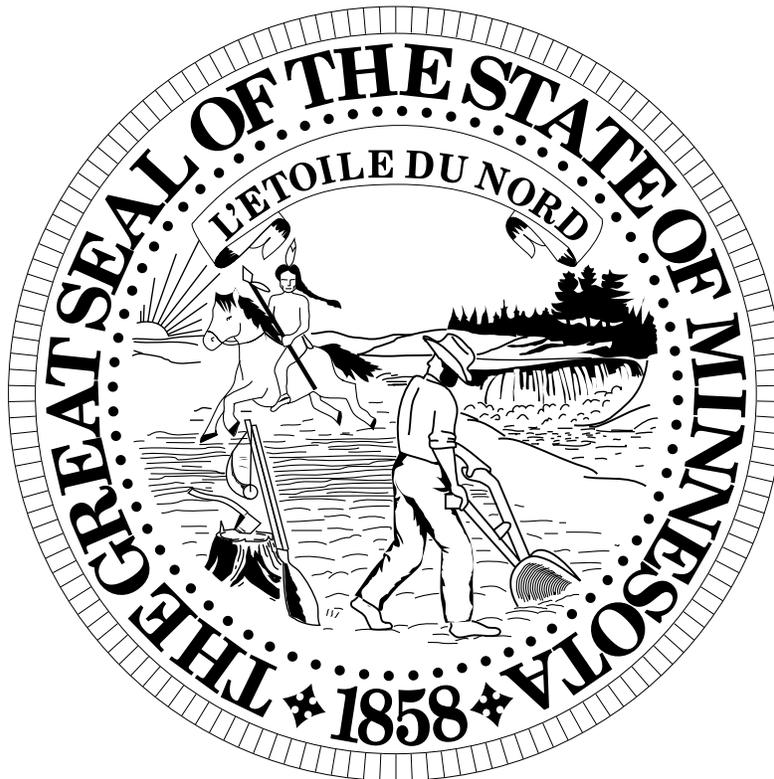


State of Minnesota

# 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- proposed, adopted, exempt, expedited emergency and withdrawn rules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
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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
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#17	Monday 15 October	Noon Wednesday 3 October	Noon Tuesday 9 October
#18	Monday 22 October	Noon Wednesday 10 October	Noon Tuesday 16 October
#19	Monday 5 November	Noon Wednesday 24 October	Noon Tuesday 30 October

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# Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 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*.

## Minnesota Board of Chiropractic Examiners (MBCE)

### Notice of Hearing Change on Proposed Rules Governing the Definition of Doctor-Patient Relationship, *Minnesota Rules*, 2500.6000

**Public Hearing.** The Minnesota Board of Chiropractic Examiners (MBCE) intends to adopt rules after a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The agency will hold a public hearing on the above-entitled rules in the University Room, University Park Plaza, 2829 University Avenue SE, Minneapolis, Minnesota 55414-3220, starting at 9:30 a.m. on Monday, November 26, 2001, and continuing until the hearing is completed. Additional days of hearing will be scheduled if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

**Administrative Law Judge.** The hearing will be conducted by Administrative Law Judge Richard C. Luis, who can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, phone: (612) 349-2542, and fax: (612) 349-2665. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge.

**Subject of Rules, Statutory Authority, and Agency Contact Person.** The proposed rules are about defining the practice of chiropractic, *Minnesota Rules*, 2500.6000. The proposed rules are authorized by *Minnesota Statutes*, section 148.08 subd. 3. A copy of the proposed rules is published in the *State Register* dated July 23, 2001, and attached to this notice as mailed. The agency contact person is: Micki King at MBCE, 2829 University Avenue SE, Minneapolis MN, 55414-3220, **phone:** (612) 617-2226, **fax:** (612) 617-2224, and **email:** [micki.king@state.mn.us](mailto:micki.king@state.mn.us). **TTY** users may call the MBCE at **phone:** 1-800-267-3529.

**Statement of Need and Reasonableness.** A Statement of Need and Reasonableness is now available for review at the agency offices and at the Office of Administrative Hearings. 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. The statement may be reviewed and copies obtained at the cost of reproduction from the agency.

**Public Comment.** You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of

Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

**Alternative Format/Accommodation.** 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 or if you need an accommodation to make this hearing accessible, 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 the rule hearing process. Modifications must be supported by data and views presented during the rule hearing process, 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.

**Adoption Procedure After The Hearing.** After the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, or ask to register with the agency to receive notice of future rule proceedings, and can make these requests at the hearing or in writing to the agency contact person stated above.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **phone:** (651) 296-5148 or 1-800-657-3889.

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 3 October 2001

Larry A. Spicer, DC  
Executive Director

**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

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.

## Executive Department

### Office of the Governor

#### Emergency Executive Order 01-11 Providing for Assistance to Patients and Residents in State Regional Treatment Centers, Veterans Homes, and Community-Based Residences of the State of Minnesota

**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**, the Department of Employee Relations and the Bureau of Mediation Services have received notices issued by the American Federation of State, County and Municipal Employees ("AFSCME") and the Minnesota Association of Professional Employees ("MAPE") stating an intent to strike as of an unspecified date or dates; and

**WHEREAS**, AFSCME and MAPE have notified the Department of Employee Relations and Bureau of Mediation Services that the current contracts have expired and that the unions do not wish to continue the existing contracts after 6:00 a.m., October 1, 2001; and

**WHEREAS**, the AFSCME and MAPE employees commenced their strike at 6:00 a.m., October 1, 2001, and

**WHEREAS**, as a consequence of the strike, certain State regional treatment centers, veterans homes and nursing homes, schools, community based residences and other state-operated facilities face a critical shortage of direct care personnel to ensure the health and safety of the vulnerable citizens in the care of the State of Minnesota; and

**WHEREAS**, the above-referenced direct care personnel provide essential life, safety and healthcare to the persons served at such facilities; and

**WHEREAS**, the absence of direct care personnel presents an immediate threat to the health, welfare and safety of the persons served at the referenced facilities; and

**WHEREAS**, the Commissioner of the Minnesota Department of Human Services and the Chairman of the Minnesota Veterans Home Board and other state agencies, boards, commissions and entities have prepared strike response plans indicating their essential service and personnel needs to provide essential life, safety and health care to the persons served at the above referenced facilities in the event of a strike; and

**WHEREAS**, the Minnesota Commissioners of Administration and Employee Relations have reviewed and approved such strike response plans; and

**WHEREAS**, the Minnesota Commissioners of Administration and Employee Relations have requested assistance from the Governor to implement the strike response plans to ensure provision of essential care and services to the persons served by the above referenced facilities in the event of a strike; and

**WHEREAS**, temporary assignment of State of Minnesota employees and the deployment of personnel from the Minnesota National Guard will be needed to avoid a breakdown in the essential care of patients in the above referenced facilities in the event of a strike; and

**WHEREAS**, the training of personnel to carry out this function has been undertaken in due course to ensure proper health care, safety and welfare for the patients in the above referenced facilities in the event of a strike.

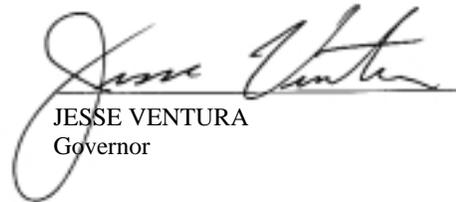
**NOW, THEREFORE**, I hereby order that:

1. The strike response plans of the Minnesota Department of Human Services, Minnesota Veterans Home Board and other state agencies, boards, commissions and entities approved by the Commissioners of Administration and Employee Relations be implemented to provide essential life, safety and health care to the persons served by the above referenced facilities in the event of a strike.

2. State agencies and State employees will cooperate and assist the Minnesota Departments of Administration and Employee Relations in the implementation of the State of Minnesota Strike Contingency Plan and the strike contingency response plans approved by the Minnesota Commissioners of Administration and Employee Relations.
3. Pursuant to *Minnesota Statutes* §12.21, Subd. 3(10), AFSCME bargaining unit employees who work during this emergency, shall be compensated consistent with salary schedules, salary grids, progression provisions and equipment differential provisions of the Agreement between the Minnesota State Employees Union, AFSCME, Council No. 6, AFL-CIO and the State of Minnesota in effect prior to its cancellation at 6:00 a.m., on October 1, 2001. All other terms and conditions of employment for such employees shall be as provided in the Commissioner's Plan established pursuant to *Minnesota Statutes* §43A.18, Subd. 2.
4. Pursuant to *Minnesota Statutes* §12.21 Subd. 3(10), for MAPE bargaining unit employees who work during this emergency, shall be compensated consistent with salary schedules, salary grids and progression provisions of the Agreement between the Minnesota Association of Professional Employees and the State of Minnesota in effect prior to its cancellation at 6:00 a.m., on October 1, 2001. All other terms and conditions of employment for such employees shall be as provided in the Commissioner's Plan established pursuant to *Minnesota Statutes* §43A.18, Subd. 2.
5. The Adjutant General of Minnesota order to state active duty, on or after September 30, 2001 such elements of the military forces of the State, as required, for the purpose of providing for security, and for essential life, safety and health care to the persons served at the above referenced facilities at the time of any strike.
6. The Adjutant General is authorized to purchase, lease, or contract goods or services necessary to accomplish the mission.
7. The cost of training, subsistence, transportation, fuel, pay and allowances of said military personnel shall be defrayed from the general fund of the State, as provided for generally and in particular in *Minnesota Statutes* 2000, Sections 192.49, Subd. 1; 192.52, and 192.54.

Pursuant to *Minnesota Statutes* 2000, sections 4.035, Subd. 2, this Order is effective September 30, 2001 and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 2000 section 4.035, Subd. 3.

**IN TESTIMONY WHEREOF**, I have set my hand this first day of October 2001.



JESSE VENTURA  
Governor



MARY KIFFMEYER  
Secretary of State

## Official Notices

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

### Department of Human Services

#### Family and Children's Services Division

#### Notice of Publication of State Title XX Intended Use Report and Title XX Activities Report

Family and Children's Services Division of the Minnesota Department of Human Services has submitted a Title XX Intended Use Report for the period of October 1, 2001 through September 30, 2002 and a Title XX Activities Report for the period of October 1, 1999 through September 30, 2000 to the United States Department of Health and Human Services, Office of Community Assistance. These reports are intended to meet federal requirements for funds provided under Title XX of the Social Security Act.

The plans are available for public review and comment. A copy can be obtained by contacting:

Minnesota Department of Human Services  
Family and Children's Services Division  
Title XX Intended Use Report 2001 and/or Title XX Activities Report 1999  
444 Lafayette Road North  
St. Paul, MN 55155-3832

### Metropolitan Council

#### Notice of Postponement of Public Hearing for the Empire Wastewater Treatment Plant Expansion and Effluent Outfall Facility Plan

Metropolitan Council has postponed the public hearing originally scheduled for Monday, October 22, 2001, at 7:00 p.m., at the Dakota County Extension and Conservation Center in Farmington, MN, on the Empire Wastewater Treatment Plant and Effluent Outfall Facility Plan, MCES Project No. 800900. The new date for a public hearing on this project has not been determined.

If you have questions related to this postponed meeting notice, contact Pauline Langsdorf, Sr. Information Specialist, Metropolitan Council Environmental Services at (651) 602-1805.

### Public Employees Retirement Association

#### Notice of Meeting of the Public Employee Retirement Association Board of Trustees

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, October 11, 2001, at 9:30 a.m., in the PERA offices, 60 Empire Drive, Room 117, St. Paul, Minnesota.

A meeting of the Disability Task Force of the Board of Trustees will be held following the Board meeting on October 11, 2001, in the offices of the Association.

## 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 Revenue

### Notice of Cancellation of Request for Proposals for Grants to Provide Taxpayer Assistance Services to Low Income and Disadvantaged Minnesota Residents

**NOTICE IS HEREBY GIVEN** of the cancellation of the Request for Proposals announced in the October 1, 2001 issue of the *State Register*, page 494. The Request for Proposals will be reissued at a later date.

## State 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 \$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.]

## Minnesota Department of Children, Families and Learning

### Request For Proposals For A Study On The Use Of Sympathomimetic Medications and Minnesota Children Diagnosed With Attention Deficit Disorder Or Attention Deficit Hyperactivity Disorder

The Division of Special Education of the Minnesota Department of Children, Families and Learning, is requesting proposals from qualified contractors to determine and report, consistent with *Minnesota Statutes* (2001 K-12 Omnibus Bill, Article 3 of Special Programs, Subd.10, Section 140.24-141.28), the number and overall incidence rate of Minnesota children ages three to 18, by age, grade level, gender, and race, diagnosed with attention deficit disorder (ADD) or attention deficit hyperactivity disorder (ADHD) currently taking sympathomimetic medications such as Ritalin. A full report is due to the commissioner of the Minnesota Department of Children, Families and Learning by February 1, 2002.

The Department has estimated that the cost of this project should not exceed \$50,000 over the contract period. The anticipated project period is November 2001 through February 28, 2002.

To request a copy of the full Request for Proposal contact:

Eric Kloos, Supervisor  
Division of Special Education  
Department of Children, Families and Learning  
1500 Highway 36 West  
Roseville, Minnesota 55113-4266  
**Phone:** (612) 638-1531  
**Fax:** (651) 582-8729

Proposals are due no later than **3:00 p.m., on Wednesday, October 31, 2001**. Late proposals will **not** be considered.

## Department of Human Services

### Community Supports for Minnesotans with Disabilities Division

#### Community Outcomes Section

#### Request for Proposals for Training and Technical Assistance to Community-Based Support Professionals

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services (DHS), Division for Community Supports for Minnesotans with Disabilities (CSMD), is seeking via a Request for Proposals (RFP) the professional services from qualified parties who will be responsible for training and technical assistance to community-based support professionals serving persons under age 65 with medical, behavioral, cognitive, mental health and physical challenges currently residing or being referred to nursing homes.

During the past year the Department of Human Services (DHS), with the advice of stakeholders, developed the "Options Initiative" which builds upon past experiences by further eliminating access barriers, enhancing choice and creating flexible funding/service support options. The Options Initiative proposes to eliminate barriers and strengthen community capacity to allow for the voluntary reduction of 1,300 persons under age 65 from nursing facilities and other institutions over the next four years. The Options Initiative will also provide access to viable alternative community services for persons with disabilities who might otherwise need to seek institutional care. Individuals currently residing in nursing facilities are primarily people with physical disabilities, mental illness, and traumatic brain injury.

The Contractor will be responsible for creating resource materials which identify solutions to barriers or obstacles which historically have prevented persons with disabilities from accessing community based services. Examples of information covered in the resource materials include, but should not be limited to self determination, safety net, housing, adaptive modifications, transportation, work, management of challenging behaviors, and technology. It is expected that the Contractor will also provide technical assistance and training to providers as well as potential service providers. In addition, it is expected that the Contractor will provide onsite training to providers serving persons with complex needs.

The term of the contract shall be from January 1, 2002 to December 31, 2002. It is estimated that this contract will not exceed \$75,000.00.

A complete copy of the RFP can be obtained by contacting:

Gerald Nord  
Minnesota Department of Human Services  
Community Supports for Minnesotans with Disabilities  
444 Lafayette Road  
St. Paul, MN 55155-3857  
**Phone:** (651) 582-1937

All proposals must be received no later than **3:00 p.m., Friday, November 16, 2001**. Late proposals will not be considered. A voluntary proposer's conference will be held on October 26, 2001 at 9:30 a.m., in the Loon Conference Room, 2nd Floor, 2284 Highcrest Road, Roseville, Minnesota. Submit two copies of proposals. Proposals must be delivered in a sealed envelope or package with the responder's name and address clearly written on the outside of the parcel. Fax, email or other electronically transmitted copies will not be considered. It is anticipated that the selection process will be completed by November 15, 2001.

## Legislative Commission on Minnesota Resources (LCMR)

### Request for Proposals for Facilitation Services

**NOTICE IS HEREBY GIVEN** to contract for facilitation services. The LCMR will contract with a facilitator to produce the conclusions and report that is required by *Minnesota Laws 2001* Chapter 161, Sec 55 (Task Force). The task force will consist of the Executive Committee of the LCMR plus six members of the Citizen's Advisory Committee. The charge is to "...explore options to better integrate the citizen advisory committee in the process of making expenditures from the environment and natural resources trust fund." The task force will report to the LCMR chair by January 15, 2002. The LCMR Executive Committee will select the facilitator. The contract may begin as early as October 2001 and may conclude by December 2001 or early January 2002.

Interested parties may submit a proposal for facilitation services by October 19, 2001. LCMR members might interview candidates. There is no specified budget amount for this contract. It will exceed \$5,000, and perhaps reach around \$20,000, as an uninformal estimate. See information including the request for proposals at: [www.commissions.leg.state.mn.us/lcmr/lcmr.htm](http://www.commissions.leg.state.mn.us/lcmr/lcmr.htm)

## Department of Transportation

### Program Support Group

### Project Delivery Streamlining Team

### Request for Qualifications for a design-build contract on Minnesota State Trunk Highway 100 in Golden Valley, Minnesota, S. P. 2735-172

The Minnesota Department of Transportation ("Mn/DOT") is requesting statements of qualifications for the State Trunk Highway 100 Design-Build project, S.P. 2735-172, ("Project") in Golden Valley, Minnesota.

Mn/DOT has completed a preliminary engineering design of roadway and bridge improvements for the Project. The Project involves reconstructing approximately one mile of Trunk Highway 100 from just south of Duluth Street to 29th Avenue North in Golden Valley, Duluth Street under and adjacent to Trunk Highway 100, and local access connections. The new Trunk Highway 100 roadway will be a limited access, six-lane, high-speed highway facility on existing alignment. The work is expected to include several types of construction, including but not limited to grading, bituminous and concrete surfacing, utility relocations, water line, drainage systems, ponding areas, retaining walls, noise walls, traffic signals, signing, lighting, bridge, bypass, and embankment. A separate, fully-designed pedestrian bridge is also expected to be part of the Project. Five-year warranty provisions will apply to many of the Project's major components.

The current estimated cost for design and construction is approximately \$19 million.

The Request for Qualifications ("RFQ") document provides information about the Project scope, schedule, and weighted criteria that Mn/DOT will use to establish a short list. The RFQ invites each interested design-build Proposer to submit a statement of qualifications ("SOQ") that demonstrates how that Proposer satisfies certain criteria relevant to the Project, including but not limited to the following items: construction experience, design experience, design-build team organizational structure, project approach, project management, project administration, and preliminary quality control plan.

Mn/DOT will evaluate and score all SOQs and compile a short list of at least two but not more than five Proposers. Mn/DOT intends to issue a Request for Proposals ("RFP") after establishing the short list. Only short-listed Proposers will be eligible to respond to the RFP, although other interested individuals may purchase copies of the RFP for information. Mn/DOT will offer a stipend of approximately 0.2% of Mn/DOT's final Project design and construction estimated cost to each unsuccessful short-listed Proposer that submits technical and price proposals that Mn/DOT considers responsive.

Proposers must request an RFQ in writing by mail, fax, or email. With each request, Proposers must also provide a contact name, mailing address, fax number, phone number, and email address (if available). There is no charge for the RFQ. **ALL REQUESTS FOR AN RFQ** must be sent to Paul Huston, Mn/DOT Design-Build Engineer, at one of the following addresses:

**Mail:** MS 670, 395 John Ireland Boulevard, St. Paul, MN 55155.

**Fax:** (651) 296-1805

**Email:** [paul.huston@dot.state.mn.us](mailto:paul.huston@dot.state.mn.us)

Other than requests for an RFQ, **ALL QUESTIONS AND COMMENTS ABOUT THE PROJECT** must be submitted in writing to Liz Benjamin, Mn/DOT Project Manager, by mail, fax, or email:

**Mail:** 2055 North Lilac Drive, Golden Valley, MN 55422

**Fax:** (763) 797-3089

**Email:** [elizabeth.benjamin@dot.state.mn.us](mailto:elizabeth.benjamin@dot.state.mn.us)

Mn/DOT will only accept written questions or comments.

All SOQs will be considered any time up to **4:30 p.m. Central Standard Time, Friday, November 2, 2001**, and must be addressed to Paul Huston, Project Delivery Streamlining Team, MS 670, 6th Floor South, 395 John Ireland Boulevard, St. Paul, MN 55155. Any SOQ that fails to meet the November 2, 2001, deadline will be returned, unopened, to the sender.

## Non-State 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 (RFP) Temporary Employment Services MCES and Mears Park Metropolitan Contract Number 01P058B

The Metropolitan Council (Council) is seeking proposals to provide temporary employment services for administrative and clerical positions, on an as needed basis. These services will be provided for the Council's Environmental Services Division (MCES), with office locations throughout the seven county area, and for the Council's administrative offices located at Mears Park. Most temporary employees will be located at Mears Park in downtown St. Paul.

A tentative schedule for the project is shown below:

<i>Issue Request for Proposals</i>	October 2, 2001
<i>Proposals Due</i>	November 1, 2001
<i>Award of Contract</i>	November 2001
<i>Term of Contract</i>	Three Years

All firms interested in being considered for this project and desiring to receive an RFP package are invited to contact:

Sunny Jo Emerson, Senior Administrative Assistant  
Metropolitan Council  
Mears Park Centre  
230 East Fifth Street  
St. Paul, MN 55101  
**Phone:** (651) 602-1499  
**Fax:** (651) 602-1083  
**Email:** [sunny.jo.emerson@METC.state.mn.us](mailto:sunny.jo.emerson@METC.state.mn.us)

*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.

### Metropolitan Council

#### Notice of Request for Proposals (RFP) Temporary Employment Services – Metro Transit Metropolitan Contract Number 01P058A

The Metropolitan Council (Council) is seeking proposals to provide temporary employment services for administrative and clerical positions, on an as needed basis. These services will be provided for the Council's Metro Transit Operating Division with most office locations in Minneapolis. These services will be funded in part by the Federal Transit Administration (FTA), and FTA terms and conditions will apply to the solicitation and the contract.

A tentative schedule for the project is shown below:

<i>Issue Request for Proposals</i>	October 2, 2001
<i>Proposals Due</i>	November 1, 2001
<i>Award of Contract</i>	November 2001
<i>Term of Contract</i>	Three Years

All firms interested in being considered for this project and desiring to receive an RFP package are invited to contact:

Sunny Jo Emerson, Senior Administrative Assistant  
Metropolitan Council  
Mears Park Centre  
230 East Fifth Street  
St. Paul, MN 55101  
**Phone:** (651) 602-1499  
**Fax:** (651) 602-1083  
**Email:** [sunny.jo.emerson@METC.state.mn.us](mailto:sunny.jo.emerson@METC.state.mn.us)

*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.

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Sale, Posting and Maintenance of Exterior Bus Advertising Contract Number 01P050/Project Number 44401

The Metropolitan Council is requesting proposals for the sale, posting and maintenance of exterior bus advertising.

<i>Issue Request for Proposals</i>	September 24, 2001
<i>Receive Proposals</i>	October 12, 2001
<i>Contract negotiated, executed, NTP</i>	December 2001

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:

Amanda Peterson, Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council Environmental Services  
230 East 7th Street  
Mears Park Centre  
St. Paul, MN 55101  
**Phone:** (651) 602-1585  
**Fax:** (651) 602-1138  
**Email:** [amanda.petersen@metc.state.mn.us](mailto:amanda.petersen@metc.state.mn.us)

Inquiries regarding technical aspects of the project should be directed to Gordon Backlund, **phone:** (651) 602-1801.

*Minnesota Statutes*, Section 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.

## Metropolitan Council

### Bids Sought for Asphalt Repairs at Ruter, Nicollet, and South Garages

The Metropolitan Council is soliciting sealed bids for Asphalt Repairs at Metro Transit's Ruter, Nicollet, and South Garages located in Minneapolis and Brooklyn Center, Minnesota. Bids are due at 2:00 p.m., on October 24, 2001. Bids must be submitted in accordance with the Invitation for Bids document available from:

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

## University of Minnesota

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

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

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

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**Robin, Panlener (Address same as #7)**  
 Managing Editor (Name and complete mailing address):  
**Same as above**

10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.)  
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**Dept. of Administration**  
**St. Paul, MN 55155**  
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 Has Not Changed During Preceding 12 Months  
 Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)

PS Form 3526, October 1999 (See Instructions on Reverse)

13. Publication Title: **State Register**  
 14. Issue Date for Circulation Data Below: **September 17, 2001**  
 15. Average No. Copies Each Issue During Preceding 12 Months: **348**  
 16. Total Number of Copies (Net press run): **348**  
 17. Paid and unpaid circulation:  
 (1) Paid (Include advertiser's proof and exchange copies) **255**  
 (2) Paid in-County Subscriptions Stated on Form 3541 (Include advertiser's proof and exchange copies) **252**  
 (3) Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Non-USPS Paid Distribution **0**  
 (4) Other Classes Mailed Through the USPS **0**  
 (5) Total Paid and/or Requested Circulation (Sum of 15c, 15b, and 15d) **255**  
 (6) Free or Nominal Rate (Include advertiser's proof and exchange copies) **0**  
 (7) Outside-County as Stated on Form 3541 **0**  
 (8) In-County as Stated on Form 3541 **0**  
 (9) Other Classes Mailed Through the USPS **0**  
 (10) Total Free or Nominal Rate (Sum of 15c and 15d) **0**  
 (11) Total Paid and/or Requested Circulation (Sum of 15e and 15f) **255**  
 (12) Copies not Distributed **93**  
 (13) Total (Sum of 11g, 14b, and 15g) **348**  
 (14) Percent Paid and/or Requested Circulation (15e divided by 15g times 100) **73%**  
 18. Publication of Statement of Ownership:  
 Publication required. Will be printed in the issue of this publication.  
 Signature and Title of Editor, Publisher, Business Manager, or Owner: **Robin, Panlener** Date: **9/21/01**

Instructions to Publishers:  
 1. Complete and file one copy of this form with your postmaster annually on or before October 1. Keep a copy of the completed form for your records.  
 2. In cases where the stockholder or security holder is a trustee, include in items 10 and 11 the name of the person or corporation for whom the trustee is acting. Also include the names and addresses of individuals who are stockholders who own or hold 1 percent or more of the total amount of bonds, mortgages, or other securities of the publishing corporation. In item 11, if none, check the box. Use blank sheets if more space is required.  
 3. Be sure to furnish all circulation information called for in items 15. Free circulation must be shown in items 15d, e, and f.  
 4. Items 15b, 15c, 15d, 15e, 15f, 15g, 15h, 15i, 15j, 15k, 15l, 15m, 15n, 15o, 15p, 15q, 15r, 15s, 15t, 15u, 15v, 15w, 15x, 15y, 15z, 16a, 16b, 16c, 16d, 16e, 16f, 16g, 16h, 16i, 16j, 16k, 16l, 16m, 16n, 16o, 16p, 16q, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 16z, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.  
 5. If the publication had Periodicals authorization as a general or requester publication, this Statement of Ownership, Management, and Circulation must be published; it must be printed in any issue in October or, if the publication is not published during October, the first issue printed after October.  
 6. In item 10, indicate the date of the issue in which this Statement of Ownership will be published.  
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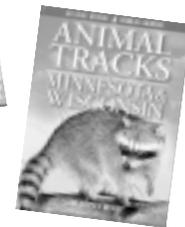
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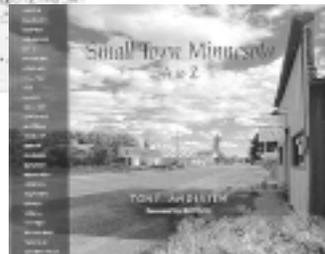
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