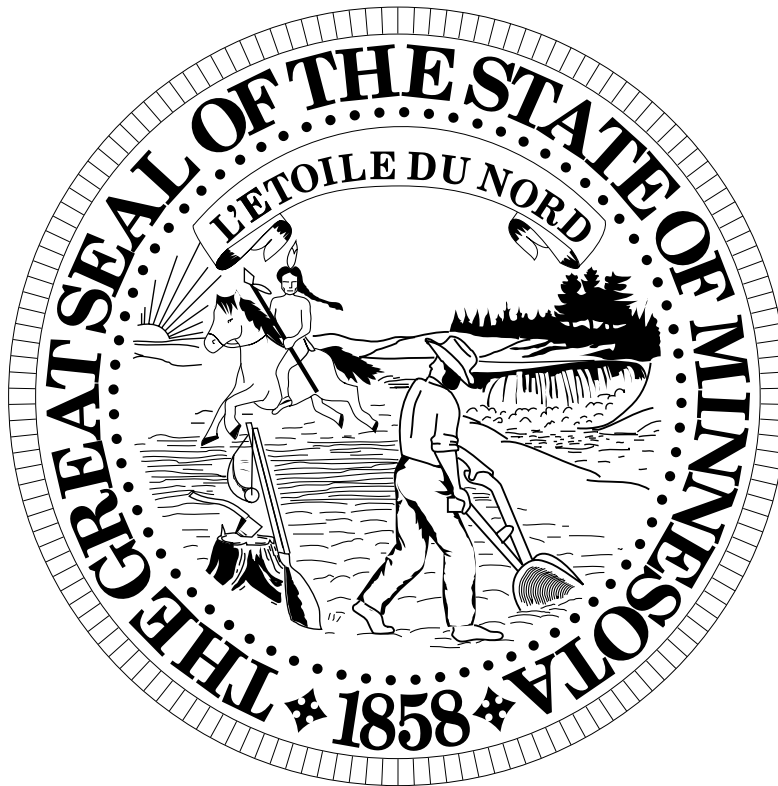


State of Minnesota

# State Register

Rules and Official Notices Edition



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Department of Administration – Communications Media Division

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# State Register

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
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#6	Monday 5 August	Noon Tuesday 30 July	Noon Wednesday 24 July
#7	Monday 12 August	Noon Tuesday 6 August	Noon Wednesday 31 July
#8	Monday 19 August	Noon Tuesday 13 August	Noon Wednesday 7 August
#9	Monday 26 August	Noon Tuesday 20 August	Noon Wednesday 14 August

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Individual copies and subscriptions or the **State Register** and **Solicitation Announcements** are available through Minnesota's Bookstore, (651) 297-3000, or (800) 657-3757.

# Minnesota Rules: Amendments and Additions

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

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

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

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

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

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# Proposed Rules

## Comments on Planned Rules or Rule Amendments

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

## Rules to be Adopted After a Hearing

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

## Rules to be Adopted Without a Hearing

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

## Department of Revenue

### Proposed Permanent Rules Relating to Cigarette and Tobacco Products Taxes

#### DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received

#### Proposed Amendment of Rules of the Minnesota Department of Revenue Relating to Cigarette and Tobacco Products Taxes, *Minnesota Rules*, Chapter 8120 and Repeal of Obsolete Provisions

**Introduction.** The Department of Revenue intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on Wednesday, September 4, 2002, a public hearing will be held at the Minnesota Department of Revenue, Room 2000 (Skjegstad Room), 2nd Floor, Stassen Building, 600 North Robert Street, St. Paul, Minnesota 55146, starting at 9:30 a.m., Monday, September 16, 2002. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after September 4, 2002, and before September 16, 2002.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is:

Patrick J. Finnegan, Attorney  
Minnesota Department of Revenue  
600 North Robert Street  
Mail Station 2220  
St. Paul, Minnesota 55146-2220  
**Phone:** (651) 296-1904  
**Fax:** (651) 296-8229  
**Email:** [pat.finnegan@state.mn.us](mailto:pat.finnegan@state.mn.us)  
Minnesota Relay (TTY) users may call #711

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.



## Proposed Rules

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**Subject of Rule and Statutory Authority.** The Minnesota Department of Revenue is proposing a rule governing the administration of the Cigarette and Tobacco Products Tax in Chapter 8120 of the *Minnesota Rules*. The Department is proposing to amend those rules which no longer reflect department practice or where terminology has changed, a clarification is needed, or to update citations because the statutes have been recodified and changed since the adoption of the rules. Additionally, the Department is proposing to repeal rules that are obsolete or unnecessary because of administrative or statutory changes.

The statutory authority to adopt the rules is *Minnesota Statutes*, section 270.06, clause (14), which provides that the Commissioner of Revenue shall make, publish, and distribute rules for the administration and enforcement of state tax laws, and *Minnesota Statutes*, section 297F.02, subdivision 1, which authorizes the Department to adopt rules for the detailed and efficient administration of the cigarette and tobacco products taxes set forth in Chapter 297F of the *Minnesota Statutes*.

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

**Comments.** You have until 4:30 p.m. on September 4, 2002, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on September 4, 2002. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

**Alternative Format/Accommodation.** Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for September 16, 2002, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 296-1904 after September 4, 2002, to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge George Beck is assigned to conduct the hearing. Judge Beck can be reached at: the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **phone:** (612) 341-7601, and **fax:** (612) 349-2665.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing, or in writing, at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. This statement will be posted on the agency's website, *www.taxes.state.mn.us*, on or after August 5, 2002. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

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

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

**Adoption Procedure After a Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and the date on which the rules are filed with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

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

Matthew G. Smith  
Commissioner of Revenue

#### **8120.0600 CIGARETTE TAX STAMPS; ~~DENOMINATION, PURCHASE, AND PAYMENT FOR.~~**

Tax stamps shall be purchased by the distributor only from the commissioner of revenue, ~~Centennial Office Building, St. Paul, Minnesota 55145. All purchases of stamps at the rate specified in *Minnesota Statutes*, section 297.02, subdivision 1, clause 1, shall be made in multiples of 100 stamps. Stamps of any other denomination may be purchased in any quantity. Requisition forms for the purchase of adhesive tax stamps shall be furnished upon request by the commissioner. Each requisition shall be accompanied by a remittance in full (less discount allowed under *Minnesota Statutes*, section 297.03, subdivision 5) for the stamps requisitioned. Stamps cannot be purchased from other distributors and transfer of stamps between distributors is prohibited. The commissioner has the authority to demand payment in certified funds and determine when a distributor is eligible to purchase stamps on credit.~~

~~Mail orders for adhesive stamps will be accepted by the commissioner if the requisitions are prepared correctly and accompanied by proper remittance for the stamps requisitioned. In such case, the remittance must also include first class postage and registry fee. If requested, orders for stamps will be forwarded by express collect.~~

#### **8120.1000 ~~REPLACEMENT OF UNUSED ADHESIVE CREDIT FOR TAX STAMPS WHICH HAVE BECOME MUTILATED DAMAGED OR UNFIT FOR USE.~~**

Subpart 1. **In general.** Credit for unused adhesive tax stamps which for any reason become ~~mutilated damaged~~ or unfit for use will be ~~replaced~~ issued by the commissioner of revenue upon compliance by the distributor with the ~~following~~ conditions in this part.

Subp. 2. **Application requirements for credit.** The distributor shall ~~make a written application~~ file an affidavit with the commissioner of revenue for replacement of stamps credit, setting forth in detail the number of stamps, the denomination of each, and the reason why the stamps have become ~~mutilated damaged~~ or unfit for use.

Subp. 3. **Stamps held.** ~~The spoiled~~ Stamps that have been damaged or made unfit for use shall be held by the distributor until ~~an~~ the affidavit under subpart 2 is filed with the commissioner of revenue or an authorized agent or employee of the commissioner ~~shall have~~ has inspected them.

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

Subp. 4. **Stamps destroyed affixed to packages.** ~~If the agent or employee of the commissioner is satisfied that the stamps are mutilated or unfit for use, the agent or employee shall authorize their destruction. Such destruction shall take place in the agent's or employee's presence and he or she shall issue a certificate setting forth the number and denomination of the stamps destroyed and the facts of destruction. A copy of the certificate shall be furnished to the distributor and the original shall be filed with the commissioner. Credit will be issued by the commissioner of revenue for tax stamps that are affixed to packages being returned to the manufacturer, or affixed to packages which, or the contents of which, have become damaged and unfit for sale.~~

Subp. 5. [See repealer.]

### **8120.1200 EXCHANGE OF AND REFUNDS ON CREDIT AND REFUNDS FOR RETURNED TAX STAMPS.**

~~Adhesive tax stamps purchased by a distributor from the commissioner of revenue may be exchanged for stamps of other denominations upon written application of the distributor. All such applications shall be made on prescribed form CT 212 which will be furnished by the commissioner of revenue upon request.~~

Subpart 1. In general. Credit will be issued by the commissioner of revenue for unaffixed tax stamps that are returned to the commissioner and are fit for sale.

Subp. 2. Business discontinued. ~~Cash~~ Refunds for unused adhesive tax stamps and unused tax meter units can only be made when the distributor discontinues business. No ~~cash~~ refund shall be made until the commissioner has had an opportunity to audit the records of the distributor and is satisfied that no further tax is due. ~~Before the refund is issued, all unused adhesive stamps must be returned to the commissioner and the tax meter cleared by an authorized representative of the commissioner.~~

### **8120.1500 APPLICATIONS FOR DISTRIBUTORS' AND SUBJOBBER'S CIGARETTE LICENSES.**

Applications for cigarette distributors' and subjobbers' licenses shall be made on ~~the prescribed~~ a form ~~CT 101~~ prescribed by the commissioner. Application forms shall be furnished by the commissioner of revenue.

All questions on the application forms must be answered completely and ~~answers must be made in ink or typed~~; all applications must be signed ~~and acknowledged~~ by the applicant or an officer thereof.

### **8120.1800 LICENSED WAREHOUSE RECORDS.**

Licensed warehouses handling deliveries or shipments of cigarettes or tobacco products to persons in Minnesota shall keep a true and accurate book record of all such deliveries or shipments. Such book record shall show the name and address of the consignee, the date of delivery or shipment, the brands and number of cigarettes delivered, the type of tobacco product, brand name, and quantity delivered, and shall be available for inspection by the commissioner of revenue and the commissioner's authorized agents and employees.

### **8120.1900 RECEIVING RECORDS, INVOICES, AND INVENTORY RECORDS.**

~~Every licensed distributor shall maintain receiving registers on licensed premises in which shall be currently posted in respect to cigarettes received, the date, name of shipper, and number of pieces received.~~

Every distributor shall preserve invoices of all cigarette purchases and sales except sales to the ultimate consumers. Sales invoices shall clearly specify quantities and brands of cigarettes. Licensed distributors shall make invoices or records of all cigarettes transferred to retail outlets owned or controlled by them. ~~No invoices shall be required for sales of cigarettes to the ultimate consumer at the address given in the distributor's license, provided the distributor shall withdraw cigarettes for retail sales from wholesale stock by use of a memo prepared at the time of withdrawal.~~

Every distributor shall, at the close of each period for which a return is required, take an inventory of stamped and unstamped cigarettes on hand as well as an inventory of unaffixed stamps. Cigarettes stamped with indicia of other states shall be considered unstamped cigarettes for Minnesota cigarette tax purposes.

Every distributor shall, ~~at the close of the annual accounting period, take an inventory of stamped cigarettes.~~ The commissioner may require that a distributor take an additional inventory ~~or inventories~~ of stamped and unstamped cigarettes as well as an inventory of unaffixed stamps, if, in the commissioner's opinion such inventory is ~~or inventories are~~ necessary to determine the correctness of the returns filed by the distributor. ~~Cigarettes in vending machines and cigarettes transferred to retail stock on written memorandum should not be included in inventory reports.~~

### **8120.3100 CIGARETTE CONSUMER'S RETURN TO COMMISSIONER CONSUMER USE TAX EXEMPTION.**

A return is required to be filed by every consumer upon whom the tax is imposed. The return shall cover a period of one month and shall be filed on the 18th day of the month following the month in which the consumer became liable for a tax.

The return which is to be filed on the prescribed form CT 203, shall be complete, accurate, and include any and all supporting schedules required by the commissioner.



~~The return shall be signed by the consumer.~~

~~The return shall be deemed to have been filed as herein required if postmarked on or before the 18th day of the month when due. The consumer use tax exemptions in *Minnesota Statutes*, section 297F.06, can be claimed one time per month by a consumer.~~

#### **8120.4100 TRANSFER OF CIGARS OR OTHER TOBACCO PRODUCTS WITHIN THE STATE.**

A tax at the rate specified in *Minnesota Statutes*, section ~~297.32, subdivision 1~~ 297F.05, subdivision 3, shall be imposed upon all tobacco products in this state to be paid ~~as provided in *Minnesota Statutes*, sections 297.31 to 297.39~~ by any person engaged in business as a distributor ~~thereof~~. ~~Such~~ The tax shall be imposed at the time the distributor: brings, or causes to be brought, into this state from without the state tobacco products for sale; makes, manufactures, or fabricates tobacco products in this state for sale in this state; or ships or transports tobacco products to retailers in this state, to be sold by those retailers.

The liability for the tax accrues at the time of receipt of tobacco products in this state by a distributor. A subsequent transfer from the original distributor to another distributor within this state does not relieve the original distributor from the tax liability. Therefore, no tax credit can be taken on tobacco tax returns for any transfers made within the state.

#### **8120.5200 CREDIT FOR TAX PAID ON TOBACCO PRODUCTS.**

[For text of subpart 1, see M.R.]

Subp. 2. **Sales.** For sales without the state:

A. All sales of tobacco products to retailers located outside the state, to be sold by those retailers, shall be listed on a form ~~prescribed form CT 301C, schedule C~~ by the commissioner, showing date and number of invoice, name and address of retailer, and manufacturer's wholesale sales price unless permission is granted by the commissioner of revenue to furnish the information in some other manner.

B. All sales to consumers located without the state, to be consumed without the state, shall be listed ~~on prescribed form CT 301C, schedule C~~, showing the date of sale, invoice number, name and address of the consumer, and the manufacturer's wholesale sales price of the tobacco products sold unless permission is granted by the commissioner of revenue to furnish the information in some other manner.

A credit will not be allowed under any circumstances for a sale consummated or made in this state to consumers for consumption without this state nor shall such sales be listed ~~on form CT 301C~~.

C. All sales of tobacco products to subjobbers located without the state for resale outside the state shall be listed on prescribed form CT 301C, schedule C, showing the date of sale, invoice number, name and address of the subjobber, and the manufacturer's wholesale sales price of the tobacco products sold. ~~The distributor shall furnish the commissioner of revenue with a duplicate copy of the waybill or bill of lading of the tobacco products shipped to subjobbers outside the state.~~

[Subp. 3. See repealer.]

[For text of subp 4, see M.R.]

Subp. 5. **Waiver.** If the commissioner is satisfied that the distributor utilizes procedures and maintains adequate records to ensure full compliance with the provisions of *Minnesota Statutes*, chapter ~~297~~ 297F, the commissioner may waive any of the requirements of this part.

**REPEALER.** *Minnesota Rules*, parts 8120.1000, subpart 5; 8120.1100; 8120.2400; 8120.2600; 8120.4200; 8120.4700; 8120.4800; and 8120.5200, subpart 3, are repealed.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## 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.

## Department of Agriculture

### Adopted Permanent Rules Relating to Food

The rules proposed and published at *State Register*, Volume 26, Number 45, pages 1415-1418, April 29, 2002 (26 SR 1415), are adopted with the following modifications:

#### 1520.0500 EGG CLEANING.

Subp. 4. **Washing equipment and procedures.** Egg washing is subject to items A to J.

F. Cleaning and sanitizing compounds ~~approved by the United States Department of Agriculture may be used~~ or chemicals must be guaranteed in writing by the manufacturer as acceptable for egg washing or sanitizing.

#### 1550.3210 PRODUCT QUALITY.

Subp. 2. **Microbiological quality.** Bottled water must meet the standard of microbiological quality in item A or B if a sample of analytical units of equal volume is examined by the methods described in applicable sections of "Standard Methods for the Examination of Water and Wastewater," 20th edition (1998), published by the American Public Health Association. The commissioner may accept other official methods of analysis when published in "Standard Methods for the Examination of Water and Wastewater." That publication is incorporated by reference, is not subject to frequent change, and is available ~~at the state law library~~ through the Minitex interlibrary loan system or from the American Public Health Association, 1015 Fifteenth Street NW, Washington, D.C. 20005.

## 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.

## United States Department of Agriculture

### Natural Resources Conservation Service (NRCS)

#### Request for Comments on Conservation Practice Standards

The USDA Natural Resources Conservation Service (NRCS) is requesting comments on the proposed revision and development of the following NRCS-Field Office Technical Guide conservation practice standards:

1. Filter Strip - 393

Interested individuals or groups may submit comments or information on this draft practice standard in writing or by email until **4:30 p.m., August 23, 2002.**

Written comments, questions, and requests for more information should be addressed to:

Paul Flynn, USDA-NRCS  
375 Jackson St., Suite 600  
St. Paul, MN 55101  
**Phone:** (651) 602-7870  
**Email:** [paul.flynn@mn.usda.gov](mailto:paul.flynn@mn.usda.gov)

William Hunt  
State Conservationist

## **Minnesota Comprehensive Health Association**

### **Notice of Meeting of the Finance Committee**

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Finance Committee will be held at **9:00 a.m., on Monday, August 5, 2002**. The meeting will take place at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

For additional information, please call Lynn Gruber at (952) 593-9609.

## **Minnesota Comprehensive Health Association**

### **Notice of Meeting of the Actuarial Committee**

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Actuarial Committee will take place **Thursday, August 8, 2002, 1:00 p.m., at Blue Cross Blue Shield, Riverpark Bldg., #1, Conference room "B", 3400 Yankee Drive, Eagan.**

For additional information, please call Lynn Gruber at (952) 593-9609.

## **Minnesota Comprehensive Health Association**

### **Notice of Meeting of the Care Management Committee**

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Care Management Committee will be held at **9:00 a.m., on Monday, August 12, 2002**. The meeting will take place at the MCHA Executive Office, 5775 Wayzata Blvd., Suite 910, St. Louis Park.

For additional information, please call Lynn Gruber at (952) 593-9609.

## **Minnesota Higher Education Facilities Authority**

### **Notice of Public Hearing on Revenue Obligations on Behalf of Concordia University, St. Paul**

**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 bonds or other obligations on behalf of Concordia University, St. Paul, a Minnesota nonprofit corporation (the "University"), as owner and operator of the educational institution known as Concordia University, St. Paul, at the Authority's offices at Suite 450 Galtier Plaza, 380 Jackson Street, St. Paul, Minnesota on August 21, 2002 at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an aggregate principal amount of up to approximately \$13,500,000 to finance the construction, acquisition and equipping of an approximately 45,000 square foot library and information technology center and other improvements and additions to the educational and related facilities of the University and to refinance certain existing debt of the University used to finance other improvements to the educational and related facilities of the University, all located on the University campus located at and adjacent to 275 Syndicate Street North, St. Paul, Minnesota 55104 (collectively, the "Project"). The University Campus is located on Marshall Avenue between Snelling and Lexington, south of Interstate 94 in the City of St. Paul. The Project will be owned and operated by the University.

## Official Notices

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

Dated: 5 August 2002

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

## Department of Natural Resources

### Bureau of Information Education and Licensing - Boat and Water Safety Section

#### Request for Comments on Rule Amendments and Repeal of Existing Rules Governing Boat and Water Safety, *Minnesota Rules*, Chapter 6110

**Subject of Rule.** The Minnesota Department of Natural Resources requests comments on its planned rule amendments and repeal of existing rules governing miscellaneous boat and water safety matters. The department is considering rule amendments and repealing certain rules that:

1. modify requirements for rental watercraft by repealing obsolete language (some of which is more than 40 years old), simplify language, substitute U.S. Coast Guard standards (at the time of manufacture) for boat flotation requirements, and bring the rule into compliance with other existing rule language on throwable personal flotation device requirements;
2. modify life jacket requirements to comply with the U.S. Coast Guard approval label on the device, where use of the device may be restricted by such items as activity or age, as part of the approval process by the Coast Guard;
3. modify the capacity plate requirements for boats to repeal outdated language and references, and amend them by referencing U.S. Coast Guard standards in effect at the time of the craft's manufacture;
4. modify the standards for waterway markers to bring them into compliance with the U.S. Aids to Navigation system in federal regulations. This would include adopting standard flash characteristics for lights on aids to navigation, standardizing shapes for daymarks, changing the meaning of the red-white striped buoy to define the center of a navigation channel and establishing the black-white vertical striped buoy as the shoreward obstruction buoy and repeal of a section that duplicates other language already existing in the rules;
5. modify the minimum property damage amount (from \$500 to \$2,000) for boating accident reportability, referencing federal regulations;

**Persons Affected.** The rules may affect persons using any type of watercraft, a limited number of local units of government that place waterway markers, and individuals or businesses that rent watercraft.

**Statutory Authority.** The adoption of the proposed rules is authorized by *Minnesota Statutes*, section 86B.211.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing, by email, or orally until 4:30 p.m. on October 4, 2002. The Department does not contemplate appointing an advisory committee to comment on the possible rules. Direct communication with interested and affected parties, public news releases, and communication via the DNR website will be used to provide input for the possible rules.

**Rules Drafts.** The department has prepared a draft of the possible rule 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:

Kim Elverum, Boat and Water Safety Coordinator  
Minnesota Department of Natural Resources  
500 Lafayette Road  
St. Paul, Minnesota 55155-4046  
**Phone:** (651) 296-0905 or 1-888-MINNDNR  
**Fax:** (651) 296-0902

**Email:** [kim.elverum@dnr.state.mn.us](mailto:kim.elverum@dnr.state.mn.us)

**DNR Web Site:** [www.dnr.state.mn.us](http://www.dnr.state.mn.us)

**TTY** users may call the Department of Natural Resources at 1-800-657-3929.

**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 submitted 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: 25 July 2002

Allen Garber, Commissioner  
Department of Natural Resources

## 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 Health

### STD and HIV Section

#### Request for Proposals for Enhancing HIV and Substance Abuse Services

##### A. Purpose

We are soliciting proposals for programs to improve access to HIV care and prevention services for African American clients of substance abuse treatment centers who are at high risk for HIV - with a particular emphasis on serving African American men who have sex with men (MSM).

##### B. Available Funding

Funds Available	\$250,000
Grant Size Range	\$20,000-\$70,000
Estimated # of Grants	3-5
Contract Period	12/01/02 - 11/30/03

These funds cannot be used to take the place of funding that your agency currently has for existing HIV health education and risk reduction activities.

**Funding is contingent on the availability and award of federal funds to the Minnesota Department of Human Services (DHS).**

##### C. Eligible Organizations

Any public or private agency (not-for profit, 501-C3) that that can demonstrate administrative, organizational, programmatic, and fiscal capability to plan, develop, implement, and evaluate the proposed program.

##### D. Minimum Expectations

The Minnesota Department of Health (MDH) is seeking three to five agencies that *together* can meet the following expectations. Agencies should describe their expertise and/or ability in the four "required" areas, and one or more of the "pre-



## Official Notices

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ferred” areas. Successful applicants will either have experience/ability in all areas; or will submit a collaborative application with another agency(s) that describes experience in all areas; or will show willingness in their application to collaborate with other agencies as determined by the MDH in order to provide this range of experience. At least one funded agency will bring a primary expertise in the area of HIV prevention for African American men who have sex with men.

### Required Areas

- Experience working with African American communities.
- Experience providing HIV prevention services
- Ability to provide or refer to HIV care services
- Ability to work with chemically dependent individuals

### Preferred Areas

- Experience working with African American men who have sex with men.
- Ability to work with substance abuse treatment providers
- Ability to deliver the program within the targeted counties of Hennepin, Ramsey, Dakota and Anoka
- Ability to deliver HIV Orasure tests

### E. Application Packets

Please call Jessica Kulkay at (612) 676-5637 for an application packet. You may also access an application packet at [http://www.health.state.mn.us/divs/dpc/aids-std/rfp/rfp\\_samhsa.htm](http://www.health.state.mn.us/divs/dpc/aids-std/rfp/rfp_samhsa.htm)

### F. Questions

Direct your questions about this Request for Proposals to Gary Novotny (612) 676 -5729.

### G. Application Due Date

In order to be considered for funding, we must receive one unbound signed original and five copies of your application by **4:30 p.m. CST on Friday September 20, 2002** at:

#### Delivery Address (Courier, Fed Ex, Drop Off)

Attention: Jessica Kulkay  
STD and HIV Section  
Minnesota Department of Health  
717 S.E. Delaware Street  
Minneapolis, Minnesota 55414

#### Delivery Address (U.S. Mail)

Attn: Jessica Kulkay  
STD and HIV Section  
Minnesota Department of Health  
717 S.E. Delaware Street  
Minneapolis, MN 55440-9441

## 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](http://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 State Designer Selection Board

### Request for Proposals for Designer Selection for Translational Research Facility -University of Minnesota, Minneapolis Campus (Project 02-13)

#### To Minnesota Registered Design Professionals:

The State of Minnesota (State) through its State Designer Selection Board has been requested to select a design team for the above project. Proposals from interested firms must be received by, 11:00 a.m. Monday, August 19, 2002 to:

Terry Lewko, Executive Secretary  
State Designer Selection Board  
Department of Administration  
c/o Materials Management Division  
50 Sherburne Avenue, Room 112  
St. Paul, Minnesota 55155-1495  
**Phone:** (651) 297-1545

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

Questions concerning procedures, or schedule are to be referred to the Executive Secretary at (651) 297-1545. Questions relating to the project are to be referred to the project contact(s) in Item 1.j.

#### **1. PROJECT 02-13**

- a. PROJECT DESCRIPTION:** The University of Minnesota intends to enter into a contract with a consultant to provide complete design and construction administration services for the Translational Research Facility, an addition to the Lion's Research Building on the Minneapolis Campus. The new building, containing approximately 95,400 gross square feet, will provide flexible laboratories for medical and biological research, laboratory support space, instrumentation rooms, procedural suites, offices for researchers, and animal holding facilities.

The building will support the translation of basic research in molecular biology and genomics into therapies for the prevention and treatment of diseases. It will be used by researchers in areas such as pharmacology, pharmacogenetics, immunology, neuroscience, cancer research, infectious diseases, and molecular medicine. A detailed predesign study for the project was completed in August 2001.

- b. REQUIRED CONSULTANT SERVICES:** The scope of the project includes full architectural/engineering services for the project including architectural, structural, mechanical, electrical, voice/data, civil, landscape architecture, interior design, FF & E, scheduling, cost estimating, and construction administration services. The predesign for the project is complete; and the information contained within that predesign will be used as a starting point for the selected consultant. At this time the University of Minnesota will only be committing to initial design services up to the Board of Regent's approved funding amount.
- c. SERVICES PROVIDED BY OTHERS:** None.
- d. SPECIAL CONSIDERATIONS:** The designer shall have applicable prior experience in the design and construction of similar projects, preferably in a University setting. Experience in designing and constructing other translational facilities at nationally top ranked research universities and institutions is preferred. The firm shall provide examples of current academic laboratory/research design experience. The firm shall have proven experience in working with and directing the efforts of a University building advisory committee. The firm shall demonstrate their use of life cycle costing during the design process. Life cycle items important to the University include, but are not limited to energy efficiency, sustainability, and the maintainability of design, materials, and equipment. A history of constructability, meeting schedule deadlines, accurate cost estimating and designing within a project budget are critical

## State Contracts

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criteria for selection of a designer. Quality control and complete contract documents are an important element of the selected design team's services. A change order history of recent past projects and how the team addresses this issue should be provided as part of the submittal. The consultant shall provide examples of recently completed projects, including innovative solutions, for review by the selection committee. The consultant shall provide a list of clients and involved contractors for similar projects worked on within the last five years along with the names, phone numbers and addresses of contact persons.

- e. **PROJECT BUDGET/FEEES:** The construction budget is estimated to be approximately \$29,400,000, escalated to the midpoint of construction. The total project costs, including all fees, permits, and other non-construction costs, have been fixed at a maximum of \$37,00,000. The maximum designer fees available for all phases of the project and as noted in the **Services Required** paragraph above is 8 % of the estimated construction costs plus reimbursable expenses. Final total fees shall be negotiated with the selected consultant.
- f. **PROJECT SCHEDULE:** The preliminary implementation schedule anticipates completion of schematic design for presentation at the December 2002 Board of Regent's meeting. The schedule for completion of the design phase and construction of the project is dependent upon funding by the legislature. This project shall be submitted as an FY03 budget supplemental request.
- g. **PROJECT PRE-DESIGN INFORMATION:** Copies of the executive summary and concept drawings from pre-design study are available to interested parties at [www.facm.umn.edu/facm/rfp.htm](http://www.facm.umn.edu/facm/rfp.htm)
- h. **PROJECT INFORMATIONAL MEETING (S)/SITE VISIT (S):** There shall be a mandatory site visit/informational meeting for firms short-listed for interviews by the State Designer Selection Board. The meeting shall be held on the University of Minnesota, Minneapolis Campus prior to the required interview date. Short-listed firms shall be contacted directly by the University with confirmed building tour starting location, and time information.
- i. **STATE DESIGNER SELECTION BOARD SCHEDULE:**

<i>Project Information Meeting and/or Site Visit:</i>	<b>None</b>
<i>Project Proposals Due:</i>	<b>Monday, August 19, 2002, by 11:00 a.m.</b>
<i>Project Shortlist:</i>	<b>Tuesday, September 3, 2002</b>
<i>Project Information Meeting for Shortlisted firms:</i>	<b>To be set by user agency</b>
<i>Project Interviews and Award:</i>	<b>Tuesday, September 17, 2002</b>

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

Questions concerning the project should be referred to:

Priscilla Meckley  
Facilities Management  
University of Minnesota  
400 Donhowe Building  
319 15th Avenue SE  
Minneapolis, MN 55455-0199  
**Phone:** (612) 625-1565  
**Email:** [meckl004@umn.edu](mailto:meckl004@umn.edu)

k. **SAMPLE CONTRACT (if DSBC project) NOT REQUIRED FOR THIS PROJECT**

The successful responder will be required to execute the State's Basic Services Agreement which contains the State's standard contract terms and conditions, include insurance requirements and compliance with Designer Procedures Manual, Design Guidelines and Computer Aided Drafting (CAD) Guidelines. A copy is available on **Website:** <http://www.dsbcc.admin.state.mn.us>

**NOTE TO RESPONDERS: CHANGES MAY HAVE BEEN MADE IN THE FOLLOWING AS OF 11 JUNE 2002.**

**2. PROPOSAL REQUIREMENTS**

- a. 12 copies
- b. 8-1/2 x 11, soft bound, portrait format
- c. Maximum 20 faces (excluding front and back covers, blank dividers, affidavit of non-collusion, and affirmative action data page)
- d. All pages numbered

**3. PROPOSAL CONTENTS****a. COVER**

- Project name and number
- Prime firm name, address, telephone number, fax number
- Contact person, telephone number, fax number, and email address

**b. COVER LETTER**

Single face letter with original signature (on at least one copy) of principal of prime firm, including:

- Brief overview of proposal
- Statement that proposal contents are accurate to the best knowledge of signatory

**c. INFORMATION ON FIRM (S)**

For prime firm and each consultant firm provide brief description including:

- Name and location
- Year established
- Legal status
- Ownership
- Staffing by discipline
- For firms with multiple offices briefly summarize for each office

**d. PROJECT TEAM**

- Brief statement of team's past or present working relationships

For each team member provide:

- Name and position in firm, include name of firm
- Home base (if in multi-office firm)
- Responsibility on this project
- Years of experience
- Relevant recent experience (if in another firm, so note)
- Registration (including specialty if engineer)

**e. TEAM ORGANIZATION**

If planning or design consultants are a part of the team explain how they will be utilized (e.g. major role during design, absent during construction, etc). Matrix or chart *may* be used.

**f. PROJECT EXPERIENCE**

For architectural, planning, and/or landscape architecture firms, provide examples of relevant projects recently completed or in progress including:

- Photographs, sketches and/or plans
- Name and location
- Brief description (e.g. size, cost, relevance)
- Firm of record
- Involvement of proposed project team members (*may* be separate matrix; if in another firm so note)
- Completion date or current status

For engineering or technical firms provide examples of relevant projects recently completed or in progress including the above except that photographs, sketches and/or plans are to be for only that portion of the work for which firm was responsible.

## State Contracts

### g. APPROACH/METHODOLOGY

Describe your understanding of the project, significant issues to be addressed and your *specific* approach to the planning, design and construction process for *this* project.

### h. UNIQUE QUALIFICATIONS

Briefly summarize your team's unique qualifications for this project.

### i. OTHER REQUIREMENTS

- A statement of commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in the proposal along with adequate staff to meet requirements of the work.
- A statement indicating that consultants listed have been contacted and have agreed to be a part of the team.
- A complete Affidavit of Non-collusion. (Not counted as part of the 20 faces)
- If appropriate, provide a list of all entities that create a conflict of interest (see 5.b.)
- A completed Affirmative Action Data Page regarding compliance with Minnesota Human Rights Requirements. A copy of the form is available on **Website:** <http://www.dsb.admin.state.mn.us>, click on forms. (Not counted as part of the 20 faces)
- A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

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

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

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

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

## 4. SELECTION CRITERIA

Criteria for selection shall be as stated in the project description. Technical and aesthetic experience and capabilities are paramount. In addition, the Board seeks equitable distribution of fees among qualified firms and gives consideration to geographical location of firms with respect to project site.

## 5. CONTRACT REQUIREMENTS

### a. AFFIDAVIT OF NONCOLLUSION

Each responder must attach a completed Affidavit of Noncollusion. A copy of the form is available on **Website:** <http://www.dsb.admin.state.mn.us>, click on forms.

### b. CONFLICTS OF INTEREST

Responder must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this request for proposals. The list should indicate the name of the entity, the relationship, and a discussion of the conflict.



**c. DISPOSITION OF RESPONSES**

All materials submitted in response to this RFP will become property of the State and will become public record after the evaluation process is completed and a contract executed. If the responder submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, *Minnesota Statutes* § 13.37, the responder must:

- clearly mark all trade secret materials in its response at the time the response is submitted,
- include a statement with its response justifying the trade secret designation for each item, and
- defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFP, the responder agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

The State will not consider the prices submitted by the responder to be proprietary or trade secret materials.

Responses to this RFP will not be open for public review until the State decides to pursue a contract and that contract is awarded.

**d. CONTINGENCY FEES PROHIBITED**

Pursuant to *Minnesota Statutes* Section 10A.06, no person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislation or administrative action.

**e. 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 that 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, the responder is unable or potentially unable to render impartial assistance or advice to the State, or the responder's objectivity in performing the contract work is or might be otherwise impaired, or the responder 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 Assistant Director of the Department of Administration's Materials Management Division, 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, 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 organization 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 (consultant), and the terms "contract," "contractor (consultant)," and "contracting officer" modified appropriately to preserve the State's rights.

**f. STATE EMPLOYEES**

In compliance with *Minnesota Statutes* § 16C.07, the availability of this work is being offered to State employees. The State will evaluate the responses of any State employee, along with other responses to this Request for Proposals.

**g. PREFERENCE TO TARGETED GROUP AND ECONOMICALLY DISADVANTAGED BUSINESS AND INDIVIDUALS**

In accordance with *Minnesota Rules* 1230.1810, subpart B and *Minnesota Rules* 1230.1830, certified Targeted Group Businesses or individuals and certified Economically Disadvantaged Businesses or individuals submitting proposals as prime contractors (consultants) will receive up to six percent preference in the evaluation of their proposals. For information regarding certification, contact the Department of Administration, Materials Management Helpline at (651) 296-2600, TTY: (651) 282-5799.

**h. HUMAN RIGHTS REQUIREMENTS**

For all contracts estimated to be in excess of \$100,000, responders are required to complete the attached Affirmative Action Data page and return it with the response. As required by *Minnesota Rules* 5000.3600, "It is hereby agreed between the parties that *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it". A copy of *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are available on **Website:** <http://www.dsb.admin.state.mn.us>

## State Contracts

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- i. Any changes in team members for the project requires approval by the State.
- j. All costs incurred in responding to this RFP will be borne by the responder. This RFP does not obligate the State to award a contract or complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

## Department of Administration

### State Designer Selection Board

#### Request for Proposals for the Department of Corrections, for Design Services to Repair Walls, Catwalks and Towers at MCF - Stillwater (Project 02-14)

##### To Minnesota Registered Design Professionals:

The State of Minnesota (State) through its State Designer Selection Board has been requested to select a design team for the above project. Proposals from interested firms must be received by, 11:00 a.m. Monday, August 19, 2002 to:

Terry Lewko, Executive Secretary  
State Designer Selection Board  
Department of Administration  
c/o Materials Management Division  
50 Sherburne Avenue, Room 112  
St. Paul, Minnesota 55155-1495  
**Phone:** (651) 297-1545

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

Questions concerning procedures, or schedule are to be referred to the Executive Secretary at (651) 297-1545. Questions relating to the project are to be referred to the project contact(s) in Item 1.j.

#### **1. PROJECT 02-14**

##### **a. PROJECT DESCRIPTION:**

The Department of Administration of the State of Minnesota intends to provide improvements for the Department of Corrections (DOC) facility at Stillwater, MN (MCF - Stillwater).

The existing perimeter security wall, towers are obsolete and inadequate to meet the security needs of the Stillwater facility. Repairs to the existing wall, modifications to the towers, adding continuous catwalk and a new electronic "perimeter intrusion detection" system will enhance the level of security and minimize the risk of escape.

The perimeter wall at Stillwater is 2700 feet long, connecting with seven separate towers. There is also 150' feet of catwalk located at the South Gate. The wall structure was never updated before the completion of Phase I, which was done in 2001. That upgrade consisted of repair to the interior side of the wall, and the top three feet of the exterior side of the wall. Phase 2 work (described below) will be done under this contract

The perimeter wall varies from approximately 22'-0" to 25'-0" high and is located on the North, South and West perimeters of the facility. The wall is approximately 3 feet thick at the base and tapers to approximately 2 feet thick at the top. The wall is constructed as a composite wall consisting of cast-in-place concrete and brick. The guard towers are constructed as an integral part of the exterior wall. Original construction documents for the walls/towers cannot be found and some investigation and analysis of the existing wall may be necessary to complete the design. The cost of investigation/analysis should be included as part of the work.

All parts of MCF-Stillwater are on the Historic Register and all proposed modifications must be reviewed and approved by the Historical Society.

The work consists of:

**Walls**

- Add two continuous bands of razor wire on the inside face of the wall resulting in 2 rolls flush and one pyramided.
- Provide new taut wire system; the taut wire is a cost-effective, minimal maintenance, reliable intrusion detection system. (See Perimeter Intrusion Detection System below)
- Finish exterior wall repair; the wall is to be repaired, tuck-pointed, flashed and partially replaced in certain areas.
- Replace brick - North, West, South
- Replace stucco.
- Replace base stone (Mankato)
- Run continuous 2 - 2" conduit (high voltage, low voltage) on outside of wall.
- Infill unused train gates at north and south walls.

**Towers**

All seven towers are to be modified with continuous and cantilevered floors at the guard posts to increase surveillance on both sides of the wall. Additional modifications to include:

- Provide individual climate control system (heating and cooling) at each guard tower.
- Re-roofing of all towers.
- Provide new toilets & lavatory at each tower.
- Provide color video monitors for the perimeter wall CCTV system tied in to the Master Control.
- Provide new fixed windows - low E glass-tempered.
- Repair foundations - Towers 3 and 5
- Replace all tower doors.
- Complete remodeling of power, lighting and communications at each tower.
- Provide wire for phone monitoring.
- Provide a perimeter intrusion detection system over the entire length of the wall which is to be monitored from Master Control. (See Perimeter Intrusion Detection System below.)
- Provide controls for South and North gates.
- Provide furnishings at each tower - task chair and desk.

**Catwalk**

A new wall supported steel grate catwalk on the outside of the wall is to link all the towers for continuous patrol of both sides of the perimeter wall. At Tower 3, the catwalk is to be partially covered for 40'-0" in both the North and East directions for patrol of the South Gate in inclement weather.

- Mimic catwalk design at Tower 6. The Tower 6 design was created to increase security with large windows enclosing the tower for enhanced visibility.

**Perimeter Intrusion Detection System**

A new electronic "perimeter intrusion detection" system is to be provided that will enhance the level of security and minimize the risk of escape. A Security Specialist sub-consultant is to be employed for the design of the system. The preferred Security Specialist consultant is Buford Goff Associates, Columbia, S.C., 1-803-254-6312. Listed below are the highlights that we would like incorporated in the new system.

- Taut wire mounted at 45° to wall; The Electronic Taut Wire Fence System (ETWFS) shall operate as an electronic barrier to intrusion attempts and operate as a zoned, automatic, supervised, detection sensor system.
- Zoned at regular intervals
- Interconnect with cameras; All walls, North, South, West, and cell hall walls
- Sandia National Laboratories to review plan for security flaws

## State Contracts

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### Cameras

A complete Closed Circuit Television System (CCTV) is to be provided that will allow surveillance of electrically operated sallyport doors. The system will consist of thirty five (35) new technology combination cameras, black and white/color/infrared, with a frame grabber feature and a controller to run the camera.

- Interconnect with taut wire
- Zones of recognition - model to ensure adequate camera coverage
- Frame grabber one second before/after alarms
- Video motion detection
- State of the art recording system.
- Daytime color/nighttime B&W/infrared cameras
- Complete coverage/all zones
- Climate controlled housing

### Master Control

- Non-proprietary alarm reporting/recording equipment separate from Life Safety Equipment

### Warehouses

- Provide barriers on roofs

### Perimeter Security Lighting

- Upgrade as needed (Add 80-300w low pressure sodium with re-strike feature).
- Emergency instant-on with daylight strength (infrared?)

### Perimeter Road

MCF-Stillwater has a roving patrol to enhance security procedures. The current road, adjacent to the wall, is in poor condition and should be upgraded.

- Asphalt road - West and North
- Turnarounds

The design and construction may involve multiple bid packages.

## b. REQUIRED CONSULTANT BASIC SERVICES:

### The consultant will:

1. Demonstrate significant experience with the design and construction of major renovations in facilities of like function and type.
2. Evaluate master plan and site documentation provided and coordinate design and programmatic requirements accordingly.
3. Prepare sustainability evaluations, studies, and cost analysis recommendations developed in accordance with the 'Minnesota Sustainable Design Guide'. The Guide is available at: [www.sustainabledesignguide.umn.edu](http://www.sustainabledesignguide.umn.edu)
4. Provide architectural design, civil, structural, mechanical, electrical, security design consultation, cost estimating, and cost management.
5. Execute and coordinate reviews with all state and local regulatory agencies.
6. Coordinate with other project consultants under contract to the Owner. (Refer to Item c, Services Provided by Others.)
7. Provide necessary information to help facilitate Owner's FF&E purchases.
8. Comply with the State's Consultant Designer Procedures Manual, Design Guidelines, Indoor Air Quality Standards and Technology Standards. Standards are available at: [www.dsb.admin.state.mn.us](http://www.dsb.admin.state.mn.us)

**c. SERVICES PROVIDED BY OTHERS:**

The Owner may contract directly for, or arrange to provide:

1. Site survey, geo-technical, environmental and materials testing programs.
2. Construction Documents quality control review consultation.
3. Exterior envelope inspection services.

**d. SPECIAL CONSIDERATIONS:**

1. Prior experience with Corrections facilities design and construction preferred.
2. Prior experience with security design in corrections facilities preferred.
3. Prior experience with projects implemented at accelerated schedules preferred.

**e. PROJECT BUDGET/FEES:**

Construction costs currently estimated to be:

1. Repair Walls, Catwalks and Towers: \$ 5,904,207.00

Estimated fees for Consultant services including all reimbursables shall be approximately 8 percent of the construction cost (\$472,337.00).

**f. PROJECT SCHEDULE:**

The preliminary schedule calls for construction completion and occupancy by October 1, 2004. The consultant's work will commence on the date the contract is awarded. (Estimated date: October 24, 2002)

**h. PROJECT INFORMATIONAL MEETING / SITE VISIT: (Mandatory)**

9:00 a.m., Tuesday, August 13, 2002 in the Administration Building at MCF - Stillwater, 970 Pickett Street North, Bayport, MN 55003.

The meeting will include a tour of the proposed project areas and review of the scope of work. After the meeting, questions can be submitted via e-mail or fax to the DSBC Project Manager by August 14, 2002 and will be answered by August 15.

Contact Doug Greene, (651) 779-2812, (651) 351-3603 (fax) to confirm your intent to attend the meeting at least one day prior to the meeting. Bring a driver's license for identification. Participants will be required to walk through a metal detector; no cell phones, knives, firearms, lighters, tobacco products will be allowed.

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

<i>Project Information Meeting and/or Site Visit:</i>	<b>Tuesday, August 13, 2002, 9 a.m.</b>
<i>Project Proposals Due:</i>	<b>Monday, August 19, 2002, by 11:00 a.m.</b>
<i>Project Shortlist:</i>	<b>Tuesday, September 10, 2002</b>
<i>Project Information Meeting for Shortlisted firms:</i>	<b>To be set by user agency if needed</b>
<i>Project Interviews and Award:</i>	<b>Tuesday, September 24, 2002</b>

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

Questions concerning the project should be referred to the Project Manager:

Bill C. Montgomery, Division of State Building Construction  
G-10 Administration Building  
50 Sherburne Avenue  
St. Paul, MN 55155-3000  
**Phone:** (651) 296-8808  
**Fax:** (651) 296-7650  
**Email:** [bill.montgomery@state.mn.us](mailto:bill.montgomery@state.mn.us)

**k. SAMPLE CONTRACT (if DSBC project)**

The successful responder will be required to execute the State's Basic Services Agreement which contains the State's standard contract terms and conditions, include insurance requirements and compliance with Designer Procedures Manual, Design Guidelines and Computer Aided Drafting (CAD) Guidelines. Copies are available on **Website:** <http://www.dsbc.admin.state.mn.us>



## State Contracts

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### 2. PROPOSAL REQUIREMENTS

- a. 12 copies
- b. 8-1/2 x 11, soft bound, portrait format
- c. Maximum 20 faces (excluding front and back covers, blank dividers, affidavit of non-collusion, and affirmative action data page)
- d. All pages numbered

### 3. PROPOSAL CONTENTS

#### a. COVER

- Project name and number
- Prime firm name, address, telephone number, fax number
- Contact person, telephone number, fax number, and email address

#### b. COVER LETTER

Single face letter with original signature (on at least one copy) of principal of prime firm, including:

- Brief overview of proposal
- Statement that proposal contents are accurate to the best knowledge of signatory

#### c. INFORMATION ON FIRM(S)

For prime firm and each consultant firm provide brief description including:

- Name and location
- Year established
- Legal status
- Ownership
- Staffing by discipline
- For firms with multiple offices briefly summarize for each office

#### d. PROJECT TEAM

- Brief statement of team's past or present working relationships

For each team member provide:

- Name and position in firm, include name of firm
- Home base (if in multi-office firm)
- Responsibility on this project
- Years of experience
- Relevant recent experience (if in another firm, so note)
- Registration (including specialty if engineer)

#### e. TEAM ORGANIZATION

If planning or design consultants are a part of the team explain how they will be utilized (e.g. major role during design, absent during construction, etc). Matrix or chart *may* be used.

#### f. PROJECT EXPERIENCE

For architectural, planning, and/or landscape architecture firms, provide examples of relevant projects recently completed or in progress including:

- Photographs, sketches and/or plans
- Name and location
- Brief description (e.g. size, cost, relevance)
- Firm of record
- Involvement of proposed project team members (*may* be separate matrix; if in another firm so note)

- Completion date or current status

For engineering or technical firms provide examples of relevant projects recently completed or in progress including the above except that photographs, sketches and/or plans are to be for only that portion of the work for which firm was responsible.

**g. APPROACH/METHODOLOGY**

Describe your understanding of the project, significant issues to be addressed and your *specific* approach to the planning, design and construction process for *this* project.

**h. UNIQUE QUALIFICATIONS**

Briefly summarize your team’s unique qualifications for this project.

**i. OTHER REQUIREMENTS**

- A statement of commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in the proposal along with adequate staff to meet requirements of the work.
- A statement indicating that consultants listed have been contacted and have agreed to be a part of the team.
- A complete Affidavit of Non-collusion. (Not counted as part of the 20 faces)
- If appropriate, provide a list of all entities that create a conflict of interest (see 5.b.)
- A completed Affirmative Action Data Page regarding compliance with Minnesota Human Rights Requirements. A copy of the form is available on **Website:** <http://www.dsb.admin.state.mn.us>, click on forms. (Not counted as part of the 20 faces)
- A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

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

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

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

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

**4. SELECTION CRITERIA**

Criteria for selection shall be as stated in the project description. Technical and aesthetic experience and capabilities are paramount. In addition, the Board seeks equitable distribution of fees among qualified firms in the selection evaluation and gives consideration to geographical location of firms with respect to project site.

**5. CONTRACT REQUIREMENTS**

- a. AFFIDAVIT OF NONCOLLUSION:** (Not counted as part of the 20 faces)

Each responder must attach a completed Affidavit of Non-collusion. A copy of the form is available on **Website:** <http://www.dsb.admin.state.mn.us>, click on forms

## State Contracts

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**b. CONFLICTS OF INTEREST:**

Responder must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this request for proposals. The list should indicate the name of the entity, the relationship, and a discussion of the conflict.

**c. DISPOSITION OF RESPONSES:**

All materials submitted in response to this RFP will become property of the State and will become public record after the evaluation process is completed and a contract executed. If the responder submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, *Minnesota Statutes* § 13.37, the responder must:

- Clearly mark all trade secret materials in its response at the time the response is submitted,
- Include a statement with its response justifying the trade secret designation for each item, and
- Defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFP, the responder agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

The State will not consider the prices submitted by the responder to be proprietary or trade secret materials.

Responses to this RFP will not be open for public review until the State decides to pursue a contract and that contract is awarded.

**d. CONTINGENCY FEES PROHIBITED:**

Pursuant to *Minnesota Statutes* Section 10A.06, no person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislation or administrative action.

**e. 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 that 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, the responder is unable or potentially unable to render impartial assistance or advice to the State, or the responder's objectivity in performing the contract work is or might be otherwise impaired, or the responder 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 Assistant Director of the Department of Administration's Materials Management Division, 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, 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 organization 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 (consultant), and the terms "contract," "contractor (consultant)," and "contracting officer" modified appropriately to preserve the State's rights.

**f. STATE EMPLOYEES:**

In compliance with *Minnesota Statutes* § 16C.07, the availability of this work is being offered to State employees. The State will evaluate the responses of any State employee, along with other responses to this Request for Proposals.

**g. PREFERENCE TO TARGETED GROUP AND ECONOMICALLY DISADVANTAGED BUSINESS AND INDIVIDUALS:**

In accordance with *Minnesota Rules* 1230.1810, subpart B and *Minnesota Rules* 1230.1830, certified Targeted Group Businesses or individuals and certified Economically Disadvantaged Businesses or individuals submitting proposals as prime contractors (consultants) will receive up to six percent preference in the evaluation of their proposals. For information regarding certification, contact the Department of Administration, Materials Management Helpline at (651) 296-2600, TTY: (651) 282-5799.

**h. HUMAN RIGHTS REQUIREMENTS**

For all contracts estimated to be in excess of \$100,000, responders are required to complete the attached Affirmative Action Data page and return it with the response. As required by *Minnesota Rules* 5000.3600, "It is hereby agreed between the parties that *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it". A copy of *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are available on **Website:** <http://www.dsb.admin.state.mn.us>

- i. Any changes in team members for the project requires approval by the State.
- j. All costs incurred in responding to this RFP will be borne by the responder. This RFP does not obligate the State to award a contract or complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

**Department of Administration****State Designer Selection Board****Request for Proposals for Designer Selection for Minnesota State Colleges and Universities - Addition & Remodeling Minnesota West Community and Technical College - Worthington , Minnesota (Project 02-15)****To Minnesota Registered Design Professionals:**

The State of Minnesota (State) through its State Designer Selection Board has been requested to select a design team for the above project. Proposals from interested firms must be received by, 11:00 a.m. Monday, August 26, 2002 to:

Terry Lewko, Executive Secretary  
State Designer Selection Board  
Department of Administration  
c/o Materials Management Division  
50 Sherburne Avenue, Room 112  
St. Paul, Minnesota 55155-1495  
**Phone:** (651) 297-1545

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

Questions concerning procedures, or schedule are to be referred to the Executive Secretary at (651) 297-1545. Questions relating to the project are to be referred to the project contact(s) in Item 1.j.

**1. PROJECT 02-15**

- a. **PROJECT DESCRIPTION:** Minnesota State Colleges and Universities (MnSCU) intends to retain architectural and engineering consulting services for the design and construction of an Addition and Remodeling to the existing campus facility.

**Project Scope:**

The scope of this Project based upon the approved Pre-design includes expansion to the existing building with an addition of approximately 3,000 gross square feet (gsf) and remodeling of approximately 21,519 gsf and associated site improvements. The Project scope also includes asset preservation improvements to resolve existing aging/deficient HVAC systems, replacement windows and plumbing, improved lighting efficiency and ADA code compliant doors, restrooms and elevator for approximately 28,435gsf. Asset preservation improvements are also included in the areas to be remodeled. The new construction will provide space for student services and a college main entry. The remodeling will reconfigure existing spaces for a consolidated nursing and allied health department, three science laboratories, associated prep/storage rooms, offices, classrooms, computer laboratories, storage spaces, janitor, mechanical and electrical support equipment rooms, and related needs. The existing building is a two story structure. The original building was constructed in 1965. The structure consists of a brick exterior, an insulated built-up roof membrane and punched opening windows.

## State Contracts

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**b. REQUIRED CONSULTANT SERVICES:** The selected design team shall:

1. Provide a comprehensive scope of services including Schematic Design (SD), Design Development (DD), Construction Documents (CD), Bidding and Construction Administration (CA).
2. Prepare all SD, DD, and CD documents using computer aided design and drafting technology in an electronic data exchange file format acceptable to MnSCU (AutoCad R14).
3. Demonstrate experience in the design and construction of institutional collegiate student services spaces, college classrooms, including state-of-the-art telecommunications systems, science lab facilities, lab support, and similar spaces that are part of the program requirements.
4. Integrate the new and remodeled spaces of the Project with the existing facility.
5. Complete all design, drawings and specifications in accordance with, as minimums:
  - a. Current MnSCU Design Standards
  - b. All applicable building, life safety and energy codes
  - c. ADA regulations, and
  - d. Program requirements.
6. Design building spaces for:
  - a. Energy efficiency
  - b. Efficient space utilization
  - c. Flexibility
  - d. High indoor air quality
  - e. Complete fire suppression systems, and
  - f. A contemporary telecommunications environment.
7. Provide full architectural services, including interiors and furniture, fixtures and equipment design, cost estimating, project scheduling, and engineering services including civil, structural, mechanical, fire protection, electrical, and telecommunications systems design, construction administration services, all in accordance with the MnSCU standard A/E contract form. MnSCU may retain other specialty consultants to assist in the Project work.

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

**c. SERVICES PROVIDED BY OTHERS:** The Owner will contract directly for, or arrange to provide:

1. Site property survey
2. Geotechnical investigations and recommendations, and
3. Asbestos survey, design and abatement at the existing building, if required.

**d. SPECIAL CONSIDERATIONS:** Design Team Requirement: The design team shall have applicable prior experience in the design and construction of similar projects, in a college setting. The firm shall provide examples of current and recent higher education academic and laboratory design experience. The design team shall have proven experience in working with and directing the efforts of a college building advisory committee. The design team shall demonstrate their use of life cycle costing during the design process. Life cycle items important to MnSCU include, but are not limited to energy efficiency, sustainability, and the maintainability of design, materials, and equipment.

A history of constructability, meeting schedule deadlines, accurate cost estimating and designing within a project budget are critical criteria for selection of a designer. Quality control and complete, accurate and fully coordinated contract documents are an important element of the selected design team's services. A change order history of recent past projects and how the team proposes to address this issue should be provided as part of their submittal.

The design team shall provide examples of recently completed projects, including innovative solutions, for review by the selection committee. The design team shall provide a list of clients and involved contractors for similar projects worked on within the last five years including the names, addresses and phone numbers of contact persons.

The design team shall also:

1. Demonstrate prior experience with remodeling projects

2. Include the field verification of existing conditions and systems in their scope of services.
  3. Evaluate existing building structural, mechanical and electrical systems to determine capabilities and capacities to support the proposed new addition and remodeling work.
  4. Assist in the preparation of project information to support the appropriation submittal to the MnSCU Board and the 2004 Minnesota Legislature for funding to complete the design and construction.
- e. **PROJECT BUDGET/FEES:** The estimated total project cost is currently \$6,300,000. This cost includes: all professional fees and reimbursables, site investigations and surveys, hazardous materials removals design and abatement, building and site construction, project management, construction inspection and testing, furniture, fixtures and equipment, contingencies, art and inflation factors. The maximum design team fees are anticipated to be 8.0% of the budgeted construction cost plus reimbursable expenses. Final total fees will be negotiated with the selected design team.
- The College intends to fund the design work through the Schematic Design Phase initially using their local funds. The funds to complete the design and construction are anticipated from the 2004 Legislative session.
- f. **PROJECT SCHEDULE:** The following preliminary schedule is suggested:
- Schematic Design Phase: Begin October 2002, complete in early 2003.
- Design Development Phase: Begin July 2004, complete no later than February 2005.
- Construction Phase: Receive bids in March 2005, complete all construction by July 2006.
- g. **PROJECT PRE-DESIGN INFORMATION:** A Pre-design Report dated May 25, 2001, prepared by the Collaborative Design Group, Inc. has been prepared. A copy of this document is available for review at the Department of Administration in the Division of State Building Construction office. For review, contact Terry Lewko at (651) 297-1545.
- Copies of the Pre-design Report document (on CD-R format) will be made available only to firms that are short-listed.
- h. **PROJECT INFORMATIONAL MEETING (S)/SITE VISIT (S):** An informational meeting is scheduled for Thursday, August 15, 2002, at 2:00 pm at the College, located at 1450 College Way, Worthington, MN 56187. All firms interested in this meeting should contact Jeff Harms, Physical Plant Director at 507-223-7252 or **email** at: [jeffh@cb.mnwest.mnscu.edu](mailto:jeffh@cb.mnwest.mnscu.edu) to sign up for the meeting.
- i. **STATE DESIGNER SELECTION BOARD SCHEDULE:**
- |   |   |
|---|---|
| <i>Project Information Meeting and/or Site Visit:</i>     | <b>Thursday, August 15, 2002, 2:00 p.m.</b>   |
| <i>Project Proposals Due:</i>                             | <b>Monday, August 26, 2002, by 11:00 a.m.</b> |
| <i>Project Shortlist:</i>                                 | <b>Tuesday, September 10, 2002</b>            |
| <i>Project Information Meeting for Shortlisted firms:</i> | <b>None</b>                                   |
| <i>Project Interviews and Award:</i>                      | <b>Tuesday, September 24, 2002</b>            |
- j. **PROJECT CONTACT (S):**
- Questions concerning the project should be referred to:
- Jeff Harms  
Physical Plant Director  
Minnesota West Community and Technical College  
**Phone:** (507) 223-7252 or,  
**Email:** [jeffh@cb.mnwest.mnscu.edu](mailto:jeffh@cb.mnwest.mnscu.edu)
- k. **SAMPLE CONTRACT (if DSBC project) NOT REQUIRED FOR THIS PROJECT**
- The successful responder will be required to execute the State's Basic Services Agreement which contains the State's standard contract terms and conditions, include insurance requirements and compliance with Designer Procedures Manual, Design Guidelines and Computer Aided Drafting (CAD) Guidelines. A copy is available on Web Site <http://www.dsbc.admin.state.mn.us>.

**NOTE TO RESPONDERS: CHANGES MAY HAVE BEEN MADE IN THE FOLLOWING AS OF 11 JUNE 2002.**

**2. PROPOSAL REQUIREMENTS**

- a. 12 copies
- b. 8-1/2 x 11, soft bound, portrait format



## State Contracts

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- c. Maximum 20 faces (excluding front and back covers, blank dividers, affidavit of non-collusion, and affirmative action data page)
- d. All pages numbered

### 3. PROPOSAL CONTENTS

#### a. COVER

- Project name and number
- Prime firm name, address, telephone number, fax number
- Contact person, telephone number, fax number, and email address

#### b. COVER LETTER

Single face letter with original signature (on at least one copy) of principal of prime firm, including:

- Brief overview of proposal
- Statement that proposal contents are accurate to the best knowledge of signatory

#### c. INFORMATION ON FIRM (S)

For prime firm and each consultant firm provide brief description including:

- Name and location
- Year established
- Legal status
- Ownership
- Staffing by discipline
- For firms with multiple offices briefly summarize for each office

#### d. PROJECT TEAM

- Brief statement of team's past or present working relationships

For each team member provide:

- Name and position in firm, include name of firm
- Home base (if in multi-office firm)
- Responsibility on this project
- Years of experience
- Relevant recent experience (if in another firm, so note)
- Registration (including specialty if engineer)

#### e. TEAM ORGANIZATION

If planning or design consultants are a part of the team explain how they will be utilized (e.g. major role during design, absent during construction, etc). Matrix or chart *may* be used.

#### f. PROJECT EXPERIENCE

For architectural, planning, and/or landscape architecture firms, provide examples of relevant projects recently completed or in progress including:

- Photographs, sketches and/or plans
- Name and location
- Brief description (e.g. size, cost, relevance)
- Firm of record
- Involvement of proposed project team members (*may* be separate matrix; if in another firm so note)
- Completion date or current status

For engineering or technical firms provide examples of relevant projects recently completed or in progress including the above except that photographs, sketches and/or plans are to be for only that portion of the work for which firm was responsible.

**g. APPROACH/METHODOLOGY**

Describe your understanding of the project, significant issues to be addressed and your *specific* approach to the planning, design and construction process for *this* project.

**h. UNIQUE QUALIFICATIONS**

Briefly summarize your team’s unique qualifications for this project.

**i. OTHER REQUIREMENTS**

- A statement of commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in the proposal along with adequate staff to meet requirements of the work.
- A statement indicating that consultants listed have been contacted and have agreed to be a part of the team.
- A complete Affidavit of Non-collusion. (Not counted as part of the 20 faces)
- If appropriate, provide a list of all entities that create a conflict of interest (see 5.b.)
- A completed Affirmative Action Data Page regarding compliance with Minnesota Human Rights Requirements. A copy of the form is available on **Website:** <http://www.dsb.admin.state.mn.us>, click on forms. (Not counted as part of the 20 faces)
- A list of all State and Minnesota State Colleges and Universities 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 Minnesota State Colleges and Universities operating funds, or by funding raised from the private sector or individuals by state/user agencies or the Minnesota State Colleges and Universities; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the Minnesota State Colleges and Universities without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

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

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

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

**4. SELECTION CRITERIA**

Criteria for selection shall be as stated in the project description. Technical and aesthetic experience and capabilities are paramount. In addition, the Board seeks equitable distribution of fees among qualified firms and gives consideration to geographical location of firms with respect to project site.

**5. CONTRACT REQUIREMENTS**

**a. AFFIDAVIT OF NONCOLLUSION**

Each responder must attach a completed Affidavit of Noncollusion. A copy of the form is available on **Website:** <http://www.dsb.admin.state.mn.us>, click on forms.

**b. CONFLICTS OF INTEREST**

Responder must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this request for proposals. The list should indicate the name of the entity, the relationship, and a discussion of the conflict.

## State Contracts

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### c. DISPOSITION OF RESPONSES

All materials submitted in response to this RFP will become property of the State and will become public record after the evaluation process is completed and a contract executed. If the responder submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, *Minnesota Statutes* § 13.37, the responder must:

- clearly mark all trade secret materials in its response at the time the response is submitted,
- include a statement with its response justifying the trade secret designation for each item, and
- defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFP, the responder agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

The State will not consider the prices submitted by the responder to be proprietary or trade secret materials.

Responses to this RFP will not be open for public review until the State decides to pursue a contract and that contract is awarded.

### d. CONTINGENCY FEES PROHIBITED

Pursuant to *Minnesota Statutes* Section 10A.06, no person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislation or administrative action.

### e. 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 that 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, the responder is unable or potentially unable to render impartial assistance or advice to the State, or the responder's objectivity in performing the contract work is or might be otherwise impaired, or the responder 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 Assistant Director of the Department of Administration's Materials Management Division, 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, 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 organization 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 (consultant), and the terms "contract," "contractor (consultant)," and "contracting officer" modified appropriately to preserve the State's rights.

### f. STATE EMPLOYEES

In compliance with *Minnesota Statutes* § 16C.07, the availability of this work is being offered to State employees. The State will evaluate the responses of any State employee, along with other responses to this Request for Proposals.

### g. PREFERENCE TO TARGETED GROUP AND ECONOMICALLY DISADVANTAGED BUSINESS AND INDIVIDUALS (NOT USED FOR STATE COLLEGES AND UNIVERSITIES)

In accordance with *Minnesota Rules* 1230.1810, subpart B and *Minnesota Rules* 1230.1830, certified Targeted Group Businesses or individuals and certified Economically Disadvantaged Businesses or individuals submitting proposals as prime contractors (consultants) will receive up to six percent preference in the evaluation of their proposals. For information regarding certification, contact the Department of Administration, Materials Management Helpline at (651) 296-2600, TTY: (651) 282-5799.

### h. HUMAN RIGHTS REQUIREMENTS

For all contracts estimated to be in excess of \$100,000, responders are required to complete the attached Affirmative Action Data page and return it with the response. As required by *Minnesota Rules* 5000.3600, "It is hereby agreed between the parties that *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it". A copy of *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are available on **Website:** <http://www.dsb.admin.state.mn.us>

- i. Any changes in team members for the project requires approval by the State.
- j. All costs incurred in responding to this RFP will be borne by the responder. This RFP does not obligate the State to award a contract or complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

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

### **Winona State University**

#### **Request for Sealed Proposals to Write, Design, Produce and Place Advertising**

**NOTICE IS HEREBY GIVEN** that Winona State University will receive sealed proposals for contracted services to write, design, produce and place advertising.

Proposal specifications will be available August 5, 2002 from the Winona State University Purchasing Department, P.O. Box 5838, 205 Somsen Hall, Winona, MN 55987 or by calling (507) 457-5067 or (507) 457-5419.

Sealed proposals 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., August 19, 2002.**

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

## **Minnesota Historical Society**

### **Request for Proposals for Professional Architectural and Engineering Services for Exterior Preservation of the Harkin Store Residence, New Ulm, Minnesota**

#### **Project Overview**

The Minnesota Historical Society seeks to contract for architectural and engineering services to conduct a building assessment, develop construction documents and perform bid administration and construction administration/observation services for the exterior preservation of the Harkin Store Residence. Anticipated needs of the Residence include a new roof, exterior carpentry repairs, and painting. The goal of the project is to restore the building to a weather-tight condition and restore the roof to its original material, while preserving as much of the historic fabric as possible. Additional services include development of a cyclical maintenance plan for the Store, Residence and grounds. The construction documents must be complete by the first of February 2003, for mid-February bidding.

**A mandatory pre-proposal meeting** will be held **Tuesday, August 20th, 2002 at 10:30 a.m.**, at the Harkin Store. The Request for Proposals, including attachments, is available by **phone** at: (651) 297-7007, **email**: [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org), or writing:

Mary Green-Toussaint  
Contracting and Procurement Assistant  
Minnesota Historical Society  
345 Kellogg Boulevard West  
St. Paul, MN 55102

The deadline for receipt of proposals is **2:00 p.m. (central standard time) Tuesday, August 27th, 2002. Late proposals will not be accepted.**

Dated: 5 August 2002

## Minnesota Historical Society

### Request for Proposals for Professional Services to Develop Design and Construction Documents and Perform Construction Administration/Observation Services for the William G. LeDuc House Preservation/Restoration

The Minnesota Historical Society is soliciting proposals from qualified professionals to develop design and construction documents, and to perform bid administration and construction administration/observation services for the preservation/restoration of the William G. LeDuc House.

The Request for Proposals is available by calling or writing Mary Green-Toussaint, Contracting and Procurement Assistant, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102. **Phone:** (651) 297-7007, **email:** [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org)

There will be a **MANDATORY** pre-proposal meeting for all interested parties on **Tuesday, August 27th, 2002 at 2:00 p.m., Local Time**, at the William G. LeDuc House Historic Site, in the Carriage Barn.

All proposals must be received by Chris M. Bonnell, Contracting Officer for the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 or an authorized agent no later than **2:00 p.m., Local Time, Tuesday, September 3, 2002**. A proposal opening will be conducted at that time. **Late proposals will not be considered.**

Dated: 5 August 2002

## Minnesota Historical Society

### Request for Proposals for Professional Architectural Services for the Preservation of the Folsom House Historic Site, Taylors Falls, Minnesota

The Minnesota Historical Society is soliciting proposals for professional services to conduct building assessments, develop construction documents, and perform bid administration and construction administration/observation services for the preservation of the Folsom House and Outbuildings.

The Request for Proposals is available by calling or writing Mary Green-Toussaint, Contracting and Procurement Assistant, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102. **Phone:** (651) 297-7007, **email:** [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org)

There will be a **MANDATORY** pre-proposal meeting for all interested parties on **Tuesday, August 27th, 2002 at 10:30 a.m., Local Time, at the Folsom House Historic Site.**

All proposals must be received by Chris M. Bonnell, Contracting Officer for the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 or an authorized agent no later than **2:00 p.m., Local Time, Tuesday, September 3, 2002**. A proposal opening will be conducted at that time. **Late proposals will not be considered.**

Dated: 5 August 2002

## Legislature

### Minnesota House of Representatives

### Minnesota Senate

#### House Public Information Office

#### Senate Publications Office

### Notice of Request for Bid for Printing the *Members Directory of the Minnesota Legislature* and the *Official Directory of the Minnesota Legislature*

**NOTICE IS HEREBY GIVEN** that the Minnesota House of Representatives Public Information Office and the Minnesota Senate Publications Office are seeking bids from qualified printers to provide printing services for the *Members Directory of the Minnesota Legislature* and the *Official Directory of the Minnesota Legislature*.

The size of the publications will be 4" x 6". The *Members Directory of the Minnesota Legislature* will contain approximately 196 pages plus cover, and the *Official Directory of the Minnesota Legislature* will contain approximately 408 pages plus cover.

All bids must be submitted on the forms accompanying the specifications in a sealed envelope and delivered to Room 175, State Office Building, no later than **Monday, August, 26, 2002, at 2:00 p.m.** Bid submittals will be opened publicly on that date and time.

A copy of the Request for Bid packet can be obtained by calling:

Paul Battaglia  
175 State Office Building  
St. Paul, Minnesota 55155-1298  
**Phone:** (651) 296-8904.

Other department personnel are **NOT** allowed to discuss the Request for Bid with anyone, including responders, before the proposal submission deadline.

## Department of Revenue

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

#### Program Background

The Minnesota Department of Revenue is soliciting proposals from one or more non-profit organizations, qualifying under B501(c)(3) of the Internal Revenue Code of 1986, to receive grants to coordinate, facilitate, encourage, and aid in the provision of taxpayer assistance services.

Pursuant to *Laws of Minnesota 2001, First Special Session*, chapter 5, article 9, section 29, the Commissioner of Revenue has authority to issue grants totaling \$200,000 for the 2002-2003 biennium. The Department of Revenue issued grants totaling \$98,200 during fiscal year 2002. This RFP is for issuance of the remaining funds for the second year of the biennium. The Department intends to issue grants totaling \$101,800 for fiscal year 2003. Any portion that is not awarded will revert back to the general fund and will no longer be available.

To be eligible for the 2003 grant, 2002 grant recipients must have submitted a final report by September 30, 2002.

#### Funded Activities

1. Recruitment of volunteers to provide taxpayer-assistance services
2. Training of volunteers to provide taxpayer-assistance services
3. Provision of free taxpayer-assistance services to low-income or disadvantaged people
4. Materials that directly aids in tax preparation



## State Contracts

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Organizations awarded grant funding will be notified not later than October 31, 2002.

All proposals must be received no later than **2:00 p.m., September 18, 2002**, in the manner specified in the RFP document. **Late proposals will not be accepted.**

A complete paper copy of the Request for Proposals may be obtained from:

Larry Collette  
Minnesota Department of Revenue  
600 North Robert Street  
Mail Station 1400  
St. Paul, MN 55146-1400  
**Email:** [dor.rfp@state.mn.us](mailto:dor.rfp@state.mn.us)  
**Fax:** (651) 282-2423

Please refer to this notice in your written request. In your request include your complete street mailing address, email address, phone number and fax number.

Copies of the RFP are available on paper only.

## 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](http://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.

## 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.

### Mower County

#### Department of Human Services

#### Request for Proposals to Provide Supported Living Services

Mower County is seeking proposals from providers interested in providing Supported Living Service for four developmentally disabled women.

Call or write for the full RFP, which will be sent free of charge to interested vendors by contacting:

Brent Gunderson, Social Services Supervisor  
Mower County Human Services  
1005 North Main Street  
Austin, MN 55192  
**Phone:** (507) 437-9735

Other department personnel are not allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

All proposals must be postmarked on or before **September 30, 2002**.

Granting the RFP to a provider is scheduled to occur approximately **November 30, 2002**.

Evaluations of all proposals will include reviews by the consumers, their families, guardian/conservator, and Case Managers.

Mower County reserves the right to reject any and all proposals.

### University of Minnesota

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

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

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

