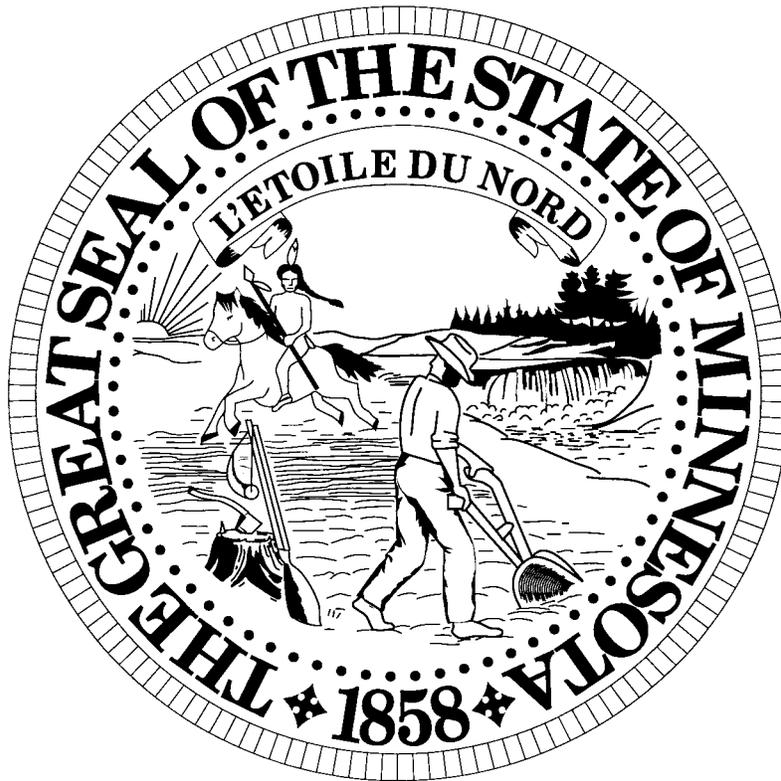


State of Minnesota

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 14 April 2003
Volume 27, Number 42
Pages 1551-1568

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- proposed, adopted, exempt, expedited emergency and withdrawn rules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

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"Affidavit of Publication" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

Printing Schedule and Submission Deadlines

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
#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
#45	Monday 5 May	Noon Tuesday 29 April	Noon Wednesday 23 April

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Carol L. Molnau, Lt. Governor (651) 296-3391	Patricia Awada, State Auditor (651) 297-3670	
Department of Administration: Brian Lamb, Commissioner (651) 296-1424	Communications Media Division: Mary Mikes, Director (651) 297-3979	Robin PanLener, Editor (651) 297-7963 Jessie Rahmeyer, Subscriptions (651) 297-8774

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/aces140.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

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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 Amendments

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rules 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 rules. 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 is then 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 Rules 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*.

Peace Officers Standards and Training Board

Proposed Permanent Rules Relating to Peace Officer Licensing and Training

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Amendments to Rules Governing Training and Licensing, *Minnesota Rules*, Chapters 6700.0300, Subpart 5, Section B and 6700.1000, Subpart 4

Introduction. The Board of Peace Officer Standards and Training 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. Any individuals may submit written comments on the proposed rules and/or a written request that a hearing be held until Wednesday, May 14, 2003.

Agency Contact Person. Comments, questions or written requests for a public hearing on the proposed rules must be submitted to the agency contact person. The agency contact person is Dee Dodge at the Minnesota Board of Peace Officer Standards and Training, located at 1600 University Avenue, Suite 200 in Saint Paul, Minnesota 55104. Ms. Dodge can also be reached at (**phone**) (651) 643-3064, (**fax**) (651) 643-3072 or at dee.dodge@state.mn.us. **TTY** users may call the Department of Public Safety at (651) 297-1200.

Subject of Rules and Statutory Authority. The proposed rules include changes to the procedure for verifying criminal conviction data of applicants to Professional Peace Officer Education programs and to the license renewal procedure regarding name changes. The statutory authority for the board to adopt the rules is *Minnesota Statutes*, sections 626.84 to 626.863. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. Comments are encouraged and must be received in writing by the agency contact person before 4:30 p.m. on Wednesday, May 14, 2003. Comments should identify the portion of the proposed rule changes the comment is based on; the reason for the comment; any suggestions for changes to; and, if applicable, the legality of the proposed rule changes.

Request for a Hearing. A request to hold a hearing on the proposed rule changes must be received in writing by the agency contact person before 4:30 p.m. on Wednesday, May 14, 2003. It must indicate the individual's name and address that is submitting the request and identify the portion(s) of the proposed rules to which the individual objects. Any request for a hearing 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. Also, it is encouraged that the request lists the reason for submitting a request and any suggestion for changes to the proposed rules.

Withdrawal of Requests. If 25 or more individuals 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 to less than 25, the agency must give written notice to all individuals who requested a hearing. In addition, the agency must explain the actions it took to affect 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.

Proposed Rules

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

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 any individuals in some way, those individuals are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness (SONAR) is available from the agency contact person. The SONAR contains a summary of the justification for the proposed rules, including a description of who will be affected and an estimate of the probable cost. The agency must pay for the cost of reproducing the SONAR.

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 (OAH) for review of legality. Individuals may ask to be notified of the date the rules are submitted to the OAH. If an individual wants to be notified, or wants to receive a copy of the adopted rules, or wants to register with the agency to receive notice of future rule proceedings, a request must be submitted to the agency contact person.

Dated: March 28, 2003

Neil W. Melton
Executive Director

6700.0300 PROFESSIONAL PEACE OFFICER EDUCATION.

[For text of subps 1 to 4, see M.R.]

Subp. 5. Participation requirements.

[For text of item A, see M.R.]

B. No student may be admitted to the professional peace officer program who:

- (1) poses a serious threat to the health or safety of themselves or others; or
- (2) has been convicted of any crime listed as a disqualification from appointment to the position of peace officer under part 6700.0700, subpart 1, item E.

~~The school shall submit to the POST board the names of applicants for the purpose of verifying the conviction data. The POST board shall report to the school the names of applicants who do not qualify for admission under this section.~~

[For text of items C and D, see M.R.]

[For text of subps 6 to 10, see M.R.]

6700.1000 LICENSE RENEWAL.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Change of name.** When a licensee's surname is changed by reason of marriage or a judicial order, the original date of expiration of the licensee's license shall not change ~~in accordance with the initial letter of the licensee's new surname. The licensee shall pay a proportional added fee if the new date of expiration is later than it would have been, but the licensee will receive a proportional refund if the new date of expiration is earlier than it would have been.~~

[For text of subps 5 to 11, see M.R.]

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 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.

Board of Chiropractic Examiners

Adopted Permanent Rules Relating to the Definition of Sexual Misconduct

The rules proposed and published at *State Register*, Volume 27, Number 27, pages 1009-1010, December 30, 2002 (27 SR 1009), are adopted with the following modifications:

2500.6050 SEXUAL MISCONDUCT.

For the purposes of determining the presence of sexual misconduct:

- A. a person is considered to remain an active patient until no less than ~~one year has~~ two years have elapsed since the last date on which the chiropractor examined or treated the patient; and
- B. the conduct must occur at the time of or subsequent to the provision of an initial examination or treatment.

Consent or mutual consent may not be used by the chiropractor in the defense of an allegation of sexual misconduct by the chiropractor.

Board of Chiropractic Examiners

Adopted Permanent Rules Relating to Engagement in the Practice of Chiropractic

The rules proposed and published at *State Register*, Volume 27, Number 27, pages 1011-1012, December 30, 2002 (27 SR 1011), are adopted as proposed.

Executive Orders

The governor has the authority to issue written statements of orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Executive Order #03-04: Providing for the Continuation of Certain Executive Orders

I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, *Minnesota Statutes* 2002, section 4.035, subdivision 3, provides that all executive orders expire 90 days after the date that the governor who issued the orders vacates office; and

WHEREAS, it is necessary to the operation of state government to continue certain executive orders;

NOW, THEREFORE, I hereby order that the following executive orders remain in effect:

02-02 PROVIDING FOR THE ASSIGNMENT OF DUTIES TO STATE AGENCIES UNDER THE LAND AND WATER CONSERVATION FUND ACT OF 1965 (P.L. 94-422); RESCINDING EXECUTIVE ORDER 93-13

01-01 PROVIDING FOR THE ESTABLISHMENT OF THE GOVERNOR'S STATE CAPITOL 2005 COMMISSION

Executive Orders

- 00-02 DIRECTING STATE DEPARTMENTS AND AGENCIES TO FOLLOW A "NO-NET LOSS" POLICY IN REGARD TO WETLANDS
- 99-20 EMERGENCY EXECUTIVE ORDER ASSIGNING RESPONSIBILITIES TO STATE AGENCIES IN CASE OF EMERGENCY
- 99-17 DESIGNATING THE COMMISSIONERS OF THE DEPARTMENT OF NATURAL RESOURCES AND THE POLLUTION CONTROL AGENCY AS CO-TRUSTEES FOR NATURAL RESOURCES
- 99-12 PROVIDING FOR A GOVERNOR'S COUNCIL ON MINNESOTA'S LAKE SUPERIOR COASTAL PROGRAM, AND ASSIGNING RESPONSIBILITY TO THE DEPARTMENT OF NATURAL RESOURCES
- 99-9 PROVIDING FOR A CLIENT ASSISTANCE PROGRAM FOR INDIVIDUALS RECEIVING OR SEEKING SERVICES UNDER THE REHABILITATION ACT AND CONTINUING THE ASSIGNMENT OF RESPONSIBILITIES TO THE LEGAL AID SOCIETY OF MINNEAPOLIS; RESCINDING EXECUTIVE ORDER 86-7
- 99-8 PROVIDING FOR PROTECTION AND ADVOCACY FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES AND CONTINUING THE ASSIGNMENT OF RESPONSIBILITIES TO THE LEGAL AID SOCIETY OF MINNEAPOLIS; RESCINDING EXECUTIVE ORDER 86-6
- 99-7 PROVIDING FOR PROTECTION AND ADVOCACY FOR PEOPLE WITH MENTAL ILLNESS AND CONTINUING THE ASSIGNMENT OF RESPONSIBILITIES TO THE LEGAL AID SOCIETY OF MINNEAPOLIS; RESCINDING EXECUTIVE ORDER 86-5
- 99-6 PROVIDING FOR THE ESTABLISHMENT OF A MINNESOTA GOVERNOR'S COUNCIL ON GEOGRAPHIC INFORMATION; RESCINDING EXECUTIVE ORDER 93-17
- 99-4 PROVIDING FOR THE IMPLEMENTATION OF POLLUTION PREVENTION AND RESOURCE CONSERVATION BY STATE GOVERNMENT; RESCINDING EXECUTIVE ORDER 91-17
- 97-16 PROVIDING FOR HUMAN SERVICES DEPARTMENT APPOINTMENT AUTHORITY
- 96-9 PROVIDING FOR STATE AGENCY COORDINATION OF THE AMERICANS WITH DISABILITIES ACT
- 94-9 PROVIDING THE COMMISSIONER OF TRANSPORTATION WITH THE AUTHORITY TO COOPERATE AND ACT AS AGENT IN RECEIVING FEDERAL FUNDS UNDER THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1991
- 93-20 PROVIDING FOR THE RE-ESTABLISHMENT OF THE GOVERNOR'S COUNCIL ON THE MARTIN LUTHER KING, JR. HOLIDAY
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- 87-17 PRESCRIBING THE MANUAL FOR MILITARY JUSTICE STATE OF MINNESOTA, 1987; RESCINDING EXECUTIVE ORDER 83-28
- 84-1 CREATING THE UPPER MISSISSIPPI RIVER BASIN ASSOCIATION, SUCCESSOR OF THE UPPER MISSISSIPPI RIVER BASIN COMMISSION

Pursuant to *Minnesota Statutes* 2002, section 4.035, subdivision 2, this Order will be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and will remain in effect until rescinded by proper authority or until it expires in accordance with *Minnesota Statutes* 2002, section 4.035, subdivision 3.

IN TESTIMONY WHEREOF, I have set my hand this 4th day of April, 2003


Tim Pawlenty
Governor

Filed According to Law:


Mary Kiffmeyer
Secretary of State

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.

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes, Chapter 41C* for Approximately 110 Acres of Bare Farmland in Freedom Township, Waseca County

NOTICE IS HEREBY GIVEN that a public hearing will be held on May 2, 2003, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes, Chapter 41C*, in order to finance the purchase of approximately 110 acres of bare farmland located south on # 21 two miles, West on #4 two miles, and southeast on Hwy. 83 1½ miles to the city of Waldorf; Section 13, Freedom Township, Waseca County, Minnesota on behalf of Kyle L. Courtney, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$190,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof.

No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: April 2, 2003

Jim Boerboom
RFA Director

Minnesota Higher Education Services Office

Notice of Public Hearing Before the Minnesota Higher Education Services Office Issuance of Said Supplemental Student Loan Program Revenue Bonds, Series 2003 B (Tax Exempt)

The Minnesota Higher Education Services Office ("MHESO") will hold a public hearing at 9:00 a.m. in 1450 Energy Park Drive, Suite 350, St. Paul, Minnesota on Tuesday the 6th day of May, 2003, on the issuance of Supplemental Student Loan Program Revenue Bonds, Series 2003 B (Tax-Exempt) (the "Bonds"). The Bonds are being issued for the purpose of making loans to eligible students (the "Student Loans") under the MHESO's Supplemental Student Loan Program in accordance with the provisions of *Minnesota Statutes, Chapter 136A*, as amended, funding certain funds and paying a portion of the costs of issuance of the Bonds (the "Project"). MHESO principal offices are located at 1450 Energy Park Drive, Suite 350, St. Paul, Minnesota 55108. The Bonds are proposed to be issued in an amount not to exceed \$25,000,000. The Bonds shall be limited obligations of MHESO payable from and secured solely by all payments of principal and interest on certain student loans and the proceeds thereof, certain funds and accounts and other collateral constituting the security as to be described in the resolution authorizing the Bonds. The Bonds will not be deemed to constitute a pledge of the faith of MHESO or the State of Minnesota, but shall be payable solely from revenues pledged by MHESO in accordance with an indenture of trust. Neither the faith or credit nor the taxing power of the State of Minnesota will be pledged to the payment of principal of or the interest on the Bonds. MHESO has no taxing power. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits and for the introduction of documentary evidence pertinent to the nature of the Project and the proposed issuance of the Bonds. Written comments will be accepted by MHESO at 1450 Energy Park Drive, Suite 350, St. Paul, Minnesota 55108, but must be received on or before the date of the hearing.

Dated: April 2, 2003

BY ORDER OF THE DIRECTOR OF THE
MINNESOTA HIGHER EDUCATION
SERVICES OFFICE

Robert K. Poch
Director

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

Availability of Funds to Assist in the Rehabilitation of Owner-occupied Single Family Houses

The Minnesota Housing Finance Agency announces the availability of funds to assist in the rehabilitation of owner-occupied single family houses including manufactured homes for low to moderate income residents of Minnesota.

The purpose of the program is to provide access to financing for low to moderate-income homeowners for basic repairs that address health, energy, safety and accessibility deficiencies in a house. To be eligible for this program, the borrower must have at least a 1/3 interest in the property, is income eligible and reside in the property, as his/her principal place of residency and funds must not otherwise be available from private lenders with equivalent terms or conditions. The program also requires that outreach efforts include targeting to groups that historically may have been denied equal access to services and benefits for which they are eligible. Eligible applicants are invited to submit an application for the Rehabilitation Loan Program.

Funds Available

Statewide funding will be approximately \$8,000,000* for a two year period.

Funds are provided through a statewide County Allocation for the first 12 months of the program; then through a pool allocation until funds are depleted.

*Funds are allocated using 2000 census figures for low-income persons.

Program Limits

The Rehabilitation Loan Program is targeted to individuals and households whose adjusted gross income does not exceed \$18,000. The maximum loan amount is \$15,000; the minimum loan amount is \$1,000. The administrative fee is 14% of the loan amount, not to exceed \$1,400.

Eligible Locations

The Rehabilitation Loan funds are available statewide.

Eligible Applicants

Eligible applicants include private (non-governmental) 501(C)(3) non-profit housing providers, cities, local and federal units of government, Housing Redevelopment Agencies, Community Action Programs, Economic Development Agencies and other community organizations. Applicants must have in place an affirmative action plan that encompasses marketing and outreach efforts, specifically addressing all underserved populations. In addition, selected applicants must comply with all local, state and federal laws and regulations including those relating to affirmative action, fair housing, equal opportunity, truth-in-lending and wrongful discrimination in residential lending.

Application Process

The Rehabilitation Loan Program application is available on the MHFA **website** (www.mhfa.state.mn.us) in a pdf format. If you are unable to access our website call (651) 297-3118 or toll free at 1-800-710-8871.

Proposals Due

The original application and all attachments (plus one copy) must be received by the MHFA by **5:00 P.M.** on or before **Thursday, May 15, 2003.**

Send completed application to:

Minnesota Housing Finance Agency
Attention: Jamie Gulden, Homes Division
400 Sibley Street, Suite 300
St. Paul, MN 55101-1998

Faxed, e-mailed, or late applications **WILL NOT** be accepted.

Program Manager:

Donna Dimatteo (651) 297-3132
donna.dimatteo@state.mn.us Toll Free 1-800-710-8871

Department of Public Safety

Office of Drug Policy and Violence Prevention

Notice of Application for Continued Funding from the Bureau of Justice Assistance

The Office of Drug Policy and Violence Prevention is submitting an application for continued funding from the Bureau of Justice Assistance. The Edward Byrne Memorial State and Local Law Enforcement Assistance (Byrne) Program, authorized by the Anti-Drug Abuse Act of 1988, is administered by the Bureau of Justice Assistance (BJA) of the Office of Justice Programs (OJP), U.S. Department of Justice. The program is designed to assist states and local units of government in carrying out specific programs that offer a high probability of improving the functioning of the criminal justice system. Special emphasis is placed on drug-related and violent crime, serious offenders, and multi-jurisdictional and multi-state efforts to support the National Drug Control Strategy. Those wishing to comment on the application may contact Mary Ellison at the Department of Public Safety, **telephone:** (651) 297-7883.

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 Request for Proposal (RFP) for Specification Writing Services

(DSBC Project No. 02304XXD)

The State of Minnesota through its Department of Administration, Division of State Building Construction is soliciting proposals to prepare specifications for use in procuring repair, maintenance and betterment work, emergency or planned, on State Facilities. The specifications will assure quality control of the work and consistency in the solicitation of proposals for Statewide Master Contracts.

Firms or individuals interested in being considered for this work and desiring to receive a complete RFP, must submit a Letter of Interest with point of contact name, title, company, phone, fax and email address to:

Charles French, Project Manager
Division of State Building Construction
Room G-10, Administration Building
50 Sherburne Ave.
St. Paul, MN 55155
Fax: (651) 296-7650
Email: chuck.french@state.mn.us

Firms or individuals submitting proposals must meet the following minimum requirements:

1. 10 years full time experience in the preparation of CSI format Construction Specifications including Divisions 2 thru 16.
2. Attained the minimum level of Construction Documents Specifier (CSS) according to the Construction Specifications Institute.
3. Demonstrate experience preparing specifications for Unit Cost Contracts.

The Consultant will work directly with the Project Manager named above and representatives of the Materials Management Division, Department of Administration.

Letters of Interest are due on or before 4:00 p.m., April 23, 2003.

Proposals are due on or before 4:00 p.m., May 8, 2003.

The State of Minnesota is not obligated to complete all or any part of the RFP. All proposals become the sole property of the State of Minnesota.

State Contracts

Colleges and Universities

Winona State University

Request for Sealed Proposals to Upgrade Avaya Definity Telephone System

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed proposals to add equipment for additional sites and upgrade existing Avaya Definity telephone system; presently owned and maintained by the University.

Proposal specifications will be available April 14, 2003 from the Winona State University Purchasing Department, PO Box 5838, 205 Somsen Hall, Winona, MN 55987 or by calling (507) 457-5067 or (507) 457-5419.

Sealed proposals must be received by Sandra Schmitt at PO Box 5838, or at 175 W. Mark St., Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 2:00 PM April 28, 2003.

Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in bids received.

Minnesota Department of Commerce

Request for Proposals for eHEAT Project: Phase II - Business Modeling Work Statement

The Minnesota Department of Commerce requests proposals for the business analysis and modeling of the Energy Assistance Program (EAP) and Weatherization Assistance Program (WAP) eHEAT (Electronic Household Energy Automation Technology) project. The eHEAT Project is developing technological solutions for Minnesota's EAP and WAP to serve customers, manage data and program functions. The solution will help service providers serve customers by managing record keeping and reporting and has a goal of facilitating customer self-service access.

This Request for Proposal (RFP) relates to services in Phase II of a three-phase process of the eHEAT project. Phase I created the project definition, establishing scope and depth. Phase II will include business modeling, planning, assessment and quality assurance services, including knowledge transfer and oversight for Phase III. Phase III will develop and implement the solutions.

The services are to complete concise business analytical models for Phase II of the eHEAT initiative. The key products from this phase are business models that move the analysis from conceptual to logical and can decompose to facilitate the design, architecture and construction of the final product in Phase III. Success in Phase III is dependent on a concise map so the design and implementation of the product addresses the needs of the business. In addition, the selected contractor is expected to provide knowledge transfer and quality control throughout Phase III.

All proposals are due 2:00 PM May 5, 2003. Contractors selected for Phase I and/or Phase II will not be eligible to apply for Phase III. The Department of Commerce has estimated that the total cost of awarded contract(s) should not exceed \$300,000.

Prospective responders can get an RFP by contacting:

Jeff Mitchell
Energy Division-Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, Minnesota 55101
(651) 296-2458
jeff.mitchell@state.mn.us

Office of the Revisor of Statutes

Notice of Request for Computer Development Project Management Consulting

An existing contract for computer development project management consulting expires June 30, 2003. The Revisor wishes to enter into a new part-time contract beginning July 1, 2003. A goal for this contract is the phase out of services by June 30, 2004; but it will be phased out absolutely no later than June 30, 2005. Consultants must meet the following requirements:

- a) demonstrated familiarity with legislative computer systems, either here in Minnesota or another state, and
- b) demonstrated expertise in XML technology, and
- c) demonstrated successful implementation of an XML-based system for use by a state legislature.

The consultant will provide advice on the management of the XML development project, while transferring knowledge so in-house management can be phased in. Proposals are due no later than Friday April 25, 2003. The Revisor's office reserves the

right to award all, a part, or none of the above-described contract. Inquiries and responses may be directed to:

Michele Timmons
Revisor of Statutes
Office of the Revisor of Statutes
700 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1297
(651) 296-2868
TTY use State Relay Services 1-800-627-3529

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 indicated 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 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 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.

Dakota County

Community Services Administration Contracts Unit

Notice of Request for Proposal for Custody and Parenting Time Evaluations

Notice for Request for Proposal for Custody and Parenting Time Evaluations for divorced or never-married parents who are in dispute with one another about custody and parenting time arrangements with their children, as defined by *Minnesota Statutes*, Chapter 518.

NOTICE IS HEREBY GIVEN that Dakota County Social Services - Children and Family Services Section - is soliciting proposals from interested and qualified parties for the purpose of providing Custody and Parenting Time Evaluations. The awarded grantee will be expected to enter into a contractual agreement with Dakota County beginning with the contract implementation date of July 1, 2003 through June 30, 2005, subject to approval by the Dakota County Board of Commissioners and funding availability.

Qualified Respondents will be considered who have demonstrated ability to:

- show evidence of experience in providing custody evaluation services, with specific experience related to working with divorced or never-married parents who are in dispute with one another about custody and parenting time arrangements for their children;
- research, observe, and interview parents, children and collateral contacts in order to make a recommendation to the court on the custody and parenting time arrangements that are in the children's best interests; and
- prepare written reports for the court on the recommendations, covering at a minimum the 13 "children's best interest points" as described in *Minnesota Statutes*, Chapter 518.

If you have interest in providing this service, a complete Request for Proposal may be obtained by contacting:

Deanne L. Skeens, Contract Manager
Dakota County Community Services Administration
1 Mendota Road West, Suite 500
West St. Paul, MN 55118-4773
Phone: (651) 554-5874
Fax: (651) 554-5948
E-Mail: deanne.skeens@co.dakota.mn.us

Deadline for Proposals is 4:30 P.M. Central Standard Time on Friday, April 25, 2003.

Dakota County

Dakota County Community Services Administration

Notice of Request for Proposal for Interpreter and Related Service

NOTICE IS HEREBY GIVEN that the Dakota County Community Service Administration Division, located at the Northern Service Center, 1 Mendota Road West, West St. Paul, Minnesota is seeking qualified contractors to provide interpreter and translation services for clients with limited English proficiency (LEP) or those who are deaf or hard of hearing. Contracts will be written for a three (3) years period. The most common non-English languages encountered by Community Services Division (CSD) staff are Spanish, Russian, Somali, Hmong, Laotian, Vietnamese, and Sign Language.

Qualified applicants must have been incorporated to do business in Minnesota for a minimum of two years; have the capacity to provide service 24 hours a day, 7 days a week; the capability to interpret two or more languages; and the ability to insure compliance with the Minnesota Government Data Practices Act, *Minnesota Statute*, Chapter 13, and the Health Insurance Portability and Accountability Act (HIPAA).

The Community Service Division plans and implements programs to assist eligible individuals in achieving economic and social self-sufficiency, protects citizens from harm, and promotes public health and safety. The Division is comprised of the following Departments: Social Services, Public Health, Employment and Economic Assistance, Community Corrections and the University of Minnesota/Dakota County Extension Service. Summary descriptions outlining each Department's interpreter needs are contained in the RFP.

Non-State Contracts & Grants

Questions about this RFP will be addressed at a Proposers Conference to be held on Monday, May 5, 2003 from 2:00 p.m. - 3:30 p.m. in conference room 110 A & B at the Northern Service Center, 1 Mendota Rd. W., West St. Paul, Minnesota. Attendance is not mandatory but is highly recommended.

A complete copy of the RFP is available through the Dakota County Internet **website** at: www.co.dakota.mn.us, click on *E-Government* and select RFP on the menu or by contacting:

Therese J. Branby, Contract Manager

Phone: (651) 554-5878

Email: therese.branby@co.dakota.mn.us

All proposals must be received no later than 4:30 p.m. (CDT) on Monday, June 2, 2003.

Lower Rum River Watershed Management Organization

Request for Interest Proposal for Professional Services for Legal and Engineering Consultants

Pursuant to *Minnesota Statutes Annotated* 103B.227, Subdivision 5, the Lower Rum River Watershed Management Organization hereby solicits interest proposals for legal consultant and engineering consultant services for the fiscal years 2003 and 2004.

Written proposals setting forth the experience of the individuals who would be interested in performing professional services for the Lower Rum River Watershed Management Organization should be sent to:

The Lower Rum River Watershed Management Organization

2015 First Avenue North

Anoka, MN 55303

Attention: Steve Jankowski, Chair

Proposals shall be submitted on or before June 1, 2003.

Please set forth in your written proposal the experience of the individual who proposes to perform services for this organization and the resumes of support staff who would assist the individual in providing the contractual services. The proposal should contain a statement on the firm's ability to provide the necessary insurance. The Board will review said proposals and reserves to itself the right to take such action as it deems in the best interest of the Lower Rum River Watershed Management Organization.

Metropolitan Council

Notice of Request for Proposals for Project Management Services for Implementation of Scheduling and Garage Operations Software

RFP No. 03P034

NOTICE IS HEREBY GIVEN that the Metropolitan Council is soliciting proposals from vendors to provide project management services during final contract negotiations and implementation of fixed route scheduling and garage operations software.

The Metropolitan Council through its Metro Transit division provides mass transit bus services to the Twin Cities of Minneapolis/St. Paul and outlying areas. The Council is replacing its existing scheduling and garage operations software packages with a new integrated system that will provide for more productive process and more efficient operations. Through this RFP, the Council is seeking project management services to help ensure that the contract with the selected software vendor thoroughly covers all activities and requirements necessary to provide a smooth implementation process and that the overall project proceeds as planned, that all required tasks are completed on time and that the software contractor meets all obligations defined in the contract.

All proposals must be submitted in accordance with the RFP. The *tentative* schedule is:

RFP Release Date	<i>Mid-April 2003</i>
Questions Due	<i>Two weeks prior to Proposal Due Date</i>
Questions Answered	<i>One week prior to Proposal Due Date</i>
Proposals Due	<i>May 13, 2003</i>
Evaluation/Interviews, if required*	<i>Week of May 19, 2003</i>
Negotiations/Contract Execution	<i>May, 2003</i>
Notice to Proceed	<i>May, 2003</i>
Start-up	<i>May, 2003</i>

Non-State Contracts & Grants

All *firms interested* in this project should forward a *written request* for a copy of the solicitation to:

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 / **E-mail:** amanda.houston@metc.state.mn.us

Please provide *one* contact point; complete company name; address/city/state/zip along with phone/fax/mobile/cell phone and pager numbers as well as e-mail information if you wish to be placed on the Solicitation List.

All other inquiries regarding this procurement shall be directed by e-mail to **Mary DeMers** at: mary.demers@metc.state.mn.us.
Any other contact made throughout the entire solicitation process risks vendor disqualification.

This project may be funded in part by local funds, transit revenues generated by the motor vehicle tax per Minnesota State Statute or FTA grant funds, to which federal rules apply. *Minnesota Statutes*, Sections 473.144 and 363.073 and *Minnesota Rules*, Part 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. The Minnesota Data Practices Act governs data submitted in response to this RFP. It provides that all information submitted by a Proposer in response to an RFP, with the exception of trade secret data as defined in *Minnesota Statutes*, section 13.37, becomes public at the times specified in the Act and is then available to any person upon request. Any information in its response for which Proposer claims trade secret protection must be limited and set apart in the proposal on separate pages, with a heading that identifies the information as trade secret information. Blanket-type identification on whole pages or sections containing trade secret information will not assure protection. A statement that submitted information is copyrighted or otherwise protected does not prevent public access.

Metropolitan Council

Notice of Request for Proposals for Riverview Siphon Improvements Facility Plan

RFP No. 03P026

NOTICE IS HEREBY GIVEN that the Metropolitan Council is soliciting proposals from professional engineering firms to provide a comprehensive facility plan for the proposed Riverview Siphon Improvements. The Council owns, operates and provides wastewater treatment services to the seven-county Twin Cities Metro Region.

The Council is seeking proposals from licensed consultants to perform facility planning for the proposed improvements, including siphon pumping, inlet and outlet structure, flow metering and odor control facilities. Consultant will investigate, compare and recommend the most reliable and cost effective method available for the siphon improvements. The Work will include project administration, quality control, cost estimates, public involvement, permit and regulatory support, ground control survey, digital mapping, utility and survey data collection, initial facility planning workshop, geotech investigation, project corridor environmental inventory, a draft facility plan, value engineering, a public hearing, a final facility plan and EAW preparation.

The *tentative* schedule for this process is:

RFP Issue Date	<i>Mid-April 2003</i>
Review Record Drawings	<i>Up to May 1 by appointment</i>
Questions, in writing only	<i>Up to May 1</i>
Proposals Due	<i>May 15, 2003, 3:00 p.m.</i>
Contract Award	<i>July 2003</i>
Contract Negotiations	<i>July 2003</i>
Notice to Proceed	<i>July 2003</i>
Draft Facility Plan	<i>November 2003</i>
Value Engineering	<i>December 2003</i>
Public Hearing	<i>January 2004</i>
Council Adoption	<i>February 2004</i>
Facility Plan to MPCA	<i>February 2004</i>

Anticipated MBE Participation: 3.5% / WBE Participation: 11.5%

Call the Metropolitan Council Regional Maintenance Center (651) 602-4500 to set up an appointment to review the record drawings at 3565 Kennebec Drive, Eagan, MN 55122. All proposals are to be submitted in accordance with instructions in the RFP. All firms interested in this project should forward a written request for the RFP to:

Amanda Houston, Administrative Assistant, Contracts and Procurement Unit

Non-State Contracts & Grants

Metropolitan Council
Mears Park Centre, 230 East Fifth Street
St. Paul, MN 55101

Phone: (651) 602-1585 / **Fax:** (651) 602-1138 / **E-mail:** amanda.houston@metc.state.mn.us

Please provide *one* contract point; complete company name; address/city/state/zip along with phone/fax/mobile/cell phone and pager numbers as well as e-mail information if you wish to be placed on the Solicitation List.

All other inquiries regarding this procurement shall be directed by e-mail to **Mary DeMers** at: mary.demers@mctc.state.mn.us. **Any other contact made throughout the entire solicitation process risks vendor disqualification.**

This project may be funded in part by local funds, fee-based revenues or PFA funds, to which federal rules apply. *Minnesota Statutes* and *Minnesota Rules* will be incorporated into any contract based upon the Proposal or any modifications to it. The Minnesota Data Practices Act governs data submitted in response to this RFP. It provides that all information submitted by a Proposer in response to an RFP, with the exception of trade secret data as defined in *Minnesota Statutes*, section 13.37, becomes public at the times specified in the Act and is then available to any person upon request. Any information in its response for which Proposer claims trade secret protection must be limited and set apart in the proposal on separate pages, with a heading that identifies the information as trade secret information. Blanket-type identification on whole pages or sections containing trade secret information will not assure protection. A statement that submitted information is copyrighted or otherwise protected does not prevent public access.

Minnesota Worker's Compensation Assigned Risk Plan

Notice of Request for Proposals for Collection Services

The Minnesota Worker's Compensation Assigned Risk Plan intends to contract with one or more licensed collection agencies to provide collection services. The contract period will commence on July 1, 2003. Interested parties may obtain the complete Request for Proposals by sending a written request by mail or fax to:

Minnesota Worker's Compensation Assigned Risk Plan
4500 Park Glen Road, Suite 410
Minneapolis, MN 55416
Fax: (952) 922-5423

Please provide an email address if you wish to receive the RFP via email. Deadline for submission of proposals is Thursday, May 22nd, 2003 at 4:00 p.m.

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.

