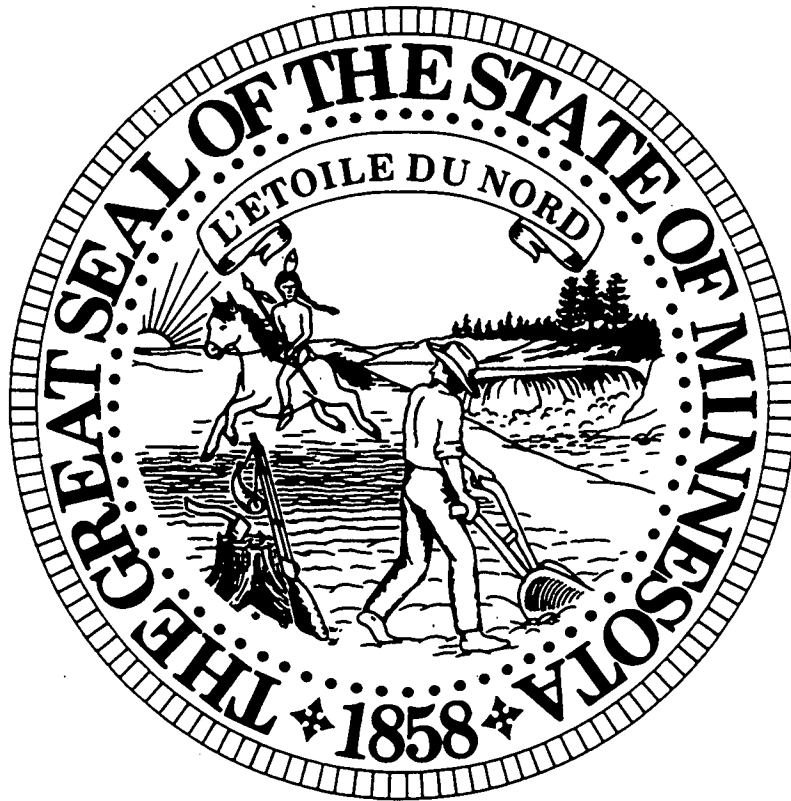


The Minnesota  
**State  
 Register**

Department of Administration—Print Communications Division



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# 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, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional-technical-consulting contracts, non-state bids and public contracts and grants.

A *Contracts Supplement* is published Tuesday, Wednesday and Friday and contains bids and proposals for commodities, including printing bids.

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25	Monday 19 December	Monday 5 December	Monday 12 December
26	Tuesday 27 December	Monday 12 December	Monday 19 December
26	Tuesday 3 January	Friday 16 December	Friday 23 December

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#### SENATE

**Briefly-Preview**—Senate news and committee calendar; published weekly during legislative sessions.

**Perspectives**—Publication about the Senate.

**Session Review**—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office (612) 296-0504  
Room 231 State Capitol, St. Paul, MN 55155

#### HOUSE

**Session Weekly**—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions.

**This Week**—weekly interim bulletin of the House.

**Session Summary**—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office (612) 296-2146  
Room 175 State Office Building, St. Paul, MN 55155

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For subscription information call 612/296-0931.

"Commodity Contract Awards Reports" are published every two weeks, and "Professional-Technical-Consulting Contract Awards Reports" are published monthly. Both are available through Minnesota's Bookstore, (612) 297-3000 or 1-800-657-3757.

Individual awards can be obtained from the **Materials Management Helpline** 612/296-2600.

# 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 75 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. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or 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 *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 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-657-3757.

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## Proposed Rules

Pursuant to Minn. Stat. §14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted

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*.

Pursuant to Minn. Stat. §§14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

## Minnesota Housing Finance Agency

### Proposed Permanent Rules Relating to Housing Finance; Capital Contribution of Investors; Certain Loan Programs; Clarification and Updates

#### Notice of Intent to Adopt a Rule without a Public Hearing

The Minnesota Housing Finance Agency intends to adopt a permanent rule without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, section 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule and may also submit a written request that a hearing be held on the rule.

**Agency Contact Person.** Comments or questions on the rule and written requests for a public hearing on the rule must be submitted to:

Judie VanDerBosch  
Minnesota Housing Finance Agency  
400 Sibley Street, Suite 300  
St. Paul, MN 55101-1998  
(612) 296-9793

**Subject of Rule and Statutory Authority.** The proposed rule is about Permanent Rules Relating to Housing Finance; Capital Contribution of Investors; Certain Loan Programs; Clarification and Updates. The statutory authority to adopt this rule is *Minnesota Statutes* 462A.06, subd. 4 and 11. A copy of the proposed rule is published in the "State Register" and attached to this notice as mailed. You have until 4:30 PM, January 13, 1995 to submit written comment in support of or in opposition to the proposed rule and any part or subpart of the rule. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 PM, on January 13, 1995. Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request, and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Modifications.** The proposed rule may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed rule as attached and printed in the "State Register." If the proposed rule affects you in any way, you are encouraged to participate in the rule making process.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule.

**Adoption and Review of Rule.** If no hearing is required, after the end of the comment period the agency may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the attorney general's decision on the rule. If you wish to be so notified, or wish to receive a copy of the adopted rule, submit your request to the agency contact person listed above.

Dated: 22 November 1994

Katherine G. Hadley  
Commissioner

Rules as Proposed

4900.0010 DEFINITIONS.

[For text of subps 1 to 6, see M.R.]

Subp. 7. Capital contribution of the investors.

A. "Capital contribution of the investors" means the excess of the value of the project at the times and in the manner determined by the agency, whether or not paid in cash, over the then current principal amount of the agency's loan;

(1) for those developments ~~which that~~:

~~A. (a)~~ have adequate reserves as determined by the agency;

~~B. (b)~~ all needed maintenance, as determined by the agency, has either been performed or is scheduled to be performed;

~~C. (c)~~ during the next 12-month period will require no major repairs or replacements, as determined by the agency, the payment of which would reduce the reserve accounts below an amount determined by the agency;

~~D. (d)~~ the operating expenses are paid in full;

~~E. (e)~~ have operating account balances equal to or greater than one month's total operating expenses;

~~F. (f)~~ have sustained an average occupancy by rent paying tenants of 95 percent or more for the prior 24 months;

~~G. (g)~~ have a current waiting list equal to at least 1-1/2 times the annual turnover for the prior 24 months, but the requirements of this ~~item~~ unit are not applicable to developments that have reserves equal to or exceeding the sum that is the greater of \$5,000 per dwelling unit or 30 percent of the outstanding principal balance of the mortgage;

~~H. (h)~~ the mortgage has not been delinquent during the prior 24 months;

~~I. (i)~~ the owner agrees to limit future rent increases to the amount needed to pay for increases in annual operating expenses which includes return on equity and the maintenance of adequate reserves as determined by the agency;

~~J. (j)~~ the owner agrees to maintain the development as Section 8 or Section 236 assisted housing for a minimum of 20 years from the effective date of the Housing Assistance Payments Contract or Agreement for Interest Reduction Payments, if one exists, and the minimum 20-year term has not yet expired and in excess of five years remain prior to its expiry date; and

~~K. (k)~~ the owner agrees to execute any documents that the agency deems necessary and appropriate to effectuate the intent of this definition; or

(2) for those developments that:

(a) meet the requirements of subitem (1), units (a) to (e), (h), and (i);

(b) have a current waiting list equal to at least 1-1/2 times the annual turnover for the prior 24 months, but the requirements of this unit are not applicable to developments that:

i. have sustained an average occupancy of rent paying tenants of 95 percent or more for the prior 24 months, and have reserves equal to or exceeding the sum that is the greater of \$5,000 per dwelling unit or 30 percent of the outstanding principal balance of the mortgage; or

ii. have reserves equal to or exceeding the sum that is the greater of 40 percent of the outstanding principal balance of the mortgage or \$5,000 per unit;

(c) have sustained an average occupancy of rent-paying tenants of 95 percent or more for the prior 24 months, but the requirements of this unit are not applicable to developments that have reserves equal to or exceeding the sum that is the greater of 40 percent of the outstanding principal balance of the mortgage or \$5,000 per unit;

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## Adopted Rules

(d) the owner agrees to maintain the development as Section 8 or Section 236 assisted housing for the maximum terms of the Housing Assistance Payments Contract or Agreement for Interest Reduction Payments, if one exists;

(e) the owner agrees not to prepay its mortgage with the agency; and

(f) the owner agrees to execute any documents that the agency deems necessary and appropriate to effectuate the intent of subitem (2), which shall include an agreement by the agency that the owner shall be entitled to cumulative dividends.

For all other developments, B. "Capital contribution of the investors" means the excess of the total development cost of the project as determined by the agency, whether or not paid in cash, over the original principal amount of the agency's loan for developments not meeting the requirements of item A, subitem (1) or (2).

[For text of subps 7a to 23, see M.R.]

## Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §§14.14-14.28 have been met and five working days after the rule is published in *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 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.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

## Department of Administration

### Building Code Division

### Adopted Permanent Rules Relating to the Minnesota Uniform Mechanical Code

The rules proposed and published at "State Register," Volume 19, Number 3, pages 133-151, July 18, 1994 (19 SR 133), are adopted with the following modifications:

#### Rules as Adopted

#### 1346.0302 SECTION 302.

UMC Section 302(b), the first paragraph, is amended to read as follows:

(b) Plans and specifications. Plans, engineering calculations, diagrams, and other data shall be submitted in one or more sets with each application for a permit. The building official may require that the plans or other data be prepared in accordance with the rules of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, and Interior Design, chapter 1800 and Minnesota Statutes, sections 326.02 to 326.15, and other state laws relating to plan and specification preparation by occupational licensees.



1346.2133 TABLE NO. 21-C.

UMC Appendix B, Table No. 21-C, is amended to read as follows:

TABLE NO. 21-C--CONTROLS AND LIMIT DEVICES FOR AUTOMATIC BOILERS

BOILER GROUP	FUEL	FUEL INPUT RANGE <sup>1</sup> (Inclusive)	TYPE OF PILOT <sup>2</sup>	Safety Control Timing (Nominal Maximum Time in Seconds)			ASSURED FUEL SUPPLY CONTROL <sup>4</sup>	ASSURED AIR SUPPLY CONTROL <sup>5</sup>	LOW FIRE START UP CONTROL <sup>6</sup>	PRE-PURGING CONTROL <sup>7</sup>	HOT WATER TEMPERATURE AND LOW WATER LIMIT CONTROLS <sup>8</sup>	STEAM PRESSURE AND LOW WATER LIMIT CONTROLS <sup>9</sup>	APPROVED FUEL SHUTOFF <sup>10</sup>	PDC <sup>10</sup>	CONTROL AND LIMIT DEVICE SYSTEM DESIGN <sup>11</sup>	
				TRIAL FOR PILOT	Trial For Main Burner Flame											
					DIRECT ELECTRIC IGNITION	FLAME PILOT										MAIN BURNER FLAME FAILURE <sup>3</sup>
A	Gas	0-400,000 BTU/h	Interrupted Intermittent or Continuous	90	Not Allowed	90	<del>90</del> 180	Not Required	Required	Not Required	Not Required	Required	Required	Required	Not Required	Required
B	Gas	400,001-999,999 BTU/h	Interrupted Intermittent	15	Not Allowed	15	2-4	Hi Gas Required	Required	Not Required	Required	Required	Required	Required	Not Required	Required
C	Gas	1,000,000-2,499,999 BTU/h	Interrupted	15	Not Allowed	15	2-4	Lo/Hi Gas Required	Required	Required	Required	Required	Required	Required	Required	Required
D	Gas	2,500,000 over BTU/h	Interrupted	10	Not Allowed	10	2-4	Lo/Hi Gas Required	Required	Required	Required	Required	Required	Required	Required	Required
E	Oil	0-5 GPH	Any Type	15	90	90	90	Not Required	Required	Not Required	Not Required	Required	Required	Required	Not Required	Required
F	Oil	Over 5 GPH	Interrupted	15	Not Allowed	15	2-4	Required	Required	Not Required	Required	Required	Required	Required	Not Required	Required
G	Oil	7 to 10 GPH	Interrupted	15	Not Allowed	10/15	2-4	Lo - Oil Required	Required	Required	Required	Required	Required	Required	Not Required	Required
H	Oil	Over 10 GPH	Interrupted	15	Not Allowed	10/15	2-4	Lo - Oil Required	Required	Required	Required	Required	Required	Required	Not Required	Required
K	Electric	All	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required	Required	Required	Not Required	Not Required	Required

FOOTNOTES FOR TABLE NO. 21-C

<sup>1</sup> Fuel input must be determined by the maximum burner input as shown on the burner nameplate.

<sup>2</sup> Automatic boilers must have one flame failure device on each burner that must prove the presence of a suitable ignition source at the point where it will reliably ignite the main burner, except that boiler group E that is equipped with direct electric ignition must monitor the main burner. Boiler group A equipped with continuous pilot must accomplish 100 percent shutoff within 90 seconds after flame failure. Boiler groups G and H trial for ignition timing is ten seconds for distillate oils and 15 seconds for oil requiring preheating.

<sup>3</sup> Electronic safety equipment must be provided for all burners exceeding 400,000 Btu/h input, except on multiple burner equipment where each section of 400,000 Btu/h input or fraction of it is supervised by an approved safety pilot.

<sup>4</sup> Boiler groups B, C, and D must have controls interlocked to accomplish a nonrecycling fuel shutoff upon high or low gas pressure and boiler groups B, C, D, F, G, and H using steam or air for fuel atomization must have controls interlocked to accomplish a nonrecycling fuel shutoff upon low atomizing steam or air pressure. Boiler groups F, G, and H equipped with a preheated oil system must have controls interlocked to provide fuel shutoff upon low oil temperature. Boiler groups F, G, and H must have controls for high oil temperature, and groups G and H must have controls for low oil pressure.

<sup>5</sup> Automatic boilers must have controls interlocked to shut off the fuel supply in the event of draft failure if forced or induced draft fans are used or, in the event of low combustion air flow, if a gas power burner is used. If a single motor directly driving both the fan and the oil pump is used, a separate control is not required.

<sup>6</sup> Boiler groups B, C, D, G, and H, when firing in excess of 400,000 Btu/h per combustion chamber, must be provided with low fire start of its main burner system to permit smooth light-off. This will normally be a rate of approximately one-third of its maximum firing rate.

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## Adopted Rules

<sup>7</sup> Boiler groups B, C, D, F, G, and H must not permit pilot or main burner trial for ignition operation before a purging operation. Purging is an acceptable method of scavenging the combustion chamber, boiler passages, and breeching to remove all combustion gases. It consists of at least four air changes for trial of ignition and after lockout at high fire damper setting, at least 90 seconds minimum. An atmospheric gas burner with no mechanical means of creating air movement or an oil burner that obtains two-thirds or more of the air required for combustion without mechanical means of creating air movement must not require purge by means of four air changes so long as its secondary air openings are not provided with means of closing. If burners have means of closing secondary air openings, a time delay must be provided that puts these closures in a normally open position for four minutes before an attempt for ignition. An installation with a trapped combustion chamber must in every case be provided with a mechanical means of creating air movement for purging.

<sup>8</sup> Every automatic hot water supply boiler, low pressure hot water heating boiler, and power hot water boiler must be equipped with two high temperature limit controls with a manual reset on the control with the higher setting interlocked to shut off the main fuel supply, except that manual reset on the high temperature limit control must not be required on an automatic package boiler not exceeding 400,000 Btu/h input and that has been approved by an approved testing agency. Every automatic hot water heating, power boiler, and package hot water supply boiler exceeding 400,000 Btu/h input must be equipped with one low water level limit control with a manual reset interlocked to shut off the fuel supply installed to prevent damage to the boiler and to permit testing of the control without draining the heating system.

<sup>9</sup> Every automatic low pressure steam heating boiler, small power boiler, and power steam boiler must be equipped with two high-steam pressure limit controls interlocked to shut off the fuel supply to the main burner with manual reset on the control with the higher setting and two low water level limit controls, one of which must be provided with a manual reset device and independent of the feed water controller.

<sup>10</sup> Boiler groups A, B, C, D, E, F, G, and H must use approved safety shutoff valves for the main burner fuel shutoff that must be interlocked to the flame safeguard control devices required under UMC Chapter 25. On oil burners where the safety shutoff valves will be subjected to pressures in excess of ten pounds per square inch when the burner is not firing, relief valves must be provided. Proof of closing valves must be provided for boiler groups C and D of over 1,000,000 Btu/h. The requirements in NFPA 85-A-1987 may be used for boilers of groups D and H with Btu/h input of over 12,500,000.

<sup>11</sup> Control and limit device systems must be grounded with operating voltage not to exceed 150 volts. Control and limit devices must interrupt the ungrounded side of the current. A readily accessible means of manually disconnecting the control circuit must be provided with controls so arranged that when they are de-energized the burner must be inoperative.

### 1346.2212 SECTION 2212.

UMC Appendix B, Section 2212, is amended to read as follows:

Section 2212. (a) Materials. Pipe used for the installation, alteration, or repair of gas piping must ~~be of~~ comply with the following minimum requirements:

1. Standard weight (schedule 40) wrought iron, galvanized or black steel.
2. Copper pipe of full weight standard gauge and thickness.
3. Copper tubing of standard type K, L, or of ACR (AIR CONDITIONING AND REFRIGERATION) specification.
4. Plastic pipe, tubing, and fittings shall be used outside underground only and shall conform with Standard Specification for Thermoplastic Gas Pressure Pipe, Tubing, and Fittings, ASTM D2513. Pipe to be used shall be marked "gas" and "ASTM D2513." The use of plastic pipe, tubing, and fittings in undiluted liquefied petroleum gas piping systems shall be in accordance with Standard for the Storage and Handling of Liquefied Petroleum Gases, ANSI/NFPA 58-1992.

(b) Fittings. Fittings for screw or flange piping, except stopcocks and valves, must be malleable iron or steel. Joints for copper tubing must be made with approved flared gas fittings or by brazing with a material having a melting point in excess of 1,000 degrees fahrenheit. Compression-type fittings must not be used for joining copper tubing.

Polyethylene plastic pipe tubing and fittings shall be joined in accordance with manufacturer's instructions. Joints may be made by heat fusion or mechanical fittings and must comply with ASTM D2513. Mechanical joints must not be used on polyethylene piping in excess of two-inch pipe size.

(c) Standards. Gas piping, fittings, and materials must be in compliance with the appropriate ANSI/ASME and ASTM Standards as referenced in NFPA 54-1992 Section 2.6.

(d) Steel pipe run outside exposed aboveground must be galvanized or coated with approved rust-resistant material.

(e) Copper or iron tubing must not be used for piping within the burner zone of the burners.

(f) Gas pipe must be new or may have been used previously for conveying gas. It must be in good condition, clean, and free from internal obstructions. Burred ends must be reamed to the full bore of the pipe.

(g) Valves and appurtenances for gas piping must be designed and approved for use with fuel gas.

**1346.2213 SECTION 2213.**

UMC Appendix B, Section 2213, is amended to read as follows:

Section 2213. (a) Joints. Metallic pipe joints in the piping system, unless welded, must be screwed joints having approved standard threads. Screwed metallic pipe joints must be made with approved pipe joint material, insoluble in fuel gas, and applied to the male threads only. Piping 2-1/2 inches or larger must have welded joints. Nonmetallic pipe may have joints using approved mechanical or heat fusion fittings.

(b) Location. Gas piping must not be installed in or on the ground under a building or structure and exposed gas piping must be kept at least ~~six~~ 3-1/2 inches above grade or structure. Concealed, unprotected gas piping may be installed above grade in approved recesses or channels.

EXCEPTIONS: 1. If necessary due to structural conditions, approved-type gas piping may be installed in other locations if permission has been first obtained from the building official.

2. If gas piping is to be run in false ceilings and the space is to be used as an air plenum, the piping must have all connections made by welding or brazing. No valves, threads, unions, or connectors are permitted.

(c) Drip tees. Drip tees comprised of a tee fitting with the bottom outlet capped must be installed at the base of supply piping dropping down to an automatically controlled gas burner or appliance, before any regulator or automatic gas valve, and ahead of all pounds-to-inches pressure regulators. The tee must be installed so that the gas enters the tee from the top and leaves at a 90 degree angle from the inlet.

(d) Corrosion and covering protection. Ferrous gas piping installed underground in exterior locations must be protected from corrosion by approved coatings or wrapping materials. Horizontal metallic piping must have at least six inches of earth cover or equivalent protection.

Nonmetallic piping shall have at least 18 inches of earth cover or equivalent protection. Risers, including prefabricated risers inserted with plastic pipe, shall be metallic and shall be protected in an approved manner to a point at least six inches above grade. When a riser connects to plastic pipe underground, the horizontal metallic portion underground shall be at least 30 inches in length before connecting to the plastic service pipe. An approved transition fitting or adaptor shall be used where the plastic joins the metallic riser.

(e) Corrosion isolation. If soil conditions present a corrosion problem, underground ferrous gas piping must be electrically isolated from the rest of the gas system with listed isolation fittings installed at least six inches above grade.

(f) [Unchanged.]

(g) Building shutoff. If meters are installed inside the building, a main shutoff valve must be installed in a readily accessible location inside the building on the street side of the meter.

If a meter or meters are installed on the exterior of the building walls, a main shutoff valve the same as the main building gas supply must be installed on the inside of the building between the meter and the first branch gas line. The shutoff valve must be installed in the first readily accessible location for use and operation and must have a permanently attached handle. In multiple dwellings, the main shutoff valve must not be located in an apartment or locked room, but must be in the utility room or otherwise located to be readily accessible to all occupants of the building at all times.

All main shutoff valves must be approved, lubricated plug-type, ball-type, or of a type approved by the administrative authority. Main shutoff valves controlling several gas piping systems must be placed an adequate distance from each other so they will be easily accessible for operation and must be installed to be protected from physical damage. Each valve must be plainly marked with a metal tag attached by the installing contractor so that the gas piping system supplied through it can be readily identified. A shutoff valve must be installed at every location where safety, convenience of operation, and maintenance demands.

In multiple tenant buildings supplied through a master meter or one service regulator when a meter is not provided, or where meters or service regulators are not readily accessible from the appliance location, an individual shutoff valve for each apartment or for each separate house line must be provided in an accessible location.

(h) Unions. Ground joint unions may be used at exposed fixture, appliance, or equipment connections and in exterior locations immediately on the discharge side of the building shutoff valve. Heavy-duty flanged type unions may be used in special cases when

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## Adopted Rules

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approved by the building official. Unions, flared fittings, running threads, right and left couplings, bushings, and swing joints made by a combination of fittings shall not be used on concealed gas piping inside a building.

(i) [Unchanged.]

(j) Valves. Valves used in connection with gas piping must be of approved types, including, but not limited to, approved lubricated plug-type, ball-type, or a type approved by the building official.

Gas valves must be of the lever handle type and be installed in the piping system serving each appliance, located within easy reach of the appliance. For inputs exceeding 1,000,000 Btu/h or where metering or regulating pressure exceeds 14 inches water column, the valve must be an approved, lubricated plug-type, ball-type, or of a type approved by the building official.

(k) and (l) [Unchanged.]

(m) [Unchanged.]

(n) [Unchanged.]

## Pollution Control Agency

### Adopted Permanent Rules Relating to Procedural Rules

The rules proposed and published at "State Register", Volume 19, Number 7, pages 323-340, August 15, 1994 (19 SR 323), are adopted with the following modifications:

#### Rules as Adopted

##### 7000.0100 DEFINITIONS.

Subp. 5a. **Interested person.** "Interested person" means persons who have submitted their names and addresses to the agency for inclusion on an agency list of persons to receive notice concerning a specific agency matter. Persons can place their names and addresses on an agency list for a specific matter by:

D. being named as a party to a contested case hearing for a specific agency matter.

In addition, for any matter regarding a permit, the permittee is an interested person.

##### 7000.0650 PUBLIC PARTICIPATION IN AGENCY MEETINGS.

Subp. 2. **Service on interested persons.** The commissioner shall serve on each interested person a copy of the proposed agenda for each agency meeting together with a copy of the agenda item prepared by agency staff. If the related written materials for the agenda item are not voluminous, the commissioner shall serve these materials, too. However, if the commissioner finds that the related written materials are so voluminous as to make it impractical for the commissioner to serve them on all interested persons, the commissioner shall serve on interested persons a notice stating that there are additional related written materials for the item in which the person is interested and that these additional related written materials can be viewed at the offices of the agency or can be requested from the agency. Service shall be made as described in items A and B.

B. For a special meeting or committee meeting of the agency, service by mail shall be made at least six days before the meeting. Personal service or service by facsimile shall be made at least three days before the meeting. However, the notice provisions of this part do not apply to emergencies which are addressed by the agency or commissioner under part 7000.5000.

The agency does not intend the notice and service requirements of this chapter or any other requirements of this chapter to prevent it from seeking to recover reasonable copying and preparation costs as authorized under *Minnesota Statutes*, section 13.03, subdivision 3. This subpart does not limit the agency staff from presenting written materials at agency meetings as described in subpart 7.

Subp. 6. **Written materials.** The agency shall consider timely, relevant written materials that interested persons submit concerning a matter on an agenda for an agency meeting. Recessing or continuing a meeting as provided under part 7000.0500, subpart 18, does not create a new opportunity to submit written comments, unless the chair states otherwise and establishes a schedule for submittal of additional written materials. ~~If comments are not submitted to the agency in a timely manner before a meeting is recessed or continued, the comments shall not be considered timely even if they are submitted before the date the meeting is reconvened.~~ Written statements will be considered timely and relevant only if they meet the following conditions:

E. for all matters except those under items A to D, service is timely as follows:

(2) for special meetings of the agency noticed less than ten days before the meeting, service is timely if all agency members and the commissioner are served personally or by facsimile before the agenda item is scheduled to be heard.

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## Withdrawn Rules

Notwithstanding the other restrictions of this subpart, the agency may give limited consideration to untimely written materials served under this item if consideration of the late materials does not prejudice other interested persons and there is reasonable time for the agency to consider the materials.

Subp. 7. Written presentations at agency meetings. Notwithstanding the restrictions of subparts 2 and 6, the agency shall consider relevant written materials presented by an interested person or by agency staff at an agency meeting if such consideration does not prejudice other interested persons and there is reasonable time for the agency to consider the materials during the course of the meeting. These materials may include, but are not limited to, materials responsive to relevant information that was not available prior to the established deadlines of subpart 6, written versions or summaries of oral presentations, letters, visual aids, and clarifications or corrections of written materials.

### 7000.1800 PETITION FOR CONTESTED CASE HEARING.

#### Subp. 2. Contested case petition contents.

A. A petition for a contested case hearing shall include the following information:

A. (1) a statement of reasons or proposed findings supporting an agency decision to hold a contested case hearing pursuant to the criteria in part 7000.1900, subpart 1; and

~~B. (2) a statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested; or resolution of the matter.~~

~~C. B. To the extent known by the petitioner, a petition for a contested case hearing may also include the following information:~~

~~(1) a proposed list of reasonably known prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;~~

~~D. (2) a proposed list of reasonably known publications, references, or studies to be introduced and relied upon at a contested case hearing; and~~

~~E. (3) an estimate of time required for petitioner to present the matter at a contested case hearing.~~

C. A petitioner is not bound or limited to the witnesses, materials, or the estimated time identified in the petition if the requested contested case is granted by the agency.

### 7001.0125 MEETING WITH AND REPORT OF COMMISSIONER.

Subpart 1. Meeting with commissioner. Petitioners for a contested case hearing may request to meet with the commissioner. The commissioner shall review petitions for a contested case hearing and, upon concluding that a meeting would assist the agency in resolving controversy, narrowing issues, or in otherwise reviewing the matter, and that there is sufficient time for a meeting, the commissioner shall arrange a meeting with petitioners to discuss:

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## Withdrawn Rules

### Department of Agriculture

#### Plant Protection Division

#### Notice of Withdrawal of Proposed Rule

NOTICE IS HEREBY GIVEN that the proposed rule governing genetically engineered organisms, as published in the "State Register" on September 26, 1994, pages 679-687, (19 S.R. 679), is withdrawn.

Dated: 21 November 1994

Elton Redalen  
Commissioner

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# Official Notices

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Pursuant to the provisions of Minnesota Statutes §14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

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## Minnesota Comprehensive Health Association

### Notice of Meeting of the Board of Directors

**NOTICE IS HEREBY GIVEN** that the Minnesota Comprehensive Health Association (MCHA) Board of Directors will meet on Tuesday, December 20, 1994 at 4:00 p.m. at the Whitney Hotel, 150 Portland Avenue South, Minneapolis. The meeting will be in the 5th floor salons.

For additional information please call Lynn Gruber at (612) 593-9609.

## Minnesota Comprehensive Health Association

### Notice of Legislative and Public Policy Committee Meeting

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association (MCHA), Legislative and Public Policy Committee will meet at 8:30 a.m. on Tuesday, December 13, 1994 at Park Place Center, 5775 Wayzata Boulevard, St. Louis Park, Minnesota. The meeting will be in Suite #746.

For additional information please call Lynn Gruber at (612) 593-9609.

## Department of Health

### Before the Commissioner of Health

### Notice and Order of Continuation of Hearing in the Matter of the License Application of Chisago Lakes Rescue Service, Inc., Chisago City, Minnesota

**NOTICE IS HEREBY GIVEN** that pursuant to the Findings of Fact, Conclusions and Final Order issued on April 4, 1994 regarding the above captioned matter, the hearing on the application of Chisago Lakes Rescue Services, Inc., Chisago City, Minnesota for a change in type of license from Basic Ambulance to Advanced Ambulance will be reconvened.

#### **IT IS THEREFORE ORDERED AND NOTICE IS HEREBY GIVEN THAT:**

1. The reconvened public hearing is scheduled for January 9, 1995 at Chisago City Community Center, 10825 Lake Boulevard, Chisago City, Minnesota, commencing at 7:00 p.m. and will be conducted pursuant to *Minnesota Statutes* §§ 14.57-14.69 and 144.802. The hearing is limited to matters addressed in Finding Nos. 3 to 8, Conclusion No. 2 and the relevant parts of the Memorandum of Commissioner's Order - Number AMB-94-5-MDH. If you have an interest in this matter you are hereby urged to attend the public hearing. Failure to do so may prejudice your rights in this and any subsequent proceedings in this matter.
2. The purpose of the hearing is to determine whether the application from this ambulance service should be granted based upon the criteria set forth in *Minnesota Statutes* § 144.802, subd. 3(g). All evidence submitted in conjunction with the hearing in this matter held on November 30, 1993, remains a part of the record. The Administrative Law Judge and the Commissioner will consider that evidence, along with any new evidence submitted as part of the reconvened hearing scheduled for January 9, 1995 in making a recommendation and issuing a final order.
3. This proceeding has been initiated pursuant to and will be controlled in all aspects by *Minnesota Statutes* §§ 144.801 - 144.8093, *Minnesota Statutes* §§ 14.57 - 14.69, and Rules for Contested Cases of the Office of Administrative Hearings, *Minnesota Rules* 1400.5100 - 1400.8402. Copies of the rules and statutes may be obtained for a fee from the Department of Administration, Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, telephone: (612) 297-3000.
4. Allan W. Klein, Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone: (612) 341-7609; will preside as administrative law judge at the hearing, and will make a written recommendation

on this application. After the hearing, the record and the administrative law judge's recommendation will be forwarded to the Commissioner to make the final determination in the matter.

5. In addition to or in place of participating at the hearing, any person may also submit written recommendations for the disposition of the application. These recommendations must be mailed to the administrative law judge on or before January 11, 1995.

6. Any subpoena needed to compel the attendance of witnesses or the production of documents may be obtained pursuant to *Minnesota Rules* 1400.7000.

7. At the hearing the applicant will present its evidence showing that a license should be granted and that all persons will be given an opportunity to cross-examine witnesses, to be heard orally, to present witnesses, and to submit written data or statements. All persons are encouraged to participate in the hearing and are requested to bring to the hearing all documents, records, and witnesses needed to support their position. It is not necessary to intervene as a party in order to participate in the hearing.

8. Please be advised that if nonpublic data is admitted into evidence, it may become public data unless an objection is made and relief is requested under *Minnesota Statutes* § 14.60, subd. 2.

9. You are hereby informed that you may choose to be represented by an attorney in these proceedings, may represent yourself, or be represented by a person of your choice if not otherwise prohibited as the unauthorized practice of law.

10. In accordance with the provisions of *Minnesota Statutes* § 14.61, the final decision of the Commissioner in this proceeding will not be made until the Report of the Administrative Law Judge has been made available to the parties in this proceeding for at least 10 days. Any party adversely affected by the Report of the Administrative Law Judge has the right to file exceptions and present arguments to the Commissioner. Any exceptions or arguments must be submitted in writing and filed with the Commissioner of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440, within 10 days of the receipt of the Administrative Law Judge's Report.

Dated: 24 October, 1994

Mary Jo O'Brien  
Commissioner of Health

## Department of Human Services

### Home and Community-Based Services Division

#### Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing the Licensure of Medical Assistance Personal Care Providers

**NOTICE IS HEREBY GIVEN** that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose the adoption of the rule governing licensure of Medical Assistance (MA) personal care providers. The adoption of the rule is authorized by *Minnesota Statutes*, section 256B.04, subdivision 16, and *Minnesota Statutes*, sections 144A.43 to 144A.49, which permit the commissioner of human services and the commissioner of health to jointly promulgate rules to be applied to the licensure of personal care services provided under the medical assistance program.

During the course of the rule development process the following issues may be considered: provisions to assure the health, safety and well-being, and appropriate treatment of persons who receive personal care services; standards of training for personal care assistants; standards of supervision by a registered nurse; requirements for the involvement of a consumer's physician; standards for record keeping; and licensure fees.

The State Department of Human Services will form an advisory task force to aid in the development of the rule. The State Department of Human Services will invite the following persons or associations to join the advisory task force: consumers of personal care service; consumer advocates; representatives of county social service agencies; a home care ombudsman; Minnesota Home Care Association; Minnesota Nurses Association; personal care provider organizations; Minnesota Disability Law Center; Minnesota Association of Homes for the Aged; Minnesota Medical Association; and the Association of Residential Resources in Minnesota.

The State Department of Human Services will appoint the advisory task force by December 28, 1994. It is expected that the advisory task force will complete consideration of the rule by March 9, 1995.

The Department anticipates that the rule adoption process will take approximately 18 months.

The State Department of Human Services requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be

## Official Notices

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addressed to: Carol Grant, Minnesota Department of Human Services, Appeals and Regulations Division, 444 Lafayette Road, St. Paul, Minnesota 55155-3816. Oral statements will be received by Carol Grant during regular business hours over the telephone at (612) 297-1217 and in person at the above address. For TDD, contact Minnesota Relay Service at (612) 297-5353 or 1-800-627-3529.

All statements of information and opinions shall be accepted until further notice is published in the "State Register" or the Notice of Hearing or Notice of Intent to Adopt Rules Without a Hearing is published in the "State Register." Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 19 December 1994

Carol Grant  
Appeals and Regulations Division  
Department of Human Services

## Department of Human Services

### Vacancies on Medicaid Citizen's Advisory Committee

Pursuant to 42 *Code of Federal Regulations* 431.12, the Minnesota Department of Human Services seeks applications from Minnesotans interested in serving on the Medicaid (Title XIX) Citizen's Advisory Committee. In general, the purpose of the committee is to ensure that continued high quality health and medical services are provided to low-income persons. The committee, representing Medicaid recipients, advises the Department and helps define what the Medicaid program should be in relationship to future technological needs. Specifically, the committee explores designated problem areas, evaluates Department programs, makes specific recommendations and resolutions, and contributes to the formulation of Department policy and standards.

Representatives from the following groups are sought; board-certified physicians; health care professions; consumers' groups (including Medicaid recipients); consumer organizations (including labor unions, cooperatives, and consumer-sponsored prepaid group practice plans); and the Minnesota Department of Health. Current committee members and individuals who are familiar with the medical needs of low-income populations, who have specific, relevant experience or knowledge of the Medicaid program, or who represent organizations with large and diverse membership are encouraged to express their interest.

Members serve for one calendar year and volunteer their time and service to the committee. Committee meetings are held quarterly at the Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota.

For further information, contact Stephanie Schwartz, Minnesota Department of Human Services at (612) 297-7198, or send a letter of interest and resume/curriculum vitae to Stephanie Schwartz, Federal Relations Unit, Minnesota Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota 55155-3853. Letters of interest will be accepted until January 20, 1995.

## Department of Labor and Industry

### Labor Standards Division

### Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective December 12, 1994 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

**Cook:** Cook County North Shore Hospital-Grand Marais.

**Dakota:** So. St. Paul High School Crawlspace/Tunnel-So. St. Paul.

**Hennepin:** Hennepin County Sheet Metal Miscellaneous Annual Contract-Mpls; Hennepin County ADA Corrections Southdale/Brookdale Service Center-Edina/Brooklyn Center; Lake Minnetonka Regional Park Phase I Minnestrista.

**Kandiyohi:** Willmar Rice Memorial Hospital-Willmar.

**Koochiching:** County Recycling/Transfer Facility-International Falls.

**Ramsey:** Edgerton Elementary School-Maplewood.

**St. Louis:** Floodwood School Renovations-Floodwood; U of M Marshall Performing Arts Water Pipe Replacement-Duluth.



**Washington:** Cottage Grove WWTP Phase 9 Final Clarifiers-Cottage Grove; Oltman Jr. High Asbestos Light Blanket Removal & Phase 2 Repair and Renovation-St. Paul Park.

Copies of the certified wage rate for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

John B. Lennes, Jr.  
Commissioner

## Office of the Ombudsman for Mental Health and Mental Retardation

### Notice of Meeting of Advisory Committee

The Ombudsman for Mental Health and Mental Retardation Advisory Committee will hold a general meeting from 9:00 a.m. until 1:00 p.m. on Thursday, December 15, 1994. The meeting will be held in Suite 202, Metro Square Building on 7th and Robert Street, St. Paul.

## Pollution Control Agency

### Air Quality Division

### Notice of Technician Certification Requirement for Appliance Recyclers

The purpose of this notice is to inform the regulated community of a requirement for recyclers of major appliances, as defined in *Minnesota Statutes* § 115A.03, subd. 17a., to obtain technician certification by January 1, 1995. Further, this notice will designate what certification programs are deemed approved by the commissioner. The certification requirement is part of the Waste Management Act Amendment of 1994, and can be found in *Minnesota Statutes* § 116.735, which states in part:

... A person engaged in the business of recycling appliances as described in section 115A.9561, subdivision 2, shall ... obtain from the commissioner a certificate of competence or equivalent federal certification that has been approved by the commissioner.

Note: The effective date of *Minnesota Statutes* § 116.735 is January 1, 1995.

**NOTICE IS HEREBY GIVEN** that the commissioner of the Minnesota Pollution Control Agency (MPCA), pursuant to the authorities granted under *Minnesota Statutes* § 116.735 (1994), approves the certification programs that have received approval by the United States Environmental Protection Agency (U.S. EPA) under *Code of Federal Regulations*, title 40, part 82, subpart F, as amended.

Technician certifications shall be issued by the approved certification program upon the technician's successful completion of an examination. The MPCA will not be issuing technician certifications, but will accept technician certifications received from U.S. EPA approved programs.

Persons recycling major appliances must obtain the type of certification designed for the type of appliance or appliances being recycled. Persons who recycle major appliances that are considered small appliances, as defined in *Code of Federal Regulations*, title 40, part 82.152(x), must be properly certified as Type I technicians. Persons who recycle major appliances that are considered high or very high-pressure appliances, as defined in *Code of Federal Regulations*, title 40, part 82.152(g) and (aa), except small appliances and MVACs, must be properly certified as Type II technicians. Persons who recycle major appliances that are considered low-pressure appliances, as defined in *Code of Federal Regulations*, title 40, part 82.152(j) must be properly certified as Type III technicians. Persons who recycle major appliances that are considered low and high-pressure equipment must be properly certified as Universal technicians. Please note that all Code of Federal Regulation citations are as referenced in 59 *Federal Register* 55912-55927 (November 9, 1994).

Information on the stratospheric ozone protection regulations and a current list of the approved certification programs can be obtained by contacting Troy Johnson by mail at the Minnesota Pollution Control Agency, Air Quality Division, 520 Lafayette Road North, St. Paul, Minnesota 55155, or phone at (612) 297-7153 or (800) 657-3864.

Charles W. Williams  
Commissioner

## Official Notices

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### Minnesota Property Insurance Placement Facility

#### Notice of Meeting of the Governing Board

NOTICE IS HEREBY GIVEN that a meeting of the Governing Board of the Minnesota Property Insurance Placement Facility will be held at 9:00 a.m. on Thursday, December 15, 1994 at the office of the Minnesota Property Insurance Placement Facility, 1201 Marquette Avenue, Suite 310, Minneapolis, MN. For additional information, please call 338-7584.

### Department of Public Safety

#### Emergency Response Commission

#### Notice of 1995 Meeting Dates

The Emergency Response Commission meetings are held on the second Thursday of the month. Business normally includes issues concerning Community Right-to-Know, Emergency Planning, and Hazardous Materials.

1995 meeting dates at a site to be determined are:

February 9, 1995  
March 9, 1995  
April 13, 1995  
May 11, 1995  
June 8, 1995  
August 10, 1995  
September 14, 1995  
October 12, 1995  
November 9, 1995  
December 14, 1995

All meetings will be held at 9:30 a.m. For additional information, you may contact the Commission at (612) 643-3000.

### Department of Transportation

#### Notice of Meeting and Appointment of a State Aid Variance Committee

NOTICE IS HEREBY GIVEN that the Commissioner of Transportation has appointed a State Aid Variance Committee who will conduct a meeting on Wednesday, December 14, 1994 at 9:30 a.m. in Conference Room 194, Water's Edge Building, 1500 West County Road B-2, Roseville Minnesota, 55113.

This notice is given pursuant to *Minnesota Statute* 471.705.

The purpose of this open meeting is to investigate and determine recommendations for variances from minimum State Aid roadway standards and administrative procedures as governed by *Minnesota Rules* for State Aid Operations 8820.3100 and 8820.3300 adopted pursuant to *Minnesota Statutes* 161 and 162.

The agenda will be limited to these questions:

- 1. Petition of Redwood County** for a variance from *Minnesota Rules* to allow an in-place bridge width of 24.2 feet and an inventory load rating of H-12.3, in lieu of the required 28 foot width and H-15 load rating on Bridge No. 92190 within a proposed construction project on County State Aid Highway No. 17, between County Road 66, approximately 2 miles north of Wanda, Minnesota, and Trunk Highway No. 68.
- 2. Petition of the City of Stillwater** for a variance from *Minnesota Rules* to allow two 27 mph and one 29 mph vertical curves to remain in-place on the proposed resurfacing project on Myrtle Street (Municipal State Aid Street No. 104), between Owens Street and 5th Street in the City of Stillwater, in lieu of the required 30 mph design speed.
- 3. Petition of Hennepin County** for a variance from *Minnesota Rules* to allow the expenditure of State Aid funds for the proposed construction project on County State Aid Highway No. 55 (Townline Road), between Trunk Highway No. 101 and County State Aid Highway No. 4 in the Cities of Minnetonka and Eden Prairie, for which plans were approved after the award of contract, in lieu of the required plan approval prior to award of contract.

**4. Petition of Renville County** for a variance from *Minnesota Rules* to allow a curb to curb street width of 60 feet with diagonal parking allowed on both sides, in lieu of the required curb to curb street width of 66 feet with diagonal parking allowed on both sides on the proposed reconstruction project on 9th Street North (County State Aid Highway No. 33), between Lincoln Avenue (Trunk Highway No. 212) and the TC & W railroad tracks in the City of Olivia.

**5. Petition of the City of South St. Paul** for a variance from *Minnesota Rules* to allow a horizontal design speed of 25 mph, in lieu of the required 30 mph design speed on the proposed reconstruction project on Stikney Avenue (M.S.A.S. 111), between Bircher Avenue and Annapolis Street in the City of South St. Paul.

**6. Petition of the City of Duluth** for a variance from *Minnesota Rules* to allow a 2 foot shoulder width, 3:1 inslopes and 7 foot recovery area; in lieu of the required 4 foot shoulder width, 4:1 inslopes and 15 foot recovery area on the proposed reconstruction project on Skyline Parkway (M.S.A.S. 176), between Glenwood Street and a point 2400 feet easterly in the City of Duluth.

**7. Petition of the City of Duluth** for a variance from *Minnesota Rules* to allow a 20 mph design speed, in lieu of the required 30 mph design speed on a proposed bridge replacement project on Skyline Parkway (M.S.A.S. 179), proposed Bridge No. 69614, from a point approximately 1.28 to 1.31 miles north of the Junction of Trunk Highway No. 194 in the City of Duluth.

**8. Petition of Dakota County** for a variance from *Minnesota Rules* to allow a curb to curb street width of 72 feet with 50 degree diagonal parking, in lieu of the required 45 and 60 degree minimum standards, on the proposed reconstruction project on West Second Street (County State Aid Highway No. 42), between Eddy Street and Trunk Highway No. 61 in the City of Hastings.

The cities and counties previously listed are requested to follow the following time schedule when appearing before the Variance Committee:

9:30 a.m.	Redwood County
9:45 a.m.	City of Stillwater
10:00 a.m.	Hennepin County
10:15 a.m.	Renville County
10:45 a.m.	South St. Paul
11:00 a.m.	City of Duluth
11:30 a.m.	Dakota County

Dated: 2 December 1994

Patrick M. Murphy  
Division Director  
State Aid for Local Transportation

## Department of Transportation

### Petition of Redwood County for a Variance from State Aid Requirements for BRIDGE WIDTH AND LOAD RATING

**NOTICE IS HEREBY GIVEN** that the County Board of Redwood County has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed construction project on County State Aid Highway No. 17, between County Road 66, approximately 2 miles north of Wanda, Minnesota, and Trunk Highway No. 68.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9910, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit Bridge No. 92190 to remain in place with a width of 24.2 feet curb to curb, and an inventory load rating of H-12.3, in lieu of the required 28 foot curb to curb width and H-15 load rating on the proposed construction project on County State Aid Highway No. 17, between County Road 66, approximately 2 miles north of Wanda, Minnesota, and Trunk Highway No. 68.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the "State Register," the variance can be granted only after a contested case hearing has been held on the request.

Dated: 2 December 1994

Patrick M. Murphy  
Division Director  
State Aid for Local Transportation

## Official Notices

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### Department of Transportation

#### Petition of the City of Stillwater for a Variance from State Aid Requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Stillwater City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed resurfacing project on Myrtle Street (Municipal State Aid Street No. 104), between Owens Street and 5th Street in the City of Stillwater.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9945, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit two 27 mph vertical curves and one 29 mph vertical curve on the proposed resurfacing project on Myrtle Street (Municipal State Aid Street No. 104), between Owens Street and 5th Street in the City of Stillwater, in lieu of the required 30 mph design speed.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the "State Register," the variance can be granted only after a contested case hearing has been held on the request.

Dated: 2 December 1994

Patrick M. Murphy  
Division Director  
State Aid for Local Transportation

### Department of Transportation

#### Petition of Hennepin County for a variance from State Aid requirements for PLAN APPROVAL AFTER AWARD OF CONTRACT

NOTICE IS HEREBY GIVEN that the County Board of Hennepin County has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed construction project on County State Aid Highway No. 55, between Trunk Highway No. 101 and County State Aid Highway No. 4 in the Cities of Minnetonka and Eden Prairie, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2800, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to allow the use of State Aid funds to be expended on the proposed construction project on County State Aid Highway No. 55, between Trunk Highway No. 101 and County State Aid Highway No. 4 in the Cities of Minnetonka and Eden Prairie, for which final plans were approved by the State Aid Engineer after award of contract, in lieu of the required plan approval prior to award of contract.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the "State Register," the variance can be granted only after a contested case hearing has been held on the request.

Dated: 2 December 1994

Patrick M. Murphy  
Division Director  
State Aid for Local Transportation

### Department of Transportation

#### Petition of Renville County for a Variance from State Aid Requirements for DIAGONAL PARKING

NOTICE IS HEREBY GIVEN that the Renville County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on 9th Street

North (County State Aid Highway No. 33) between Lincoln Avenue (Trunk Highway No. 212) and the TC & W Railroad tracks in the City of Olivia.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9960, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a curb to curb street width of 60 feet with diagonal parking allowed on both sides; in lieu of the required curb to curb width of 66 feet with diagonal parking allowed on both sides on the proposed reconstruction project on 9th Street North (County State Aid Highway No. 33), between Lincoln Avenue (Trunk Highway No. 212) and the TC & W railroad tracks in the City of Olivia.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the "State Register," the variance can be granted only after a contested case hearing has been held on the request.

Dated: 2 December 1994

Patrick M. Murphy  
Division Director  
State Aid for Local Transportation

## Department of Transportation

### Petition of the City of South St. Paul for a Variance from State Aid Requirements for DESIGN SPEED

**NOTICE IS HEREBY GIVEN** that the South St. Paul City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on Stikney Avenue (M.S.A.S. 111), between Bircher Avenue and Annapolis Street in the City of South St. Paul.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9935, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a horizontal design speed of 25 mph, in lieu of the required 30 mph design speed, on the proposed reconstruction project on Stikney Avenue (M.S.A.S. 111), between Bircher Avenue and Annapolis Street in the City of South St. Paul.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the "State Register," the variance can be granted only after a contested case hearing has been held on the request.

Dated: 2 December 1994

Patrick M. Murphy  
Division Director  
State Aid for Local Transportation

## Department of Transportation

### Petition of the City of Duluth for a Variance from State Aid Requirements for DESIGN STANDARDS

**NOTICE IS HEREBY GIVEN** that the Duluth City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on Skyline Parkway (M.S.A.S. 176) between Glenwood Street to a point 2400 feet easterly in the City of Duluth.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9910, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a 2 foot shoulder width, 3:1 inslopes, and a 7 foot recovery area; in lieu of the required 4 foot shoulder width, 4:1 inslopes, and 15 foot recovery area on the proposed reconstruction project on Skyline Parkway (M.S.A.S. 176), between Glenwood Street and a point 2400 feet easterly in the City of Duluth.

## Official Notices

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Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the "State Register," the variance can be granted only after a contested case hearing has been held on the request.

Dated: 2 December 1994

Patrick M. Murphy  
Division Director  
State Aid for Local Transportation

## Department of Transportation

### Petition of the City of Duluth for a Variance from State Aid Requirements for DESIGN SPEED

**NOTICE IS HEREBY GIVEN** that the Duluth City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed bridge replacement project on Skyline Parkway (M.S.A.S. 179) between a point approximately 1.28 and 1.31 miles north of the junction of Trunk Highway No. 194 in Duluth at the site of proposed Bridge No. 69614.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9935, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to a 20 mph design speed, in lieu of the required 30 mph design speed on the proposed bridge replacement project on Skyline Parkway (M.S.A.S. 179) at the proposed Bridge No. 69614 site in Duluth, Minnesota.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the "State Register," the variance can be granted only after a contested case hearing has been held on the request.

Dated: 2 December 1994

Patrick M. Murphy  
Division Director  
State Aid for Local Transportation

## Department of Transportation

### Petition of Dakota County for a Variance from State Aid Requirements for DIAGONAL PARKING

**NOTICE IS HEREBY GIVEN** that the Dakota County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on West Second Street (County State Aid Highway No. 42), between Eddy Street and Trunk Highway No. 61 in the City of Hastings.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9960, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a curb to curb street width of 72 feet with 50 degree diagonal parking allowed on both sides; in lieu of the required minimum standards for 45 and 60 degree diagonal parking on both sides on the proposed reconstruction project on West Second Street (County State Aid Highway No. 42), between Eddy Street and Trunk Highway No. 61 in the City of Hastings.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the "State Register," the variance can be granted only after a contested case hearing has been held on the request.

Dated: 2 December 1994

Patrick M. Murphy  
Division Director  
State Aid for Local Transportation

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant 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 notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

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## Department of Economic Security

### Notice of Request for Proposals for Construction or Rehabilitation of Curfew and Truancy Centers in Hennepin and Ramsey Counties

The Community Based Services Division of the Minnesota Department of Economic Security is pleased to announce the availability of a total of \$500,000 in funds authorized by the 1994 Minnesota Legislature to build two Truancy and Curfew Centers, one in Hennepin County and one in Ramsey County (Chapter 643, HF 218, Article I, Sec. 17, Subd. 3).

At least 25 percent of the funds awarded under this grant must be used for related youth employment and training activities and must be documented in the proposal. Programs which are eligible to participate must consult with appropriate labor organizations. Eligible employment and training program operators will also have to demonstrate a verifiable track record of operating a construction training program.

Only local units of government within Hennepin or Ramsey County are eligible to receive funding; however, local units may choose to contract with service providers to manage the property and operate the program, or they may choose to lease the property to a bona fide nonprofit organization which can provide appropriate services at each of the Truancy and Curfew Centers.

No grant shall exceed \$250,000 with consideration given to proposals which leverage other public and private sector sources of funding.

One grant will be awarded for a facility in Hennepin County and one will be awarded for a facility in Ramsey County. An application and further information regarding the proposal process may be obtained by contacting:

John Olson  
Minnesota Department of Economic Security  
Community Based Services Division  
390 North Robert Street, Room 125  
St. Paul, Minnesota 55101  
Phone: (612) 282-2732  
Fax: (612) 297-5820

All applications must be completed and returned to the above address no later than 4:00 p.m. on Friday, March 17, 1995.

## Department of Education

### Resources and Services Division

#### Proposal Readers Wanted for Indian Education Grant Programs

Readers are being sought to read proposals for the Fiscal Year 1996

*American Indian Language and Culture Education Program (AILCE)*

*Post-Secondary Preparation Program (PSPP)*

**NUMBER OF READERS SOUGHT:** 4 (AILCE) and 4 (PSPP)

**TIME OBLIGATION:** 2.5 Days (overnight included) in St. Paul for meetings *plus* proposal reading on your own (2 weeks) *plus* travel time to St. Paul

**COMPENSATION:** \$450.00 plus reimbursement for expenses

**ELIGIBILITY / QUALIFICATIONS:**

- Parents of children eligible to be enrolled in American Indian education programs;
- American Indian language and culture education teachers and aides;

## State Grants

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- Representative from American Indian communities or Tribal governments;
- Person experienced in the training of teachers for American Indian education programs;
- Persons involved in programs for American Indian children in American Indian schools;
- Persons knowledgeable in the field of American Indian education; and
- Students enrolled in post-secondary education programs in American Indian education.

**\*ALL READERS SHOULD HAVE EXPERIENCE IN READING GRANT PROPOSALS\***

**DUTIES:** Readers will be given 1/2 day of in-service for instructions and orientation. PSPP readers will meet February 3, 1995 and AILCE readers will meet February 24, 1995. They will have 2 weeks to read approximately 28-36 proposals, each approximately 20 pages in length. They will evaluate each proposal against State Board of Education adopted *Selection Criteria* and rate each criterion by assigning points to each proposal. PSPP readers will meet again on February 23 & 24, 1995 and AILCE readers will meet again on March 7 & 8, 1995 to assign team points to proposals.

**HOW TO APPLY:** Send letter stating interest to serve as a reader. Briefly describe your experience reading proposals or grant application and/or your background in American Indian education programs. Include a current resume.

Letter must be *received no later than January 6, 1995 for PSPP readers and no later than January 13 for AILCE readers*. PSPP readers will be notified by January 13, 1995. AILCE readers will be notified by January 27, 1995. Proposal reading must be completed before you return to St. Paul for your second meeting. Send letters to:

Indian Education Section  
Minnesota Department of Education  
740 Capitol Square Building  
550 Cedar Street  
St. Paul, Minnesota 55101  
Office phone number: (612) 296-6458  
FAX number: (612) 297-7895

## Department of Human Services

### MinnesotaCare

#### Notice of Request for Expression of Interest and Information from Potential Prepaid Health Plan Contractors

Under the authority of *Minnesota Statutes* Section 256.9363, the Minnesota Department of Human Services (DHS) is soliciting formal letters of interest and additional information from qualified health plans and CISNs, as well as provider networks and cooperatives to provide comprehensive health care services to MinnesotaCare enrollees throughout Minnesota under a risk-based contract with the State.

This Request for Information and Interest (RFI) represents the first step in identifying potential statewide managed care contractors for MinnesotaCare. Instituting managed care for all MinnesotaCare enrollees is consistent with the DHS Managed Care Plan for MA, GAMC and MinnesotaCare as submitted to and approved by the 1993 Minnesota Legislature. A copy of this document is available from DHS upon request.

A Request for Proposals (RFP) will be issued in 1995 after DHS has received a decision from the Department of Health and Human Services (DHHS) regarding DHS' recently submitted MinnesotaCare Health Care Reform Waiver request. The DHHS response will determine, in part, the shape of the MinnesotaCare program, namely which individuals are eligible and what benefit package they may receive.

MinnesotaCare, a state-subsidized health program administered by the Department of Human Services, was established by the 1992 MinnesotaCare Act (*Laws of Minnesota* 1992, Chapter 549). In order to participate, individuals must belong to an eligible group, meet income criteria, satisfy other eligibility requirements and pay a premium. Currently children, parents and dependent siblings residing in the same household as well as single adults and families without children may enroll if they meet the eligibility criteria.

Currently, 76,000 individuals are enrolled in MinnesotaCare. As of May 16, 1994, with 69,605 individuals enrolled, the following table represents enrollment by county:



AITKIN	577	MARSHALL	408
ANOKA	3,450	MARTIN	423
BECKER	1,266	MECKER	554
BELTRAMI	1,123	MILLE LACS	481
BENTON	444	MORRISON	1,282
BIG STONE	280	MOWER	554
BLUE EARTH	669	MURRAY	245
BROWN	343	NICOLLET	246
CARLTON	540	NOBLES	375
CARVER	536	NORMAN	359
CASS	976	OLMSTED	955
CHIPPEWA	375	OTTER TAIL	1,960
CHISAGO	798	PENNINGTON	413
CLAY	747	PINE	741
CLEARWATER	358	PIPESTONE	259
COOK	95	POLK	810
COTTONWOOD	277	POPE	421
CROW WING	1,493	RAMSEY	5,308
DAKOTA	2,824	RED LAKE	347
DODGE	284	REDWOOD	441
DOUGLAS	979	RENVILLE	555
PARIBAUT	326	RICE	680
FILLMORE	372	ROCK	228
FREEBORN	614	ROSEAU	324
GOODHUE	486	ST. LOUIS	3,284
GRANT	224	SCOTT	633
HENNRIPIN	8,991	SHERBURNE	858
HOUSTON	248	SIBLEY	260
HUBBARD	735	STEARNS	1,508
ISANTI	709	STEELE	282
ITASCA	1,509	STEVENS	227
JACKSON	199	SWIFT	420
KANABEC	370	TODD	938
KANDIYOHI	1,128	TRAVERSE	194
KITTSOPN	120	WABASHA	331
KOOCHICING	337	WADENA	601
LAC QUI PARLE	334	WASECA	241
LAKE	234	WASHINGTON	1,516
LAKE OF THE WOODS	146	WATONWAN	185
LE SUEUR	405	WILKIN	226
LINCOLN	192	WINONA	573
LYON	516	WRIGHT	1,457
MCLEOD	341	YELLOW MEDICINE	379
MAHNOON	151		

## State Grants

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To obtain a copy of the RFI packet, contact:

Jacklyn Baird  
Minnesota Department of Human Services  
444 Lafayette Road  
St. Paul, MN 55155-3854  
Phone: 612-297-7947; Fax: 612-297-3230;  
Internet: Jackie.Baird.@State.MN.US

Responses to the RFI must be received by January 25, 1995 at 4:30 p.m.

## Department of Human Services

### Chemical Dependency Program Division

#### Notice of Intent to Identify the Need for a Competitive Bid Process on Existing Grants

The Chemical Dependency Program Division (CDPD) of the Department of Human Services is considering the continuation grant award to the Minnesota Indian Women's Resource Center (MIWRC) as the statewide training program designed to provide staff training, program technical assistance, and library clearinghouse services to American Indian and non-Indian chemical dependency and other human services professionals.

The CDPD will open this grant to competitive selection if requested to do so by a qualified potential vendor. The potential vendor must demonstrate its capability to deliver an equal or superior service at a comparable cost.

Potential vendors should submit a letter outlining their qualifications to provide the services described to Vern LaPlante, Minnesota Department of Human Services, CDPD, 2nd floor, 444 Lafayette Road, St. Paul, MN 55155-3823 no later than close of business (4:20 PM) Monday, January 9, 1995. Applicants must indicate their interest in this specific grant.

The grant to the Minnesota Indian Women's Resource Center is for approximately \$140,000. The purpose of this grant with MIWRC is to improve the skills and knowledge about Indian women's chemical recovery issues for counselors and administrators who work in Indian and non-Indian operated chemical dependency treatment and human services organizations.

**Activities Include:** Maintaining a library clearinghouse with material related to Indian women and recovery, videos, reading lists, bibliographies; curriculum development assistance; and providing technical assistance to persons needing specialized information, loans or photocopies of material.

**Activities Also Include:** Training on Indian women's recovery issues that include four mini-conferences on Indian women's recovery issues to 85 participants a year; presentations at five workshops sponsored by other human services agencies; delivering 10 technical assistance services to agencies that work with chemically dependent Indian women and their families; and delivering one eight-hour training on chemical use assessment procedures for 10 chemical use assessors who serve Indian clients.

**Additional Training Topics Should Include:** Chemically Dependent Family Systems, Working with Chemically Dependent Indian Women who have been Sexually Abused, Pre-School Chemical Dependency Prevention Curriculum, and other related topics.

The vendor will maintain and update a resource library, and acquire an additional 1,000 print and audiovisual materials each year for the clearinghouse on Indian women and recovery. The vendor will also maintain a record keeping system on grant-related activity.

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## Professional, Technical & Consulting Contracts

### Department of Human Services

#### Chemical Dependency Program Division

#### Request for Proposals on Prevention/Education, Information and Referral, Short-Term Counseling and Training Programs that Provide Services to American Indian Citizens of Minnesota

The Chemical Dependency Program Division (CDPD) of the Minnesota Department of Human Services is soliciting proposals from American Indian human services providers, non-profit organizations, private organizations, and units of government to provide chemical dependency services for American Indian citizens of Minnesota. Proposals must address at least one of the following services: chemical dependency prevention/education; information and referral; short-term counseling services; prevention of inhalant abuse; and professional training. Proposals are due January 30, 1995.

The funded programs should begin on or about July 1, 1995. Applicants can apply for either one or two year grants. Approximately \$1,750,000 is available to fund eligible grantees. Grant funds under this RFP cannot be used to pay for chemical dependency treatment services.

The goal of this RFP is to reduce the effects of alcohol/drug abuse on American Indian youth and adults.

Telephone requests for programmatic information concerning this RFP should be directed to Vern LaPlante, Minnesota Department of Human Services, at (612) 296-4606. Budget/fund use questions should be directed to Mike Zeman, Minnesota Department of Human Services, at (612) 297-1863.

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## Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612)296-2600 or [TDD (612)297-5353 and ask for 296-2600].

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### Department of Administration

#### State Designer Selection Board

#### Request for Proposal for a Technical College Project in Hibbing, Minnesota

#### To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select a designer for a Technical College project. Design firms who wish to be considered for these projects should deliver proposals on or before 4:00 p.m., January 10, 1995, to:

George Iwan  
Executive Secretary, State Designer Selection Board  
Room G-10, Administration Building  
St. Paul, Minnesota 55155-3000

#### The proposal must conform to the following:

- 1) Nine (9) copies of the proposal will be required.
- 2) All data must be on 8 1/2" x 11" sheets, soft bound.
- 3) The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 7 below, together with the designer's firm name, address, telephone number and the name of the contact person.

## Professional, Technical & Consulting Contracts

### 4) Mandatory Proposal contents in sequence:

a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.

b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. Identify roles that such persons played in projects which are relevant to the project at hand. **NOTE NEW REQUIREMENT:** the proposal *must* contain a statement indicating whether or not the consultants listed have been contacted and have agreed to be a part of the design team.

c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.

d) A list of State and University of Minnesota current and past projects and studies awarded to the prime firm(s) submitting this proposal during the four (4) years immediately preceding the date of this request for proposal. The prime firm(s) shall list and total all fees associated with these projects and studies whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects and studies listed pursuant to the above. **NOTE:** Please call for a copy of the acceptable format for providing this information.

e) A section containing graphic material (photos, plans, drawings, etc.) as avoidance of the firm's qualification for the work. The graphic material must be identified. It must be work in which the personnel listed in "c" have had significant participation and their roles must be clearly described. It must be noted if the personnel were, at the time of the work, employed by other than their present firms.

The proposal shall consist of no more than twenty (20) pages. Proposals not conforming to the parameters set forth in this request will be disqualified and discarded without further examination.

### 5) Statutory Proposal Requirements

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

#### The proposal will not be accepted unless it includes one of the following:

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
  - b) A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights;
- or
- c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or
  - d) A statement certifying that the firm has an application pending for a certificate of compliance.
- 6) Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:
- a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or
  - b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

In accordance with existing statute, the Board will retain one copy of each proposal submitted.

Any questions concerning the Board's procedures, their schedule for the project herein described or the fee format form may be referred to George Iwan at (612) 296-4656.

### 7) PROJECT - 31 - 94

Range Technical College - Hibbing Campus/  
Hibbing Community College Remodeling

The State Board of Technical Colleges intends to retain an architectural/engineering design firm to complete all planning and design work for the new Range Technical College, Hibbing Campus, on the existing Hibbing Community College site. The project includes the remodeling of the Hibbing Community College to facilitate the effective and efficient integration and articulation of the programs and services delivered by both colleges.

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## Professional, Technical & Consulting Contracts

Preliminary concept studies indicate needs in the range of 240,000 GSF new space; 25,000 GSF remodeled space; new parking for 1,000 vehicles and related site improvements.

The selected designer, in consultation with State and local college officials, and in response to the local Master Academic Plan, shall provide a comprehensive scope of services including design for architectural, general interiors, food services, civil, landscaping, structural, mechanical, electrical, telecommunications, furniture, fixtures and equipment through the Predesign Planning, Schematic Design, Design Development and Construction Document Phases. The project work will end with a completed design to be submitted by the Minnesota State Colleges and Universities (MNSCU) System to the State Legislature for additional funding to implement construction and occupancy. The Designer Team shall provide all architectural, interior design and engineering discipline services required and shall include at least two professional and experienced independent consultants: 1) a higher education programming consultant; and 2) a cost estimating consultant capable of providing cost data in-house during each phase for all work. The designer team shall complete all documents 100% using only computer aided design and drafting technology in an electronic data exchange file format acceptable to the Owner (AutoCad Release 12).

The selected designer and associated firms shall each demonstrate experience in successfully completing higher education comprehensive projects of a similar size, type and complexity. The wide range of activities required by the project will require discussions with, obtaining input from and synthesizing all data from several sources. A project team process will be developed with the designer as the key organization responsible for consolidation of the data into an acceptable and cost responsive design solution. The Owner may retain additional specialty consultants to assist in the project work.

No Design Team services shall begin until approval of the Master Academic Plan by the SBTC and official notice to begin work is given by the Board office. The Design Team shall provide all architectural and engineering discipline services required. The Design Team shall determine the exact scope of all project additions and remodeling components by obtaining input from State and local college officials, facilities specialists from the State Board of Technical Colleges and the direction provided by the colleges Master Academic Plan. The Designer shall also complete all necessary space planning and programming work during the Predesign Planning Phase.

The new Technical College program spaces shall be attached to and maximize the current spaces of the Community College. All designs shall be consistent with: 1) the facilities standards of the MNSCU System; 2) ADA regulations and 3) all applicable building and energy codes. New building additions shall provide a distinct identity, yet retain the architectural context of existing campus buildings. Building interior spaces shall be designed for maximum space utilization, future space reorganization flexibility, good climate control, contemporary electronics environment, high energy efficiency and with complete fire suppressions systems. Performance type design specifications for any systems will not be acceptable.

This project has been funded for \$1,000,000 through working drawings for the entire project including all costs for administration, project support, site investigations, testing services, predesign fees, design fees, eligible reimbursables, contingencies and all related project expenses. The designer fee for all services for the Schematic Design through Construction Documents Phases shall be fixed at 6% of the amount budgeted by the State for construction. A designer additional service fee will be negotiated for all Predesign Planning Phase work and for applicable reimbursable expenses. The State will require the designer to provide copies of their contracts with all their sub-consultants.

Additional project information is available upon request. Questions concerning this project may be referred to:

Mr. Gerald G. Stuhr, President  
Range Technical College  
2900 East Beltline  
Hibbing, MN 55746  
(218) 262-7250

Mr. Joseph M. Sertich, Jr., Campus Vice President  
Range Technical College  
2900 East Beltline  
Hibbing, MN 55746  
(218) 262-7218

Ms. Glenda Moyers  
Director of Facilities and Information Services  
State Board of Technical Colleges  
550 Cedar Street, Suite 100  
St. Paul, MN 55101  
(612) 296-9444

Maureen Steele Bellows, Chair  
State Designers Selection Board

## Professional, Technical & Consulting Contracts

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### Department of Education

#### Office of Lifework Development

#### Request for Proposals for Marketing Services for the Education and Employment Transitions Council

Proposals are being solicited to provide marketing services to the Education and Employment Transitions Council being managed by the Office of Lifework Development at the Minnesota Department of Education. Marketing services include developing key messages to address the work and learning goals of students and their parents. The Minnesota Department of Education has estimated that the marketing contract will not exceed \$100,000.

Copies of the RFP may be obtained by contacting Diane Klapak at the Minnesota Department of Education, Office of Lifework Development, 684 Capitol Square Building, 550 Cedar Street, St. Paul, MN 55101, 612/296-1500. Proposals must be received by 4:00 p.m., January 3, 1995.

### Department of Employee Relations

#### Labor Relations

#### Notice of Request for Proposals for Professional Services to Provide Drug and Alcohol Testing, Training and Administrative Services as Required by Federal Law

The State of Minnesota is releasing a Request for Proposals to solicit proposals from qualified respondents to provide statewide drug and alcohol testing, training and administrative services in compliance with the provisions of the Omnibus Transportation Employee Testing Act of 1991 as administered under the authority of the U.S. Department of Transportation by the Federal Highway Administration 49 *Code of Federal Regulations* Parts 382 et. al.-Controlled Substances and Alcohol Use and Testing Rule and Proposed Rule and 49 *Code of Federal Regulations* Part 40-Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Final Rule.

The services will be for approximately 2,700 employees in safety sensitive positions who work for various state agencies and report to work sites located in all 87 counties of the State of Minnesota.

For a copy of the Request for Proposal contact:

Ann Krmpotich  
Labor Relations Bureau, DOER  
200 Centennial Office Building  
658 Cedar Street  
St. Paul, MN 55155-1603  
Phone: 612-296-2516  
Fax: 612-296-2599

## **Department of Public Safety**

### **State Fire Marshal Division**

#### **Request for Proposals to Provide Emergency Service as a Hazardous Materials Emergency Response Team and/or a Hazardous Materials Chemical Assessment Team**

The Minnesota Department of Public Safety is seeking proposals to provide emergency service as a component of the hazardous materials regional response team program. Proposals are being sought to serve as hazardous materials emergency response teams and hazardous materials chemical assessment teams. Details are contained in a Request for Proposal which may be obtained by calling or writing:

Robert C. Dahm, Operations Administrator  
Hazardous Materials Regional Response Team Program  
Minnesota Department of Public Safety  
State Fire Marshal Division  
450 North Syndicate Street  
285 Bigelow Building  
St. Paul, MN 55104  
(612) 643-3089

The Department is authorized to contract with up to five (5) emergency response teams, and an unspecified number of chemical assessment teams. It is anticipated that two (2) emergency response team contracts, and five (5) chemical assessment team contracts will be awarded as a result of this request for proposals. Emergency response teams must also function as chemical assessment teams. Of the five (5) chemical assessment team contracts awarded, two (2) will be awarded to the selected emergency response teams. Additional requests for proposals will be issued at a later date.

The estimated cost of the contracts are: \$120,000 per year for each emergency response team, and \$40,000 per year for each chemical assessment team. The Department will issue contracts for a two year period and retain an option to renew the contracts for three additional one-year periods.

A proposal development conference has been scheduled for 1:30 p.m., Wednesday, December 21, 1994, in room 300 North, State Office Building, 100 Constitution Avenue, St. Paul, Minnesota. Anyone interested in submitting a proposal in response to this notice is invited and encouraged to attend.

The final date for submitting proposals is Friday, February 3, 1995, by 2:00 P.M.

## **Department of Trade and Economic Development**

### **Minnesota Small Business Development Centers**

#### **Proposals Sought to Conduct Audit of Regional Center**

The Small Business Development Center program of the Department of Trade and Economic Development is soliciting proposals from certified public accountants and certified public accounting firms to conduct a close-out financial audit of its regional center located at Winona State University ("recipient") for calendar year 1994.

The objective of the audit is to assure that the recipient has (a) provided financial data, including basic financial statements and other financial reports that can be relied upon, and (b) maintained a system of internal control over the receipt and expenditure of funds sufficient to assure that its claims for federal and state assistance were proper and supportable. The auditor's report is expected to include opinions on these items.

#### **Proposal Elements**

Proposals must contain the following elements:

- 1) A detailed statement of the proposed scope of work, including discussion of the auditing standards that will be applied (e.g., auditing standards of the Government Accounting Office), and a description of the contents of the auditor's report that will be issued, including the nature and type of opinions that will be included.

## **Professional, Technical & Consulting Contracts**

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- 2) A detailed schedule for conducting the work, to begin on or after February 1, 1995 and to conclude by March 30, 1995.
- 3) A detailed cost proposal.
- 4) A description of the proposer's qualifications to conduct the audit, including resumes of individuals who will be assigned to work on the project and a description of their past government auditing work.

### **Estimated Cost**

The estimated cost of the project is expected to range between \$2,000 and \$4,000, including reimbursement of travel, subsistence, and other out-of-pocket costs. Reimbursement for travel and subsistence must not exceed the amount provided in the current "Commissioner's Plan" promulgated by the Commissioner of Employee Relations, and must be shown separately from fees for professional services on the contractor's invoices.

### **Proposal Selection**

Proposals will be evaluated by the state director of the Small Business Development Center program and other personnel within the Department of Trade and Economic Development. The contractor will be selected based on the reviewers' judgement of the responsiveness to this request for proposals and the reasonableness of the cost proposal. The decision of the reviewers will be final. Proposers whose proposals are not accepted will be notified, but a statement of the reasons and factors involved in final selection will not be provided.

This request for proposals does not commit the State of Minnesota or the Department of Trade and Economic Development to entering into a contract with any individual or organization. The State may terminate this solicitation at any time. Costs involved in preparing proposals are not recoverable.

### **Proposal Submission**

Proposers must submit one original and two copies of their final proposal by the proposal submission deadline. Proposals must be signed in ink by an authorized representative of the proposing entity. Proposals must completely respond to the proposal format requirements, but need not be lengthy. Proposers are discouraged from attaching third party endorsements. Such endorsements will not be considered in the evaluation process.

### **Proposal Submission Deadline**

Complete proposals must be received no later than noon, Wednesday, January 4, 1995. Late proposals will not be accepted. Address proposals to Mary J. Kruger, State Director, Minnesota Small Business Development Center network, 500 Metro Square, 121 7th Place East, St. Paul, MN 55101-2146. Faxed proposals will not be accepted.

### **Treatment of Proposal Information**

Information provided pursuant to this request for proposals will be considered public information under the Minnesota Government Data Practices Act, *Minnesota Statutes* Chapter 13.

### **Communications Concerning Request for Proposals**

All questions and other communications concerning this request for proposals should be directed to Mary Kruger, State Director of the Minnesota Small Business Development Center network, at the above address, telephone (612) 297-5773. No other individual within the Department of Trade and Economic Development is authorized to answer questions regarding this request for proposals.

## **Department of Transportation**

### **Engineering Services Division**

### **Notice of Request for Consultants in the Field of Pollutant and Contaminated Substance Involvement**

The Minnesota Department of Transportation is seeking consultants to assist the Department in the delivery of its construction program by providing professional services in the field of pollutant and contaminated substance involvement. Assessment of properties known or suspected to be impacted by pollutants, contaminants or hazardous wastes, including remedial investigation services, remedial/corrective action design plan services, remedial action oversight, waste management facility audits, and laboratory services are needed to supplement the professional and technical staff of the Department in this field of endeavor. These services will be used on an as-needed basis by the Department only as assistance in the delivery of its varied construction and maintenance program.



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## Professional, Technical & Consulting Contracts

This T-Contract program will run for approximately 3 years and has a total value of \$6,000,000.00. Multiple consultants will be selected for this program.

Work is proposed to start after January 1, 1995.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 4% preference in the evaluation of their proposal.

A Request for Proposal can be obtained from the MN/DOT Associate Agreements Administrator:

Mr. Robert W. Flicek  
Consultant Services Unit, Room 320  
Minnesota Department of Transportation  
395 John Ireland Boulevard, Mailstop 680  
St. Paul, Minnesota 55155  
Phone: (612) 297-1197 Fax: (612) 282-5127

Request for Proposals will be available by mail from this office through December 28, 1994. A written request is required to receive the Request for Proposal. Indicate whether your firm is a Targeted Group Business or Disadvantaged Business Enterprise in your written request. After December 28, 1994, the Request for Proposal must be picked up in person.

No time extensions will be granted.

Proposals must be received at the above address no later than 2:00 P.M. on January 13, 1995. No proposals will be accepted after 2:00 P.M.

This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the Department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

## Department of Transportation

### Transportation Research Investment Management Division

#### Notice of Availability of Contract for "Traffic Operations and Safety Research"

The Department of Transportation is requesting proposals for the purpose of conducting Traffic Operations and Safety research. The objective of this program is to obtain a list of contractors to perform Traffic Operation and Safety research.

The projects will entail gathering data, performing research procedures, writing final reports, and other related research work.

The entire list of tasks required for this study are included in the complete Request for Proposal.

It is anticipated that the contract period will begin in January 1995 and continue through January 1997.

To obtain a copy of the completed Request for Proposal, contact:

Steven M. Lund  
Minnesota Department of Transportation  
Office of Research Administration  
117 University Ave., Room 206  
St. Paul, MN 55155  
(612) 282-2687

Proposals must be received at the above address no later than 3:00 P.M. on January 6, 1995.

This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this solicitation. All expenses incurred responding to this notice shall be borne by the responder.

# Non-State Public Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

## Institute for Child and Adolescent Sexual Health

### Notice of Request for Proposals to Design an Instrument for Evaluation of Treatment and Intervention of Children at Risk for Becoming Sex Offenders

The Institute for Child and Adolescent Sexual Health requests proposals to design a two-phase instrument and to implement the first phase of an evaluation of the treatment and intervention program for children ages 8 - 10 years who are at risk for becoming sex offenders due to sexual abuse, and who are exhibiting sexually inappropriate behavior. The program is located at Storefront/Youth Action in Richfield, Minnesota.

The cost of this project should not exceed \$6,500. Proposals must be received no later than 4:30 p.m., Monday, December 19, 1994.

For more information and for a full RFP which will be sent to interested vendors, contact:

Sheryl Hayward-Beagle  
Institute for Child and Adolescent Sexual Health  
1300 So. Second St., Suite 180  
Minneapolis, MN 55454  
(612) 624-9537  
FAX (612) 626-8311

Dated: 5 December 1994

Sheryl Hayward-Beagle  
Executive Director

### *Attention Builders, Architects, Designers, Property Owners...*

#### *Accessible and Usable Buildings and Facilities CABO/ANSI, A117.1*

Just released by the Council of American Building Officials, this 2 publication set includes UBC Chapter 31 and appendix. Specifications in this standard (ANSI - American National Standards Institute) are to make buildings and facilities accessible to individuals with disabilities -- both new buildings and existing structures. These standards are applicable to doorways, routes, seating and other elements of building design. Includes diagrams and floor plans. The two books (total of 96 pp) are bound and three-hole drilled for ease of use. 19-2 SR \$35.00



Available through Minnesota's Bookstore. Use the handy order form on the back of the *State Register* to order. Visit Minnesota's Bookstore to view a variety of building code publications.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.



# Minnesota's Bookstore

117 University Avenue St. Paul, MN 55155

Open 7am-5:30pm, Mon-Thurs and 7am-4:30pm, Fri

**Phone:**

8am-4:30pm, M-F  
612/297-3000  
1-800/657-3757

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## Volunteer Program Development Tools

### The Power and Potential of Youth in Service to Communities

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### Planning it Safe: How to Control Liability & Risk in Volunteer Programs

Offers concrete suggestions, clear definitions, and a preventive approach to managing legal risk and liability concerns of volunteer programs. Discusses liability for personal injury, business liability, possible protection from liability, basic concepts of risk management, and specific risks your organization may face. 112pp. (MOVS, 1992)  
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### Promise of the Future/Responsibility Today

Report sites findings of the Governor's Blue Ribbon Committee on Mentoring and Your Community Service (1989-90). Includes recommendations for mentoring programs/youth community service as a means to match caring responsible individuals with youth to encourage and guide their personal growth and development. 56pp. (MOVS, 1991)  
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### Bridging the Gap: A Training Manual for Respite Care Volunteers

Program assistance for the project director, coordinator of volunteers, or anyone associated with the training of volunteers in a respite care program for caregivers of chronically ill, frail, and elderly individuals. The manual offers ideas, plans, and resources to recruit, train, place and retain volunteers in a respite care program. Provides flexibility/options that enable the trainer to pick and choose training activities that are appropriate for the participants, the time available, and the trainer's skills. Topics covered include:

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- \* Orientation
- \* Resources
- \* Handouts and forms
- \* Practical tips
- \* Guidelines for trainers
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Looseleaf, 200pp. (MN Dept. of Human Services, 1994) Stock No. 10-50 \$35.00



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