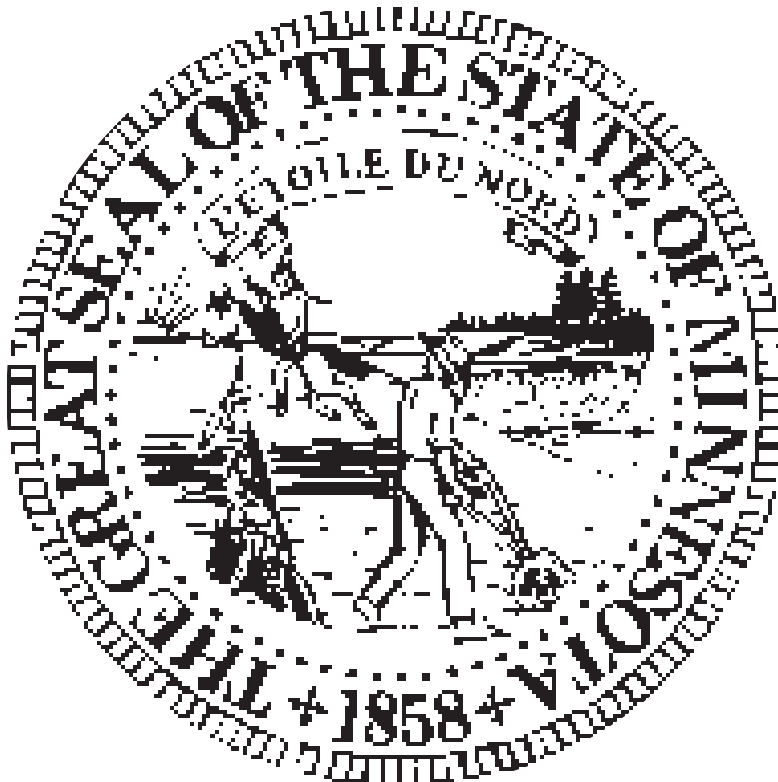


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The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional-technical-consulting contracts, non-state bids and public contracts and grants.

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| #15 | Monday 12 October | Noon Wednesday 30 September | Noon Tuesday 6 October |
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Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1997 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (651) 297-3000, or toll-free 1-800-657-3757.

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| 8820.0100; .0800; .1400; .1500; .1800; .2300; .2500; .2800; .2900; .9920; .9926; .9936; .9946; .9956; .9961; .9981; .9986; .9990; .9995 (proposed) | 497 |
| 8820.9926 s.2; .9931 (proposed repealer) | 497 |
| 8830 (adopted) | 524 |

Human Services Department

| | |
|---|-----|
| 9503.0085; 9545.1115; 9555.9710; 4620.0100; .1025; 4626.0010-.1870; 4658.0650; .3500; 4717.7000; 1547.0110; 1550.1255; .1450; .1490; .3200; 2910.3500; 2930.5300; 2935.4100; 2945.3400; 2950.0900 (adopted) | 514 |
| 9505.0500; .0510; .0520 s.4, 5, 6, 9a, 12, 13, 14; .0521; .0522; .0540 s.1, 2, 6 (repealed) | 298 |
| 9505.0501; .0505; .0515; .0520; .0530; .0540; .0545 (adopted) | 298 |
| 9575.0350; .0400; .0410; .0420; .0470; .1360; .1410; .1500; .1580 (adopted) | 82 |
| 9575.1350; .1370; .1390; .1400; .1510 (repealed) | 82 |

Adopted Rules

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

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

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

Exempt Rules

An exempt rule adopted under *Minnesota Statutes* §§ 14.386 or 14.388 is effective upon its publication in the *State Register*.

Emergency Expedited Rules

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

Department of Administration

Adopted Permanent Rules Relating to Building Code

The rules proposed and published at *State Register*, Volume 22, Number 47, pages 2044-2056, May 26, 1998 (22 SR 2044), are adopted with the following modifications:

1300.5300 CORRIDOR CONSTRUCTION.

Subp. 3. **Group E occupancies.** In Group E occupancies, required smoke and draft control assembly doors that separate classrooms or offices from a corridor need not be ~~maintained~~ self-closing or automatic-closing if:

B. the fire alarm system incorporates automatic smoke detection installed throughout the affected corridors and internal rooms where doors are not ~~maintained~~ self-closing or automatic-closing.

1305.0904 SECTION 904, FIRE EXTINGUISHING SYSTEMS.

Subp. 5. **Section 904.3.3.** UBC Section 904.3.3 is amended by adding this section as follows:

904.3.3 Valve Security. All valves controlling water supplies for automatic sprinkler systems shall be locked or secured in the open position.

Exceptions:

~~1-~~ Valves located in a room or space when access is limited to essential personnel only.

~~2- When approved by the building official with concurrence of the chief of the fire department, alternate means of providing valve security may be provided.~~

Subp. 7. **Table No. 9-A.** UBC Table No. 9-A is amended as follows:

~~Item No. 2 under the occupancy column of Table No. 9-A is amended to read as follows:~~

~~Occupancies three stories or more but less than 150 feet in height, except Group R Division 3*: Class II standpipes are not required in Group E or Group R-1 occupancies.~~

~~UBC Table No. 9-A is amended by adding footnotes 8 and 9 to item No. 2 to read as follows:~~

~~* In municipalities that have adopted the special fire protection system criteria specified in *Minnesota Rules*, chapter 1306, the number of stories must be four or more.~~

~~* If an approved automatic fire extinguishing system required by Section 904 is installed, the number of stories must be four or more.~~

~~In the column entitled Nonsprinklered Building, footnote 1 is deleted.~~

~~Item No. 1 under the Hose Requirement column for Nonsprinklered Building is amended to read as follows: No~~

~~Item No. 1 under the Standpipe Class column for Sprinklered Buildings is amended to read as follows: III~~

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

Adopted Rules

Item No. 2 under the Occupancy column is amended to read as follows: Occupancies three stories or more but less than 150 feet in height, except Group R Division 3⁶²⁸.

Item No. 2 under the Standpipe Class for Nonsprinklered Building is amended to read as follows: III

Item No. 2 under the Hose Requirement column for Nonsprinklered Building is amended to read as follows: No

Item No. 2 under the Standpipe Class for Sprinklered Building is amended to read as follows: III

Item No. 3 under the Occupancy column is amended to read as follows: Group A Occupancies with occupant load exceeding 1,000⁵.

Item No. 3 under the Standpipe Class for Nonsprinklered Building is amended to read as follows: III

Item No. 3 under the Hose Requirement column for Nonsprinklered Building is amended to read as follows: No

Item No. 4 under the Occupancy column is amended to read as follows: Group A, Division 2.1 Occupancies over 12,000 square feet in area used for exhibition.

Item No. 4 under the Standpipe Class for Nonsprinklered Building is amended to read as follows: III

Item No. 4 under the Hose Requirement column for Nonsprinklered Building is amended to read as follows: No

Item No. 4 under the Standpipe Class column for Sprinklered Building is amended to read as follows: III

Item No. 4 under the Hose Requirement column for Sprinklered Building is amended to read as follows: No

Item No. 5 under the Occupancy column is amended to read as follows: Groups I; H; B; M Occupancies less than four stories in height but greater than 20,000 square feet per floor⁶.

Item No. 5 under the Standpipe Class column for Nonsprinklered Building is amended to read as follows: III

Item No. 5 under the Hose Requirement column for Nonsprinklered Building is amended to read as follows: No

Item No. 6 under the Occupancy column is amended to read as follows: Groups S and F, Division 1 Occupancies less than four stories in height but greater than 20,000 square feet per floor⁶.

Item No. 6 under the Standpipe Class column for Nonsprinklered Building is amended to read as follows: II or III¹⁴.

Item No. 6 under the Hose Requirement column for Nonsprinklered Building is amended to read as follows: Yes

Item No. 6 under the Standpipe Class column for Sprinklered Building is amended to read as follows: No requirement

Item No. 6 under the Hose Requirement for Sprinklered Building is amended to read as follows: No

UBC Table No. 9-A footnote 1 is amended to read as follows: Class II standpipes need not be provided in basements having an automatic fire-extinguishing system throughout.

UBC Table No. 9-A footnote 2 is amended to read as follows: The standpipe system may be combined with the automatic sprinkler system. In buildings four or less stories in height which are protected throughout by an automatic sprinkler system, a standpipe system need only meet the pressure requirements for the sprinkler system.

UBC Table No. 9-A footnote 5 is amended to read as follows: Class II standpipes need not be provided in assembly areas used solely for worship.

UBC Table No. 9-A is amended by adding footnote 7 to read as follows: If an approved automatic fire extinguishing system required by Section 904 is installed, the number of stories must be four or more.

UBC Table No. 9-A is amended by adding footnote 8 to read as follows: In municipalities that have adopted the special fire protection system criteria specified in chapter 1306, the number of stories must be four or more.

Subp. 8. Section 904.5.1 UBC Section 904.5.1 is amended by adding the following exception:

Exception: In buildings four or less stories in height which are protected throughout by an approved automatic sprinkler system, a Class I or III standpipe system need only meet the pressure requirements for the sprinkler system.

1305.4313 UBC APPENDIX CHAPTER 3, DIVISION I - DETENTION AND CORRECTIONAL FACILITIES.

UBC Section 313, Scope, is amended as follows:

The provisions of this chapter apply to the design and construction of Group I, Division 3 occupancies housing mental hospitals, mental sanitariums, jails, prisons, reformatories, and buildings where personal liberties of inmates are similarly restrained.

UBC Section 315, Definitions, is amended by adding the following definitions:

“Cell, multiple-occupancy” is a housing area in a detention or correctional facility designed to house no less than three or more than 48 inmates.

“Smoke management system” is an engineered combined system that utilizes a mechanical smoke-control system and mechanical smoke exhaust system. For definitions of mechanical smoke-control system and mechanical smoke exhaust system, see UBC Section 903.

UBC Section 317, Compartmentation, is amended by amending the first paragraph to read as follows:

Every story having an occupant load of more than five inmates in a detention or correctional facility shall be divided into not less than two approximately equal compartments by a smoke barrier, constructed pursuant to the provisions of part 1305.0308, subpart 2. In addition, multitiered cell complexes shall be separated from each other and the remaining portions of the facility by a smoke barrier. Vision panels shall not be required within exit doors at zone boundaries as stated in part 1305.0308, subpart 2, item E.

UBC Section 318, Occupancy Separations, is amended by adding exception 2 to read as follows:

2. Regardless of the provisions of Table 3-B, a three-hour fire-resistive occupancy separation as set forth in Section 302.3, may be used between a Group I, Division 3 occupancy and vocational shops and similar uses containing hazardous materials, normally otherwise classified as Group H, Divisions 2 through 7 occupancies.

UBC Section 319, Glazing, is amended to read as follows:

In restraint areas of fully sprinklered detention and correctional facilities, the area of glazing in one-hour corridor walls is not restricted, provided:

1. All glazing is approved one-fourth inch thick (6.4 mm) wired glass or other approved fire-tested glazing material set in steel frames.

Exception: Laminated security glazing may be used provided the glass shall be protected on both sides by a sprinkler system equipped with listed quick response sprinklers. The sprinkler system shall completely wet the entire surface of the glass wall when actuated.

2. In lieu of the sizes set forth in Section 1004.3.4.3.2, the size and area of wired glass assemblies shall conform to Sections 713.7 and 713.8. Other glazing material shall not exceed the sizes and areas specified in the fire test. When necessary to maintain direct visual supervision by facility staff, laminated security type glazing may be used in fire-resistive wall and door assemblies up to a two-hour fire protection rating provided:

2.1 The fire-resistive wall or door assembly is not part of a required area separation wall, stairway, ramp, or escalator enclosure.

2.2 The glass shall be protected on both sides by a sprinkler system equipped with listed quick response sprinklers. The sprinkler system shall completely wet the entire surface of the glass wall when actuated.

2.3 The area of the glazing shall not exceed 25 percent of the common wall of the area requiring supervision.

2.4 The area of glazing in fire-resistive door assemblies shall be limited to 1,296 square inches per light.

UBC Section 321, Automatic Sprinkler and Standpipe Systems, is amended by amending the first paragraph as follows:

321.1 General. Every building or portion of a building housing a detention or correctional facility or similar occupancy shall be protected by an automatic sprinkler system conforming to the provisions of UBC Standard 9-1. The main sprinkler control valve or valves or all other control valves in the system shall be electrically supervised so that at least a local alarm will sound at a constantly attended location when valves are closed.

UBC Section 323.1, Smoke Management System, is amended to read as follows:

323.1 Smoke management system. A mechanically operated smoke management system or systems shall be provided in every multitiered cell complex within a detention or correctional facility. For other than multitiered cell complexes, see Sections 323.9 and 323.10.

UBC Section 323.2, Design and Installation, is amended by adding the following exception:

Exception: A smoke management system or systems may be designed in accordance with the provisions of Section 905 for mechanical smoke control and mechanical smoke exhaust systems.

UBC Section 323.4, Manual Controls, is amended to read as follows:

323.4 Manual controls. A firefighter’s control panel shall be provided in accordance with Sections 905.13 and 905.14.

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| <p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> indicates additions to existing rule language. Strike outs indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” ADOPTED RULES SECTION — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p> |
|--|

Adopted Rules

UBC Section 323, Smoke Management, is amended by adding the following:

323.9 Smoke exhaust system. A mechanical smoke exhaust system as defined in Section 903 shall be provided in each smoke compartment of every detention or correctional facility.

Exception: Buildings or portions of buildings provided with an approved smoke management system.

323.10 Design and Installation of Smoke Exhaust System:

1. Mechanical air-handling equipment may be designed to accomplish smoke removal. Under fire conditions, the return and exhaust air, in zones where smoke is detected, shall be moved directly to the outside without recirculation to other sections of the building. The air handling system shall provide a minimum of six exhaust air changes per hour for the area involved.

2. Any other approved design which will produce equivalent results.

UBC Section 324.1, Number of Means of Egress, is amended to read as follows:

324.1 Number of means of egress. Multiple-occupancy rooms and day rooms in buildings or portions of buildings in detention or correctional facilities constructed of not less than one-hour fire-resistive construction shall be provided with a minimum of two means of egress when the occupant load is more than ten.

The occupant load of any restraint area shall be determined by Table 10-A and classified as to the occupancy group it most nearly resembles, and means of egress shall be provided as required by Section 1003.1. A minimum of two means of egress shall be provided in all areas of restraint (cells, day rooms, cell tiers, and cell complexes) within a detention or correctional facility when the occupant load is more than ten.

UBC Section 324.5, Dead-end Balconies, is amended to read as follows:

324.5 Dead-end balconies. Exit-access balconies serving cell tiers shall not extend more than 20 feet beyond an exit stairway.

Note: For number of means of egress, see Section 1004.2.3.

UBC Section ~~324.6~~ 324.6, Electrically Operable Doors, is amended by deleting the last sentence.

Department of Administration

Adopted Permanent Rules Relating to Plumbing Code

The rules proposed and published at *State Register*, Volume 22, Number 47, pages 2057-2074, May 26, 1998 (22 SR 2057), are adopted with the following modifications:

4715.2440 DESIGN OF SUMPS.

Subp. 7. **Clear water sumps.** Sumps and receiving tanks which receive only clear water drainage, and from which sewage is excluded, need not be airtight or vented. Sumps and receiving tanks must be provided with covers fastened or secured so as to prevent entry by children. The covers must be adequate to support anticipated loads in area of use. In nonresidential buildings guard rails constructed in accordance with UBC Section ~~4744~~ 509 may be used in lieu of covers.

4715.2760 ROOF AND DECK DRAINS.

Subp. 2. **Overflow drains.** For overflow drains refer to Section ~~3207(e)~~ 1506 of the Uniform Building Code.

4715.2820 METHOD OF TESTING.

Subp. 2a. **Exceptions.**

B. Building storm sewers may be tested in accordance with the Hydrostatic Test Method from the City Engineers Association of Minnesota, except that an air test may be required for any section of the building storm sewer that passes through contaminated soils or contaminated water. The Hydrostatic Test Method, provisions H2 and H3, as specified in the Standard Utility Utilities Specifications for Watermain and Service Line Installation and Sanitary Sewer and Storm Sewer Installation, written and published by the City Engineers Association of Minnesota, 1988 edition, except that an air test may be required for any section of the building storm sewer that passes through contaminated soils or contaminated water is incorporated by reference, is not subject to frequent change, and is available in the office of the commissioner of administration.

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

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

Department of Commerce

Policy Analysis Division

Notice of Vicarious Liability Limits Applied to Owners of Rented Motor Vehicles

NOTICE IS HEREBY GIVEN that the following Vicarious Liability limits apply to owners of rented motor vehicles as of January 1, 1999 (c.f. *Minnesota Statutes* § 65B.49, subd. 5a(i), for details):

- \$105,000 for bodily injury to any one person in any one accident
- \$320,000 for bodily injury to two or more persons in any one accident
- \$50,000 for property damage to others in any one accident*

* The property damage remains at \$50,000.

Department of Human Services

Continuing Care Administration — Community Supports for Minnesotans with Disabilities

Public Notice of ICF/MR Payment Rates

NOTICE IS HEREBY GIVEN to recipients, providers of services under the Medical Assistance (MA) Program, and to the public, of State Fiscal Year 1999 payment rates for intermediate care facilities for the mentally retarded (ICFs/MR). This notice is published pursuant to the *Code of Federal Regulations*, Title 42, section 447.205, which requires public notice of any significant proposed change in the methods and standards for setting payment rates for MA services. It is also published pursuant to the federal Balanced Budget Act of 1997 (P.L. 105-33). Section 4711 of the Act, amending Title XIX of the Social Security Act (42 *United States Code* section 1396a(a)(13)), requires the Department to publish proposed and final ICF/MR payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. The Department's notices regarding proposed ICF/MR rates were published in the *State Register* on February 2, 1998 (22 S.R. 1352), and a notice regarding the statewide average payment rate increase for ICFs/MR was published in the *State Register* on June 29, 1998 (22 S.R. 2346).

This notice informs the public that final State Fiscal Year 1999 payment rates for ICFs/MR, effective October 1, 1998, have been calculated, and individual facilities have been notified of their applicable rates. Individual ICF/MR payment rates are available by contacting John Fillbrandt, Minnesota Department of Human Services, 444 Lafayette Road North, St. Paul, Minnesota, 55155-3857 or at (651) 297-3576.

Official Notices

Department of Labor and Industry

Labor Standards Division

Notice of Addition to Prevailing Wage Rates

An additional class of labor, **Code 103, Laborer, Landscaping**, has been determined for the Commercial Prevailing Wage Rates in **Morrison County** which were certified 10/20/97.

An additional class of labor, **Code 435, Asbestos Abatement Worker**, has been determined for the Commercial Prevailing Wage Rates in **Nobles County** which were certified 10/20/97.

Copies of the additional certification may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306 or by calling (651) 296-6452. Charges for the cost of copying and mailing are \$1.00 for the first page and \$.50 for each additional page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich
Commissioner

Metropolitan Airports Commission

Notice of Adoption of Ordinance No. 87: Rental Rates, Fuel Flowage Fees and Other Charges

Please take notice that on the 21st day of September, 1998, at a regular meeting, the Metropolitan Airports Commission adopted Ordinance No. 87.

Ordinance No. 87:

An ordinance to promote and conserve the public safety, health, peace, convenience, and welfare; to amend the rental rates, fuel flowage fees and other charges for property at the Commission's minor and intermediate use airports, which presently include Airlake Airport, Anoka County-Blaine Airport, Crystal Airport, Flying Cloud Airport, Lake Elmo Airport and St. Paul Downtown Airport, consistent with *Minnesota Statutes* § 473.651; prescribing the penalty for violation thereof, and repealing Ordinance No. 60.

Copies of Ordinance No. 87 as adopted will be on file with the Secretary of State and may be obtained from the Metropolitan Airports Commission offices.

Jeffrey W. Hamiel
Executive Director
Metropolitan Airports Commission
6040 - 28th Avenue South
Minneapolis, MN 55450

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

Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Health

Division of Family Health

Fetal Alcohol Syndrome

Request for Proposals (RFP) for Fetal Alcohol Syndrome Prevention and Intervention Strategies and Activities Summary

Purpose: The Minnesota Department of Health (MDH) is soliciting proposals for community organizations and coalitions to collaborate on fetal alcohol syndrome prevention and intervention strategies and activities.

Methodology: Community organizations and coalitions collaborate on fetal alcohol syndrome prevention and intervention strategies and activities. At least one grant ward shall be made for transitional skills and services for individuals with FAS or FAE.

Eligibility: Any individual or public or private agency may apply.

Contract Duration: The grant period is one year ending December 31, 1999 and may be continued for another two years subject to review and approval by the Minnesota Department of Health and the Fetal Alcohol Syndrome Coordinating Board.

Funds Available: A total of \$850,000.00 is available for the first year of this grant. The funded projects may continue beyond the initial grant period, based on satisfactory performance and availability of funds.

Application Deadline: The completed proposal must be submitted on or before 4:00PM on Friday, October 23, 1998.

Additional Information and Questions: A complete RFP packet is available from Sandy Strot, who can be reached by telephone at (612) 676-5548, by FAX (612) 676-5775, by e-mail at sandra.strot@health.state.mn.us, or by mail at:

Sandra Strot
Minnesota Department of Health
Division of Family Health
717 Delaware St SE
PO Box 9441
Minneapolis MN 55440-9441

Valborg Kvigne is the only MDH employee authorized to answer questions regarding the RFP. Other department personnel are not allowed to discuss the RFP with anyone including responders before the submission deadline.

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, and final submission date of completed contract proposal.

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

Department of Administration

Division of State Building Construction

Notice of Request for Proposals for an Owner's Representative to Coordinate the Planning, Design and Construction Documents for the New Public Safety/Bureau of Criminal Apprehension, Office/Forensic Laboratories Building (DSBC Project 07002UNL)

The Department of Administration is requesting proposals for an Owner's Representative to coordinate the planning, design and construction documents for the construction of a new Public Safety/Bureau of Criminal Apprehension, Office/Forensic Laboratories Building. The project consists of the construction of a 174,000 gross square foot stand-alone facility. The project includes 75,000 square feet of administrative offices and 94,000 square feet of "state of the art" forensic laboratories. Anticipated total project cost is \$62,800,000. Site selection is in progress and the site is expected to be located on the St. Paul east side.

The Owner's Representative is required to be an Architect or Engineer registered in the State of Minnesota. The Owner's Representative responsibilities include: Reporting directly to Department of Administration Project Manager; submitting a written work plan; being versed in all aspects of the project; reviewing Predesign program, Schematic Design, Design Development, Contract Documents, design budgets, and schedules; participating in coordination of activities of consultants; coordinating inventory of existing furniture, fixtures, and equipment; maintaining an office for daily project activities and maintaining project files; and preparing a bi-weekly status report.

The Department of Administration has estimated that this work will require approximately 1,000 hours and that the cost of this contract including reimbursable expenses should not exceed \$70,000. The contract will be based on an hourly rate plus reimbursable expenses.

The contract will begin immediately upon execution and will be completed by November 1, 1999. This request for proposal does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

A complete Request for Proposal is available from Sharon Schmidt, who can be reached by phone at (651) 296-4656, by FAX at (651) 296-7650, by email at sharon.schmidt@state.mn.us, or by mail at:

Sharon Schmidt, Contracts Officer
Department of Administration
Division of State Building Construction
G10 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155

Proposals must be received no later than 4:00 p.m. on Monday, October 19, 1998. Late proposals will not be considered.

State Arts Board

Public Notice of Request for Proposals (RFP) for Financial Consultant, FY 1999 Formula Funds and FY 2000 Institutional Support Grant Programs

NOTICE IS HEREBY GIVEN that the Minnesota State Arts Board is soliciting proposals from firms or individuals for a certified public accountant who can conduct a financial analysis and verify annual and three-year operating expenses for arts organization applications to its Formula Funds Program and verify annual and two-year operating expenses for arts organization applications to its Institutional Support Program.

Purpose: To review approximately 90 Formula Funds and 95 Institutional Support applications, including audits, in order to verify annual operating expenses, and to complete a Microsoft Access table and written report outlining the financial status of each applicant. Successful candidates will have excellent written and oral communication ability, demonstrated experience in the financial analysis of nonprofit institutions, experience working in Microsoft Access, and preferably, a working knowledge of the arts.

Contract Dates: The services will be provided under a contract for the period beginning November 18, 1998 and ending July 31, 1999.

Disclaimer: This request does not obligate the Minnesota State Arts Board to complete the work contemplated in this notice and Request for Proposals. The Arts Board reserves the right to cancel this solicitation and reissue the RFP.

For More Information or To Receive a Copy of the RFP: Call Karen Mueller, Institutional Support Program Associate at (651) 215-1600 or 800-866-2787 or TTY (651) 215-6235.

Deadline Date: Completed proposals must be received **by 4:30 p.m. Wednesday, October 21, 1998 in the office of the Minnesota State Arts Board.** Late proposals will not be considered.

Submittal Address: Karen Mueller, Institutional Support Program Associate, Minnesota State Arts Board, 400 Sibley Street, Suite 200, Saint Paul, MN 55101.

Office of the Attorney General

Solicitation of Interest for the Performance of Legal Services

The Minnesota Attorney General's Office is seeking one or more qualified attorneys to defend personal injury lawsuits, primarily involving motor vehicles driven by State employees. The number of cases is projected to be 15-25 per calendar year.

The State is self insured for litigation arising from the operation of motor vehicles by State employees. The program is administered by the Risk Management Division, Department of Administration. The attorney or attorneys selected for this panel will work with and report to the Claims Manager of the Risk Management Division.

To receive the details of this solicitation, please notify:

Sarah Berg
Minnesota Attorney General's Office
102 State Capitol
St. Paul, MN 55155
Phone: (651) 296-1266
FAX: (651) 297-4193
E-mail: sarah.berg@state.mn.us

Deadline for responses: November 13, 1998, 5:00 p.m.

Professional, Technical & Consulting Contracts

Minnesota State Colleges and Universities (MnSCU)

Normandale Community College

Request for Proposal for Network Upgrade

Background Information:

Normandale Community College is currently using a shared environment at the HUB level. Fiber is running from the Centillion switch to most of the 17 HUBs. The cable from the HUB to the workstation is Category 5. A network infrastructure map is attached.

This request for proposal does not obligate Normandale Community College (NCC) to complete the proposed project and NCC reserves the right to cancel the solicitation if it is considered to be in its best interest.

Goal:

Provide Normandale Community College with a high-speed fault-tolerant network that will give us options as we move into the future of computing.

Objectives:

- Deliver 10mb/100mb switched environment to every desktop with a minimum of 100mb backbone within 3 years.
- Redundant path for mission critical applications
- Provide better manageability

Procedure for Responding:

Prospective responders who have any questions regarding this request for proposal may write:

Harold Liebersbach
Normandale Community College
9700 France Ave So
Bloomington, MN 55431
Phone: (612) 832-6872
Fax: (612) 832-6571
TTY (612) 832-6864
lieberhl@nr.cc.mn.us

Proposals must be sent to Harold Liebersbach at the above address and must be received no later than 4:00 p.m. on October 12, 1998 as indicated by the date and time indicated on each response package by the office receptionist. Late proposals may not be accepted.

Submit 2 copies of proposals. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for 1 year.

Estimated Completion Time:

The project will be completed on October 30th, 2001 or within 36 months from the time the contract begins.

Contents of Proposals:

- Cover letter - with any special conditions
- A restatement of the objectives, goals and tasks to show or demonstrate the responder's view of the nature of the project.
- Identification and description of the deliverables to be provided by the responder
- A detailed cost and work plan that will identify the major tasks to be accomplished and be used as a scheduling and managing tool, as well as basis for invoicing.
- Expected equipment delivery time frame
- Identification of the level of the institution's participation in the project as well as any other services to be provided by the institution.

Evaluation Criteria:

All proposals received by the deadline will be evaluated by representatives of NCC. In some instances, an interview may be part of the evaluation process. Factors on which proposals will be judged include, but are not limited to, the following:

- Completeness of response to RFP guidelines
- Strength of design and hardware
- Technical support for proposed design
- Pricing and Cost detail
- Maintenance contract
- Migration recommendation
- 10 and or 100 MB switch to each desktop
- 100mg + backbone with Gigabyte capability
- Manageability
- Port Trunking
- Redundancy
- Wire to closet
- Power for data processing switch
- Alternate link to MnSCU for mission critical applications
- Good Ratio - switched ports to backbone
(e.g. 24/10mb to 100mb up link = 2.4 to 1)
- Layer2/Layer3 Data Center Switch
- Maximize immediate benefit
- Expressed understanding of the proposal objectives
- Work plan
- Qualifications of both company and personnel. Experience of personnel who are committed to work on the contract will be given greater weight than that of the firm.
- Year 2000 Compliance
- Financial standing of Company
- Responders may propose additional tasks or activities if they will substantially improve the results of the project.

It is expected that the evaluation and selection will be completed by October 26, 1998.

Workers Compensation and Human Rights Compliance:

The successful responder will be required to submit acceptable evidence of compliance with Minnesota Workers' compensation insurance coverage requirements prior to execution of the contract.

In accordance with the provisions of *Minnesota Statutes* Section 363.073, for all contracts estimated to be in excess of \$100,000, all responders having had more than 40 full-time employees at any time during the previous 12 months, either within or outside the state of Minnesota, must have an affirmative action plan **submitted** to the Commissioner of Human Rights for approval. A contract will not be **executed** over \$100,000 unless the responder having any more than 40 employees at any time during the previous 12 months, either within or outside the state of Minnesota, has a certificate of compliance which signifies that the responder has an affirmative action plan approved by the Commissioner of Human Rights. Your proposal will not be accepted unless it includes one of the following:

A copy of your current certificate of compliance or an affidavit that you have submitted and affirmative action plan to the Commissioner of Human Rights for approval;

- A. Evidence of your compliance, such as a copy of your current listing of certified contractors, issued by the Department of Human Rights, that includes your firm; or
- B. A notarized letter of affidavit certifying that your firm has not had more than 40 full-time employees at any time during the previous 12 months.

Additionally, the following language will be included in any contract resulting from this RFP.

The contractor certified that it has received a certificate of compliance from the Commissioner of Human Rights pursuant to *Minnesota Statutes*, Section 363.037. It is hereby agreed between the parties that *Minnesota Statutes*, Section 363.073 is incorporated into this contract by reference.

Professional, Technical & Consulting Contracts

MnSCU's contract language includes the following terms and conditions (summarized here) which you should be aware of in preparing your response.

- 1) Compensation will be for **all** services performed, unless a specific payment schedule is mutually agreed upon. MnSCU **does not** make regular payments based on the passage of time it only pays for services performed or work delivered after it is accomplished.
- 2) Payment is only made after the submission of an authorized invoice.
- 3) Reimbursement for travel and subsistence expenses actually incurred in performance of a contract is limited to the current "Commissioner's Plan" promulgated by the Commissioner of Employee Relations. Travel outside of Minnesota must have received **prior** written approval **before** it takes place. The Minnesota Department of Employee Relations may be contacted to obtain copies of this plan.

Minnesota State Colleges and Universities (MnSCU)

Normandale Community College

Request for Proposal for Theater and Stage Equipment Replacement and Repair

Background Information:

Normandale Community College (NCC), one of the colleges in the MNSCU system, requests a proposal from your company to replace and repair various stage and rigging equipment in the Normandale Community College Fine Arts Theater. Please call or write for the full Request for Proposal which will be sent free of charge to interested vendors. This request for proposal does not obligate NCC to complete the proposed project, and NCC reserves the right to cancel the solicitation if it is considered to be in its best interest. Responders may propose additional specifications if they will substantially improve the results of the project. Normandale Community College has estimated that the cost of this project should not exceed fifty thousand dollars (\$50,000.00)

Scope of Work

The work specified herein includes, but is not necessarily limited to theatre equipment replacement and repair.

- 1) Repair bottom arbor stop assembly, replace wood stop.
- 2) Install new top arbor stop assembly complete.
- 3) Reattach tee bar wall and replace failed fasteners.
- 4) Install dead hung leg track pipe.
- 5) Repair traveler tract assemblies.
- 6) Install 16 new counterweight line sets. All required new hardware including arbors, blocks, wire rope, terminations and support steel is included.
- 7) Install eight (8) lines at various points (selected by owner) to increase the function of the counterweight system.
- 8) Twenty (20) new counterweight rigging assemblies.
- 9) Front curtain track and upstage tract repair.
- 10) Index strip light.
- 11) 12,000 pound counterweight. Total. Existing may be used if acceptable.

Installation of the theater equipment will include:

- 1) Physical installation of all equipment.
- 2) Freight to job site.
- 3) Warranty on parts and workmanship as required in specifications.
- 4) Drawings for approval and for record.
- 5) Owners operations and maintenance documentation.
- 6) Owner instruction in safety procedures and system use.
- 7) Costs of a Performance and Payment Bond.

Professional, Technical & Consulting Contracts

Your proposal should include:

- 1) Your company's experience with installing theater riggings. Include any work with local, state or federal government projects. (Completion of at least ten (10) similar projects within the last five years is a requirement.)
- 2) References from past installations.
- 3) Outline of process that will be followed.
- 4) Confirmation that your company can comply with set completion date.
- 5) Certifications and experience of individuals performing the installation.
- 6) Any suggested changes to the scope of the installation.
- 7) A guarantee that an experienced installation supervisor will be present during the entire installation.

Prospective responders who have any questions regarding this request for proposal or who would like to request a copy of the full request for proposal, may call or write:

Steve Udell - Physical Plant Director
Normandale Community College
9700 France Avenue South - B1606
Bloomington, MN 55431
(612) 832-6337

Other personnel are NOT allowed to discuss the request for proposal with anyone, including responders, before the proposal submission deadline.

The following is considered minimum contents of the proposal:

- A. A restatement of the objectives, goals, and tasks to show or demonstrate the responder's knowledge of the nature of the project.
- B. Identification and description of the deliverables to be provided by the responder.
- C. Identification of personnel to conduct the project, with details on their training and work experience.
- D. A detailed cost and work plan that will identify the major tasks to be accomplished, time schedule and invoicing procedures.
- E. Identification of the level of the contractor's participation in the project as well as other services to be provided by the contractor. Changes in personnel assigned to the project will not be permitted without the approval of the NCC Physical Plant Director.

Factors on which proposals will be judged include, but are not limited to, the following:

- A. Expressed understanding of proposal objectives.
- B. Work plan/work schedule.
- C. Cost detail.
- D. Qualifications of both company and personnel.

All proposals received by the deadline will be evaluated by representatives of NCC. An interview may be part of the evaluation process. It is expected that evaluation and selection will be completed by November 2, 1998. The project will be completed by January 9, 1999.

Submit one copy of proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed in ink, by an authorized member of the contracting firm. Prices and terms of the proposal as stated must be valid for the length of the contract.

All proposals must be sent to and received by:

Normandale Community College
Steve Udell - Physical Plant Director
9700 France Avenue South - B1606
Bloomington, MN 55431
(612) 832-6337

Not later than 2:00 p.m., Friday, October 16, 1998. Late proposals will not be accepted.

The successful responder will be required to submit acceptable evidence of compliance with Minnesota workers' compensation insurance coverage requirements prior to execution of the contract.

Professional, Technical & Consulting Contracts

Department of Health (MDH)

Notice of Request for Proposals for Production of Media Products Related to Fetal Alcohol Syndrome (FAS)

PURPOSE

The Minnesota Department of Health (MDH) is seeking proposals from organizations interested in competing for one contract to create media products that will raise the awareness of FAS among Minnesotans. Products include print and electronic media such as posters, billboards, audio, and television spots. The focus population(s) of this effort include: 1) women of childbearing age (15-45); 2) women who drink heavily (30 or more drinks per month or 5 drinks at one time); and 3) male partners and friends.

Responders to this request should submit proposals that include the following activities:

- **information gathering and market research on target populations;**
- **develop creative concepts for all media products; and**
- **pre & post test creative concepts and messages through focus groups with target populations.**

The state estimates the cost of these services to be approximately \$ 300,000 for the contract period of December 7, 1998 through March 31, 1999.

All proposals must be received no later than 4:00 p.m., Friday, October 23, 1998.

Additional Information and Questions: A complete RFP packet is available free of charge from Sandy Strot, who can be reached by telephone at (612) 676-5548, by FAX at (612) 676-5775, by e-mail at sandra.strot@health.state.mn.us, or by mail at:

Sandy Strot
Minnesota Department of Health
Division of Family Health, Center for Health Promotion
717 Delaware Street S.E., P.O. Box 9441
Minneapolis, Minnesota 55440-9441

Elisabeth Atherly is the only MDH employee authorized to answer questions regarding the RFP. You can reach her at (612) 676-5337 or e-mail at Elisabeth.Atherly@health.state.mn.us. Other department personnel are not allowed to discuss the RFP with anyone including responders before the submission deadline.

Department of Public Safety

Office of Traffic Safety

Notice of Request for Proposals to Operate the Safety Belt Public Information Program

The Minnesota Department of Public Safety is seeking proposals to operate the Safety Belt Public Information Program. Contractor's responsibilities include but are not limited to conducting a public information campaign to increase safety belt use among Minnesota residents. Details are contained in a Request for Proposals which may be obtained by calling or writing:

Contact: Bill Shaffer
Telephone: (651) 282-6558
TTY: (651) 297-2100
Address: Department of Public Safety
Office of Traffic Safety
444 Cedar Street, Suite 150
St. Paul, Minnesota 55101-5150

This is the only person designated to answer questions regarding this request for proposals. Estimated total cost of the contract will not exceed \$60,000.00. Final date for submitting proposals is October 26, 1998 by 4:00 P.M. The Department of Public Safety will retain an option to extend the contract for two additional one-year periods.

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.

City of Saint Paul

Division of Contract and Analysis

Notice of Request for Construction Management Proposals

The Saint Paul Public Library is currently seeking proposals for Construction Management Services for the renovation of the Central Library. Built in 1917, the library is located at 90 W. 4th Street, Saint Paul, MN.

The project will include design, expansion, and remodeling of the Central Library building. Included in the project will be furniture, lighting, floor coverings, wiring (telecommunications, security, telephones), demolition and rebuilding of back stack area, and an addition of a one-story coffee shop and courtyard entrances off Kellogg Blvd. Also included are limited involvement with the restoration of the marble balustrade around exterior of the building and the proposed tunnel access/linkage project at the RiverCentre.

Total budget including construction management and architectural/engineering design is approximately nine million dollars. We anticipate the Construction Manager will be under contract by December of 1998 and the project to commence in Spring of 1999.

A pre-proposal conference will be held at the library on October 5, 1998 at 9:00 a.m. with Proposals due on October 28, 1998 on or before 2:00 p.m.

If you are interested in receiving the complete proposal package, please contact the Contract and Analysis Division, Room 280, City Hall/Court House, 15 W. Kellogg Blvd., Saint Paul, MN 55102, (651) 266-8900 and request RFP 20065-3.

Questions on submission may be phoned to Susan Feuerherm, (651) 266-8908.

University of Minnesota

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

The University of Minnesota offers 24 hour/day, 7 day/week access to all Requests for Bids/Proposals through its fax back Bid Information Service (BIS). Subscriptions to BIS are \$75/per fiscal year (not prorated). Call 612-625-5534 for information or visit our web site at <http://purchserv.finop.umn.edu>. Choose BID Information Service.

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

Non-State Public Bids, Contracts & Grants

University of Minnesota

Request for Qualifications (RFQ): Molecular & Cellular Biology Building Project

The University of Minnesota Facilities Management Department is accepting submittals from design professional teams in response to its Request for Qualifications for the design of the new Molecular & Cellular Biology Building on the University's Twin Cities Minneapolis Campus.

The Molecular & Cellular Biology Building Project is very complex and demanding, and will require the skills and experience of the highest quality design professional team. New construction on this project will total approximately 230,000 gross square feet. The total project budget is approximately \$70 million. The project completion date is January, 2002.

A two-tiered selection process has been established. The first tier, known as a Request for Qualification (RFQ) will identify and refine a group of design professionals to be eligible for participation in the second tier of the process, which will be a Request for Proposal (RFP). Only design professional teams selected through the Request for Qualification (RFQ) process will be allowed to submit a Request for Proposal (RFP) for this project.

All respondents to this Request for Qualifications (RFQ) must either be a University of Minnesota prequalified design professional team, or must collaborate with a University of Minnesota prequalified design professional team.

Request for Qualification (RFQ) submittal information can be requested from:

Mr. Earl North
McLauchlin, Armiln, North & Associates, LLC
125 Main Street Southeast, Suite 237
Minneapolis, MN 55414
(612) 331-9000

The deadline for submittals is 3:00 p.m. Thursday October 8, 1998.