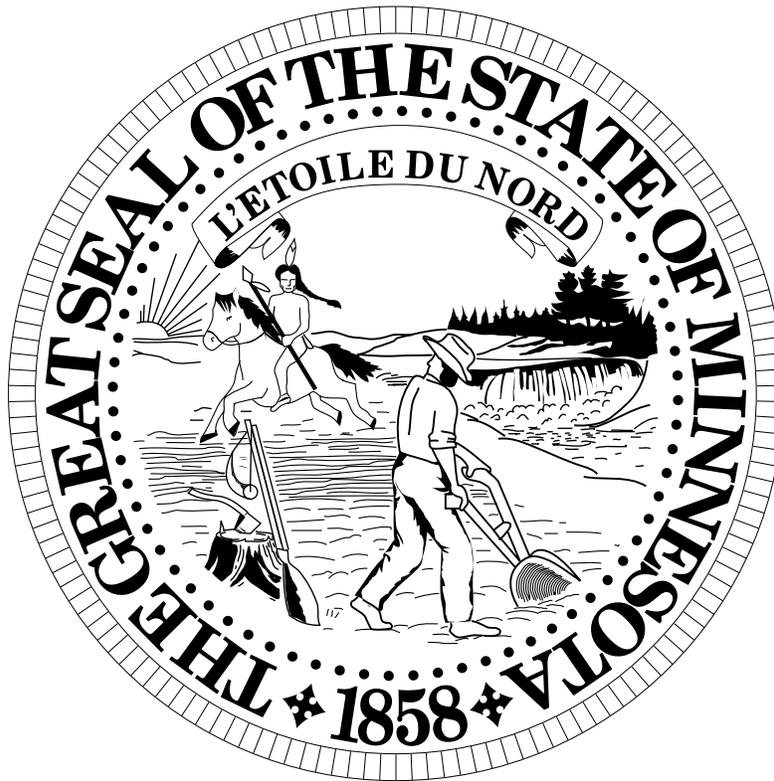


State of Minnesota

State Register

Rules and Official Notices Edition



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

Monday 10 July 2000
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Pages 55-78

State Register

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

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules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

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Printing Schedule and Submission Deadlines

Vol. 25 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
#2	Monday 10 July	Noon Wednesday 28 June	4:30 p.m. MONDAY 3 JULY
#3	Monday 17 July	Noon Wednesday 5 July	Noon Tuesday 11 July
#4	Monday 24 July	Noon Wednesday 12 July	Noon Tuesday 18 July
#5	Monday 31 July	Noon Wednesday 19 July	Noon Tuesday 25 July

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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.

An "Affidavit of Publication" can be obtained at a cost of \$10.00 for notices published in the *State Register*. This service includes a notarized "Affidavit of Publication" and a copy of the issue of the *State Register* in which the notice appeared.

The *State Register* is published by Communications.Media Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; the Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Children, Families and Learning.

FOR LEGISLATIVE NEWS

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

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

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

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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Proposed Rules

Comments on Planned Rules or Rule Amendments

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, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing

After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Housing Finance Agency

Proposed Permanent Rules Governing the Definition of Persons and Families of Low and Moderate Income

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to Rules Governing the Definition of Persons and Families of Low and Moderate Income, *Minnesota Rules*, Part 4900.0010, Subpart 23, Paragraph C

Introduction. The Minnesota Housing Finance Agency intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes* sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the Agency contact person. The Agency contact person is: **Robert Odman**, Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, MN 55101, (651) 296-9821. TTY users may call the Minnesota Housing Finance Agency at (651) 297-2361.

Subject of Rules and Statutory Authority. The Agency is considering rule amendments that define income eligibility for residents of multifamily developments financed by the Minnesota Housing Finance Agency. Federal income and rent limits for affordable rental housing have undergone several changes in the past twenty years while the Agency's rent and income limits have remained the same and were based upon Section 8 New Construction and Substantial Completion Fair Market Rents which are no longer being published by the U. S. Department of Housing and Urban Development (HUD). Therefore, a change is proposed in order to reconcile the Agency's multifamily rent and income limits with current federal housing programs and to set rent and income limits that, while still affordable, are high enough to support the production of new affordable rental housing.

The Agency's statutory authority to adopt the rules is set forth in *Minnesota Statutes* section 462A.03, subdivision 10, which provides that in cases where income limits have not been established by the federal government, "income limits for the purpose of defining low or moderate income persons shall be established by the agency by rules." Under this statute, the Agency has the necessary statutory authority to adopt the proposed rules.

A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed.

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.

Proposed Rules

Comments. You have until 4:30 p.m. on August 9, 2000, to submit written comment in support of or in opposition to the proposed rule amendment and any part or subpart of the rule amendment. Your comment must be in writing and received by the Agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rule amendment must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the Agency contact person by 4:30 p.m. on August 9, 2000. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the Agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the Agency must give written notice of this to all persons who requested a hearing, explain the actions the Agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the Agency will follow the procedures in *Minnesota Statutes* sections 14.131 to 14.20.

Alternative Format. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the Agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the Agency, and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the Agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. Copies of the statement may be obtained at the cost of reproduction from the Agency.

Adoption and Review of Rules. If no hearing is required, the Agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the Agency to receive notice of future rule proceedings, submit your request to the Agency contact person listed above.

Dated: 25 May 2000

Katherine G. Hadley, Commissioner

4900.0010 DEFINITIONS.

[For text of subs 1 to 12, see M.R.]

Subp. 12a. **HUD.** "HUD" means the United States Department of Housing and Urban Development.

[For text of subparts 13 to 22, see M.R.]

Subp. 23. **Persons and families of low and moderate income.** "Persons and families of low and moderate income" means:

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

B. [Repealed, 10 SR 1557]

C. With respect to multiunit mortgage loans pursuant to parts 4900.0310 to 4900.0360, development cost loans pursuant to parts 4900.0210 to 4900.0240, planning grants pursuant to parts 4900.0410 and 4900.0420, and American Indian housing loans pursuant to parts 4900.0900 to 4900.1080, which loans or grants are intended for a multiunit development, those persons and families whose adjusted income at initial occupancy does not exceed ~~the greater of \$16,000 or 550 percent of the gross rental for the dwelling unit to be occupied; provided, however, that the gross rentals for at least 75 percent of the dwelling units in such development shall not exceed 120 percent of the fair market rents for the geographical area in which such projects are located, as determined and adjusted from time to time by the United States Department of Housing and Urban Development; provided further, that:~~

(1)(a) 50 percent of area median income as determined by HUD, adjusted for family size, for at least 20 percent of the units in the development; or

(b) 60 percent of area median income as determined by HUD, adjusted for family size, for at least 40 percent of the units in the development; and

(2) the greater of area or statewide median income for a four-person household, as determined by HUD, and who pay no more than 30 percent of their income for housing, for at least 75 percent of the units in the development.

In addition to the requirements in subitems (1) and (2), assuming occupancy of at least 1.5 persons per bedroom:

(a) the rents for at least 20 percent of the units in the development must be affordable to persons and families whose adjusted income is 50 percent of area median income as determined by HUD and who pay no more than 30 percent of their income for housing; or

(b) the rents for at least 40 percent of the units in the development must be affordable to persons and families whose adjusted income is 60 percent of area median income as determined by HUD and who pay no more than 30 percent of their income for housing.

The members may allow higher ~~gross rentals~~ rents for units in ~~any~~ a structure if the members determine that ~~such higher gross rentals~~ rents are necessary because of prevailing levels of construction costs, unusually high or low family incomes, or similar factors relating to income available for housing or housing costs.

[For text of items D to H, see M.R.]

Adopted Rules

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

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

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

Exempt Rules

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

Emergency Expedited Rules

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

Department of Transportation

Adopted Permanent Rules Relating to Public Transit

The rules proposed and published at *State Register*, Volume 24, Number 43, pages 1533-1542, April 24, 2000 (24 SR 1533), are adopted with the following modifications:

8835.1900 FINANCIAL RECORDS.

Subpart 1. **Records.** A recipient and any third party contractor shall maintain their financial records in accordance with generally accepted accounting principles. The records must permit audit verification of transit cost allocations claimed during the contract period. The recipient and any third party contractor also shall keep records on miles and hours of service and passenger trips. Records must be kept available for a period of six years from the date of final payment or the expiration date of the contract, whichever occurs first.

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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.

Minnesota Department of Administration

Division of Building Codes and Standards

REQUEST FOR COMMENTS on Planned Amendments to Rules Governing the Minnesota State Building Code

SUBJECT OF RULES. The Minnesota Department of Administration requests comments on its planned amendments to rules governing the Minnesota State Building Code chapters 1300, Code Administration; 1301, Building Official Certification; 1302, Construction Approvals; 1305, Adoption of the International Building Code; 1306, Special Fire Protection Systems (Optional); 1307, Elevators and Related Devices; 1309 (proposed), Adoption of the International Residential Code; 1311 (proposed), Conservation Code; 1315, Electrical Code; 1335, Floodproofing; 1346, Adoption of a model Mechanical Code; and 4715 Plumbing Code.

1300 Code Administration. The Division intends to adopt an administrative chapter to address building code administration for the State Building Code and rules to clarify the duties of Building Officials for administration of the building department.

1301 Building Official Certification. Changes to this chapter are anticipated to be primarily housekeeping in nature.

1302 Construction Approvals. Pursuant to *Minnesota Statutes* section 16B.60, subdivision 3, the Division is considered the "Municipality" for the administration of the code for Public Buildings and State Licensed Facilities. As a result, the Division must address in rule those issues relevant to a municipal building department, such as fee schedules for the various codes, inspection policies, and issuance of certificates of occupancy.

1305 Adoption of the 2000 International Building Code. The Division is planning to adopt and make any necessary amendments to the *2000 International Building Code* published by the International Code Council.

1306 Special Fire Protection Systems (Optional). The Division intends to review proposed changes to the rules relating to special fire suppression systems.

1307 Elevators and Related Devices. The Division intends to adopt and make any amendments necessary to the current ASME version of Safety Codes for Elevators and Escalators and more current applicable standards regarding related devices.

1309 (proposed) Adoption of the 2000 International Residential Code. The Division intends to adopt and make any necessary amendments to the *2000 International Residential Code* published by the International Code Council. In addition, the Division will be reviewing separate provisions contained in this code related to the plumbing, mechanical, and electrical codes.

1311 (proposed) Conservation Code. The Division intends to adopt a current code for building conservation. The Code shall be mandatory and will clarify and elaborate on building code standards for a change of occupancy, alteration, or repair of existing buildings and structures to encourage use or reuse of legally existing buildings and structures.

1315 Electrical Code. The Division intends to adopt and make any necessary amendments to the *2002 National Electrical Code*.

1335 Floodproofing. The Division intends to adopt more current Floodproofing Regulations.

1346 Adoption of a model Mechanical Code. The Division intends to adopt and make any necessary amendments to a more current model mechanical code. The model codes under consideration are the *2000 Uniform Mechanical Code* and the *2000 International Mechanical Code*.

4715 Plumbing Code. In conjunction with the Department of Health, the Division intends to make any necessary amendments to provide updated information to the Minnesota Plumbing Code.

PERSONS AFFECTED. Persons affected by amendments to chapter 1300, 1301, 1302, 1305, 1306, 1309 (proposed), 1311 (proposed), 1335, 1346, and 4715 may include municipal building inspection department personnel, building contractors, architects, engineers, fire inspection personnel, pre-engineered building and material manufacturers and/or suppliers, and ultimately the general public.

Persons additionally affected by amendments to chapter 1307 may include elevator system manufacturers and/or suppliers, and elevator contractors.

Persons additionally affected by amendments to chapter 1315 may include electrical contractors and electrical material suppliers.

Persons additionally affected by amendments to chapter 1346 may include mechanical contractors, mechanical system manufacturers and/or suppliers, and system designers.

Persons additionally affected by amendments to chapter 4715 may include plumbing contractors, plumbing system manufacturers and/or suppliers and system designers.

Persons affected by all of the above chapters of the Minnesota State Building Code may include building owners and managers and users of the facilities or structures.

STATUTORY AUTHORITY. *Minnesota Statutes*, sections 16B.59, 16B.61, and 16B.64, authorize the Division to adopt or amend rules governing Code Administration, Building Code Certification, Construction Approvals, Adoption of the International Residential Code, Floodproofing, and the Mechanical Code. *Minnesota Statutes*, sections 16B.59, 16B.61, 16B.64, and 16B.65 authorize the Division to adopt or amend rules governing Building Department Administration. *Minnesota Statutes*, sections 16B.59, 16B.61, 16B.64, and 16B.748 authorize the Division to adopt or amend rules governing Elevators and related Devices. *Minnesota Statutes* sections 326.243, 16B.59, 16B.61, and 16B.64 authorize the Division to adopt or amend rules governing the Electrical Code. *Minnesota Statutes*, sections 16B.59, 16B.61, and 16B.64 authorize the Division to adopt or amend rules governing building conservation. *Minnesota Statutes*, sections 16B.59, 16B.61, 16B.64, and 326.37 authorize the Division to adopt or amend rules governing the Plumbing Code.

PUBLIC COMMENT. Interested persons or groups may submit comments or information on these planned rules in writing until further notice is published in the *State Register* that the Division intends to adopt or to withdraw the rules. The Department does contemplate appointing an advisory committee to comment on the planned rules. Advisory Committees will be utilized during the adoption process for rules relating to *Minnesota Rules* chapters 1303 (proposed), 1305, 1306, 1307, 1309 (proposed), 1311 (proposed), and 1346.

RULE DRAFTS. The Division does not anticipate that a draft of the rules and amendments will be available before the publication of the proposed rules.

AGENCY CONTACT PERSON. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these planned rules should be directed to: Colleen Chirhart at Department of Administration, Building Codes and Standards Division, 408 Metro Square Building, 121 - 7th Place E., St. Paul, MN 55101-2181, (651) 296-4329, **Fax:** (651) 297-1973, and **email:** colleen.d.chirhart@state.mn.us. TTY users may call the Department at 1-800-627-3529.

ALTERNATIVE FORMAT. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 19 June 2000

Thomas R. Joachim
State Building Official

Department of Agriculture

Agronomy and Plant Protection Division

Notice of Special Local Need Registration

Pursuant to *Minnesota Statutes* 18B.27 and Parts 1505.0880-1505.0930, the Minnesota Department of Agriculture issued on June 28, 2000, a Special Local Need (SLN) registration for Discover herbicide, manufactured by Novartis, Greensboro, NC 27419. This registration establishes a 30 day rotational crop interval when using Discover on spring wheat. A federal or state agency, a local unit of government, or any person or groups of persons filing with the commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age, shall have 30 days from publication of notice in the *State Register* to file written objections with the commissioner regarding the issuance of the special local need registration. Objections may be submitted to: John C. Sierk, Minnesota Department of Agriculture, Agronomy and Plant Protection Division, 90 West Plato Boulevard, St. Paul, MN 55107. Comment deadline is August 9, 2000.

Official Notices

Department of Labor and Industry

Labor Standards Unit

Notice of Correction to Commercial Prevailing Wage Rates

A correction has been made to the Commercial Prevailing Wage Rates certified 12/06/99, for **Group 3**, in **Aitkin** county.

Copies of the corrected certification may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or by calling (651) 296-6452. Charges for the cost of copying and mailing are \$1.00 for the first page and \$.65 for each additional page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich
Commissioner

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 Children, Families and Learning

Office of Teaching and Learning

Request for Proposal for a Grant Contract - Adult Basic Education Statewide Supplemental Services

The Minnesota Department of Children, Families and Learning is seeking proposals from qualified nonprofit organizations to provide supplemental services for Adult Basic Education (ABE) providers statewide. Supplemental services may include staff development, tutor training, technological training and services, services related to learners with disabilities, promotional services and other services which provide assistance to local ABE programs across Minnesota. By funding organizations which specialize in the delivery of such supplemental services, expertise and capacity building can be shared with all Minnesota Adult Basic Education programs.

Funding is available for fiscal year 2001 (July 1, 2000 through June 30, 2001). State law requires that no single organization may receive more than \$100,000. Application deadline is August 1, 2000.

For further information or to request a copy of the Request for Proposal, please contact:

Laurie Rheault, Grant Specialist
Minnesota Department of Children, Families and Learning
Adult Basic Education Unit
1500 Highway 36 W.
Roseville, MN 55113
phone: (651) 582-8432
email: laurie.rheault@state.mn.us

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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 \$25,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: agency name and address, name of agency contact person, description of project and tasks, cost estimate and final submission date and time of completed proposal. Certain quasi-state agencies and MnSCU institutions are exempted from these provisions. In accordance with *Minnesota Rules* 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. Certified Economically Disadvantaged Businesses and individuals shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (651) 296-2600 or [TTY (651) 282-5799.]

Department of Administration State Designer Selection Board

To Minnesota Registered Design Professionals: Request for Proposals for the Departments of Health, Human Services and Agriculture (Project 00-18) for the Predesign Services of Locating and Developing the Principal Administrative Offices of the Departments

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, August 7, 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

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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
TOTAL			

(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. Thirteen (13) 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 00-18

Departments of Health, Human Services, and Agriculture

For the Predesign Services of Locating and Developing the Principal Administrative Offices of the Departments

a. PROJECT DESCRIPTION:

The Department of Administration is seeking predesign services to develop a document with findings that will aid the Governor and Minnesota Legislature in making decisions regarding location and development of *the principal administrative offices of the Departments of Health and Human Services*. The predesign must consider co-locating the two departments into facilities in a campus setting and providing laboratory facilities shared with the Department of Agriculture. (A February 1999 study mandated by the legislature on the co-location of Health and Agriculture laboratories concluded that the Department of Agriculture labs are successful because of their close proximity to program offices. This issue must be addressed in the predesign report.)

It is expected that a variety of alternatives will be explored and that a preferred concept agreed upon by the greatest consensus possible. The predesign must recommend a site for each of the facilities.

The Departments of Health, Human Services and Agriculture are agencies of the State of Minnesota with operational needs, program responsibilities, stakeholders and clients in common. The agencies are now in rented facilities, at a total rental cost of over \$16.8 million per year. Our goals are to improve service to customers, gain operational and space efficiencies and save taxpayer dollars over time.

Background on Agencies

The Minnesota Department of Human Services (DHS), in cooperation with its county partners, helps people meet their basic needs so they can live in dignity and achieve their highest potential. Consumers include: seniors who need help paying for hospital and nursing home bills or who need home-delivered meals, families with children who need help during a financial crisis, parents who need child support enforcement or child care money, and people with physical or developmental disabilities who need assistance to live as independently as possible.

DHS also provides direct service through its regional service centers for the deaf and hard of hearing and through its state operated services (the collective term for its six regional treatment centers, state-run group homes and state nursing home). Regional treatment centers are located in Anoka, Brainerd, Fergus Falls, Moose Lake, St. Peter and Willmar, and a state-operated nursing home in Ah-Gwah-Ching serves people with developmental disabilities, mental illness, chemical dependency and traumatic brain injuries. DHS employees work closely with employees from Minnesota's 87 counties, who provide most of the direct services to Minnesotans in need. Communication among DHS statewide locations, counties and other partners in delivering human service is accomplished through extensive use of voice, video and data networks and systems.

The department spends about three-quarters of its budget on health care, including MinnesotaCare, Medical Assistance, General Assistance Medical Care, mental health services, alternative care services, chemical dependency services and regional treatment center services. DHS devotes about one-quarter of its budget to all other department

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services, including the Minnesota Family Investment Plan (MFIP), as well as General Assistance (GA), subsidized child care, child support enforcement, Minnesota Supplemental Assistance (MSA), Food Stamps, and other social services and administration.

The department's core values are the touchstones for our decisions. Our core values are:

- We focus on people, not programs.
- We provide ladders up and safety nets for the people we serve.
- We work in partnership with others; we cannot do it alone.
- We are accountable for results, first to the people we serve, and ultimately to all Minnesotans.

We practice these shared values in an ethical environment where integrity, trustworthiness, responsibility, respect, justice, fairness and caring are of paramount importance.

The trend in delivering human services in Minnesota has been toward using technology and strategic centralization when appropriate to save overall taxpayer dollars. In line with that shift, real growth (at approximately 6.5% per year) has been in the areas of special revenue or systems development and in the health care area - attributable to the creation of the MinnesotaCare program.

DHS has central office operations in eight leased locations. Seven of the buildings are located in or near downtown St. Paul and one building is located in Roseville. The square footage and approximate population of the buildings are shown in the table below. These are all privately owned buildings that are leased to the State, typically for 5-year lease terms.

Facility	Square Feet Occupied	Population
444 Lafayette Road, St. Paul	238,392 (office) 37,724 (storage)	1,248
444 Pine Street, St. Paul	18,582 (office) 584 (storage)	71
Payments Center	44,056 (office/operations)	75
800 Minnehaha Street, St. Paul	34,561 (office)	108
Metro Square, St. Paul	53,272 (office)	288
Metro Annex, St. Paul	15,564 (office)	25
Commerce Building, St. Paul	46,459 (office)	151
Continuing Care Bldg., Roseville	53,125 (office)	183
Total	542,319 SF	1,945

The Minnesota Department of Health (MDH) is the state government agency dedicated to the prevention of disease and disability, the protection of health, and the promotion of health behaviors and conditions that will lead to improved health for all Minnesotans. The department operates programs in the areas of disease prevention and control, health promotion, family and community health, environmental health, health care policy, and regulation of health care providers and facilities.

As the state's leading agency on health-related issues, we:

- monitor disease trends and detect and investigate disease outbreaks
- research the causes of illness, including cancer, and operate programs to prevent diseases from occurring
- provide laboratory services to support public health and environmental programs
- help people make healthier lifestyle choices
- develop strategies to improve the health of vulnerable populations, including children
- safeguard the quality of health care by regulating many of the people and institutions providing that care
- develop and implement strategies to contain health care costs, while working to assure that all Minnesotans have access to affordable, high quality health care
- identify and evaluate potential health hazards in the environment

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- safeguard the quality of the food we eat in restaurants, the water we drink, and the air inside our homes and places of work
- work closely with Minnesota's local public health agencies, providing support and technical assistance in planning and providing services at the local level
- develop working relationships with a broad spectrum of community and statewide agencies on health-related issues.

MDH is responsible for developing and supporting a statewide system of cooperative partnerships for promoting the health of Minnesota's people. These partnerships include MDH, local public health agencies, other state and local government agencies, professional and voluntary organizations, and other community groups.

To meet the growing need and health care challenges of our aging and more diverse population, real growth (approximately 6.1% per year; historic, 10 year) has occurred throughout the agency. Programs responsible for Minnesota Care, emerging infections, and environmental issues have all contributed to this growth.

While most of our business partners are located in the Metropolitan area, MDH maintains field offices in Bemidji, Duluth, Fergus Falls, St. Cloud, Marshall, Mankato, and Rochester to accomplish its goals, as well as its central operations in four Metropolitan area sites. The department also provides sophisticated laboratory services in support of public health and environmental programs including techniques and procedures that are available nowhere else in the state. This specialized facility is located in the Health Building, on the University of Minnesota Campus in Minneapolis. The square footage and approximate population of the buildings in the metropolitan area are shown in the table below. While the Health Building is a state owned facility, the remainder are privately owned and are leased to the State, typically for a 5-year term.

Facility	Square Feet Occupied	Population
Health Building, 717 Delaware St SE	74,416 Office; 46,966 Lab 3,431 storage	415
Snelling Office Park, 1645 Energy Park Drive	20,970 Office; 44,284 support	65
Metro Square, 121 East 7th Place	67,902 Office; 2,428 support	405
Golden Rule, 85 East 7th Place	88,008 Office	400
Total	348,405 sf	1,285

The Minnesota Department of Agriculture (MDA) is responsible for ensuring that food is safe and wholesome all the way from farm until it reaches the consumer. Its mission is to work toward a diverse agricultural industry that is profitable as well as environmentally sound, to protect the public health and safety regarding food products. The MDA administers inspection programs to ensure the wholesomeness of foods, milk and animal feeds. The agency is responsible for pesticide, fertilizer, and weed, feed and seed regulations. The department employs 453 individuals, with 257 located at the main offices. The laboratory services division includes 60 staff.

The Laboratory Services Division, in collaboration with our inspection and regulatory divisions, provides critical support in safeguarding the state's agriculture and food chain and protecting the environment from agricultural impacts. The division does this through chemical, microbiological and physical analyses on samples of agricultural products such as food, dairy products, beverages, water, fertilizer, lime, feed, seed, plant material, pesticide, pesticide residues and grain. These tests support inspection activities and service programs of the department's regulatory divisions as well as determine quality and conformance to state and federal laws and regulations and provide legally defensible data. Although the division provides many routine analyses to ensure that products meet legally mandated quality standards, it also provides special analytical testing to support the department with rapid and accurate data to prevent or remedy crisis situations, such as pesticide residues in produce, salmonella in ice cream and listeria in food.

In addition, the laboratory services division performs analyses for the U.S. Department of Agriculture, Food and Drug Administration, the Environmental Protection Agency and other federal and state agencies. It also provides a laboratory certification program for private and commercial testing laboratories as required by law for dairy analysis.

The laboratory service division works closely with other department divisions. The MDA lab is recognized nationally as a leader in protecting public health and the environment due largely to the close relationship with associated department programs. This geographic proximity allows for critical method development, flexibility in designing quality programs, and essential ongoing face-to-face meetings and impromptu brainstorming interactions that help solve immediate problems. The close working relationship of the MDA programs with the laboratory has been noted by federal partners as a model for excellent performance.

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Facility	Square Feet Occupied	Population
Lab Services	22,183	60
Total for 90 W. Plato Blvd	75,163	257

The project scope will include:

With the goals of co-location, improved service to customers and overall savings, the Departments are undertaking a comprehensive planning process intended to produce a long-range framework for future space and budgetary decision making. Assistance in obtaining this goal, using the predesign process, is desired. This information will be used internally by the Departments' staff and senior management and externally by the Governor, other executive branch agencies and legislative committees in the capital and/or administrative budget process.

The Department of Human Services has undergone an extensive facilities master-planning effort and the Department of Health has completed an earlier predesign. Health and Agriculture have completed a study for the co-location of laboratory facilities. The results of these efforts as well as agency strategic plans will be expected to provide the basis for a predesign for co-location.

Predesign recommendations must be consistent with the State's overall strategic direction for agency locations.

b. REQUIRED CONSULTANT SERVICES:

Services are sought that will yield the products outlined in the state Department of Administration's "Predesign Manual for Capital Budget Projects." (The Predesign Manual is available on website: www.admin.state.mn.us/dsbc) Specifically, those expected outcomes are:

1. Predesign work as described in the State of Minnesota Predesign Manual for a co-located office/lab/technology operations facility or campus and adjacent parking facilities that will be submitted to the 2002 legislature for consideration.
2. Facilitation of the development of an operational program that clearly articulates the functions of the Departments. The Departments intend that this will be a participatory process, the results reflecting the needs of all three agencies as expressed by a large cross-section of those affected.
3. Facilitation of a review of programs, services and work processes with the goal of identifying, analyzing and describing opportunities to improve services to customers or work processes through co-location.
4. Facilitation of development of recommendations for improvements in customer access and service. The recommendations must include location, space configuration and technology considerations.
5. Development of a needs analysis that converts the operational program to amounts and types of space required to execute the program. This analysis should include an inventory of existing space, an analysis of alternative options that may also achieve the appropriate type of square footage, recommendations for co-location or sharing space for similar business enterprises, and the presentation of the "preferred" option with the rationale for that recommendation. Nationally recognized space standards need to be identified, and when the recommendation is something other than the accepted standard, the analysis should document why this is needed. Analysis of alternative options and selection of the preferred option in the report should clearly identify and communicate the advantages of co-location opportunities. The needs analysis must also include an executive summary suitable for presentation to various groups of stakeholders.
6. Further development of a long-range master plan for the agencies to incorporate foreseeable needs and the flexibility (or update-ability) to address those needs that are not predictable. The final predesign must provide facilities strategies for coping with the level of growth the agencies have been experiencing into the next 20 years.
7. Further development of the needs analysis and program for the lab facilities required by the Departments of Health and Agriculture that allows for potential further (future) co-location with the labs of other agencies for operational and physical efficiencies.
8. Development of an inventory of all applicable codes, regulations, standards, and guidelines that will govern the laboratory design at the various alternate locations. The successful candidate will be expected to consult with Dr. Jonathon Richmond, Director of the Office of Health and Safety, Centers for Disease Control and Prevention, 1600 Clifton Road, Box MS-F-05, Atlanta, Georgia 30333, in the predesign of the laboratory facilities.
9. Predesign recommendations that incorporate departments' technology plans with building design and standards. The successful consultant will have an understanding of agencies' technology plans and use, and be able to incorporate and accommodate forward-thinking technology as it relates to building design and engineering.

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Predesign recommendations should be based on projections for the use of information management and communication technologies (wired and wireless) such as information technology, electronic data and image storage, networking, visual/video communications, and voice communications for the next several years, rather than technologies employed presently.

Directions in infrastructure technologies such as energy management systems, indoor air quality management, security systems, and others should also be incorporated. Related issues must be identified for work in future phases, such as managing acoustics, lighting, heating and cooling to support the use of technologies anticipated in the next several years.

10. An analysis of real estate options, including development of weighted criteria for site selection. The predesign must yield co-located campus options of a sufficient size to accommodate the agencies and adjacent parking with room for growth and a recommendation for a site location, with support for that recommendation.
11. A financial and operational analysis of procurement and project delivery methods, with a recommended option and support for that recommendation.
12. Due to the size and complexity of the project, predesign must include an analysis of the options and recommendations regarding potential phasing of the preferred solution, taking into account both project delivery and financing.
13. Comparative financial and operational cost/benefit analysis of the various options, including continuing to lease existing facilities; leasing privately-owned new facilities; state ownership of new facilities; or other options identified in the predesign process. The analysis must include all anticipated project expenses, including relocation.
14. Cost analyses must include the ongoing costs associated with ownership, including maintenance.
15. Due to the size and complexity of the project, development of a communication plan will be a key factor in our success. It is expected that the contractor will provide such a plan and prepare materials to inform and enlist participation of Department staff and key internal and external decision-makers of project status and outcomes.
16. Product/Deliverables

The successful consultant will be required to provide documentation of the information and data (stated above) that is gathered and synthesized during the predesign activities. The documentation submitted to the State shall meet the following requirements. All materials developed are the property of the State of Minnesota.

- A) Clear and concise organization that is structured per the state's Predesign Manual. (See Division of State Building Construction web site www.admin.state.mn/dsbc). Text, graphics, drawings, data, presentation materials and spreadsheets on 8-1/2" x 11" bond paper and on electronic compact disk and 3.5 floppy disk using the following software:
 - MS Word - text
 - MS Excel - spreadsheets
 - AutoCad 14 - Drawings
 - Jpg format - photos
 - Powerpoint - presentations
- B) Website - to facilitate information exchange and organization, the successful consultant shall provide a website throughout the predesign process, for a period of one year.
 - a. The current master Predesign document will be provided, set up and maintained by the successful consultant, with downloading capability into the software named in item B above.
 - b. The successful consultant shall have an e-mail address to facilitate the transfer and development of the predesign document.
 - c. Photographs and video documentation will also be organized and maintained on consultant's provided website.
 - d. Meeting minutes shall be maintained by the consultant and posted on the website.
 - e. The predesign schedule with critical dates will be maintained by the consultant and posted on the website.
 - f. The website and its contents shall be transferred to the State of Minnesota at the completion of the Predesign activities.

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- C) The 8-1/2" x 11" paper bond predesign documentation will be in labeled 3-ring binders.
- D) To facilitate meetings, the successful consultant will provide each team member at the outset of a signed contract, with a 3-ring binder, labeled and containing color-coded tabbed dividers. The tabbed dividers will be labeled with the elements of predesign contained in the State's predesign manual. Provide 4 binders for the State's team members.

Team members will download updated documents from the master maintained on the consultant's website or from e-mailed updates from the consultant.

- E) Formal submittals of the hard copy, in 3-ring binders, will be presented and submitted by the consultant, to the state, on the following dates:

December	2000	- Preliminary concept report
February	2001	- 50% completion submittal
May	2001	- 90% completion submittal
July	2001	- Final submittal for review
Nov	2001	- Final submittal
Jan - May	2002	- Legislative session

The consultant will be expected, with no additional fees to the project budget, to work flexibly with stakeholders during the predesign process, report on progress, and take constructive suggestions for preparation of deliverables. This may include instructions to clarify analysis and gather additional information when necessary.

- F) The presentations are to include: 32" X 40" presentation boards, mounted with predesign issues and three site options using computer generated massing of buildings superimposed on site photographs and on site plans, all maintained on the website.
- G) Videotape copies, if part of presentation, shall be submitted.
- H) Three copies of the final predesign document are required in hardcopy and electronic format including drawings, photographs, videotapes and presentation boards.
- I) The successful consultant shall be expected to maintain a running list of issues for each predesign element during the process to serve as an agenda for meetings, to assign responsibilities, set deadlines and schedule the activities. The "List of Issues" will be updated in tandem with the master Predesign document on the consultant's website.
- J) The successful consultant shall be expected to consider and review numerous site options, then recommend, present and include three site options in the final Predesign document for potential development of the project. The three options are to include financial data and cost estimates for development and building of the project.
- K) Each of the three site options shall have sub-options based on funding strategies:
 - a) The successful consultant shall provide financial expertise, experienced in large scale construction funding, to work with the MN Department of Finance to determine cost saving options and delivery methods for funding the construction.
 - b) The financial options for funding the project are to be integrated in the predesign document and presented with the consultant's formal submittals in February, May and July of 2001.
 - c) Project cost estimates shall be presented in the State's Capital Budget request format.
- L) Issues for each site option, along with photographs shall be maintained on the website. The feasibility of development and construction of a large-scale project on each of the three site options shall be presented and integrated into the predesign document. Site selection studies and criteria shall include (but be not limited to):
 - (a) Transportation
 - (b) Access
 - (c) Environmental Impact
 - (d) Site developmental costs relating to site utilities/infrastructure.
 - (e) Phased Development

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- M) The successful consultant shall explain the methodology used to determine the architectural program for the state agencies involved. The methodology shall be documented and integrated into the predesign document. (A participatory method of developing the architectural program is desired).

17. Fee breakdown

Periodic monthly payments will be made to the successful consultant based upon completion progress of the master Predesign document posted on the website. A 5% amount of each invoice will be retained until final completion and product submittal.

Fee payments will be based upon the following percentages of the total fee:

- | | |
|---|-----|
| a. Predesign Summary statement (Executive Summary) | |
| Project Background Narrative, Scheduling | 10% |
| b. Project Description, Architectural Program & Methodology, Technology needs | 40% |
| c. Site Selection and options | 30% |
| d. Financing, cost estimate options, and presentation of report | 20% |

The successful consultant will be required to assist the State in monitoring available funds and activities during the Predesign process to ensure that the State receives a complete Predesign package that can be presented to the Governor and Legislature for funding considerations. The consultant will be expected to be available on a periodic basis to assist or make presentations to the Governor and Legislative committees regarding the Predesign document. Prior to final payment of the retainage, the successful consultant will be expected to be available to make minor modifications or adds to the Predesign document to address questions raised by decision-makers.

18. Sustainable Design

The successful consultant will be required to develop (and include in the Predesign document) sustainable design criteria for the site selection process as well as guidelines and criteria to carry forward into future design and construction. Recommendations must be developed in accordance with the Minnesota Sustainable Design Guide. The Guide is available at www.admin.state.mn.us/dsbc or www.sustainabledesignguide.umn.edu.

c. SERVICES PROVIDED BY OTHERS:

None

d. SPECIAL CONSIDERATIONS:

The consultant shall demonstrate prior experience in the planning and development of large-scale corporate and institutional construction projects with emphasis on programming methodology, site selection and financing. Proposals should also include:

- A restatement of the objectives, goals and tasks to demonstrate the responder's view of the nature of the project.
- No change in personnel assigned to the project will be permitted without the approval of the state project director.
- Identification and description of the deliverables to be provided by the responder.
- A detailed work and cost plan that will identify major tasks to be accomplished and can also be used as a scheduling and managing tool, as well as the basis for invoicing. This work plan should include descriptions of the processes and methodologies to be employed for each of the tasks. The work and cost plan will serve as the basis for negotiating the contract agreement.
- Descriptions of the processes and methodologies to be employed for each of the tasks.
- Examples of relevant publications or methods of communicating about previous projects.
- A description of the firm's capabilities in developing financial and operational analyses of procurement and project delivery options.
- A description of the firm's experience in facilitating participative planning processes, and an outline of the plan for involving a broad cross-section of stakeholders in this project.
- Examples of relevant previous work that would demonstrate knowledge and performance success in similar projects, including graphic material illustrating the firm's qualification for the work. It must be work in which the personnel listed have had significant participation and their roles must be clearly described.
- Examples of previous experience in working with the various codes, regulations, standards, guidelines, and the specialized architectural, structural, mechanical, electrical, and plumbing criteria involved with laboratory projects.

Professional, Technical & Consulting Contracts

- Identification of the expected levels of the departments' participation in each step in the project as well as any other services to be provided by the departments.

e. PROJECT BUDGET/FEEES:

The current project budget for this predesign activity is \$800,000. This budget includes not only all consultant fees, but other costs associated with delivering the predesign. (i.e. all reimbursable expenses).

f. PROJECT SCHEDULE:

A selection is anticipated in September 2000; the consultant will be expected to begin work promptly. The predesign final report and supporting materials must be available for use as documentation on or before July 1, 2001. This report will serve as the basis for a legislative request for the next steps toward co-locating the agencies. The predesign phase is meant to establish the foundations and feasibility of a specific request through written and conceptual graphic presentations.

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

An informational meeting will be held on July 18, 2000, from 10:00-11:00. The informational meeting is intended to give prospective candidates the opportunity to further determine the expectations of this effort.

Prospective candidates may choose to attend the informational conference through the use of their own or a commercial interactive videoconference site or via telephone if this is a more affordable option than travel to St. Paul. This may be arranged by contacting Roger Root at (651) 282-6412 no later than 4:00 p.m., central daylight time on Friday, July 14, 2000 to make arrangements and test video connectivity. All informational materials used in the meeting will be mailed to you in time for the conference.

h. STATE DESIGNER SELECTION BOARD SCHEDULE:

Project Proposals Due: August 7, 12 p.m. (Noon)

Project Shortlist: August 15, 2000

Project Interviews and Award: August 22, 2000

i. PROJECT CONTACT(S):

Questions concerning the project should be referred to:

Gordon O. Christofferson
Department of Administration
Division of State Building Construction
50 Sherburne Avenue, Room G-10
St. Paul, MN 55155
email: gordon.christofferson@state.mn.us

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.

Professional, Technical & Consulting Contracts

- 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.

Minnesota Board of Water and Soil Resources

Request for Proposals for Conducting Soil and Geomorphic Transects

The Minnesota Board of Water and Soil Resources (BWSR) is seeking proposals from qualified individuals and firms to conduct landscape transects which include the documentation of soil properties and geomorphic components. This project is part of an effort to update outmoded soil surveys in Dodge, Fillmore, Goodhue and Wabasha Counties.

All proposals must be received by Greg Larson, Project Manager for the BWSR, 1 West Water Street, Suite 200, St. Paul, MN 55107, or an authorized agent, no later than 2:00 p.m., local time, Friday July 28, 2000. Proposals must be submitted in the format provided for in the Request for Proposals. Late proposals will not be considered. The Request for Proposals is available by calling or writing Greg Larson or Robyn Molina at 1 West Water Street, Suite 200, St. Paul, MN 55107. Telephone (651) 296-3767.

Complete specifications and details concerning the project and submission requirements are included in the Request for Proposals.

Non-State Public Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Metropolitan Council

Notice of Request for Proposals for Consultant Services for Geotechnical Investigation and Engineering Services

Project Numbers 970110 & 970120 Contract Number 00P0045

The Metropolitan Council is requesting proposals for Consultant Services for Geotechnical Investigation and Engineering Services for South Washington County Gravity Interceptor and Colby Lake Lift Station. The Contractor will: Conduct soil borings, testing and sampling along the 10 mile long corridor of the proposed South Washington County Interceptor; Conduct continuous, above-ground electronic profiling of bedrock; and Prepare a professional geotechnical engineering report including all field findings and interpretation of factors influencing design and construction of the interceptor pipe, lift station, flow metering station and appurtenant structures.

Non-State Public Bids, Contracts & Grants

Issues Request for Proposals	July 5, 2000
Receive Proposals	July 24, 2000
Notice to Proceed	August 16, 2000
Complete Project	November 14, 2000

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Jan Bevins, Contracts Specialist, Contracts and Procurement Unit
Metropolitan Council Environmental Service
320 East Fifth Street
Mears Park Centre
St. Paul, MN 55101

Inquiries should be directed to Gordon Backlund at 651-602-1801.

Minnesota Statutes, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

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 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.



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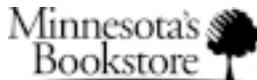
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