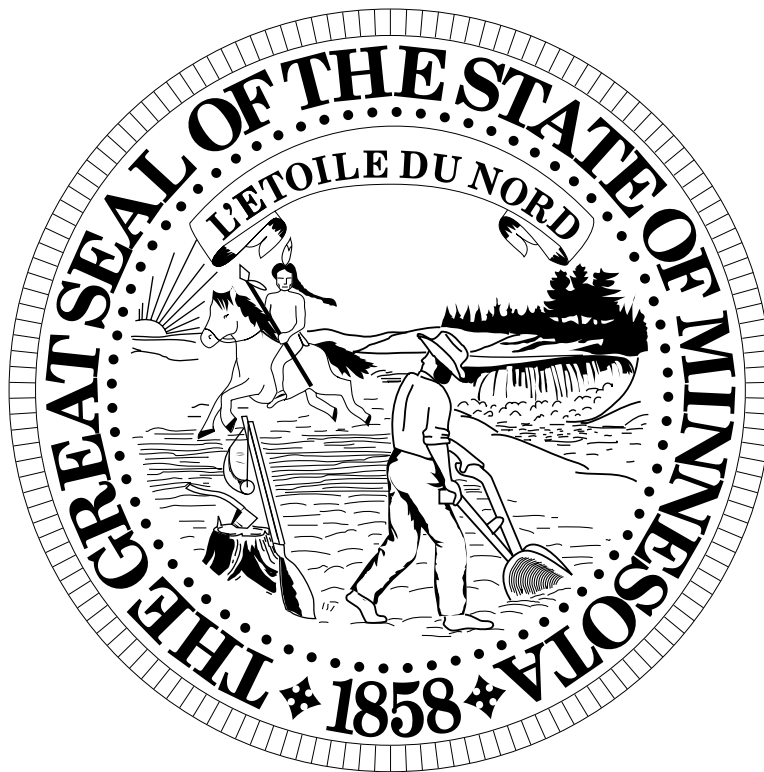


State of Minnesota

# State Register

Rules and Official Notices Edition



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# State Register

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

The *State Register* is the official publication of the State of Minnesota, 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- proposed, adopted, exempt, expedited emergency and withdrawn rules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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#30	Monday 24 January	Noon Wednesday 12 January	Noon Tuesday 18 January
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**PUBLISHING NOTICES IN THE *State Register*:** Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to 651-297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$115.00 per page, billed in tenths of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

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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:

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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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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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# Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* § 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only.

The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

## Secretary of State


### Adopted Exempt Permanent Rules Regulating Uniform Commercial Code Forms

#### 8260.0600 FINANCING STATEMENT: FORM UCC-1.

[For text of subs 1 and 2, see M.R.]

Subp. 3. [See repealer.]

Subp. 3a. Report format for multipart form. A standard financing statement must be in substantially the following form:

	<b>STATE OF MINNESOTA</b>  <b>UCC-1 FINANCING STATEMENT</b>	For Filing Officer
This statement is presented for filing pursuant to <i>Minnesota Uniform Commercial Code, Minnesota Statutes Chapter 336.9-402.</i> (Type in Black Ink)		
<b>1. Individual Debtor - Last Name</b>		First Name
Middle I.		
Social Security #	Mailing Address	
City	State	Zip Code
<b>2. Individual Debtor - Last Name</b>		First Name
Middle I.		
Social Security #	Mailing Address	
City	State	Zip Code
<b>3. Business Debtor - Name</b>		
Fed. ID #	Mailing Address	
City	State	Zip Code
<b>4. Secured Party Name</b>		<b>5. Assignee of Secured Party</b>
Mailing Address		Mailing Address
City	State	Zip Code
City	State	Zip Code
<b>6. This financing statement covers the following types or items of property.</b>		

**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.

# Exempt Rules

Debtor is a transmitting utility  
as defined by Minnesota Statutes Chapter 336.9-105

RETURN ACKNOWLEDGMENT COPY TO: (name and address)

Please do not type outside the bracketed area.

(1) Filing Officer Copy – Alphabetical (ucc1rule 7999) Standard Form Approved by Secretary of State

Debtor's Signature  
(Required in Most Cases see instructions)

Debtor's Signature


Secured Party's Signature

Subp. 4. [See repealer.]

**Subp. 4a. Carbon pages.** The remaining four pages will be identical to the first, except as described in items A to D.

A. The second page must be green and the language “(2) Filing Officer Copy-Numerical” must appear at the bottom left.

B. The third page must be pink and the signature on the first page must not be reproduced by carbon on the third page. This area on the third page requires an original signature when it is resubmitted as a termination statement. It must appear substantially as follows:



**STATE OF MINNESOTA**

**UCC-1 FINANCING STATEMENT**

For Filing Officer

**This statement is presented for filing pursuant to Minnesota Uniform Commercial Code, Minnesota Statutes Chapter 336.9-402. (Type in Black Ink)**

<b>1. Individual Debtor - Last Name</b>		<b>First Name</b>		<b>Middle I.</b>	
<b>Social Security #</b>		<b>Mailing Address</b>			
<b>City</b>		<b>State</b>		<b>Zip Code</b>	
<b>2. Individual Debtor - Last Name</b>		<b>First Name</b>		<b>Middle I.</b>	
<b>Social Security #</b>		<b>Mailing Address</b>			
<b>City</b>		<b>State</b>		<b>Zip Code</b>	
<b>3. Business Debtor - Name</b>					
<b>Fed. ID #</b>		<b>Mailing Address</b>			
<b>City</b>		<b>State</b>		<b>Zip Code</b>	
<b>4. Secured Party Name</b>			<b>5. Assignee of Secured Party</b>		
<b>Mailing Address</b>			<b>Mailing Address</b>		
<b>City</b>		<b>State</b>	<b>Zip Code</b>	<b>City</b>	
		<b>State</b>	<b>Zip Code</b>		

**6. This financing statement covers the following types or items of property.**

Debtor is a transmitting utility  
as defined by Minnesota Statutes Chapter 336.9-105

RETURN ACKNOWLEDGMENT COPY TO: (name and address)

Please do not type outside the bracketed area.

(3) Filing Officer Copy – Acknowledgement (ucc 1term 7999)

**TERMINATION STATEMENT:** This statement of Termination of Financing is presented to a Filing Officer pursuant to the Uniform Commercial Code. The Secured Party certifies that the Secured Party no longer claims a security interest under the financing statement bearing the file number shown above.

By: \_\_\_\_\_  
(Signature of Secured Party or Assignee of Record. Must be signed.)

Date: \_\_\_\_\_

Standard Form Approved by Secretary of State

C. The fourth page must be white and the language “(4) Secured Party Copy” must appear at the bottom left.

D. The fifth page must be white and the language “(5) Debtor Copy” must appear at the bottom left.

[For text of subps 5 and 6, see M.R.]

Subp. 7. **Report format for form generated by word processor.** A standard financing statement must be in substantially the following format:

[For text of items A to G, see M.R.]

H. showing a description of the items of property covered by the financing statement. ~~If crops are covered, describe the real estate and list the name of the record owner of the real estate;~~

[For text of items I and J, see M.R.]

**REPEALER.** Minnesota Rules, part 8260.0600, subparts 3 and 4, are repealed.

## Executive Orders

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

## Office of the Governor

### Emergency Executive Order #99-20: Assigning Emergency Responsibilities to State Agencies; Rescinding Executive Order 96-16

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

**WHEREAS**, natural and technological disasters have and may occur in any part of the state; and

**WHEREAS**, national and international events, such as conflict or threats of terrorism can increase the need for emergency preparedness within the state; and

**WHEREAS**, state agencies may be called upon to effectively respond to and/or assist in the recovery from the effects of these events or disasters;

**NOW, THEREFORE**, I hereby order that:

Each department and independent state agency included in this Executive Order shall designate a member of its staff as its emergency preparedness response contact/coordinator (EPRC/C). Such individual shall serve as the point of contact for the Division of Emergency Management and other state agencies with regard to emergency preparedness and response issues and shall represent that agency on the Minnesota Emergency Preparedness and Response Committee (EPRC).

Each department, independent division, bureau, board, commission, and independent institution of the state government, hereinafter referred to as “agency,” shall carry out the general emergency preparedness, planning, response, recovery, hazard mitigation and continuity of operations responsibilities described in this Executive Order, the specific emergency assignments contained in the *Minnesota Emergency Operations Plan*, the *Minnesota Long-Term Recovery/Hazard Mitigation Plan* and such other duties as may be requested by the Division of Emergency Management. The head of each agency shall be accountable for the execution of the responsibilities described in this Executive Order.

**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.

# Executive Orders

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## I. Emergency Preparedness/Planning

- A. The Division of Emergency Management shall have overall responsibility for coordinating the development and maintenance of the all-hazard *Minnesota Emergency Operations Plan*.
- B. Each state agency shall develop and update, as necessary, its own emergency plan/procedures, including a continuity of operations (business continuation) plan. These plan/procedures should be made available to the agency's employees and to the Division of Emergency Management for maintenance in the state emergency operations center (SEOC). The agency's plan/procedures must provide for:
  1. protection of the agency's personnel, equipment, supplies, vital records, public records and facilities from the direct effects of a disaster at their agency or facilities; and
  2. execution of the emergency responsibilities that are assigned to the agency in this Executive Order, and are elaborated upon in the *Minnesota Emergency Operations Plan*; and
  3. continuity of government for sustaining time-sensitive operations and staffing, at a minimum developing and maintaining a written continuity of operations (business continuation) plan defining:
    - a. line of succession,
    - b. pre-delegation of emergency authority,
    - c. emergency action steps or procedures,
    - d. alternate operating sites for critical functions,
    - e. alternate facilities for resumption of normal business and the resumption of the agency's essential functions and services,
    - f. safeguarding of vital records,
    - g. protection of facilities, personnel and resources, and
    - h. preparation for returning to normal operations.
  4. commitment of resources for the development and maintenance of an agency all-hazard plan, including continuity of operations (government).
- C. Each state agency shall, when requested by the Division of Emergency Management, participate in emergency preparedness planning, training and exercising efforts.

## II. Emergency Response

- A. All state agencies responding to an emergency/disaster shall use the Minnesota Incident Management System (MIMS). In the event of an emergency/disaster resulting in a multiple state agency response, a unified command structure shall be established. If, due to the nature of an incident, a single state agency has a larger/primary role in the response to that incident, that agency may be referred to as the "lead agency." The Division of Emergency Management shall have the coordinating role in a multiple state agency response to an emergency/disaster. All state agencies shall support this coordinated multi-agency response and carry out their specific assignments, as described in the *Minnesota Emergency Operations Plan*.
- B. All state agencies shall be responsible for assigning necessary personnel to report to the state, regional, and/or on-site emergency operating center(s) and information hotline, if such are activated, in accord with the Minnesota Emergency Operations Plan. Such individuals shall be prepared to direct the activities of their agency's response personnel.

## III. Recovery/Hazard Mitigation

- A. Each state agency that has a role in emergency management shall participate in the development of hazard mitigation strategies to reduce or eliminate the vulnerability of life and property to the effects of disasters.
- B. Following a presidential declaration of a major disaster, state agencies shall be responsible for carrying out the hazard mitigation responsibility assignments contained in this Executive Order and elaborated upon in the *Minnesota Long-Term Recovery/Hazard Mitigation Plan*.
- C. State agencies shall, when requested by the Division of Emergency Management, provide appropriate personnel to assist with the damage assessment activities associated with the Public Assistance, Individual Assistance and Hazard Mitigation programs. They shall also provide personnel to serve on an Interagency Hazard Mitigation Team or Hazard Mitigation Survey Team, when requested.
- D. State agencies shall, when requested by the Division of Emergency Management, provide appropriate personnel to serve on the Minnesota Recovers Disaster Task Force and be prepared to commit and combine resources toward the long-term recovery/mitigation effort.




E. State agencies shall, when requested by the Division of Emergency Management, provide necessary personnel to staff those Disaster Recovery Centers (DRCs) that are established following a presidential declaration of a major disaster.

Executive Order 96-16 is rescinded.

Pursuant to *Minnesota Statutes 1998*, Section 4.035, subd. 2, this Executive Order is effective immediately and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes 1998*, Section 4.035, subd. 3.

**IN TESTIMONY WHEREOF**, I have set my hand this twenty-ninth day of December, 1999



JESSE VENTURA  
Governor

Filed According to Law:



MARY KIFFMEYER  
Secretary of State

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**I. DEPARTMENT OF ADMINISTRATION**

- Section 100 The Department of Administration shall coordinate planning and recovery of the statewide systems and provide emergency support.
- Section 101 The Department of Administration shall provide architects, engineers, and/or other technically qualified personnel, when requested, to participate in the preliminary damage assessment (PDA) of public buildings damaged by disaster.
- Section 102 The Department of Administration shall administer the state self-insurance program as it relates to federal disaster assistance, as set forth under Public Law 93-288. This will be accomplished in conformance with the new Federal Emergency Management Agency guidance, as it relates to insuring public buildings for eligibility for Public Assistance during a Presidential Declaration of a Major Disaster.
- Section 103 The Department of Administration shall provide administrative support to state government agencies during a disaster. This support would include, but is not limited to, assigning administrative staff, equipment, printing and duplicating materials and maintenance to state and regional emergency operating centers (EOCs).
- Section 104 The Department of Administration shall furnish computer services needed for operations and resource management in an emergency. These services include the use of computer facilities and support staff to provide needed information on a 24-hour basis during and immediately following an emergency.
- Section 105 The Department of Administration shall coordinate planning and delivery of statewide telecommunications systems and services for emergency operations during an emergency and shall provide emergency telecommunications support.
- Section 106 The Department of Administration shall be responsible for providing telephone operation support during exercises and emergencies in state and regional EOCs.
- Section 107 The Department of Administration shall provide technical assistance in determining appropriate minimization projects in the Individual Assistance programs.
- Section 108 The Department of Administration shall provide support to state agencies in the identification of alternate sites for their systems and personnel.
- Section 109 The Department of Administration shall provide travel support to state agencies.
- Section 110 The Department of Administration shall provide state agencies access to a recovery plan development software tool.

**II. DEPARTMENT OF AGRICULTURE**

- Section 200 The Department of Agriculture shall provide guidance for the use of agricultural land and crops affected by disaster.
- Section 201 The Department of Agriculture, with assistance from the Board of Animal Health, shall develop procedures for the protection of farm animals affected by a disaster.
- Section 202 The Department of Agriculture shall assist in the preparation of damage estimates for the Division of Emergency Management on agricultural losses to support disaster declaration requests.
- Section 203 The Department of Agriculture shall be responsible for a statewide program for the protection of animals, food products, and crops exposed to radiation and the use of contaminated agricultural land to include decontamination methods, cultivation guidance, and types of crops to be grown.

## Executive Orders

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- Section 204 The Department of Agriculture shall develop and make available fact sheets on the protection of foodstuffs and animals, during disasters.
- Section 205 The Department of Agriculture, with assistance from the Board of Animal Health, may be called upon for advice and coordination of local units of government in the provision of animal rescue and sheltering activities associated with a major disaster.

### Board of Animal Health

- Section 220 The Board of Animal Health shall advise the Department of Agriculture, the Department of Health, the Department of Natural Resources and other state and federal agencies having health/medical responsibilities relating to the care and handling of companion, farm, and wildlife animals.
- Section 221 The Board of Animal Health shall advise practicing veterinarians and USDA and Minnesota Department of Agriculture meat inspection, regarding the health of livestock presented for processing.
- Section 222 The Board of Animal Health shall coordinate with state, county and local officials on livestock carcass disposal.

### III. ATTORNEY GENERAL

- Section 300 The Attorney General shall be responsible for providing legal advice and opinions in support of state emergency operations to include preparing and reviewing proclamations and special regulations issued by the governor.
- Section 301 The Attorney General shall provide representation at Disaster Recovery Centers (DRCs) and public meetings as requested by the Division of Emergency Management, to provide consumer information to persons affected by a disaster.
- Section 302 The Attorney General shall provide guidance on contracting requirements to state agencies, after a major disaster.

### IV. DEPARTMENT OF CHILDREN, FAMILIES AND LEARNING

- Section 400 The Department of Children, Families and Learning shall coordinate with the Division of Emergency Management on the development and updating, as required, of emergency plan guidance to be provided to local schools. Such guidance shall be designed to assist schools in developing an emergency plan that provides for the protection of children in the event of an emergency/disaster. The department shall be responsible for the distribution of such planning guidance to local school districts.
- Section 401 The Department of Children, Families and Learning shall assist local school districts in preparing and submitting a request for financial assistance from the federal government when public school facilities are damaged or destroyed by a major disaster.
- Section 402 The Department of Children, Families and Learning shall have the responsibility for providing federal government food commodities.
- Section 403 The Department of Children, Families and Learning shall provide technical assistance in finding appropriate alternate school facilities, which are inspected and approved by the State Fire Marshal, when local facilities are damaged or destroyed during a disaster.
- Section 404 The Department of Children, Families and Learning shall work with schools to develop school-specific, all-hazard emergency plans compatible with local, county, state and federal all-hazard plans. The plans and response procedures developed for schools should specifically address domestic violence within the buildings, and the development of "safe areas" around schools.

- Section 405 The Department of Children, Families and Learning shall use its network of service delivery agencies to assist vulnerable individuals and families, during and after a disaster. This assistance includes, but is not limited to, locating and/or identifying resources to provide childcare, energy assistance, weatherization, food shelves, community action programs and dislocated worker/job training programs.

#### **V. DEPARTMENT OF COMMERCE**

- Section 500 The Department of Commerce shall provide representation at Disaster Recovery Centers (DRCs) and public meetings as requested by the Division of Emergency Management, to furnish information relative to insurance claim procedures to persons affected by a disaster.
- Section 501 The Department of Commerce shall develop procedures and provide the necessary staff at the State Emergency Operations Center to support the state's responsibility in emergency banking and fiscal matters of any economic stabilization program established by the Federal Reserve Bank of Minneapolis and/or the Federal Reserve System.
- Section 502 The Department of Commerce shall assist state and local government with damage assessment of private or individual dwellings and businesses, which may include seeking cooperation of insurance underwriters adjustment resources as requested by the Division of Emergency Management.
- Section 503 The Department of Commerce shall develop and make available consumer fact sheets about disaster assistance and insurance regulations.
- Section 504 The Department of Commerce shall provide a Telecommunications Device for the Deaf (TDD) and operators when the State Emergency Operations Center and Information Hotline are activated.
- Section 505 The Department of Commerce shall develop procedures for the conservation and management of energy resources during energy emergencies, in coordination with energy suppliers in the state.
- Section 506 The Department of Commerce shall coordinate their activities with the Division of Emergency Management in the implementation of energy emergency procedures.
- Section 507 The Department of Commerce shall develop various public information releases for use in an energy emergency.
- Section 508 The Department of Commerce shall provide personnel, when requested, to participate in a preliminary damage assessment (PDA) effort following the occurrence of a disaster.
- Section 509 The Department of Commerce shall provide personnel, when requested, to serve on an Interagency Hazard Mitigation Team/Hazard Mitigation Survey Team following a presidential declaration of a major disaster.
- Section 510 The Department of Commerce shall provide a representative, when requested, to serve on the Minnesota Recovers Disaster Task Force, in order to assist in the evaluation of projects proposed for funding.

#### **VI. DEPARTMENT OF ECONOMIC SECURITY**

- Section 600 The Department of Economic Security shall develop procedures to provide reemployment assistance to eligible individuals whose unemployment results from a disaster declared under Public Law 93-288. It will also arrange for payment of benefits under regular reemployment compensation laws to eligible individuals in cases where a disaster has not been declared.
- Section 601 The Department of Economic Security shall provide representation at Disaster Recovery Centers (DRCs) and public meetings as requested by the Division of Emergency Management, to furnish information relative to disaster reemployment and applicable programs.

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### VII. EMERGENCY MEDICAL SERVICES REGULATORY BOARD

- Section 700 The Emergency Medical Services Regulatory Board, in cooperation with the Office of Electronic Communications of the Technical Services Division of the Department of Transportation, shall develop a statewide emergency medical services radio communication system.
- Section 701 The Emergency Medical Services Regulatory Board shall assist the State and local EOCs in the coordinating of emergency medical resources, including ambulance services to respond to disasters.
- Section 702 The Emergency Medical Services Regulatory Board shall establish and maintain a list of the critical medical services throughout the State of Minnesota; and it shall develop a system for rapid access to the data required to determine the availability of hospital beds and specialized equipment.
- Section 703 The Emergency Medical Services Regulatory Board shall, upon request, coordinate Critical Incident Stress Debriefing (CISD) support to state and local officials. At the onset of a major disaster, the Emergency Medical Services Regulatory Board shall coordinate CISD support teams to be deployed into the areas most affected.

### VIII. DEPARTMENT OF EMPLOYEE RELATIONS

- Section 800 The Department of Employee Relations shall support the Department of Economic Security in the management of personnel services at state and regional emergency operating centers during a disaster, and will assist in the development of emergency employment utilization procedures.
- Section 801 The Department of Employee Relations shall interface with union officials and appropriate representatives to develop strategies for resolving conflicts between labor organizations and state agencies, during times of disaster. The Department of Employee Relations shall be proactive relative to developing options to sustain state EOC staffing and the implications thereof on labor agreements, whenever the state EOC is activated.
- Section 802 The Department of Employee Relations shall provide support to state agencies in the management of labor contracts, during emergency operations, ensuring fair, uniform and consistent interpretation of contract language.

### IX. DEPARTMENT OF FINANCE

- Section 900 The Department of Finance shall develop expedited procedures for fiscal management of the state during a disaster.
- Section 901 The Department of Finance shall work with the Department of Public Safety, Fiscal and Administrative Services in establishing the most appropriate way to fund the required state match costs associated with a presidential disaster declaration.
- Section 902 The Department of Finance shall assist state agencies in establishing the most appropriate way to fund financial deficiencies resulting from supporting local efforts during large scale emergencies, when federal assistance is not provided.

### X. DEPARTMENT OF HEALTH

- Section 1000 The Department of Health shall develop procedures for responding to public health issues related to a disaster or emergency. These procedures shall include provisions for: disease control and prevention; sewage and waste disposal; the handling of radioactive materials; potable water supply; handling, identification, and disposition of mass casualties; and health assessment and training programs for health care and support personnel.

- Section 1001 The Department of Health shall be responsible for developing fact sheets and providing guidance on protective action levels and medical assistance to state and local authorities in areas affected by accidents/incidents involving radioactive or any other hazardous materials. They shall develop procedures to accomplish this and conduct in-service training to maintain this response capability.
- Section 1002 The Department of Health shall, as needed, provide assistance to local officials in conjunction with the local health agency to ensure the safety of food and water for human consumption during and immediately following a disaster.
- Section 1003 The Department of Health shall provide personnel, as needed, to assist in the preliminary damage assessment (PDA) process for health and public water facilities damaged by a disaster. They will assist communities, as requested, in determining the cost to repair or replace damaged health facilities and public water distribution systems so federal financial assistance can be requested under Public Law 93-288.
- Section 1004 The Department of Health laboratory shall be responsible for providing 24-hour analysis capability in the event of an emergency involving radioactive materials. They shall develop procedures to accomplish this and conduct in-service training to maintain this response capability.
- Section 1005 The Department of Health shall make its laboratory capabilities available for the analysis and identification of potential biological or chemical agents, during the initial phase of a potential weapons of mass destruction event.
- Section 1006 The Department of Health shall, as needed, conduct food inspections at mass feeding facilities.

#### **XI. MINNESOTA HOUSING FINANCE AGENCY**

- Section 1100 The Minnesota Housing Finance Agency shall administer home improvement grants and/or loans, available through its own agency, to homeowners of low and moderate incomes, that have sustained disaster related damage to their principal residence.
- Section 1101 The Minnesota Housing Finance Agency shall immediately, upon notification of a disaster or emergency, inventory the availability of vacant and rental property suitable for temporary or long-term housing for disaster/emergency victims.
- Section 1102 The Minnesota Housing Finance Agency, in cooperation with the Division of Emergency Management, shall assist with the planning and implementation of victim housing, in conjunction with the Individual Assistance Program administered by the Federal Emergency Management Agency and the state Division of Emergency Management.

#### **XII. DEPARTMENT OF HUMAN SERVICES**

- Section 1200 The Department of Human Services shall be responsible for coordinating the Disaster Food Stamp Program for disaster victims.
- Section 1201 The Department of Human Services shall provide representation at Disaster Recovery Centers (DRCs) and the disaster area itself, as deemed necessary by the Division of Emergency Management, to identify and assist victims.
- Section 1202 The Department of Human Services shall be responsible for coordinating, with local government and voluntary agencies at state and/or regional emergency operating centers, the provision of emergency human services following a disaster.
- Section 1203 The Department of Human Services shall provide personnel, as requested, to assist the state in the delivery of individual assistance following a presidential disaster declaration.

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- Section 1204 The Department of Human Services shall assist with immediate services and administer special grants for mental health programs for disaster victims.
- Section 1205 The Department of Human Services shall provide assistance in long-term disaster recovery using existing programs, streamlining or waiving regulatory functions where possible, and providing technical assistance and/or administrative support to stricken communities.
- Section 1206 The Department of Human Services has the overall responsibility for the coordination of mass care (human) services.

### XIII. DEPARTMENT OF LABOR AND INDUSTRY

- Section 1300 The Department of Labor and Industry, Occupational Safety and Health Division shall respond to a catastrophe when employee fatalities/serious injuries are involved. They shall investigate to determine the cause, so that similar hazards to workers are prevented or minimized in the future.
- Section 1301 The Department of Labor and Industry, Occupational Safety and Health Division shall provide support, as requested, in the detection of air contaminants caused by chemical or biological agents and in the implementation of appropriate procedures.
- Section 1302 The Department of Labor and Industry, Occupational Safety and Health Division shall assist in assessing hazards and personal protective equipment needs, as requested.

### XIV. DEPARTMENT OF MILITARY AFFAIRS

- Section 1400 The Department of Military Affairs (Minnesota National Guard) shall prepare and maintain plans and procedures to support civil authorities when an emergency exceeds local resources. As Commander-In-Chief of the National Guard, the Governor can direct the National Guard to take whatever action necessary to cope with the emergency. Upon the order of the Governor, the Adjutant General shall order to state active duty, such personnel, equipment, and facilities of the military forces of the state as required, and for such a period of time as necessary, to assist and support civil authorities. National Guard assistance may be made available when a natural disaster, civil disturbance, hazardous materials incident, or other emergency beyond the capability of local government occurs. Both local government and state agencies forward requests for National Guard assistance to the Minnesota Duty Officer (MDO) at the Division of Emergency Management. The National Guard shall maintain 24-hour liaison with the MDO. County sheriffs and mayors of cities of the first class are authorized to request National Guard assistance.
- Section 1401 The Department of Military Affairs (Minnesota National Guard) shall prepare and maintain plans and procedures for responding to and supporting state and local authorities in their response to weapons of mass destruction including, but not limited to, biological, nuclear, incendiary, chemical and explosive devices and compounds or materials. In the event of terrorist-type activity, the Department of Military Affairs shall provide support to the State Emergency Operations Center and the local incident command post. The Department of Military Affairs will make their RAID teams available, as requested by the State, to support a local response to terrorist activity. In response to a terrorist event, the Minnesota National Guard shall, at the state's request, deploy RAID teams and technically qualified personnel to the affected jurisdiction and provide policy and technical-level support in the State Emergency Operations Center Planning and Assessment Center and Operations Section.



**XV. DEPARTMENT OF NATURAL RESOURCES**

- Section 1500 The Department of Natural Resources shall be responsible for preparing plans and procedures for chemical, biological and radiological monitoring/sampling of plants, animals, and water in cooperation with the Departments of Health and Agriculture.
- Section 1501 The Department of Natural Resources shall be responsible for providing technical assistance, personnel, and equipment for debris removal from state waterways and forested areas, subject to the availability of funds.
- Section 1502 The Department of Natural Resources shall provide technically qualified personnel, when requested, to participate in a preliminary damage assessment (PDA) effort following the occurrence of a disaster.
- Section 1503 The Department of Natural Resources shall provide personnel, when requested, to serve on an Interagency Hazard Mitigation Team/Hazard Mitigation Survey Team following a presidential declaration of disaster, and provide hazard mitigation information to the general public.

**Enforcement Division**

- Section 1510 The Enforcement Division shall provide personnel and equipment support to the State Patrol in emergency law enforcement and traffic control operations, when requested by the Division of Emergency Management.
- Section 1511 The Enforcement Division shall prepare procedures for providing communications support in a disaster area.
- Section 1512 The Enforcement Division shall prepare plans and provide support to local government agencies during disasters. During floods, storms and other disaster emergencies, the Enforcement Division will assist local law enforcement for both search and rescue, will provide special equipment such as boats, ATVs, snowmobiles, etc., and provide any other needs identified.

**Forestry Division**

- Section 1520 The Forestry Division shall provide personnel and equipment support to the state Fire Marshal in emergency operations, when requested by the Division of Emergency Management.
- Section 1521 The Forestry Division shall be responsible for coordinating fire suppression activities in forested and grassland areas of the state.
- Section 1522 The Forestry Division shall assist state and local governments in applying for grants from the federal government for the purpose of reimbursing expenses actually incurred by a property owner in the removal of timber damaged by a disaster.
- Section 1523 The Forestry Division shall assist local government in training for fire and rescue operations in full coordination with the state Fire Marshal Division and the Minnesota State Colleges and Universities.
- Section 1524 The Forestry Division shall assist state and local governments in tree disposal recommendations, following a major wind event.
- Section 1525 The Forestry Division shall coordinate with the Department of Public Safety, State Patrol Division and the Department of Transportation, Aeronautics Division, during disaster, for air operations and air transportation services.

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### Waters Division

- Section 1530 The Waters Division shall be responsible for coordinating the Flood Plain Management Program and the National Flood Insurance Program (NFIP) in Minnesota, including enrollment of communities in the NFIP, publicity regarding flood insurance availability and coordination of insurance agent workshops.
- Section 1531 The Waters Division shall assign staff, as requested, to a (post-disaster declaration) FEMA Interagency Hazard Mitigation Team and to the Minnesota Recovers Disaster Task Force. These staff will help implement provisions of the *Minnesota Long-Term Recovery Hazard Mitigation Plan* and update the Plan as necessary.
- Section 1532 The Waters Division shall assist local units of government in applying for grants through the Department of Natural Resources, Flood Damage Reduction Grant Program.
- Section 1533 The Waters Division shall establish plans for the conservation and allocation of surface and underground waters during emergencies.
- Section 1534 The Waters Division shall assign the state climatologist and other needed staff to prepare climatological and hydrologic reports as well as other related hydrologic data in support of emergency operations.
- Section 1535 The Waters Division shall provide personnel at Disaster Recovery Centers (DRCs) to disseminate information to and solicit information from flood victims.

### XVI. MINNESOTA PLANNING

- Section 1600 Minnesota Planning shall provide community planning, redevelopment and construction assistance to local jurisdictions immediately following a major disaster.
- Section 1601 Minnesota Planning shall provide a state assessment of redevelopment options, following a major disaster.

### XVII. MINNESOTA POLLUTION CONTROL AGENCY

- Section 1700 The Minnesota Pollution Control Agency shall, upon instructions from the office of the Governor or the Governor's Authorized Representative, waive, modify, or suspend selected enforcement rules of the agency for areas stricken by disaster, when statute provides for such waivers. This action will relieve or expedite recovery operations and avert an even greater disaster from occurring, while ensuring continued protection of the public.
- Section 1701 The Minnesota Pollution Control Agency shall provide technically qualified personnel, when requested, to participate in a preliminary damage assessment (PDA) effort following the occurrence of a disaster.
- Section 1702 The Minnesota Pollution Control Agency shall provide personnel, when requested, to serve on an Interagency Hazard Mitigation Team/Hazard Mitigation Survey Team following a presidential declaration of disaster.
- Section 1703 The Minnesota Pollution Control Agency shall provide a representative, when requested, to serve on the Minnesota Recovers Disaster Task Force to evaluate projects proposed for funding.
- Section 1704 The Minnesota Pollution Control Agency shall review the environmental effects of an emergency diking project and recommend approval or disapproval before work begins.
- Section 1705 The Minnesota Pollution Control Agency shall provide technical and policy-level staff to the state Emergency Operations Center, specifically to the Planning and Assessment Center and the Operations Section, when requested by the Department of Public Safety, Division of Emergency Management.

Section 1706 The Minnesota Pollution Control Agency shall develop and provide guidelines and procedures, assisting local authorities to manage and dispose of debris after a disaster/emergency.

### **XVIII. DEPARTMENT OF PUBLIC SAFETY**

#### **Bureau of Criminal Apprehension**

Section 1800 The Bureau of Criminal Apprehension shall make its field agents available, when possible, to assist other state agencies with search and rescue, evacuation and traffic control, and law enforcement, during a disaster.

Section 1801 The Bureau of Criminal Apprehension shall lend forensics capabilities to the analysis and identification of evidence related to a potential weapons of mass destruction event.

#### **Capitol Complex Security Division**

Section 1810 The Capitol Complex Security Division shall be responsible for providing protection to property and equipment in the Capitol complex during an emergency.

Section 1811 The Capitol Complex Security Division shall provide 24-hour security for the state emergency operating center (SEOC) and the joint public information center (JPIC) during an emergency, when located in the Capitol complex.

Section 1812 The Capitol Complex Security Division shall provide backup radio operators for duty officers operating the radio console in the SEOC, if possible.

#### **Office of Communications**

Section 1820 The Office of Communications shall provide emergency public information support following the occurrence of a disaster, including disaster exercises, in coordination with the Division of Emergency Management and the Governor's Office.

#### **Division of Emergency Management**

Section 1830 The Director of the Division of Emergency Management (DEM) shall serve as the state coordinating officer (SCO) and the Governor's authorized representative (GAR) for all presidentially declared emergencies and disasters.

Section 1831 The Director of the Division of Emergency Management shall carry out nuclear power plant emergency operations planning and assess the need for protective actions required to mitigate the effects of an incident at a nuclear power plant.

Section 1832 The Division of Emergency Management shall facilitate the activities of the Minnesota Emergency Preparedness and Response Committee.

Section 1833 The Division of Emergency Management shall monitor the operations of the state portion of the National Warning System (NAWAS) and coordinate any actions necessary to maintain service or extend coverage.

Section 1834 The Division of Emergency Management shall maintain the 24-hour Minnesota Duty Officer system to ensure the proper receipt and dissemination of emergency/disaster notifications to appropriate state and local government agencies.

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- Section 1835 The Division of Emergency Management shall activate the state emergency operating center (SEOC) when any type of major disaster threatens or has occurred. DEM staff shall establish an emergency operations center (EOC) or field office in or adjacent to the disaster to coordinate field operations. When an EOC or field office has been opened, the division shall notify state agencies so that they may provide staff to the EOC to carry out their emergency responsibilities.
- Section 1836 The Division of Emergency Management shall keep the Governor, Executive Council, and the legislature, as appropriate, informed of all actual or impending emergency operations.
- Section 1837 The Division of Emergency Management shall provide guidance and information sufficient to allow local government to request assistance under the provisions of *Minnesota Statutes* Chapter 9.061 (the “Calamity Act”) and Chapter 273.123 (reassessment of Homestead Property Damaged in a Disaster). The Division shall also present such a request for assistance to the state Executive Council.
- Section 1838 The Director of the Division of Emergency Management shall designate a DEM staff member to serve as the State Hazard Mitigation Officer (SHMO). The SHMO shall be responsible for ensuring that the hazard mitigation requirements contained in Public Law 93-288, including implementation of the Hazard Mitigation Grant Program, are carried out.
- Section 1839 The Division of Emergency Management shall facilitate long-term disaster recovery/hazard mitigation efforts by: coordinating maintenance of the *Minnesota Long-Term Recovery/Hazard Mitigation Plan*, and by activating the Minnesota Recovers Disaster Task Force, when appropriate.
- Section 1840 The Division of Emergency Management shall administer the Public Assistance, Individual and Family Grant and Hazard Mitigation Grant Program provided under Public Law 93-288.
- Section 1841 The Division of Emergency Management shall assist local communities in the completion of all prerequisite actions needed to construct flood protection works. The Division of Emergency Management will also help to obtain the concurrence of the Departments of Natural Resources and Transportation, and the Minnesota Pollution Control Agency in any project before requesting construction assistance from the U.S. Army Corps of Engineers.
- Section 1842 The Division of Emergency Management shall (on behalf of state and local government) coordinate the obtaining of damage assessment information required for federal and/or state disaster assistance.
- Section 1843 The Division of Emergency Management shall request all appropriate state agencies to provide representatives to the Disaster Recovery Centers (DRCs) that are established following a presidential declaration of disaster.
- Section 1844 The Division of Emergency Management shall have overall responsibility for coordinating both local government emergency operations planning and hazard mitigation planning. This responsibility includes the development and maintenance of prototype emergency operations plans and mitigation plans and supporting documents, as well as planning requirements guidance.
- Section 1845 The Division of Emergency Management regional program coordinators shall review all county and city emergency operations plans to determine if the plans are in compliance with state and federal requirements.
- Section 1846 The Division of Emergency Management shall coordinate the development and conduct of emergency preparedness drills and exercises involving multiple Minnesota state agencies.
- Section 1847 The Division of Emergency Management shall be responsible for the administrative tasks associated with the Hazardous Materials Regional Response Teams. DEM, in conjunction with the State Fire Marshal, shares responsibility for the overall coordination and implementation of this program.
- Section 1848 The Division of Emergency Management shall serve as the initial state point of contact for shipments of high-level radioactive waste material to be transported within or through the state of Minnesota. The Division shall make the notifications and coordinate the state agency preparations and multiple state agency response activities associated with such shipments.

- Section 1849 The Division of Emergency Management shall maintain contact and coordinate the state's contracts as it relates to response from designated bomb squads and hazardous materials response or chemical assessment teams. The Division of Emergency Management shall develop a comprehensive plan addressing how the state will support local governments' response to an act of domestic or international terrorism, involving chemical, biological, nuclear, incendiary or explosive devices or products.
- Section 1850 The Director of the Division of Emergency Management shall serve as the State Senate point of contact for coordinating planning, preparedness, response and recovery, as they relate to incidents involving weapons of mass destruction.
- Section 1851 The Division of Emergency Management shall coordinate flights with the Civil Air Patrol in search and rescue missions.
- Section 1852 The Division of Emergency Management shall be the lead agency for coordinating and implementing the temporary housing program for disaster victims, following a presidential declaration of disaster.
- Section 1853 The Division of Emergency Management and the State Fire Marshal Division shall coordinate the deployment of Department of Public Safety Hazardous Materials Chemical Assessment and Emergency Response Teams during a disaster or major emergency. Deployment may occur at the request of local authorities or when otherwise deemed necessary by the nature and scope of the incident.
- Section 1854 The Emergency Response Commission shall provide emergency response personnel with access to hazardous chemical storage information required to be provided to the Commission by facilities subject to regulation under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III).
- Section 1855 The Emergency Response Commission shall provide technical guidance and assistance to political subdivisions in meeting requirements of SARA Title III.
- Section 1856 The Emergency Response Commission, through the Regional Review Planning Committees of the Commission, shall review the SARA Title III elements contained in local government emergency operations plans.

#### **State Fire Marshal/Pipeline Safety**

- Section 1860 The State Fire Marshal Division shall assist local jurisdictions, in coordination with the Division of Emergency Management, in obtaining fire fighting, rescue and hazardous materials incident response assistance during an emergency, and providing technical expertise and general assistance with the coordination of local fire, rescue and hazardous materials emergency response operations.
- Section 1861 The State Fire Marshal Division shall, when requested by local authorities or deemed necessary by the State Fire Marshal (in accordance with *Minnesota Statutes* 299F.04), investigate fires and explosions to determine their origin and cause. Whenever the cause is determined to be other than accidental, the Division shall assist local authorities with the collection and analysis of evidence, and the preparation of criminal cases for prosecution.
- Section 1862 The State Fire Marshal Division shall provide, upon the request of a local jurisdiction, technical expertise necessary to examine major structure fires (large dollar loss or multiple fire deaths) to identify the effectiveness of fire protection systems and prevention programs in place prior to the fire. The results of such examinations shall be used in efforts to prevent similar future losses.
- Section 1863 When requested by local authorities, or deemed necessary by the State Fire Marshal, Division personnel shall be assigned to conduct fire and life safety inspections of jurisdictional facilities damaged or otherwise impacted during a disaster or major emergency.
- Section 1864 The State Fire Marshal Division and the Division of Emergency Management shall coordinate the deployment of Department of Public Safety Hazardous Materials Chemical Assessment and Emergency Response Teams during a disaster or major emergency. Deployment may occur at the request of local authorities or when otherwise deemed necessary by the nature and scope of the incident.

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- Section 1865 The State Fire Marshal Division, Office of Pipeline Safety shall act as a liaison with pipeline companies and other utilities, local units of government and federal pipeline authorities, and provide post incident enforcement, investigation and damage prevention education.

### Fiscal and Administrative Services

- Section 1870 The Department of Public Safety, Fiscal and Administrative Services shall, within five working days, process payments received from the Department of Public Safety, Division of Emergency Management for disaster victims that have applied for assistance through the Individual and Family Grant Program.
- Section 1871 The Department of Public Safety, Fiscal and Administrative Services shall process payments received from the Division of Emergency Management, within 30 days, for municipalities within the disaster area that have applied for assistance through the Public Assistance and Hazard Mitigation Grant programs.

### State Patrol Division

- Section 1880 The State Patrol Division shall be responsible for law enforcement and traffic control on all interstate and state trunk highways in an emergency.
- Section 1881 The State Patrol Division shall assist local police agencies with available resources in law enforcement and traffic control when requested by proper local authority to do so.
- Section 1882 The State Patrol Division shall act as net control for the National Warning System (NAWAS) within the state for the dissemination of national and local emergency information and warnings.
- Section 1883 The State Patrol shall be responsible for providing assistance that may be required by the Capitol Complex Security Division to protect the personnel in the capitol complex during an emergency, and shall prepare plans and procedures to accomplish this.
- Section 1884 The Chief of the State Patrol shall be in charge of the law enforcement function and shall coordinate its emergency operations in the state, including the assignment of personnel as law enforcement representatives at the state and regional emergency operating centers.
- Section 1885 The State Patrol radio frequencies shall serve as the direction and control net. The State Patrol is responsible for providing, if needed, personnel to operate the radio console in the state emergency operating center (SEOC) during exercises, drills, and emergencies.
- Section 1886 The State Patrol shall provide backup radio operators to serve as duty officers to operate the radio console in the SEOC, as needed.
- Section 1887 The State Patrol Air Section shall provide immediately, at the time of a disaster or large-scale emergency, aerial photography and assessment of the disaster or emergency area. State Patrol helicopters with cameras shall be utilized to do aerial filming of the area and shall provide that information directly to the State Emergency Operations Center.
- Section 1888 The State Patrol Air Section shall restrict flights and access over disaster and emergency areas, when requested by the Division of Emergency Management or local authorities.
- Section 1889 The State Patrol Air Section shall, in conjunction with the Department of Transportation, Aeronautics Division and the Department of Natural Resources, provide personnel, when requested, to participate in a preliminary damage assessment (PDA) effort and prepare damage survey reports (DSRs) for airports and airport facilities damaged in any type of major disaster.

- Section 1890 The State Patrol Air Section shall, in conjunction with the Department of Transportation, Aeronautics Division provide transportation and/or reconnaissance, as requested by the Division of Emergency Management, during a declared disaster situation.
- Section 1891 The State Patrol Air Section shall have a plan for the utilization of agency aircraft available for emergency operations, including records of agency aircraft, pilots and available airports.
- Section 1892 The State Patrol Air Section shall coordinate with the Department of Transportation, Aeronautics Division and the Department of Natural Resources, during a disaster, for the provision and use of air transportation resources within state government.

#### **XIX. DEPARTMENT OF REVENUE**

- Section 1900 The Department of Revenue shall provide representatives at Disaster Recovery Centers (DRCs), as requested by the Division of Emergency Management, to provide guidance to clients on how their tax burden will be affected by their disaster losses.
- Section 1901 The Department of Revenue shall assist local governments and help citizens determine value of losses sustained as a result of a major disaster.
- Section 1902 The Department of Revenue shall assist local government in conducting a damage assessment of private homes and businesses, as needed.
- Section 1903 The Department of Revenue shall assist the Division of Emergency Management and the Department of Public Service in the implementation of an energy plan which provides for the allocation and conservation of energy resources and provides staff for the state and regional emergency operating centers.
- Section 1904 The Department of Revenue shall assign personnel to assist with the compliance activities associated with the economic stabilization function.

#### **XX. MINNESOTA STATE COLLEGES AND UNIVERSITIES**

- Section 2000 The Minnesota State Colleges and Universities shall assist local government by providing training in fire, rescue, and hazardous materials emergency operations through the technical colleges located statewide.

#### **XXI. DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT**

- Section 2100 The Commissioner of the Department of Trade and Economic Development shall, when requested by the Division of Emergency Management, provide an estimate of the immediate economic impact of a disaster. Where possible and applicable, the department shall provide estimated projections of long range effects of a major disaster, using relevant data from a variety of sources including, residents, businesses and local, state and federal agencies, if needed.

#### **XXII. DEPARTMENT OF TRANSPORTATION**

- Section 2200 The Department of Transportation shall provide personnel, when requested, to serve on an Interagency Hazard Mitigation Team/Hazard Mitigation Survey Team following a presidential declaration of a major disaster.

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### Program Delivery Division

- Section 2210 The Office of Aeronautics shall restrict flights over disaster areas when requested by the Division of Emergency Management or other appropriate authority.
- Section 2211 The Office of Aeronautics shall coordinate civilian and military air transportation in a disaster situation.
- Section 2212 The Office of Aeronautics shall support the Department of Public Safety, State Patrol Division in providing personnel, when requested, to participate in a preliminary damage assessment (PDA) effort for airports and airport facilities damaged in any type of major disaster.
- Section 2213 The Office of Aeronautics shall support the Department of Public Safety, State Patrol Division in providing transportation and/or reconnaissance, as requested by the Division of Emergency Management, during a declared disaster situation.
- Section 2214 The Office of Aeronautics shall have a plan for the utilization of Department of Transportation aircraft available for emergency operations.
- Section 2215 The Office of Aeronautics shall coordinate with the Department of Public Safety, State Patrol Division, during a disaster, for the provision and use of air transportation resources within state government.
- Section 2216 The Office of Aeronautics shall coordinate the maintenance of current records of airport facilities, aircraft registrations and licensed pilots that could be used to provide transportation to various parts of the state in event of a disaster with the Department of Public Safety, State Patrol Division.
- Section 2217 The Office of Motor Carrier Safety develop procedures for receiving and disseminating information to appropriate agencies concerning the shipment of chemicals, radiological substances, and other materials that are potentially hazardous.

### Program Support Division

- Section 2220 The Program Support Division shall develop procedures for emergency engineering services in disaster operations and shall assign personnel to state and regional emergency operating centers.
- Section 2221 The Program Support Division shall make available the Maintenance Construction Communications System for use as the Division of Emergency Management's command net, should the direction and control net (State Patrol) fail.
- Section 2222 The Program Support Division shall be responsible for debris and wreckage removal from all interstate and state trunk highways and for other assistance to political subdivisions on other roadways as may be required.
- Section 2223 The Program Support Division shall provide any highway clearances and waivers required to expedite the transportation of high priority materials and personnel during emergency operations.
- Section 2224 The Program Support Division shall determine the impact of an emergency diking project on the interstate and trunk highway system and recommend approval or disapproval of the project before work begins.
- Section 2225 The Program Support Division shall provide technically qualified personnel, when requested, to participate in a preliminary damage assessment (PDA) effort following the occurrence of a disaster.
- Section 2226 The Program Support Division, working with the state Health Department and State Patrol, shall assist in radiological emergency response and protection efforts such as radiological monitoring and decontamination of state highways and vital facilities.



- Section 2227 The Program Support Division shall prepare emergency highway traffic plans and procedures for the regulation of highway travel during periods of emergency operations.
- Section 2228 The Program Support Division shall prepare plans and procedures and be responsible for the coordination of all rail, bus, and truck transportation in the state during an emergency, including emergency transportation in the disaster area.
- Section 2229 The Office of Electronic Communications shall provide for the maintenance of radio communications systems essential to operations during an emergency or disaster.
- Section 2230 The Director of the Office of Electronic Communications shall be the state radio officer.
- Section 2231 The Office of Electronic Communications shall provide technical assistance in developing radio capabilities for statewide emergency preparedness, when multiple state agencies or multiple levels of government need to carry out a coordinated response.

## Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners' orders are compiled in the year-end subject matter index for each volume of the *State Register*.

## Department of Transportation

### Commissioner's Order No. 84222: Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed under *Minnesota Statutes* § 169.825

**WHEREAS**, the Commissioner of Transportation has made his Order No. 80000, dated March 10, 1994, which order has been amended by Orders No's. 80212, 80246, 80580, 80861, 80881, 81000, 81092, 81371, 81511, 81557, 81641, 82955, 83138, 83536, 83616, 83720, and 84056 designating and permitting certain street and highway routes, or segments of those routes, to carry the gross weights allowed under *Minnesota Statutes* § 169.825, and

**WHEREAS**, the Commissioner has determined that the additional following routes, or segment of routes, should be designated to carry the gross weights allowed under *Minnesota Statutes* § 169.825.

**IT IS HEREBY ORDERED** that Commissioner of Transportation Order No. 80000 is further amended this date by adding the following designated streets and highway routes, or segment of routes, as follows:

#### COUNTY ROADS

##### **BLUE EARTH COUNTY**

– C.S.A.H. 90 from T.H. 60 to T.H. 22 ( 12 month).

Elwyn Tinklenberg  
Commissioner

Dated: 29 December 1999

## Revenue Notices

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* § 270.0604.

## Department of Revenue

### Revenue Notice # 00-01: Sales and Use Tax – Definition of “Sponsored by”

#### Introduction

The purpose of this revenue notice is to define “sponsored by” as used in the sales tax exemptions for certain tickets and admissions in *Minnesota Statutes*, section 297A.25, subdivision 24, and certain fundraising event sales in *Minnesota Statutes*, section 297A.256, subdivision 1(c).

#### Sponsored By

An event is “sponsored by” a nonprofit organization if:

- the nonprofit organization actively participates in planning and managing the event, and
- the entire net proceeds from the event go to the nonprofit organization.

#### Active Participation

A nonprofit organization actively participates in an event by taking part in the planning process, being involved in making decisions regarding how the event will function and by retaining oversight over the event. Although the nonprofit organization may hire an outside entity to help plan or run the event, the exempt organization must retain final authority over the event in order to actively participate in the event.

It is not necessary that the nonprofit organization actually work at the event as long as they have actively participated in the planning process and retained decision-making authority.

#### Proceeds to Nonprofit Organization

The entire proceeds from the fundraising event, except for necessary expenses, must be used by the nonprofit organization for charitable, religious, or educational purposes. Necessary expenses are those reasonably required to be spent to conduct the event. If exorbitant or unnecessary expenses are paid from the proceeds, the event will not qualify for either of these exemptions.

#### Other Requirements

In addition to actively participating in and receiving the entire net proceeds from the event, all other requirements of *Minnesota Statutes*, sections 297A.25, subdivision 24, and 297A.256, subdivision 1(c), must be met in order to qualify for either of these exemptions. If the nonprofit organization hires an outside entity to help plan or run the event, there must be a written agreement stating the role of the nonprofit organization and that all net proceeds will go to the nonprofit organization.

Dated: 10 January 2000

Jennifer L. Engh  
Assistant Commissioner for Tax Policy

## 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.

## Board of Animal Health

### Notice of Quarterly Meeting

The Board of Animal Health will hold its quarterly meeting on Friday, February 18, 2000 at 9:30 a.m. in the Board offices in the Minnesota Department of Agriculture Building at 90 W Plato Blvd., St. Paul, Minnesota.

## **Interagency Long Term Care Planning Committee**

### **Request for Nominations for Advisory Review Panel**

The Interagency Long Term Care Planning Committee (INTERCOM) is requesting nominations to the Advisory Revenue Panel for reviewing proposals for exceptions to the Nursing Home Moratorium Law (*Minnesota Statutes*, section 144A.071). The Advisory Review Panel consists of five members: two representatives from organizations that represent consumers of nursing home services; two representatives from organizations representing providers of nursing home services; and one who has a background in long-term care and either accounting, engineering, building construction, or design. An advisory review panel member may serve two consecutive terms. A term on the advisory review panel begins the first working day after the vote of the INTERCOM appointing a person to the panel.

Two of the vacant positions on the panel are for two-year terms – one represents consumers of nursing home services and the other represents providers of nursing home services. These terms expired in December 1999.

A member of the advisory review panel must be nominated. Anyone can nominate an advisory review panel member. A nomination must be written, must state the name and address of the nominee, must include a description of the nominee's professional experience and training, and must state the position for which the person is being nominated. Questions may be directed to Kay Markling, 651-215-8726, or Mary Cahill, 651-215-8725, at Minnesota Department of Health, Facility and Provider Compliance Division, P.O. Box 64900, St. Paul, Minnesota 55164-0900.

Nominations must be received no later than 4:00 p.m., Friday, February 18, 2000 by:

Linda Sutherland  
INTERCOM  
85 East Seventh Place  
P.O. Box 64900  
St. Paul, MN 55164-0900

## **Department of Labor and Industry**

### **Notice of Membership of Rulemaking Advisory Committees**

This publication contains the membership of rulemaking advisory committees appointed by the Department of Labor and Industry to comment, before publication of a notice of intent to adopt or a notice of hearing, on the subject of a possible rulemaking under active consideration within the department. These rulemaking advisory committee membership lists are being published by the department to comply with *Minnesota Statute* § 14.101, subd. 2 (1998).

#### **High Pressure Pipefitting "Repair Issue" Ad Hoc Advisory Committee**

Keith Kackman	International Brotherhood of Electrical Workers, Local 160
Don Baxa	Northern States Power Co.
Phil Wald	Northern States Power Co.
Greg Hendrickson	Northern States Power Co.
Kerry LeFebre	Northern States Power Co.
Bob Bastianelli	Minnesota Power Co.
Monica Vik	Northern States Power Co.
Tom Koehler	International Brotherhood of Electrical Workers, Local 160
Russ L. Nichols	International Brotherhood of Electrical Workers, Local 949
Dan Gaghird	International Brotherhood of Electrical Workers, Local 23
Steve Pettersen	Minnesota Mechanical Contractors Association
Charley Fritze	Pipefitters Union, Local 539

#### **High Pressure Pipefitting Rules Advisory Committee**

James Dowell	Dowco Valve Co.
David Green	Pipefitters Union, Local 126
Charles Lemke	Paul Lemke & Son

## Official Notices

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Steven Pettersen	Minnesota Mechanical Contractors Association
Aaron Toltzman	Western National Insurance Company
David Zitzmann	Himek, Inc.
Charles Fritze, Jr.	Pipefitters
David Grong	Carlson-Stewart Refrigeration
James O'Gary	International Union of Operating Engineers, Region 6
Gregory Rosine	Metropolitan Mechanical Contracting
Monica Vik	Norther States Power Company

### Prevailing Wage Trucking Issues Advisory Committee

Paul Bailey	Teamsters
Dick Carlson	Park Construction
Jeff Carlson	Bituminous Materials, Inc.
Elizabeth Coover	Associated Builders & Contractors
Colleen Donovan	J.D. Donovan, Inc.
Gerald Duffy	Aggregate Ready Mix Association
John Ericson	Fischer Sand and Aggregate
Don Johnson	Mid-State Trucking
Paul Iverson	International Union of Operating Engineers, Local 49
Barb Kirchner	Southwest Regional Development Commission
Wayne Murphy	Associated General Contractors
Mike McCormack	CAMAS Minnesota
Brian Mathiowetz	Mathiowetz Construction
John Peterson	International Union of Operating Engineers, Local 49
Pat Ratzek	Teamsters
Diane Vine Sorenson	Truck Brokers, L&D Trucking
Mike Wagner	Association of County Engineers
Duane Zwagerman	Christian Labor Association

## Metropolitan Council

### Notice of Public Hearing on Northeast Metro Transit Restructuring Plan

The Metropolitan Council will hold public hearings on Tuesday, Feb. 8 and Thursday, Feb. 10, 2000 to receive public comment on the proposed Northeast Metro Transit Restructuring Plan.

The goal of the restructuring plan is to provide better and more efficient transit services in the northeast quadrant of the Twin Cities. This includes all Metro Transit Service as well as transit services provided by other operators in the area east of the Mississippi River and north of I-94. It does not include transit services in the Stillwater area.

Proposed changes include implementing a simpler route structure, reducing travel times by streamlining routes along major corridors, increasing service frequency on many routes to provide better service to major destinations, and eliminating a few low rider-ship segments.

The public hearings will be held:

**Tuesday, Feb. 8, 2000 – 12 Noon**

Minneapolis Public Library Auditorium  
300 Nicollet Mall, Minneapolis

**Thursday, Feb. 10, 2000 – 12 Noon**

Metropolitan Council Chambers  
230 East 5th Street, St. Paul

**Thursday, Feb. 10, 2000 – 7 P.M.**

Metro Transit Training Facility  
Lower Level  
1919 University Ave., St. Paul

All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling Jennifer Lovaasen at 651-602-1493 or 651-291-0904 (TTY). Upon request, the Council will provide reasonable accommodations to persons with disabilities.

**Comments, which must be received by Wednesday, March 1, 2000, may also be submitted as follows:**

- Send written comments to Jennifer Lovaasen at the Metropolitan Council, 230 East Fifth Street, St. Paul, MN 55101
- Fax comments to Jennifer Lovaasen at 651-602-1464.

- Record comments on the Public Comment Line at 651-602-1500
- E-mail comments to [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us)
- Send TTY comments to Jennifer Lovaasen's attention at 651-291-0904.

Copies of the public hearing draft proposal of the Northeast Metro Transit Restructuring Plan will be available beginning January 18th. They may be picked up at the St. Paul Transit Store, 101 East 5th St., Firststar Center Skyway Level, the Metropolitan Council Data Center, 230 East Fifth St., or by calling 651-602-1140 or on the web at [www.metrocouncil.org](http://www.metrocouncil.org)

## **Public Employees Retirement Association (PERA)**

### **Notice of Meeting of the Board of Trustees**

The regular meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, January 13, 2000, at 9:30 a.m., in the PERA offices, 514 St. Peter Street, Suite 2000 – Skyway Level, St. Paul, Minnesota.

## **Department of Public Safety**

### **Office of Drug Policy and Violence Prevention**

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

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

## **State Grants & Loans**

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

## **Department of Corrections**

### **Community and Juvenile Services Division**

#### **Sex Offender and Chemical Dependency Unit**

#### **Notice of Availability of Funds for Programs for Relapse and Recidivism Prevention Grants for Male Adult African Americans in the Department of Corrections Work Release Program**

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Corrections, Sex Offender and Chemical Dependency Unit, announces the availability of \$202,500 for Programs for Relapse and Recidivism Prevention Grants for Male Adult African

## State Grants & Loans

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Americans in the Twin Cities metropolitan area in the Department of Corrections Work Release Program. The grant will be for the period from April 10, 2000, to June 30, 2002. There is no assurance of continued funding after the initial grant period.

It is anticipated that one or two agencies will be awarded from \$101,250 to \$202,500 for the term of the grant. Desired service locations are in the St. Paul and Minneapolis areas. This funding is authorized under the United States Department of Justice Violent Offender Incarceration Truth-in-Sentencing funds to the Minnesota Department of Corrections for the purpose of providing substance abuse treatment for DOC offenders.

Private, for-profit or non-profit 501(c)(3) organizations are eligible to apply for these funds.

A request for proposals is available that contains detailed requirements and instructions for applying for this funding. The deadline for the submission of the completed proposals in February 22, 2000. To receive a copy of the request for proposals, contact:

Bruce Clendenen, Corrections Program and Policy Monitor  
Minnesota Department of Corrections  
SO/CD Unit  
1450 Energy Park Drive, Suite 2000  
St. Paul, MN 55108-5219  
Phone: (651) 643-3570  
TTY: (651) 643-3589

## Department of Human Services

### Continuing Care Administration

#### Notice of Extension of Deadline for Submission of Proposals for the Demonstration Project for People with Disabilities

The Department of Human Services (DHS) announces an extension of the deadline for Qualified County Authorities responding to the Request for Proposals (RFP) for the Demonstration Project for People with Disabilities. The response will be due by 4:30 p.m. on June 30, 2000, at the address below.

Department of Human Services  
Demonstration Project for People with Disabilities  
444 Lafayette Road, St. Paul, MN 55155-3872  
ATTN: Gary Cox

DHS also requests information from bidders for submission to the Health Care Financing Administration (HCFA) to assist in securing approval of DHS's waiver request. For a description of the information requested, please contact Mr. Cox at the above address or by fax at (651) 582-1808, or by e-mail at [gary.cox@state.mn.us](mailto:gary.cox@state.mn.us). Submission of this information will be non-binding, and bidders will have a chance to submit revised or additional information as part of the final, binding response due on June 30. We request that this information be submitted by 4:30 p.m. on January 31, 2000, at the above address.

To obtain a copy of the RFP or to submit questions regarding the RFP, please contact Mr. Cox by U.S. mail, fax, or e-mail.

**A bidders conference will be held from 9 a.m. to noon on Friday, January 21, 2000, at the following location:**

Department of Human Services  
Roseville Office  
2284 Highcrest Road  
Roseville, Minnesota

For notification of additional bidders conferences, please contact Mr. Cox at the above address.

Please notify Mr. Cox in advance if you plan to attend a bidders conference. At bidders conferences, DHS staff will address questions submitted to DHS. Written questions to be addressed at the bidders conference shall be submitted to Mr. Cox by one week prior to the bidders conference.

DHS reserves the right to cancel conferences. Those who are interested in attending conferences should submit their names and telephone numbers to Mr. Cox at the address above so that DHS may contact them in case of cancellations.

Persons interested in receiving copies of written questions and answers regarding the RFP should contact Christeen Wetsch by phone at (651) 582-1967 or by email at [christeen.wetsch@state.mn.us](mailto:christeen.wetsch@state.mn.us)

DHS is seeking proposals from Qualified County Authorities pursuant to *Minnesota Statutes*, section 256B.77, to provide primary/acute and continuing care services to persons who are disabled, under age 65, and eligible for Medical Assistance.

DHS is seeking a waiver of federal procurement rules to permit contracts with the Southern Minnesota Health Initiative, a joint-powers authority comprised of Blue Earth, Freeborn, and Sibley counties, and possibly other county sites as well.

If the waiver request is denied, DHS will withdraw the RFP. County Authorities have statutory authority to subcontract with service delivery organizations (health plans) to manage or provide any portion of the MA benefit set which the County Authority chooses not to manage or provide. Alternatively, County Authorities may authorize DHS to contract directly with a service delivery organization (health plan) to manage any portion of the MA benefit set which the County Authority chooses not to manage.

## **Minnesota Pollution Control Agency Board of Water and Soil Resources**

### **Announcement of Application Period for the 2000 Feedlot Challenge Grant Program**

The Minnesota Pollution Control Agency (MPCA) is now accepting applications from local units of government for the 2000 Feedlot Challenge grants. The Board of Water and Soil Resources (BWSR) will be administering the grant awards. Applications will be accepted until 4:30 p.m. on March 10, 2000.

First consideration for the 2000 Feedlot Challenge Grant award is to support delegated counties that are experiencing a reduction in Feedlot Base Grant awards for the years 2000 and 2001. The second consideration will be given to proposals for completing Level II and Level III inventories according to the Feedlot Inventory Guidebook dated June 1991. Approximately, \$600,000 of total award money is available. A maximum of \$30,000 will be awarded to a county.

County Auditors have been notified of this application period. Any other local unit of government can receive information about this grant and the application process by contacting the feedlot grant coordinator at the following address:

Don Hauge  
Feedlot Grant Coordinator  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, MN 55155-4194

For application packet, call the MPCA Feedlot Hotline at 1-877-333-3508.

## **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**

### **Notice of Request for Proposals for Designing and Implementing a Process for a Common Customer Service Strategy**

The Department of Administration, in cooperation with the Minnesota "staff agencies" (the departments of Employee Relations, Finance, and the Strategic and Long Range Planning Agency) are seeking proposals for designing and implementing a process for the four staff agencies to develop a common customer service strategy to support agencies in achieving their own worthwhile objec-

## Professional, Technical & Consulting Contracts

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tives. The result of this process should be a clear purpose and clear objective to promote customer service by the staff agencies. The results of this process will serve as the basis for action by the four staff agencies to move Minnesota state government forward.

The outcomes of the contract include: detailed analysis of services currently provided by the four staff agencies; customer feedback and analysis of common themes and trends; analysis of how each of the services currently delivered could be structured to provide for the better delivery of services and higher satisfaction for all impacted stakeholders; analysis of the budget impact of any potential service restructuring; comparison of the cost of service for the current services delivered; and an analysis and prioritization of ongoing customer service feedback processes and methods for obtaining and measuring feedback.

The department anticipates issuing a contract and beginning work before January 24, 2000. The resulting contract would be for the period through June 30, 2000, with the potential for four 1 year extensions. Responses will be due back by 2:30 p.m. CST, January 18, 2000.

In compliance with *Minnesota Statutes* § 16C.08, the availability of this contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee, along with other responses to this Request for Proposal.

If you would like a copy of the complete Request for Proposal, please contact:

Lisa Blue  
Office of the Commissioner  
Voice: (651) 297-5526  
Fax: (651) 297-7909  
E-Mail: [lisa.blue@state.mn.us](mailto:lisa.blue@state.mn.us)

## Department of Administration State Designer Selection Board

### Request for Proposals for the Department of Transportation, Joint Public Works Facility (Project 00-1)

#### 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, January 24, 2000, 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.



## Professional, Technical & Consulting Contracts

- 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;
- 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.

## Professional, Technical & Consulting Contracts

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- 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.

- 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 00-1**

Department of Transportation  
Joint Public Works Facility  
MnDOT, Clay County & City of Moorhead

**a. PROJECT DESCRIPTION:**

The project will consist of the design of the new Joint Public Works Facility in Moorhead, Minnesota to house the Minnesota Department of Transportation (MnDOT), Clay County and the City of Moorhead. The proposed building will be approximately 70,000 square feet, with 17,000 square feet of office space. The remaining space will be used as a parking garage and storage space. Minor repairs to vehicles will be done in the facility.

**b. REQUIRED CONSULTANT SERVICES:**

The scope of the work under this contract will be to provide complete design services from schematic design through construction. The City of Moorhead will be the contract agency for the project. The building will be occupied 48 percent by Clay County, 33 percent by MnDOT and 19 percent by the City of Moorhead.

The selected design consultant firm and sub-consultant firms shall each demonstrate experience in successfully completing projects of similar type, size and complexity.

The consultant will be required to provide architectural, civil, structural, mechanical and electrical services.

**c. SERVICES PROVIDED BY OTHERS:**

None

**d. SPECIAL CONSIDERATIONS:**

None

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## Professional, Technical & Consulting Contracts

**e. PROJECT BUDGET/FEEES:**

The proposed budget for the building will be \$3,645,000 and \$300,000 for site development. The storage yard, unheated storage buildings, salt/sand storage building would be done with separate contracts. The project will have a 7 percent fee based on the estimated construction cost of \$3,965,000 or \$277,550.

**f. PROJECT SCHEDULE:**

It is desired that the building be constructed during the summer of 2000. The users have developed a preliminary space needs program to be used to develop the schematic designs. The consultant will start work as soon as the contract has been executed. The building should be ready for occupancy before the fall of 2001.

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

There will be a project information meeting held on January 25, 2000, at 10:30 a.m. The meeting will be held in Moorhead, Minnesota at the Moorhead City Hall (500 Central) in the Fourth Floor Conference Room.

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

**Project Information Meeting and/or Site Visit:** January 25, 2000, at 10:30 a.m.

**Project Proposals Due:** January 31, 2000, by 12 p.m. (Noon)

**Project Shortlist:** February 15, 2000

**Project Interviews and Award:** February 29, 2000

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

Questions concerning the project should be referred to:

Ronald Lagerquist, Architect  
Minnesota Department of Transportation  
Office of Maintenance: Building Section  
Transportation Building MS715  
395 John Ireland Boulevard  
St. Paul, MN 55155-1899  
Phone: 651-297-4742  
FAX: 651-282-9904

**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

## Professional, Technical & Consulting Contracts

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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.

## Department of Administration

### State Designer Selection Board

#### Request for Proposals for Minnesota State Colleges and Universities (MnSCU) Pine Technical College, Building Renovation and Expansion (Project 00-2)

#### 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, January 24, 2000, 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,

## 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. 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.

## Professional, Technical & Consulting Contracts

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### 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 00-2

MnSCU/Pine Technical College  
1000 Fourth Street  
Pine City, MN 55063

#### a. PROJECT DESCRIPTION:

Minnesota State Colleges and Universities (MnSCU) intends to retain architectural and engineering consulting services for the relocation of the Machine Tool Shop, addition of a Virtual Reality Center, and the renovation and relocation of the Media Center at Pine Technical College.

The scope of the new construction includes designing two building additions totaling approximately 10,600 gross square feet based on the approved pre-design and a preliminary Schematic Design (SD) by Wold Architects. One addition will provide a modern Machine Tool Shop. The second addition is for a new Virtual Reality Center. The pre-design and the preliminary SD will be the point of departure for final SD and design development.

The project includes the interior renovation and adaptive reuse of approximately 14,000 square feet for the relocation of the Media Center and access to the new additions. In addition, the design should include provisions for planned future renovations to correct fire safety and egress code issues at the south end of the building.

Existing building is one and two story contiguous structures. The original building was constructed in 1966 with subsequent additions in 1978, 1985, and 1987. The facility consists of a brick exterior with concrete block back up walls with punched style windows, combination of BUR and EPDM single ply roofs, and an aluminum front door entrance system.

#### Utility Systems

Two existing hot water boilers have limited capacity. No expansion planned.

A new fully integrated HVAC system will be added.

Electrical distribution and panel-boards will need to be replaced.

Existing lighting will be replaced with more energy efficient fixtures.

Storm and sanitary sewers are connected to the city's sewer system.

New and remodeled areas will require horn/strobe fire alarm devices to comply with ADA requirements.

Existing natural gas service will need to be relocated.

Sprinkler fire protection may need to be added. No system exists in the current building.

Public address sound systems, CCTV, and voice/data drops will be required in the new ITV classrooms and VR lab areas.

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## Professional, Technical & Consulting Contracts

**b. REQUIRED CONSULTANT SERVICES:**

The selected design team shall provide a comprehensive scope of services, including completion of Schematic Design (SD), Design Development (DD), Construction Documents (CD), and Construction Administration. Prepare all SD, DD, and CD documents using a CADD technology in an electronic data exchange file format acceptable to MnSCU.

The design team will demonstrate experience in adaptive reuse, ADA compliance, and the design of college level learning resource and computer lab facilities, machine tool shops, and Virtual Reality Centers. The design team will provide all architecture, engineering, cost estimating, construction administration, project scheduling, electronic communication consultation, as well as all electrical, mechanical, structural, civil engineering services, and registered fire protection engineer if required. The design team will provide coordination of all services with services provided by others.

**NOTE:** a roof design consultant designated by MnSCU will be assigned to and become an integral part of the consultants design team. The consultant's fee shall include the fee and reimbursables of the roof design consultant.

**c. SERVICES PROVIDED BY OTHERS:**

Asbestos abatement

**d. SPECIAL CONSIDERATIONS:**

Construction must start on or before August 6, 2000, per Federal Grant requirements.

**e. PROJECT BUDGET/FEES:**

The project has been funded at the total cost of \$2,530,000, which includes; design fees and reimbursables, site investigations and surveys, testing and inspection services, construction, furniture, fixtures, equipment, and contingencies. The State funded \$1,700,000 and a Federal EDA Grant funded \$830,000. Construction cost is estimated at approximately \$1,900,000.

**f. PROJECT SCHEDULE:**

Design complete: July 2000

The following preliminary schedule durations are suggested:

Schematic Design	1 Months
Design Development	1 Months
Construction Documents	2 Months
Reviews	1 Month
<hr/>	
Total Project Duration	5 Months

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

An informational meeting is tentatively scheduled for 1:00 p.m. on Friday, January 14, 2000, in the Admin Conference Room at Pine Technical College, 1000 4th Street, Pine City, MN. All firms interested in this meeting should contact Dr. Robert Musgrove at 320-629-6764 to sign-up for the meeting.

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

**Project Information Meeting and/or Site Visit:** January 14, 2000, 1 p.m.

**Project Proposals Due:** January 24, 2000, by 12 p.m. (Noon)

**Project Shortlist:** February 1, 2000

**Project Interviews and Award:** February 15, 2000

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

Jim Morgan: Minnesota State Colleges and Universities; phone 651-649-5934; fax 651-649-5779; e-mail [james.morgan@so.mnscu.edu](mailto:james.morgan@so.mnscu.edu); mail address MnSCU, ETC Building Suite 300, 1450 Energy Park Drive, St. Paul, MN 55108-5227: or

Dr. Robert Musgrove, President: Pine Technical College; phone 320-629-5120; fax 320-629-5101; e-mail [Musgrovr@ptc.tec.mn.us](mailto:Musgrovr@ptc.tec.mn.us), mail address Pine Technical College, 1000 4th Street, Pine City, MN 55063.

**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 cat-

## Professional, Technical & Consulting Contracts

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egory 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.

### **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



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## Professional, Technical & Consulting Contracts

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.

## Minnesota Department of Agriculture

### Agricultural Marketing and Development Division

#### Notice of Availability for Request for Proposals for "Integrated Pest Management (IPM) Research Projects for Minnesota Fruits and Vegetables"

Multiple contracts will be awarded under this request for proposals with a total of \$180,000 to be awarded. The amount of an individual contract must not exceed \$45,000.

Full proposal is available from the contact persons listed below.

Contact persons: Jean Ciborowski, Project Coordinator  
Minnesota Department of Agriculture  
Agricultural Marketing and Development Division  
90 West Plato Boulevard  
St. Paul, MN 55107-2094  
Telephone (651) 297-3217  
**OR:**  
Mary Hanks  
Telephone (651)-296-1277  
Address is above

All proposals must be received no later than 4:00 P.M. February 18, 2000, as indicated by the notation of date and time on each response by the receptionist, Agricultural Marketing and Development Division, Room 211, 90 West Plato Blvd., St. Paul, MN.

#### **Statement of Project Purpose:**

The Minnesota Department of Agriculture (MDA), Agricultural Marketing and Development Division (AMD) requests proposals from qualified individuals at Minnesota higher educational institutions for integrated pest management demonstration or research projects on fruit or vegetable crops in Minnesota. The objective is to effect adoption of production practices which bring about the increased use of integrated pest management practices by fruit and vegetable producers. Integrated pest management (IPM) is characterized by practices that promote environmental stewardship using a combination of approaches which incorporate the judicious application of ecological principles, management techniques, cultural and biological controls, and chemical methods, to keep pests below levels where they do economic damage.

Funding will be awarded to innovative, promising and worthwhile research or demonstration projects of IPM practices for fruit or vegetable crops in Minnesota. All disciplines are invited to submit proposals and multidisciplinary projects are acceptable, but not required. The following crops are INELIGIBLE for funding: dry beans, canola, wild rice, sunflowers, soybeans, field corn, sugarbeets and small grains. Funding will not be provided for projects that duplicate previously funded projects.

## Professional, Technical & Consulting Contracts

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### Colleges and Universities, Minnesota State (MnSCU)

#### Metropolitan State University

#### Request for Sealed Bids for a Replacement and Installation of Chiller's at Metropolitan State University

**NOTICE IS HEREBY GIVEN** that Metropolitan State University will receive sealed bids for replacing existing chiller equipment and related improvements at the university's St. Paul Campus. The project includes replacing two existing chillers with two new 400-ton centrifugal chillers; building a new chiller room enclosure; providing for emergency ventilation and refrigerant monitoring system; related pumping and piping modifications and other necessary ventilation improvements as well as relocating the existing cooling tower.

To request bid specifications, contact:

Mr. Boris Pevzner  
Project Engineer  
Owens Services, Inc.  
930 East 80th Street  
Bloomington, MN 55420-1499  
Phone: (612) 703-5737  
Fax: (612) 854-3769  
e-mail: [bpevzner@owensco.com](mailto:bpevzner@owensco.com)

**Sealed Bids are due by Thursday, January 20, 2000, 2:00 p.m.**

Send sealed bids to:

Metropolitan State University  
Jill Bemis, Finance Director  
700 East Seventh Street  
St. Paul, MN 55106-5000

Bids will be opened at 2:30 p.m. on January 20, 2000 in Founders Hall, Room L119.

Metropolitan State University reserves the right to reject any or all bids or portions thereof, or to waive any irregularities or informalities in proposals received.

*For those interested, a pre-bid meeting will be held at 1 p.m. on Thursday, January 13, 2000 in Room 301, Founders Hall, Metropolitan State University, St. Paul Campus, 700 East Seventh Street, St. Paul, Minnesota.*

## Department of Transportation (Mn/DOT)

### Management Operations Division, Office of EEO Contract Compliance

#### Request for Proposals to Provide Management and Technical Assistance to Mn/DOT Certified Disadvantaged Business Enterprise

#### Notice of Availability of Contract for Highway Related Technical Activity

Responses to this advertisement become public information under the Freedom of Information Act. This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

The Minnesota Department of Transportation (Mn/DOT) is soliciting Request for Proposals to Provide Management and Technical Assistance to Mn/DOT Certified Disadvantaged Business Enterprise. Services would include general business, technical and computer assistance. Request for Proposals (RFP) are available by mail or in person. **Please submit in writing, a request for the Management and Technical Assistance to Mn/DOT Certified Disadvantaged Business Enterprise RFP.** Requests must be received before January 24, 2000. Requests made after that date must be in person. Request for the **RFP** may be mailed or faxed to:

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## Professional, Technical & Consulting Contracts

Dawn D. Thompson, Agreement Administrator  
Minnesota Department of Transportation Consultant Services Unit  
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680  
St. Paul, MN 55155  
Fax: (651) 282-5127

**NOTE:** Proposals Will be Due on Monday, January 31, 2000, at 2:00 P.M. Central Standard Time.

### 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.

## 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.

