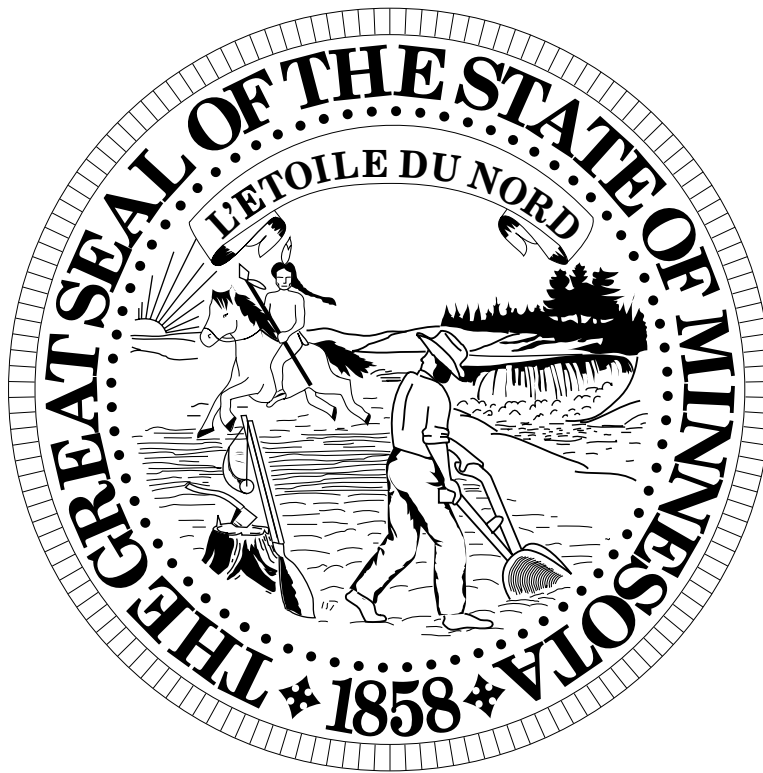


State of Minnesota

# State Register

Rules and Official Notices Edition



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

Monday 8 November 1999  
Volume 24, Number 19  
Pages 659-678

# State Register

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

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules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

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## Printing Schedule and Submission Deadlines

Vol. 24 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
#19	Monday 8 November	Noon Wednesday 27 October	Noon Tuesday 2 November
#20	Monday 15 November	Noon Wednesday 3 November	<b>4:30 P.M. MONDAY 8 NOVEMBER</b>
#21	Monday 22 November	Noon Wednesday 10 November	Noon Tuesday 16 November
#22	Monday 29 November	Noon Wednesday 17 November	<b>4:30 P.M. MONDAY 22 NOVEMBER</b>

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## FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

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

Contact: House Information Office (651) 296-2146  
Room 175 State Office Building, St. Paul, MN 55155

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Commodity, Service, and Construction contracts are published in  
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from the Materials Management Helpline (651) 296-2600.

Individual copies and subscriptions are available through  
Minnesota's Bookstore, (651) 297-3000, or 1-800-657-3757.

# 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 issue 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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## 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.

## Minnesota State Arts Board

### Adopted Permanent Rules Relating to Grants and Other Forms of Assistance

The rules proposed and published at *State Register*, Volume 24, Number 5, pages 167-177, August 2, 1999 (24 SR 167), are adopted as proposed.

## Official Notices

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

## Department of Agriculture

### Agronomy and Plant Protection Services Division

### Notice to Cancel the Minnesota Agricultural Response Compensation Board Meeting

The scheduled Agricultural Chemical Response Compensation Board (ACRRA Board) meeting November 17, 1999 has been canceled. The next scheduled meeting will be **December 15, 1999**. This meeting will be held at the Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, Minnesota, first floor Conference Room at **9:00 a.m.**

Please call the ACRRA Program, (651) 297-3490, should you require additional information.

**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.

## Official Notices

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### Department of Agriculture

#### Agronomy and Plant Protection Services Division

#### ACRRA Board Meeting Schedule for YEAR 2000

Listed below is the ACRRA Board meeting schedule for the upcoming calendar year 2000. The ACRRA Board will meet at 9:00 a.m. in Conference Room 1, Minnesota Department of Agriculture building, 90 West Plato Boulevard, Saint Paul, Minnesota.

Pursuant to *Minnesota Statutes* 18E.05 Subd. 3. "The board must receive a completed application at least 30 days\* before a board meeting in order for a request for reimbursement or payment to be considered at that meeting." To help ensure your application is 'complete', please submit your application 30 days prior to deadline—60 days prior to ACRRA Board review. **ACRRA Board meetings are held the third Wednesday of each month** (subject to change).

#### ACRRA Board Meeting Schedule

##### Year 2000

Submit Application for Staff Review	Staff Reviewed & Completed Deadline*	ACRRA Board Meeting Dates
November 19, 1999	December 20, 1999	January 19, 2000
December 17	January 17	February 16
January 14	February 14	March 15
February 18	March 20	April 19
March 17	April 17	May 17
April 21	May 22	June 21
May 19	June 19	July 19
June 16	July 17	August 16
July 21	August 21	September 20
August 18	September 18	October 18
September 15	October 16	November 15
October 20	November 20	December 20
November 17	December 18	January 17, 2001

### Board of Animal Health

#### Quarterly Meeting of the Board

The Board of Animal Health will hold its quarterly meeting on Friday, December 17th, 1999 at 9:30 a.m. in the Board offices in the Minnesota Department of Agriculture Building at 90 W. Plato Blvd., St. Paul, Minnesota.

### Teachers Retirement Association

#### Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, November 17, 1999 at 9:30 a.m. in Suite 500, Gallery Building, 17 W. Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

# 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 to 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 are 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 (651) 296-2600 or [TTY (651) 297-5353 and ask for 296-2600].

## Department of Administration State Designer Selection Board

### Request for Proposals for the Department of Military Affairs for a New National Guard Training and Community Center (Armory) in Mankato (Project 99-10)

#### To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for this project must deliver proposals on or before 12 p.m. (Noon), Monday, November 22, 1999, to:

Lisa Blue, Executive Secretary  
State Designer Selection Board  
Department of Administration  
c/o Materials Management Division  
50 Sherburne Avenue, Room 112  
St. Paul, Minnesota 55155-3000  
651-297-5526

#### **PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.**

Questions concerning the Board's procedures herein described, or the schedule in Item 8.h, should be referred to the Executive Secretary at 651-297-5526. Questions relating to the project must be referred to the project contact(s) in Item 8.i.

***NOTE TO RESPONDERS: Changes may have been made in the content and format requirements. Proposals that do not conform to the following content, order and format requirements as outlined in items 1 through 5 below may be disqualified.***

1. **The front cover of the proposal should be clearly labeled** with the project number and project title as shown at the top of this request for proposal, together with the designer's firm name, address, telephone number, fax number and the name of the contact person. The back cover should remain blank.
2. **All data should be on 8 1/2" x 11" sheets, soft bound.** No more than 20 printed faces should be included (see the following for clarification):
  - a. All letters directed to the Board should be bound into the proposal and all pages will be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
  - b. Blank dividers (with printed tab headings only) will not be counted as faces.
  - c. Front and back covers of proposals will not be counted as faces.
  - d. None of the statutory or mandatory information, except as requested in Item 3 below, should appear on the dividers or covers.
  - e. All pages should be numbered.

Proposals that deviate from the above may be disqualified.

#### **3. BRIEF PROPOSAL SUMMARY:**

All proposals shall begin with a summary which includes only the following items:

- a. Name of firm and its legal status;
- b. Names of persons in leadership roles for project management, design and production of architecture; design of civil, structural, mechanical and electrical engineering, landscape architecture, land surveying, fire protection and geoscience for each and every discipline called for in Section 8.b. The name of each person so mentioned must also include their Minnesota registration number. Fire protection engineering requires a licensed fire protection engineer,

## Professional, Technical & Consulting Contracts

identified by their number OR the engineering registration number accompanied in Section 4.b by a listing of past projects demonstrating competency in this field.

Consultants and assistants to the persons in leadership roles, as identified above, need not provide a Minnesota registration number. These individuals should be listed separately from those above.

- c. A statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in Item 3.b above, along with adequate staff to meet the requirements of work;
- e. At least one copy of the proposal must contain an original signature by an authorized member of the firm submitting the proposal, in ink, on the bottom of the first page of the proposal.
- f. A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

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

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

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
<b>TOTAL</b>			

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

#### 4. ADDITIONAL MANDATORY PROPOSAL CONTENTS:

- a. A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material shall be identified. It shall be work in which the personnel listed in Item 3.b above have had significant participation and their roles shall be clearly described. It shall be noted if the personnel were, at the time of the work, employed by other than their present firms.
- b. Expanded resumes showing qualification of individuals, listed in Item 3.b above, administering or producing the major elements of the work, including consultants. Identify roles which such persons played in projects which are relevant to the project at hand.
- c. A discussion of the firm's understanding of and approach to the project.
- d. A listing of relevant past projects.

#### 5. Eleven copies of the proposal should be submitted.

#### 6. Design firms wishing to have their proposals returned after the Board's review shall 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 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 selection, proposals will be returned using this envelope.



### 7. BOARD SELECTION CRITERIA:

In making its selection of designers the Board shall consider the criteria listed below:

Credit for the following criteria will equal not less than sixty percent.

- a. Qualifications and technical competence in the required field of design;
- b. Ability to deal with aesthetic factors;
- c. Project understanding and approach.

Credit for the following criteria will equal up to forty percent.

- d. Capacity to accomplish the work and services within the required constraints;
- e. Availability of appropriate personnel;
- f. Geographic relationship of the designer's base to the project site; and
- g. Awards previously made to a designer by the state. This is in the interest of equitable distribution of commissions.

The criteria do not necessarily have the same weight, nor are their relative weights necessarily constant from one project to another. The Board may issue statements regarding criteria as they relate to individual projects.

Evaluations of the proposals shall be made independently by the Board members.

### 8. PROJECT 99-10

Department of Military Affairs  
20 West 12th Street  
St. Paul, MN 55155

#### a. PROJECT DESCRIPTION:

The proposed project will encompass approximately 45,100 square feet for National Guard Training and Administration. Local agencies may have requirements to combine with the Department of Military Affairs in a joint venture for design and construction of additional spaces.

The single-story structure will be constructed with masonry walls, concrete floors, steel framed roof. Primary spaces include administration, assembly hall, classrooms, toilets, showers, lockers, unit storage with arms vault, kitchen, mechanical, electrical and equipment rooms. Exterior supporting facilities will include privately owned vehicle parking, fenced military parking, fire protection, lighting and flagpole. A limited area of sidewalks and landscaping is permitted by construction criteria.

#### b. REQUIRED CONSULTANT SERVICES:

The work includes topographic survey and soil test borings; the design of the complete facility; the preparation of required drawings, specifications and allied documents to include bidding documents; the handling of contract documents; the general observation of the construction work for the owner; assisting in the preparation of supplemental agreements; review and approval of shop drawings and payment requests; assisting in final acceptance of the work. The specification and drawing format will be the architect's normal for commercial work, tailored to the project.

#### c. SERVICES PROVIDED BY OTHERS:

None

#### d. SPECIAL CONSIDERATIONS:

None

#### e. PROJECT BUDGET/FEES:

Estimated construction cost is \$6,841,600.

The fee for topographic survey, soil testing, design, printing, travel and supervision services will be a negotiated percentage of the construction cost of the work. The Department of Military Affairs will provide the designer with programming documents and National Guard Bureau Construction Standards which include space criteria, construction standards, authorized finish schedule and use relationships.

#### f. PROJECT SCHEDULE:

A restrictive design schedule has arisen regarding federal financing participation (approximately 75 percent of the design fees and construction cost). The design development documents (approximately 35 percent design completion with outline specifications) are due at the National Guard Bureau (NGB) early calendar year 2000. We anticipate the

## Professional, Technical & Consulting Contracts

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final documents will be due at the NGB September 1, 2000. The documents may be issued for bid solicitation anytime after October 1, 2000. To expedite the project the NGB anticipates reviewing the documents for each design phase at the Facilities Management Office in Camp Ripley.

**g. PROJECT INFORMATIONAL MEETING/SITE VISIT:**

An informational meeting/site visit will be held for the shortlisted firms. Shortlisted firms will be contacted directly by the Department of Military Affairs and given further information.

**h. STATE DESIGNER SELECTION BOARD SCHEDULE:**

**Project Proposals Due:** November 22, 1999, by 12 p.m. (Noon)

**Project Shortlist:** December 7, 1999

**Project Interviews and Award:** December 21, 1999

**i. PROJECT CONTACT(S):**

Questions concerning the project should be referred to:

Thomas Vesely, Facilities Management Office Supervisor  
Camp Ripley  
1500 Highway 115  
Little Falls, MN 56345  
Phone: 320-632-7473  
FAX: 320-632-7570

**9. CONTRACT REQUIREMENTS:**

- a. The amended Minnesota Human Rights Act (*Minnesota Statute 363.073*) divides the contract compliance program into two categories. Both categories apply to any contracts for goods or services in excess of \$100,000. The first category applies to businesses who have more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an affirmative action plan to the Commissioner of the Department of Human Rights prior to the date and time set for the solicitation opening and must have received a Certificate of Compliance prior to the execution of the contract or agreement. The second category applies to businesses who have more than 40 full-time employees on a single working day in the previous 12 months in the State in which they have their primary place of business. The business in this category must either have an unexpired Certificate of Compliance previously issued by the Department of Human Rights, or certify to the contracting State agency that they are in compliance with federal affirmative action requirements before execution of the contract. This Certificate is valid for two (2) years. For further information, contact the Department of Human Rights, 190 East Fifth Street, Suite 700, St. Paul, MN 55101, 651-296-5663 or 800-657-3704.

The Department of Administration is under no obligation to delay award or execution of this contract until a vendor has completed the human rights certification process. It is solely the responsibility of the vendor to apply for, and obtain, a human rights certificate prior to contract award.

- b. Costs incurred in responding to this RFP shall be borne by the responder. In accordance with existing statutes, the Board shall retain one copy of each proposal submitted. Responses to this RFP become public information under the Freedom of Information Act after the final selection has been made.
- c. *Laws of Minnesota 1997*, require the successful responder to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.
- d. *Laws of Minnesota 1997*, Chapter 202, Article 1, Section 12, Subdivision 2, require that during the biennium ending June 30, 1999, for an executive agency contract that is subject to *Minnesota Statutes*, Section 363.073 (over \$100,000 and subject to Human Rights Certification requirements), before the agency enters into the contract, should to the extent practical and to the extent consistent with the business needs of the State, ensure that the company to receive the contract attempts to recruit Minnesota welfare recipients to fill vacancies in entry level positions if the company has entry level employees in Minnesota.
- e. This RFP 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.

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## Professional, Technical & Consulting Contracts

### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions

#### Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and Coverages sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this response that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

# Professional, Technical & Consulting Contracts

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## Department of Administration

### State Designer Selection Board

#### Request for Proposals for the Department of Corrections, Repair and Replacement of an old Sewer System at the Faribault Correctional Facility (Project 99-11)

##### To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for this project must deliver proposals on or before 12 p.m. (Noon), Monday, November 22, 1999, to:

Lisa Blue, Executive Secretary  
State Designer Selection Board  
Department of Administration  
c/o Materials Management Division  
50 Sherburne Avenue, Room 112  
St. Paul, Minnesota 55155-3000  
651-297-5526

##### **PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.**

Questions concerning the Board's procedures herein described, or the schedule in Item 8.h, should be referred to the Executive Secretary at 651-297-5526. Questions relating to the project must be referred to the project contact(s) in Item 8.i.

**NOTE TO RESPONDERS:** *Changes may have been made in the content and format requirement. Proposals that do not conform to the following content, order and format requirements as outlined in items 1 through 5 below may be disqualified.*

1. **The front cover of the proposal should be clearly labeled** with the project number and project title as shown at the top of this request for proposal, together with the designer's firm name, address, telephone number, fax number and the name of the contact person. The back cover should remain blank.
2. **All data should be on 8-1/2" x 11" sheets, soft bound.** No more than 20 printed faces should be included (see the following for clarification):
  - a. All letters directed to the Board should be bound into the proposal and all pages will be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
  - b. Blank dividers (with printed tab headings only) will not be counted as faces.
  - c. Front and back covers of proposals will not be counted as faces.
  - d. None of the statutory or mandatory information, except as requested in Item 3 below, should appear on the dividers or covers.
  - e. All pages should be numbered.

Proposals that deviate from the above may be disqualified.

### **3. BRIEF PROPOSAL SUMMARY:**

All proposals shall begin with a summary which includes only the following items:

- a. Name of firm and its legal status;
- b. Names of persons in leadership roles for project management, design and production of architecture; design of civil, structural, mechanical and electrical engineering, landscape architecture, land surveying, fire protection and geoscience for each and every discipline called for in Section 8.b. The name of each person so mentioned must also include their Minnesota registration number. Fire protection engineering requires a licensed fire protection engineer, identified by their number OR the engineering registration number accompanied in Section 4.b by a listing of past projects demonstrating competency in this field.

Consultants and assistants to the persons in leadership roles, as identified above, need not provide a Minnesota registration number. These individuals should be listed separately from those above.

- c. A statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in Item 3.b above, along with adequate staff to meet the requirements of work;

## Professional, Technical & Consulting Contracts

- e. At least one copy of the proposal must contain an original signature by an authorized member of the firm submitting the proposal, in ink, on the bottom of the first page of the proposal.
- f. A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

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

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

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
<b>TOTAL</b>			

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

**4. ADDITIONAL MANDATORY PROPOSAL CONTENTS:**

- a. A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material shall be identified. It shall be work in which the personnel listed in Item 3.b above have had significant participation and their roles shall be clearly described. It shall be noted if the personnel were, at the time of the work, employed by other than their present firms.
- b. Expanded resumes showing qualification of individuals, listed in Item 3.b above, administering or producing the major elements of the work, including consultants. Identify roles which such persons played in projects which are relevant to the project at hand.
- c. A discussion of the firm's understanding of and approach to the project.
- d. A listing of relevant past projects.

**5. Ten copies of the proposal should be submitted.**

**6. Design firms wishing to have their proposals returned** after the Board's review shall 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 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 selection, proposals will be returned using this envelope.

**7. BOARD SELECTION CRITERIA:**

In making its selection of designers the Board shall consider the criteria listed below:

Credit for the following criteria will equal not less than sixty percent.

- a. Qualifications and technical competence in the required field of design;
- b. Ability to deal with aesthetic factors;
- c. Project understanding and approach.

Credit for the following criteria will equal up to forty percent.

## Professional, Technical & Consulting Contracts

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- d. Capacity to accomplish the work and services within the required constraints;
- e. Availability of appropriate personnel;
- f. Geographic relationship of the designer's base to the project site; and
- g. Awards previously made to a designer by the state. This is in the interest of equitable distribution of commissions.

The criteria do not necessarily have the same weight, nor are their relative weights necessarily constant from one project to another. The Board may issue statements regarding criteria as they relate to individual projects.

Evaluations of the proposals shall be made independently by the Board members.

### 8. PROJECT 99-11

Department of Corrections  
Minnesota Correctional Facility – Faribault  
1101 Linden Lane  
Faribault, MN 55021

#### a. PROJECT DESCRIPTION:

The Minnesota Correctional Facility-Faribault has an old sewer system that is in need of repair and replacement. In the existing system, storm and sanitary lines are gathered at twelve locations, and piped through shafts 64 feet down to a sandstone tunnel that runs for approximately a mile through the center of the facility. Storm water runs freely through the sandstone tunnel and into the Straight River, a clay pipe carries the sanitary sewage through the sandstone tunnel and along the bluff, connecting to the City system at MH 111. Much of the system was constructed in the late 1880's, and has deteriorated to the point where storm and sanitary sewage is mixing. This occurs in the tunnel where the sanitary line has failed, in combined manholes where the wier dividing sanitary and storm lines has failed, in some of the twelve drops where pipes have failed, and in spot locations throughout the facility where storm and sanitary lines are connected. The general layout of the system will remain, but many of the parts need repair or replacing.

Work includes:

- Repair of the sandstone tunnel so it can continue to safely carry storm water
- Replacement of the sanitary pipe in the tunnel
- Lining of existing sanitary line in the bluff
- Separation of sanitary and storm lines
- Separation of the combined manholes, and the corresponding replacement of manhole and the lines running into and out of them
- Repair of existing manholes to remain
- Repair of several of the drop shafts and the piping within
- Cleaning of the entire tunnel

When finished, it is expected that there will be no evidence of sanitary sewage or related bacteria in the storm water exiting the tunnel and into the Straight River.

#### b. REQUIRED CONSULTANT SERVICES:

The selected designer shall be responsible for schematic design, design development, contract and bidding documents, construction administration and field engineering. Services of a civil engineer or civil engineering team with major project experience in sewer separation and deep tunnel work are required.

#### c. SERVICES PROVIDED BY OTHERS:

Asbestos abatement shall be completed by others.

#### d. SPECIAL CONSIDERATIONS:

None

#### e. PROJECT BUDGET/FEEES:

The current construction budget is \$8,854,000 including contingency. The total project cost including fees, permits and tests are \$10,636,000. Design fees, in the amount of \$381,000 have been appropriated by the 1998 legislature, project continuation beyond this point is dependent upon funding by the 2000 Legislature.

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## Professional, Technical & Consulting Contracts

**f. PROJECT SCHEDULE:**

Schematic design shall be completed by February 29, 2000, and design development by March 31, 2000. The construction document phase shall begin after legislative approval to proceed has been obtained, and shall be completed by June 30, 2000. Construction is expected to begin in August of 2000 and be completed by October 31, 2001.

**g. PROJECT INFORMATIONAL MEETING(S)/SITE VISIT(S):**

An informational meeting/site visit shall be held November 15, 1999, at 1:00 p.m. in the Administration Building at the MCF-FARIBAULT, 1101 Linden Lane, Faribault, Minnesota. All firms interested in registering for the informational meeting/site visit shall contact Brian Youngberg, Physical Plant Director, at 507-334-0708.

No cell phones, cameras, pocketknives, liquor or tobacco products shall be allowed in the facility. All participants shall be required to walk through a metal detector.

**h. STATE DESIGNER SELECTION BOARD SCHEDULE:**

**Project Information Meeting and/or Site Visit:** November 15, 1999, at 1 p.m.

**Project Proposals Due:** November 22, by 12 p.m. (Noon)

**Project Shortlist:** December 7, 1999

**Project Interviews and Award:** December 21, 1999, (afternoon)

**i. PROJECT CONTACT(S):**

Questions concerning the project should be referred to:

Mr. Brian Youngberg, Physical Plant Director

MCF-FARIBAULT

1101 Linden Lane

Faribault, Minnesota 55021

Phone: 507-334-0708

FAX: 507-334-0899

Mr. Joseph R. Miller, Capital Resource Administration

Department of Corrections

1450 Energy Park Drive, Suite 200

St. Paul, Minnesota 55108-5219

Phone: 651-642-0247

FAX: 651-603-0150

Mr. Roger Rooney

Division of State Building Construction

Department of Administration

50 Sherburne Avenue, Room G-10

St. Paul, Minnesota 55155

Phone: 651-296-6171

FAX: 651-296-7650

THIS PROJECT WILL NOT PROCEED UNLESS FUNDING IS APPROPRIATED DURING THE 2000 LEGISLATIVE SESSION {April 2000}.

**9. CONTRACT REQUIREMENTS:**

- a. The amended Minnesota Human Rights Act (*Minnesota Statute 363.073*) divides the contract compliance program into two categories. Both categories apply to any contracts for goods or services in excess of \$100,000. The first category applies to businesses who have more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an affirmative action plan to the Commissioner of the Department of Human Rights prior to the date and time set for the solicitation opening and must have received a Certificate of Compliance prior to the execution of the contract or agreement. The second category applies to businesses who have more than 40 full-time employees on a single working day in the previous 12 months in the State in which they have their primary place of business. The business in this category must either have an unexpired Certificate of Compliance previously issued by the Department of Human Rights, or certify to the contracting State agency that they are in compliance with federal affirmative action requirements before execution of the contract. This Certificate is valid for two (2) years. For further information, contact the Department of Human Rights, 190 East Fifth Street, Suite 700, St. Paul, MN 55101, 651-296-5663 or 800-657-3704.

## Professional, Technical & Consulting Contracts

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The Department of Administration is under no obligation to delay award or execution of this contract until a vendor has completed the human rights certification process. It is solely the responsibility of the vendor to apply for, and obtain, a human rights certificate prior to contract award.

- b. Costs incurred in responding to this RFP shall be borne by the responder. In accordance with existing statutes, the Board shall retain one copy of each proposal submitted. Responses to this RFP become public information under the Freedom of Information Act after the final selection has been made.
- c. *Laws of Minnesota 1997*, require the successful responder to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.
- d. *Laws of Minnesota 1997*, Chapter 202, Article 1, Section 12, Subdivision 2, require that during the biennium ending June 30, 1999, for an executive agency contract that is subject to *Minnesota Statutes*, Section 363.073 (over \$100,000 and subject to Human Rights Certification requirements), before the agency enters into the contract, should to the extent practical and to the extent consistent with the business needs of the State, ensure that the company to receive the contract attempts to recruit Minnesota welfare recipients to fill vacancies in entry level positions if the company has entry level employees in Minnesota.
- e. This RFP 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.

## Colleges and Universities, Minnesota State (MnSCU)

### Request for Proposals for Owner's Representative for Integration Project at Hibbing Community College

The Minnesota State Colleges and Universities (MnSCU) acting as the owner for the State of Minnesota is accepting proposals for an Owner's Representative (OR) to work with the design consultant, the College, and general contractor at the Hibbing Community College Integration Project, to assure that the project is delivered according to the established design, MnSCU design and construction standards, schedule and budget. The owner will use a team management structure composed of a member from: Hibbing Community College, the design consultant firm, MnSCU administration, and the OR.

This request for proposal does not obligate MnSCU to hire an Owner's Representative, and MnSCU reserves the right to cancel the solicitation if it is considered to be in its best interest.

To receive a full request for proposal write or call:

Jan Welsh  
Minnesota State Colleges and Universities  
E.T.C. Building – Suite 300  
1450 Energy Park Drive  
St. Paul, MN 55108  
Phone: 651-649-5778  
FAX: 651-649-5779  
E-mail: [jan.welsh@csu.mnscu.edu](mailto:jan.welsh@csu.mnscu.edu)

**Completed proposals are due by 3:00 p.m. on November 17, 1999.**

## Minnesota Historical Society

### Notice of Request for Bids for Exhibit Furniture/Scenic Components Vendor Lower Sioux Agency

The Minnesota Historical Society is seeking bids from qualified firms and experienced vendors for the fabrication and installation of scenic components and exhibit furniture for a new exhibit at the Lower Sioux Agency, Morton, Minnesota. Construction of the new exhibit will begin in December 1999 and substantial completion will be achieved by April 1, 2000.

The purpose of the exhibit is to orient visitors to the agency site and to provide a brief overview of the Lower Sioux Agency (1853-1862) and life for the Dakota after 1862.



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## Professional, Technical & Consulting Contracts

The exhibit, approximately 1600 sq. ft., will replace the existing, outdated exhibit. The exhibit will be organized into seven sections. Each section will vary in complexity, construction methods, materials, special effects and finishes. The vendor is expected to recommend fabrication, construction and installation methods that the vendor feels are the most appropriate to achieve the varying scenic effects.

A pre-bid informational meeting will be held on November 18, 1999 at the Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, Minnesota 55102.

The Request for Bids are available by calling or writing, Chris M. Bonnell, Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, MN 55102. Telephone (651) 297-5863 or e-mail [chris.bonnell@mnhs.org](mailto:chris.bonnell@mnhs.org)

Proposals must be submitted in the format provided for in the Request for Proposals. Proposals must be received no later than 2:00 P. M., Tuesday, December 7, 1999.

### Department of Human Services

#### Notice of Availability of Request for Proposal to Create a Strategic Plan and Pre-Design for the Automation of Health Care Business Operations, Which Includes Alternative Technological Solutions

##### Scope of Project

The Department of Human Services (DHS) is seeking professional and technical services to develop a strategic plan and pre-design to automate its Health Care business procedures, using MnCare eligibility determination as a prototype. A successful response will propose a detailed strategic plan for health care program delivery as well as alternative pre-design architectural models for health care automation. The product will include a proposal for the development and implementation of the solutions.

A complete copy of the RFP may be obtained by contacting John Lally, Chief Information Officer, at the address or telephone below. Questions regarding this RFP may be addressed in writing only to

John Lally  
Chief Information Officer  
Department of Human Services  
444 Lafayette Road North  
St. Paul, MN 55155-3847  
651-215-1368

DHS will hold a Vendors Conference on Wednesday, December 1, 1999, at 1:00 PM in Conference Room 5B at 444 Lafayette Road North, St. Paul, MN. The Vendors Conference will provide potential respondents with an opportunity to ask questions and learn more about the RFP. Those interested in attending should notify Maureen Fuller at 651-296-1691 no later than Monday, November 29, 1999.

All proposals must be received no later than 2:00 PM (Central Time) on December 20, 1999 in the manner specified in the RFP document.

### Department of Natural Resources

#### Trails and Waterways Unit

#### Request for Proposals to Solicit and Sell Advertising Space to Fund the Minnesota Department of Natural Resources' 2000 - 2001 Recreational Motor Vehicle Regulations Handbook

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Natural Resources (DNR) is requesting proposals from qualified individuals or firms to solicit and sell advertising space in the DNR 2000 - 2001 Recreational Motor Vehicle Regulations handbook. The regulations handbook includes safety rules and regulations for all-terrain vehicles, off-highway motorcycles and off-road vehicles.

## Professional, Technical & Consulting Contracts

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Copies of the full Request for Proposals will be sent free of charge to interested vendors. For more information contact Sheila Gebhard, Bureau of Information and Education, Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, MN 55155, (651) 296-6038 or e-mail [sheila.gebhard@dnr.state.mn.us](mailto:sheila.gebhard@dnr.state.mn.us) Other department personnel are not allowed to discuss the RFP with anyone, including responders, before the proposed submission deadline.

Final date for submitting proposals is Tuesday, November 30, 1999, at 4 P.M.

## Pollution Control Agency

### Proposals Sought for Contract for Preparation of an Environmental Impact Statement on the Hancock Pro Pork Hog Feedlot Project

**NOTICE IS HEREBY GIVEN** that the Minnesota Pollution Control Agency (MPCA) is seeking proposals from those wishing to assist the agency in the conduct of an Environmental Impact Statement (EIS) process on the Hancock Pro Pork multisite farrow to finish hog husbandry project. This EIS process is being conducted pursuant to *Minnesota Rules* Chapter 4410, and includes gathering of data, preparation of documents, responses to comments, conducting public meetings, and participation in the MPCA Board deliberations leading to an EIS adequacy decision at the end of the process.

A complete Request for Proposals describing the requirements for the contract has been prepared. Requests for this document as well as any questions, and all final proposals should be directed to:

Minnesota Pollution Control Agency  
ATTN: Jeanne Philipsen  
Hancock EIS ND/OP  
520 Lafayette Rd N  
St. Paul MN 55155

The deadline for proposals is 2 PM CDT, December 8, 1999, as documented by the date stamp applied by MPCA personnel on arrival. Late submittals will not be considered.

## Department of Public Safety

### Office of Technical Support Services

#### Notice of Request for Proposals for Audit Trail Retrieval System (ATLAS)

The Minnesota Department of Public Safety is seeking proposals to develop an Audit Trail Retrieval System (ATLAS). Currently whenever a transaction (message key) is processed through the Law Enforcement Message Switch (LEMS) system that transaction and its resulting responses are logged to the systems audit trail. The LEMS system resides on a UNISYS ClearPath IX4400-2. These audit trails are then processed at night to create a searchable tape file. This process has been rewritten to produce a searchable file every time the audit trail file cycles. The project is to take these files, load them into a database, develop a query process that allows canned or ad hoc queries to be developed and run against the database from Windows 95 or NT workstations. The process must also allow for the fact that the transfer process can fail and be recovered without the loss of information. Details are contained in a Request for Proposal, which may be obtained by calling or writing:

**Contact:** Ms. Chris Robinson  
**Telephone:** (651) 297-8042  
**E-mail:** [Chris.Robinson@state.mn.us](mailto:Chris.Robinson@state.mn.us)  
**Address:** Department of Public Safety  
Office of Technical Support Services  
444 Cedar Street, Suite 140  
St. Paul, Minnesota 55101-5140

Ms. Robinson is not allowed to answer any questions. All questions concerning this RFP must be in writing and must be submitted to above address no later than 1:30 P.M., December 3, 1999. Final date for submitting proposals is 1:30 P.M., on December 13, 1999. No proposals will be considered after 1:30 P.M., and no time extensions will be granted.

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## Professional, Technical & Consulting Contracts

This Request for Proposal does not obligate the State to complete the proposed project, and the State reserves the right to cancel the solicitation if it is considered to be in the State's best interest. All expenses incurred in 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 *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

## Metropolitan Council

### Sealed Bids Sought for Printing Metro Transit Takeout Brochures

The Metropolitan Council is soliciting sealed bids for printing the monthly Metro Transit Takeout Brochure. Bids are due November 22, 1999.

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

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

## Metropolitan Council

### Solicitation for Small Transit Vehicles

The Metropolitan Council is soliciting proposals for 25 small transit vehicles, with an option to purchase up to 45 more vehicles over a three-year period. Proposals are due December 10, 1999.

Proposals must be submitted in accordance with the Solicitation Package document available from:

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

## University of Minnesota

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

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

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

