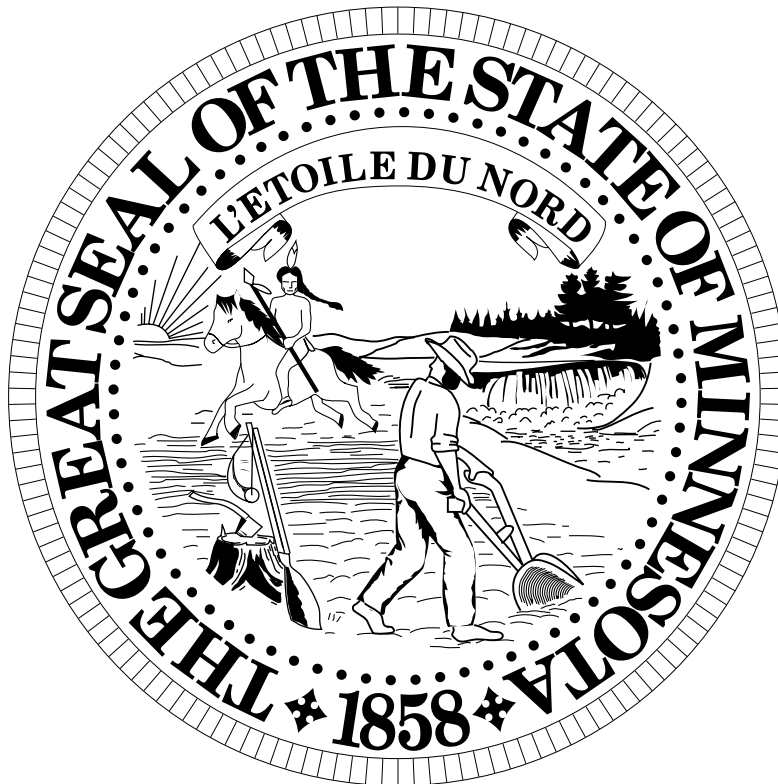


State of Minnesota

State Register

Rules and Official Notices Edition



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State Register

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Printing Schedule and Submission Deadlines

Vol. 26 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
#41	Monday 1 April	Noon Wednesday 20 March	Noon Tuesday 26 March
#42	Monday 8 April	Noon Wednesday 27 March	Noon Tuesday 2 April
#43	Monday 15 April	Noon Wednesday 3 April	Noon Tuesday 9 April
#44	Monday 22 April	Noon Wednesday 10 April	Noon Tuesday 16 April

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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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Agriculture Department

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Adopted Rules

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

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

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

Expedited and 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.

State Arts Board

Adopted Permanent Rules Governing State Arts Funding Programs

The rules proposed and published at *State Register*, Volume 26, Number 26, pages 804-808, December 17, 2001 (26 SR 804), are adopted as proposed.

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Exempt Rules

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

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

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

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

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

Department of Human Services

Adopted Exempt Rules Relating to 60-Month Time Limits and Hardship Extensions for Participants in the Minnesota Family Investment Program (MFIP)

9500.4350 PURPOSE AND APPLICABILITY.

Parts 9500.4350 to 9500.4385 implement *Minnesota Statutes*, section 256J.425, by specifying how certain provisions shall be applied to MFIP applicants and participants whose remaining eligibility and household composition are not specified in *Minnesota Statutes*, section 256J.425. *Laws 2001 First Special Session* chapter 9, article 10, section 65, authorizes the commissioner of human services to adopt exempt rules under *Minnesota Statutes*, section 14.386. Parts 9500.4350 to 9500.4385 specify how to treat households when an adult participant received assistance in a state other than Minnesota, or households who apply for MFIP assistance when they have less than 60 days of eligibility remaining. Parts 9500.4350 to 9500.4385 also specify how extension provisions will be applied to households in which each adult participant qualifies for a different hardship extension or reaches the 60-month limit at a different time.

9500.4355 NOTICES FOR ASSISTANCE UNITS WITH LESS THAN 12 MONTHS OF MFIP ELIGIBILITY.

Counties must give the same monthly notice specified in *Minnesota Statutes*, section 256J.415, to MFIP applicants or participants who have less than 12 months remaining in the 60-month time limit as of July 1, 2001, or later because the assistance unit previously received TANF assistance in Minnesota or another state. This part does not apply to MFIP participants aged 60 or older.

9500.4360 CASE REVIEW FOR ASSISTANCE UNITS WITH LESS THAN 60 DAYS OF MFIP ELIGIBILITY REMAINING.

MFIP applicants who are determined eligible for assistance and who have less than 60 days remaining in the 60-month time limit must receive the case review specified in *Minnesota Statutes*, section 256J.42, subdivision 6, as part of the application process.

9500.4365 HARDSHIP EXTENSIONS; DETERMINING GENERAL ELIGIBILITY.

Subpart 1. **General requirements.** To be eligible for a hardship extension, an adult participant in an assistance unit that is subject to the time limit under *Minnesota Statutes*, section 256J.42, subdivision 1, and has received 60 counted months of assistance, must be in compliance in month 60. For purposes of determining eligibility for a hardship extension, a participant is in compliance in any month that the participant has not been sanctioned.

If an adult participant has reached month 60 and is in sanction in month 60, or in the month in which the participant requests a hardship extension, the county must review the sanction status and determine whether the sanction is appropriate or if a good cause exception exists under *Minnesota Statutes*, section 256J.57. If the sanction was inappropriately applied or the participant is granted a good cause exception before the end of month 60 or the month of request for the hardship extension, the participant shall be considered for an extension.

Subp. 2. Provisions for two-parent assistance units. When both adult participants in a two-parent MFIP assistance unit reach 60 months of assistance at the same time, each adult participant must meet a category of extension in addition to being in compliance in month 60 in order for the family to be approved for extended MFIP assistance.

When one of the adult participants in a two-parent MFIP assistance unit reaches month 60 before the other, the participant who reaches month 60 first must qualify for a category of extension in addition to being in compliance in month 60 in order for the family to be approved for a hardship extension. When the other adult participant reaches month 60, that participant must also be in compliance in month 60 and must qualify for a category of extension in order for the assistance unit to remain eligible for a hardship extension.

9500.4370 HARDSHIP EXTENSIONS FOR ASSISTANCE UNITS WITH LESS THAN 12 MONTHS OF MFIP ELIGIBILITY REMAINING.

To be eligible for a hardship extension under *Minnesota Statutes*, section 256J.425, subdivision 4, assistance units who are applying for and are eligible for MFIP, and have less than 12 months remaining in the 60-month time limit because the assistance unit has previously received TANF assistance in this or another state, must be in compliance for a minimum of ten of the 12 months immediately preceding month 61 on assistance. If ten or fewer months remain at the time of the request for a hardship extension, the participant must be in compliance every month.

9500.4375 ACCRUAL OF CERTAIN EXEMPT MONTHS.

Subpart 1. Accrual under special medical criteria. A participant who received TANF assistance that counted toward the federal 60-month time limit while the participant was exempt from employment and training services requirements under *Minnesota Statutes*, section 256J.56, paragraph (a), clause (7), and who is no longer eligible for assistance under a hardship extension under *Minnesota Statutes*, section 256J.425, subdivision 2, paragraph (a), clause (3), is eligible for assistance under a hardship extension for a period of time equal to the number of months that were counted toward the federal 60-month time limit while the participant was exempt under *Minnesota Statutes*, section 256J.56, paragraph (a), clause (7), from employment services. If, at month 60, the assistance unit requests to continue to receive MFIP and a child or adult in the household continues to meet the special medical criteria as outlined in *Minnesota Statutes*, section 256J.425, subdivision 2, paragraph (a), clause (3), the assistance unit must be granted a hardship extension. Participants in this category are presumed to be prevented from obtaining and retaining employment. When a child or adult who once met the special medical criteria no longer meets those criteria, the MFIP assistance unit may continue to receive MFIP assistance using the accrued months that were counted toward the federal 60-month limit prior to month 61. After the accrued months have been exhausted, the county agency must determine if the assistance unit is eligible for an extension under another extension category in *Minnesota Statutes*, section 256J.425, subdivision 2, 3, or 4.

Subp. 2. Accrual under state time limit exemption. An adult participant who received TANF assistance that counted toward the federal 60-month time limit while the participant met the state time limit exemption criteria under *Minnesota Statutes*, section 256J.42, subdivision 4 or 5, is eligible for assistance under a hardship extension for a period of time equal to the number of months that were counted toward the federal 60-month time limit while the participant met the state time limit exemption criteria under *Minnesota Statutes*, section 256J.42, subdivision 4 or 5. An assistance unit that has accrued months prior to month 61 under this subpart will continue to be eligible for MFIP using the accrued months beginning in month 61 even if the participant fits an extension category under *Minnesota Statutes*, section 256J.425, subdivision 2, 3, or 4, unless the participant meets an extension category under *Minnesota Statutes*, section 256J.425, subdivision 2, paragraph (a), clause (3).

Subp. 3. Pre-60 month policies for accrued months. While receiving extended MFIP assistance under accrual provisions, a participant is subject to pre-60 month MFIP assistance policies unless the participant is a member of a two-parent family in which one parent is extended under *Minnesota Statutes*, section 256J.425, subdivision 3 or 4. For two-parent families in which one parent is extended under *Minnesota Statutes*, section 256J.425, subdivision 3 or 4, the sanction provisions in part 9500.4385, subpart 2, shall apply. For the purpose of this subpart, pre-60 month policies include evaluating exemptions from employment services under *Minnesota Statutes*, section 256J.56, good cause exemptions under *Minnesota Statutes*, section 256J.57, and applying employment services sanction policies under *Minnesota Statutes*, section 256J.46.

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Exempt Rules

9500.4380 EMPLOYED PARTICIPANTS.

Subpart 1. Work requirements. An assistance unit that is subject to the time limit under *Minnesota Statutes*, section 256J.42, subdivision 1, and has an adult participant who has received 60 months of assistance is eligible to receive assistance under a hardship extension if the adult participant reaching the 60-month limit belongs to one of the following units:

A. a one-parent assistance unit in which the adult participant is participating in work activities for at least 30 hours per week, of which an average of at least 25 hours per week every month is spent participating in employment; or

B. a two-parent assistance unit in which the adult participants are participating in work activities for at least 55 hours per week, of which an average of at least 45 hours per week every month is spent participating in employment. If one parent in a two-parent assistance unit requests an extension for employed participants under this part and the other parent requests an extension under a different category, the parent requesting the extension for employed participants must be treated as a one-parent assistance unit for the purpose of meeting the work requirements under this part.

Subp. 2. Definition of employment. For purposes of this part, "employment" means:

A. unsubsidized employment under *Minnesota Statutes*, section 256J.49, subdivision 13, clause (1);

B. subsidized employment under *Minnesota Statutes*, section 256J.49, subdivision 13, clause (2);

C. on-the-job training under *Minnesota Statutes*, section 256J.49, subdivision 13, clause (4);

D. an apprenticeship under *Minnesota Statutes*, section 256J.49, subdivision 13, clause (19);

E. supported work, which, for purposes of this part, means services supporting a participant on the job, which include, but are not limited to, supervision, job coaching, and subsidized wages;

F. a combination of items A to E; and

G. child care under *Minnesota Statutes*, section 256J.49, subdivision 13, clause (25), if it is in combination with paid employment.

Subp. 3. Child protection plan hours. If an adult participant is complying with a child protection plan under *Minnesota Statutes*, chapter 260C, the number of hours required under the child protection plan count toward the number of hours required under this part.

Subp. 4. County responsibility for subsidized employment. The county shall provide the opportunity for subsidized employment to participants needing that type of employment within available appropriations.

Subp. 5. Eligibility for hardship extension. The policies in items A to D apply to employed participants in an assistance unit in which one or both parents have used 60 months of assistance.

A. The adult participant in a one-parent assistance unit or both adult participants in a two-parent assistance unit must be in compliance for at least ten of the 12 months immediately preceding month 61 on assistance.

B. If only one adult participant in a two-parent assistance unit fails to be in compliance for ten of the 12 months immediately preceding month 61 on assistance, the county shall give the assistance unit the option of disqualifying the noncompliant participant effective in the 61st month. If the noncompliant participant is disqualified, the assistance unit must be treated as a one-parent assistance unit for the purposes of meeting the work requirements under this part and the assistance unit's MFIP grant shall be calculated using the shared household standard under *Minnesota Statutes*, section 256J.08, subdivision 82a.

C. If one adult participant in a two-parent assistance unit requests a hardship extension for employed participants and is not in compliance for ten of the 12 months immediately preceding month 61 on assistance, and the other compliant participant qualifies for a different hardship extension category under *Minnesota Statutes*, section 245J.425, subdivision 2 or 3, the county must give the assistance unit the option of disqualifying the noncompliant participant requesting an employed hardship extension. If the noncompliant participant is disqualified effective in the 61st month, the assistance unit's MFIP grant must be calculated using the shared household standard under *Minnesota Statutes*, section 256J.08, subdivision 82a.

D. To be eligible for a hardship extension for employed participants in which only one participant in a two-parent assistance unit has used 60 months of assistance, only the participant who has used 60 months of assistance is required to be in compliance for at least ten of the 12 months immediately preceding month 61 on assistance. If the participant who has used 60 months of assistance fails to be in compliance for at least ten of the 12 months immediately preceding month 61 on assistance, the county must give the assistance unit the option of disqualifying the noncompliant participant requesting an employed hardship extension. If the noncompliant participant is disqualified, the assistance unit's MFIP grant shall be calculated using the shared household standard under *Minnesota Statutes*, section 256J.08, subdivision 82a. When the other adult participant reaches month 60, that participant must be in compliance for ten of the 12 months immediately preceding month 61 in order for the family to qualify for a hardship extension for employed participants.

Subp. 6. Employment plan. The employment plan developed under *Minnesota Statutes*, section 256J.52, subdivision 5, for participants who are requesting an extension for employed participants must contain at least the minimum number of hours specified in *Minnesota Statutes*, section 256J.425, subdivision 4, paragraph (a), for the purpose of meeting employment and work activities.

Subp. 7. Failure to meet work requirements. Adult participants who are granted an extension under subpart 1 and without a good cause exception under *Minnesota Statutes*, section 256J.57, fail to meet the requirements in subpart 1, shall be sanctioned or permanently disqualified under *Minnesota Statutes*, section 256J.425, subdivision 6. Good cause may only be granted for that portion of the month during which the good cause reason exists. Participants must meet all remaining requirements in the approved employment plan or be subject to sanction or permanent disqualification.

If noncompliance with an employment plan is due to the involuntary loss of employment, the participant is exempt from the hourly employment requirements under this part for one month. Participants must meet all remaining requirements in the approved employment plan or be subject to sanction or permanent disqualification. This exemption is available to a one-parent assistance unit twice in a 12-month period, and to a two-parent assistance unit twice per parent in a 12-month period.

9500.4385 SANCTIONS FOR EXTENDED CASES.

Subpart 1. Sanctions for participants with a hardship extension that have used 60 months of assistance. If a participant receiving a hardship extension under *Minnesota Statutes*, section 256J.425, subdivision 3 or 4, has used 60 months of assistance and is not in compliance with the employment and training service requirements in *Minnesota Statutes*, sections 256J.52 to 256J.55, the sanction policies in items A and B apply.

A. For a first occurrence of noncompliance, an assistance unit must be sanctioned under *Minnesota Statutes*, section 256J.46, subdivision 1, paragraph (d), clause (1). Prior to the imposition of a sanction, a county agency must provide a notice of intent to sanction under *Minnesota Statutes*, section 256J.57, subdivision 2, and, when applicable, a notice of adverse action as provided in *Minnesota Statutes*, section 256J.31. For a second or third occurrence of noncompliance, the assistance unit must be sanctioned according to *Minnesota Statutes*, section 256J.46, subdivision 1, paragraph (d), clause (2). For a fourth occurrence of noncompliance, the assistance unit is disqualified from MFIP assistance.

B. If a participant is determined to be out of compliance during an extension, the participant may claim a good cause exception under *Minnesota Statutes*, section 256J.57, but may not claim an exemption under *Minnesota Statutes*, section 256J.56. The county shall review the case file to determine if a good cause exception exists.

Subp. 2. Sanctions for two-parent families in which only one parent has used 60 months of assistance. When a participant in a two-parent assistance unit who has not used 60 months of assistance is not in compliance, sanctions must be applied as specified in items A and B.

A. A participant who is a member of a two-parent assistance unit receiving assistance under *Minnesota Statutes*, section 256J.425, subdivision 3 or 4, who has not used 60 months of assistance, and who is not in compliance with the employment and training service requirements in *Minnesota Statutes*, sections 256J.52 to 256J.55, is subject to the sanction policy in *Minnesota Statutes*, section 256J.425, subdivision 6.

B. A participant who is a member of a two-parent assistance unit receiving assistance under *Minnesota Statutes*, section 256J.425, subdivision 2, who has not used 60 months of assistance, and who is not in compliance with the employment and training services requirements in *Minnesota Statutes*, sections 256J.52 to 256J.55, is subject to the sanction policy under *Minnesota Statutes*, section 256J.46.

Subp. 3. Sanctions for two-parent assistance units that are in sanction the 60th month. Two-parent assistance units that are in sanction the 60th month in which only one parent has reached the 60th month must be treated as specified in items A and B.

A. If the parent who has reached the 60th month is out of compliance in the 60th month, the case must be closed.

B. If only the parent who has not reached the 60th month is out of compliance and the other parent meets the requirements for an extension, the case may be extended.

C. If a case extended under item B is extended under *Minnesota Statutes*, section 256J.425, subdivision 3 or 4, and either participant is out of compliance with the employment and training services requirements in *Minnesota Statutes*, sections 256J.52 to 256J.55, in the 61st month, the sanction in the 61st month is considered the first sanction for the purposes of applying the sanctions in *Minnesota Statutes*, section 256J.425, subdivision 6, except that the sanction amount shall be 30 percent. All other requirements

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

in *Minnesota Statutes*, section 256J.46, subdivision 1, paragraph (d), clause (2), shall apply to this occurrence of noncompliance and the next two occurrences of noncompliance.

EFFECTIVE PERIOD. *Minnesota Rules*, parts 9500.4350 to 9500.4385, are adopted under *Minnesota Statutes*, section 14.386, and expire two years from the date of publication in the *State Register*.

Withdrawn Rules

An agency may choose to withdraw rules it has proposed, thus cancelling any time-sensitive schedule for public comment, hearing, or further movement toward the rules' adoption. These rules will be listed as withdrawn by their individual rules numbers in the *State Register's* index to rulemaking activity. **Minnesota Rules: Amendments and Additions.** An agency that chooses to withdraw proposed rules, may reintroduce those same rules at a later date.

Department of Agriculture

Dairy and Food Inspection Division

Notice of Withdrawal of Proposed Repeal of Obsolete Rules

NOTICE IS HEREBY GIVEN that the proposed repeal of obsolete rules governing food, as published in the *State Register* on January 14, 2002, pages 919-922, (26 S.R. 922), is withdrawn.

Dated: 19 March 2002

Sharon Clark
Deputy Commissioner

Commissioners' Orders

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

Department of Transportation

Order No. 86170: Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed under *Minnesota Statutes* § 169.825

WHEREAS, the Commissioner of Transportation has made his Order No. 80000, dated March 10, 1994, which order has been amended by Orders No.'s. 80212, 80246, 80580, 80861, 80881, 81000, 81092, 81371, 81511, 81557, 81641, 82955, 83138, 83536, 83616, 83720, 84056, 84222, 84232, 84256, 84353, 84354, 84439, 84532, 84902, 85225, 85246, 85668, and 85784, 85922, 85932 designating and permitting certain street and highway routes, or segments of those routes, to carry the gross weights allowed under *Minnesota Statutes* § 169.825, and

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

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

COUNTY ROADS

HENNEPIN COUNTY

- C.S.A.H. 81 FROM C.R. 202 TO C.S.A.H. 30. (12 MONTH)

Elwyn Tinklenberg
Commissioner

Dated this 22nd day of March, 2002.

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 State Board of Accountancy

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Licensing and Practice, *Minnesota Rules*, Chapter 1100

Subject of Rules. The Minnesota Board of Accountancy requests comments on its possible amendment to rules governing licensing and practice. The Board is considering rule amendments that pertain generally to all licensees and registrants, and give a detailed description of the subject matter of the possible rules.

Persons Affected. The amendment to the rules would likely affect all licensees and registrants.

Statutory Authority. *Minnesota Statutes*, section 326.18, subd. 3. authorizes the Board to adopt rules to govern administration of the board, examinations, issuance of certificates, licensing, professional conduct and discipline, continuing education, and practice monitoring.

Public Comment. Interest person or groups may submit comments or information on these possible rules in writing until 4:30 p.m., June 3, 2003. The Board does not contemplate appointing an advisory committee to comment on the possible rules.

Rules Drafts. The Board has not yet prepared a draft of the possible rules AND does not anticipate that a draft of the rules 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 request for more information on these possible rules should be directed to: Dennis J. Poppenhagen, Executive Secretary, Minnesota State Board of Accountancy, 85 East 7th Place, Suite #125, St. Paul, Minnesota 55101, **phone:** (651) 296-7938, **fax:** (651) 282-2644, **email:** boa@state.mn.us. TTY users may call the Department at **TTY:** (651) 297-5353 or 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: 1 April 2002

Dennis J. Poppenhagen, Executive Secretary
Minnesota State Board of Accountancy

Minnesota Department of Children, Families, and Learning

Division of Accountability and Compliance

REQUEST FOR COMMENTS on Possible Amendments to Rules Governing Behavioral Interventions, *Minnesota Rules*, part 3525.0200, subparts 1d, 1e, 1g, 2a, 2c, 8e, 8f, 25a, and 25b; part 3525.0850; and part 3525.2900, subpart 5

Subject of Rules. The Minnesota Department of Children, Families, and Learning is considering amendments to the rules governing behavioral interventions, including modifications to the definitions of aversive procedures, aversive stimulus, conditional procedures, deprivation procedures, emergency, manual restraint, mechanical restraint, time out for exclusion, and time out for seclusion, in part 3525.0200; behavioral interventions in part 3525.0850; and the IEP and regulated interventions in part 3525.2900, subpart 5. The Department requests your comments and suggestions regarding how these rules may be modified to improve the use of behavioral interventions for pupils with a disability.

Persons Affected. The amendments to the rules described above would likely affect directors of special education, special education teachers and staff, school and correctional facilities administrators, pupils, parents, higher education special education departments, special education attorneys and advocacy organizations.

Statutory Authority. *Minnesota Statutes*, section 125A.07(a) requires the Department to adopt “necessary rules for instruction of children with a disability.... These rules must also provide standards for the discipline, control, management, and protection of children with a disability.”

Public Comment. Interested parties may submit written comments or information on the existing behavioral intervention rules to the agency contact person listed below until 4:30 p.m. on May 31, 2002.

The Department will also seek public comments and testimony regarding the behavioral intervention rules at a public meeting scheduled for 1 to 4 p.m. and 6 to 8 p.m. on Monday, May 6, 2002, at the Holiday Inn located on 37th Avenue and West Division in St. Cloud, Minnesota.

Rules Drafts. The Department has not yet prepared a draft of possible amendments to the behavioral intervention rules.

Agency Contact Person. Written comments, questions, and requests for more information on the possible amendments to the behavioral intervention rules may be directed to: Kristin Asche, Rulemaking Coordinator at the Department of Children, Families, and Learning, 1500 Highway 36 West, Roseville, MN 55113; **phone:** (651) 582-8248; **fax:** (651) 582-8725; **email:** cfl.rulemaking@state.mn.us. **TTY** users may contact the Department at (651) 582-8201. Interested parties may also find more information regarding this rulemaking process on the Internet at <http://cfl.state.mn.us/rulemaking/current.html>

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 may be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The Department is required to submit to the judge those written comments received in response to the rules after they are proposed.

Dated: 19 March 2002

Christine Jax, Ph.D., Commissioner
Department of Children, Families, and Learning

Minnesota Department of Health

Division of Chronic Disease Prevention and Control

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Minnesota Cancer Surveillance System *Minnesota Rules* § 4606.3300-4606.3309

Subject of Rules. The Minnesota Department of Health requests comments on its possible amendments to rules governing the Minnesota Cancer Surveillance System (MCSS). These amendments would (a) make Minnesota cancer data more compatible with cancer data from other areas of the United States and the world by including information on cases that are not microscopically con-

firmed; (b) comply with new national standards for data collection by modifying the list of required data items; (c) for the purposes of quality control, clarify the commissioner's authority to inspect medical records; (d) make it possible to do survival analyses and to learn more about the late effects of cancer by beginning to require that available follow-up information on cancer patients be reported to the MCSS; and (e) clarify that no in situ carcinomas of the uterine cervix are defined as "cancer."

Persons Affected. The amendments to the rules would likely affect hospitals that do not have an in-house cancer registry, health care providers who treat or diagnose cancer patients, employees in pathology laboratories, tumor registries within hospitals, and vendors (mostly located outside of Minnesota) who provide tumor registry software to hospital-based cancer registries. More indirectly, the amendments would affect some health economists and epidemiologists and others who do research in cancer control. Also indirectly affected, would be cancer patients who will benefit as we increase our knowledge of cancer.

Statutory Authority. The Minnesota Department of Health is authorized to establish rules by *Minnesota Statutes* 144.672. "Duties of commissioner; rules.

Subdivision 1. **Rule Authority.** The commissioner of health shall collect cancer incidence information, analyze the information, and conduct special studies designed to determine the potential public health significance of an increase in cancer incidence.

The commissioner shall adopt rules to administer the system, collect information, and distribute data. . . ."

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing or orally until further notice is published in the *State Register* that the department intends to adopt or the withdraw the rules. The department does not contemplate appointing an advisory committee to comment on the possible rules.

Rules Drafts. The department has prepared a draft of the possible rules amendments.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules, and requests for more information on these possible rules should be directed to: Sally Bushhouse, D.V.M., Ph.D., Director, Minnesota Cancer Surveillance System, 717 Delaware Street SE, Minneapolis, Minnesota 55414, **phone:** (612) 676-5374, **fax:** (612) 676-5099. **Email:** sally.bushhouse@health.state.mn.us. **TTY** users may call the Department at (651) 215-8980.

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 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.

Jan Malcolm, Commissioner
Minnesota Department of Health

Health Technology Advisory Committee

Notice of: 1) Availability of Preliminary "Postmenopausal Hormone Replacement" Evaluation Report; and 2) Solicitation of Written Comments

The Health Technology Advisory Committee (HTAC) is charged under *Minnesota Statutes* 62J.152 with conducting evaluations of specific technologies and their specific use and application. For the purposes of evaluation, the definition of technologies in statute includes drugs, devices, procedures, or processes applied to human health care. As part of the evaluation process, HTAC is required to submit a report to the Legislative Oversight Commission on Health Care Access and to solicit written comments on the report. Before completing its final comments and recommendations on the HTAC technology evaluation report, HTAC solicits public comment on the report.

The Health Technology Advisory Committee (HTAC) has recently completed the preliminary evaluation report, "Postmenopausal Hormone Replacement".

Brief Summary of the Preliminary HTAC Report: Postmenopausal Hormone Replacement.

Hormone replacement therapy (HRT) is a treatment for the physical, emotional, and health-risk symptoms associated with menopause. HRT may include the replacement of estrogen alone - called estrogen replacement therapy (ERT) or estrogen plus a second hormone, progesterin (synthetic progesterone). HRT relieves symptoms by elevating the levels of estrogen that drastically decrease at menopause.

Official Notices

Benefits of HRT - treats Symptoms of Menopause, prevention and treatment of Osteoporosis Areas of Uncertainty - reduction in risk from Coronary Heart Disease reduction in diabetes, prevention of Alzheimer's disease, reduction of colorectal cancer.

- Definite Risks - Endometrial Cancer, Venous Thromboembolism
- Probable increase in risk - Breast Cancer, Gall Bladder Disease

Individuals or organizations requesting information or a copy of the report should contact HTAC. Written comments regarding the report are due within 30 days from the publication of this notice. Any written material received by HTAC shall be subject to the requirements of the Minnesota Data Practices Act (*Minnesota Statutes*, Section 13) and should be forwarded to:

Nancy Cusick
Health Technology Advisory Committee
121 East 7th Place, Suite 400
St. Paul, MN 55101
Phone: (651) 282-6374
Fax: (651) 282-5628
Website: <http://www.health.state.mn.us/htac/index.htm>

Health Technology Advisory Committee

Notice of: 1) Availability of Preliminary "Tumescent Liposuction" Evaluation Report; and 2) Solicitation of Written Comments

The Health Technology Advisory Committee (HTAC) is charged under *Minnesota Statutes* 62J.152 with conducting evaluations of specific technologies and their specific use and application. For the purposes of evaluation, the definition of technologies in statute includes drugs, devices, procedures, or processes applied to human health care. As part of the evaluation process, HTAC is required to submit a report to the Legislative Oversight Commission on Health Care Access and to solicit written comments on the report. Before completing its final comments and recommendations on the HTAC technology evaluation report, HTAC solicits public comment on the report.

The Health Technology Advisory Committee (HTAC) has recently completed the preliminary evaluation report, "Tumescent Liposuction".

Brief Summary of the Preliminary HTAC Report: Tumescent Liposuction

Liposuction is the most common elective cosmetic procedure performed in the United States, with an estimated 450,000 procedures performed in 2000. Tumescent liposuction infuses a balanced salt solution, including dilute epinephrine, to thicken the subcutaneous fat layer, allow for greater volumes of fat to be aspirated, and to decrease blood loss to an amount as low as 1 percent.

A census survey of aesthetic plastic surgeons for the period 1994 to mid-1998 found the death rate to be 19 in 100,000 for liposuction performed either alone or in combination with other procedures. However, these mortality ratios stand in contrast to a 1 in 100,000 mortality rate for other elective surgical procedures. The true incidence rate is not known since reporting of adverse events related to liposuction is not mandatory.

Conclusions

Liposuction is generally safe, provided patients are carefully selected, the facility is properly equipped and the physician has accredited training with special training and experience in liposuction.

Sound clinical judgment based on a clear understanding of the physiologic events surrounding subcutaneous infusion of fluids and anesthetics is crucial for patient safety. Local, regional, and general anesthesia and combinations thereof are acceptable methods of sedation for liposuction.

Controversy exists over the role of lidocaine in the tumescent solution and its potential for toxicity.

Liposuction can be safely performed in hospitals, surgical centers, and physician offices depending upon the number of surgical incisions and volume removed.

The liposuction-related death rate is estimated to be 8.4 in 100,000, higher than the incidence rate of other elective procedures (1 in 100,000). Because mandatory reporting of liposuction-related complications or deaths does not exist, the actual incidence of these events is unknown.

Deaths and disfigurement due to the cosmetic surgical procedure of liposuction should be a matter for serious public concern.

Recommendations

Patients should carefully choose the physician and facility where liposuction is to be performed. They should inquire as to qualifications and experience of the entire surgical team, including the anesthesia staff. They should assure that the facility has adequate technology to care for them during the procedure and in the event of a complication.

Patients should determine what contingency plan the facility has in the event of an emergency. It should include a fully supplied crash cart, staff trained in resuscitation, and a provision for patient transfer to provide acute care.

Reassessment of drug absorption and interactions, fluid management, prothrombogenic factors and liposuction volume should be encouraged.

Outcomes data should be gathered by the Department of Health that includes mandatory reporting of 30-day major morbidity (e.g. myocardial infarction, migration of venous thrombi and pulmonary emboli) and mortality.

Individuals or organizations requesting information or a copy of the report should contact HTAC. Written comments regarding the report are due within 30 days from the publication of this notice. Any written material received by HTAC shall be subject to the requirements of the Minnesota Data Practices Act (*Minnesota Statutes*, Section 13) and should be forwarded to:

Nancy Cusick
Health Technology Advisory Committee
121 East 7th Place, Suite 400
St. Paul, MN 55101
Phone: (651) 282-6374
Fax: (651) 282-5628
Website: <http://www.health.state.mn.us/htac/index.htm>

Minnesota Higher Education Facilities Authority

Notice of Public Hearing on Revenue Obligations

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue obligations on behalf of the College of St. Catherine (the "College"), as owner and operator of the College of St. Catherine, at the Congressional III meeting room of the Four Points Sheraton Hotel, 400 North Hamline Avenue, St. Paul, Minnesota on April 17, 2002 at 1:00 p.m. Under the proposal, the Authority would issue its revenue obligations in an aggregate principal amount of up to approximately \$53,000,000 in finance (a) renovation of the former St. Joseph Hall and St. Catherine Library and construction of an approximately 93,000 square foot addition to create the Student Center and Learning Commons, (b) renovation of Whitby Hall and Mendel Hall, (c) remodeling of Fontbonne Hall and Butler Center to house relocated programs and services and (d) conversion of steam plant to low pressure (and, with related furnishings, equipment and site improvements, collectively, the "Project"), to be owned and operated by the College and located at 2002 Randolph Avenue, St. Paul, Minnesota.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: 1 April 2002

By Order of the
Minnesota Higher Education Facilities Authority
Marianne Remedios
Executive Director

Minnesota Public Utilities Commission

REQUEST FOR COMMENTS on Possible Rules to Govern Biennial Transmission Filings Required Under *Minnesota Statutes* § 216B.2425

Subject of Rules. The Minnesota Public Utilities Commission requests comments on planned rules to govern the filing and processing of the biennial transmission projects reports that utilities are required to file under *Minnesota Statutes* § 216B.2425. The Commission is considering developing rules to govern the timing, content, and procedural treatment of these reports, as well as to establish procedures to ensure broad public input as the reports are developed and adequate public notice after they are developed.

Persons Affected. The adoption of these rules would likely affect:

- cooperative, municipal, and investor-owned Minnesota electric utilities;
- entities that own or operate transmission facilities on behalf of cooperative, municipal, or investor-owned Minnesota electric utilities;
- electric customers throughout the state;
- persons living or owning property near potential transmission routes;
- Minnesota agencies with jurisdiction over cooperative, municipal, or investor-owned electric utilities.

Statutory Authority. At least three statutes authorize Commission rulemaking on this subject: *Minnesota Statutes* § 216A.05, § 216B.08, and § 216B.2425.

Public Comment. The Commission invites interested persons or groups to submit comments or information on the possible rules in writing or orally until Friday, May 3, 2002 at 4:30 p.m. Interested persons or groups may also request to be included on the Commission's list of persons who wish to receive notices pertaining to this rulemaking. Written or oral comments, questions, and requests to receive a draft of the rules when they are prepared should include the docket number assigned to this rulemaking (E-999/R-02-327) and should be addressed to:

Carol Casebolt or Eric Witte
Public Utilities Commission
121 Seventh Place East, Suite 350
St. Paul, Minnesota 55101-2147
Ms. Casebolt: (651) 296-6029
Mr. Witte: (651) 296-7814
Fax: (651) 297-7073

Advisory Committee. The Commission plans to convene an advisory committee under *Minnesota Statutes* § 14.101 to comment on the biennial transmission report process. Persons wishing to serve or to nominate others to serve should inform Ms. Casebolt or Mr. Witte.

This document can be made available in alternative formats (i.e., large print or audio tape) by calling (651) 297-4596, **TTY:** (651) 297-1200, or **TTY** relay service: 1-800-627-3529.

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

Notice of Grant Availability for the Technology Literacy Challenge Fund

The Minnesota Department of Children, Families and Learning hereby announces the availability of Round 5, Part 3 Technology Literacy Challenge Fund (TLCF) grants. Eligible applicants include groups/consortia of Minnesota school districts (including charter schools), and joint powers school district cooperatives. This grant is provided by the United States Department of Education under Title III of the Elementary and Secondary Education Improving America's School Act of 1994.

TLCF Round 5, Part 3 will consist of grant awards to groups of school districts and/or charter schools or joint powers school district cooperatives for projects focusing on staff development relating to the integration of technology with instruction by teachers, aligned with the International Society for Technology in Education (ISTE) standards and in support of the Minnesota Profile of Learning.

The Request for Proposals and application materials for TLCF Round 5, Part 3 will be available on April 1, 2002 and project proposals will be due on May 10, 2002.

Application materials can be downloaded from the Department of Children, Families and Learning website on the date of availability at <http://cfl.state.mn.us> or can be requested from Mary Mehsikomer **phone** at: (651) 582-8772 or via **email** at: mary.mehsikomer@state.mn.us or from JoAnne Lawonn **phone** at: (651) 582-8394 or via **email**: at joanne.lawonn@state.mn.us. Questions regarding this program should be directed to Mary Mehsikomer or JoAnne Lawonn.

Department of Human Services

Notice of Request for Proposals – Alternative Payment for Nursing Facility Services

1995 Laws of Minnesota, Chapter 207, Article 7, Section 32 (hereinafter *Minnesota Statutes* Section 256B.434) authorized the Commissioner of the Department of Human Services to establish a contractual alternative payment system as an alternative way to pay for nursing facility services under the Medical Assistance (MA) Program. In order to implement this legislation, the Department established the "Nursing Home Contract Project." The purpose of the Project was to explore a contract-based reimbursement system as an alternative to the current cost-based system for reimbursement of nursing facility services under *Minnesota Statutes* Section 256B.431.

The 2000 Laws of Minnesota, Chapter 245, Article 3, Section 25 established the authority for the Commissioner to implement a performance-based contracting system to replace the current method of setting operating cost payment rates under sections 256B.431 and 256B.434 and *Minnesota Rules*, parts 9549.0010 to 9549.0080 to be effective July 1, 2001. 2001 First Special Session, Article 5, Section 35(d) states, Notwithstanding *Minnesota Statutes*, section 256B.435, the commissioner must not implement a performance-based contracting system for nursing facilities prior to July 1, 2003. The commissioner shall continue to reimburse nursing facilities under *Minnesota Statutes*, section 256B.431 or 256B.434, until otherwise directed by law. The commissioner will consider proposals from all nursing facilities that have payment rates established under section 256B.431. The commissioner may develop reasonable requirements which, in the judgment of the commissioner, are necessary to protect residents or ensure that the performance-based contracting system furthers the interests of the state of Minnesota. The nursing facility may be required to negotiate with the State any modifications to the proposal as required by the State to make the terms of the proposal more favorable to the State.

The purpose of this RFP is to solicit proposals from eligible nursing facilities to enter into contracts with the Department to provide nursing facility services to MA recipients. Facilities selected to participate in this project will be eligible to contract with the Department for one-year terms.

Requests for copies of the complete RFP, "Alternative Payment for Nursing Facility Services," should be directed to Bev Milotzky **phone** at: (651) 296-2673. The original and two (2) copies of the proposal in response to the RFP must be submitted to the Nursing Home Contract Project, Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota 55155-3836, no later than **4:00 p.m. on Wednesday, May 1, 2002**.

The State of Minnesota reserves the right to reject any and all proposals submitted.

State Contracts

Informal Solicitations: Effective March 1, 2002, informal solicitations for all contracting opportunities for professional/technical (consultant) contracts with values estimated to be over \$5,000 and under \$50,000 must be posted on the Department of Administration, Materials Management Division web page (www.mmd.admin.state.mn.us) and access P/T Contracts.

Formal Requests for Proposals: Department of Administration procedures require that formal notice of any professional/technical (consultant service) contract which has an estimated value over \$50,000 must be printed in the *State Register*. Certain quasi-state agencies and Minnesota State Colleges and Universities institutions are by law exempt from these requirements.

Department of Administration

Notice of Request for Proposal (RFP) for Lease of Residences

NOTICE IS HEREBY GIVEN that the Department of Administration on behalf of the Department of Human Services desires proposals for providing existing or newly constructed residences to be located as follows: one (1) residence in the city of Faribault; one (1) residence within twenty five (25) miles of the city of Hayfield in either Dodge, Mower or Olmsted County; and one (1) residence within fifteen (15) miles of the city of Kasson in either Dodge or Olmsted County, for lease by the State to provide residential quarters for individuals with developmental disabilities or related conditions. For a copy of the RFP requirements, contact:

Department of Administration
Real Estate Management Division
309 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155
Phone: (651) 296-6674

Department of Administration

State Designer Selection Board

Request for Proposals for the Department of Administration for Architectural/Engineering Services for the Repair and Renovation of the Governor's Residence at 1006 Summit Avenue, St. Paul (Project 02-05)

To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for this project must deliver proposals on or before 12:00 p.m. (Noon), Monday, April 15, 2002, to:

Winnie Sullivan, Executive Secretary
State Designer Selection Board
Department of Administration
c/o Materials Management Division
50 Sherburne Avenue, Room 112
St. Paul, Minnesota 55155
Phone: (651) 297-1545

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) 297-1545. Questions relating to the project must be referred to the project contact(s) in Item 8.i.

NOTE TO RESPONDERS: Changes May Have Been Made in the Content and Format Requirement. Proposals that Do Not Conform to the Following Content, Order and Format Requirements as Outlined in Items 1 Through 5 Below May Be Disqualified.

1. **The front cover of the proposal** should be clearly labeled with the project number and project title as shown at the top of this request for proposal, together with the designer's firm name, address, telephone number, fax number and the name of the contact person. The back cover should remain blank.

- 2. All data should be on 8-1/2" x 11" sheets**, soft bound. No more than 20 printed faces should be included (see the following for clarification):
- a. All letters directed to the Board should be bound into the proposal and all pages will be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
 - b. Blank dividers (with printed tab headings only) will not be counted as faces.
 - c. Front and back covers of proposals will not be counted as faces.
 - d. None of the statutory or mandatory information, except as requested in Item 3 below, should appear on the dividers or covers.
 - e. All pages should be numbered.

Proposals that deviate from the above may be disqualified.

3. BRIEF PROPOSAL SUMMARY:

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

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

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

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

State Contracts

4. ADDITIONAL MANDATORY PROPOSAL CONTENTS:

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

5. Ten (10) 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 02-05

Department of Administration
Governor's Residence Renovation & Repair
St. Paul, MN

a. PROJECT DESCRIPTION

The Department of Administration wishes to retain architectural and engineering services to remodel, renovate and repair the Governor's Residence at 1006 Summit Avenue. The scope of the project include, but is not limited to the following: designing space on the second and third floors of the residence to correct code and life safety violation; providing separation of public space on the first floor and private space on the second and third floors; replacing selected exterior terraces of the residence as well as replacing/correcting perimeter decorative fencing, and decorative terra cotta at the exterior building walls; replacing existing windows, and as new construction effects exterior walls or roof, insulation values will be increased; upgrading fire alarm and expanding the sprinkler system throughout the residence; extending the accessible elevator, which presently serves the lower two levels, to accommodate the second and third levels; and remodeling the existing kitchen to meet NSF requirements and to create a more efficient use of space. This project will not proceed unless funding is appropriated during the 2002 Legislative Session.

A masterplan and predesign documentation used for legislative funding are available upon request by contacting:

Winnie Sullivan
c/o the Division of State Building Construction
Room G-10 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155
Phone: (651) 297-1545

b. REQUIRED CONSULTANT SERVICES:

The consultant will:

1. demonstrate experience in design and management of major renovations of facilities of like function and type.
2. provide program review of masterplan and predesign to update and convey the final program clearly.
3. provide architectural and interior design, structural, mechanical, electrical, fire protection, engineering along with landscape architecture, project scheduling and cost management services in accordance with the typical 5 phases of architectural/engineering consultant service.
4. execute and coordinate reviews with state and local regulatory agencies.
5. incorporate HVAC commissioning process into a post construction administration process.
6. provide all services necessary to implement warranty services during the warranty period including an 11-month post occupancy warranty inspection.

c. SERVICES PROVIDED BY OTHERS:

None.

d. SPECIAL CONSIDERATIONS:

The home and grounds of the existing Governor's Residence were donated to the State of Minnesota in 1965. The residence is located in a St. Paul Historic Preservation district and is on the National Register of historic places. The consultant must demonstrate their expertise in successfully designing work on historic structures of this scale with special attention to historical context and detail.

Special effort will be required of the consultant to provide extra on site presence and on site coordination during the construction phase of work.

e. PROJECT BUDGET AND FEES:

Construction costs currently estimated to be \$2,715,000.

Estimated fees for consultant services including all reimbursables are approximately 10%.

f. PROJECT SCHEDULE:

The scope of this project is such that it would be most cost effective and least obtrusive to construct the work as a single project with design work to start April 2002, and construction tentatively scheduled to begin in the fall of 2002.

g. PROJECT INFORMATIONAL MEETING:

None.

h. STATE DESIGNER SELECTION BOARD SCHEDULE:

<i>Project Information Meeting:</i>	None
<i>Project Proposals Due:</i>	Monday, April 15, 2002 at (Noon) 12:00 p.m.
<i>Project Shortlist:</i>	Tuesday, April 30, 2002
<i>Project Information Meeting for Shortlist Firms:</i>	Monday, May 6, 2002
<i>Project Interviews and Award:</i>	Tuesday, May 14, 2002 at 8:30 a.m.

i. PROJECT CONTACT:

James E. Whipkey, Architect
Department of Administration
Division of State Building Construction
50 Sherburne Avenue, G-10 Administration Building
St. Paul, MN 55155
Phone: (651) 296-8809
Fax: (651) 296-7650
Email: jim.whipkey@state.mn.us

State Contracts

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 that 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 that 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 1-800-657-3704. The Department of Administration is under no obligation to delay award or execution of this contract until a vendor has completed the human rights certification process. It is solely the responsibility of the vendor to apply for, and obtain, a human rights certificate prior to contract award.
- b. Costs incurred in responding to this RFP shall be borne by the responder. In accordance with existing statutes, the Board shall retain one copy of each proposal submitted. Responses to this RFP become public information under the Freedom of Information Act after the final selection has been made.
- c. *Laws of Minnesota 1997*, require the successful responder to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.
- d. *Laws of Minnesota 1997*, Chapter 202, Article 1, Section 12, Subdivision 2, require that during the biennium ending June 30, 1999, for an executive agency contract that is subject to *Minnesota Statutes*, Section 363.073 (over \$100,000 and subject to Human Rights Certification requirements), before the agency enters into the contract, should to the extent practical and to the extent consistent with the business needs of the State, ensure that the company to receive the contract attempts to recruit Minnesota welfare recipients to fill vacancies in entry level positions if the company has entry level employees in Minnesota.
- e. This RFP does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Department of Children, Families and Learning

Office of Teaching and Learning

Request for Proposal for a Grant Contract – English Language and Civics Education Grant Program

The Minnesota Department of Children, Families and Learning is seeking proposals from eligible applicants to provide English Language and Civics Education (EL/Civics) instruction for adults. Civics is defined by the *Federal Register* as content relating to the rights and responsibilities of citizenship, naturalization, civic participation, and U.S. history and government. Proposals must simultaneously address English literacy and civics education. Eligible applicants include adult basic education programs, school districts, community action agencies, libraries and nonprofit or community based organizations. Applicants must have documented experience in providing literacy and/or civics programs designed for immigrant and refugee populations. Preference will be given to EL/Civics programs funded during FY 2001, but due to an increase in available funds, funding is available for new programs.

Application deadline is June 25, 2001.

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

Colleges and Universities, Minnesota State (MnSCU)

Bemidji State University

Notice of Request for Sealed Bids for Dormitory Loft Beds and Loft Adapter Kits

NOTICE IS HEREBY GIVEN that Bemidji State University will receive sealed bids for a minimum of 200 junior loft beds and 100 loft adapter kits for existing beds. Bid specifications will be available April 1, 2002, from the Bemidji State University Purchasing Office, Box 8, 1500 Birchmont Drive NE, Bemidji, MN 56601, or call (218) 755-2044.

Sealed bids must be received by Belinda Lindell, Director of Logistical Services, Bemidji State University, Box 8, 1500 Birchmont Drive NE, Bemidji, MN 56601, by **2:00 p.m., Wednesday, April 24, 2002.**

Bemidji State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

Colleges and Universities, Minnesota State (MnSCU)

Winona State University

Bids for 2002-2004 Undergraduate Catalogs

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed bids for 28,500 – 2002-2004 Undergraduate Catalogs.

Bid specifications will be available April 2, 2002 from the Winona State University Purchasing Department, P.O. Box 5838, 205 Somsen Hall, Winona, MN 55987 or by **phone:** (507) 457-5067.

Sealed bids must be received by Sandra Schmitt at P.O. Box 5838, or at 175 W. Mark St., Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by **3:00 p.m., Tuesday, April 16, 2002.**

Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

Department of Commerce

Energy Division

Notice of Request for Proposals to Increase Non-federal Funding for the LIHEAP Program, Increase Program Awareness and Determine Program Impact and Unserved Eligible Populations

The Department of Commerce, Energy Division is seeking proposals from qualified agencies and individuals to evaluate develop and implement activities that identify the need, educate and increase the awareness and understanding of the Low Income Home Energy (LIHEAP) Assistance Program in Minnesota. Develop and implement activities to increase non-federal funding for LIHEAP by involving energy vendors, local program delivery agencies, local businesses, and communities and/or legislative action. The estimated total budget for this project is \$80,000. Deadline for receipt of proposals is **2:30 p.m., Thursday, April 25, 2002.**

The contract is anticipated to extend from May, 2002 until September 30, 2003. Details concerning submission requirements are included in the Request for Proposals. A copy of the Request for Proposals is available by contacting Barb Krech, Department of Commerce, 85 7th Place E, Suite 500, St. Paul, MN 55101, **phone:** (651) 284-3262, **fax:** (651) 284-3277, or **email:** barb.krech@state.mn.us

Legislative Commission on Pensions and Retirement (LCPR)

Notice of Request for Proposals for the Provision of Actuarial Consulting Services to the Legislative Commission on Pensions and Retirement

The Legislative Commission on Pensions and Retirement, an agency of the Minnesota Legislature, is soliciting proposals from qualified established actuarial consulting firms for the provision of actuarial consulting services to the Commission, including the preparation of the annual actuarial valuations for the 13 statewide and major local Minnesota defined benefit public pension plans.

Interested consulting actuarial firms should contact the person indicated below by letter or by telephone to request a copy of the complete Request for Proposal:

Lisa Diesslin, Administrative Secretary
Legislative Commission on Pensions and Retirement
55 State Office Building
100 Constitution Avenue
St. Paul, MN 55155
Phone: (612) 296-2750

A potential bidders conference is scheduled for April 3, 2002, from 9:00 to 11:00 a.m., in Room 500N of the State Office Building. Questions related to the proposal will only be entertained and answered at that potential bidders conference.

The final date for submitting proposals is April 17, 2002. All proposals must be received by the Commission by 5:00 p.m., on that date or postmarked on April 17, 2002.

Minnesota State Retirement System

Actuarial Consultant Contract Available for the Two-year Period Ending June 30, 2004

The Minnesota State Retirement System intends to engage the services of an "approved actuary" as defined in *Minnesota Statutes* §352.01, subd. 15, to review, analyze, and critique the actuarial valuations and experience studies required by *Minnesota Statutes*, Chapter 356, performed by the actuary retained by the Legislative Commission on Pensions and Retirement each of the two years ending June 30, 2003 and 2004; to prepare and submit the reports on the analysis to the Board of Directors of the Minnesota State Retirement System; to provide consulting and advisory services to the management on technical, policy, or administrative problems; and to provide actuarial cost estimates of plan amendments as requested.

Contact Person:

Arvin Herman, Assistant Director
Minnesota State Retirement System
60 Empire Drive, Suite 300
St. Paul, MN 55103-3000
Phone: (651) 297-1902

Final Submission Date: April 29, 2002

Teachers Retirement Association

Request For Proposal for Actuarial Consulting Services

Minnesota Statutes, Section 354.06, Subd. 2a. clause (6) provides for the Teachers Retirement Association (TRA) Board of Trustees to contract for the performance of annual actuarial valuations by an approved actuary to determine the financial status of the retirement fund administered by TRA. The actuarial contract is for the period July 1, 2002 through June 30, 2005. The contract may be extended beyond its three-year period with one two-year increment at a price mutually agreed upon by both parties. The services provided in the second year, or any extension year of this contract, may be changed by TRA if the existing structure of actuarial services changes between TRA and the Legislative Commission on Pensions and Retirement (LCPR). The revised services would be provided at a cost mutually agreed upon by both parties.

All work performed under this contract must conform to the provisions of *Minnesota Statutes 2000*, Chapter 356, as amended, and standards for actuarial work adopted by the Legislative Commission on Pensions and Retirement. Copies of the applicable statutes are attached for your reference. Special note should be made of *Minnesota Statutes*, Section 356.215, Subd. 1, clause (2) which defines the qualification requirements of an "approved actuary."

The main duty to perform are three annual actuarial valuations in accordance with the provisions of *Minnesota Statutes Sec. 356.215*. The statutory deadline for providing actuarial valuations is December 1 following the July 1 date for which the valuation is prepared. The annual valuation reports must be received within 45 calendar days of the date of the date retirement fund data is furnished by the Association. Additional duties include providing actuarial cost estimate for potential benefit plan improvements and general actuarial consulting to the TRA Board of Trustees.

Detailed requirements for responding to this Request For Proposal are posted on the TRA **website**: www.tra.state.mn.us or may be requested by calling, emailing or writing:

John Wicklund, Assistant Executive Director-Administration
Minnesota Teachers Retirement Association
60 Empire Drive, Suite 400
St. Paul, MN 55103-4000
Phone: (651) 296-8051
Email: john.wicklund@state.mn.us

Cost of preparation and presentation associated with the response to this "Request for Proposal" is the responsibility of the responding firm. A presentation before the Board of Trustees may be required and is tentatively scheduled for Wednesday June 5, 2002 in Saint Paul, Minnesota. The Board will reimburse none of the costs associated with this presentation.

All proposals must be received by **Wednesday May 8, 2002 by 4:30 p.m. Central Daylight Time** by:

John Wicklund, Assistant Executive Director
Minnesota Teachers Retirement Association
60 Empire Drive, Suite 400
St. Paul, MN 55103-4000

Representatives of the Minnesota Teachers Retirement Association will evaluate all proposals received by the deadline. The evaluation process may include interviews conducted by the TRA Board of Trustees, tentatively scheduled for Wednesday June 5, 2002.

Action on this RFP will be completed by June 20, 2002. Results will be sent immediately by mail to all responders.

Department of Transportation

Program Support Group

Notice Concerning Professional/Technical Contract Opportunities

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: www.dot.state.mn.us/consult

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Department of Transportation

Metropolitan Division

Notice of Availability of Contract for Preliminary Design, Design/Build RFQ, RFP and Contract documents, and methodology evaluation for the Trunk Highway (T.H.) 212 Corridor from County Road (C.R.) 147 in Chaska to County State Aid Highway (CSAH) 4 in Eden Prairie

The goal of this project is three fold. One is to complete the preliminary design for the T.H. 212 corridor. Second is to develop the scope of work, design criteria, estimate, and modification to the special provisions for the design and construction of the T.H.

Non-State Contracts & Grants

212 corridor. Third is to develop the selection criteria, evaluate the methodologies of design/build versus the traditional design/bid/build, prepare the contract requirements and assist in the preparation of the request for qualification (RFQ) and request for proposals (RFP) for the T.H. 212 corridor project.

The successful responder to this RFP will be exempt from proposing on the T.H. 212 design/build contract.

Organizational Conflicts of Interest

The responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances which could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, a vendor is unable or potentially unable to render impartial assistance or advice to the State, or the vendor's objectivity in performing the contract work is or might be otherwise impaired, or the vendor has an unfair competitive advantage. The responder agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the State which must include a description of the action which the contractor has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict of interest is determined to exist, the State may, at its discretion, cancel the contract. In the event the responder was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to the contracting officer, the State may terminate the contract for default. The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime contractor, and the terms "contract," "contractor," and "contracting officer" modified appropriately to preserve the State's rights.

A Request for Proposals will be available by mail from this office through April 16, 2002. **A written request (by direct mail, fax, or email) is required to receive the Request for Proposal.** After April 16, 2002, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Linn Moline
Metro Division, Consultant Administration
Waters Edge
1500 West County Road B-2
Roseville, MN 55113
Phone: (651) 582-1583
Fax: (651) 582-1308
Email: *linda.moline@dot.state.mn.us*

Prospective responders who have any questions regarding this request for proposals may contact, in writing only, the person shown above.

Proposals submitted in response to the Request for Proposals in this public notice must be received at the address above no later than 2:00 p.m., Central Time on Tuesday, April 23, 2002. **Late proposals will not be considered.** No time extensions will be granted.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

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 Master Contract RFP for Construction Support Services

RFP No. 02P033

NOTICE IS HEREBY GIVEN that the Metropolitan Council is soliciting proposals from consultants to provide construction support and construction contract administration services on an on-call basis through a master contract task order system. This consultant will do the following:

- Clarify plans, specs and other bidding documents.
- Prepare change order SOWs.
- Evaluate contractor proposals for change orders for conformance to contract documents.
- Verify pre-existing construction field conditions and compare that to the contractor's scope, ostensibly for purposes of ascertaining differing site condition claims during the construction performance period.
- Identify and reiterate construction conditions and requirements.
- Assist in the review/approval/documentation of contractor's technical submittals for compliance with contract documents.
- Review/evaluate/comment on and presumably advise regarding contractor's schedule and work plan.
- Analyze contractor schedules for compliance with contract documents.
- Review contractor performance and progress. Assess percentage complete based on compliance with contract documents.
- Respond to RFIs.
- Prepare sketches/drawings as required for change orders.
- Prepare cost estimate for change orders.
- Investigate differing site condition claims and prepare documentation in response thereto.
- Conduct construction observation for purposes of compliance with contract documents and implement corrective action.
- Determine if work and materials are in conformance with contract documents.
- Review, evaluate and make technical recommendations regarding deviations from contract documents, claims and disputes.

All proposals must be submitted in accordance with the Solicitation Package. The tentative schedule for this procurement process is:

<i>RFP Release Date</i>	End of March 2002
<i>Teleconference Pre-Proposal Meeting Date</i>	TBD – Call for Details
<i>RSVP for Teleconference</i>	One-week prior to Teleconference
<i>Proposal Due Date</i>	End of April 2002

All firms interested in this project should request a copy of the solicitation through:

Amanda Houston, Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
Email: amanda.houston@metc.state.mn.us

Non-State Contracts & Grants

Please provide *one* contact point; complete company name; address/city/state/zip along with phone/fax/mobile/cell phone and pager numbers as well as email information if you wish to be placed on the solicitation List. **All inquiries** regarding this procurement shall be directed by **email** to Mary DeMers at: mary.demers@metc.state.mn.us

The Metropolitan Council is the regional level governmental unit for the seven-county Twin Cities area. It is responsible for guiding and coordinating development in the region through smart planning, operation of regional services, such as wastewater collection and treatment and mass transit bus services metro and outlying areas.

This project may be funded in part by FTA grant funds, to which federal rules apply. *Minnesota Statutes*, Sections 473.144 and 363.073 and *Minnesota Rules*, Part 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. The Minnesota Data Practices Act governs data submitted in response to this RFP. It provides that all information submitted by a Proposer in response to an RFP, with the exception of trade secret data as defined in *Minnesota Statutes*, section 13.37, becomes public at the times specified in the Act and is then available to any person upon request. Any information in its response for which Proposer claims trade secret protection must be limited and set apart in the proposal on separate pages, with a heading that identifies the information as trade secret information. Blanket-type identification on whole pages or sections containing trade secret information will not assure protection. A statement that submitted information is copyrighted or otherwise protected does not prevent public access.

Metropolitan Council Environmental Services

Notice of Request for Information (RFI) about a Water Quality Oracle Database Display and Editing / Review Software Tool

The Environmental Monitoring and Assessment (EMA) Section of Metropolitan Council Environmental Services (MCES) is requesting information from interested firms or individuals about a software tool that could be used on the existing Water Quality Oracle Database for quality assurance by monitoring staff who evaluate data for quality and integrity. Desirable features include but are not limited to the following: plotting multiple time series plots, brushing of data for flagging in database, flagging data outside range, comparing data with historical data, doing exploratory data analysis techniques including boxplots, and displaying geostatistical spatial data.

Information obtained by EMA by April 12, 2002 will be used to learn more about existing software tools and vendors available to meet program needs. EMA plans to have a functioning software tool by December 1, 2002. One possible outcome of the RFI process will be to develop a Request of Proposal (RFP). However, this RFI does not obligate EMA to proceed with a RFP. All expenses incurred in responding to this notice are solely the responsibility of the responder.

The Request for Information can be obtained via Email or USmail from:

Ron Jacobson, Metro Plant Laboratory, WQ, MCES
2400 Childs Road
St. Paul, MN 55106
Phone: (651) 602-8391
Email: ron.jacobson@metc.state.mn.us

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.

Available at Minnesota Bookstore

Order form on back page

The Pheasant in Minnesota

A fascinating "magazine" devoted to the ring-neck pheasant. Included is the history of the bird, its origin, development and introduction to this region. Color photos, softcover, 48pp.
Stock No. 9-13 \$5.95 + shpg. & sales tax

Dressing & Cooking Wild Game

Now that you've "bagged your catch", what do you do with it? This book offers clear instructions along with color photos to walk you step-by-step from field dressing and transport to hanging, skinning, butchering, dressing, "clean-up" and freezing. With the hard work out of the way, then cook up one of the mouth-watering recipes for cooking big and small game, upland game birds, and waterfowl. Hardcover, 160pp.
Stock No. 19-38 \$19.95 + shpg. & sales tax

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It's Hunting Season!



Hunter's Field Guide

This popular *Outdoor Life* field guide offers practical advice on how to be a safe, successful and responsible hunter. Through easy-to-read illustrations and text, learn tips on: treating common injuries, reloading shot gun shells, the basics of bow hunting, how to hold and carry a muzzle-loader, recommended shot and target range for various game, and much more. Great tool for the beginner as well as the experienced hunter. Softcover, 194pp.
Stock No. 19-31 \$5.99 + shpg. & sales tax

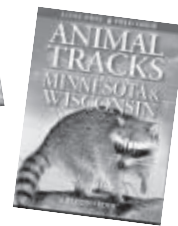
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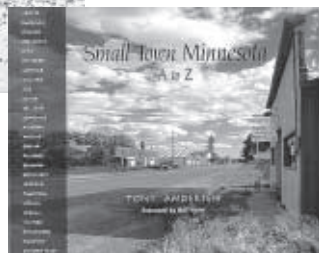
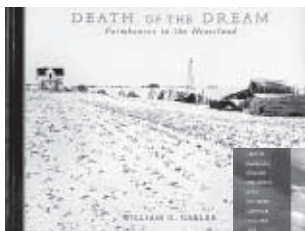
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