) will receive up to six percent preference in the evaluation of their proposals. For information regarding certification, contact the Department of Administration, Materials Management Helpline at (651) 296-2600, **TTY:** (651) 282-5799.

h. HUMAN RIGHTS REQUIREMENTS

For all contracts estimated to be in excess of \$100,000, responders are required to complete the attached Affirmative Action Data page and return it with the response. As required by *Minnesota Rules* 5000.3600, "It is hereby agreed between the parties that *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it". A copy of *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are available on Web Site: <http://www.dsb.admin.state.mn.us>

- i. Any changes in team members for the project requires approval by the State.
- j. All costs incurred in responding to this RFP will be borne by the responder. This RFP does not obligate the State to award a contract or complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Department of Administration State Designer Selection Board

Request for Proposals for Designer Selection for Minnesota Department of Transportation - Public Safety, State Patrol and Natural Resources - Thief River Falls Joint Operations Facility, Thief River Falls, MN. (Project 02-22)

To Minnesota Registered Design Professionals:

The State of Minnesota (State) through its State Designer Selection Board has been requested to select a design team for the above project. Proposals from interested firms must be received by, 11:00 a.m. Monday, December 16, 2002 to:

Terry Lewko, Executive Secretary
State Designer Selection Board
Department of Administration
c/o Materials Management Division
50 Sherburne Avenue, Room 112
St. Paul, Minnesota 55155
Phone: (651) 297-1545

PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.

Questions concerning procedures, or schedule are to be referred to the Executive Secretary at (651) 297-1545. Questions relating to the project are to be referred to the project contact(s) in Item 1.h.

1. PROJECT 02-22

- a. PROJECT DESCRIPTION:** The Minnesota Department of Transportation - Public Safety, State Patrol and Natural Resources intend to retain architectural and engineering design services for the design of an addition to the Thief River Falls Joint Operation Facility.

Project Scope:

The project will consist of 53,000 square feet addition to the existing Pennington County Public Works Facility (13,350 square feet), Thief River Falls, Minnesota.

The proposed building addition will consist of 6,400sf of MnDOT office, 5,900sf of State Patrol office, 6,900sf of MnDNR office, 16,600sf of MnDOT vehicle storage and maintenance garage and 17,200sf of common space.

The existing office portion of the building is a one story slab on grade, exterior metal stud with EIFS walls and bar joint and metal deck roof with a ballasted EPDM roof. The vehicle storage garage is a one story slab on grade with insulated precast concrete wall panel and bar joint and metal deck roof with a ballasted EPDM roof.

b. REQUIRED CONSULTANT SERVICES:

1. The consultant's scope of work under this contract includes master site planning and complete design services from schematic design through construction administration. The consultant must provide architectural, interior design, landscaping, civil, structural, mechanical and electrical design services.
2. Each selected design consultant firm and sub-consultant firms must demonstrate experience in successfully completing projects of similar type, size and complexity.
3. The consultant should use the 'Minnesota Sustainable Design Guidelines' for the design of the project.
4. The construction documents shall be done using Computer Aided Design and Drafting (CADD) in a system compatible with Bentley System Microstations J. Files created using Autodesk, AutoCAD 14 or later are acceptable. MnDOT Facilities Management Services will provide the consultant with a copy of their Consultant Procedures for Construction Projects to aid in completing their work.
5. The consultant will coordinate the Percent of Art Program.
6. Consultant must work with the MnDNR "Design Team Process" during the master planning and design phases.

State Contracts

c. SERVICES PROVIDED BY OTHERS:

1. Copies of existing building plans and specifications will be provide to the consultants.
2. Geotechnical investigations and recommendations.

d. PROJECT BUDGET / FEES:

The proposed construction budget for this project under the consultant contract will be \$5,565,000 including a design/construction contingency of 5%. MnDOT and State Patrol funds \$4,275,000 and MnDNR funds \$1,290,000.

The anticipated consultant fee will be a fixed fee of \$460,000 plus reimbursable expenses which will include master planning, and Schematic Design through Construction Administration. Final total fees will be negotiated with the selected design firm.

e. PROJECT SCHEDULE:

<i>Schematic Design Phase:</i>	Beginning: January 2003, completed by April 2003
<i>Design Development Phase:</i>	Beginning: May 2003, completed September 2003
<i>Construction Document Phase:</i>	Beginning: October 2003, completed February 2004
<i>Anticipated Bid Date:</i>	Bids received: March 2004, pending funding for project
<i>Construction Phase:</i>	Beginning April 2004, completed by April 2005

If MnDOT does not receive fund until 2005, the schedule will be revised so the MnDNR's portion of the project can be built as per the schedule above.

f. PROJECT INFORMATION MEETING / SITE VISIT:

An informational meeting has been schedule for Tuesday, December 10, 2002 at 1:30 p.m. at the MnDOT Training Center, 1900 West County Road I, Arden Hills Minnesota. Attending the meeting is not a requirement to submit an RFP.

To visit the existing Pennington County Building a visit must be scheduled in advance by contacting Pennington County at (218) 683-7017.

g. STATE DESIGNER SELECTION BOARD SCHEDULE:

<i>Project Proposals Due:</i>	Monday, December 16, 2002
<i>Project Shortlist:</i>	Tuesday, January 7, 2003
<i>Informational Meeting for short list firms:</i>	None
<i>Project Interviews and Award:</i>	Tuesday, January 21, 2003

h. PROJECT CONTACTS:

Questions concerning MnDOT and State Patrol portion the project should be referred to:

Ronald Lagerquist, Architect, Facilities Management Services, **phone:** (651) 297-4742, **fax:** (651) 282-9904, **email:** ron.lagerquist@dot.state.mn.us Mailing address: Mail Stop 715, Transportation Building, 395 John Ireland Boulevard, St Paul, Minnesota 55155-1899.

Questions concerning MnDNR portion the project should be referred to:

Peter Paulson, Architect, Facilities and Operations Support Bureau, **phone:** (651) 296-0605, **fax:** (651) 296-5484, **email:** peter.paulson@dnr.state.mn.us Mailing address: 500 Lafayette Road, St Paul Minnesota 55155-4029.

i. SAMPLE CONTRACT:

The successful responder will be required to execute a MnDOT Professional and Technical Services Contract which contains the State's standard contract terms and conditions, including insurance requirements and compliance with Consultant Procedures for Construction Projects. A copy will be available for review at the informational meeting.

NOTE TO RESPONDERS: CHANGES MAY HAVE BEEN MADE IN THE FOLLOWING AS OF 11 JUNE 2002.

1. PROPOSAL REQUIREMENTS

- a. 12 copies
- b. 8-1/2 x 11, soft bound, portrait format
- c. Maximum 20 faces (excluding front and back covers, blank dividers, affidavit of non-collusion, and affirmative action data page)
- d. All pages numbered

2. PROPOSAL CONTENTS**a. COVER**

- name and number
- Prime firm name, address, telephone number, fax number
- Contact person, telephone number, fax number, and email address

b. COVER LETTER

Single face letter with original signature (on at least one copy) of principal of prime firm, including:

- Brief overview of proposal
- Statement that proposal contents are accurate to the best knowledge of signatory

c. INFORMATION ON FIRM (S)

For prime firm and each consultant firm provide brief description including:

- Name and location
- Year established
- Legal status
- Ownership
- Staffing by discipline
- For firms with multiple offices briefly summarize for each office

d. PROJECT TEAM

- Brief statement of team's past or present working relationships

For each team member provide:

- Name and position in firm, include name of firm
- Home base (if in multi-office firm)
- Responsibility on this project
- Years of experience
- Relevant recent experience (if in another firm, so note)
- Registration (including specialty if engineer)

e. TEAM ORGANIZATION

If planning or design consultants are a part of the team explain how they will be utilized (e.g. major role during design, absent during construction, etc). Matrix or chart *may* be used.

f. PROJECT EXPERIENCE

For architectural, planning, and/or landscape architecture firms, provide examples of relevant projects recently completed or in progress including:

- Photographs, sketches and/or plans
- Name and location
- Brief description (e.g. size, cost, relevance)
- Firm of record
- Involvement of proposed project team members (*may* be separate matrix; if in another firm so note)
- Completion date or current status

For engineering or technical firms provide examples of relevant projects recently completed or in progress including the above except that photographs, sketches and/or plans are to be for only that portion of the work for which firm was responsible.

State Contracts

g. APPROACH/METHODOLOGY

Describe your understanding of the project, significant issues to be addressed and your *specific* approach to the planning, design and construction process for *this* project.

h. UNIQUE QUALIFICATIONS

Briefly summarize your team's unique qualifications for this project.

i. OTHER REQUIREMENTS

- A statement of commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in the proposal along with adequate staff to meet requirements of the work.
- A statement indicating that consultants listed have been contacted and have agreed to be a part of the team.
- A complete Affidavit of Non-collusion. (Not counted as part of the 20 faces)
- If appropriate, provide a list of all entities that create a conflict of interest (see 5.b.)
- A completed Affirmative Action Data Page regarding compliance with Minnesota Human Rights Requirements. A copy of the form is available on Web Site <http://www.dsb.admin.state.mn.us>, click on forms. (Not counted as part of the 20 faces)
- A list of all State and Minnesota State Colleges and Universities current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or Minnesota State Colleges and Universities operating funds, or by funding raised from the private sector or individuals by state/user agencies or the Minnesota State Colleges and Universities; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the Minnesota State Colleges and Universities without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

The prime firm(s) shall list and total all gross fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The prime firm(s) shall subtract consultant fees from gross fees to determine total net fees using the format below.

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
TOTAL			

(The total shown in column (A) shall equal the sum of those shown in columns (B) and (C).)

3. SELECTION CRITERIA

Criteria for selection shall be as stated in the project description. Technical and aesthetic experience and capabilities are paramount. In addition, the Board seeks equitable distribution of fees among qualified firms and gives consideration to geographical location of firms with respect to project site.

5. CONTRACT REQUIREMENTS

a. AFFIDAVIT OF NONCOLLUSION

Each responder must attach a completed Affidavit of Noncollusion. A copy of the form is available on Web Site <http://www.dsb.admin.state.mn.us>, click on forms.

b. CONFLICTS OF INTEREST

Responder must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this request for proposals. The list should indicate the name of the entity, the relationship, and a discussion of the conflict.

c. DISPOSITION OF RESPONSES

All materials submitted in response to this RFP will become property of the State and will become public record in accordance with *Minnesota Statutes* 13.591 after the evaluation process is completed. If the responder submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, *Minnesota Statutes* § 13.37, the responder must:

- clearly mark all trade secret materials in its response at the time the response is submitted,
- include a statement with its response justifying the trade secret designation for each item, and
- defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFP, the responder agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

The State will not consider the prices submitted by the responder to be proprietary or trade secret materials.

Responses to this RFP will not be open for public review until the State decides to pursue a contract and that contract is awarded.

d. CONTINGENCY FEES PROHIBITED

Pursuant to *Minnesota Statutes* Section 10A.06, no person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislation or administrative action.

e. ORGANIZATIONAL CONFLICTS OF INTEREST

The responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances that could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, the responder is unable or potentially unable to render impartial assistance or advice to the State, or the responder's objectivity in performing the contract work is or might be otherwise impaired, or the responder has an unfair competitive advantage. The responder agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the Assistant Director of the Department of Administration's Materials Management Division, 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, which must include a description of the action which the contractor has taken or proposes to take to avoid or mitigate such conflicts. If an organization conflict of interest is determined to exist, the State may, at its discretion, cancel the contract. In the event the responder was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to the contracting officer, the State may terminate the contract for default. The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime contractor (consultant), and the terms "contract," "contractor (consultant)," and "contracting officer" modified appropriately to preserve the State's rights.

f. STATE EMPLOYEES

In compliance with *Minnesota Statutes* § 16C.07, the availability of this work is being offered to State employees. The State will evaluate the responses of any State employee, along with other responses to this Request for Proposals.

g. PREFERENCE TO TARGETED GROUP AND ECONOMICALLY DISADVANTAGED BUSINESS AND INDIVIDUALS

In accordance with *Minnesota Rules* 1230.1810, subpart B and *Minnesota Rules* 1230.1830, certified Targeted Group Businesses or individuals and certified Economically Disadvantaged Businesses or individuals submitting proposals as prime contractors (consultants) will receive up to six percent preference in the evaluation of their proposals. For information regarding certification, contact the Department of Administration, Materials Management Helpline at (651) 296-2600, TTY: (651) 282-5799.

h. HUMAN RIGHTS REQUIREMENTS

For all contracts estimated to be in excess of \$100,000, responders are required to complete the attached Affirmative Action Data page and return it with the response. As required by *Minnesota Rules* 5000.3600, "It is hereby agreed between the parties that *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it". A copy of *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are available on Web Site <http://www.dsb.admin.state.mn.us>

State Contracts

- i. Any changes in team members for the project requires approval by the State.
- j. All costs incurred in responding to this RFP will be borne by the responder. This RFP does not obligate the State to award a contract or complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Perpich Center for Arts Education Professional Development Institute

Notice of Request for Proposal for Internet-Based Professional Development Consultant

The Perpich Center for Arts Education is seeking proposals from qualified individuals or organizations to design and implement an internet-based professional development system, in consultation with professional development staff at the Perpich Center, in order to utilize technology to support changes in teaching and learning in and through the arts in Minnesota schools. The individual or organization contracted must be able to build professional development formats based on the LessonLab software platform, and must be identified as a partner with LessonLab, Inc., in order to access technical support and linkages to the software platform. The specific services to be provided under this contract are outlined in detail in the Professional Development Institute Request for Proposal (RFP) Statement of Project Scope and Tasks. The formal RFP may be requested from:

Michael Hiatt, Director, Professional Development Institute
6125 Olson Memorial Highway
Golden Valley, Minnesota 55422
(763) 591-4726 or 1-800-657-3515 (toll free)

Services are to be provided during the contract period from January 20, 2003 to September 30, 2003 (Phase I), and October 1, 2003 to June 30, 2004 (Phase II). Both phases involve design and development of internet-based professional development lesson segments using LessonLab software platform. Phase I includes design and implementation of up to three (3) lesson segments, and Phase II involves design and implementation of up to four (4) additional lesson segments. It is anticipated that the cost of the contracted services described in the Request for Proposals will be between \$40,000 - \$60,000 for Phase I, and between \$60,000 - \$70,000 for Phase II. Approval to continue from Phase I to Phase II will be contingent upon successful completion of contract objectives for Phase I.

The deadline for submission of proposals is 4:00 p.m., December 16, 2002. Faxed proposals will not be considered. It is anticipated selections will be made by December 20, 2002. Proposals should be submitted to Michael Hiatt, Director, Prof., Development Inst., at the above address.

Minnesota Department of Corrections Minnesota Correctional Facilities

Notice of Request for Proposals for Comprehensive Health Care Services

The Minnesota Department of Corrections (DOC), for the Minnesota Correctional Facilities, is soliciting proposals for contracts to provide comprehensive health care delivery to the DOC offender population to include: full range of primary, specialty, and ancillary care providers; pharmacy; lab; claims adjudication; and utilization management. The Minnesota DOC reserves the right to award this contract to multiple vendors. The Request for Proposals (RFP) does not obligate the State to complete the project, and the State reserves the right to cancel solicitation if it is considered to be in its best interest.

These contracts are for a period of up to three years, with an option to extend an additional two years, beginning July 1, 2003. Potential responders interested in submitting a proposal should write, e-mail, or fax to request a copy of the full RFP, which will be sent free-of-charge to interested vendors. Proposals must be submitted to the DOC contact listed below. Other personnel are **NOT** allowed to discuss the RFP with anyone, including responders, before the proposal submission deadline. Proposals must be received by the contact person listed below no later than **4:00 p.m., CST Monday, January 27, 2003.**

Nanette Schroeder, Health Services Director
Minnesota Department of Corrections Health Services Unit
1450 Energy Park Drive, Suite 200
St. Paul, Minnesota 55108-5219
Phone: (651) 603-0165
Fax: (651) 523-7139
Email: nschroeder@co.doc.state.mn.us

Department of Transportation Program Support Group

Notice Concerning Professional/Technical Contract Opportunities

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: www.dot.state.mn.us/consult

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Metropolitan Council

Notice of Request for Proposals for Roof Replacement for Three Transit Garages

RFP Number 02P135

NOTICE IS HEREBY GIVEN that the Metropolitan Council is soliciting proposals from vendors to provide design and construction support services for roof replacement on three Transit garages. The Metropolitan Council through its Metro Transit division provides mass transit bus services to the Twin Cities of Minneapolis/St. Paul and outlying areas.

Each of the three roofs to be replaced has an area of about 150,000 to 200,000 feet squared. The basis for the specification shall be Transit's standard specification.

All proposals must be submitted in accordance with the RFP. The tentative schedule for this procurement process is:

RFP Release Date
Proposals Due

December 4, 2002
January 7, 2003

There is a Disadvantaged Business Enterprise subcontracting goal of 12% assigned to this contract.

All firms interested in this project should submit a written request for a copy of the solicitation through:

State Contracts

Amanda Houston, Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
Mears Park Centre, 230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
Email: amanda.houston@metc.state.mn.us

Minnesota Statutes, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

ServeMinnesota! National and Community Service

Notice of Request for Proposals for Youth Works • AmeriCorps Programs

ServeMinnesota! and the Corporation for National and Community Service (CNCS) are pleased to announce the availability of federal and state funds to support new Youth Works • AmeriCorps programs. Programs will begin September 2003 for a 12-month program cycle with the likelihood of renewal for 2 additional years.

ServeMinnesota! is seeking public agencies and nonprofit organizations to recruit, train, and place teams of AmeriCorps volunteers, called Members, to address critical community needs in the areas of education, environment, homeland security, human needs, and public safety. Sponsoring agencies may engage teams of AmeriCorps Members on a full-time or part-time basis for one year or over a summer.

AmeriCorps Members receive a modest living allowance, training, health coverage, and child care (if qualified). After completing their service term, Members receive an education award of \$4,725 for 1700 service hours or \$2,363 for 900 service hours that can be used to repay student loans or pay for college, graduate school, or vocational training.

Information Sessions will be held throughout the state for interested applicants. For a complete schedule of the information sessions or to request the full application packet, go to the ServeMinnesota! **website:** www.serveminnesota.org or contact Ann Richter, **phone:** (612) 333-7740, **email:** ann@serveminnesota.org. *Intent to Apply* forms must be received by January 8, 2003 and full applications must be received by February 3, 2003.

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

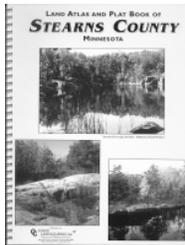
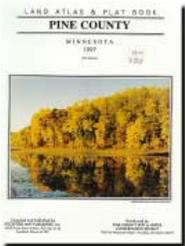
The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call the BIS Coordinator at (612) 625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

Available at Minnesota Bookstore

Order form on back page

PLAT Map Books



Minnesota's Bookstore offers the **most comprehensive selection of Minnesota plat map books currently available.**

From Rockford Publishing, Cloud Cartographics, and Farm/Home Publishers, these county plat map books are great for the hunter/adventurer or the prospective land owner seeking property sites. Features vary between publishers, but generally include: key county government offices, city maps and an index to owners directory.

Prices shown do NOT include shipping or applicable sales tax.

County	Stock No.	Price	County	Stock No.	Price
Aitkin (1999)	12-66	\$35.00	McLeod (2001)	12-64	\$28.00
Becker (2001)	12-79	\$30.00	Meeker (2001)	12-29	\$30.00
Beltrami (1997)	12-67	\$30.00	Mille Lacs (2001)	12-30	\$30.00
Benton (2002)	12-4	\$28.00	Morrison (1999)	12-31	\$30.00
Big Stone (2002)	12-5	\$28.00	Mower (2002)	12-65	\$28.00
Blue Earth (1996) *	12-20	\$25.00	Murray (2002)	12-69	\$28.00
Brown (2002)	12-6	\$28.00	Nicollet (2001)	12-95	\$28.00
Carlton (2001) *	12-8	\$40.00	Nobles (2002)	12-133	\$28.00
Carver (2001)	12-21	\$30.00	Norman (2001)	12-157	\$28.00
Cass (1999)	12-22	\$30.00	Olmsted (2001)	12-84	\$28.00
Chippewa (2002)	12-9	\$28.00	Otter Tail (2000)	12-33	\$30.00
Chisago (2002)	12-23	\$30.00	Pennington (2001)	12-87	\$28.00
Clay (2002)	12-15	\$28.00	Pine (2000)	12-73	\$40.00
Cook (1996)	12-24	\$25.00	Pipestone (2002)	12-88	\$28.00
Cottonwood (2002)	12-17	\$28.00	Polk (2001)	12-89	\$28.00
Crow Wing (2001)	12-70	\$40.00	Pope (2002)	12-90	\$28.00
Dakota (2000)	12-80	\$35.00	Red Lake (2001)	12-91	\$28.00
Dodge (2001)	12-18	\$28.00	Redwood (2002)	12-92	\$28.00
Douglas (2000)	12-81	\$30.00	Renville (2002)	12-93	\$28.00
Faribault (2002)	12-19	\$28.00	Rice (2002)	12-158	\$30.00
Fillmore (1998)	12-25	\$30.00	Rock (2002)	12-94	\$28.00
Freeborn (2001)	12-78	\$28.00	St. Louis, North (2002)	12-74	\$30.00
Goodhue (1999)	12-86	\$30.00	St. Louis, South (2002)	12-75	\$30.00
Grant (2002)	12-37	\$28.00	Scott (2002)	12-40	\$28.00
Houston (2002)	12-38	\$28.00	Sherburne (2000)	12-41	\$30.00
Hubbard (2001)	12-71	\$30.00	Sibley (2002)	12-96	\$28.00
Isanti (1999)	12-26	\$30.00	Stearns (2002)	12-42	\$28.00
Itasca (1998)	12-76	\$35.00	Steele (2002)	12-43	\$28.00
Jackson (2002)	12-39	\$28.00	Stevens (2002)	12-97	\$28.00
Kanabec (1999)	12-27	\$30.00	Swift (2002)	12-98	\$28.00
Kandiyohi (2002)	12-45	\$28.00	Todd (1999)	12-44	\$30.00
Koochiching (2000)	12-72	\$35.00	Traverse (2002)	12-99	\$28.00
Lac Qui Parle (2002)	12-49	\$28.00	Wabasha (1999)	12-82	\$40.00
Lake (2001)	12-28	\$30.00	Wadena (1999)	12-46	\$30.00
LeSeuer (2002)	12-52	\$28.00	Waseca (2002)	12-100	\$28.00
Lincoln (2002)	12-53	\$28.00	Washington (1997)	12-85	\$25.00
Lyon (2001)	12-58	\$28.00	Watsonwan (2002)	12-154	\$28.00
Mahnomen (2001)	12-59	\$28.00	Wilkin (2002)	12-155	\$28.00
Marshall (2001)	12-60	\$28.00	Winona (1996)	12-77	\$30.00
Martin (2002)	12-61	\$28.00	Wright (2001)	12-83	\$30.00
			Yellow Medicine (2002)	12-156	\$28.00

* Blue Earth 2002 map book due mid-Nov. * Carlton 2002 map book due mid-Dec.

