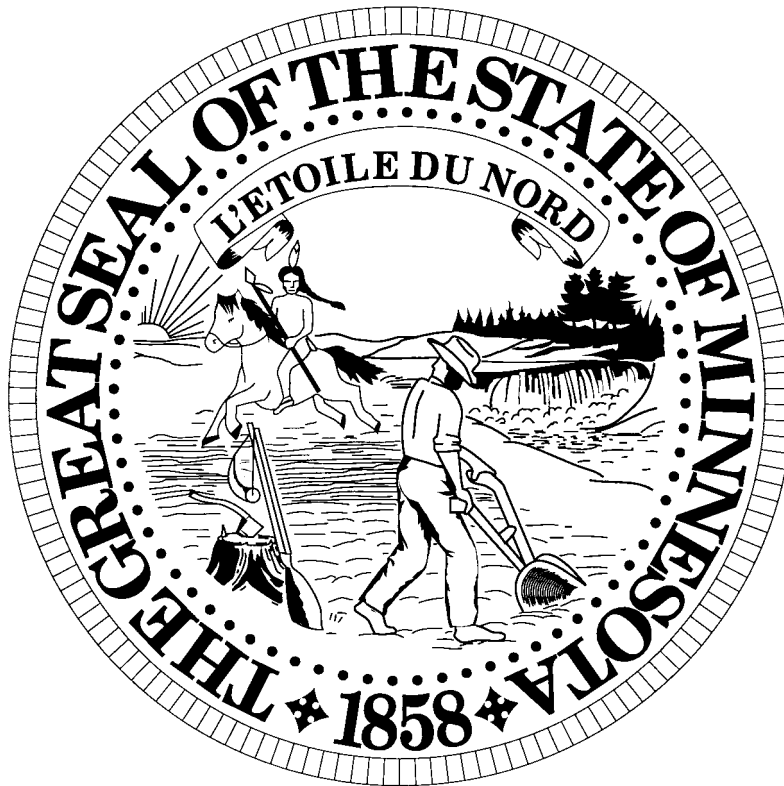


Minnesota

State Register

Rules and Official Notices Edition



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

Monday 7 July 2003
Volume 28, Number 1
Pages 1-28

State Register

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

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules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

PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to (651) 297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$14.40 per tenth of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

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- "Affidavit of Publication" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

Printing Schedule and Submission Deadlines

Vol. 28 Issue Number	PUBLISH DATE	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
#1	Monday 7 July	Noon Tuesday 1 July	Noon Wednesday 25 June
#2	Monday 14 July	Noon Tuesday 8 July	Noon Wednesday 2 July
#3	Monday 21 July	Noon Tuesday 15 July	Noon Wednesday 9 July
#4	Monday 28 July	Noon Tuesday 22 July	Noon Wednesday 16 July

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Publication Number: 326630 (ISSN 0146-7751)

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Tim Pawlenty, Governor (651) 296-3391	Mike Hatch, Attorney General (651) 297-4272	Mary Kiffmeyer, Secretary of State (651) 296-2079
Carol L. Molnau, Lt. Governor (651) 296-3391	Patricia Awada, State Auditor (651) 297-3670	
Department of Administration: Brian Lamb, Commissioner (651) 296-1424	Communications Media Division: Mary Mikes, Director (651) 297-3979	Robin PanLener, Editor (651) 297-7963 Jessie Rahmeyer, Subscriptions (651) 297-8774

Legislative Information

Senate Public Information Office (651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
Website: www.senate.leg.state.mn.us/departments/secretary/seninfo.htm

House Information Office (651) 296-2146
State Office Building, Room 175, 100 Constitution Ave., St. Paul, MN 55155
Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
Website: http://www.access.gpo.gov/su_docs/aces/aces140.html

Minnesota State Court System

Court Information Office (651) 296-6043
Minnesota Judicial Center, Room 135, 25 Constitution Ave., St. Paul, MN 55155
Website: www.courts.state.mn.us

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Commodity, Service and Construction Contracts are published
Tuesday and Friday in a bulletin, the **Solicitation Announcements**.
Award results are available from the Materials Management Helpline
(651) 296-2600. **Website:** www.mmd.admin.state.mn.us

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Solicitations Announcements are available through
Minnesota's Bookstore, (651) 297-3000, or (800) 657-3757.

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Minnesota Rules: Amendments and Additions

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

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

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

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

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

Volume 28, Issues #1

NO RULES FOR ISSUE # 1.

Executive Orders

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

Office of the Governor

Emergency Executive Order #03-09: Providing for Assistance to the Renville County Sheriff

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

WHEREAS, on the evening of June 24, 2003, a tornado and heavy rain hit Buffalo Lake and the surrounding area in Renville County in south-central Minnesota; and

WHEREAS, the tornado and heavy rain caused minor injuries, flooding, severe damage to public and private property, closed roads, uprooted trees, and damaged power lines; and

WHEREAS, the city and county do not have adequate local resources for providing security, traffic control, and debris clearance and other necessary emergency relief measures; and

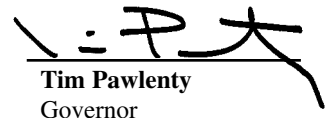
WHEREAS, the Renville County Sheriff has requested assistance from the Minnesota National Guard.

NOW, THEREFORE, I hereby order that:


1. The Adjutant General of Minnesota order to state active duty on or about June 24, 2003, in the service of the State, such personnel and equipment of the military forces of the State as required and for such period of time as necessary to assist with security, traffic control, debris clearance and other necessary emergency relief measures in the area of Buffalo Lake, in Renville County, Minnesota.
2. The Adjutant General is authorized to purchase, lease or contract goods or services necessary to accomplish the mission.
3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in *Minnesota Statutes* 2002, Sections 192.49, Subd. 1; 192.52 and 192.54.

Pursuant to *Minnesota Statutes* 2002, Section 4.035, Subd. 2, this Order is effective immediately and shall remain in effect until such date as elements of the military forces of the State are no longer required.

IN TESTIMONY WHEREOF, I have set my hand this 25th day of June, 2003.


Tim Pawlenty
Governor

Filed According to Law:


Mary Kiffmeyer
Secretary of State

Official Notices

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

Department of Human Services

Authorization List

The following is a listing of adds, deletes and changes to the current authorization list. The newly added, deleted and changed codes will require authorization on or after August 4, 2003. As authorized by *Minnesota Statutes*, section 256B.0625 subdivision 25, the following list includes all health services that have been added, changed, or deleted from authorization as a condition of Minnesota Health Care Programs (MHCP) payment. The list is presented in sections: Dental Services, Vision Care Services, Medical Supplies and Equipment, Prosthetics and Orthotics, Hearing Aids, Drugs, Rehabilitative Services, and All Other Services. The criteria used to develop this list are as follows:

- A. The health service could be considered, under some circumstances, to be of questionable medical necessity.
- B. Use of the health services needs monitoring to control the expenditure of program funds.
- C. Less costly, appropriate alternatives to the health services are generally available.
- D. The health service is newly developed or modified.
- F. The health service is of a continuing nature and requires monitoring to prevent its continuation when it ceases to be beneficial.
- G. The health service is comparable to a service provided in a skilled nursing facility or hospital but is provided in a recipient's home.
- H. The health service could be considered cosmetic.

These newly added or changed codes will require Authorization for services provided on or after August 4, 2003

I. DENTAL

ADJUNCTIVE PERIODONTICS SERVICES

DELETED CODES (No longer require authorization)

<u>Code</u>	<u>Description</u>
D4341	Periodontal scaling and root planing-four or more contiguous teeth or bounded teeth spaces per quadrant
D4342	Periodontal scaling and root planing - one to three teeth, per quadrant

PARTIAL DENTURES

CHANGED CODES (These codes always require authorization)

<u>Code</u>	<u>Description</u>
D5211	Upper partial-resin base, clasp
D5212	Lower partial-resin base, clasp
D5213	Maxillary Partial Denture - Cast Metal Framework with Resin Denture Bases (Including Any Conventional Clasps, Rests and Teeth)
D5214	Mandibular Partial Denture - Cast Metal Framework with Resin Denture Bases (Including Any Conventional Clasps, Rests and Teeth)
D5820	Interim Part Denture-upper (Maxillary)
D5821	Interim Partial Denture-lower (Mandibular)

II. VISION CARE SERVICES

No updates this publication

III. MEDICAL SUPPLIES AND EQUIPMENT; PROSTHESES AND ORTHOSES

No update this publication

IV. HEARING AIDS

No updates this publication

V. DRUGS**Added drugs**

Bepidil
Diltiazem, brand name products only
Felodipine
Isradipine
Nicardipine
Nifedipine, brand name products only
Nisoldipine
Verapamil, brand name products only
Fluoxetine 40mg
Orlistat
Aprepitant

VI. REHABILITATIVE SERVICES**OCCUPATIONAL THERAPY**

No change this publication

PHYSICAL THERAPY

No change this publication

SPEECH-LANGUAGE PATHOLOGY

No change this publication

VII. ALL OTHER SERVICES**ADDED CODES**

<u>Code</u>	<u>Description</u>
L8603	Injectable bulking agent, collagen implant, urinary tract, 2.5 ml syringe
S2400	Repair, congenital hernia in the fetus, procedure performed in utero
S2401	Repair, urinary tract obstruction in the fetus, procedure performed in utero
S2402	Repair, congenital cystic adenomatoid malformation in the fetus, procedure performed in utero
S2403	Repair, extralobar pulmonary sequestration in the fetus, procedure performed in utero
S2404	Repair, myelomeningocele in the fetus, procedure performed in utero
S2405	Repair of sacrococcygeal teratoma in the fetus, procedure performed in utero
X5330*30	Partial hospitalization program – adult (age 18 and older)
X5331*30	Partial hospitalization program – child (through age 17)
*30 Authorization is required for the following conditions:	
1. Service provided more than 21 days after admission.	
2. Readmission within 45 days of a previous discharge from a PHP.	
3. For an adult (age 18 and older), fewer than five hours of covered service per day.	
4. For a child (through age 17), fewer than three hours of covered service per day.	

DELETED CODES

<u>Code</u>	<u>Description</u>
Q0134	Collagen implant urinary tract, per 2.5 syringe

Official Notices

Pollution Control Agency

Notice of Availability of Draft Rainy River Basin Water Plan 2003 and Request for Comment

The Minnesota Pollution Control Agency is requesting comment on the draft "Rainy River Basin Water Plan 2003." The plan addresses management, protection and restoration for the water resources of the Minnesota portion of the Rainy River Basin. The plan's water management goals, objectives and strategies were developed through a partnership among basin residents, stakeholders, local elected officials and local, state and federal resource managers.

Written comments will be accepted through August 30, 2003. The draft plan is available for viewing on the Rainy River Basin **Website** at <http://www.pca.state.mn.us/water/basins/rainy/index.html#plan>. Submit comments, or request a CD or paper copy of the draft plan, from the Basin Coordinator at the following address:

Nolan Baratono
Minnesota Pollution Control Agency
P. O. Box 61
International Falls, MN 56649
e-mail: nolan.baratono@pca.state.mn.us
phone: (218) 283-2240

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 Employment and Economic Development

Rehabilitation Services

Notice of Availability of Funds for Extended Employment Programs

Information on Extended Employment Program funding in State Fiscal Year 2004 is available for current Extended Employment providers and other interested parties. The authority for the Extended Employment Program is described in *Minnesota Statutes* 268A.03(a) and 268A.15 and in *Minnesota Rules* 3300.2005 to 3300.2055 effective July 1, 1998. The Extended Employment Program includes the Center-Based, Community, and Supported Employment sub-programs that provide ongoing employment support services to workers with severe disabilities. In State Fiscal Year 2004, \$11,352,621 in Extended Employment Program funding will be available.

To be an Extended Employment Program provider, an organization must be certified by Rehabilitation Services of the Department of Employment and Economic Development in accordance with *Minnesota Rule* 3300.2010. Individual eligibility for persons who may be served in Extended Employment is defined in *Minnesota Rule* 3300.2015. Extended Employment Standards for program planning and service delivery are set forth in *Minnesota Rule* 3300.2025. The Extended Employment funding system is described in *Minnesota Rule* 3300.2035. Provisions for new and expanded programs are defined in *Minnesota Rule* 3300.2030. Funding for new and expanded programs is contingent upon the availability of funds. Any city, town, county, non-profit organization, or combination of these that operates or proposes to operate a public or non-profit Extended Employment program may apply for funding. Applications are required for funding Extended Employment providers currently receiving Extended Employment funds and are also required for new or expanded programs.

The Minnesota Rules that describe the Extended Employment Program can be found on the Internet at: <http://www.revisor.leg.state.mn.us/arule/3300/>

Persons or parties who wish to obtain information on or applications for Extended Employment Program funding in State Fiscal Year 2004 may contact Abigail Bergeron, Program Coordinator, with the Extended Employment office. **Phone:** (651) 296-9157, **TTY:** (651) 296-3900, **FAX:** (651) 297-5159, **email:** abigail.bergeron@state.mn.us.

State Grants & Loans

Completed applications are due by no later than **Noon (4:30p.m.) on Tuesday, July 15, 2003**. Applications received after this date and time will not be accepted. Deliver the application to:

Abigail Bergeron
Program Coordinator, Extended Employment
Minnesota Department of Employment and Economic Development
390 N. Robert Street, First Floor
St. Paul, Minnesota 55101-1812
Phone: (651) 296-9157
FAX: (651) 297-5159

Department of Health

Notice of Grant Availability for Family Planning Special Projects (FPSP)

The Division of Family Health announces the availability of approximately \$16,000,000 in state funds to be granted to nonprofit organizations, community health boards, and tribal governments by competitive process in eight family planning regions in Minnesota. Funding is to be used for family planning services for high risk and low income individuals. Five per cent of total available funds or \$100,000 per year, whichever is less, is to be allocated to a grant for the Minnesota Family Planning Hotline.

“Family planning” means voluntary action by individuals to prevent or aid conception. “Family planning services” means: counseling by trained personnel regarding family planning; distribution of information relating to family planning, referral to licensed physicians or local health agencies for consultation, examination, medical treatment, genetic counseling, and prescriptions for the purpose of family planning; and the distribution of family planning products, such as charts, thermometers, drugs, medical preparations, and contraceptive devices.

The grant cycle is planned for a four year period (January 1, 2004, through December 31, 2007). The grant cycle will include an initial two year grant period, which is renewable for an additional two years contingent upon satisfactory program performance. Funding is also dependent on state legislative appropriations.

Application materials will be available by July 28, 2003. It is anticipated that award decisions will be made by November 1, 2003, and that grants will begin January 1, 2004.

To receive application materials, please contact:

Family Planning Special Projects
MCH Section
Minnesota Department of Health
PO Box 64882, St. Paul, MN 55164-0082
phone (651) 281-9946,
email patricia.gerbozy@health.state.mn.us.

Questions should be directed to:

Judy Bergh, Family Planning Consultant
(651) 281-9994
judith.bergh@health.state.mn.us

Minnesota Higher Education Services Office

Request for Proposal for Grant Funding under the Intervention for College Attendance Program

The Minnesota Higher Education Services Office [MHESO] requests proposals from post-secondary institutions or other nonprofit organizations which operate early intervention programs or which partner with existing early intervention programs. The purpose of the grants under the Intervention for College Attendance Program is to help low income students reach the doors of college by expanding the capacity of current, successful early intervention programs and to encourage the enhancement of services provided by such programs. Through these efforts, the state of Minnesota intends to support a continuum of pre-college services throughout K-12 education through collaboration among educators, community, and other organizations serving youth.

The request for proposal does not obligate MHESO to complete this project, and MHESO reserves the right to cancel the solicitation if it is considered to be in its best interest. The total amount available to support grant activities during the 2004-2005 biennium is \$510,000.

State Grants & Loans

A copy of the RFP is posted on the agency **website** at <http://www.mheso.state.mn.us> under *News, Request for Proposal* or by contacting:

Mary Lou Dresbach
Minnesota Higher Education Services Office
1450 Energy Park Drive, Suite 350
St. Paul, MN 55108-5227
Phone: (651) 642-0530
Email: dresbach@heso.state.mn.us

Proposals must be submitted by **4:00 p.m., Friday, August 15, 2003.**

Department of Labor and Industry

Notice of Extension of Availability of Labor Education Advancement Program (LEAP) Grants: Request for Proposals

The Commissioner of the Minnesota Department of Labor and Industry announces an extension of the availability of funds for the operation of Labor Education Advancement Programs (L.E.A.P.) in the State of Minnesota under *Minnesota Statutes* § 178.11 and Minnesota Rules Chapter 5227. Funds will be available each year of the State's fiscal years beginning July 1, 2003, (FY2004) and July 1, 2004, (FY2005).

The commissioner shall award grants to community-based organizations serving women and people of color on a competitive request-for-proposal basis. Interested organizations shall apply for the grants on the form referred to in Section V. As part of the proposal process, applicants must provide a statement of need for the grant, a description of the targeted population and apprenticeship opportunities, a description of activities to be funded by the grant, evidence supporting the ability to deliver services, information related to coordinating grant activities with other employment and training programs, identification of matching funds, a budget, and performance objectives. Each submitted proposal shall be evaluated for completeness, and effectiveness of the proposed grant activity including those items listed in Chapter 5227 of *Minnesota Rules*.

Program and Proposal Information.

I. PURPOSE

The purpose of this grant will be to provide funds to community organizations that will achieve the following objectives.

II. OBJECTIVE

The objective of the L.E.A.P. grant is to encourage, promote and increase the participation of people of color and women in apprenticeable trades and related occupations. Apprenticeable trades and occupations are approved by, and registered with the Department of Labor and Industry, Division of Voluntary Apprenticeship. To be considered apprenticeable the trade or occupation must contain at least 2,000 hours of hands-on training, not infringe on other trade programs, provide a reasonable wage, provide high level skill training, provide related educational instruction to supplement the hands-on training and lead to employment. Related occupations are those which provide training for individuals for future placement in apprenticeship trades or occupations.

III. PROCESS

The Commissioner will accept proposals for the operation of a L.E.A.P. grant for state fiscal year beginning July 1, 2003. Funds will be available for a one-year grant and will be subject to renewal for a second year, without further application, upon submission of three required quarterly reports and a final cumulative report which measures the accomplishment of goals and objectives for the first grant year. At that time the grantee must also provide cumulative placement projections for the second fiscal year.

IV. ELIGIBLE GRANT PROPOSALS

Proposals will be accepted from community-based organizations serving the targeted population on a competitive request-for-proposals basis.

V. LEAP GRANT PROPOSAL FORM

Organizations applying for a LEAP grant must call the Department of Labor and Industry, Apprenticeship Unit at (651) 284-5090, or 1-800-342-5354, and request a copy of the LEAP Grant Proposal form. Only complete LEAP Grant Proposal Forms, with supportive addenda, will be accepted.

VI. PROPOSAL CONTENTS

At a minimum, a proposal must contain the following information, in addition to the items listed above:

A. Program Administration/Management

1. Administrative Structure (including personnel)
2. Program narrative outlining the organization's mission, goals, objectives, and performance indicators
3. List of Advisory Council or Advisory Committee members who provide guidance in placement of clients in registered apprenticeship programs

B. Budget

1. Amount requested
2. Line item breakdown of operating costs
3. List sources of non-state matching funds/dollar for dollar match
4. Budget Narrative

C. Demographic Data

1. Identification of geographic area served
2. Rate of unemployment in service area
3. Comparative data on the ratio of unemployment between minorities and/or women, and other persons in the service area
4. Percent of racial minorities and/or women in area served
5. Source of demographic data

D. Evidence of ability to deliver services, which may be demonstrated by one or more of the following

1. Previous experience operating a L.E.A.P. program and documented results (must provide details of L.E.A.P. operation including actual numbers of clients placed into registered apprenticeship programs and related occupations, names of applicants placed, where applicants were placed, retention rates and completion rates)
2. Previous experience providing job training and job placement service to economically disadvantaged individuals, diverse ethnic and racial minority groups, females and places of employment.
3. Provide documentation of existing working relationships with employers and labor organizations
4. Means of measuring outcomes (effectiveness of program)

E. Statement of assurance including

1. The department or state may conduct post-grant audits
2. The applying organization has an effective equal employment policy
3. Evidence of Workers' Compensation coverage required by Minnesota law
4. Performance and financial reports shall be submitted on due dates

VII. PROPOSAL DEADLINE

Interested parties must submit a completed grant proposal form, with addenda, no later than 4:30 p.m., July 25, 2003. Proposals shall be submitted to:

Commissioner Scott Brener
Minnesota Department of Labor and Industry
3rd Floor Commissioners Office
443 Lafayette Road
St. Paul, MN 55155

Office of Environmental Assistance (OEA)

Notice of Accepting Preliminary Applications for Solid Waste Processing Facilities Grant Funds

The Solid Waste Management Processing Facilities Capital Assistance Program (CAP) was established by the Minnesota Legislature to provide financial and technical assistance to local governments to encourage the proper management of solid waste. The objective of the CAP program is to minimize land disposal of municipal solid waste (MSW) through solid waste processing and resource recovery.

This notice is issued by the OEA Director under authority provided in *Minnesota Rules* Parts 9210.0100 to 9210.0180. The purposes of this notice are to solicit applications for projects that meet the CAP Program objectives and to outline the application process.

State Grants & Loans

Eligible applicants are Minnesota cities, counties, solid waste management districts, and sanitary districts. The applicant, or its county, must have an OEA approved County Solid Waste Management Plan.

Eligible projects are facilities that include resource recovery. The project, inclusive of land, building, and equipment, must be owned by the Applicant. Examples of eligible facilities are waste-to-energy facilities, municipal solid waste composting facilities, organics composting facilities, recycling facilities, and transfer stations that will serve waste processing facilities.

The amount of funding available is subject to bonding during the year 2004 Legislative Session. The deadline for preliminary application submittals is September 12, 2003.

Depending on the project type, a project may receive funding of 25 to 50% of the eligible capital cost, up to a maximum of \$2 million. Multi-county projects with an intercounty cooperative agreement may receive 25 to 50% of the eligible capital costs, or up to \$2 million times the number of participating counties, whichever is less. A project to construct a new mixed municipal solid waste transfer station to serve an existing resource recovery facility that also has an enforceable commitment of at least 10 years, or of sufficient length to retire bonds sold for the facility, may receive grant assistance up to 75% of the capital costs of the project. Transfer stations receiving 75% grant assistance must substantially increase the geographical area served by the resource recovery facility.

Copies of the CAP Procedures Manual and Application Forms, including the statutes and rules applicable to the program, are available by contacting:

Mary L. James
Office of Environmental Assistance
520 Lafayette Road No., Second Floor
St. Paul, Minnesota 55155-4100
(651) 215-0194, or 1-800-657-3843 (toll-free in Minnesota)

OEA staff is available to meet with interested applicants to discuss the CAP program, the grant process, and proposed projects prior to submissions of preliminary grant applications. Preliminary applications should be mailed or hand delivered to the OEA. Faxed or e-mailed submittals will not be accepted as an authorized applicant signature is required on the preliminary application submittal. All submissions should be unbound, single-sided, page numbered, and on 8 1/2" by 11" paper.

Preliminary applications meeting the requirements of *Minnesota Statutes* 115A.51, 115A.54, and *Minnesota Rules* Parts 9210.0100 to 9210.0180 must be received by the OEA at the above address by 4:30 p.m., CST, **Friday, September 12, 2003**.

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) website. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD website at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Department of Administration

Minnesota Multistate Contracting Alliance for Pharmacy

The Minnesota Multistate Contracting Alliance for Pharmacy ("MMCAP") is requesting proposals from vendors interested in serving as pharmaceutical distributors servicing MMCAP Facilities. It is anticipated that any contract(s) awarded from this Request for Proposals (RFP) will become effective on December 1, 2003. The contracted vendor(s) must provide either national or regional distribution services to MMCAP Facilities in MMCAP participating entities. Actual distribution services to MMCAP Facilities will commence May 1, 2004.

A copy of the Request for Proposals is available upon written request to:

heather.pickett@state.mn.us

or

Heather Pickett
c/o Distributor RFP
50 Sherburne Avenue, #112
St. Paul, MN 55155

Proposals submitted in response to the Request for Proposals in this notice must be received at the address above no later than **August 11, 2003. Late proposals will not be considered.**

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

Department of Administration

Real Estate Management Division

Notice of State Land For Sale

NOTICE IS HEREBY GIVEN that the Department of Administration is offering for sale by sealed bid approximately 15.66 acres of prime undeveloped property in southeast St. Cloud. The site is located in the northwest quadrant of Minnesota Boulevard and 15th Avenue S.E. and is zoned R-5, general multiple residential district.

Additional information, including legal description, bid terms and conditions, bid form and purchase agreement, is available on the Department of Administration **web site** at www.admin.state.mn.us. Send an email to wayne.waslaski@state.mn.us or call Wayne at (651) 296-2278 if you have questions.

Bids must be received no later than 2:30 p.m., on Wednesday, October 8, 2003.

Department of Administration

State Designer Selection Board

Request for Proposals for Designer Selection for Minnesota State Colleges and Universities - FFCC Building Addition and Remodeling at Fergus Falls Community College, Fergus Falls, Minnesota (Project 03-20)

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, **1:00 p.m. Monday, July 28, 2003** to:

Terry Lewko, Executive Secretary
State Designer Selection Board
Department of Administration
State Architect's Office
301 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
(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 03-20

- 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 project to the existing campus of Fergus Falls Community College.

PROJECT SCOPE: The scope of this Project based upon an approved pre-design that includes expansion and remodeling of the existing campus.

Construct expanded instructional space for the fine arts and technology:

- College Addition - 28,750 GSF - fine arts, technology, student services consolidation
- College Remodeling - 5,750 GSF - classrooms ITV remodeling and renovations
- Site modifications to relocate athletic fields and expand parking

State Contracts

This project will construct, remodel, furnish and equip the fine arts, technology and student services facilities. The construction will provide space on campus for new classrooms, practice rooms and studios, laboratories, offices, plus associated spaces for the academic programs along with the common support areas and mechanical / electrical equipment space, and related needs.

New construction: A plan to connect all campus building has been in place since the 1988 master plan. New construction (28,750 GSF) will connect existing buildings to:

- Increase instructional space to support growth in fine arts programs;
- Increase instructional space to provide additional smart classrooms;
- Meet a demonstrated need for open computer lab space;
- Include a new main entrance with flexible/informal space for large group gatherings, performance and presentations.

Remodeled space: Remodeling will consolidate departments and create instructional areas sized and configured to their current purpose (5705 SF). The plan:

- Relocates ITV classrooms near existing computer labs and audiovisual production and preview facilities.
- Updates lecture hall in library building to comply with ADA and to improve technology for multi media classroom presentations.
- Includes masonry repair, tuckpointing, waterproofing stucco, window replacement, ADA restrooms, and HVAC upgrades not included in HEAPR requests relating to where buildings connect.

Site modifications: Phase 1 site work addresses immediate needs for parking and signage. Modifications include:

- Relocation of athletic fields
- Expansion of parking near the Waage Fine Arts Building and south of gymnasium to include bus access.
- Improved exterior space between the science building and the college center.

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 spaces, including college, lab facilities, lab support, classrooms and similar spaces that are part of the program requirements.
4. Integrate the new spaces of the Project with the existing facilities.
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 data and 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 reimbursable of the roof design consultant.

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

1. Site property survey
2. Geotechnical investigations and recommendations, and
3. Asbestos survey, design and abatement to 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 similar 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.

e. PROJECT BUDGET/FEES: The estimated total project cost is currently \$7,035,000. 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 expected amount to award a construction contract is \$5,000,000. The maximum design team fees are anticipated to not be in excess of 8.0% of the budgeted construction cost plus reimbursable expenses. Final total fees will be negotiated with the selected design team.

f. PROJECT SCHEDULE: It is the desire of the owner to bid this project for a 2004 spring bid opening with a summer construction start and occupancy in November 2005. The following preliminary schedule is suggested:

<i>Schematic Design Phase:</i>	begin September 2003, complete in two months.
<i>Design Development Phase:</i>	two months.
<i>Construction Documentation Phase:</i>	three months.
<i>Bidding period:</i>	one month.
<i>Construction Phase:</i>	eighteen months, including occupancy.

g. PROJECT PRE-DESIGN INFORMATION: A Pre-design Report dated January 2001, prepared by Architecture One, Brainerd, MN has been prepared. A copy of this document will be available for review at the College or with the Director of Facilities and Planning, Thomas H. Koehnlein prior to designer selection. For review, contact Thomas H. Koehnlein at (218) 347-6211, cell (218) 849-4788 or e-mail at tom.koehnlein@ntcmn.edu.

Copies of the Pre-design Report document will be made available only to firms that are short-listed.

h. PROJECT INFORMATIONAL MEETING (S)/SITE VISIT (S): An informational meeting is tentatively scheduled for 10:00 a.m., July 14, 2003 in the College cafeteria. All firms interested in this meeting should contact Harry Phillips, Facilities Supervisor at (218) 739-7550 or e-mail at Hphillips@ffcc.edu to sign up for the meeting.

i. STATE DESIGNER SELECTION BOARD SCHEDULE:

<i>Project Information Meeting and/or Site Visit:</i>	Monday, July 14, 2003, at 10:00 a.m.
<i>Project Proposals Due:</i>	Monday, July 28, 2003, by 1:00 p.m.
<i>Project Shortlist:</i>	Tuesday, August 12, 2003
<i>Project Information Meeting for Shortlisted firms:</i>	None
<i>Project Interviews and Award:</i>	Tuesday, August 19, 2003

State Contracts

j. PROJECT CONTACT (S)

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

Thomas H. Koehnlein
Director of Facilities and Institutional Planning
Northwest Technical College
tom.koehnlein@ntcmn.edu
150 Second Street SW ~ Suite B,
PO Box 309, Perham, MN 56573
Phone: (218) 347-6211
Cell: (218) 849-4788, Fax: (218) 347-6210

- k. **SAMPLE CONTRACT:** The successful responder will be required to execute the MnSCU Basic Services Agreement which contains MnSCU'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.facilities.mnscu.edu* or contact the above project Manager.

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

2. PROPOSAL REQUIREMENTS

- a. 12 copies
- b. 8 ½ 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 **Web Site** <http://www.sao.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.

State Contracts

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
TOTAL			

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

4. 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 **Web Site** <http://www.sao.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 in accordance with *Minnesota Statutes* 13.591 after the evaluation process is completed. 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 offi-

cer, 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. 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 **Web Site** <http://www.sao.admin.state.mn.us>.

h. Any changes in team members for the project requires approval by the State.

i. 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 - NTC - Moorhead, Phase 2 Building Addition and Remodeling at Northwest Technical College, Moorhead, Minnesota (Project 03-21)

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, 1:00 p.m. Monday, July 28, 2003 to:

Terry Lewko, Executive Secretary
State Designer Selection Board
Department of Administration
State Architect's Office
301 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
(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 03-21

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 project to the existing campus of Northwest Technical College.

PROJECT SCOPE: The scope of this Project based upon an approved pre-design that includes expansion and remodeling of the existing campus.

- Technical College Addition - 22,500 GSF
- Technical College Remodeling - 13,000 GSF

This project will construct, remodel, furnish and equip Phase 2 of the allied health, construction trades and student services facilities. The construction will provide space on campus for new classrooms, laboratories, offices, plus associated spaces for the academic programs along with the common support areas and mechanical / electrical equipment space, and related needs.

The construction will also provide expanded and replacement infrastructure including new boilers, electrical service, upgrade campus storage and mechanical / electrical equipment space, and related needs.

State Contracts

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 spaces, including college, lab facilities, lab support, classrooms and similar spaces that are part of the program requirements.
4. Integrate the new spaces of the Project with the existing facilities.
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 data and 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 reimbursable of the roof design consultant.

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

1. Site property survey
2. Geotechnical investigations and recommendations, and
3. Asbestos survey, design and abatement to 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 similar 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.

e. **PROJECT BUDGET/FEES:** The estimated total project cost is currently \$6,500,000. 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 expected amount to award a construction contract is \$4,650,000. The maximum design team fees are anticipated to not be in excess of 8.0% of the budgeted construction cost plus reimbursable expenses. Final total fees will be negotiated with the selected design team.

f. **PROJECT SCHEDULE:** It is the desire of the owner to bid this project for a 2004 early spring bid opening with a spring construction start and occupancy in November 2005. The following preliminary schedule is suggested:

<i>Schematic Design Phase:</i>	begin September 2003, complete in four months.
<i>Design Development Phase:</i>	two months.
<i>Construction Documentation Phase:</i>	four months.
<i>Bidding period:</i>	one month.
<i>Construction Phase:</i>	eighteen months, including occupancy.

g. **PROJECT PRE-DESIGN INFORMATION:** A Pre-design Report dated May, 2003, prepared by the Foss Associates Architecture & Interiors, Moorhead, MN has been prepared. A copy of this document will be available for review at Northwest Technical College - Moorhead or with the Director of Facilities and Planning, Thomas H. Koehnlein prior to designer selection. For review, contact Thomas H. Koehnlein at (218) 347-6211, cell (218) 849-4788 or e-mail at tom.koehnlein@ntcmn.edu. Copies of the Pre-design Report document will be made available only to firms that are short-listed.

h. **PROJECT INFORMATIONAL MEETING (S)/SITE VISIT (S):** An informational meeting is tentatively scheduled for Tuesday, July 15, 2003 at 10:00 a.m. in the College auditorium. All firms interested in this meeting should contact Larry Gette, Facilities Supervisor at (218) 299-6519 or e-mail at larry.gette@ntcmn.edu to sign up for the meeting.

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

<i>Project Information Meeting and/or Site Visit:</i>	Tuesday, July 15, 2003, at the College
<i>Project Proposals Due:</i>	Monday, July 28, 2003, by 1:00 p.m.
<i>Project Shortlist:</i>	Tuesday, August 12, 2003
<i>Project Information Meeting for Shortlisted firms:</i>	None
<i>Project Interviews and Award:</i>	Tuesday, August 19, 2003

j. **PROJECT CONTACT (S)**

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

Thomas H. Koehnlein
Director of Facilities and Institutional Planning
Northwest Technical College
tom.koehnlein@ntcmn.edu
150 Second Street SW ~ Suite B,
PO Box 309, Perham, MN 56573
Phone: (218) 347-6211
Cell: (218) 849-4788, Fax: 218-347-6210

k. **SAMPLE CONTRACT:** The successful responder will be required to execute the MnSCU Basic Services Agreement which contains MnSCU'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.facilities.mnscu.edu> or contact the above project Manager.

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

2. PROPOSAL REQUIREMENTS

- 12 copies
- 8 ½ X 11, soft bound, portrait format
- Maximum 20 faces (excluding front and back covers, blank dividers, affidavit of non-collusion, and affirmative action data page)
- All pages numbered

3. PROPOSAL CONTENTS

- COVER**
 - Project name and number

State Contracts

- 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 **Web Site** <http://www.sao.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.

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
TOTAL			

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

4. 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 **Web Site** <http://www.sao.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 in accordance with *Minnesota Statutes* 13.591 after the evaluation process is completed. 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.

State Contracts

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. 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 **Web Site** <http://www.sao.admin.state.mn.us>.

h. Any changes in team members for the project requires approval by the State.

i. 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)

Bemidji State University

Request for Proposals for Residence Hall Coin-Operated Laundry Equipment and Service

NOTICE IS HEREBY GIVEN that Offers will be received by Bemidji State University, until 2:00 PM on July 31, 2003, for the purpose of a Residence Hall Coin-Operated Laundry Equipment and Service, according to specifications that will be available on July 7, 2003, at the following location:

Bemidji State University
Randall Ludeman, Associate Director of Residential Life
1500 Birchmont Drive NE, Box 33
Bemidji, MN 56601-2669
rludeman@bemidjistate.edu

Offers are to be submitted in a sealed envelope and clearly marked:

**"RESPONSE TO BEMIDJI STATE UNIVERSITY RESIDENCE HALL COIN-OPERATED
LAUNDRY EQUIPMENT AND SERVICE RFP"**

State Contracts

The address for submitting offers by 2:00 PM July 31, 2003, is:

Bemidji State University
Belinda Lindell, Director of Logistical Services
1500 Birchmont Drive NE, Box 8
Bemidji, MN 56601

Bemidji State University reserves the right to reject any and all Offers and to waive any informalities contained in such Offers.

Dated at Bemidji, Minnesota, this July 7, 2003.

Randall Ludeman
Associate Director of Residential Life

Colleges and Universities, Minnesota State (MnSCU)

Inver Hills Community College

Request for Proposals for the Safety and Security Department to Supply and Install Security System

1. Lenel On-Guard Electronic Access system with ProxKey II keyfob to technology Classrooms at Inver Hills Community College
2. Lenel On-Guard CCTV to the lower level of the business Building and all three floors of the Heritage Hall

Project includes but not limited to:

- 11 doors with dual proximity readers, 4 doors with single proximity readers, 10 doors with exit alarms, electronic strikes and all that is required to make this system operational and functional to the satisfaction of the owner.
- 300 HID ProxKey II Key Fobs
- Four cameras in the Business Building lower hallway with low light capabilities, 8 channel digital recorder, with extremely high level playback capabilities.
- Ten cameras all located in Heritage Hall on all three floors with 16 channel digital recorder with low light capabilities, with extremely high level playback capabilities.

For more information contact:

Patrick Buhl
Inver Hills Community College
Director of Facilities Planning and Management
2500 East 80th Street
IGH, MN 55076-3224
(651) 450-8536
email: pbuhl@inverhills.edu

This is the only person designated to answer questions regarding this request.

Interested parties should submit proposal to this office (HH102) by 2 p.m. on Monday, July 14, 2003

Dated: June 30, 2003

Patrick Buhl

Minnesota Higher Education Services Office

CORRECTION: Request for Proposals for Graphic Designers

Correction to Submission Deadline in 6/30/03 State Register Notice of RFP. Proposals must be submitted no later than July 24, 2003 at 4:00 p.m. (incorrectly printed in 6/30/03 State Register as July 14, 2003).

Minnesota Department of Human Services

State Operated Services/Regional Treatment Centers

Request for Proposals to Analyze the Environmental and Organizational Circumstances at the Anoka-Metro Regional Treatment Center

The Minnesota Department of Human Services is requesting proposals from qualified vendors to analyze the environmental and organizational circumstances, during the time period in which a critical patient incident occurred at the Anoka Metro Regional

State Contracts

Treatment Center (AMRTC).

A complete Request for Proposal may be obtained by calling or writing:

Debbie Rielley
Department of Human Services
State Operated Services Support Division
444 Lafayette Rd
St. Paul MN 55155-3826
Telephone: (651) 582-1882
Facsimile: (651) 582-1890
E-mail: debbie.rielley@state.mn.us

Proposals must be received by 4:20 p.m. on **July 28, 2003** to be considered. It is anticipated that the selection and evaluation will be completed by **August 1, 2003**.

This Request for Proposals does not obligate the State to complete the RFP process or to enter into a contract. The State reserves the right to cancel this RFP at any time and for any reason.

Department of Transportation

Program Support Group

Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Robin Valento at (651) 284-3622 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway-related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of a particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and application forms are available on Mn/DOT's web site at <http://www.dot.state.mn.us/consult>

Send completed application material to:

Robin Valento
Pre-Qualification Administrator
Minnesota Department of Transportation
Consultant Services
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680
St. Paul, MN 55155

Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation

Engineering Services Division

Notice Concerning Professional/Technical Contract Opportunities

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

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

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 editor for further details.

Metropolitan Council

Notice of Request for Proposals for CSAH 81 Relocation of Elm Creek Interceptor

RFP No. 03P066

NOTICE IS HEREBY GIVEN that the Metropolitan Council is soliciting proposals from professional engineering firms to provide a Step 2 Design and Step III Construction Support Services for CSAH 81 Relocation of Elm Creek Interceptor. The Council owns, operates and provides wastewater treatment services to the seven-county Twin Cities Metro Region.

The Council is seeking proposals for the relocation of approximately 7,400 feet of 30-inch and 48-inch sanitary sewer in the Maple Grove, MN area. The Work will include project administration, quality control, cost estimates, public involvement, permit and regulatory support, ground control survey, digital mapping, utility and survey data collection, land surveys and easement description preparation, and preparation of construction contract documents in cooperation with the Minnesota Department of Transportation.

The **tentative** schedule for this process is:

<i>RFP Issue date</i>	Mid-July 2003
<i>Proposals Due</i>	August 8, 2003
<i>Consultant Selection</i>	August 15, 2003
<i>Contract Award</i>	August 27, 2003
<i>Notice to Proceed</i>	September 2003
<i>50% Design Review</i>	November 2003
<i>100% Design Review</i>	January 2004
<i>Bid Date</i>	Set by MnDOT
<i>Construction Notice to Proceed</i>	Set by MnDOT
<i>Substantial Completion</i>	Set by MnDOT
<i>Final Completion</i>	Set by MnDOT

All firms interested in this project should submit a written request for a copy of the RFP through:

Amanda Houston, Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
Mears Park Centre
230 E. Fifth Street
St. Paul, MN 55101

Phone: (651) 602-1585 / **Fax:** (651) 602-1138 / **E-mail:** amanda.houston@metc.state.mn.us

Please provide the name of **one** contact person; complete company name; address / city / state / zip along with phone / fax / cell phone and pager numbers as well as e-mail information if you wish to be placed on the Solicitation List. **All other inquiries** regarding this procurement shall be directed by e-mail to Hugh McConnell at: hugh.mcconnell@metc.state.mn.us. Any other contact with Council employees on this matter throughout the entire solicitation process risks vendor disqualification.

University of Minnesota

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

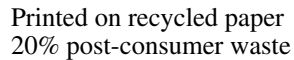
The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call BIS Coordinator at (612) 625-5534.

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 the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.



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