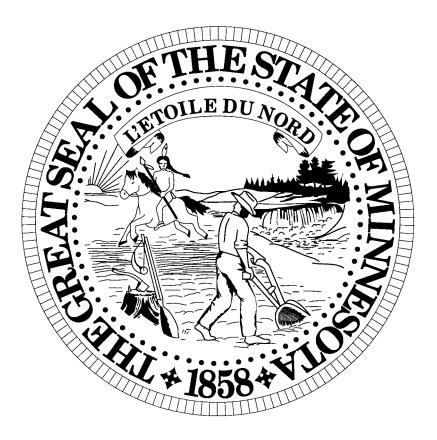
State of Minnesota

State Register

Rules and Official Notices Edition



Published every Monday (Tuesday when Monday is a holiday) by the Department of Administration – Communications Media Division

Monday 7 April 2003 Volume 27, Number 41 Pages 1533-1550

State Register

Judicial Notice Shall Be Taken of Material Published in the State Register

The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
 executive orders of the governor
- appointments proclamations and commendations commissioners' orders revenue notices
- official notices state grants and loans contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
 certificates of assumed name, registration of insignia and marks

PUBLISHING NOTICES IN THE *State Register:* Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to (651) 297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$12.20 per tenth of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register.* Contact the editor if you have questions.

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** Subscribers who do not receive a copy of an issue should notify the *State Register* Subscription Office immediately at (651) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the *State Register* at St. Paul, MN, first class for the *Solicitation Announcements*. See the *State Register* and *Solicitation Announcements* at website: http://www.comm.media.state.mn.us Click on "Minnesota's Bookstore."

- State Register -- Rules and Official Notices Edition (published every Monday, or Tuesday if Monday is a holiday) One year, hard copy, paper subscription: \$160.00.
- On-line subscription \$180, includes links, index, sidebar table of contents and State Register SENT TO YOU via Email.
- Solicitation Announcements -- State Register Supplement (published every Tuesday and Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
- 13-week trial subscription which includes both the State Register and Solicitation Announcements \$65.00
- Single issues are available for a limited time: State Register \$5.00, Solicitation Announcements \$1.00. Shipping is \$3.00 per order.
- "Affidavit of Publication" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

Printing Schedule and Submission Deadlines

		Deadline for: Emergency Rules, Executive and	
Vol. 27		Commissioner's Orders, Revenue and Official Notices,	Deadline for Both
Issue	PUBLISH	State Grants, Professional-Technical-Consulting	Adopted and Proposed
Number	DATE	Contracts, Non-State Bids and Public Contracts	RULES
#41	Monday 7 April	Noon Tuesday 1 April	Noon Wednesday 26 March
#42	Monday 14 April	Noon Tuesday 8 April	Noon Wednesday 2 April
#43	Monday 21 April	Noon Tuesday 15 April	Noon Wednesday 9 April
#44	Monday 28 April	Noon Tuesday 22 April	Noon Wednesday 16 April

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Legislative Information

Senate Public Information Office (651) 296-0504 State Capitol, Room 231, St. Paul, MN 55155

Website: www.senate.leg.state.mn.us/departments/secretary/seninfo.htm

House Information Office (651) 296-2146 State Office Building, Room 175, 100 Constitution Ave., St. Paul, MN 55155 **Website:** www.house.leg.state.mn.us/hinfo/hinfo.htm

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498 U.S. Government Printing Office – Fax: (202) 512-1262 **Website:** http://www.access.gpo.gov/su_docs/aces/aces/140.html

Minnesota State Court System

Court Information Office (651) 296-6043 Minnesota Judicial Center, Room 135, 25 Constitution Ave., St. Paul, MN 55155 **Website:** www.courts.state.mn.us

Contents

Minnesota Rules: Amendments & Additions	1506	Transportation Department	
Monday 7 April, Volume 27, Issue #41	1536	Notice of potential availability of contracting opportunities for a variety of highway related technical activities	1545
Adopted Rules		Notice concerning Professional/Technical contract opportunities	1546
Natural Resources Department (DNR)		opportunities	15 10
Boat and water safety	1537	Non-State Contracts & Grants	
Official Notices		Metropolitan Council - Metro Transit	
Children, Families and Learning Department		Sealed bids sought for purchase of No. 1 low sulfur diesel fuel	1546
Public hearing notice	1537		
The second secon	100,	University of Minnesota	
Commerce Department		Advertisement for bids for building 202, Social Science Fire and Life Safety abatement project	1546
Presumed legal cigarette prices	1538	Bid Information Service (BIS) available for all potential vendors	1547
Library Hall of December 1		Request for proposals for architectural design and	
Labor and Industry Department		engineering services for the Minnesota Landscape	
Correction to commercial prevailing wage rates for electricians in Anoka, Carver, Hennepin, Scott and Wright counties	1539	Arboretun Visitor Center	1547
in mora, car or, memopin, seek and vingin country	100)		
Psychology Board			
Membership of public advisory committee to assist the Board		Commodity, Service and Construction Contracts are published	
of Psychology in the promulgation of rule amendments	1539	Tuesday and Friday in a bulletin, the Solicitation Announceme	ents.
Public Employee Retirement Association		Award results are available from the Materials Management He	elpline
Meeting of the Board of Trustees Thursday 10 April 2003	1539	(651) 296-2600. Website: www.mmd.admin.state.mn.us	
State Contracts		Individual copies and subscriptions or the <i>State Register</i> and <i>Solicitations Announcements</i> are available through	
Administration Department		Minnesota's Bookstore, (651) 297-3000, or (800) 657-3757.	
State Building Construction Division notes availability of request		257 2000, or (000) 007 2707.	
for proposals for Minnesota registered architect to provide			
owner's representative services for construction of Phase III infrastructure at Hastings Veterans Home	1540		
The state of the s	10.0		
Colleges and Universities, Minnesota State (MnSCU))		
Minneapolis Community & Technical College request for	1510		
proposals to print 2003-2004 course catalog	1540		
Electricity Board			
Request for proposals for providing electrical inspection			
service for fiscal year 2004 (July 1, 2003 through June 30, 2004)	1541		
Housing Finance Agency			
Housing Finance Agency Request for proposals for single family mortgages online system	1541		
Request for proposals for single family mortgages online system	1341		
Human Services Department			
Request for information on volume purchase of non-emergency			
transportation for Minnesota health care programs	1542		
Minnesota State Retirement System (MSRS)			
Request for proposals for participant enrollment and education			
services to assist the MSRS in carrying out responsibilities			
with respect to the Minnesota State Deferred Compensation			
Plan (MNDCP) Request for proposals for third party record keeping	1544		
services to assist the MSRS in carrying out responsibilities			
with respect to the Minnesota State Deferred Compensation			
Plan (MNDCP)	1545		

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.

Volume 27, Issue #41

Natural Resources Department

6110 .1100; .1200; .1400; .1500; .1900 (adopted)	153
6110.1300 (repealed)	153

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 rules differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rules previous *State Register* publication will be cited.

Expedited and Emergency 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 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 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 Natural Resources

Adopted Permanent Rules Relating to Boat and Water Safety

The rules proposed and published at *State Register*, Volume 27, Number 24, pages 799-804, December 9, 2002 (27 SR 799), are adopted as proposed.

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.

Minnesota Department of Children, Families and Learning

Office of Community Services Child Care and Development Fund Plan PUBLIC HEARING NOTICE

The Minnesota Department of Children, Families and Learning will sponsor information sessions and an opportunity for community input to Minnesota's federal Child Care and Development Fund plan. Meeting dates, times and locations are:

DATE: Wednesday, April 30, 2003 from 1:00-2:30 p.m.

PLACE: MN Department of Children, Families and Learning

1500 Hwy 36 West, Roseville, MN

DATE: Wednesday, April 30, 2003 6:30 to 8:00 p.m.

PLACE: Ramsey County Library

2180 Hamline Ave. N., Roseville, MN

DOWN LINK MEETING SITES FOR APRIL 30, 1-2:30 p.m.:

South Central Technical College, 1920 Lee Blvd, N. Mankato, MN Lakes County Service Coop, 1001 E. Mt. Faith, Fergus Falls, MN

U of M, Duluth, 1049 University Drive, Humanities Building, Duluth, MN Bemidji Regional Inter-District Council, 1615 NW 5th Street, Bemidji, MN

Public Comment. The Minnesota Department of Children, Families and Learning will continue to solicit input on the federal plan from April 21 to May 16, 2003.

Agency Contacts. The draft plan will be disseminated to community organizations and available over the **Internet** at *http://cfl.state.mn.us/childcare/* by April 21, 2003. After April 21, 2003 you can request a copy of the draft plan by calling the child care reception desk at **phone:** (651) 582-8562, by **e-mail:** *childcare@state.mn.us* or **fax** request to (651) 582-8496. Questions: Please contact Catharine Cuddeback at (651) 582-8332 or *catharine.cuddeback@state.mn.us*.

Official Notices

Department of Commerce

Presumed Legal Cigarette Prices

The presumed prices for wholesalers and retailers, as provided for by *Minnesota Statutes*, chapter 325D, are shown in this schedule. The computations are based on manufacturers' list prices available as of 31 March 2003. All cigarettes in a wholesaler's or retailer's inventory must be priced to reflect the new presumed prices within seven (7) calendar days after the manufacturer's price change is reflected on a purchase invoice. A wholesaler or retailer may sell for less if they can show that their actual costs of doing business are lower than the presumed minimum. For questions, contact the Department of Commerce at (651) 296-9428.

	Presumed Minimum Wholesale Price Per Carton	Presumed Minimum Retail Price Per Carton	Presumed Minimum Retail Price Per Pack			
Major Brands \$33.90 \$36.61 \$3.66 Benson & Hedges, Players, Lark, L & M, Saratoga, Winston, Merit, Commanders, Eve, Jade, Advance, Barclay, Kool, Lucky Strike, Raleigh (Kings, 100's, Plain End), Pall Mall (Gold, Red), Silva Thins, Tall, Tareyton, Capri, Camel, More, Now, Salem, Vantage, "B", Planet, Kent, Newport, Carlton, True, Satin, Triumph, Max, (Kings, Regulars, 100's, 120's)						
Old Gold, Bucks, Ste	\$31.08 erling, Doral, Magna, Cambridge, Br	\$33.57 ristol, Alpine, Maverick, (Kings	\$3.36 , Regulars, 100's, 120's)			
Raleigh Extra, (King	\$29.82 s, 100's)	\$32.21	\$3.22			
Philip Morris, Marlbo	\$27.11 oro, Parliament, Virginia Slims, (Kii	\$29.28 ngs, Regulars, 100's, 120's)	\$2.93			
Kool, (Kings, Regula	\$26.06 ars, 100's)	\$28.15	\$2.82			
Philip Morris, Basic,	\$24.29 (Kings, Regulars, 100's, 120's)	\$26.23	\$2.62			
GPC's, Viceroys, Mis	\$22.20 sty's, Pall Mall Box	\$23.98	\$2.40			
Monarch, Best Value	\$21.83 , (Kings, Regulars, 100's)	\$23.58	\$2.36			
Liggett Pyramid, (Ki	\$19.11 ngs, Regulars, 100's)	\$20.64	\$2.06			
Liggett Select, (King	\$17.44 s, Regulars, 100's)	\$18.84	\$1.88			
Star Tobacco, Main S	\$14.84 Street, G-Smoke, Sport, (Kings, 100)	\$16.03	\$1.60			
Winner Brand, (King	\$12.28 (s, 100's)	\$13.26	\$1.33			

Official Notices

Department of Labor and Industry

Labor Standards Unit

Notice of Correction to Commercial Prevailing Wage Rates for Electricians

A correction has been made to the Commercial Prevailing Wage Rates certified 12/30/02 for: Labor Code 407, Electricians in Anoka, Carver, Hennepin, Scott and Wright counties.

Copies may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our web site at www.doli.state.mn.us. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

Robin N. Kelleher Acting Commissioner

Minnesota Board of Psychology

Notice of Membership of Public Advisory Committee to Assist the Minnesota Board of Psychology in the Promulgation of Rule Amendments Concerning *Minnesota Rules* 7200.0100 through 7200.5700

NOTICE IS HEREBY GIVEN that the Minnesota Board of Psychology Public Advisory Committee (PAC) was formed to offer assistance to the Board in drafting the above-captioned rule amendments. The PAC consists of Jacqueline Albright, R. Christopher Barden, Pearl Barner, Richard Friberg, John Gonsiorek, Dan Hanson, Pamela Hoopes, Stephen Huey, John Hung, Gregory Korgesky, Paula Laidig, John O'Regan, Thomas A. Pearson, Judith Pendergrass, William Robiner, Nancy Rust, Gary Schoener, Janet Schank, Elizabeth Super, Janet Thomas, Board of Psychology Rules Committee Chair, Samuel Albert, and Rules Committee members, Jack Schaffer and Jane White Schneeweis, and Board of Psychology staff, Pauline Walker-Singleton. Written or oral comments regarding the membership of the PAC may be directed to:

Deborah Sellin-Beckerleg, Rules Program Coordinator Minnesota Board of Psychology 2829 University Avenue Southeast, Suite 320 Minneapolis, MN 55414-3237

Telephone: (612) 617-2230

Dated: 20 March 2003

Pauline Walker-Singleton

Executive Director

Public Employees Retirement Association

Notice of Meeting of the Board of Trustees

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, April 10, 2003, at 9:30 a.m., in the PERA offices, 60 Empire Drive, Room 117, Saint Paul, Minnesota.

State Contracts

Informal Solicitations: Effective March 1, 2002, informal solicitations for all contracting opportunities for professional/technical (consultant) contracts with values estimated to be over \$5,000 and under \$50,000 must be posted on the Department of Administration, Materials Management Division web page (www.mmd.admin.state.mn.us) and access P/T Contracts.

Formal Requests for Proposals: Department of Administration procedures require that formal notice of any professional/technical (consultant service) contract which has an estimated value over \$50,000 must be printed in the *State Register*. Certain quasi-state agencies and Minnesota State Colleges and Universities institutions are by law exempt from these requirements.

Department of Administration

Division of State Building Construction

Notice of Availability of Request for Proposals for Minnesota Registered Architect to Provide Owner's Representative Services for Construction of Phase III Infrastructure at Hastings Veterans Home, Hastings, Minnesota (State's Project No. 76167HAL) and Reroof Project at Silver Bay Veterans Home, Silver Bay, Minnesota (State's Project No. 76164SAL)

The State of Minnesota through its Department of Administration, Division of State Building Construction ("State") is soliciting proposals for the services of a Minnesota registered architect (Responder) to coordinate contract administration for the above-referenced construction projects.

The full Request for Proposals is available at www.dsbc.admin.state.mn.us, click on "Solicitation Announcements", click on "RFP for Owner's Rep on Project Nos.76167HAL and 76164SBL". Responses must be received no later than 2:00 p.m., Central Daylight Time, on May 1, 2003. RFP clarifications or changes, if any, will also be available on Web Site www.dsbc.admin.state.mn.us, click on "Solicitation Announcements", click on "RFP for Owner's Rep on Project Nos.76167HAL and 76164SBL". Late responses will not be considered.

Questions may be **faxed** to attention of Glenn Metz, State's Project Manager, at (651) 296-4644 or **emailed** to *glenn.metz@state.mm.us*. Questions must be received no later than 1:00 p.m. on April 24, 2003 and the response to questions will be available by 4:00 p.m. on April 28, 2003, on **Web Site** *www.dsbc.admin.state.mn.us*, click on "Solicitation Announcements". This is the only person authorized to respond to questions.

Minnesota State Colleges and Universities

Minneapolis Community & Technical College Request for Proposals to Print 2003-2004 Course Catalog

Catalog will be approximately 220 pages plus cover perfect-bound. Furnish prices for 15,000/ 20,000/ 25,000/ 30,000 copies. Cover prints in 2 colors (2/1) plus satin varnish with full bleeds. Text prints black only with tabbing bar that bleeds on face edge of all pages. Accurate trim required. Finished page size 8 3/8 x 10 7/8. Press check requires that print facility be located within 30 mile radius of MCTC campus.

Deadline for Proposals: 4/21/03, 1:00 pm CST

Contact for questions: Aneisha Tucker, Electronic Publishing Coordinator

Minneapolis Community & Technical College

1501 Hennepin Avenue Minneapolis, MN 55403

Phone: (612) 659-6262, **Fax:** (612) 659-6226

Email: atucker@mctc.mnscu.edu

Contact to obtain Specifications and to submit proposals:

Michael Noble-Olson, Purchasing Manager Minneapolis Community & Technical College

1501 Hennepin Avenue Minneapolis, MN 55403

Phone: (612) 659-6866, **Fax:** (612) 359-1421

Email: noblemi@mctc.mnscu.edu

Board of Electricity

Notice of Request for Proposals for Providing Electrical Inspection Service for Fiscal Year 2004 (July 1, 2003 Through June 30, 2004)

The Board of Electricity is requesting proposals to provide electrical inspection service in areas of the state that are not provided with local electrical inspection service. In accordance with *Minnesota Statutes* section 326.241, subdivision 2(2), all individuals providing inspection service must be licensed as journeyman or master electricians.

The Board is requesting proposals to provide primary electrical inspection service for all or part of the following counties: Becker, Clay, Isanti, Kanabec, Lake, Mahnomen, Nobles, Norman, Pennington, Pine, Pipestone, Polk, Red Lake, Redwood, Renville, Rock, St. Louis.

In addition, the Board is requesting proposals to provide supplemental inspection service in all areas of the state, including but not limited to the following counties: Anoka, Carver, Dakota, Hennepin, Kanabec, Nobles, Otter Tail, Pennington, Pine, Pipestone, Polk, Ramsey, Redwood, Renville, Rock, Scott, Washington, Wright.

A detailed Request for Proposals packet has been prepared by the Board that defines available geographical inspection areas, minimum service requirements, and other related information. The packet is available by mail, or for pick-up at the board office. The packet cannot be faxed or e-mailed.

Prospective responders interested in submitting a proposal for this service should request the detailed Request for Proposals. Requests for the detailed Request for Proposals and related questions should be directed to the following person:

John I. Williamson, Assistant Executive Secretary
Minnesota Board of Electricity

Telephone: (651) 642-0800

Facsimile: (651) 642-0441

Griggs-Midway Building, Suite S-128 e-mail: john.williamson@state.mn.us

1821 University Avenue Saint Paul, MN 55104

Proposals must be received at the Board office by 3:00 p.m. Central Time, Tuesday, April 29, 2003. Late proposals will not be considered.

Minnesota Housing Finance Agency

Request for Proposals for Single Family Mortgages Online System RFP

The Minnesota Housing Finance Agency (MHFA) is seeking to purchase and implement a business-to-business web-based application that enables its business partners to commitment funds and approve mortgage and installment loans to be purchased by MHFA. The MHFA purchases, but does not originate and underwrite, these loans (first and second lien products, as well as installment loan products [secured and unsecured]) from their business partners in a secondary market role.

The business partner will commit MHFA funds for an individual borrower(s) based on Federal, State, Agency and Program rules. The loans are funded prior to closing by the business partner or by MHFA. The processes for completing the approval for purchase by MHFA is completed based on funding by business partner or by MHFA.

The MHFA is responsible for collecting the required final documents (i.e. - recorded mortgage and assignment) for each loan purchased. MHFA contracts with several loan servicers to service all the loans purchased. The application must capture standard demographic information to support a variety of reporting requirements.

NOTE: Partners complete all loan origination and underwriting functions for loan purchased by MHFA. This business-to-business application does not provide loan origination and underwriting functions for the business partners.

To request a Full Proposal package with detailed requirements for response, contact:

Business Project Manager: Karmel Kluender

email: SFMOSRFP@state.mn.us

Address: Minnesota Housing Finance Agency

400 Sibley Street Suite 300

St. Paul, MN 55101 (651) 297-3137

Phone: (651) 297-3137 **Fax No:** (651) 296-8292

Due Date and Time: May 5, 2003, 3:00 P.M. Central Time, USA.

The request for Proposal (RFP) was advertised on the State Register on 7th day of April, 2003

State Contracts =

Department of Human Services

Health Care Administration

Notice of Request for Information (RFI): Volume Purchase of Non-Emergency Transportation for Minnesota Health Care Programs

April 7, 2003

The Minnesota Department of Human Services (DHS) is seeking information and comments on its proposal to consolidate the coordination of non-emergency transportation (NET) services for recipients of the Medical Assistance (MA), General Assistance Medical Care (GAMC), and MinnesotaCare programs. For the purposes of this RFI, NET services include bus transportation tokens, volunteer driver rides, curb-to-curb automobile rides, non-emergency ambulance, door-through-door automobile rides, and wheelchair accessible van rides. This RFI is issued under the authority of *Minnesota Statutes*, Section 256B.04, and Section 256B.19.

DHS intends to consolidate and coordinate NET services for program recipients in all areas of the state through a brokerage system utilizing Transportation Coordinators. Proposals will be solicited from qualified organizations through a competitive procurement process. A single volume-purchase contract will be awarded to a Coordinating Entity for each region of the state, with the seven county metropolitan area constituting one region. A Coordinating Entity may contract for more than one region. These contracts will be effective April 1, 2004.

The Department will use suggestions and recommendations received through this RFI to develop a request for proposals (RFP) seeking responses from qualified parties. Through the RFP process, the Department will provide interested parties with a significant amount of data about past NET use by program enrollees. Using this data, the interested party will propose a bid for the average per-ride rate that they would need to provide a NET service, regardless of transportation type. The successful bidder will be paid the proposed per-ride rate, encouraging the Coordinating Entity to use the least costly alternative.

Background

Currently NET services are provided through an uncoordinated system of county administered (or health plan administered) "common carrier" services and state administered "special transportation" services. (A list of currently covered modes of transportation is found in *Minnesota Statutes* 256B.0625, and *Minnesota Rules* 9505.0315, and 9505.0140.) Responsibility for arranging, scheduling, providing and paying for NET services is diffused among several parties including county human services agencies, DHS, public and private transport providers, volunteer drivers, and DHS's prepaid contracted health plans. In the Twin Cities Metro area, some NET services are included in the prepaid contracted health plans' capitation rate.

DHS's objective is to better manage the transportation program by controlling expenditures, providing more efficient and effective services, and preventing inappropriate use. Many other states have found brokerage arrangements to be beneficial. Several studies and reports indicate positive results.

A study by Ecosometrics, Inc. published in 1995 for the Coordinating Council on Human Services Transportation (a Joint Federal Departments of Health and Social Services and Transportation initiative) entitled "Innovative State Medicaid Transportation Programs," highlighted brokerages as one of the most cost-effective, efficient, and coordinated models of non-emergency medical transportation (Hayes, Burkhardt, 1995). A 1997 Office of Inspector General (OIG) study found that "in addition to saving money, brokerages were also effective in controlling fraud and abuse by both providers and beneficiaries, and that they promoted the use of the least costly transportation modes and providers." A 1998 publication entitled "Designing & Operating Cost Effective Medicaid Non-Emergency Transportation Programs" — conjointly prepared by the Federal Health Care Financing Agency and National Association of State Medicaid Directors — profiled the problems of non-emergency transportation and suggested the use of brokerages and various other methods to control costs and improve quality.

Problems With the Current System

The very large majority of MA, GAMC and MinnesotaCare recipients seeking NET to covered health care services currently contact one of 180 private providers and/or 87 different counties. Because each of these providers maintains its own dispatching system, there is no system or incentive for these providers to coordinate rides. The current system presents many opportunities for over-utilization, and abuse and fraud, by both the enrollee and the provider.

Most importantly, the payment structure for special transportation services (set fee for each pickup plus set amount per mile) presents a strong incentive for a provider to provide this level of service even when it is not the least costly and most appropriate level of service for the patient. For example, an ambulatory patient may be given a special transportation ride when an automobile ride would have sufficed. Various special transportation providers have reported to DHS that they estimate between 30 percent to 80 percent of ambulatory patients do not require the special transportation level of service.

Federal guidelines maintain that the reimbursement for NET services should follow the principle of the least expensive mode of transportation available that is appropriate to the medical needs of the recipient. Inefficiency and fraud and abuse activity diverts dollars from other critical areas, wastes public dollars and calls into question the legitimacy of transportation issues. Problems with

= State Contracts

Minnesota's current NET services include:

General issues:

- The number of people who are authorized for special transportation services is decreasing, but the overall costs are increasing or staying even.
- Ambulatory clients take twice as many trips as individuals in a wheelchair.
- Scheduling is inefficient, and there is a failure to group trips when possible.
- There is evidence that enrollees are being provided with more expensive modes of transport than is appropriate for a trip.
- There is a failure to provide public transportation when that may be the least costly safe and appropriate means of transportation.

Billing issues:

- Billing is fragmented: special transportation is handled by the State through claims, yet the common carrier is handled at the county level.
- Medical Assistance is billed for transportation to non-MA-covered services.
- MA is billed for trips to waivered services.

Current examples of provider fraud and abuse:

- Transporting clients outside the area when services/providers are available locally.
- Claiming more miles than actually provided.
- Transporting groups of clients and then billing them at single rates.
- Misrepresenting client need for service or level of service, including inappropriate use of higher-level ambulance services.
- Inappropriate completion of physician Certification of Need forms.
- Using unapproved vehicles or drivers who are not properly licensed.
- Billing single trips at round trip rates.
- Billing parts, or legs, of trips as multiple trips.
- Unbundling services that are part of another reimbursed service, e.g., charging for trips to a Day Training and Habilitation (DTH) facility where transportation is supposed to be part of the per diem rate paid to the DTH facility.
- Billing for multiple trips where a single trip was necessary, e.g., making several trips to a pharmacy to fill multiple prescriptions.
- Billing for trips that never occurred.

Current examples of client fraud and abuse:

- Inappropriate use of services, including knowingly requesting transportation for an individual or other family members to a non-medical destination.
- Failure by client to report discontinuation of treatment following blanket authorization, e.g., client no longer needs higher level of transportation but continues to use it.
- Clients serve as part owners of special transportation companies or have enlisted others, such as friends, neighbors and personal care attendants, to become special transportation providers.
- Unwillingness to use public transportation when it is an option, e.g., additional taxi companies now offer wheelchair accessible transports.

Proposed NET System

After decades of experience administering the special transportation program from the DHS Central Office, the Department is convinced that a coordinated approach would better serve both the enrollees seeking NET and the interests of the taxpayer. Administering and overseeing NET services require a close relationship with the providers and enrollees. This hands-on involvement is not possible through a state central office approach, where resources are not designed for this level of oversight and intervention. Under the proposed brokerage system, the Coordinating Entity can provide more rides at a lower cost. A brokerage system also offers benefits to providers as they are subject to less risk and less paperwork, and they may receive more timely payments for services.

Under contract with DHS, the Coordinating Entity would manage all aspects of the transportation delivery system including checking for enrollee eligibility, screening enrollees for appropriate level of transportation, monitoring providers, scheduling trips, subcontracting and paying a safe and adequate network of transportation providers. The Coordinating Entity would be responsible for a full array of non-emergency transportation options, including the development of local resources or options for transportation if they do not exist. Regardless of the method or combination of methods used to provide non-emergency transportation services, the Coordinating Entity would be responsible for management, supervision, monitoring, billing and reporting for all NET services

State Contracts =

provided in the Coordinating Entity's region. The Coordinating Entity would be responsible for managing all of its overall costs, and comply with all applicable federal, state, and municipal rules and regulations.

The proposed contract requires the Coordinating Entity to provide the following services:

- 1) **Network administration:** Establish a network of independent transportation providers to deliver transportation. Negotiate individual service delivery rates with each qualified transportation entity. Any negotiated rate must be fully disclosed in the agreement between the transportation provider and the broker. The state will not be involved in the subcontracting process.
- 2) Payment administration: Provide payment to each transportation provider based on the terms of the subcontract.
- 3) Gatekeeping: Determine recipient eligibility; assess recipient need for NET services; determine the most appropriate transportation method to meet the recipient's need, including any special needs, and provide recipients with education regarding the appropriate use of NET services.
- 4) Reservations and trip assignment: Receive recipient requests for transportation through one phone number and fax number. Assign the trip to the most appropriate transportation provider.
- 5) Quality assurance: Provide assurance that transportation providers meet health and safety standards for vehicle maintenance, operation, and inspection; driver qualifications and training; recipient problem/complaint resolution; and the delivery of courteous, safe, and timely transportation services.
- **6) Administrative oversight and reporting:** Responsibility for the management of overall day- to-day operations necessary for the delivery of NET services and the maintenance of appropriate records and systems of accountability. Submit periodic administrative reports to DHS.

Responses

DHS welcomes both oral and written questions, concerns and suggestions regarding the proposed consolidation of NET coordination from all interested parties. DHS has scheduled a meeting to hear public comment. The meeting may be of interest to current NET providers, county human services officials, MA and GAMC recipients and their advocates, health plans currently contracting with DHS, and those who may be interested in entering into a contract with DHS to coordinate services in one or more regions. This meeting will be held:

April 30, 2003, 3:15 p.m. Minnesota Department of Human Services 444 Lafayette Road, Rooms 1A and 1B St. Paul, Minnesota

Those planning to attend this meeting are requested to please notify DHS by April 28, 2003. Notification can be made via e-mail (marne.welsh@state.mn.us), fax (651) 297-3203, ATTN: Marne Welsh, or USPS (Minnesota Department of Human Services, Health Care Administration, ATTN: Marne Welsh, 444 Lafayette Road, St. Paul, MN 55155-3854).

In addition, DHS will accept written responses until 4:30 p.m., May 7, 2003. Written comments may be submitted to:

Minnesota Department of Human Services

444 Lafayette Road

St. Paul, Minnesota, 55155-3854

john.kowalczyk@state.mn.us

The submitted questions and their answers will be posted at the DHS web site (www.dhs.state.mn.us).

To the extent that the responder serves as a business associate of the Department of Human Services or is a covered entity under P.L. 104-191, the Health Insurance Portability and Accountability Act (HIPAA), the responder agrees to comply with all applicable laws and regulations relating to protecting private information.

Because the Department intends to use suggestions and recommendations from information received through this RFI to develop a Request for Proposals, responders are cautioned to identify any submitted materials not to be divulged which meet the definition of "trade secret," as defined in *Minnesota Statues*, Section 13.37, subdivision 1(b).

Minnesota State Retirement System

Notice of Request for Proposals for Participant Enrollment and Education Services to Assist the MSRS in Carrying Out Responsibilities With Respect to the Minnesota State Deferred Compensation Plan (MNDCP)

The Minnesota State Retirement System is soliciting proposals for Participant Enrollment and Education Services. This Request for Proposal is designed to select a service provider to enroll, educate, and provide retirement counseling to participants. The serv-

State Contracts

ice provider will present all plan investment options in an unbiased manner, and will be the exclusive representative for the MNDCP.

All interested vendors should contact the person named below by letter, telephone, or e-mail to request a copy of the complete Request for Proposal:

Kenneth R. Lang

Manager, Deferred Compensation Plan Minnesota State Retirement System 60 Empire Drive, Suite 300 St. Paul, MN 55103-3000

Telephone: (651) 296-1526 **E-mail:** *ken.lang@state,mn,us*

Responders must participate in a pre-proposal telephone conversation on Wednesday, April 23, 2003. All proposals must be submitted to the address listed above on or before 3:00 p.m. on Friday, May 9, 2003. **NO PROPOSALS RECEIVED AFTER THIS DATE AND TIME WILL BE CONSIDERED.**

Minnesota State Retirement System

Notice of Request for Proposals for Third Party Record Keeping Services to Assist the MSRS in Carrying Out Responsibilities With Respect to the Minnesota State Deferred Compensation Plan (MNDCP)

The Minnesota State Retirement System is soliciting proposals for third party record keeping. This Request for Proposal is designed to select a record keeper to maintain accounts and handle transactions for all participants. The record keeper will handle transactions through a variety of means including, at a minimum, a voice response system and an account-on-line website. The record keeper will process contributions from over 600 payroll centers.

All interested vendors should contact the person named below by letter, telephone, or e-mail to request a copy of the complete Request for Proposal:

Kenneth R. Lang

Manager, Deferred Compensation Plan

Minnesota State Retirement System 60 Empire Drive, Suite 300

St. Paul, MN 55103-3000 **Telephone:** (651) 296-1526 **E-mail:** ken.lang@state,mn,us

Responders must participate in a pre-proposal telephone conversation on Wednesday, April 23, 2003. All proposals must be submitted to the address listed above on or before 3:00 p.m. on Friday, May 9, 2003. **NO PROPOSALS RECEIVED AFTER THIS DATE AND TIME WILL BE CONSIDERED.**

Department of Transportation

Engineering Services Division

Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Robin Valento at (651) 284-3622 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting application from consultants in the following service areas: preliminary design, highway design, bridge inspection and environmental studies. Technical and administrative qualification requirements are located on the web site indi-

State Contracts =

cated below. In the future, Mn/DOT will be requesting applications for additional highway related consulting services as those services become available. Following advertisement of a particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program Information, application requirements and application forms are available on Mn/DOT's web site at http://www.dot.state.mn.us/consult

Send completed application material to:

Robin Valento

Pre-Qualification Administrator

Minnesota Department of Transportation

Consultant Services

395 John Ireland Boulevard, Seventh Floor, Mail Stop 680

St. Paul, MN 55155

NOTE: Due Date: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation

Engineering Services Division

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 M/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 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 editor for further details.

Metropolitan Council - Metro Transit

Sealed Bids Sought for Purchase of Diesel Fuel

Metro Transit, a division of the Metropolitan Council, is soliciting sealed bids for the provision of No. 1 low sulfur diesel fuel to the five Metro Transit operating facilities in the Minneapolis-St. Paul metropolitan area. Metro Transit consumes approximately eight million gallons of diesel fuel annually. The contract will be for a two-year period, with an option for up to an additional one year. Bids are due at 2:00 PM on May 2, 2003.

Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council Metro Transit Purchasing Department 515 N. Cleveland Avenue St. Paul, MN 55114 (612) 349-5070

University of Minnesota

Advertisement for Bids for Asbestos Abatement for Building 202, Social Science Fire and Life Safety Abatement Project No. 202-99-1715

Minneapolis Campus, Minneapolis, Minnesota

Work performed under this contract will include the removal of asbestos-containing materials for the Social Sciences Fire and Life

Non-State Contracts & Grants

Safety Upgrade Project.

The Work shall be completed by June 30, 2003.

Pre-bid access to the work site is limited to specific times and dates. A mandatory pre-bid tour of the work site is scheduled for 10:00 a.m., April 15, 2003. Interested parties are to meet in the first floor lobby of the Social Sciences Building located at 267-19th Avenue South, Minneapolis, Minnesota 55455. Contact Dave Klaustermeier, **e-mail**: klaus003@tc.umn.edu **phone** (612) 624-6027 **AND** Chip Foster, **e-mail** fosterc@facm.umn.edu **phone** (612) 626-8757 if you are interested in attending.

Last day for questions is Noon April 21, 2003. Please submit questions in writing to Chip Foster at *fosterc@facm.umn.edu*. Prime contract bidding will close 2:00 p.m., local time, Thursday, April 24, 2003.

Sealed bids will be received by the Regents of the University of Minnesota at Facilities Management Purchasing Services, 400 Donhowe Building, 319 - 15th Avenue SE, Minnesota 55455, until the stated times, when they will be publicly opened and read aloud.

Bidding Documents will be distributed at the mandatory walkthrough on April 15, 2003.

Direct communications regarding this project to the Design and Construction Asbestos Project Manager, Dave Klaustermeier, e-mail: klaus003@tc.umn.edu, phone (612) 624-6027.

Each prime and subcontract bid shall be accompanied by a bid security of 5% of the maximum amount of the bid in the form of a Surety Bond, certified check, cashier's check.

The successful prime contract bidder shall furnish Performance and Payment Bonds in the full amount of the contract.

The University reserves the right to reject any and all bids, accept any bid, waive informalities in bids submitted, and waive minor discrepancies in bidding procedures, as it deems to be in its best interest.

The University of Minnesota complies with Equal Employment Opportunity and Affirmative Action Policies for contractors and suppliers.

Bid result information may be obtained via fax by faxing a request to (612) 624-5796.

REGENTS OF THE UNIVERSITY OF MINNESOTA

Chip Foster

Facilities Management Principal Buyer

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 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 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.

University of Minnesota

Request for Proposal for Architectural Design and Engineering Services for the Minnesota Landscape Arboretum Visitor Center.

I. Notice of Request for Proposal

The University of Minnesota is interested in architectural design and engineering services for the Minnesota Landscape Arboretum Visitor Center, a new facility. The intent of this Request for Proposal (RFP) is to complete the design using the current Pre-Design and other companion documents as a reference point. The University of Minnesota, Minnesota Landscape Arboretum wants to advance the construction schedule by constructing an early foundations and site work package before winter conditions apply. The delivery method will be to utilize Construction Manager at Risk as stated in the AIA Document A121/CMc and AGC Document 565. The procurement of the Construction Manager, where the Construction Manager is THE CONSTRUCTOR, will be done by RFP after the design team is chosen. The RFP and selection process for the CM will be similar to this RFP process being used for A/E services.

E-mail or call your request for the full RFP to Chip Foster, which will be sent free of charge to interested vendors.

Non-State Contracts & Grants =

II. Contract for RFP Inquiries:

Refer questions to:

Purchasing Services:

Chip Foster
Facilities Management
400 Donhowe Building
319 15th Ave. SE
Minneapolis, MN 55455-1082
E-Mail: fosterc@facm.umn.edu

Phone: (612) 626-8757 **FAX:** (612) 624-5796

III. Tentative Schedule of Events

(Be advised that these dates are subject to change as University deems necessary.)

	DATE
RFP issue	. April 7, 2003
Mandatory Pre-Proposal Meeting on site at the Snyder Building	April 17, 2003
All Questions Mailed/Faxed to Purchasing Services by noon:	April 22, 2003
Responses due @ 3PM	. May 1, 2003
Evaluation, Selection of Short-listed Finalist	May 12, 2003
Respondent Presentations	May 19, 2003
Anticipated date of Award	May 23, 2003

The University reserves the right, in its sole discretion, to reject any and all proposals, accept any proposal, waive informalities in proposals submitted, and waive minor discrepancies between a proposal and these proposal instructions, as it deems to be in its best interest. Any waiver of the University with respect to the requirements of these proposal instructions shall apply only to the particular instance for which it was made or given, and no such waiver shall constitute a permanent or future waiver of such requirements.

Health Statistics 2000

Data regarding live births, induced abortions, fertility, infant mortality and fetal deaths, general mortality, marriage, divorce and population. Soft-cover, 139pp. Stock No. 10-12 \$12.95 (Call for info. re: prior volumes.)

Directory of Licensed & Certified Health Care Facilities

Year 2002 edition. Comprehensive listing of hospitals, nursing homes, supervised living facilities, outpatient clinics, home health agencies, hospices, etc. within the state. List organized by county and alphabetically. Softcover, 353pp. Stock No. 1-89 \$23.95

HCPCS Manual 2002

HCFA common procedural coding system, HCPCS Level II and Level III procedure codes, Looseleaf, 204pp. **Stock No. 5-2 \$21.95**

HCFA 1500 Manual - 4th edition

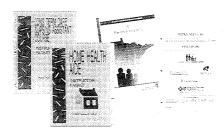
Standards of use manual by the administrative uniformity committee, November 9, 2000. (Does not include forms.) Looseleaf, 118pp. Stock No. 5-9 \$15.95

Long Term Care Nursing Assistant Course

Student Textbook
Coursework for students studying to be a nursing assistant in long term care. Looseleaf, 155pp.
Student Skill Sheets
Stock No. 515 \$8,95
Instructor Packet
assistant course/LTC. Looseleaf, 148pp.
Stock No. 516 \$15,95
Binder- Stock No. 10-33 \$7.95

Home Health Aide Course

Student Textbook Coursework for students studying to be a home health aide. Looseleaf, 88pp. Stock No. 5-17 \$15.95 Binder- Stock No. 10-33 \$7.95 Instructor Packet Curriculum guide for teaching home health aide course. Looseleaf, 94pp. Stock No. 5-18 \$18.95 Binder- Stock No. 10-33 \$7.95



HTAC Educational Booklets

With the recent closure of the Health Technology Advisory Council offices, Minnesota's Bookstore was asked to make available the following titles remaining in their inventory. (Future printings of these booklets will be based on demand. LIMITED QUANTITY AVAILABLE.)

The following titles sell for \$4.99 each:	Stock No	
C-Reactive Protein: Screening of Coronary Artery Disease	10-41	
Detection of CAD with Electron Beam Computed Tomography	10-25	
Genetic Testing for Susceptibility to Breast Cancer		
Helical CT for Lung Cancer Screening/Asymptomatic Patients		
Intracoronary Brachytherapy	10-46	
MMR Vaccine and Autism: No Evidence of Association	10-44	
New Technologies for Cervical Cancer Screening	10-54	
Postmenopausai Hormone Replacement	10-53	
Preventive Therapies: Women/Increased Risk of Breast Cancer	10-57	
St. John's Wort	10-67	
Surgical Alternatives/Hysterectomy/Abnormal Uterine Bleeding	10-20	
Use of Botulinum Toxin-A In Pain/Neuromuscular Disorders	10-55	
Treatment of Obstructive Sleep Apnea in Adults	10-56	
Tumescent Liposuction	10-69	
Human Growth Hormone/Children with Idiopathic Short Stature	10-34	
The following titles sell for \$2.99 each:		
Dental Implants	10-35	
Pre-operative Autologous (Self) Blood Donation	10-52	
Refractive Eye Surgery for Myopia	10-42	
St. John's Wort Questions & Answers	10-60	

MN Guidebook to State Agency Services

This 2001-2003 reference provides information on each state agency and their services, as well as the legislative and judicial branches of government. You'll find information about:

- * access to state officials and offices, including key contact people, phone numbers, e-mail and Internet addresses for each agency
- * solid business connections, how to bid on state contracts, apply for grants
- * business development resources
- * print and media guides and resources
- * information on grants, contracts, scholarships
- * license and permit information, recreational opportunities and more. Spiral-bound, 550pp. Stock No. 1-6 \$19.95

State of Minnesota Telephone Directory

2001-2002 edition Please note: This directory will no longer be available in print once the current supply of directories is exhausted. The North Star web site now provides phone numbers via an electronic white and yellow pages database. Alphabetical listings of all employees plus department listings (both metro area and greater MN), fax numbers, email, web sites and TTY. Softcover, 477pp. Stock No. 1-87 \$15.95

U.S. Government Manual

This comprehensive 2001-2002 overview of the U.S. government outlines and describes functions of the legislative, judicial and executive branches, provides a "who's who" listing of federal officials and agencies. Softcover, 693pp. **Stock No. 16-46 \$41.00**

Minnesota Constitution

The complete constitution as adopted on Oct. 13, 1857 and subsequent amendments. Softcover, 25pp. Stock No. 7-12 \$7.00

A Citizen's Guide to State Finance:

An Overview of Minnesota Government Revenue & Expenditures

This volume reviews the state budget process, the "big picture," expenditures, property and income tax, etc. Softcover, 60pp. Stock No. 7-7 \$7.00

Annual Compilation Report of Multi-Member Agencies

Get involved in government! This 2001 report from the Secretary of State documents openings and current membership in state agency committees and councils, including appointing authority, address/phone for members, term length, and compensation. Perhaps you can contribute in policy making! Spiral-bound, 119pp. Stock No. 10-43 \$16.00

Revisors Manual

Organized as both a ready reference and an instruction manual, this book teaches general methods of drafting Minnesota legislative bills, offers practical help, style suggestions, etc. Looseleaf, 343pp. (This 1997 edition is still current.) Stock No. 7-1 \$10.00

MN Legal Compliance Audit Guide for Local Government 2001

Prepared in a handy checklist format, this guide outlines minimum legal compliance for auditors. Guides you through depositories of public funds, investments, conflicts of interest, public indebtedness, bid laws, claims and disbursements, etc. Softcover, 130pp. **Stock No. 10-30 \$30.00**



State Register

The State Register is the official magazine of the State of Minnesota. Published every Monday, it is your source for:

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- * non-state public contract requests, state grants
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- * executive orders and commissioners' orders
- * proclamations & commendations

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